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DECISION



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

FILE: B-198384

DATE: April 22, 1980

MATTER OF: Willard Company

CNG 00570

[Protest of Coast Guard Determination To Manufacture Goods In-House]

DIGEST:

Question of whether agency properly determined to manufacture goods in-house rather than to contract out for their manufacture involves matter of Executive policy under OMB Circular A-76 and is not within GAO's decision function.

The Willard Company (Willard) protests the determination of the ~~Department of Transportation, United States Coast Guard (USCG)~~ to manufacture surf rescue boats in-house rather than contracting out for their manufacture. *AG 000164*

Willard contends that this determination involves the Government in direct competition with private enterprise and violates the Office of Management and Budget (OMB) Circular A-76.

Although OMB Circular A-76 expresses a general preference for contracting with commercial enterprises as opposed to performing in-house with Government personnel, *we regard* the provisions of the Circular as matters of Executive policy which are not within the decision functions of the General Accounting Office. What-Mac Contractors Inc., B-193155, November 3, 1978, 78-2 CPD 327. Therefore, the question of whether the USCG properly decided to manufacture the surf rescue boats in-house is not for consideration under our Bid Protest Procedures.

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The protest is dismissed.

Harvey R. Van Cleave
for Milton J. Socolar
General Counsel