

Subject: COORDINATION REQUIREMENTS FOR INTERNATIONAL POLICY  
ACTIVITIES AND MEETINGS

1. PURPOSE: This Order sets forth an updated departmental policy for the coordination of international policy activities and meetings. In recognition of the importance of the U.S. Department of Transportation putting forward a cohesive and consistent foreign policy, the Operating Administrations (OAs) and components of the Office of the Secretary (OST) listed in Annex I (OST Components) must coordinate significant international activities through the Office of the Assistant Secretary for Aviation and International Affairs (OST-X).
2. CANCELLATION: This Order cancels and supersedes DOT 1240.5 “*Department of Transportation Representation to International Meetings*,” dated 12-11-75. This Order also cancels and supersedes the DOT memorandum “Modal Coordination on International Activities,” dated June 21, 2018. DOT memorandum “Revised Foreign Travel Policy,” dated Sept. 19, 2018, to the extent it conflicts with this Order, is also superseded.
3. RESPONSIBILITIES: The Office of the Assistant Secretary for Aviation and International Affairs (OST-X), is responsible for monitoring and coordinating Departmental preparation for and participation in international meetings and conferences.
4. COORDINATION PRIOR TO ENTERING NONBINDING ARRANGEMENTS WITH INTERNATIONAL COUNTERPARTS:
  - a. Overview: Negotiations with foreign counterparts may result in either a binding agreement or a nonbinding arrangement. For nonbinding arrangements, including Memoranda of Cooperation (MoC), Implementing Arrangements, or similar technical cooperative arrangements, the Department enters into a voluntary arrangement with a foreign entity that permits greater cooperation and coordination, often with counterparts in a foreign country. These arrangements can be very beneficial for the Department but require coordination to balance policy priorities and other relevant negotiations.

Accordingly, the OAs and OST components must seek policy clearance from OST-X and legal clearance/guidance from the Office of the General Counsel (OGC) prior to entering into negotiations with the intent of concluding an MoC or similar arrangement. This will allow high-level foreign policy coordination and ensure that any new arrangements fit into the existing framework. The Department’s policy for new cooperative agreements or arrangements is to add them as Implementing Arrangements to current umbrella MoCs that are already in effect. OST-X will help OAs and OST components develop these Implementing Arrangements. Additional final clearance from OST-X and OGC must be obtained prior to signing for language approval and final coordination.

- b. Scope: All Memoranda of Cooperation, Implementing Arrangements, and other nonbinding arrangements.
- c. Coordination Procedure: At least 60 days<sup>1</sup> prior to initiating negotiations with a foreign entity regarding an MoC or other arrangement, OAs and OST components must contact OST-X and OGC for policy clearance and legal guidance in how to structure the MoC so that it is nonbinding, and to determine whether it fits within a previously existing umbrella MoC. Internal Departmental review should take place prior to reaching out to interagency partners. OST-X will also determine if the proposed arrangement needs to undergo additional interagency review.

Once there is a draft document, it must be forwarded to OST-X as soon as possible to allow coordination with other OAs and within OST as necessary to make any required edits. OST-X will also forward the draft document to OGC for legal review and concurrence.

Once there is a tentatively agreed version, it must be sent back to OST-X and OGC for final concurrence as soon as possible prior to signature.

5. COORDINATION PRIOR TO ENTERING BINDING AGREEMENTS WITH INTERNATIONAL COUNTERPARTS:

- a. Overview: It is the Department's policy that OAs and OST components should, if possible, conclude nonbinding arrangements with foreign entities, rather than binding agreements. Negotiations with the intent of concluding a binding agreement must be authorized by the State Department under the Circular-175 (C-I75) process before proceeding. This process can be lengthy and requires approval by an Under Secretary at the State Department. The supporting documents for such an approval include a Memorandum of Law stating the underlying statutory and regulatory authority for the negotiation. OAs and OST components must notify OGC for OST coordination prior to undertaking the C-175 process.

OAs and OST components also coordinate with their foreign counterparts on numerous issues with regularity. Documents that convey U.S. Government positions, or that may be viewed as binding on the Department, must be cleared by OST-X and OGC prior to being shared with other agencies or a foreign entity.

OAs and OST components are encouraged to explore innovative relationships with foreign partners, whether governmental or private. Research and cooperation arrangements with foreign private entities require notice to OST-X for policy review in addition to any legal review required.

- b. Scope: All prospective binding international agreements. Documents that will be shared with foreign governments, including draft agreements, working group papers,

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<sup>1</sup> Requests submitted after this deadline will be considered on a case-by-case basis. OAs and OST components must present their proposed position along with an explanation for why sufficient notice was not given.

and policy statements. Proposed international contracts/agreements with foreign private entities, such as research institutions. Regulatory/enforcement-related consent orders and agreements with private foreign entities do not need to be coordinated as a matter of routine.

- c. Coordination Procedure: OAs and OST components must inform OST-X and OGC of potential negotiations that could result in a binding agreement as early as possible so that the clearance process can begin. Draft text of agreements must be sent to OST-X for review at least 180 days<sup>2</sup> prior to reaching an agreement to allow for policy review and coordination with OGC.

OAs and OST components must provide documents that take a position on behalf of the Department to OST-X for review at least 30 days prior to sharing them internationally. Additional time may be required if interagency review is necessary.

OAs and OST components must notify OST-X and OGC of potential contractual arrangements with foreign private entities as soon as possible prior to negotiation, but no later than 30 days prior to signing such an arrangement.

## 6. COORDINATION PRIOR TO INTERNATIONAL MEETINGS:<sup>3</sup>

- a. Overview: Many OAs and OST components conduct extensive work bilaterally and with international organizations and conferences, such as the North Atlantic Treaty Organization (NATO), the International Civil Aviation Organization (ICAO), International Transport Forum (ITF), United Nations Economic Commission for Europe (UNECE), the International Maritime Organization (IMO), the Arctic Council, and the Asia-Pacific Economic Cooperation forum (APEC). They also provide support to the United States Trade Representative in trade disputes and negotiations of trade agreements.

These organizations and bilateral meetings provide valuable opportunities to further Department policy goals, but only if OST and the OAs and OST components are not working at cross purposes. As it is important that the Department maintain a consistent, united position in foreign policy, a high level of coordination is often required. By coordinating and vetting policy positions taken at international meetings, including any abstentions and any resulting potential obligations to the Department, OST-X and the OAs and OST components can ensure that a position taken in one negotiation or proposal will not weaken the Department's position in other contexts.

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<sup>2</sup> Requests submitted after this deadline will be considered on a case-by-case basis. OAs and OST components must present their proposed position along with an explanation for why sufficient notice was not given.

<sup>3</sup> OAs and OST components are responsible for internal approvals, by the OA's Administrator or a senior-level designee, to attend international meetings and conferences, as consistent with DOT Order 1240.6, "International Travel Approval Policy," issued Jul. 29, 2022. For coordination of international officials that will be visiting the Department, see DOT Order 1240.7, "Engagement with Foreign Cabinet, Sub-Cabinet and Non-Cabinet Level Officials at the U.S. Department of Transportation," issued Jan. 19, 2021.

Many international organizations also have mechanisms for issuing binding requirements or advisory guidance for member states to follow. OAs and OST components must provide notice well in advance of such undertakings, especially when U.S. Government representatives to the relevant body may have an opportunity to steer outcomes. Therefore, OAs and OST components must coordinate with OST-X and OGC prior to making international proposals that could ultimately bind DOT. OAs and OST components must also notify OST-X if such a proposal is made by a foreign government or entity and put on an international organization's voting agenda. The earlier such notice is given, the more time the Department has to develop its position.

- b. Scope: Any significant bilateral issues that require a DOT representative to make a commitment on behalf of the Department with their counterparts. All significant issues before international organizations that require a DOT representative to either vote, abstain, or coordinate a vote with other agencies. Any proposal put forward by the U.S. that may result in a change to Departmental policy or obligate it to take regulatory action. All proposals submitted to an international organization or treaty body for action that could potentially result in a resolution that could be binding on the Department.
- c. Coordination Procedure: OAs and OST components must confer with OST-X 180 days<sup>4</sup> prior to making any proposals for consideration by an international organization that could potentially bind the Department. During bilateral discussions, OAs and OST components must notify OST-X as soon as possible prior to making a potentially binding proposal. OST-X, in coordination with OGC and other relevant offices, will advise the OAs and OST components if they need to prepare a memo to the Deputy Secretary for decision. All such memos must reach the Deputy Secretary for decision at least 90 days in advance. If a potentially binding proposal is made by another country, OST-X must be notified at least 90 days prior to any vote to allow time to develop a position. (If such a proposal is made with less than 90 days' notice, OST-X must be notified as soon as possible.) If the Government's representative lacks a cleared position, OAs and OST components should make every effort to postpone the vote based on organizing body rules.

For nonbinding resolutions that are pending before an international body that could significantly affect Departmental policy, require the U.S. Government to take a consequential vote, or may have a public affairs, international policy or trade impact, please give OST-X notice as soon as practicable, but not less than 90 days before a decision is needed.

## 7. INTERAGENCY COORDINATION:

- a. Overview: The Department must work with other agencies to maintain a cohesive foreign policy that aligns with the administration's priorities. In international

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<sup>4</sup> Requests submitted after this deadline will be considered on a case-by-case basis. OAs and OST components must present their proposed position along with an explanation for why sufficient notice was not given.

agreements, specific language may affect negotiations and relations far afield from the direct subject of the agreement. It is essential to engage with other agencies that may have equities at stake in a given issue. Coordination with other agencies must be facilitated through OST-X, which will ensure that the proper interagency process is followed.

As noted above, negotiations with the intent of concluding a binding agreement must be authorized by the State Department under the C-175 process before proceeding. This process takes a significant amount of time due to the documents and approvals required. OAs and OST components must notify OGC for OST coordination with the Legal Advisor at the State Department well in advance of the prospective negotiation.

OAs and OST components often coordinate with their foreign counterparts on numerous issues. Documents and proposals that convey U.S. Government positions or that may be viewed as potentially binding on the Department must be cleared by OST-X prior to being shared with a foreign entity. OST-X, in coordination with OGC, may decide that a potential position not only requires DOT clearance, but must go through an interagency process. The interagency process can take a significant amount of time, so it is important for OST-X to be involved as early as possible.

- b. Scope: All prospective binding international agreements and documents that will be shared with foreign governments, including draft agreements, working group papers, and policy statements.
- c. Coordination Procedure: OAs and OST components must inform OST-X and OGC of potential negotiations that could result in a binding agreement as early as possible so that the interagency clearance process can begin. The draft text of agreements must be sent to OST-X and OGC for review 180 days, or as soon as possible, prior to initialing an agreement. OGC will then coordinate with the State Department to conduct the C-175 process, as necessary.

OAs and OST components must provide documents that will be shared internationally to OST-X for review at least 30 days in advance. Additional time may be required if interagency review is necessary.

## 8. International Travel Coordination:

- a. Annual Plan:
  - (1) Overview: The Under Secretary, Assistant Secretaries, General Counsel, Administrators, and Secretarial Directors reporting directly to the Secretary (Officials), shall submit to the Assistant Secretary for Aviation and International Affairs an annual international travel plan by September 1 immediately preceding each Fiscal Year. The travel plan, which must be submitted under the Official's signature, shall include all international travel for all levels that is anticipated for the new Fiscal Year and be transmitted with a cover memorandum (See Annex II for format).

Prior to October 1 of each Fiscal Year, each Official shall meet with the Assistant Secretary for Aviation and International Affairs to present and explain his or her OAs or Secretarial Office's international program and associated annual international travel plan. At this meeting, each Official shall describe how each element of said annual international travel plan is consistent with the OA's and the Department's programmatic goals and with U.S. foreign and trade policy objectives. Each Official is also expected to develop and present their OA's or office's international travel approval policy, along with an explanation of how international travel is categorized (e.g., routine versus non-routine, type of program, etc.).

- (2) Scope: The travel plan should include all international trips planned or anticipated at that time for the coming Fiscal Year by all officials and staff and should be divided into broad programmatic categories as described in the examples provided in Annex III of this order. These categories can be expanded on or further classified as routine or non-routine. This will make it easier to understand the broad themes and purposes of the planned travel and how each OA or office classifies its routine and non-routine travel.
- Within each category, the trips should be described in chronological order. Use the standardized format and include cost estimates as outlined in Annex IV, which will be emailed to OAs and Secretarial Officials by OST-X. This will ensure each plan provides similar justification and information for each trip or category of trips in the plan.
  - For delegations that include more than one person, identify the role of each delegate. Also, indicate whether non-DOT employees (e.g., employees of other Federal agencies, Congressional staff, State government employees, private sector representatives, etc.) are a part of the delegation and identify their affiliation.
  - For recurring meetings considered by your OA or office to be of routine or technical nature (e.g., technical inspections of airports or pipelines, technical meetings on standards, and similar matters), there is no requirement to list each trip separately, but they should be combined under one entry with the following information provided: the anticipated overall number of trips, the number of travelers for each trip, the countries to be visited, the overall cost and an explanation of why you consider these meetings to be routine.
  - For invitational travel or travel paid by other agencies of the U.S. Government, identify the organization or agency covering the expenses of the trip.
- (3) Coordination Procedure: Each Official should approve all international travel included in the annual plan prior to submission. Annual plans will be reviewed by the Assistant Secretary of Aviation and International Affairs but are not subject to approval. International travel policy is governed by DOT 1240.6 "International Travel Approval Policy."

b. Monthly Outlook Update:

- (1) Overview: Prior to the 15th of each month, each Official shall submit an updated travel plan for the next month to OST-X. The monthly outlook update should be submitted under the Official's signature or provided by an executive in the Official's designated foreign travel management office. This can be done by email to OST-X. Any significant changes (e.g., enlargement of delegation, level of participation, length of the trip, cancellation or postponement) or new proposed travel should be highlighted and explained. If there are no significant changes to report, Officials need only report that there is no update.
- (2) Scope: The monthly outlook plan should include trips by officials and staff at the GS-15 level and above only.
  - The information for each trip in the monthly outlook plan should be submitted in accordance with the standardized format and include cost estimates as outlined in Annex IV, which will be emailed to OAs by OST-X. This will ensure each plan provides similar justification and information for each trip in the plan.
  - For delegations that include more than one person, identify the role of each delegate. Also, indicate whether non-departmental employees (e.g., employees of other agencies, Congressional staff, State government employees, private sector representatives) are a part of the delegation and identify their affiliation.
  - For invitational travel or travel paid by other agencies, identify the organization or agency covering the expenses of the trip.
  - The updated monthly submissions should describe the trips in chronological order.
- (3) Coordination Procedure: Each Official, or an executive in the Official's designated foreign travel management office, must approve all travel included in his or her monthly outlook update prior to submitting it to OST-X. Each monthly update will be reviewed by OST-X and, based on that review, additional information or a special meeting regarding an individual trip not previously reviewed may be requested by the Assistant Secretary of Aviation and International Affairs prior to the trip.



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Pete Buttigieg  
Secretary  
Department of Transportation

## ANNEX I

<b>List of Operating Administrations (OAs) and OST Components</b>
Federal Aviation Administration (FAA)
Federal Highway Administration (FHWA)
Federal Motor Carrier Safety Administration (FMCSA)
Federal Railroad Administration (FRA)
Federal Transit Administration (FTA)
Maritime Administration (MARAD)
National Highway Traffic Safety Administration (NHTSA)
Pipeline and Hazardous Materials Safety Administration (PHMSA)
Great Lakes St. Lawrence Seaway Development Corporation (GLS)
Office of the General Counsel (OST-C)
Office of the Assistant Secretary for Transportation Policy (OST-P)
Office of the Assistant Secretary for Research and Technology (OST-R)
Office of Intelligence, Emergency Response and Security (OST-S60)
Office of the Chief Information Officer (OST-S80)
Office of the Assistant Secretary for Aviation and International Affairs (OST-X)



Annex II.  
Format for Annual Plan Cover Memo

**MEMORANDUM TO THE ASSISTANT SECRETARY**

From: (Name)  
Administrator, Operating Administration; Assistant Secretary

Prepared by: (Name)  
Position/Title

Subject: XYZ's Fiscal Year \_\_\_\_ Annual International Travel Plan

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**ACTION REQUIRED**

The [Operating Administration or Office] requests that the Assistant Secretary for Aviation and International Affairs review the XYZ's Fiscal Year \_\_\_\_ Annual International Travel Plan attached to this memorandum.

**SUMMARY**

*Summarize the Operating Administration or office's travel approval policy along with an explanation of broad travel categories and how trips are consistent with the Operating Administration's and the Department's priorities, programmatic goals and with the U.S. foreign and trade policy objectives.*

**RECOMMENDATION**

The [OA or Office] recommends the review of the FY \_\_\_\_ International Travel Plan. The [OA or Office] looks forward to meeting with the Assistant Secretary and to discuss the [OA or Office] international program and associated annual travel plan.

Assistant Secretary of Aviation and International Affairs

APPROVED: \_\_\_\_\_

DATE: \_\_\_\_\_

COMMENTS:

Attachment(s):

## Annex III

### **Examples of Broad Programmatic Categories Captured in Annual Travel Plan (Routine and Non-Routine) Based on Past Travel Plans**

These are illustrative. Each Operating Administration (OA) or office should tailor to its particular circumstances and include its definition of routine and non-routine travel. Please be as succinct as possible.

1. Meetings or sessions under binding agreements, instruments or Memoranda of Understanding to which an OA, the Department or the United States is a signatory; including meetings of international organizations and regulation standardization bodies that are pre-scheduled, such as those of NATO, IMO, ICAO, UNECE, OECD, USMCA, or APEC;
2. Bilateral or multilateral negotiations;
3. Meetings or other travel that are required by statute;
4. International conferences or workshops, specified as recurring or ad-hoc;
5. Travel involving regular inspections of facilities and carriers, maintenance, safety, and air traffic personnel whose purpose of travel is related to, for example, accident investigation, aircraft repairs, hazardous material container inspections, air traffic operational issues, evaluation of maintenance practices, technical assistance and similar activities;
6. Scanning, learning, or trade missions;
7. Travel to meetings with foreign manufacturers or non-governmental organizations;
8. Meetings under bilateral non-binding Memoranda of Cooperation;
9. Meetings to explore new initiatives and/or initiate new programs at the bilateral or multilateral level;
10. Meetings that are in support of other agencies of the U.S. Government and are requested by those agencies;
11. Travel associated with training opportunities overseas;
12. Meetings that are invitational in nature and involve a reimbursement by a source outside of the Department;
13. Other categories (please describe).

Annex IV.  
Sample Annual International Travel Plan  
*(Spreadsheet will be sent electronically)*

# Sample Annual Travel Plan

[Mode] FY-2019 International Travel Plan												
Month*	Travel Dates*	Program Activity Title/Category	Travel Destination(s) (City and Country)	Region	Purpose of Trip/Modal Objective	Routine (R) or Nonroutine (NR) Include Detailed Explanation	Name(s) and Title of Traveler(s)	Role at Event	Non-DOT Delegation Participants	Est. Cost (Total cost per trip for all travelers)	Funding Source	Your Organization's visits here in the last 12 months (List names and dates)
October	10/2/17-10/5/17	XYZ Transportation Conference	Paris, France	Please indicate whether it's one of the following regions: Asia Pacific, Africa, Caribbean, Central/South America, Europe, Middle East, or North America.	Please provide the purpose of the trip and the modal objective. Please be as succinct as possible.	Please be as succinct as possible.	1. Jane Smith, Director 2. Jack Smith, Office Manager	Please provide role at the event for each traveler. Due to space limitations, please be as succinct as possible.	EPA, USDATA	\$3,000.00	Please indicate funding source by mode.	Jack Smith, 6/12/2016

\* If travel dates are unknown, please list quarter in which travel could potentially take place.