

DECISION

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**THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548**

FILE: B-209998**DATE:** April 22, 1983**MATTER OF:** James H. McFarland - Transportation of
Mobile Home - Floathouse**DIGEST:**

1. Forest Service employee may be reimbursed for the cost of commercially towing his floathouse to his new permanent duty station in Alaska for use as his residence under the provisions of 5 U.S.C. § 5724(b)(2), which permits the transportation of a mobile dwelling at Government expense, since we have held that a boat may qualify as a mobile home dwelling under the law.
2. Forest Service employee transferred to a new permanent duty station may be reimbursed as a miscellaneous expense for the cost of setup to the extent it is analogous to costs incurred incident to the relocation of a mobile home. However, costs of insurance may not be reimbursed.

An authorized certifying officer of the Department of Agriculture has requested a decision as to whether James H. McFarland, an employee of the Forest Service, may be reimbursed for the transportation of his floathouse from Ketchikan, Alaska, to Thorne Bay, Alaska, pursuant to a permanent change of station. We conclude that Mr. McFarland may be reimbursed under 5 U.S.C. § 5724(b)(2) (1976) for the cost of the commercial transportation of his floathouse to Thorne Bay for use as his residence.

On May 6, 1982, Mr. McFarland was authorized a permanent change of station to Thorne Bay, Alaska. At the time of his transfer, Mr. McFarland owned a floathouse, a house removed from its foundations ashore and moved onto a log float. Although he had requested reimbursement for the transportation of his floathouse to Thorne Bay for use as his residence, Mr. McFarland was instead authorized the transportation and temporary storage of up to 11,000 pounds of household goods by the actual expense method utilizing a Government Bill of Lading. Despite the denial of his request, he arranged for the commercial towing of his

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floathouse, with all of his household goods aboard, from Ketchikan to Thorne Bay. Mr. McFarland then submitted a voucher seeking reimbursement of \$500, which includes insurance and cost of setup.

The Forest Service refused to authorize reimbursement under the provisions of 5 U.S.C. § 5724(b)(1976) for the transportation of the floathouse. That provision provides for commercial transportation of a mobile dwelling at Government expense, or reimbursement to the employee if he hires a commercial carrier in lieu of transporting it himself. The claim was denied on the basis of our decision in 48 Comp. Gen. 147 (1968), where we held that reimbursement for the transportation of a boat to an employee's new permanent duty station for use as a residence was not authorized. We concluded that Congress intended to reimburse for the movement of all types of mobile dwellings constructed for use as residences and designed to be moved overland, but not for boats, even if they are used as residences. 48 Comp. Gen. at 149-150.

However, we have recently overruled 48 Comp. Gen. 147, holding that its definition of the transportation for which reimbursement is authorized under section 5724(b) and, for members of the uniformed services, under 37 U.S.C. § 409 (Supp. IV 1980), was unduly restrictive. See Lieutenant Christopher J. Donovan, B-209591, April 1, 1983; Adam W. Mink, B-207665, April 1, 1983. Accordingly, in Donovan, we allowed the claim of a transferred member of the Air Force for reimbursement of the cost of transporting a houseboat to his new permanent duty station for use as a residence. Likewise, we believe that transferred employees should be reimbursed under section 5724(b) for the cost of transporting houseboats or floathouses to new permanent duty stations for use as residences, if otherwise proper. See Mink, supra.

Admittedly, the Federal Travel Regulations implementing section 5724(b) limit reimbursement to the cost of transporting mobile homes which are "designed to be moved overland." Federal Travel Regulations, FPMR 101-7 (September 1981) (FTR) para. 2-1.4g. However, we recognized in Donovan that this phrase was included to implement our decision in 48 Comp. Gen. 147, which was overruled in Donovan. Therefore, as we indicated in Donovan in regards to similar military regulations, and in Mink in regards to the FTR, we do not find that the definition of mobile home need be so

restrictively interpreted. No useful purpose would be served by an interpretation of the regulations which would deny reimbursement to employees who transport houseboats or floathouses to their new permanent duty stations for use as residences.

We note that Mr. McFarland indicates that he made all arrangements for the tow, which included provisions for insurance and setup. The amount expended for setup may be reimbursed as a miscellaneous expense to the extent it is analogous to costs incurred incident to the relocation of a mobile home. See FTR para. 2-3.1b(2); Mink, supra. However, he may not be reimbursed for any insurance which he may have purchased. See FTR para. 2-7.3a(3); Vernon L. Cox, B-203345, July 7, 1982; Donald S. Weaver, B-181991, April 8, 1975.

Accordingly, Mr. McFarland may be reimbursed for the cost of commercially transporting his floathouse, as stated above, if otherwise proper.

for *Harry R. Van Cleave*
Comptroller General
of the United States