



Comptroller General
of the United States
Washington, D.C. 20548

Decision

Matter of: Infrared Technologies Corporation
File: B-256857
Date: April 18, 1994

DECISION

Infrared Technologies Corporation protests the issuance of solicitation No. 3-523963 as a sole source procurement by the National Aeronautics and Space Administration.

The record indicates that the agency will consider expressions of interest received from qualified firms by April 21. Since there is no indication that any expression of interest submitted by the protester has been rejected, the protest is dismissed because it merely anticipates improper action that has not yet taken place.

The jurisdiction of our Office is established by the bid protest provisions of the Competition in Contracting Act of 1984, 31 U.S.C. §§ 3551-3556 (1988). Our role in resolving bid protests is to ensure that the statutory requirements for full and open competition are met. Brown Assocs. Mgmt. Servs., Inc.--Request for Recon., B-235906.3, Mar. 16, 1990, 90-1 CPD ¶ 299.

Protests that merely anticipate improper agency action are speculative and premature. See General Elec. Canada, Inc., B-230584, June 1, 1988, 88-1 CPD ¶ 512. Consequently, there is no basis for us to consider the protester's claim at this time. If, in the future, the agency takes concrete action that may properly form the basis for a valid bid protest, the protester may file with our Office at that time.

David Ashen
Acting Assistant General Counsel