

## Fly America Act

### *Overview and Key Concepts*

The Fly America Act is a federal regulation that states that any foreign air travel financed by federal funds must be booked on U.S. Flag Air Carriers, regardless of cost or convenience. This rule must be followed by all Washington University personnel, students, trainees, consultants and collaborators who are reimbursed for foreign air travel with federal or federal pass through funds. It is the Principal Investigator's (PI) or his/her designee's responsibility to ensure that all foreign travel charged to federal or federal pass through awards are in compliance with this regulation. Sponsored Projects Accounting (SPA) reviews air travel submitted via travel reports, travel advances and procard documents for compliance with this regulation and may disallow any foreign air travel that does not appear to be in compliance with this regulation.

## Frequently Asked Questions

### **My PI is planning an international trip that is approved under his/her federal grant. What issues do I need to consider when booking the airfare?**

The Fly America Act states that when using federal funds you must use U.S. Flag Air Carriers or flights operated under a U.S. code share agreement to travel to the foreign destination. The easiest way to ensure that you are flying on a U.S. Flag Air Carrier is to book your travel directly through the U.S. Flag Air Carrier. Using a travel website such as Expedia, Travelocity, LowestFares.com, etc. can cause confusion as these websites are designed to find the lowest fares and are not intended to find the U.S. Flag Carrier flights.

The following are two websites that explain the Fly America Act in detail:

<http://ogc.commerce.gov/file/flyamerica-morethanjustanamepdf>

<http://www.gsa.gov/portal/ext/public/site/FTR/file/Chapter301p010.html/category/21868/#wp1088924> (see section §301-10.131 of this document)

### **Are there any exceptions to the Fly America Act?**

Yes, there are very specific circumstances in which the use of a Non-U.S. Flag Air Carrier may be allowable. The exceptions can be found in sections §301-10.136 - §301-10.137 of the following website:

<http://www.gsa.gov/portal/ext/public/site/FTR/file/Chapter301p010.html/category/21868/#wp1088924>

The Open Skies Agreements are also an exception to the Fly America Act. See the [Guidance for Open Skies Agreements Document](#) on the SPA website for information related to booking flights under these agreements.

## **Do trainees, students, consultants or other non-Washington University personnel have to follow the Fly America Act?**

Yes, the Fly America Act must be utilized by all individuals that are seeking reimbursement for travel cost from a federally funded project. If trainees, students, consultants, collaborator or other non-WU personnel book travel on foreign air carriers, they will not be eligible for reimbursement from federal sources. \*\*\*International collaborators and consultants must also follow this regulation. Please make sure to work with international consultants prior to them making flight arrangements to ensure they are aware of this rule.

## **Can airfare be booked using a travel website such as Expedia, Travelocity, LowestFares.com, etc. or a travel agent?**

The best way to book the flight is to go directly through a U.S. Flag Air Carrier. If you have to use a travel website or travel agency, then you should verify that the flights you are purchasing are being issued by the U.S. Flag Air Carrier. Travel agencies (including Gwins and Brentwood Travel) are not aware of the source of funds you are using to pay for this travel and the need to fly on a U.S. Flag Air Carrier. Travel websites and travel agents typically try to find the lowest priced travel itinerary that meets your needs and this may not always be on a U.S. Flag Air Carrier. When booking travel, always make sure you let the travel agent know that you must fly on U.S. Flag Air Carriers. Contact SPA for a review of specific flight itinerary prior to booking if you have questions or concerns.

## **What is a Code Share flight?**

The traveler is considered to be on a Code Share flight if he/she purchases a ticket from one carrier but flies on the aircraft carrier of another airline. This would be a ticket that is issued by a U.S. Air Carrier that states "U.S. Air Carrier flight XXXX operated by Foreign Air Carrier". There may be a list of code share partners on the U.S. Air Carrier website, however, not all flights on the partner airlines are operated under a code share agreement. Only flights booked properly through the code shares are allowable.

**Allowable:** AA 1234 (American Airlines) operated by QF 4321 (Qantas Airways)

**Unallowable:** QF 4321 (Qantas Airways) operated by AA 1234 (American Airlines)

## **Where can I find the Airline designator codes?**

A good website to go to for determining the country of origin for the Air Carrier is:

<http://www.airlinecodes.co.uk/aircodesearch.asp>

You can search for any airline and see the country associated with the Airline on the Airline Code Search Results page.

<http://www.tvlon.com/resources/airlinecodes.htm>

This website shows a listing of all U.S. and Non- U.S. Flag Air Carriers.

**In researching available flights, it was discovered that booking a flight on a foreign air carrier was substantially less than booking a flight on a U.S. Air Carrier. We want to save the grant money for other research related purposes. Is this an allowable exception to the Fly America Act?**

No, the Fly America Act specifically states that cost cannot be considered as a factor.

**My PI has already purchased a ticket to a foreign destination. The receipt has portions of the flight that are U.S. Flag Air Carriers and portions that are Non-U.S. Flag Air Carriers. Can the portions booked on the U.S. Flag Air Carriers be charged to the grant?**

It depends on who issued the ticket or if there is a flight specific code share in place. If a U.S. Flag Air Carrier issued the ticket (printed on U.S. Air Carrier ticket/boarding pass/receipt) then the expense will, in most cases, be eligible for reimbursement. If the ticket is issued by a foreign air carrier (printed on foreign ticket/boarding pass/receipt), the ticket is not eligible for reimbursement on a Federal award even if there are portions of the flight that have a U.S. Air Carrier flight designator code as these would have been booked the wrong way through the code share process.

It can be helpful to look at the receipt or credit card statement to see what airline was paid. If the US Air Carrier was paid, then typically the University can document that the flight is eligible for reimbursement. If the foreign air carrier was paid, then the cost of the flight cannot be charged to a federal grant.

**My PI traveled to a foreign destination. The flights within the U.S. were on U.S. Air Carriers with tickets issued by the U.S. Air Carrier and the flights to and/or within the foreign countries were on foreign carriers with tickets issued by the foreign carrier. Can the flights be charged to the grant?**

Yes, the domestic portions issued on tickets from U.S. Air Carriers can be charged to the Federal grant, however, the tickets issued by the foreign carriers may not be charged unless there were no U.S. Flag Air Carriers available to that destination. Please note that U.S. Flag Air Carriers must be used to the furthest point possible and you can only switch to the foreign carrier for the portion where there is no U.S. Flag Air Carrier available.

**My PI has a conference in Paris and then he/she has to travel to London for a collaborator meeting at a subgrantee institution. The flights between Paris and London were booked on British Airways. Can this be reimbursed from the federal grant?**

It depends. Even when the traveler is in a foreign country and is traveling from one foreign location to another, U.S. Air carriers would still need to be utilized if available. If no US Air Carriers were available, then a foreign carrier may be used. However, a multi-city airfare can typically be booked through a US Air carrier website. You should check multiple US Air carriers to see if your itinerary is available to be booked directly through the US Air carrier. If not, you should print screen the page(s) that shows that no flights are available for your indicated itinerary.

It is suggested that you contact SPA prior to booking the travel if you feel that you qualify for one of the exceptions. SPA will review the specific travel scenario to help determine if it meets the exceptions. Please contact Krystina Gross at 935-5793 or [kgross@wustl.edu](mailto:kgross@wustl.edu) or Elizabeth Colletta at 935-5757 or [ecolletta@wustl.edu](mailto:ecolletta@wustl.edu) for inquiries about the Fly America Act or review of a specific travel scenario.