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United States General Accounting Office  
Washington, DC 20548

Office of  
General Counsel

In Reply  
Refer to:

[Award of AAFES Bulk Vending Contract] E-198229

The Honorable Edward Zorinsky  
United States Senate

APR 8 1980

Dear Senator Zorinsky:

We refer to your letter of March 24, 1980, on behalf of Mr. Jon E. Arthur, regarding the award of an Army and Air Force Exchange Service (AAFES) bulk vending contract at Offutt Air Force Base, Nebraska. Mr. Arthur contends that this procurement did not comply with formal advertising standards.

The contract in question was awarded by the Ohio Valley Exchange Region, Charlestown, Indiana, after receipt of proposals under solicitation OVER-79-47-79-373, issued November 13, 1979. The solicitation indicates that appropriated funds are not involved in the procurement.

The bid protest jurisdiction of this Office is based on our settlement authority over appropriated funds under the provisions of 31 U.S.C. §§ 71 and 74 (1976). Our Bid Protest Procedures only provide for consideration of protests involving agencies of the Federal Government "whose accounts are subject to settlement" by our Office. 4 C.F.R. § 20.1(a) (1980). Since we do not have settlement authority over non-appropriated fund accounts, such as those involved here, we must decline to render a decision in this matter. See Specialized Management Services Co., E-192521, August 31, 1978, 78-2 CPD 164. Anjolicco, Inc., E-190914, January 31, 1978, 78-1 CPD 83, and cases cited therein.

Sincerely yours,

Harry R. Van Clevé

For

Milton J. Socolar  
General Counsel



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