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**DECISION**



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

10,116

FILE: B-194669

DATE: May 10, 1979

MATTER OF: Polite Maintenance, Inc.

DLG 01560

*[Protest of NASA Contract Award]*

DIGEST:

Protest that contract award to firm whose principal is former Government employee would violate statute imposing restrictions on activities by former Government employees, is dismissed, since interpretation and enforcement of statute is for Department of Justice and General Accounting Office is not aware of legal basis to require contracting officer to withhold award pending outcome of such investigation.

*Abc 0036*

Polite Maintenance, Inc. (PMI), protests the award of a contract by the National Aeronautics and Space Administration (NASA) to the low bidder under a solicitation for window washing and sash repair services at NASA's Lewis Research Center. PMI alleges that a principal of the low bidder is a former NASA employee whose duties included the preparation of specifications for, and the administration of, contracts for services identical to those involved in the subject solicitation. On that basis, PMI contends that the award would cause a violation of 18 U.S.C. § 207 (1976), a criminal statute that imposes certain limitations on the activities of former Government employees.

The enforcement and interpretation of criminal statutes is charged to the Department of Justice, rather than our Office. See B-171987, June 10, 1971; B-161281, August 10, 1967. In fact, the record indicates that the matter has been raised with that agency. We are not aware of any legal basis to require the contracting officer to withhold the award of a contract to a firm pending the outcome of an investigation of one of its principals or employees.

Accordingly, the protest is dismissed.

*005246*

*Milton J. Socolar*  
Milton J. Socolar  
General Counsel