

Fly America Act

- A. Certain sponsored projects (including state grants) may contain provisions that further limit the amount and type of reimbursable travel expenditures. Travelers and/or appropriate sponsored projects personnel should ensure any proposed travel is in accordance with the sponsored project's agreement before the travel begins.
- B. **Fly America Act:** The Fly America Act (41 CFR 301-10.131 through 301-10.143) requires that all federally funded travel be on a U.S. flag carrier or U.S. flag carrier service provided under a code-share agreement (see-list below), except under specific situations.

When booking international travel, the Principle Investigator of the award to be charged is responsible for complying with the Fly America Act. The cost of travel subject to the Fly America Act that does not adhere to this regulation will be borne by the Principal Investigator's department or will need to be moved to a suitable non-federal funding source.

Exceptions must be documented prior to travel and pre-approved by Texas A&M AgriLife Contracts & Grants. In no case is the use of a foreign air carrier justified because of cost, convenience, or traveler preference.

International airfare booked on a U.S. flag carrier service will not require an exception. Also, the following countries-airlines have a code share agreement with the federal government and will not require an exception:

Austria – Austrian Airlines	Ireland – Aerlingus
Belgium – Brussels Airlines	Italy – Alitalia
Bulgaria – Bulgaria Air	Latvia – airBaltic
Cyprus – Cyprus Airlines	Lithuania – Lithuanian Air Lines (LAL)
Czech Republic – Czech Airlines (CSA)	Luxembourg - Luxair
Denmark – Scandinavian Airlines	Malta – Air Malta
Estonia – Estonia Air	Netherlands – KLM Royal Dutch Airlines
Finland – Air Finland	Poland – Polish Airlines (LOT)
France – Air France	Portugal – TAP Portugal
Germany – Lufthansa	Slovakia – Air Slovakia
Great Britain – British Airways	Spain – Iberia Airlines
Greece – Olympic Airlines	Sweden – Scandinavian Airlines
Hungary – Hungary Airlines	Switzerland – Swiss Air

To easily ensure compliance with the Fly America Act, purchase all airline tickets for international travel that will be charged to a federal grant through a U.S. flag carrier (American, Delta, United, etc.) or use a travel agency for your booking. **Note:** Most travel agents are not familiar with this regulation, so confirm that the travel agent is aware that travel is federally-funded and must adhere to this act.

- C. Permitted Exceptions to the Fly America Act: If a U.S. flag air carrier offers nonstop or direct service (no aircraft change) from your origin to your destination, you must use the U.S. flag carrier service unless such use would extend your travel time, including delay at origin by 24 hours or more.

If a U.S. flag air carrier does not offer nonstop or direct service (no aircraft change) from your origin to your destination, you must use the U.S. flag carrier on every portion of the route where it provides service unless, when compared to using a foreign air carrier, such use would:

1. Increase the number of aircraft changes you must make outside of the U.S. by 2 or more; or
2. Extend your travel time by at least 6 hours or more; or
3. Require a connecting time of 4 hours or more at an overseas interchange point.

For travel outside the U.S., if a U.S. flag air carrier provides service between your origin and destination, you must always use a U.S. flag air carrier for such travel unless, when compared to using a foreign air carrier, such use would:

1. Increase the number of aircraft changes you must make outside of the U.S. by 2 or more; or
2. Extend your travel time by at least 6 hours or more; or
3. Require a connecting time of 4 hours or more at an overseas interchange point.

If an exception is needed:

1. Complete the Fly America Act Exception Form indicating the reason for the exception.
2. Attach a proposed airfare itinerary of the trip.
3. Attach to foreign travel requests to be submitted for approval

Texas A&M AgriLife Travel Office will fax approved exceptions back to the initiating department.

This exception form will need to be kept on file in the department for auditing purposes. A copy should be included with any employee travel reimbursement and/or direct billing of airfare when submitted to Texas A&M AgriLife Disbursements-Travel Office for payment processing.

Effective for Texas A&M AgriLife as of 4/1/2009