



**RESEARCH GRANTS MANAGEMENT OFFICE (RGMO)  
FACULTY OF MEDICINE AND HEALTH SCIENCES  
(FMHS)  
STELLENBOSCH UNIVERSITY (SU)**



**PROCEDURE AND REGULATIONS OF  
TRAVEL WHEN USING UNITED STATES GOVERNMENT FUNDING**

**SCOPE:** This document applies to all Stellenbosch University (SU) Faculty of Medicine and Health Sciences (FMHS) researchers using United States Government (USG) Funding (Federal Funds) for travelling.

**BACKGROUND AND REASON FOR THE REGULATION:** Researchers throughout the SU FMHS have been successful securing grant money from the United States Government (USG) e.g. National Institutes of Health (NIH), The US President's Emergency Plan for AIDS Relief (PEPFAR), The US Global AIDS Coordinator and the US Department of Health Resources and Services Administration (HRSA). The SU FMHS is committed to provide responsible stewardship of United States Government funding. Often grant funding has been allocated for international air travel and international cargo transportation in the budget. It is required that United States air carrier service is used for all air travel and transportation services funded by the United States Government. This is commonly referred to as the "Fly America Act".

**RESPONSIBILITIES**

1. The RGMO is responsible for developing and communicating this procedure to ensure that the FMHS research community understands the rules and regulations regulating USG funding.
2. PIs on a USG funded grant proposal are ultimately responsible for adhering to the regulations.

**PROCEDURE**

1. Complete Appendix 1 when requisitioning flights using USG funding.
2. In addition to the [travelling and subsistence regulations of Stellenbosch University \(SU\)](#), please take note that when travelling using USG federal funds (NIH, USAID, PEPFAR, CDC, HRSA, etc.) the regulations of the "[Fly America Act](#)" MUST be followed.
3. Grantees must comply with the requirement that US flag air carriers must be used, when commercial air transportation is the means of travel between the South Africa and the USA or between foreign countries. This requirement shall not be influenced by factors of cost, convenience, or personal travel preference.
4. Anyone, whose air travel is financed by U.S. Government funds, must comply with the requirements of the [Fly America Act](#) ("The Act"). Exceptions to "The Act" requirements apply when traveling solely outside the US, and a US flag air carrier provided service between the origin and the destination:
  - 2.1 If a US flag air carrier offers nonstop or direct service (no aircraft change) from the origin to the destination, the US flag air carrier service must be used unless such use would extend the travel time, including delay at origin, by 24 hours or more.
  - 2.2 If a US flag air carrier does not offer nonstop or direct service (no aircraft change) between the origin and the destination, a US flag air carrier must be used on every portion of the route where it provides service unless, when compared to using a foreign air carrier, such use would:
    - Increase the number of aircraft changes by two or more; or
    - Extend the travel time by at least six hours or more; or
    - Require a connecting time of four hours or more at an interchange point.
  - 2.3 If the USG has an "open skies agreement" with a country, then you may use any airline that operates in this country e.g. KLM (Netherlands), Air France, etc. There are currently four bilateral/multilateral "Open Skies Agreements"
    - [United States \(US\) Government and the European Union \(EU\) US-EU Amendment and US-EU Amendment](#)
    - [United States \(US\) and Australia](#)
    - [United States \(US\) and Switzerland](#)
    - [United States \(US\) and Japan](#)

- Other specific country agreements may be accessed via the [Department of State's website](#)
  - List of open skies partners: <https://www.state.gov/documents/organization/267341.pdf>
5. Compare SU *per diem* and hotel rates with that of USG. Please follow the link to check USG rates: [Federal Travel Regulation Per Diem Rates by Location](#)
  6. With reference to the NIH Grants Policy Statement (Revised Revised October 2017) **Visa Costs** is an allowable direct cost as part of recruiting costs on an NIH grant, as long as the institution has an employee/employer relationship with the individual. ([NIH Allowable Cost](#)). Short-term, travel visa costs (as opposed to longer-term, immigration visas) are generally allowable expenses that may be proposed as a direct cost. Since short-term visas are issued for a specific period and purpose, they can be clearly identified as directly connected to work performed on a Federal award. VISA Cost is allowable for CDC Funding. For these costs to be directly charged to a Federal award, they must:
    - a. Be critical and necessary for the conduct of the project;
    - b. Be allowable under the applicable cost principles;
    - c. Be consistent with the non-Federal entity's cost accounting practices and non-Federal entity policy; and
    - d. Meet the definition of "direct cost" as described in the applicable cost principles.
  7. It is the responsibility of the institution to monitor the status of the individual's work permit visa and ensure they have sufficient time to fulfil the obligations of the research they are being paid for on the grant. However, if the person is already an employee, and the cost in question is a work permit visa renewal then this isn't a recruiting cost so the cost would not be an allowable charge to a grant. It is not applicable to CDC funding grants
  8. Use the checklist (**Appendix 1**) to determine when the "Fly America Act" applies.
  9. Retain all support documentation for audit purposes.
  10. Consult your project accountant for any assistance or review of the support documents to ensure you comply with "The Act".

### **ACRONYMS AND DEFINITIONS**

PIs	Principal Investigator(s) is the primary individual responsible for the preparation, conduct, and administration of a research grant, cooperative agreement, training or public service project, contract, or other sponsored project in compliance with applicable laws and regulations and institutional policy governing the conduct of sponsored research.
USG	United States Government
U.S. flag air carrier service	Service provided on an air carrier that holds a certificate under 49 U.S.C. 41102, and is authorized either by the carrier's certificate, or by exemption or regulation. US flag air carrier service also includes service provided under a code share agreement with a foreign air carrier in accordance with Title 14, Code of Federal Regulations when the ticket, or documentation for an electronic ticket, identifies the US flag air carrier's designator code and flight number.
Non-U.S. flag carrier	not affiliated/non coach share flight with an American airline
NIH	National Institutes of Health
PEPFAR	The U.S. President's Emergency Plan for AIDS Relief
HRSA	US Department of Health Resources and Services Administration
Open skies agreement	Non-US flag carrier/airline that has an agreement with the US and can therefore be used for foreign travel (please see link provided for which airlines has this "open skies agreement" with the US.
Foreign travel	International travel means travel outside South Africa

**Appendix 1**

**Checklist to determine when the “Fly America Act” does apply**

**Requisition Number**  
can only be added after  
checklist has been completed &  
correct flights has been selected

**Project Name & Number:** \_\_\_\_\_

**Date of Travel/Conference/Meeting:** \_\_\_\_\_

**Description of Travel/Conference/Meeting:** \_\_\_\_\_

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Has the PI allocated money for travel in the budget?

- Yes
- No - please consult your project accountant at RGMO before making travel arrangements.

Is this international travel?

- Yes
- No - If domestic then please comply with SU travel policy only.

Is the funding source from United States Government?

- Yes
- No - then you do not have to comply with the Fly America Act.

Is there an open skies agreement with the preferred airline?

- Yes, please retain support documents for audit purposes.
- No, please use U.S. flag carrier (unless one of the other exceptions apply?).

Do any of the other exceptions apply?

- Yes, please retain support documents for audit purposes
- No - please use U.S. flag air carrier

If exceptions apply, please tick the box for applicable exception

- Increase the number of aircraft changes by two (2) or more
- Extend the travel time by at least six (6) hours or more; or
- Require a connecting time of four (4) hours or more at an interchange point.

**Prepared by (PI/Admin):**

**Approved by (RGMO):**

<b>Name:</b>		<b>Name:</b>	
<b>Date:</b>		<b>Date:</b>	
<b>Signature:</b>		<b>Signature:</b>	

## Open Skies Partners

July 14, 2017

Released by the Bureau of Economic and Business Affairs  
Washington, DC

	Partner	Application	Date	All-Cargo 7ths
1.	Netherlands <sup>1</sup>	In Force	10/14/92	--
2.	Belgium <sup>1</sup>	Provisional	3/1/95	--
3.	Finland <sup>1</sup>	In Force	3/24/95	--
4.	Denmark <sup>1</sup>	In Force	4/26/95	--
5.	Norway <sup>1</sup>	In Force	4/26/95	--
6.	Sweden <sup>1</sup>	In Force	4/26/95	--
7.	Luxembourg <sup>1</sup>	In Force	6/6/95	Yes
8.	Austria <sup>1</sup>	In Force	6/14/95	--
9.	Iceland <sup>1</sup>	In Force	6/14/95	Yes
10.	Switzerland	In Force	6/15/95	Yes
11.	Czech Republic <sup>1</sup>	In Force	12/8/95	Yes
12.	Germany <sup>1</sup>	Provisional	2/29/96	Yes
13.	Jordan	In Force	11/10/96	--
14.	Singapore <sup>2</sup>	In Force	1/22/97	Yes
15.	Taiwan	In Force	2/28/97	--
16.	Costa Rica	In Force	5/8/97	--
17.	El Salvador	In Force	5/8/97	Yes
18.	Guatemala	In Force	5/8/97	Yes
19.	Honduras	Provisional	5/8/97	Yes
20.	Nicaragua	In Force	5/8/97	Charter Only
21.	Panama	In Force	5/8/97	Yes
22.	New Zealand <sup>2</sup>	In Force	5/29/97	Yes
23.	Brunei <sup>2</sup>	In Force	6/20/97	Yes
24.	Malaysia	In Force	6/21/97	Yes
25.	Aruba	In Force	9/18/97	Yes
26.	Chile <sup>2</sup>	In Force	10/28/97	Yes
27.	Uzbekistan	In Force	2/27/98	Yes
28.	Korea	In Force	4/23/98	--
29.	Peru	In Force	6/10/98	Yes
30.	Netherland Antilles	In Force	7/14/98	Yes
31.	Romania <sup>1</sup>	In Force	7/15/98	--
32.	Italy <sup>1</sup>	Provisional	11/11/98	--
33.	U.A.E.	In Force	4/13/99	Yes
34.	Pakistan	In Force	4/29/99	Yes
35.	Bahrain	In Force	5/24/99	Yes
36.	Tanzania	Provisional	11/3/99	Yes
37.	Portugal <sup>1</sup>	In Force	12/22/99	Yes

38.	Slovak Republic <sup>1</sup>	In Force	1/7/00	Yes
39.	Namibia	C&R <sup>3</sup>	2/4/00	--
40.	Burkina Faso	In Force	2/9/00	Yes
41.	Turkey	In Force	3/22/00	--
42.	Gambia	In Force	5/2/00	Yes
43.	Nigeria	Provisional	8/26/00	Yes
44.	Morocco	In Force	10/5/00	Yes
45.	Ghana	In Force	10/11/00	Yes
46.	Rwanda	In Force	10/11/00	Yes
47.	Malta <sup>1</sup>	In Force	10/12/00	Yes
48.	Benin	N/A	11/28/00	Yes
49.	Senegal	In Force	12/15/00	Yes
50.	Poland <sup>1</sup>	In Force	5/31/01	Yes
51.	Oman	In Force	9/16/01	Yes
52.	Qatar	Provisional	10/3/01	Yes
53.	France <sup>1</sup>	In Force	10/19/01	Yes
54.	Sri Lanka	In Force	11/1/01	--
55.	Uganda	In Force	6/4/02	Yes
56.	Cabo Verde	In Force	6/21/02	Yes
57.	Samoa <sup>2</sup>	In Force	7/4/02	Yes
58.	Jamaica	In Force	10/30/02	--
59.	Tonga <sup>2</sup>	In Force	9/19/03	Yes
60.	Albania	In Force	9/24/03	Yes
61.	Madagascar	Provisional	3/10/04	Yes
62.	Gabon	In Force	5/26/04	Yes
63.	Indonesia	C&R <sup>3</sup>	7/26/04	Yes
64.	Uruguay	In Force	10/20/04	Yes
65.	India	In Force	1/15/05	Yes
66.	Paraguay	In Force	5/2/05	Yes
67.	Maldives	In Force	5/5/05	Yes
68.	Ethiopia	In Force	5/17/05	Yes
69.	Thailand	In Force	9/19/05	Yes
70.	Mali	In Force	10/17/05	Yes
71.	Bosnia And Herzegovina	In Force	11/22/05	Yes
72.	Cameroon	Provisional	2/16/06	Yes
73.	Cook Islands <sup>2</sup>	In Force	2/28/06	Yes
74.	Chad	Provisional	5/31/06	Yes
75.	Kuwait	In Force	8/30/06	Yes
76.	Liberia	In Force	2/15/07	Yes
77.	Canada	In Force	3/12/07	Yes
78.	Bulgaria <sup>1</sup>	Provisional	4/30/07	--
79.	Cyprus <sup>1</sup>	Provisional	4/30/07	--
80.	Estonia <sup>1</sup>	Provisional	4/30/07	--
81.	Greece <sup>1</sup>	Provisional	4/30/07	--

82. Hungary <sup>1</sup>	Provisional	4/30/07	--
83. Ireland <sup>1</sup>	Provisional	4/30/07	--
84. Latvia <sup>1</sup>	Provisional	4/30/07	--
85. Lithuania <sup>1</sup>	Provisional	4/30/07	--
86. Slovenia <sup>1</sup>	Provisional	4/30/07	--
87. Spain <sup>1</sup>	Provisional	4/30/07	--
88. United Kingdom <sup>1</sup>	Provisional	4/30/07	--
89. Georgia	In Force	6/21/07	Yes
90. Australia	In Force	2/14/08	Yes
91. Croatia	In Force	3/13/08	Yes
92. Kenya	In Force	5/30/08	--
93. Laos	In Force	10/3/08	Yes
94. Armenia	In Force	10/6/08	Yes
95. Zambia	In Force	3/16/10	Yes
96. Israel	In Force	4/23/10	--
97. Trinidad & Tobago	In Force	5/1/10	Yes
98. Barbados	In Force	7/1/10	Yes
99. Japan	In Force	10/25/10	--
100. Colombia	In Force	11/11/10	--
101. Brazil	N/A	12/3/10	--
102. Saudi Arabia	In Force	4/18/11	--
103. St. Kitts	In Force	11/28/11	Yes
104. Montenegro	In Force	12/5/11	Yes
105. Suriname	In Force	6/21/12	--
106. Sierra Leone	In Force	6/26/12	Yes
107. Macedonia	In Force	8/23/12	Yes
108. Seychelles	In Force	12/12/12	Yes
109. Yemen	C&R <sup>3</sup>	12/12/12	Yes
110. Guyana	In Force	3/25/13	Yes
111. Bangladesh	C&R <sup>3</sup>	8/15/13	Yes
112. Botswana	In Force	12/12/13	Yes
113. Equatorial Guinea	In Force	8/7/14	Yes
114. Burundi	C&R <sup>3</sup>	11/18/14	Yes
115. Togo	In Force	4/7/15	Yes
116. Serbia	In Force	5/29/15	Yes
117. Ukraine	In Force	7/14/15	Yes
118. Côte d'Ivoire	In Force	10/20/15	Yes
119. Azerbaijan	In Force	4/6/16	Yes
120. Curaçao <sup>4</sup>	In Force	9/26/16	Yes
121. Sint Maarten	C&R <sup>3</sup>	3/21/17	Yes
122. Saint Vincent and the Grenadines	In Force	4/7/17	Yes
123. Republic of the Congo (Brazzaville)	C&R <sup>3</sup>	5/30/17	Yes

<sup>1</sup> The U.S.-EU Air Transport Agreement, signed April 30, 2007, was provisionally applied March 30, 2008 for all 27 European Union Member States at that time. Norway and Iceland became party to the U.S.-EU agreement pursuant to an agreement signed and provisionally applied June 11, 2011.

<sup>2</sup> Multilateral Agreement on the Liberalization of International Air Transportation

<sup>3</sup> Applied on the basis of comity and reciprocity

<sup>4</sup> The agreement is between the United States and the Kingdom of the Netherlands, in respect of Curaçao.