

## CLIENT ALERT

### CO'S Opinion Due No Deference On Statutory Application

Jul.30.2004

Continuing a recent string of successful bid protests, the Court of Federal Claims in *Miss. Dept. of Rehab. Servs. v. U.S.* (June 4, 2004), finds that the Navy has improperly refused to give the blind a statutory preference in a procurement for operation of a galley. Of particular interest, Judge Baskir rejects the more deferential standard some judges have used in similar cases and rules that no deference is owed to the Contracting Officer's application of the statutory language, considering the matter de novo.

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.