

## Fly America Act

The Fly America Act was enacted in 1974 to mandate the use of U.S. flag air carriers (United, Delta, American, etc.) for all travel originating in the U.S. and her territories to foreign countries. The Act applies to anyone using Federal funds to travel abroad. This includes NSF, NIH, NASA, and other Federal agencies and entities. The Act does not apply to non-federally funded awards.

### I. Key Points

- A U.S. flagged airline must be used when Federal funds are involved unless the flight qualifies for an exception as detailed on the [Fly America Waiver Checklist](#).
- Some awards from other universities or entities are actually pass-through funds from the Federal government.
- Fly America applies to anyone flying on Federal funds, not just the PI. This includes participants, collaborators, speakers, guests, etc.
- Cost is explicitly ***not*** a valid reason to use a foreign carrier.
- Be careful with code share agreements (please see below). The flight must reflect the U.S. carrier's designator code and flight number.
- The key to compliance is making sure the trip either complies or is eligible for exemption ***before*** the trip is taken.

If the flight qualifies for an exception, please complete the [Fly America Waiver Checklist](#) ***before*** the trip. Send the Checklist and the documentation supporting the permitted exception to RA&F ([Chrisa2@rpi.edu](mailto:Chrisa2@rpi.edu)) for final approval before the trip. Online travel inquiries such as an Expedia or Travelocity printout with the travel dates and destinations clearly marked are sufficient.

### II. Code Share Issues

Airlines often partner with other airlines to offer a broader selection of destinations and to simplify connections. A seat can be purchased on one airline, but the flight is actually operated by a cooperating airline under a different flight number or code.

These agreements can pose a challenge when trying to determine Fly America Act compliance. Although a code share relationship may exist, caution must be used at time of purchase to ensure that the flight complies. Make sure the ticket identifies a U.S. flag air carrier designator code and flight number.

Here are some examples:

**Compliant:** AA 8902 operated by LH 424

**Incompliant:** LH 424 operated by AA 8902

AA = American Airlines, LH = Lufthansa

### III. References

**For more detailed information, please go to the following:**

Read about the Fly America Act and its exclusions:

<http://www.rpi.edu/dept/finance/docs/research/UseofUnitedStatesFlagAirCarriers.pdf>

<http://www.ogc.doc.gov/ogc/fl/fald/itl/itlv14.pdf>

If your trip qualifies for exclusion, complete the Fly America Waiver Checklist:

<http://www.rpi.edu/dept/finance/docs/research/FlyAmericaWaiverChecklist.pdf>