

Tips for complying with the Fly America Act

You must adhere to the requirements of the Fly America Act for any air travel paid for in part or in whole with federal funds, or funds used to meet a federally required cost share. Below is some information that can assist you in understanding the requirement and provide some additional tools to aid you in your international travel planning. This document is meant for educational purposes only and is not legal advice. Consult current government sources before proceeding.

- **What is the Fly America Act?** In short, the Fly America Act is to ensure that flights paid in whole or part with Federal government funds are flown on U.S. flag air carriers whenever possible, even when this is not the cheapest or most convenient option.
- **There are numerous exceptions to the Fly America Act. Does your travel qualify?** The U.S. State Department provides a useful Fly America Act Waiver Checklist as a guide to help you figure out if you meet any of the exceptions to the Fly America Act.
 - <https://www.state.gov/fly-america-act-waiver-checklist/>
- **Flying to the European Union, Australia, Switzerland or Japan?** The U.S. has eligible Open Skies Agreements with the EU (including Norway and Iceland), Australia, Switzerland and Japan and airlines from these countries generally will meet the requirements of the Fly America Act under certain conditions. The Federal government maintains an active list of current eligible Open Skies Agreements that meet the requirements of the Fly America Act (<https://www.gsa.gov/policy-regulations/policy/travel-management-policy/fly-america-act>).
Please note that the United Kingdom is no longer part of the EU
- **You may use an EU based airline (including Norway and Iceland) to any destination they service if the flight touches down in an EU country, Norway or Iceland at some point during the route.**
 - For example, travel on Air France to South Africa would meet requirements only if the flight is not direct from the US to South Africa but instead includes a layover or stop in France or another airport in the EU, Norway or Iceland.
- **You can use an Australian, Swiss or Japanese airline only if the point of origin/destination is either the US or the respective country where that airline is based and there is no City Pairs contract flight between the points of origin and departure.**
 - The existence of an eligible fare for your flight route in the City Pairs Program restricts you from using an Australian, Swiss or Japanese based airline. You can search for the existence of a City Pair fares at <https://cpsearch.fas.gsa.gov>.
 - For example, flying from Kansas City, MO to Sydney, Australia requires that you use a U.S. flag air carrier as there is a City Pair fare for that route. However, you could fly an Australian airline when traveling from Fargo, ND to Sydney, Australia as there is no City Pair fare for that route.
- **Can you fly on a code share flight?** Code share flights only meet the requirements of the Fly America Act if the ticket/e-ticket identifies the flight as a U.S. Air Carrier flight and that airline is putting you on a foreign air carrier plane. This is generally stated as U.S. Air Carrier flight ##### operated by Foreign Air Carrier ##### or a more specific example might be "AA1234 operated by LA3214."
 - For example, if traveling to Beijing and you purchase a flight from United Airlines with the designator UA##### and United Airlines puts you on a flight operated by Air China, this meets the requirements of the Fly American Act. You cannot purchase the flight directly from Air China which would show the Air China designator CA##### even if that flight is operated by United.
- You must keep all documentation supporting any determination you made for exceptions to the Fly America Act.