

FY 2020 Instructions, Completion Checklist and Templates

to

Request Authorization to Procure Government Aircraft Services (Charter Aircraft)

Instructions:

1. This is Executive correspondence to the Assistant Secretary for Administration. Use Operational Division stationary/letterhead.
2. The requesting Operational Division is responsible for ensuring the request is properly formatted, the information provided is accurate, and the request fully conforms to the template. The completion checklist is provided to help the Operational Division submit a proper request that will withstand scrutiny.
3. The request is a package consisting primarily of:
 - a. The request memorandum
 - b. The supporting documentation, including appendices, manifests, cost comparisons, etc.
 - c. Three properly prepared "Use of Government Aircraft" approval forms: one each for the Agency Senior Travel Official, the General Counsel, and the Assistant Secretary for Administration
4. If approved, a copy of the approval memorandum shall be provided to the Department Travel Program Manager, Program Support Center.
5. All records pertaining to this procurement shall be kept according to the appropriate records retention schedule.

Completion Checklist

1. To be completed before requesting to procure charter aircraft.
 - Was Operational Division letterhead used?
 - Is there only one HHS or Operational Division logo on the document? (On the first page only; none on the subsequent pages)
 - Was the memorandum framework followed?
 - Is the date on the memorandum?
 - Was only one legal standard used, or more than one only when necessary?
 - Was the same legal standard used in the request memorandum also applied to the respective "Use of Government Aircraft Approval" forms? (The Operational Division must prepare the forms for ASTO, General Counsel and Assistant Secretary for Administration signature)
 - Was the justification fully articulated in factual narrative form?
 - Was the travel manifest completed?
 - Was the travel itinerary completed?
 - Were commercial flight options and costs researched and documented?
 - Was the Italicized guidance text removed from the text of the request?
 - Was the red text changed to black text when the required information was inserted?
 - Was the template header removed from the memorandum?
 - Was the document converted from MS Word to Adobe Acrobat PDF before being submitted for review and approval?

Fiscal Year 2020 Requests for Authorization to Procure Government Aircraft Services (Charter Aircraft)

- Are the Agency Senior Travel Official's and the General Counsel's approvals added as attachments in a single document before the request was submitted to the Assistant Secretary for Administration for review and consideration?

Review and Approval Process:

- Was the Agency Senior Travel Official's (ASTO's) review completed?
- Was the Agency Senior Travel Official's (ASTO's) signed approval on the request memo received? (First level of approval. Must be included in the submission to the General Counsel)
- Was the General Counsel's (either the General Counsel or the Principal Deputy General Counsel) review completed?
- Was the General Counsel's (either the General Counsel or the Principal Deputy General Counsel) signed approval on the request memo received? (Second level of approval. The ASTO and the General Counsel's approvals must be included in the submission submitted to the to the Assistant Secretary for Administration)
- Was the Assistant Secretary's review completed?
- Was the Assistant Secretary's signed approval on the request memo received? (Final approval)
- Was a copy of the final approval bearing the ASTO, GC and ASA's signatures forwarded to the Departmental Travel Program Manager at PSC?
- Was a copy of the final approval bearing the ASTO, GC and ASA's signatures forwarded to the Contracting Officer awarding the procurement?
- Was a travel authorization created in the E-Government Travel System (ETS) for each traveler and a Travel Authorization Number (TANUM) generated?

Memorandum Framework

Date

To:

Assistant Secretary for Administration
U.S. Department of Health and Human Services

Via: Office of General Counsel

From:

Subject: Request for Authority to Procure Charter Aircraft Services

Request. It is requested that _____ be afforded single-instance authority to procure the services of a charter aircraft company and use a charter aircraft to _____

It is further requested that the Office of General Counsel and the Agency Senior Travel Official (ASTO) review and concur with this request, and that the Assistant Secretary for Administration, ASTO and the General Counsel or Principal Deputy General Counsel approve this request on the enclosed approval forms as required by 41 C.F.R. §§ 301-10.262, .301-70.801, or 301-70.803, and HHS Travel Policy Manual § 1.3.2(2), as appropriate.

Legal Standard. This request is based upon the following legal standard:

*[Guidance: State the legal standard that this request is based upon. While more than one legal standard may be applicable to the circumstances, in order to reduce the amount of documentation that would otherwise accompany the request, only one legal standard is permitted per request. **Important:** The requesting Operational Division must prepare the "Use of Government Aircraft Approval" forms for Agency Senior Travel Official, the General Counsel and the Assistant Secretary for Administration. If the signature forms are not prepared correctly, then the request will be declined.]*

The choices available are:

Travel to Meet Mission Requirements

Agencies shall operate government aircraft only for official purposes, which includes the operation of Government aircraft for mission requirements. OMB Circular No. A-126, May 22, 1992, Improving the Management and Use of Government Aircraft, at § 7(i). "Travel to meet mission requirements means activities that constitute the discharge of an agency's official responsibilities... mission requirements do not include official travel to give speeches, attend conferences or meetings, or to make routine site visits." *Id.*, at § 5(b).

No Commercial Service Reasonably Available

Government aircraft may be used for official travel that is neither required use travel or to meet mission requirements only when no scheduled commercial airline service is reasonably available

Fiscal Year 2020 Requests for Authorization to Procure Government Aircraft Services (Charter Aircraft)

(i.e., able to meet departure and/or arrival requirements within a 24-hour period, unless it is demonstrated that extraordinary circumstances require a shorter period) to fulfill agency travel requirements. OMB Circular No. A-126, May 22, 1992, Improving the Management and Use of Government Aircraft, § 8(a).

hereby certifies that the agency travel requirements identified in this memo for the following travel segment(s) cannot be accomplished using regularly scheduled commercial airline flights are available, requiring the use of charter aircraft:

From:

To:

[Insert information below as to what the Agency's departure and arrival requirements are and include flight information to demonstrate that no commercial airline or aircraft service can meet the requirements within a 24-hour period or if required by extraordinary circumstances a shorter period]

Cost of Government Aircraft is less than the Contract City Pair Fare

Pursuant to 41 C.F.R § 301- 10.261(a)(2), Government aircraft may be used for official travel when the cost of using a Government aircraft is less than the cost of the city-pair fare for scheduled commercial airline service or the cost of the lowest available full coach fare if a city-pair fare is not available. The cost of non-productive or lost work time while in travel status and certain other costs should be considered when comparing the cost of using a Government aircraft in lieu of scheduled commercial airline service.

hereby certifies that the cost of using Government aircraft is less than the cost of using commercial airline service and related travel costs for the travel segment(s):

From:

To:

CHARTER JUSTIFICATION

It is more cost-effective for the named HHS employees to use the charter aircraft than the commercial option (see Attachment A). The following is the cost comparison between travel by commercial airline and travel by charter aircraft for this trip.

Commercial Costs:	Number of Travelers	Airfare for Each Traveler	Total Cost
Leg 1 From -- To --			
Leg 2 From -- To --			
Leg 3 From -- To --			
COMMERCIAL TRIP TOTAL:			

Fiscal Year 2020 Requests for Authorization to Procure Government Aircraft Services (Charter Aircraft)

Charter Costs:	Number of Hours	\$/Hour	Taxes	Total Cost
Leg 1 From -- To --				
Leg 2 From -- To --				
Leg 3 From -- To --				
CHARTER TRIP TOTAL:				
<i>Important: Be sure to also factor the Federal Excise Tax for charter aircraft fuel are factored as well as the "Head Tax" for flights leaving certain jurisdictions. The Federal Government is not exempt from these taxes.</i>				

Required Use Travel

In accordance with 41 C.F.R. § 301-70.803, Required Use Travel on Government (Chartered) Aircraft, the Department developed written standards as to when travelers are required to use Government aircraft. HHS Travel Policy Manual § 4.1.9.1 requires designated travelers to use Government aircraft due to one or more of the following:

- Their continuous requirement for secure communications;
- For security;
- For responsive transportation to satisfy exceptional scheduling requirements dictated by short-notice travel, which makes commercial transportation unacceptable;
- Certain HHS Missions, which require use of Government (Charter) aircraft to fulfill the needs of the mission including but not limited to:
 1. Division of Strategic National Stockpile is deployed in support of an event that requires a Technical Advisory Response Unit including training exercises related to the particular type of response;
 2. [Assistant Secretary for Preparedness and Response] Division of Emergency Operations is deployed in support of a national emergency, e.g., Category 4 or 5 hurricane-type event resulting in significant regional devastation, pandemic flu, food-borne poison episode, an anthrax event, etc.; or
 3. In support of the Aeromedical Biological Containment System (ABCS) – Tail # N163PA or N173PA. The ABCS is a portable, tent-like device that can be quickly installed inside a modified Gulfstream III (G-III) aircraft. It provides a rapid, readily available, aeromedical evacuation asset to perform emergency movement of infectious/contagious CDC personnel from the field or site of exposure to a facility that can provide adequate and appropriate medical care. The ABCS is authorized to be used only in one of two aircraft, which are owned by Phoenix Air Group. The tail numbers are N163PA and N173PA. Both

Fiscal Year 2020 **Requests for Authorization to Procure Government Aircraft Services (Charter Aircraft)**

aircraft are G-III and can be used for multiple purposes – passenger, cargo, and MEDEVAC transport (with or without the ABCS installed).

4. In support of the Ebola virus disease (EVD) public health crisis in West Africa (and elsewhere). This required use policy applies under any of the following circumstances:
- When, due to the EVD crisis, commercial flights to affected countries are not reasonably available to fulfill the agency’s travel requirement, i.e., within a 24-hour period unless extraordinary circumstances require a shorter period;
 - When symptomatic personnel in need of repatriation require the use of an Aeromedical Biological Containment System;
 - When asymptomatic, at-risk personnel in need of repatriation are advised, according CDC guidance, against traveling on commercial carriers due to the risk of disease transmission to others;
 - When there is a need to transport a traveler to the United States or other country for medical treatment for illness or injury not suffered due to the fault of the traveler; or
 - When otherwise determined necessary by the Center for Disease Control and Prevention’s Chief Operating Officer (COO) because of extraordinary circumstances.
 - Any personnel determined by Center for Disease Control and Prevention’s Chief Operating Officer (COO) to meet these requirements are covered under this policy. This policy also covers any individual repatriated or medically evacuated by the Department of State, Department of Defense, or other organizations through their respective programs.

Under the Ebola virus disease policy only, the CDC COO can authorize such required-use travel for each such flight; approval by the General Counsel or principal legal deputy is not required; however, notice of each use of the policy must be promptly provided to the Assistant Secretary for Administration, the General Counsel, and the Director of the Program Support Center Transportation Services.

_____ hereby certifies that the use of this Government aircraft is required for the travel segment(s):

From:

To:

Based on this Required Use, the use of charter aircraft for these portions of the trip is permitted.

Space Available Travel

Pursuant to 41 C.F.R. § 301-10.261(c) and OMB Circular No. A-126, May 22, 1992, Improving the Management and Use of Government Aircraft, at § 8(b), the aircraft is already scheduled for use

Fiscal Year 2020 Requests for Authorization to Procure Government Aircraft Services (Charter Aircraft)

<u>Day, Date</u>	
<u>Time</u>	Departure from [INSERT CITY] (INSERT AIRPORT CODE) EN ROUTE [INSERT CITY] (INSERT AIRPORT CODE) Flight time: x hrs, xx min (include location of any fuel stops if applicable) Time Change: + or – x hrs
<u>Time</u>	Arrive [INSERT CITY]
<u>Time</u>	Depart airport EN ROUTE [INSERT LOCATION] Drive Time: xx mins
<u>Time</u>	[INSERT EVENT/MEETING NAME WITH NAME OF INDIVIDUALS ATTENDING]
<u>Time</u>	Depart [INSERT LOCATION] EN ROUTE Airport Drive Time: xx mins
<u>Time</u>	Departure from [INSERT CITY] (INSERT AIRPORT CODE) EN ROUTE [INSERT CITY] (INSERT AIRPORT CODE) Flight time: x hrs, xx min (include location of any fuel stops if applicable) Time Change: + or – x hrs
<u>Time</u>	Arrive [INSERT CITY]

Charter Justification. The following justification is provided in support of this request.

[Guidance: It is required that the use of charter aircraft be fully justified. Explain the need in detail. State just the facts and avoid writing narratives that embellish the mission need. Follow the "SMEAC" structure: Situation, Mission, Execution, Administration & Logistics, and Command & Signal.]

Situation: The current state of the environment that compels the need. E.g., "There is a contagious disease outbreak in Country X..."

Mission: The objective to be accomplished through use of the charter aircraft. E.g. "The charter aircraft will be used to deliver medical researchers, physicians and nurses to X so they may establish a treatment facility and lead efforts to stop the outbreak."

Execution: Describe how the procurement of the charter aircraft will be performed; what internal actions will be taken to lawfully obtain the use of the aircraft.

Fiscal Year 2020 Requests for Authorization to Procure Government Aircraft Services (Charter Aircraft)

Administration & Logistics: This is where any “catch all” information is placed. It includes special needs like coordination of State Department country clearances, special equipment required, aircraft special requirements (E.g.: Why a 20-seat aircraft is needed instead of a 4-seat aircraft). The onus is upon the program to consider and articulate plainly to the greatest extent possible the details about the mission and the needs.

Command & Signal: States who the overall responsible federal officials are, their roles in the procurement and the mission, and their contact information. Include the information for the accountable Executives, the Senior Travel Official, the Contracting Officer and the accountable Funding Official/Funds Certifier assuming the fiduciary liability. The format for this is:

Name:

Title:

Organization:

Telephone:

E-mail:

Fiscal Year 2020 Requests for Authorization to Procure Government Aircraft Services (Charter Aircraft)

Attachment A: Commercial Flight Cost Options

Guidance: Perform research on commercial flight options that will place the travelers closest to the mission location. List carrier, flight number, times/dates of departure, and cost of flight that best meets agency travel needs for each segment of the trip. If it is not applicable, then use the “Not applicable...” statement shown.

The following are the commercial flight options and the costs of these options:

CITY A, STATE (AIRPORT CODE) to CITY B, STATE (AIRPORT CODE)	
TIME	Departing [INSERT CITY A AIRPORT CODE] (via [INSERT AIRLINE AND FLIGHT NUMBER]) (CONNECTING IN X CITY IF APPLICABLE)
TIME	ARRIVING CITY B
TIME	Departing [INSERT CITY B AIRPORT CODE] (via [INSERT AIRLINE AND FLIGHT NUMBER]) (CONNECTING IN X CITY IF APPLICABLE)
TIME	ARRIVING CITY A
	AIRFARE TOTAL: \$X

Not applicable as there are no commercial flights to these destinations

General Counsel "Use of Government Aircraft" Approval Form

Authorization Required by 41 C.F.R. §§ 301-10.262, 301.70.803 and HHS Travel Policy Manual § 1.3.2(2)

Pursuant to 41 C.F.R. §§ 301-10.262, 301-70.803, HHS Travel Policy Manual § 1.3.2(2), and on the basis of the certifications made by _____ in the Memorandum dated _____ (and the facts recited therein), I approve the use of Government aircraft by _____ and other senior federal officials named in the Memorandum to meet the Department's stated travel requirements.

Based on the certifications made by _____ that: (1) _____, and (2) this trip is for the official travel of _____ and other senior federal officials as named in the Memorandum, and is required to fulfill the purposes and objectives described in the Memorandum, I conclude that use of the Government aircraft is appropriate.

APPROVAL

The General Counsel or the Principal Deputy
General Counsel

Date

Copy to:

Departmental Travel Program Manager,
Program Support Center

Fiscal Year 2020 Requests for Authorization to Procure Government Aircraft Services (Charter Aircraft)

Assistant Secretary for Administration "Use of Government Aircraft Approval" Form

Authorization Required by 41 C.F.R. §§ 301-10.262(d), 301-70.803(d) and HHS Travel Policy Manual § 1.3.2(2)

As the Assistant Secretary for Administration of the U.S. Department of Health and Human Services, I am the designated aircraft authorization official within this Department for use of Government aircraft under regulations promulgated by the General Services Administration, pursuant to 41 C.F.R. §§ 301-10.262(d), 301-70.803(d) and HHS Travel Policy Manual § 1.3.2(2). On the basis of the certifications made by _____ in the Memorandum dated _____ (and the facts recited therein), I approve the use of Government aircraft by _____ and other senior federal officials named in the Memorandum to meet the Department's stated travel requirements.

Based on the certifications made by _____ that: (1) _____, and (2) this trip is for the official travel of _____ and other senior federal officials as named in the Memorandum, and is required to fulfill the purposes and objectives described in the Memorandum, I conclude that use of the Government aircraft is appropriate.

APPROVAL

Assistant Secretary for Administration

Date

Copy to:

Department Travel Program Manager,
Program Support Center

Agency Senior Travel Official "Use of Government Aircraft Approval" Form

Authorization Required by 41 C.F.R. §§ 301-10.262(d), 301-70.803(d) and HHS Travel Policy Manual § 1.3.2(2)

As the Agency Senior Travel Official of the U.S. Department of Health and Human Services, I am the designated aircraft authorization official within this Department for use of Government aircraft under regulations promulgated by the General Services Administration, pursuant to 41 C.F.R. §§ 301-10.262(d), 301-70.803(d) and HHS Travel Policy Manual § 1.3.2(2). On the basis of the certifications made by in the Memorandum dated (and the facts recited therein), I approve the use of Government aircraft by and other senior federal officials named in the Memorandum to meet the Department's stated travel requirements.

Based on the certifications made by that: (1) , and (2) this trip is for the official travel of and other senior federal officials as named in the Memorandum, I conclude that use of the Government aircraft is appropriate.

APPROVAL

Agency Senior Travel Official

Date

Copy to:

Department Travel Program Manager,
Program Support Center