

DECISION

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

29902

FILE: B-215967.2
MATTER OF: Weissman Trade

DATE: December 3, 1984

DIGEST:

Subsequent protest to the General Accounting Office of a protest filed initially with the contracting agency is untimely where it was filed with the GAO more than 1 month after the agency mailed its denial of the initial protest to the protester.

Weissman Trade protests the award of a lease of an office building to Landmark Development, under request for proposals ASCS-81-099-2, issued by the Teton County, Montana, Office of the Agricultural Stabilization and Conservation Service (ASCS), Department of Agriculture.

We dismiss the protest as untimely filed.

Weissman Trade protested initially to the Teton County Office of ASCS on September 11, 1984. By letter of September 18, the Teton County Office of ASCS denied Weissman Trade's protest. Weissman Trade filed its protest with our Office on October 25, 1984.

When a protest is timely filed initially with a contracting agency, our Office will consider a subsequent protest if it is filed with our Office within 10 working days of knowledge of initial adverse agency action on the protest filed with the agency. 4 C.F.R. § 21.2(a) (1984). ASCS's letter of September 18, 1984, was initial adverse agency action. Therefore, Weissman Trade's protest filed with our Office more than 1 month later is untimely.

~~Protest~~ dismissed.

Harry R. Van Cleve

Harry R. Van Cleve
General Counsel

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