



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: California State University, Chico

File: B-256523

Date: April 6, 1994

DECISION

California State University, Chico protests the terms of solicitation No. N62581-C-94-0001, issued by the Morale, Welfare and Recreation (MWR) Department, Yokosuka, Japan, for the operation of summer day camps for dependent children of Department of Navy personnel.

We dismiss the protest because we have no jurisdiction over procurements by MWR, Yokosuka since it is not a federal agency.

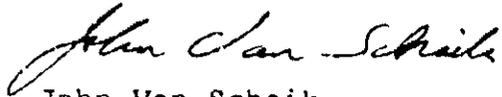
Our bid protest jurisdiction is limited to procurements of federal agencies. 31 U.S.C. § 3551 (1988); 4 C.F.R. § 21.1(a). A federal agency is:

"any executive department or independent establishment in the executive branch, including any wholly owned government corporation, and any establishment in the legislative or judicial branch, except the Senate, the House of Representatives and the Architect of the Capitol and any activities under his direction." 4 C.F.R. § 21.0 (c).

MWR, Yokosuka is a non-appropriated fund instrumentality (NAFI). The procurement is not being conducted on behalf of the Navy and the contracting officer who will sign the contract is not a warranted contracting officer of the Navy.

Under these circumstances, we lack jurisdiction over the project because NAFIs are not federal agencies. Americable Int'l, Inc., B-251614, Apr. 20, 1993, 93-1 CPD ¶ 336.

Accordingly, the protest is dismissed.



John Van Schaik
Acting Assistant General Counsel

¹The protester's suggestion that the MWR's use of a Navy solicitation format vests jurisdiction in this office is incorrect.