(3) When a U.S.-flag air carrier invol-
untarily reroutes the traveler via a for-
eign-flag air carrier, the foreign-flag
air carrier may be used notwith-
standing the availability of alternative
U.S.-flag air carrier service.

(d) For travel between a gateway air-
port in the United States and a gate-
way airport abroad, passenger service
by U.S.-flag air carrier shall not be
considered available if—

1. The gateway airport abroad is the
traveler’s origin or destination airport
and the use of U.S.-flag air carrier
service would extend the time in a
travel status, including delay at origin
and accelerated arrival at destination,
by at least 24 hours more than travel
by a foreign-flag air carrier; or

2. The gateway airport abroad is an
interchange point and the use of U.S.-
flag air carrier service would require
the traveler to wait 6 hours or more to
make connections at that point, or if
delayed departure from, or accelerated
arrival at, the gateway airport in the
United States would extend time in a
travel status by at least 6 hours more
than travel by a foreign-flag air car-
rier.

(e) For travel between two points
outside the United States, the rules in
paragraphs 47.403–1(a), (b), and (c) shall
be applicable, but passenger service by
a U.S.-flag air carrier shall not be con-
sidered to be reasonably available if—

1. Travel by a foreign-flag air carrier
would eliminate two or more aircraft
changes en route;

2. One of the two points abroad is
the gateway airport en route to or
from the United States and the use of
a U.S.-flag air carrier would extend the
time in a travel status by at least 6
hours more than travel by a foreign-
flag air carrier, including accelerated
arrival at the overseas destination or
delayed departure from the overseas
origin, as well as delay at the gateway
airport or other interchange point
abroad; or

3. The travel is not part of the trip
to or from the United States and the
use of a U.S.-flag air carrier would ex-
tend the time in a travel status by at
least 6 hours more than travel by a for-
eign-flag air carrier including delay at
origin, delay en route, and accelerated
arrival at destination.

(f) For all short-distance travel under
either paragraph (d) or paragraph (e) of
47.403–1, U.S. air carrier service shall
not be considered available when the
elapsed traveltime on a scheduled
flight from origin to destination air-
port by foreign-flag air carrier is 3
hours or less and service by a U.S.-flag
air carrier would involve twice such
traveltime.

47.403–2 Air transport agreements be-
tween the United States and foreign
governments.

Nothing in the guidelines of the
Comptroller General (see 47.403) shall
preclude, and no penalty shall attend,
the use of a foreign-flag air carrier that
provides transportation under an air
transport agreement between the
United States and a foreign govern-
ment, the terms of which are con-
sistent with the international aviation
policy goals at 49 U.S.C. 1502(b) and
provide reciprocal rights and benefits.

47.403–3 Disallowance of expenditures.

(a) Agencies shall disallow expendi-
tures for U.S. Government-financed
commercial international air transpor-
tation on foreign-flag air carriers un-
less there is attached to the appro-
priate voucher a memorandum ade-
quately explaining why service by U.S.-
flag air carriers was not available, or
why it was necessary to use foreign-
flag air carriers.

(b) When the travel is by indirect
route or the traveler otherwise fails to
use available U.S.-flag air carrier serv-
ice, the amount to be disallowed
against the traveler is based on the
loss of revenues suffered by U.S.-flag
air carriers as determined under the
following formula, which is prescribed
and more fully explained in 56 Comp.
Gen. 209 (1977):

\[
\text{Sum of U.S.-flag carrier segment mileage, authorized} \times \frac{\text{Sum of all segment mileage, authorized}}{\text{Fare payable by Government}}
\]