



The Comptroller General
of the United States

Washington, D.C. 20548

134977

Decision

Matter of: Uniformed Service Members' Household Goods - Small
Boats and Canoes Included

File:

B-228803

Date:

February 5, 1988

DIGEST

The definition of the term "household goods" contained in the Joint Federal Travel Regulations, promulgated under the authority in 37 U.S.C. § 406(b), may be revised to include small boats and canoes so such articles may be moved at government expense as part of uniformed service members' household goods shipments. Upon such revision 53 Comp. Gen. 159 (1973) would be superseded.

DECISION

The question in this case is whether the Joint Federal Travel Regulations may be amended so that "small boats and canoes" may be shipped at public expense under the authority of 37 U.S.C. § 406(b), which provides for the transportation of the "baggage and household effects" of uniformed service members who are ordered to make a permanent change-of-station move.^{1/} We conclude that the regulations may be amended to include small boats and canoes in the definition of articles that may be shipped at public expense under this statute.

BACKGROUND

A member of a uniformed service who is ordered to make a permanent change of station ". . . is entitled to transportation (including packing, crating, drayage, temporary storage, and unpacking) of baggage and household effects, or reimbursement therefor, within such weight allowances prescribed by the Secretaries concerned . . ." 37 U.S.C. § 406(b)(1)(A) (Supp. III, 1985). Implementing regulations define the term "household goods" as generally including all

^{1/} This responds to a request for a decision received from the Chairman, Per Diem, Travel and Transportation Allowance Committee (PDTATAC Control Number 87-10).

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personal property associated with the home and personal effects belonging to service members and their dependents, on the effective date of the permanent-change-of-station orders, which can be accepted and transported as household goods by an authorized commercial carrier. Volume 1 of the Joint Federal Travel Regulations (1 JFTR), Appendix A. It is clear from chapter 5, Part D, of 1 JFTR and from the definition of "household goods" in Appendix A that that term encompasses all items referred to in 37 U.S.C. § 406(b) as "baggage and household effects." The definition contains a list of items specifically excluded from coverage under the term, and among the enumerated exclusions are:

"2. Automobiles, trucks, vans and similar motor vehicles; boats; airplanes; mobile homes; camper trailers; and farming vehicles . . ."

Hence, under current regulations, since "boats" are specifically excluded from the definition of "household goods," boats of any type are now considered not to be "baggage and household effects" which may be transported at public expense when service members are ordered to make a permanent change-of-station move.

The uniformed services have recommended that the definition of "household goods" in 1 JFTR, Appendix A, be revised ". . . to permit the shipment of small boats and canoes as part of a uniformed member's household goods because many members have a small boat or canoe that they use for recreational purposes or in pursuit of their hobbies." The services argue that such change would be consistent with a previous change to the definition of "household goods" in which snowmobiles, which at one time were specifically excluded, were taken off the exclusion list and specifically included in the definition.^{2/} They also point out that such change would be consistent with the recommendations of an ad hoc committee composed of a representative from the Per Diem Committee Staff, General Services Administration, Department of State, and the General Accounting Office formed in 1979 to explore the possibility of arriving at a standard definition of household goods which would be applicable to the uniformed and civilian members/employees of the United States Government.

The services point out that the commercial household goods carriers' tariffs have special provisions concerning boats, canoes, skiffs, light rowboats, kayaks, sailboats and boat trailers that contain certain weight additives. It is

^{2/} See Volume 1, Joint Travel Regulations, Appendix J (Change 360, Feb. 1, 1983, and Change 363, May 1, 1983).

stated that when a shipment includes a boat 14 feet or more in length, the transportation charges for the shipment are based upon the net scale weight of the shipment plus a weight additive calculated as follows:

- "a. Canoes, skiffs, light rowboats, and kayaks 14 feet and over in length - 40 lbs per linear foot of the total length.
- "b. Boats, 14 feet and over in length - 115 lbs per linear foot of total length."

It is stated that if the proposal to change the regulations is approved, it is contemplated that when a uniformed service member's household goods shipment includes an article for which a weight additive is assessed, the amount of the weight additive should be added to the net weight of the shipment and count against the member's authorized weight allowance. In addition, if an article to be shipped requires special packing and crating, and/or handling, the member should be required to pay for such additional accessorial service.

The issue thus presented is whether 1 JFTR, Appendix A, may be revised to authorize the transportation of "small boats and canoes" as "household goods" under the authority of 37 U.S.C. § 406(b)(1)(A).

ANALYSIS AND CONCLUSION

We have repeatedly observed that "baggage," "household effects" and "household goods" are general terms not limiting themselves to precise definition, but varying in scope depending upon the context in which they are used. Transportation - Household Goods - Live Animals, 65 Comp. Gen. 122, 124 (1985); 53 Comp. Gen. 159, 160 (1973); 52 Comp. Gen. 479, 481 (1973); 44 Comp. Gen. 65, 66 (1964). Although the terms have always been considered to include personal property generally associated with the home and person, over the years, due in part to the changing circumstances, our view of what was generally associated with the home and person has changed. For example, in the early 1970's Volume 1 of the Joint Travel Regulations did not specifically exclude a snowmobile from the definition of "household goods." We held, however, that a snowmobile could not be included in "household goods," and we defined a class of sports or hobby equipment (which included boats, trailers, and airplanes) which we did not consider to be "household goods." B-179580, Mar. 18, 1974. During that same time, however, we recognized that ". . . findings in a study [of the definitions of household goods] may present the basis in support of modifications to the existing

definitions . . .," and we suggested a detailed review of the matter. 52 Comp. Gen. 479 (1973). The ad hoc committee, referred to by the Per Diem Committee in its request for decision, resulted from this suggestion and did recommend a considerably broader definition of "household goods" than was then in effect. The General Services Administration, in paragraph 2-1.4h of the Federal Travel Regulations, FPMR 101-7 (Supp. 4, Aug. 23, 1982), incorp. by ref., 41 C.F.R. § 101-7.003 (1983), and then the uniformed services in Volume 1, Joint Travel Regulations, Appendix J (Change 363, May 1, 1983), revised the definitions of "household goods" to adopt the central recommendation of the ad hoc committee that all personal property associated with the person or home that can be legally accepted and transported as household goods by an authorized commercial carrier should be defined as "household goods." Both the General Services Administration and the uniformed services adopted virtually the same definition of "household goods," which included a sentence that stated that snowmobiles and vehicles such as motorcycles, mopeds and golf carts, may be shipped as household goods.^{3/} We have not objected to these revisions in the regulations, which superseded our decision on snowmobiles, and we no longer view items of personal property that may be classified as "sports or hobby equipment" as being excluded from the term "household goods" solely on that basis. To the extent that B-179580, Mar. 18, 1974, supra, suggested otherwise it has been superseded.

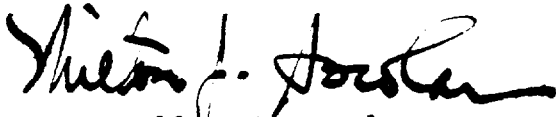
We acknowledge that "small boats and canoes" that are used for recreational purposes appear to be analogous to snowmobiles, motorcycles, mopeds, and golf carts which are also used for recreational purposes. Accordingly, we now would not object to an amendment to the regulations to include these within the definition of "household goods" that may be transported at government expense. Upon such redefinition, our prior decision in 53 Comp. Gen. 159 (1973), which precluded components and accessories of such boats from being considered as "household goods," would be superseded.

We also note that generally a carrier's authority to transport household goods includes the authority to transport a boat so long as it is a part of the personal effects of the householder, and we are aware of no specific limitations on the size of boats such a carrier may accept. See

^{3/} Although the revised definitions of "household goods" did reflect the ad hoc committee's central recommendation and expand the items included in the term, they were not as expansive as the committee recommended, and retained a significant list of excluded items from the term, including "boats."

Philip T. Woodfin Extension - Boats, 67 M.C.C. 419 (1956). Therefore, if the services contemplate placing any restrictions on the size of the boats they wish to allow to be transported with a member's household goods, as they appeared to indicate in the submission, such restrictions should be included in the amendment to the Travel Regulations.^{4/} In addition, it should be made clear in the regulations and informational material provided to members that the extra constructive weight differential applied to some boats by the carriers will be counted against the member's weight allowance and the member will be charged for any special handling or packing required.

Also, since the last major revision of the definition of household goods in 1983 for the uniformed services in the Joint Travel Regulations resulted in a definition nearly identical to that contained in the Federal Travel Regulations, it may be helpful for the Per Diem Committee to coordinate with the General Services Administration in the revision process so that uniformity is retained in the "household goods" that may be shipped at public expense for civilians and service members.



Acting Comptroller General
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4/ Note also that certain boats used as residences may be transported at government expense as mobile home dwellings under the authority of 37 U.S.C. § 409. See Lieutenant Christopher J. Donovan, 62 Comp. Gen. 292 (1983). Transportation allowances for a mobile home dwelling and for shipment of household goods incident to the same change of station generally are mutually exclusive. See 37 U.S.C. § 409(a)(2).