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August 15, 2016, 09:44 am

Will Congress allow GSA to adopt illegal anti-small business policies

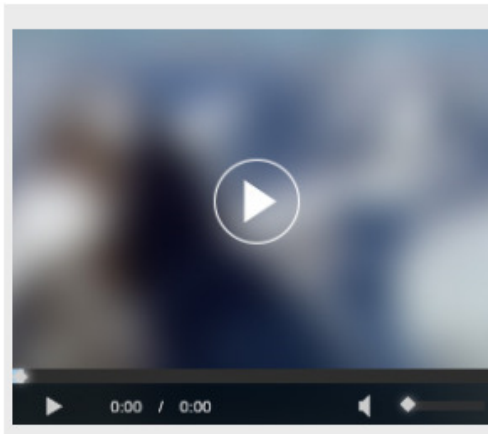
By Lloyd Chapman

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On June 20 the GSA proposed their latest **Federal Strategic Sourcing Initiative** (FSSI). If adopted, the policy will force thousands of small businesses out of the federal marketplace and possibly out of businesses.

The question is, will Congress allow this job killing policy to be adopted or will they step in and block its implementation?



Professor Charles Tiefer, one of the nations leading experts on federal contracting law has issued a **damning legal opinion** on the proposed GSA FSSI describing it as "illegal". Professor Tiefer is no stranger to Capital Hill. He was a commissioner on the congressionally chartered, independent Commission on **Wartime Contracting in Iraq and Afghanistan**

The title of Professor Tiefer's legal opinion is, "Proposed Regulations Illegally Authorize "Strategic Sourcing" to Massively Reduce the Breadth of Contracting With Small Business."

Tiefer's legal opinion begins, "The proposed regulations would reduce the breadth of small

business contracting by up to 80% or even 90% in lines of business where small business contracting is currently common. The proposal is blatant and undeniably illegal; indeed, the proposal impliedly admits the key facts underlying the illegality".

Tiefer's opinion goes on to say the GSA's FSSI is in direct conflict with federal law and Supreme Court instructions that federal agencies provide small businesses with "maximum practicable opportunity" for federal contracting.

It seems there is a staggering lack of understanding in Washington that **small businesses are responsible for over 90% of the net new jobs**. They are also responsible for over 50% of the private sector work force and over 50% of the GDP. Maybe **Donald Trump** or Secretary Clinton

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Atherton, CA

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will come to the rescue of America's 28 million small businesses and the 50 plus million voters they employ.

According to a recent **study released by the World Bank** the United States is 49th world wide in the ease of starting a new business. When you look at the unending flow of legislation and policies out of Washington that have been designed to dismantle every federal program designed to help small businesses it's easy to see why the World Bank found it easier to start a small business in Afghanistan, Morocco, Latvia, Armenia, Macedonia and Kazakhstan than it is in the U.S.

I hope enough members of Congress agree with the conclusion of Professor Tiefer's legal opinion when he states, "The proposal should be junked. It would have an overwhelming bad impact on the breadth of small business contracting, contrary to the intent of the small business laws".

Lloyd Chapman is president and founder of the American Small Business League.

The views expressed by authors are their own and not the views of The Hill.

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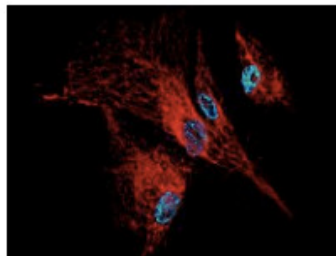
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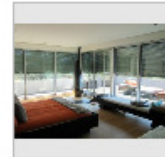
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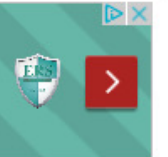


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"I do think it's worth further discussions," the Senate leader said.

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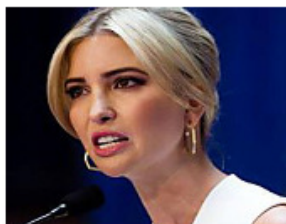
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Lloyd Chapman • a day ago

I think the answer to the question is absolutely. Congress has never done anything to stop the rampant fraud and abuse in federal small business programs. The only thing Congress has done is to pass the "safe harbor from fraud penalties policy" to protect fraudulent firms.

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Hard Little Machine • a month ago

I hope so. We need to destroy the middle class and enslave all of those people to the government.

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