

## **International Travel and the Fly America Act**

### **Background Information**

As the name implies, the Fly America Act (the Act) (49 USC 40118) is a federal law that requires all international air travel paid for with federal funds be performed on U.S. air carriers to the maximum extent possible, regardless of cost or convenience. Therefore, the requirements of the Act must be followed by all University faculty, staff, and students when federal dollars are involved in the reimbursement process. For federally-funded grants and contracts including pass through awards, it is the Principal Investigator's responsibility to ensure that all international air travel is in compliance with the Act. The major requirements of the Act and the use of U.S. flag air carriers can be found in the [Federal Travel Regulations](#) (sections 301-10.131 to .143).

### **Code Sharing Arrangements**

While international flights should be on U.S. air carriers whenever possible, the Act permits flights on foreign air carriers when there is a code sharing arrangement. Code sharing occurs when one air carrier leases space on an aircraft of another airline. Under certain conditions a code-share flight on a foreign air carrier is considered the same as one operated by a U.S. air carrier and allowable under the Act. For example, if United Airlines (UA) has a code sharing agreement with British Airways (BA) and the ticket or boarding pass identifies the flight as UA ## *Operated by British Airways*, the requirements of the Act would be met since the designator code (UA) indicates that United Airlines provided the service. However, if the ticket documentation identifies the flight as BA ## *Operated by United Airlines*, then the requirements of the Act would not be met because the service was provided by the foreign air carrier.

### **Airline Open Skies Agreements**

Another possible exception is transportation provided under a bilateral or multilateral air transportation agreement to which the U.S. Government and the government of a foreign country are parties, and which the U.S. Department of Transportation has determined meet the requirements of the Act. See the Federal Travel Regulations at the following link for detailed information related to [Airline Open Skies Agreements](#).

In 2007, the U.S. entered into an "Open Skies" Agreement with the European Union ("EU"). The current Agreement gives European Community airlines (airlines of Member states – see list below) the right to transport passengers on flights funded by the U.S. government, when the transportation is between: (1) any two points outside the United States; or (2) a point in the United States and any point outside the United States that the EU airline is authorized to serve under the "Open Skies" Agreement.

### **What does this mean to you?**

If you are scheduling international travel that is federally funded, you must ensure that all flights, where possible, are on U.S. air carriers or foreign air carriers that code share with a U.S. air carrier. Because of the complexities related to the interpretation of and compliance with the Act

it is highly recommended that when travelling internationally on a federally-funded grant or contract you book your international travel through the University's travel management company, Carlson Wagonlit Travel (CWT). The travel agents at CWT are well versed in the Fly America Act requirements. Please be sure to advise them that your trip is federally funded.

### **Documentation of Compliance with the Fly America Act**

Sponsored Programs Accounting (SPA) reviews all international travel on federally sponsored projects and may disallow the cost of any air travel that does not appear to be in compliance with the Act or other sponsor requirements. When you send your Travel Expense Report (TER) to SPA for approval, your SPA Representative will look at the designator code next to the flight numbers. The TER and actual flight documentation must show a U.S. air carrier's designator code next to the flight number or a [Fly America Act Waiver Checklist](#) must be attached. If the SPA Representative is unable to verify the air carrier's designator code or if an appropriately completed Fly America Act Waiver Checklist is not provided, the TER will be returned to the traveler with a request for additional documentation. If no additional documentation exists, the traveler is responsible for providing an alternative account (not federally-funded) to charge the portions of the trip that are not compliant with the Act.

If you are ever in doubt, please call your [SPA Representative](#) for assistance.

### **U.S. Flag Air Carriers and Designator Codes**

In order for a flight to be in compliance with the Act, the code of a U.S. flag air carrier must be noted as part of the flight number on the flight documentation. Each airline has a two letter alpha code. For example, United Airlines has a code of "UA". On an airline ticket, boarding pass, or passenger receipt, this code is designated just to the left of the flight number. The list below identifies designator codes for most U.S. air carriers:

<b>Airline</b>	<b>Designator Code</b>		<b>Airline</b>	<b>Designator Code</b>
Airtran Airways	FL		Hawaiian Airlines	HA
Alaska Airlines	AS		Midwest Express	YX
America West Airlines	HP		Northwest Airlines	NW
American Airlines	AA		Southwest Airlines	WN
American Trans Air	TZ		Spirit Airlines	NK
Continental Airlines	CO		United Airlines	UA
Delta Airlines	DL		US Airways	US
Frontier Airlines	F9			

### **European Union Member States Air Carriers and Designator Codes**

In order to claim the Airline "Open Skies" Agreement exception specifically for the European Union, you must complete the [Fly America Act Waiver Checklist](#) and submit documentation with your TER reflecting a European Union Member State air carrier's designator code. The list below identifies designator codes for most European Union air carriers:

<b>Country</b>	<b>Airline</b>	<b>Designator Code</b>	<b>Country</b>	<b>Airline</b>	<b>Designator Code</b>
Austria	Austrian Airlines	OS	Ireland	Aer Lingus	EI
Belgium	Sabena World	SN	Italy	Alitalia	AZ
Finland	Finnair	AY	Poland	Lot Polish Airlines	LO
France	Air France	AF	Spain	Iberia	IB
Germany	Lufthansa	LH	UK	British Airways	BA
Greece	Olympic Airways	OA			