

13889

PL-I

DECISION



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

FILE: B-198808

DATE: June 3, 1980

MATTER OF: Eagle Realty

DIGEST:

GAO will not consider [protest concerning procurement actions] of Department of Housing and Urban Development in connection with management broker contract under National Housing Act, 12 U.S.C. §§ 1701, et seq., in view of broad statutory authority of HUD to make expenditures for such purposes.

Eagle Realty protests invitation for bids No. 13-80-037 issued by the Department of Housing and Urban Development (HUD).

While it is not ascertainable from the protester's initial submission, we have been informed that the procurement is a management broker contract which has been conducted under the authority of the National Housing Act, 12 U.S.C. §§ 1701, et seq. (1976). Since HUD has broad authority in this area, pursuant to 12 U.S.C. § 1702, to make expenditures "without regard to any other provisions of law governing the expenditure of public funds," we have held that we are without authority to take legal exception to the expenditure of public funds in connection with these management broker contracts. See Hanson Realty Co., B-186033, July 8, 1976, 76-2 CPD 23; SMR Corporation, E-192585, August 29, 1978, 78-2 CPD 153; K.P.M. Corporation, B-196607, January 24, 1980, 80-1 CPD 71. Accordingly, we must decline to consider the protest.

The protest is dismissed.

Milton J. Socolar
for Milton J. Socolar
General Counsel

112424

~~010606~~