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DECISION



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

FILE: B-205027

DATE: November 10, 1981

MATTER OF: Little Harbor Boatyard Corporation

DIGEST:

GAO will not consider objections regarding National Oceanic and Atmospheric Administration's failure to award grant to applicant because GAO generally does not review complaints regarding award of grants or other Federal assistance.

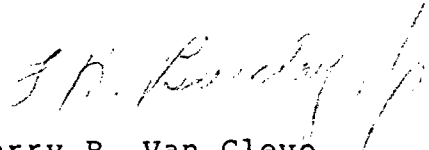
Little Harbor Boatyard Corporation objects to the failure of the National Oceanic and Atmospheric Administration (NOAA) to award a grant to it under the Saltonstall-Kennedy Act, 15 U.S.C. § 713c-3 (1976), as amended by the American Fisheries Promotion Act, Title II, Pub. L. 96-561, 94 Stat. 3287. Under the Act, as amended, the Secretary of Commerce is authorized to make grants to assist persons in carrying out research and development projects addressed "to any aspect of United States fisheries, including but not limited to, harvesting, processing, marketing, and associate infrastructures." The grants are made from a fund equal to 30 percent of the gross receipts from duties collected under the custom laws on imported fishery products. Little Harbor maintains that NOAA failed to follow the procedures for awarding grants that it published in the Federal Register on January 22, 1981. 46 Fed. Reg. 7152 (1981).

Our Office, in accordance with our Public Notice at 40 Fed. Reg. 42406 (1975), will review complaints of prospective contractors concerning the propriety of contract awards made by recipients of Federal grant funds. In addition, we consider complaints of prospective contractors concerning the award of a contract made by the recipient of Federal assistance under a cooperative agreement. See Xcavators, Inc., 59 Comp. Gen. 758 (1980),

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80-2 CPD 229. However, we generally do not consider complaints concerning the award of grants or other Federal assistance because, as we indicated in our notice, it is not our intent to interfere with an agency's making of grants. Burgos & Associates, 59 Comp. Gen. 273 (1980), 80-1 CPD 155; Washington State Department of Transportation, B-193600, January 16, 1979, 79-1 CPD 25. Although Little Harbor has urged us to consider its complaint because NOAA allegedly "did not comply with prescribed Federal Register procedures," we see no reason to depart from our long standing policy.

The complaint is dismissed.


For Harry R. Van Cleve
Acting General Counsel