



# TRAVEL TIDBITS

## Fly America Act

**Federal** travelers are required by 49 U.S.C. 40118, commonly referred to as the "**Fly America Act**," to use U.S. air carrier service for all air **travel** and cargo transportation services funded by the U.S. government. ... U.S. - EU Amendment [pdf] effective June 24, 2010.

One exception to this requirement is transportation provided under a bilateral or multilateral air transport agreement, to which the U.S. government and the government of a foreign country are parties, and which the Department of Transportation has determined meets the requirements of the Fly America Act.

The U.S. government has entered into several air transport agreements that allow federal funded transportation services for travel and cargo movements to use foreign air carriers under certain circumstances.

"Open Skies Agreements" are bilateral air service agreements the U.S. Government negotiates with other countries to provide rights for airlines to offer international passenger and cargo services. They are pro-consumer, pro-competition, and pro-growth. They include reciprocal obligations to eliminate government interference in commercial airline decisions about routes, capacity, and pricing, so airlines can provide more affordable, convenient, and efficient air service to consumers, promoting increased travel and trade, and facilitating broad economic growth. Open Skies agreements improve flexibility for airline operations, expand cooperative marketing opportunities between airlines, enable global express delivery cargo networks, liberalize charter regulations, and commit both governments to high standards of safety and security. There are currently four bilateral/multilateral "Open Skies Agreements" (U.S. Government Procured Transportation) in effect:

- [U.S. Government and the European Union \(EU\) effective April 30, 2007](#)
- [U.S. - EU Amendment \[pdf\] effective June 24, 2010](#)
- [U.S. - EU Amendment effective June 21, 2011](#)
- [U.S. - Australia Open Skies Agreement \[PDF - 4 MB\] effective October 1, 2008](#)
- [U.S. - Switzerland Transport Agreement \[PDF - 4 MB\] effective October 1, 2008](#)
- [U. S. and Japan \[pdf\] effective October 1, 2011](#)

Information on the four Open Skies Air Transportation Agreements (U.S. Government Procured Transportation) and other specific country agreements may be accessed via the [Department of State's website](#).

The rights given to airlines concerning U.S Government procured transportation under the Open Skies Agreement do not apply to transportation obtained or funded by the Secretary of Defense or the Secretary of a military department.

Federal Travel Regulation (FTR) [Bulletin 11-02](#) [PDF - 112 KB] and [Bulletin 12-04](#) [PDF - 82 KB] provides additional information and guidance on Open Skies agreements.

### Example:

1. If you see "American Airlines 1397, operated by British Airways" this is a codeshare. British Airways owns the airplane, and the flight is operating under a US Codeshare flight number.
2. if you see "British Airways 1234, Operated by American Airlines" The opposite is true. American Airlines owns the airplane, but the flight is operating under a foreign airline codeshare. We could not use such a flight. However, in a case like this one, look up the same flight times under American airlines and 9.5 chances out of 10 the flight is simultaneously operating under an American Airlines flight number too. You'd have to book the American flights, not the British airways flight.

Should you have questions or need assistance, please contact your Travel Specialist.