

MA. Eaton

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DECISION



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

FILE: B-202348

DATE: March 27, 1981

MATTER OF: TYCO-Synfuels Corporation

DIGEST:

When ⁵complaint regarding award of competitive grant does not fall within one of exceptions to GAO policy of not interfering with agency discretion in award of grants, GAO will decline to review matter.

TYCO-Synfuels Corporation complains about the denial of a grant to the firm for feasibility studies for alternative fuels production under Department of Energy (DOE) solicitation No. DE-PS01-80RA-50412. The firm alleges that DOE's reasons for not funding its proposal are unreasonable, unfair, and arbitrary and capricious.

We recently considered a complaint involving another DOE competition for the award of grants for synfuels studies. We stated that since the complainant had neither alleged nor presented evidence that the agency chose to award grants instead of contracts in order to circumvent the procurement statutes and regulations, or that a serious conflict of interest was involved, we would not depart from our usual policy of declining to review grant awards. Johnson Products, Inc., B-198976, February 24, 1981, 81-1 CPD _____. Our policy is based on the large amount of discretion given agencies in awarding grants. See our Public Notice at 40 Fed. Reg. 42406 (1975).

In view of the fact that TYCO-Synfuels complaint does not fall within one of the stated exceptions to our policy, it is also dismissed.

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

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