

THE FLY AMERICA ACT GUIDELINES,

HOW THE FLY AMERICA ACT APPLIES TO GOVERNMENT TRAVEL

The Fly American Act refers to the provisions enacted by section 5 of the International Air Transportation Fair Competitive Practices Act of 1974 (pub. L. 93-624, January 3, 1975), 40 U.S.C. App. 1517, as amended by section 21 of the International Air Transportation Competition Act of 1979 (Pub. L. 96-192, February 15, 1980), 94 Stat. 43 The Act (41 CFR 301) requires individuals using United States Federal Government funds to limit themselves to U.S. airlines. However, 41 CFR Parts 301-3 section §301-10 allows those individuals to use federal funding to fly on non-U.S. airlines under the following circumstances:

- A non-U.S. carrier provides service on a particular leg of the route
- Service on a non-U.S. air carrier would be three hours or less, and use of the U.S. air carrier would at least double (six hours) the travel time
- When the U.S. air carrier only has seats in first and/or business class, and economy class service is available from a non-U.S. air carrier
- When the traveler, while en route, has to wait six hours or more to transfer to a U.S. air carrier to proceed to the intended destination
- When use of a U.S. air carrier would extend travel time by at least six hours more than travel by a non-U.S. flag carrier
- When use of a U.S. air carrier would require two or more aircraft changes at points abroad than use of a non-U.S. air carrier