

## Fly America Act and Open Skies Agreements

### 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.

✈ DEPARTURE: WEDNESDAY 10 AUG ARRIVAL: THURSDAY 11 AUG <small>Please verify flight time prior to departure</small>	
<b>DELTA AIR LINES INC</b> <b>DL 8399</b> Operated by: AIR FRANCE Duration: 08hr(s) :35min(s)	<b>BOS</b> → <b>CDG</b> BOSTON, MA → PARIS DE GAULLE, FRANCE Aircraft: AIRBUS INDUSTRIE A343 JET Distance (in Miles): 3444 Stop(s): 0 Departing At: 05:25pm (Wed, Aug 10) Terminal: TERMINAL E Arriving At: 06:00am (Thu, Aug 11) Terminal: AEROGARE 2 TERMINAL E
<b>COMPLIANT</b>	

✈ DEPARTURE: WEDNESDAY 10 AUG ARRIVAL: THURSDAY 11 AUG <small>Please verify flight time prior to departure</small>	
<b>AIR FRANCE</b> <b>AF 0337</b> Duration: 08hr(s) :35min(s)	<b>BOS</b> → <b>CDG</b> BOSTON, MA → PARIS DE GAULLE, FRANCE Aircraft: AIRBUS INDUSTRIE A343 JET Distance (in Miles): 3444 Stop(s): 0 Departing At: 05:25pm (Wed, Aug 10) Terminal: TERMINAL E Arriving At: 06:00am (Thu, Aug 11) Terminal: AEROGARE 2 TERMINAL E
<b>NOT COMPLIANT</b>	

**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 University Preferred Travel Agencies. Our preferred agencies have agents that are well versed in the Fly America Act. Please be sure to advise them that your trip is federally funded. <http://www.dbs.umd.edu/travel/services/agents.php>

## ***Exceptions to the Fly America Act***

To document the exceptions, you must complete the Fly America Act Waiver Checklist. **Please see the Checklist on page 3.**

The biggest exception to the Fly America Act is the [Open Skies Agreement](#). On October 6, 2010, the United States and European Union (EU) [Open Skies Air Transport Agreement](#) was published by the U.S. General Services Administration. This multilateral agreement is in place so that qualifying travelers, whose travel is supported by federal funds, may travel on EU airlines as well as U.S. Flag Air Carriers. There are also Open Skies agreement with Australia, Switzerland, and Japan. **Please see the Flow Chart on page 4.**

There are other exceptions to the Fly America Act which may be appropriate as well. A list of exception criteria may be found in the [Federal Travel Regulation Guidelines](#) – FTR sections 301-10.135-138. Please note that lower cost and personal convenience are not acceptable criteria for justifying the non-availability of a U.S. –flag air carrier.

**Please note:** Travelers using Department of Defense (DOD), Air Force, Army or Navy are not permitted to take advantage of Open Skies Agreements. These travelers must use an American carrier, unless they qualify for an exemption as noted in FTR 301-10.135, sections (a), (d), (e), (f), and (g).