

# Travel – COVID-19 Airfare Credits and Fly America Act Waiver Form

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# Learning Objectives

- Summarize Federal Fly America Act requirements
- Explain how Fly America Act impacts federally funded sponsored research
- Introduce UNC OSR Fly America Act Waiver Request Form
- Discuss applicability of form and what is needed to complete
- Detail UNC treatment of airfare credits related to COVID-19
- Questions



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# Fly America Act

- Legal requirement that all government-financed air travel be performed by U.S. air carrier services where such service is available
- Enacted in 1974; present day version is 49 U.S.C. §40118
- Foreign carriers are allowable if U.S. flagged air carriers are not “reasonably available” between two foreign points
- Exceptions are available, but **must be documented**
- **Applies to all federally-funded airfare**



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# U.S. Flag Air Carriers

- An air carrier holding a certificate under section 401 of the Federal Aviation Act of 1958, 49 U.S.C. 1317 (§41102) – Foreign air carrier operating under permits are excluded. Airlines include:
  - AirTran Airways, Inc. (FL)
  - Alaska Airlines, Inc. (AS)
  - American Airlines, Inc. (AA)
  - Delta Air Lines, Inc. (DL)
  - Frontier Airlines, Inc. (F9)
  - Hawaiian Airlines, Inc. (HA)
  - JetBlue Airways Corporation (B6)
  - Southwest Airlines Co. (WN)
  - Spirit Airlines, Inc. (NK)
  - United Airlines, Inc. (UA)



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# Applicability of the Fly America Act

Fly America Act applies to:

- Any individual whose travel is funded by the federal government
  - Includes federal awards, contracts, and grants
  - Includes federal funding passed-through other organizations
- Federal government employees and dependents
- Employees, consultants, contractors, etc.



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# Codesharing

- Occasionally, two or more airlines will “codeshare” a flight by publishing and marketing the same flight under their own airline designators and flight numbers
- A seat may be purchased on each airline’s designator and flight number, but the flight is only operated by one of the cooperating airlines
- May comply with Fly America Act, but flight must be purchased via the U.S. airline’s designator and flight number if the flight is shared between a U.S. airline and foreign airline



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# Exceptions to the Fly America Act

- U.S. air carrier is not available
- Using a U.S. air carrier would extend the travel time by 24 hours or more
- U.S. air carrier does not offer a nonstop or direct flight between origin and destination, and using U.S. air carrier:
  - Increases the number of aircraft changes outside the U.S. by two or more; OR
  - Extends travel time by six hours or more; OR
  - Requires a connecting time of four hours or more at an overseas interchange point



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# Exceptions to the Fly America Act

- Flight time from origin to destination is less than three hours and using a U.S. air carrier doubles the flight time
- There is an applicable Open Skies Agreement in effect that meets the requirements of the Fly America Act (see next slide)
- **Exceptions must be documented in writing at the time travel is booked**



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# Open Skies Agreement

- Bilateral or multilateral agreements between the U.S. Government and the governments of foreign countries that allow travelers to use foreign air carriers from these countries for government-funded international travel
- The United States currently has Open Skies Agreements in effect with:
  - Australia
  - Switzerland
  - Japan
  - European Union (28 countries)
    - Effective 1/1/21, the United Kingdom is no longer a member of the EU. Travelers must use a U.S. Flag carrier to travel from the U.S. to the U.K.



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# Compliance with Fly America Act

- When booking airfare for international travel, the University strongly recommends booking directly with the Agent Team at World Travel, Inc.
  - Agents are well-versed in the Fly America Act and will ensure that airfare is compliant
- UNC's designated team of agents at World Travel, Inc. are available:
  - [uncch\\_travel@worldtravelinc.com](mailto:uncch_travel@worldtravelinc.com)
  - Monday – Friday 8:00am – 6:00pm
  - (877) 602-4950
  - (484) 948-2535 (if calling from outside the U.S.)



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# Compliance with Fly America Act

- If booking online via Concur Travel, flights which are compliant with Fly America Act will include the following symbol above the flight price:

The screenshot shows a flight search interface. At the top, there is a search bar with 'Number Search' and a magnifying glass icon, and a 'Sorted By:' dropdown menu set to 'Price - Low to High'. To the right, it says 'Displaying:'. A tooltip box titled 'Fly America Act' is open, containing the text: 'This option is Fly America Act with Ope Skies Exceptions compliant.' Below the search bar, there are two flight options. The first option is for United, with a flight time of 12:25p RDU to 09:35a BER, 2 EWR/MUC, and a duration of 15h 10m. The price is \$1,428.85, with a yellow shield icon above it. The second option is for United, with a flight time of 01:45p BER to 06:46p RDU, 2 FRA/EWR, and a duration of 35h 01m. A yellow warning triangle icon is next to the price. A blue 'View Fares' button is located to the right of the second flight option. At the bottom left, there is a 'United<sup>1,2</sup>' logo. Below the flight options, there are two footnotes: <sup>1</sup> United 3652 operated by REPUBLIC AIRWAYS DBA UNITED EXPRESS and <sup>2</sup> United 9189 / 9215 operated by Lufthansa.



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# Documenting Exceptions to Fly America Act

- To document exception, the following information **MUST** be provided:
  - Completed and signed Fly America Act Waiver Request Form
  - Detailed travel itinerary from World Travel agent or Concur Travel
  - Search results from Concur Travel performed at the time of booking documenting all available flights and the applicable exception noted on the Fly America Act Waiver Request Form
- Completed and signed Fly America Act Waiver Request Form, along with required documentation, **MUST** be attached to the Travel Request in Concur Travel



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# COVID-19 Airfare Credits

- Streamlined process for treatment of airfare credits received as a result of airfare cancelled due to COVID-19
- Credits were received for qualifying tickets serviced by Delta, American, United, and Southwest
  - Travel originally booked through Maupin, Travelink, University and Viking Travel Agencies
- OSR has already communicated to all departments with projects with applicable credits



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# COVID-19 Airfare Credits

- Credits will be returned to projects with PS Project IDs in Open, Ended, or Reporting status
  - University Controller's Office will submit journal entry to credit original airfare expense on project
  - Budget will be returned to project
- No action will be taken for projects with PS Project IDs in Closed status
- Journal entry to credit projects will be processed in September



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# Questions?

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