

Topic: Sponsored Awards Admin & Mgmt	Department: Grants	Policy No: 5.110.01	Effective Date: 12/26/14	Page No: 1 of 2
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Purpose: The Fly America Act (49 U.S.C. 40118) applies to all air travel relating to federally-funded grants, including pass through agreements from other entities. The Fly America Act requires that all travelers and others performing U.S. Government-financed air travel use U.S. flag carriers to the extent such carriers are available, even if their use would cost more.

Policy:

1. It is the policy of the Boyce Thompson Institute for Plant Research (BTI) that travel that is to be reimbursed from federal grants and contracts must be booked through U.S. carriers in compliance with the Fly America Act (49 U.S.C. 40118) except in the following circumstances:
 - When the use of U.S. carrier service would extend travel time (including delay at origin) by 24 hours or more.
 - When the costs of transportation are reimbursed in full by a third party, such as a foreign government or an international agency.
 - When U.S. carriers do not offer nonstop or direct service between origin and destination. However, a U.S. carrier must be used on every portion of the route where it provides service unless, when compared to using a foreign air carrier, such use would:
 - Increase the number of aircraft changes outside the United States by two or more.
 - Extend travel time by at least six hours or more.
 - Require a connecting time of four hours or more at an overseas interchange point.
2. Open Skies Agreements
 - The biggest exception to the Fly America Act is the Open Skies Agreement, which is a bilateral or multilateral transport agreement between the United States government and the government of a foreign country. These agreements allow for travel sponsored on Federal awards to use foreign air carriers under certain circumstances. The Department of Transportation has determined that Open Skies Agreements meet the requirements of the Fly America Act.
 - Where an open skies agreement exists a traveler may use the foreign airline except when:
 - A General Services Administration (GSA) "City Pair" agreement exists.
 - The travel is funded by the U.S. Department of Defense (DOD).

POLICY

Fly America Act

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- The GSA City Pair Program offers significantly discounted rates to Federal employees traveling abroad. If a City Pair agreement exists for a foreign carrier, then the traveler using funds from a Federal sponsored project **MUST** fly on a U.S. flag carrier.
- Prior to booking a flight, travelers should look up their travel route on the Airline City Pair Program Search tool. If a published airfare rate exists, then the traveler must fly on a U.S. flag carrier.
- There are currently four bilateral/multilateral “Open Skies Agreements” in effect:
 - European Union
 - When traveling to a destination serviced by a European Union (EU) airline travelers flying on Federal grants can fly either on a U.S. carrier or a EU carrier as long as the carrier touches down in a EU country.
 - The U.S.-EU Open Skies Agreement was amended effective June 24, 2010. GSA issued Guidance October 6, 2010. Pursuant to the amendment, federal contractors and grantees (not U.S. Government employees) need not be concerned about city-pair contract fares. However, contractors and grantees must check with the airline to ensure that the airline is covered by the U.S.-EU Open Skies agreement which may change periodically.
 - Australia
 - Travelers using Federal dollars can choose to take an Australian airline only if a point of the origin/destination is either the U.S. or Australia and there is no city-pair contract flight between two points (origin and destination).
 - Switzerland
 - Travelers using Federal dollars can use a Swiss airline only if a point of origin/destination is either the U.S. or Switzerland and there is no city-pair contract flight between the two points (origin and destination).
 - Japan
 - Travelers using Federal dollars can use a Japanese airline only if a point of origin/destination is either the U.S. or Japan and there is no city-pair contract flight between two points (origin and destination).
- 3. Any exceptions to the Fly America Act provisions must be documented on the Fly America Act Waiver Checklist Form (SAAM 5.110.11).
- 4. Additional terms of BTI travel and reimbursement policy can be found at BTI Policies 1.40.010 to 1.40.040.