

# Fly America Act Guidance

Anyone using federal funds to travel by air (foreign or domestic) is subject to the Fly America Act of 1974. Compliance with this Act requires use of a “U.S. flag” air carrier service. A complete list of flag carriers can be found on [transportation.gov](https://www.transportation.gov).

There are exceptions to the Fly America Act, however *cost is not included in those exceptions*. The exceptions are:

- A U.S. air carrier is not available.
- Using a U.S. carrier would extend travel time by 24 hours or more.
- A U.S. carrier does not offer a nonstop or direct flight between origin and destination, and using the carrier:
  - Increases the number of aircraft changes outside the U.S. 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.
- The flight time from origin to destination is less than three hours and using a U.S. flag carrier doubles the flight time.
- There is an applicable Open Skies Agreement in effect that meets the requirements of the Fly America Act. (Note that the Open Skies Agreement does not apply if travel is funded by the Department of Defense.)

Complete details can be found on the [U.S. General Services Administration](https://www.usa.gov) website.

## Code Sharing

Two or more airlines may have a business arrangement to market flights. For example, Air Canada and United sometimes partner to codeshare seats on the same flight, operated by one of the partners. Compliance with the Fly America Act requires that the seat be purchased via the U.S. airline’s designator and flight number, even if the codeshare partner offers a lower cost.

## Open Skies Agreements

These agreements between the U.S. Government and the governments of foreign countries allow travelers to use foreign air carriers from these countries for government-funded international travel.

As of July 2022, the U.S. 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

Each Open Skies Agreement has specific country arrangements, which may be found on [the Department of State's website](#).

**It is the Principal Investigator's/Project Director's responsibility to adhere to these requirements when making flight arrangements. Travel expenses will not be reimbursed if they are in violation of the Fly America Act.** The Office of Research Administration strongly encourages anyone traveling internationally to work with a travel agent experienced in Fly America and Open Skies regulations.