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**DECISION**



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

**FILE:** B-217310                      **DATE:** December 24, 1984  
**MATTER OF:** Conference Communications, Inc.

**DIGEST:**

GAO has no authority to determine what information must be released by an agency under the Freedom of Information Act.

Conference Communications, Inc. (CCI) protests two actions taken by the Department of the Air Force relating to releasing information under the Freedom of Information Act (FOIA). We dismiss the protest.

CCI had submitted a proposal in response to Air Force Request for Proposals (RFP) No. F11628-84-R-0003 for high technology video graphics/teleconferencing equipment. The Air Force later canceled that RFP; and the agency apparently intends to revise the specifications and resolicit.

After the solicitation was canceled, the Air Force received a request under the FOIA from another firm for CCI's proposal. On November 2, 1984 the Air Force notified CCI of this request and asked for CCI's position regarding release. CCI responded with a blanket objection to release and a request for the return of its proposal. On November 29 and 30, the Air Force advised CCI that it must retain CCI's proposal for its files, that it had reviewed CCI's proposal pursuant to Air Force Regulation 12-30, implementing the FOIA, and that it had determined that, except for specified portions, the proposal was releasable. The Air Force further advised that the proposal, less the specified portions, would be released.

CCI asks that we prevent the release of its proposal by the Air Force. Additionally, CCI alleges that it requested a copy of the offerors' list under the RFP but has not received one even though the Air Force provided the list to the firm requesting CCI's proposal.

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Our Bid Protest Procedures are reserved for issues relating to the award or proposed award of a contract. 4 C.F.R. § 21.1(a) (1984). Our Office has no authority to determine what information must be released by the Air Force under the FOIA. Lion Brothers Company, Inc., B-212960, Dec. 20, 1983, 84-1 CPD ¶ 7. The protester's recourse is to pursue the remedies available under the FOIA and the Administrative Procedures Act. Worthington Compressors, Inc. v. Costle, 663 F.2d 45 (D.C. Cir. 1981).

The protest is dismissed.

*Harry R. Van Cleve*

Harry R. Van Cleve  
General Counsel