



The Comptroller General
of the United States

Washington, D.C. 20548

Rebach - PL

Decision

Matter of: Jay Dee Militarywear, Inc.
File: B-227797
Date: July 16, 1987

DIGEST

The General Accounting Office will not consider a protest from a firm subject to debarment proceedings since the firm is ineligible for a contract award and, therefore, is not an interested party to protest.

DECISION

Jay Dee Militarywear, Inc. (Jay Dee) protests the award of a quantity of fragmentation body-armor vests to the Small Business Administration (SBA) for subcontracting under the SBA's section 8(a) program by the Defense Logistics Agency (DLA).

By letter of July 10, 1987, the DLA has informed us that Jay Dee, subsequent to filing its protest, has become the subject of debarment proceedings and is consequently suspended from contracting with the government under the Federal Acquisition Regulation, 48 C.F.R. § 9.406-3 (c)(7) (1986). Under our Bid Protest Regulations, a party must be "interested" before our Office will consider the merits of its protest. 4 C.F.R. §§ 21.0(a) and 21.1(a) (1986). Since Jay Dee, because of the debarment proceedings, is ineligible for award of a contract even if its protest were sustained, the firm is not an interested party and its protest therefore will not be considered by our Office. See Firm Maximillian Romer and Partner, B-226333, B-226334, Apr. 14, 1987, 87-1 CPD ¶ 408.

The protest is dismissed.

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