



Office of the General Counsel

July 20, 1988

B-231632.1; B-231633.1

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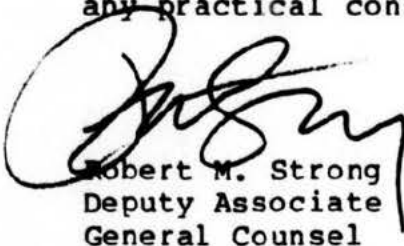
Dear Mr. Barnhill:

This is in reference to the protests you have filed on behalf of H&H Meat Products against two solicitations issued by the Defense Personnel Support Center, Defense Logistics Agency, for various beef items. The protest and corresponding solicitation numbers are: B-231632 - solicitation No. DIA13H-88-R-1604, amendment #00004; B-231633 - solicitation No. DLA13H-88-R-1605.

H&H, representing itself as a small disadvantaged business, protested the deletion from both solicitations of a clause providing for a 10 percent evaluation preference for small disadvantaged businesses.

On July 18, our Office received a copy of a letter from the Small Business Administration (SBA), dated July 12, notifying H&H that it has been found to be nondisadvantaged based on SBA's review of H&H's financial condition.

We, therefore, dismiss H&H's protests as academic since with respect to your client the issues presented no longer have any practical consequences. See 4 C.F.R. § 21.3(m) (1988).



Robert M. Strong  
Deputy Associate  
General Counsel