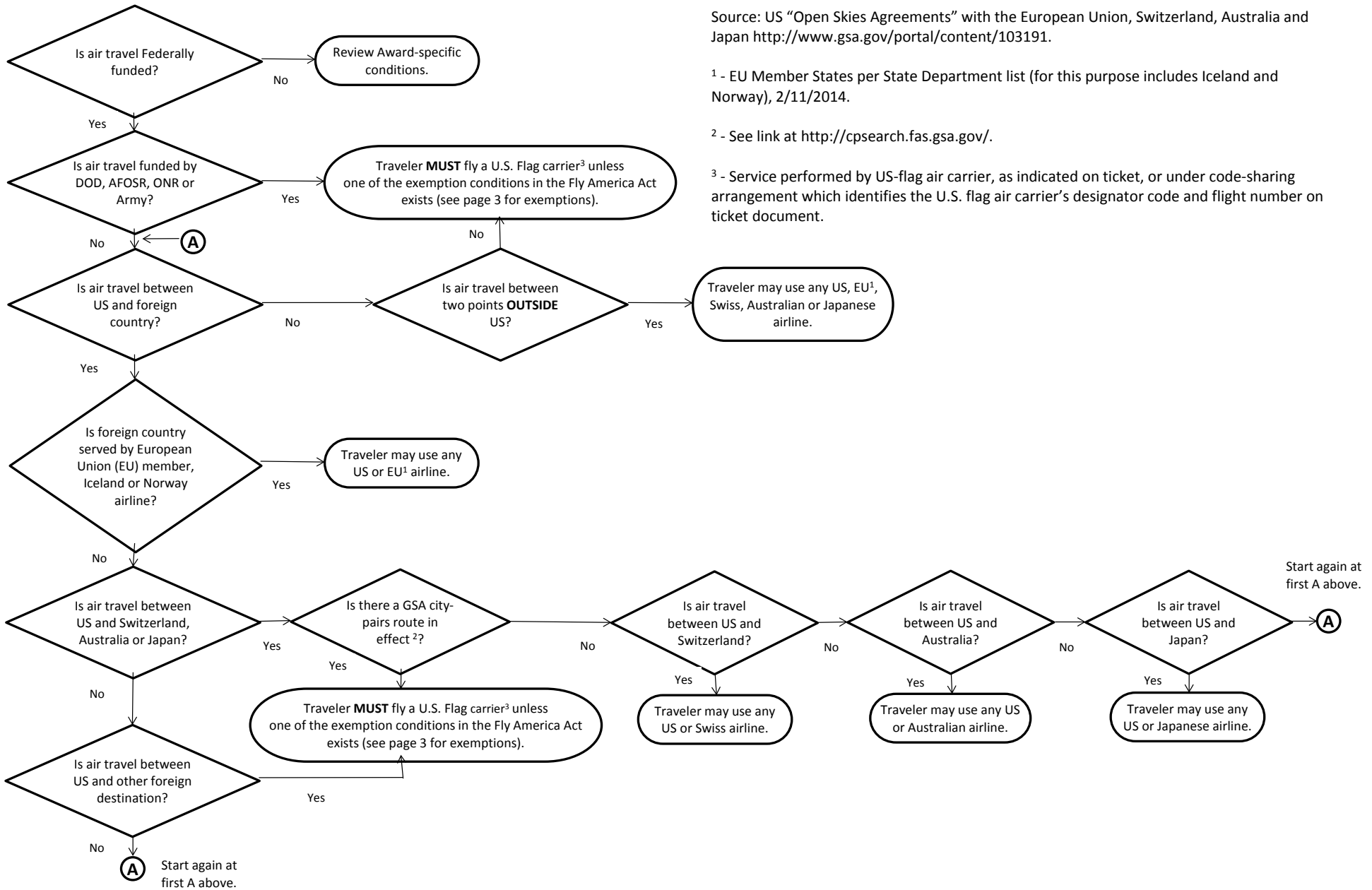


# Fly America Act and Open Skies Agreements

## Decision Matrix



Source: US "Open Skies Agreements" with the European Union, Switzerland, Australia and Japan <http://www.gsa.gov/portal/content/103191>.

<sup>1</sup> - EU Member States per State Department list (for this purpose includes Iceland and Norway), 2/11/2014.

<sup>2</sup> - See link at <http://cpsearch.fas.gsa.gov/>.

<sup>3</sup> - Service performed by US-flag air carrier, as indicated on ticket, or under code-sharing arrangement which identifies the U.S. flag air carrier's designator code and flight number on ticket document.

### **Airline "Open Skies" Agreements:**

Excerpted from the National Science Foundation (Policy Guidance, RTC 3/7/14)

"A foreign flag air carrier may be used if the transportation is provided under an air transportation agreement between the United States and a foreign government, which the Department of Transportation has determined meets the requirements of the Fly America Act. For information on "open skies" agreements in which the United States has entered, please refer to GSA's website at <http://www.gsa.gov/portal/content/103191>."

#### **Note on U.S./European Union Open Skies Agreement**

In 2007, the U.S. entered into an "Open Skies" Agreement with the European Union, modified in June 2010. The current Agreement gives European Community airlines (airlines of Member States) the right to transport passengers and cargo on flights funded by the U.S. government, when the transportation is between 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", or between any two points outside the United States.

EU airlines are now granted the right to transport civilian agency-funded passengers who are NOT eligible to travel on GSA Airline City Pair Contract fares (e.g., grantees) between a point in the United States and a point outside the United States even if there is a GSA Airline City Pair Contract fare in effect between the origin and destination points.

EU airlines are now authorized to transport passengers between points in the United States and points outside the EU if the EU airline is authorized to serve the route under the Agreement. This includes flights that originate, arrive, or stop in the EU.

In accordance with the Agreement, however, a U.S.-flag air carrier must be used if transportation is obtained or funded by the Secretary of Defense or the Secretary of a Military Department.

## INTERNATIONAL TRAVEL

International travel is defined as travel outside the 50 states, the District of Columbia, and the territories and possessions of the United States. (*Federal Travel Regulations, §301-10.131*)

### FLY AMERICA ACT

#### **Guidelines for International Travel Paid for by the Federal Government For Rice and non-Rice travelers**

**From Rice Travel Policy 806, Appendix A:** "Use of U.S. flag carriers is required for all international travel charged to a federal award unless certain exceptions are met. Documentation of an exception which allows use of a non-U.S. flag carrier on a federal award **must be done at the time travel arrangements are made** (emphasis added). Such documentation must be included with the support for the travel expenditures."

The exceptions are as follows:

1. Airline "Open Skies" Agreements: Currently in place with the EU, Japan, Switzerland and Australia.
2. Involuntary Rerouting: If a U.S. Flag carrier involuntarily re-routes the traveler via a Foreign-Flag carrier, the Foreign-Flag carrier may be used notwithstanding the availability of alternative U.S. Flag carrier service.
3. Travel to and from the United States on airlines not covered under the US/EU agreement, if the airport abroad is:
  - a. the traveler's origin or destination airport, and use of U.S.-flag air carrier service would extend the time in a travel status by at least 24 hours more than travel by a foreign-flag air carrier; or
  - b. an interchange point, and use of U.S.-flag air carrier service would increase the number of aircraft changes the traveler must make outside of the U.S. by two or more, would require the traveler to wait four hours or more to make connections at that point, or would extend the time in a travel status by at least six hours more than travel by a foreign-flag air carrier.
4. Travel Between Points Outside the U.S. on airlines not covered under the US/EU agreement is permissible if:
  - a. travel by a foreign-flag air carrier would eliminate two or more aircraft changes en route;
  - b. travel by a U.S.-flag air carrier would require a connecting time of four hours or more at an overseas interchange point; or
  - c. the travel is not part of the trip to or from the U.S., and use of a U.S.-flag air carrier would extend the time in a travel status by at least six hours more than travel by a foreign-flag air carrier.

If charging airfare to a federal award, a U.S. carrier must be used not only for travel between the U.S. and a foreign city, but also between two foreign cities, unless the flight meets one of the exceptions.

If a U.S. carrier does not serve the destination city, then a U.S. carrier must be used to the nearest city that does. Many U.S. carriers have expanded their foreign markets and now fly to more than one or two cities on a continent.

For help in determining if a U.S. carrier serves a foreign city, visit the website

<http://www.amadeus.net/home/>.

**NOTE ON CODE SHARING:** If a U.S. carrier has a code sharing arrangement with a foreign carrier, the U.S. carrier code and flight number must appear on the ticket in order to charge international airfare to a federal award. Example: Delta code shares with Emirates from Houston to Dubai. If the ticket shows DL 8662 the airfare is allowable on a Federal award; if the ticket shows EK#662 the airfare is **unallowable**. Examples of U.S. carrier codes include: AA, B6, DL, NW, UA, SY, VS and VX. Examples of Foreign carrier codes include: CA, EK, LH, AF, BA, and KL. Please use the website below to look up an airline by its code or a code for an airline.

<http://www.iata.org/publications/pages/code-search.aspx>

**If you have any questions, please contact Research and Cost Accounting prior to booking.**