



UNITED STATES GENERAL ACCOUNTING OFFICE

WASHINGTON, D.C. 20540

OFFICE OF GENERAL COUNSEL

B-220230

September 23, 1985

The Honorable Paul S. Sarbanes
United States Senate

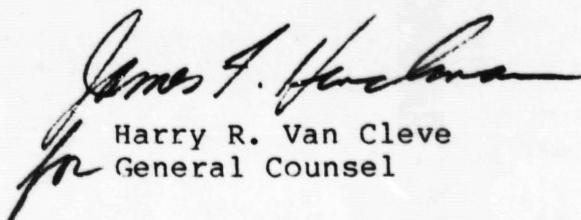
Dear Senator Sarbanes:

This responds to your letter to our Office, dated September 6, 1985, concerning the alleged exclusion of DISC, Inc. (DISC), from the U.S. Treasury Department's procurement of a new check payment and reconciliation (CP&R) system.

DISC could have filed a protest with our Office under our Bid Protest Regulations. At this time, however, such a protest would be untimely and not for consideration on the merits because it appears to concern procurement actions that occurred in 1983. Our Regulations require that protests based on alleged improprieties in a request for proposals be filed prior to the closing date for the receipt of proposals and in other cases not later than 10 working days after the basis of protest is known or should have been known. 4 C.F.R. § 21.2(a)(1) and (2) (1985).

Further, based upon the documents which you submitted with your letter, we are not in a position to determine the propriety of the Treasury Department's contract actions relating to its CP&R procurement.

Sincerely yours,


Harry R. Van Cleve
General Counsel