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**DECISION**



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

**FILE: B-192000**

**DATE: June 14, 1978**

**MATTER OF: MPT Enterprises**

**DIGEST:**

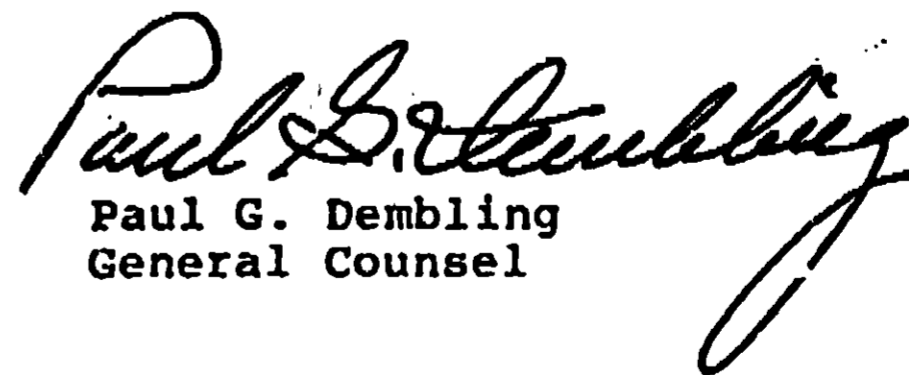
Where SBA concurs in contracting officer's finding that small business concern is not regular dealer under Walsh-Healey Act, matter is subject to final review by Secretary of Labor and is not for consideration by GAO.

MPT Enterprises, the low bidder under invitation for bids No. DAAJ01-78-B-0101, issued by the United States Army, protests the contracting officer's determination that it does not qualify as a regular dealer under the Walsh-Healey Act, 41 U.S.C. §§ 35-45 (1970).

We have been advised that the Small Business Administration has concurred in the contracting officer's finding, and the matter has been submitted to the Secretary of Labor for review.

Under section 501 of Pub. L. No. 95-89, 91 Stat. 561, amending section 8(b) of the Small Business Act of 1958, 15 U.S.C. § 637(b)(7) (1976), a contracting officer's finding in such matter is subject to final review by the Secretary of Labor. It is not for consideration by our Office. See Bethpage Industries, Inc., B-189912, January 20, 1978, 78-1 CPD 54.

The protest is dismissed.

  
Paul G. Dembling  
General Counsel