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**DECISION**



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

*e. Hines*  
*PL 2*

FILE: B-192623

DATE: August 23, 1978

MATTER OF: Semco, Inc.

**DIGEST:**

Under 15 U.S.C. § 637(b)(7), Small Business Administration (SBA) has authority to issue or deny certificate of competency (COC) and GAO will not review SBA determination, require issuance of COC or require reopening of case when COC has been denied.

Semco, Inc. (Semco) protests the refusal of the Small Business Administration (SBA) to issue to it a certificate of competency (COC) in connection with invitation for bids No. DAAH01-78-B-0448, issued by the Army Missile Materiel Readiness Command, Redstone Arsenal, Alabama (Army) for missile containers. The COC denial was rendered after the Army determined Semco nonresponsible. Semco contends that the denial is unjust.

Under 15 U.S.C. § 637(b)(7) (1976), as amended by Pub. L. 95-89, § 501, 91 Stat. 561, August 4, 1977, the SBA has the authority to issue or deny a COC. Our Office will not review an SBA determination, require issuance of a COC, or require reopening of a case when a COC has been denied. Clarksburg Coating Corporation, B-189418, September 2, 1977, 77-2 CPD 172.

In view of the above, we must decline to rule on the merits of the protest.

*Paul G. Dembling*  
Paul G. Dembling  
General Counsel



UNITED STATES GENERAL ACCOUNTING OFFICE  
WASHINGTON, D.C. 20548

*C. Herring*  
*Pl 2*



OFFICE OF GENERAL COUNSEL

IN REPLY  
REFER TO: B-192623

August 28, 1978

The Honorable Maryon Allen  
United States Senate

Dear Senator Allen:

By letter of August 15, 1978, you expressed interest in a protest filed in our Office by Semco, Inc., Huntsville, Alabama (Semco). Semco protests the Small Business Administration's (SBA) denial of a certificate of competency (COC) in connection with invitation for bids No. DAAH01-78-B-0448.

By decision of today, copy enclosed, we have advised Semco that the authority to issue or deny a COC is vested by statute in the SBA and that our Office will not review the SBA's determination.

Sincerely yours,

*Paul G. Dembling*  
Paul G. Dembling  
General Counsel

Enclosure



UNITED STATES GENERAL ACCOUNTING OFFICE  
WASHINGTON, D.C. 20548

*C. Dembling*  
*P. 2*



OFFICE OF GENERAL COUNSEL

IN REPLY  
REFER TO: B-192623

August 28, 1978

The Honorable Ronnie G. Flippo  
House of Representatives

Dear Mr. Flippo:

By letter of August 14, 1978, you expressed interest in a protest filed in our Office by Semco, Inc., Huntsville, Alabama (Semco). Semco protests the Small Business Administration's (SBA) denial of a certificate of competency (COC) in connection with invitation for bids No. DAAH01-78-B-0448.

By decision of today, copy enclosed, we have advised Semco that the authority to issue or deny a COC is vested by statute in the SBA and that our Office will not review the SBA's determination.

Sincerely yours,

*Paul G. Dembling*  
Paul G. Dembling  
General Counsel

Enclosure