



Research Administrator's Forum – 6/19/12

# **Fly America Act and Open Skies Agreements**

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## Fly America Act -- Overview

Travel reimbursed from federal funds must be booked through US carriers. Exceptions:

- ✦ US carrier would extend travel time (including delay at origin) by 24 hours or more.
- ✦ If US carrier does not offer non-stop or direct service to foreign destination, you must use US carrier on every portion of the route it does provide service unless doing so would:
  - ✦ Increase number of aircraft changes outside US by two or more; or
  - ✦ Extend travel time by 6 hours or more; or
  - ✦ Require connecting time of 4 hours or more overseas.

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### Fly America Act – Other Exceptions

- Flying between foreign destinations -- foreign carrier may be used if booking a US carrier would:
  - ✦ Increase number of aircraft changes outside US by two or more; or
  - ✦ Extend travel time by 6 hours or more; or
  - ✦ Require connecting time of 4 hours or more overseas.
- Code-sharing agreement – foreign carrier may be used where US airline sell blocks of tickets on foreign carriers. Ticket must identify US carrier's designator code/flight number, **and payment must be made to US carrier.**

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### Fly America Act – Other Exceptions

If “Open Skies Agreement” in place between US and foreign destination, foreign carrier may be used. Current Open Skies Agreements:

- ✦ EU
- ✦ Australia
- ✦ Switzerland
- ✦ Japan

*But wait....*

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# Fly America Act – Exception to the exception!

If a GSA “City Pair” contract is in place with an “Open Skies” destination **other than the EU, a foreign carrier cannot be used.**

*Confused yet? Let's see if we can make it simpler.*

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## STEP ONE

Determine if there is a travel delay/code sharing exception that applies.

- ◆ If **yes**, you may use a foreign carrier.
- ◆ If **no**, go to Step Two.

## STEP TWO

Is there an “Open Skies Agreement” in place between the US and foreign destination?

(<http://www.gsa.gov/portal/content/103191>).

- ✦ If **yes** and the **departure/destination city is in the EU**, you may use a foreign carrier
- ✦ If **yes** and the **departure/destination city is not in the EU**, go to Step Three.
- ✦ If **no**, you must “Fly America.”

## STEP THREE

Is there a “City Pair” contract in place between the departure and destination cities? (<http://cpsearch.fas.gsa.gov/>).

- ◆ If **yes**, you must “Fly America”
- ◆ If **no**, you may use a foreign carrier



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**Questions?**