

Open Skies Agreement

Federal travelers are required by 49 U.S.C. 40118, commonly referred to as the "Fly America Act," to use United States air carrier service for all air travel and cargo transportation services funded by the United States Government. One exception to this requirement is transportation provided under a bilateral or multilateral air transport agreement, to which the United States 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 United States 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.

There are currently four bilateral/multilateral "Open Skies Agreements" (U.S. Government Procured Transportation) in effect:

- [United States \(US\) Government and the European Union \(EU\)](#) effective April 30, 2007, [US-EU Amendment](#) effective June 24, 2010, and [US-EU Amendment](#) effective June 21, 2011
- [United States \(US\) and Australia](#) effective October 1, 2008
- [United States \(US\) and Switzerland](#) effective October 1, 2008
- [United States \(US\) and Japan](#) effective October 1, 2011

Exceptions to Open Skies:

- Fly America Act takes precedence
- DoD Sponsored travel requires the use of U.S. Carriers