

and set forth the basis for that determination. In emergency situations an after-the-fact written certification by an agency is permitted.

(ii) An agency head opting to determine that travel by an officer or employee may be required use travel shall establish written standards for determining when required use travel is permitted. Such travel shall not be permitted unless the travel is in conformance with the written standards.

(c) All travel by senior Federal officials, family members of senior Federal officials, and non-Federal travelers that is not to meet mission requirements or required use travel must be authorized in advance and in writing.

(1) Such authorization must be approved on a trip-by-trip basis and must be signed by the agency's senior legal official or the principal deputy, or be in conformance with an agency review and approval system that has been approved by the Office of Management and Budget (OMB). In emergency situations, an after-the-fact written certification by an agency is permitted.

(2) In addition to the provisions of this subpart, Federal employees on official travel shall be subject to all other applicable travel rules and regulations. Travel by such individuals that is not official travel, for purposes of this subpart, is subject to the reimbursement requirements in §101-37.403(c) of this subpart for space available travel.

§101-37.406 Justification of the use of Government aircraft for transportation of passengers.

(a) The cost comparison justifying the use of a Government aircraft for a proposed trip as required by §101-37.402(b)(1)(ii) of this subpart should be made prior to authorizing the use of the aircraft for that trip. Standard trip cost justification schedules developed by agencies may be used for this purpose. Agencies that are not able to use such schedules are required to conduct a cost justification on a case-by-case basis.

(b) When conducting a cost comparison, the agency must compare the actual cost of using a Government aircraft to the cost of using a commercial aircraft (including charter) or airline

service. The actual cost of using a Government aircraft is either:

(1) The amount that the agency will be charged by the organization that provides the aircraft,

(2) The variable cost of using the aircraft, if the agency operates its own aircraft, or

(3) The variable cost of using the aircraft as reported by the owning agency, if the agency is not charged for the use of an aircraft owned by another agency.

(c) The cost of using commercial airline or aircraft services for the purpose of justifying the use of Government aircraft:

(1) Must be the current Government contract fare or price, or the lowest fare or price available for the trip(s) in question,

(2) Must include, as appropriate, any differences in the cost of ground travel, per diem and miscellaneous travel (e.g., taxis, parking, etc.), and lost employees' work time (computed at gross hourly costs to the Government, including benefits), between using Government aircraft and commercial aircraft services, and

(3) Must include only the costs associated with passengers on official business. Costs associated with passengers traveling on a space available basis may not be used in the cost comparison.

§101-37.407 Documentation.

All uses of Government aircraft must be documented, and this documentation must be retained for at least 2 years by the aircraft operations manager. The documentation of each use of Government aircraft must include the information specified in paragraphs (a) through (g) of this section:

(a) Aircraft registration number (the registration number assigned by the Federal Aviation Administration or military-designated tail number);

(b) Purpose of the flight (the mission the aircraft was dispatched to perform);

(c) Route(s) flown;

(d) Flight date(s) and times;

(e) Name of each traveler;

(f) Name(s) of the pilot(s) and aircrew;