

DECISION



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

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FILE: B-193063

DATE: November 13, 1978

MATTER OF: Celtech

DIGEST:

SBA refusal to grant protester loan or issue certificate of competency are not matters reviewable by GAO under bid protest function.

The protester, Celtech, allegedly a wholly owned and operated minority firm certified by the Small Business Administration (SBA) 8 (a) program, challenges certain actions by the SBA which have allegedly resulted in the loss of a contract opportunity under bid No. GSW-3FWR-P2-80005. SBA denied both Celtech's request for a loan needed to increase working capital and inventory and a certificate of competency (COC) needed to qualify for a contract with the General Services Administration (GSA) won by competitive bid.

SBA's refusal to grant Celtech a loan does not involve a procurement by or for a Federal agency and, therefore is not for consideration under our Bid Protest Procedures (4 C.F.R. part 20 (1978)). See Donovan Construction Company, B-191721, May 13, 1978, 78-1 CPD 371. SBA's denial of a COC to Celtech is also not a matter subject to review by this Office. 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. Semco, Inc., B-192623, August 28, 1978, 78-2 CPD 147.

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

Milton J. Socolar
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General Counsel