

DECISION

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

FILE: B-210496

DATE: February 1, 1983

MATTER OF: H. "Manny" Holtz, Inc.

DIGEST:

Protest involving Federal Deposit Insurance Corporation procurement will not be considered since corporation's accounts are not subject to settlement by GAO.

H. "Manny" Holtz, Inc., protests the rejection of its bid under solicitation No. FDIC-P-82-2223, issued by the Federal Deposit Insurance Corporation (FDIC). For the reasons indicated below, we decline to consider protests relative to FDIC operations.

The Government Corporation Control Act defines the FDIC as a "mixed-ownership Government Corporation." 31 U.S.C. § 9101 (formerly 31 U.S.C. § 856 (1976), as amended). As a Government corporation, the FDIC possesses specific powers for carrying out its statutory duties. See 12 U.S.C. § 1819 (1976).

Our protest jurisdiction is based on our authority to adjust and settle accounts and to certify balances in the accounts of accountable officers. 31 U.S.C. § 3526 (formerly 31 §§ 71, 74 (1976)); 4 C.F.R. § 21.1(a) (1982). In the case of mixed-ownership Government corporations, such as the FDIC, our Office is limited to performing an audit of their financial transactions and reporting our findings and recommendations to the Congress. 12 U.S.C. § 1827 and 31 U.S.C. §§ 9105, 9106 (formerly 31 U.S.C. §§ 857, 858 (1976)). We have also recognized that by consenting to the establishment of instrumentalities such as Government corporations, the Congress intends to grant them a considerable amount of autonomy. See Charles Neason, B-195723, September 10, 1979, 79-2 CPD 184, and cases cited therein.

Since our Office has no authority to settle and adjust the accounts of the FDIC and, therefore, would be unable to effect remedial action even if we found it warranted under rules generally applicable to Federal procurements, we decline to consider any bid protest relative to FDIC operations. Charles Neason, supra.

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We dismiss the protest.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel