FLY AMERICA ACT

General Requirements

Generally, all flights charged to federal projects must be taken on U.S. flag air carriers or on foreign air carriers that code share with a U.S. flag carrier on the flight taken. This includes flights within the U.S. If there is no U.S. carrier to your destination, you must travel on a U.S. carrier as far as possible. By law, additional cost for U.S. carrier flights is not sufficient justification to fly on foreign carriers. Please note that the same rules apply to a foreign visitor’s flights.

Booking Travel

WSU’s preferred travel agency, Sunflower Travel can assist with the Fly America Act requirements. Contact Laurie O’Leary at (316) 733-2753.

Exceptions

Exceptions must be documented prior to travel and pre-approved by the Office of Research Administration. There are strictly limited circumstances in which an exception may be appropriate. For example:

• A U.S. flag carrier does not provide service on a particular leg of your trip;
• The use of a U.S. carrier will unreasonably delay your travel time as defined by GSA Regulations;
• You are involuntarily rerouted; or
• Medical or safety reasons per GSA Regulations.

In no case is the use of a foreign air carrier justified because of cost, convenience or traveler preference. Use of the Fly America Act Exception Form can help you identify legitimate exceptions for use of a non-U.S. carrier. Completed Fly America Exception forms should be submitted to the Office of Research Administration for approval at least two weeks prior to planned travel dates.

Documentation of Compliance

To satisfy regulatory requirements for charges to a federally sponsored project, a U.S. flag carrier designator code must be present on documentation for a flight; for example, UA1776 for United Flight 1776 or AA1787 for American Flight 1787. If you believe that you were on a code shared flight, but there is no documentation showing the U.S. flag carrier code and flight number, you cannot charge the flight to a federally sponsored project.

A paper ticket or documentation for an e-ticket normally provides this proof. However, in some code sharing situations, we have found that only the boarding pass showed the U.S. flag carrier code. In this case, the boarding pass should be retained for documentation.
If you are claiming an exception under the Act, **GSA Regulations 301-10.141 and 301-10.142** detail the certification requirements for federal audit purposes. When requesting reimbursement for a flight that does not comply, you must document the reason for the exception by submitting a Certificate of Exception to Fly America Act Form. Submitting this information with a reimbursement request will speed the payment process.

**Additional Information**

- It should be noted that with the growth of code-sharing within the airlines, it is often difficult to recognize when a U.S. flag is being used, because the aircraft of choice may be a foreign carrier that has leased a certain number of seats to a U.S. flag carrier. There is a notation on the ticket receipt (normally in the upper left corner) that identifies whether the code-shared seat is considered a U.S. carrier. Travel agents should be consulted if there is any doubt.
- Fly America Act applies to all federal grantees and contractors
- No minimum dollar threshold is required for compliance
- This requirement must be flowed down to subrecipients/subawardees
- Sanctions for noncompliance: disallowance of costs

**Contact Information**

**Office of Research Administration**
- Campus Mail: Box 7
- Office Location: NIAR 319
- Travel Expenses: Sarah Hunt x6804 or sarah.hunt@wichita.edu
  Kathy Riker x7603 or kathy.riker@wichita.edu
- Export Regulations: Sonia Marquardt x6801 or sonia.marquardt@wichita.edu
  Additional Information:
  - Greg Jones x6092 or greg.jones@wichita.edu
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**WSU Financial Operations**
- University Travel: Ruth Ann Logan x5811 or rutha.logan@wichita.edu

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