

**DECISION**



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

**FILE:** B-215150

**DATE:** May 23, 1984

**MATTER OF:** Tennier Industries, Inc.

**DIGEST:**

Protest concerning bidder's qualification as a small business concern is not for review by GAO since it is a matter for decision by Small Business Administration.

Tennier Industries, Inc., protests the award by the Defense Logistics Agency of a contract to Jaclyn, Inc. to furnish sleeping bags under invitation for bids No. DLA-100-84-B-0463, a total small business set-aside. Tennier contends that Jaclyn does not qualify as a small business concern, and is therefore ineligible for award under this solicitation, because it intends to perform most of the production work in a foreign country and because it employs approximately 600 persons, which we assume exceeds the size standard set forth in the solicitation.

Under 15 U.S.C. § 637(b)(6) (1982), the Small Business Administration has conclusive authority to determine matters of small business size status for federal procurement purposes. Therefore, our Office does not consider size status protests. Trans World Maintenance Inc., B-213716, Dec. 14, 1983, 83-2 CPD ¶ 691; 4 C.F.R. § 21.3 (a)(2) (1984).

The protest is dismissed.

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