§ 301–70.806 What documentation must we retain for travel on Government aircraft?

You must retain all travel authorizations and cost-comparisons for travel on Government aircraft for two years.

§ 301–70.807 Must we make information available to the public about travel by senior Federal officials and non-Federal travelers on Government aircraft?

Yes, an agency that authorizes travel on Government aircraft must make records about travelers on those aircraft available to the public in response to written requests under the Freedom of Information Act (5 U.S.C. 552), except for portions exempt from disclosure under that Act (such as classified information).

§ 301–70.808 Do the rules in this part apply to travel on Government aircraft by the President and Vice President or by individuals traveling in support of the President and Vice President?

Given the unique functions and needs of the presidency and the vice presidency, section 4 of Circular A–126, “Improving the Management and Use of Government Aircraft,” Revised May 1992, makes clear that Circular A–126 does not apply to aircraft while in use by or in support of the President or Vice President. Since the principal purpose of the rules in this part is to implement Circular A–126, the rules in this part also do not apply to such travel. If any questions arise regarding travel related to the President or Vice President, contact the Office of the Counsel to the President or the Office of the Counsel to the Vice President, respectively.

Subpart J—Policies and Procedures for Agencies That Own or Hire Government Aircraft for Travel

§ 301–70.900 May we use our Government aircraft to carry passengers?

Yes. You may use Government aircraft, i.e., aircraft that you own, borrow, operate as a bailed aircraft, or hire as a commercial aviation service (CAS), to carry Federal and non-Federal travelers, but only in accordance with the rules in 41 CFR 102–33.215 and 102–33.220 and the regulations in this part.

§ 301–70.901 Who may approve use of our Government aircraft to carry passengers?

Your agency head or his/her designee must approve the use of your agency’s Government aircraft for travel, i.e., for carrying passengers and any crew members or qualified non-crew members who are also traveling. This approval must be in writing and may be for recurring travel.

§ 301–70.902 Do we have any special responsibilities related to space available travel on our Government aircraft?

Yes, except for travel authorized under 10 U.S.C. 4744 and regulations implementing that statute, you must certify in writing before carrying passengers on a space available basis on your Government aircraft that the aircraft is scheduled to perform a bona fide governmental function. Bona fide governmental functions may include support for official travel. You must also certify that carrying a passenger in space available does not cause the need for a larger aircraft and does not result in more than minor additional cost to the Government. Your aircraft management office must retain this
certification for two years. In an emergency situation, prior verbal approval with an after-the-fact written certification is permitted.

§ 301–70.903 What are our responsibilities for ensuring that Government aircraft are the most cost-effective alternative for travel?

To help ensure that Government aircraft are the most cost-effective alternative for travel, your aircraft management office must calculate the cost of a trip on your aircraft, whether Federal aircraft or CAS aircraft, and submit that information to the traveler’s designated travel-approving official upon request. The designated travel-approving official must use that information to compare the cost of using Government aircraft with the cost of scheduled commercial airline service and the cost of using other available modes of transportation. When you operate a Government aircraft to fulfill a non-travel related governmental function or for required use travel, using any space available for passengers on official travel is presumed to result in cost savings. For guidance on how and when to calculate the cost of a trip on Government aircraft, see the “U.S. Government Aircraft Cost Accounting Guide,” published by the Aircraft Management Policy Division (MTA), General Services Administration, 1800 F Street, N.W., Washington, DC, 20405.

§ 301–70.904 Must travelers whom we carry on Government aircraft be authorized to travel?

Yes, every traveler on one of your aircraft must have a written travel authorization from an authorizing executive agency, and he/she must present that authorization, before the flight, to the aircraft management office or its representative in the organization that owns or hires the Government aircraft. In addition to all passengers, those crewmembers and qualified non-crewmembers on a flight in which they are also traveling (i.e., being transported from point to point) are considered travelers and must also be authorized to travel on Government aircraft.

§ 301–70.905 What documentation must we retain for travel on our Government aircraft?

(a) You must retain for two years copies of travel authorizations for senior Federal officials and non-Federal travelers who travel on your Government aircraft.

(b) You must also retain for two years the following information for each flight:

(1) The tail number of the Government aircraft used.

(2) The dates used for travel.

(3) The name(s) of the pilot(s), other crewmembers, and qualified non-crewmembers.

(4) The purpose(s) of the flight.

(5) The route(s) flown.

(6) The names of all passengers.

§ 301–70.906 Must we report use of our Government aircraft to carry senior Federal officials and non-Federal travelers?

Yes, except when the trips are classified, you must report to GSA’s Office of Governmentwide Policy (MTT) all uses of your aircraft for travel by any senior Federal official or non-Federal traveler, by using an electronic reporting tool found at http://www.gsa.gov/sftlr, unless travel is authorized under 10 U.S.C. 2648 and regulations implementing that statute.

[FPR Amdt. 2010-04, 75 FR 59095, Sept. 27, 2010]

§ 301–70.907 What information must we report on the use of Government aircraft to carry senior Federal officials and non-Federal travelers and when must it be reported?

You must report on a semi-annual basis to the General Services Administration (GSA) information about Senior Federal officials and non-Federal travelers who fly aboard your aircraft. The reporting periods are October 1 through March 31 and April 1 through September 30 of each fiscal year. A report is due to GSA no later than 30 calendar days after the close of each reporting period and must contain the following information:

(a) The person’s name with indication that he/she is either a senior Federal official or a non-Federal traveler, whichever is appropriate.