47.104 Government rate tenders under sections 10721 and 13712 of the Interstate Commerce Act (49 U.S.C. 10721 and 13712).

(a) This section explains statutory authority for *common carriers* subject to the jurisdiction of the Surface Transportation Board (motor *carrier*, water *carrier*, *freight* forwarder, rail *carrier*) to *offer* to transport persons or property for the account of the *United States* without charge or at "a rate reduced from the applicable commercial rate." Reduced rates are offered in a *Government rate tender*. Additional information for civilian agencies is available in the Federal Management Regulation (41 CFR parts 102-117 and 102-118) and for DoD in the Defense Transportation Regulation (DoD 4500.9-R).

(b) Reduced rates offered in a *Government rate tender* are authorized for transportation provided by a rail *carrier*, for the movement of *household goods*, and for movement by or with a water *carrier* in *noncontiguous domestic trade*.

(1) For *Government rate tenders* submitted by a rail *carrier*, a rate reduced from the applicable commercial rate is a rate reduced from a rate regulated by the Surface Transportation Board.

(2) For *Government rate tenders* submitted for the movement of *household goods*, "a rate reduced from the applicable commercial rate" is a rate reduced from a rate contained in a published tariff subject to regulation by the Surface Transportation Board.

(3) For *Government rate tenders* submitted for movement by or with a water *carrier* in *noncontiguous domestic trade*, "a rate reduced from the applicable commercial rate" is a rate reduced from a rate contained in a published tariff required to be filed with the Surface Transportation Board.

- **47.104-1 Government rate tender procedures.**
- **47.104-2 Fixed-price contracts.**
- **47.104-3 Cost-reimbursement contracts.**
- **47.104-4 Contract clauses.**
- **47.104-5 Citation of Government rate tenders.**

Parent topic: Subpart 47.1 - General