



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

Office of the General Counsel

B-226407

March 16, 1987

The Honorable Joel Hefley
Member, United States House
of Representatives
2190-A Vickers Drive
Colorado Springs, Colorado 80907

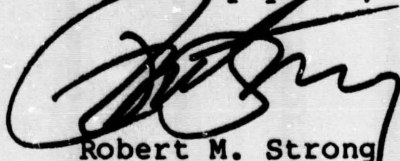
Dear Mr. Hefley:

This is in response to your letter dated February 19, 1987, requesting the status of a bid protest filed by your constituent, F. James Lynch, president of Electromedics, Inc. Our Office does not have an open protest file in this matter. Electromedics elected to protest directly to the procuring activity, the Veterans Administration, and did not request consideration of its protest by GAO.

In response to our informal inquiry, the Veterans Administration has advised us that it denied Electromedics' protest by letter which was sent certified mail on February 12, and which was received by Electromedics on February 18. Under our Bid Protest Regulations, when a protest has been filed initially with the contracting agency, a subsequent protest to our Office must be filed within 10 days of the date on which the protester receives notice of the initial adverse agency action. 4 C.F.R. § 21.2(3) (1986). Since that date is past, our Office would not consider Electromedics' protest if it were to file here now.

We trust this information will satisfy the purpose of your inquiry.

Sincerely yours,



Robert M. Strong
Deputy Associate
General Counsel