



Comptroller General
of the United States

Washington, D.C. 20548

0012410

Decision

B-257146

October 18, 1994

Ms. Judy M. Miller
Certifying Officer
Bureau of Land Management
Department of the Interior
Denver Federal Center, Building 50
Denver, Colorado 80225-0047

Dear. Ms. Miller:

This replies to your letter of April 21, 1994, reference 1381 (SC-610), requesting an advance decision whether carriers' charges for pet houses i.e., dog houses, that employees ship as household goods incident to their relocation should be paid by the government or collected from the employee.

You indicate that the carriers have been assessing charges for moving dog houses calculated on a "weight and/or bulk item" rate basis amounting to \$90 to \$200 per dog house. You state that it is your agency's position that a dog house is not included within the definition of "household goods" shown in section 302-1.4 of the Federal Travel Regulation (FTR) because that section excludes live animals, and because one of our decisions 47 Comp. Gen. 572 (1968), stated that property "which is to be used ultimately as furniture or as part of the equipment of a residence is to be regarded as part of the household effects."

Since you have not presented a specific case before you for payment, with accompanying documentation, we are not issuing a Comptroller General's decision on the matter at this time. See 31 U.S.C. § 3529(a). However, we are providing the following guidance for your assistance.

The language to which you refer in our decision 47 Comp. Gen. 572, was not intended as a full definition of household goods; it was primarily concerned with defining the more limited term "baggage" which was the subject of the decision. Regarding household goods, we have repeatedly observed that the term is a general one not limited to precise definition, but varying in scope depending upon the context in which it is used. 67 Comp. Gen. 230 (1988). The

current definition of "household goods" which may be shipped at government expense, stated in FTR § 302-1.4(j), includes "All personal property associated with the home . . . which can be legally accepted and transported as household goods by an authorized commercial carrier . . ." with certain exceptions, including, as you note, live animals, birds, fowls, and reptiles.

Dog houses are not among the specifically excluded items in the FTR's definition of household goods, although the intended occupants of the dog houses (live animals) are obviously excluded. There is, however, a fundamental difference in transportation properties between the dog houses and dogs that occupy them, in recognition of which dogs are not generally classified by carrier tariffs as household goods. See 65 Comp. Gen. 122 (1985) at pg. 124. Thus, it does not necessarily follow that pet houses should be excluded from the household goods definition because live animals are. In categorizing an item, we must look primarily to the character of that particular item. See 62 Comp. Gen. 45, 47 (1982).

While we have not previously ruled on a pet house, we have held that a portable swimming pool can be considered to be within the definition of "household goods" and eligible for shipment at government expense. , B-191724, Mar. 29, 1979. Similarly, it appears that an ordinary portable dog house located at the employee's residence and used to house his or her pet, would be considered an item of "personal property associated with the home", and thus come within the definition of household goods for purposes of shipment at government expense. This, however, may not be so in regard to some extraordinarily large or elaborate kennel-type facility which is beyond the bounds of an ordinary dog house. If a doubtful case should come before you for certification, you may of course submit it to us for decision.

Sincerely yours,

David F. Engstrom
Assistant General Counsel