



United States  
General Accounting Office  
Washington, D.C. 20548

Office of the General Counsel

**Matter of:** USA Waste Services, Inc.

**File:** B-266352

**Date:** October 17, 1995

**DECISION**

USA Waste Services, Inc. protests the issuance of request for proposals (RFP) No. N44255-95-R-7004, issued by the Department of the Navy for the removal of construction debris from the Puget Sound Naval Shipyard, and, in the alternative, the award of a contract to Regional Disposal Company under the RFP.

We dismiss the protest because the matter involved is currently pending before a court of competent jurisdiction.

It is our policy not to decide protests where the matter involved is the subject of litigation before a court of competent jurisdiction unless the court requests our decision. Section 21.11(b), 60 Fed. Reg. 40,737, 40,743 (Aug. 10, 1995) (to be codified at 4-C.F.R. § 21.11(b) (1995)); Robinson Enters.-Request for Recon., B-238594.2, Apr. 19, 1990, 90-1 CPD ¶ 402. The matter raised by the protest is currently before a court, and since there is no indication that the court requests, expects, or is interested in our decision, we will not consider the protest. Adams & Assocs. Travel, Inc. et al., B-216673 et al., Feb. 1, 1985, 85-1 CPD ¶ 124.

The protest is dismissed.

Comptroller General  
of the United States

*[Handwritten notes and signatures]*