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THE BLOG

General Services Administration Officials to Be Deposed in Lawsuit Over Contracting Data

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 Like 0**Lloyd Chapman** 
Small business advocate


On Wednesday, June 9, United States District Court Judge William Alsup denied the American Small Business League's (ASBL) motion for a preliminary injunction against the General Services Administration (GSA). The ASBL originally filed the motion in response to GSA actions to remove information from the federal government's contracting database. Historically, the information has been used to [uncover billions of dollars](#) in small business contracts flowing to Fortune 500 firms.

Investigations by the Small Business Administration Office of Inspector General (SBA IG), U.S. Government Accountability Office (U.S. GAO) and inspector generals from a series of other federal agencies have used the field "small business flag" to identify large companies masquerading as small businesses to receive federal contracts.

Since 2003, these investigations have uncovered billions of dollars in federal small business contracts actually ending up in the hands of Fortune 500 firms and some of the largest businesses in Europe and Asia. The most [recent data](#) released by the government indicates that the recipients of federal small business contracts include: Lockheed Martin, Boeing, Raytheon, General Dynamics, Ssangyong Corporation headquartered in South Korea, and the Italian firm Finmeccanica SpA.

In response to the court's ruling, the ASBL intends to pursue a permanent injunction against the GSA to prevent the destruction of the field on all future and historical data available to the public.

In the court's ruling, Alsup stated, "In the present action, plaintiff has not shown that the deletion of the search fields was a significant revision. Nevertheless, it should be given opportunity to do so by obtaining discovery on the pedigree of the change." In accordance with Alsup's ruling, the ASBL will subpoena emails and other materials within the GSA. The ASBL believes the information will show that the destruction of

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the “small business flag” was in fact a “significant revision,” in that it will make it difficult, if not impossible, for federal investigators to uncover billions in fraud and abuse in small business contracting programs.

We are looking forward to deposing senior GSA officials, and issuing subpoenas for their internal documents. I am confident that we can prove the removal of the small business flag is not in the public interest. It is obvious the GSA is attempting to reduce transparency, and hide the fact that the Obama Administration is diverting billions of dollars a week in federal small business funds to corporate giants.

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