

Fly America Act

All air travel and cargo transportation services funded by the federal government are required to use a "U.S. flag" air carrier service (see Attachment **A** and GSA website: <https://www.gsa.gov/policy-regulations/policy/travel-management-policy/fly-america-act>). You can find a complete list of certified U.S. flag air carriers on [transportation.gov](https://www.transportation.gov).

This requirement applies to:

- Federal government employees and their dependents.
- Consultants, contractors, and **grantees**; and
- Other travelers whose travel is paid for by the federal government.

You cannot cross the U.S. border, especially to Canada and Mexico, to use a foreign airline to avoid being subject to the Fly America Act. If your travel does not comply with the Fly America Act, the government will not reimburse your airline ticket.

However, there are exceptions which must be documented for audit purposes when applying it to the purchase of air fare for foreign travel.

Exceptions:

1) **Specific Exceptions:**

- a. When a US carrier is not available
- b. When using a US carrier, it would extend the travel by 24 hours
- c. When a US carrier does not offer a non-stop or direct flight between origin and destination
 - i. Increases the number of aircraft changes outside of the US by two or more
 - ii. *Or*, extends travel by 6 hours or more.
 - iii. *Or*, requires a connecting time of 4 hours or more at an overseas interchange point
- d. When the flight time from origin to destination is less than three hours and using a U.S. flag carrier doubles the flight time.
- e. When there is an applicable **Open Skies Agreement** in effect that meets the requirements of the Fly America Act.

{Note1: Cheaper price on fare ticket IS NOT an exception}

2) **Codesharing:** A U.S. airline may sell a seat on the plane of a foreign air carrier; this seat is considered the same as one on a plane operated by a U.S. flag carrier. (see attachment **B** for examples)

3) **Open Skies Agreement** with other countries

- a. Japan – permits Japanese carrier only for travel between US and Japan, unless the City Pairs program is applicable (see #4)
- b. European Union (Note: UK is no longer in the EU; thus, no Open Skies Agreement)
 - i. Permits EU carrier to travel from an origin or destination in a third country as long as the flight has a stop in an EU country

- c. Australia - permits Australian carrier only for travel between US and Australia, unless the City Pairs program is applicable (see #4)
- d. Switzerland - permits Swiss/EU carrier only for travel between US and Switzerland, unless the City Pairs program is applicable (see #4)

{Note2: There is no Open Skies agreements with Canada and Mexico so they are considered foreign countries, so flights with Aeromexico, Air Canada, WestJet, Porter airlines and other Canadian & Mexican carriers are disallowed unless the Specific Exemptions applies.}

{Note3: All Department of Defense agencies do not allow the Open Skies exception on their grants}

4) The City Pair Program (CPP) was developed to provide discounted air passenger transportation services to federal government employees with additional travel benefits. Available for grantees. The federal program provides reduced rates for travel between certain US and foreign cities. (see policy website <https://www.gsa.gov/travel/plan-book/transportation-airfare-pov-etc/city-pair-program-cpp>)

- a. As long as a “City Pair” fare is not available between the cities of origin and destination, the agreements with Australia, Switzerland, and Japan permit the use of an Australian, Swiss, or Japanese air carrier for international travel between the U.S. and these countries.
- b. If there is a “City Pair” fare between origin and destination cities in those three countries, then you must use US Air carrier at the discount rates
- c. Please use this website for the search between the two cities <https://cpsearch.fas.gsa.gov/cpsearch/search.do>

{Note4: Travel to the EU is exempt from the City Pairs program}

 An official website of the United States government

U.S. General Services Administration

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This requirement applies to:

- Federal government employees and their dependents;
- Consultants, contractors, and grantees; and
- Other travelers whose travel is paid for by the federal government.

You cannot cross the U.S. border to use a foreign airline to avoid being subject to the Fly America Act. If your travel does not comply with the Fly America Act, the government will not reimburse your airline ticket.

Authority for the Fly America Act comes from [49 U.S.C. 40118](#) .

Codesharing

Occasionally, two or more airlines will “codeshare” a flight by publishing and marketing the same flight under their own airline designators and flight numbers. You can purchase a seat on each airline’s designator and flight number, but the flight is only operated by one of the cooperating airlines. To comply with Fly America regulations, you must purchase the flight via the U.S. airline’s designator and flight number if the flight is shared between a U.S. and a foreign airline.

Exceptions to the Fly America Act

There are some circumstances where it’s not reasonable to use a U.S. flag air carrier, and you can make an exception to the Fly America Act. These circumstances are:

1. When a U.S. air carrier is not available.
2. When using a U.S. carrier service would extend the travel time by 24 hours or more.
3. When a U.S. carrier does not offer a nonstop or direct flight between origin and destination, and using a U.S. carrier:

Contacts

 [Travel Policy](#)

[Fly America Cheat Sheet \[PPTX - 72 KB\]](#)

- Increases the number of aircraft changes outside the United States by two or more;
 - Extends travel time by six hours or more; or
 - Requires a connecting time of four hours or more at an overseas interchange point.
4. When the flight time from origin to destination is less than three hours and using a U.S. flag carrier doubles the flight time.
 5. When there is an applicable [Open Skies Agreement](#) in effect that meets the requirements of the Fly America Act.

The exceptions provided by the Open Skies Agreements for government-funded travel do not apply if your transportation is funded by the Department of Defense (DOD).

Note: Ticket cost and convenience are NOT exceptions to the Fly America Act.

Open Skies Agreements

“Open Skies Agreements” are bilateral or multilateral agreements between the U.S. Government and the governments of foreign countries that allow travelers to use foreign air carriers from these countries for government-funded international travel.

The United States currently has Open Skies Agreements in effect with:

- European Union (28 countries) (Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, including Iceland and Norway)
- Australia
- Switzerland
- Japan

The agreement with the European Union (EU) permits the use of an EU air carrier for travel outside the United States. Iceland and Norway are not EU members, but are members of the EU air treaty. This is the only one of these four agreements that allows for an origin or destination in a third country as long as the flight stops in the EU.

Note: As of January 1, 2021, The United Kingdom (U.K.) is no longer a member of the EU. Consequently, the Open Skies Agreement with the EU does not pertain to the U.K. Travelers must use a U.S. Flag Carrier to travel from the U.S. to the U.K. and not a U.K. airline (e.g., British Airways), unless they use a different Fly America Act exception. Travelers may continue to use an EU agreement for travel from the U.S. to the U.K. as long as the flight stops in the EU prior to arrival in the U.S. or the U.K.

- [European Union](#) (April 30, 2007)
 - [Amendment 1](#) [PDF - 751 KB] (June 24, 2010)
 - [Amendment 2](#) (June 21, 2011)

The agreements with Australia, Switzerland, and Japan permit the use of an Australian, Swiss, or Japanese air carrier for international travel between the U.S. and these countries as long as a “[City Pair](#)” fare is not available between the cities of origin and destination.

- [Australia \[PDF - 4 MB\]](#) (October 1, 2008)
- [Switzerland \[PDF - 4 MB\]](#) (October 1, 2008)
- [Japan \[PDF - 3 MB\]](#) (October 1, 2011)

Attachment A

You can find more information on the four Open Skies Agreements and other specific country agreements on the [Department of State's website](#) . You can also find more general information about Open Skies Agreements in Federal Travel Regulation (FTR) [Bulletin 11-02 \[PDF - 112 KB\]](#) and [Bulletin 12-04 \[PDF - 82 KB\]](#).

Documenting Exceptions



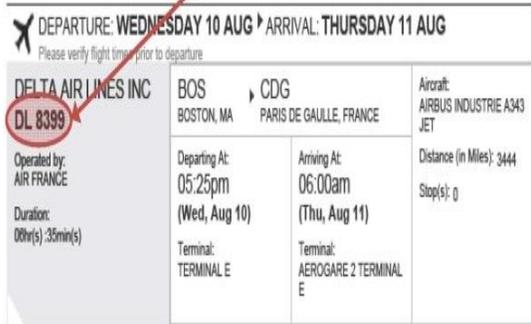
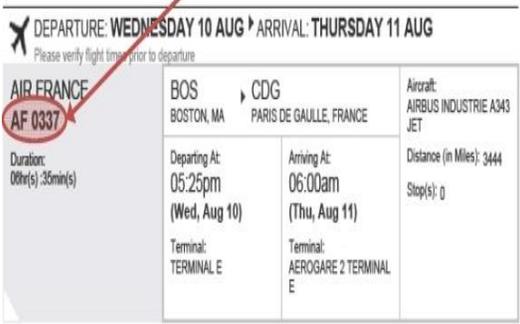
If you have other questions about the Fly America Act or Open Skies Agreements, contact travelpolicy@gsa.gov.

Fly America Act Codesharing Guidance

A person traveling on funds provided by the federal government must use a U.S. flag carrier (an airline owned by an American company), regardless of cost or convenience.

When scheduling international travel that is federally funded, you must ensure that all flights, where possible, are scheduled on **U.S. flag carriers or on foreign air carriers that code share** with a U.S. flag carrier. Code sharing: when two or more airlines “code” the same flight as if it was their own.

A U.S. airline may sell a seat on the plane of a foreign air carrier; this seat is considered the same as one on a plane operated by a U.S. flag carrier. Compliance with the **Fly America Act** is satisfied when the U.S. flag air carrier's designator code is present in the area next to the flight numbers on the airline ticket, boarding pass, or on the documentation for an electronic ticket (passenger receipt) – see example below, where Delta Airlines (DL) has a code share agreement with Air France (AF) to Paris, France.

| | |
|--|---|
|  <p style="text-align: center;">COMPLIANT</p> |  <p style="text-align: center;">NOT COMPLIANT</p> |
|--|---|

The image shows two side-by-side examples of flight tickets. The left ticket is from Delta Airlines (DL) with flight number DL 8399, which is circled in red. It shows a code share with Air France. The right ticket is from Air France (AF) with flight number AF 0337, also circled in red. It shows a code share with Delta Airlines. Both tickets are for a flight from Boston (BOS) to Paris (CDG) on Wednesday, August 10, departing at 05:25pm and arriving at 06:00am on Thursday, August 11. The aircraft is an Airbus Industrie A343 Jet. The distance is 3444 miles. The terminal is Terminal E. The duration is 08h(s) 35min(s). The left ticket is labeled 'COMPLIANT' and the right ticket is labeled 'NOT COMPLIANT'.

US Flag Air Carriers - U.S. flag carriers and their codes are below to assist you.

In order for a flight to be in compliance with the Fly America Act, the code of a U.S. flag air carrier must be noted as part of the flight number on the airline ticket, flight coupon (boarding pass*), or passenger receipt. Each airline has a two letter alpha code. From this list, you will be able to compare airline codes on the ticket with those on the list and thereby be able to ascertain whether or not the flight is on a US Flag air carrier.

U.S. flag air carriers:

- Airtran Airways (FL)
- Continental Airlines (CO)
- Hawaiian Airlines (HA)
- Southwest Airlines (WN)
- USAirways (US)
- Alaska Airlines (AS)
- Delta Airlines (DL)
- JetBlue Airways (B6)
- Spirit Airlines (NK)
- American Airlines (AA)
- Frontier Airlines (F9)
- Midwest Express (YX)
- United Airlines (UA)

It is highly recommended that you book your international travel, when federally funded, through the TravelWayne system.