

Jacob Queern

**From:** Jacob Queern

**Sent:** Wednesday, December 18, 2019 8:08 AM

**To:** Fashola, Oreoluwa O.; Brown, Shirley CIV DLA INFO OPERATIONS (USA); Dixon, Kathy M CIV DLA INFO OPERATIONS (USA); Bobo, Davida M.

**Cc:** 'OIGHotline@sba.gov'; 'Maples, Chris'; 'Wickersham, David'; 'nc09.casework@mail.house.gov'; 'Elaine Luria'; cgemsley@fbi.gov; Ernest, Robert C., OIG DoD; Jqueern@gmail.com; oig@gao.gov; David A. Smith (david.smith5@ic.fbi.gov); Davis, Sean P COL USA DLA OFFICE OF THE DIRECTOR; Norfolk\_fo@ic.fbi.gov

**Subject:** Conflicting FOIA responses further indicative of Criminal Conduct within DLA, SBA, GAO, DOJ

**Attachments:** SBA-2018-00086220FOIA.pdf; 18\_08\_10\_Response20to20FOIA20Request20SBA-2018-000862.pdf; DLA-HQ-2020-000158\_Final\_Disposition\_Letter.pdf

**Importance:** High

SBA FOIA Chief

DLA FOIA Processor

SBA HUBZone Program

2nd Congressional office, VA

Law Enforcement Agencies actively complicit

p. 4 - 8 within

p. 9 - 10 within

p. 11 within

Mr. Fashola, Ms. Brown, Ms. Dixon,

Please find enclosed,

- 1. “SBA-2018-00086220FOIA” the request made by myself that SBA would later give the nomenclature, “SBA-2018-000862”

p. 2 using the pagination provided by your .pdf reader, Request #4, highlighted. Please read the request, specifically, what it’s for:

#1 Request #4:

- a. Dates: December 1, 2017 - June 14, 2018
- b. Document type: Between pages 60-65 in the following in a document authored by Rebecca Bacon, titled “RE: HUBZone Small Business Concern Status Protest” attached, Ms. Bacon states:  
  
“It has been brought to the agency’s attention that vendor JEQ Co LLC’s address of his company is an apartment, 2404 Arctic Ave #2 Virginia Beach, VA. JEQ Co LLC may not be operating out of the Arctic Avenue address...is not currently in a HubZone (sic).”  
Please provide documentation demonstrating how this matter was “...brought to the Agency’s attention...”
- i. Author: CO Rebecca Bacon
- ii. Recipient: IAW 13 C.F.R §126.801 ( c )(2) A contracting officer and SBA must submit their protest to the D/HUB
- c. Geographic location:  
  
DLA  
Industrial Hardware Division  
700 Robbins Ave  
Philadelphia, PA 19111

Notice the specificity used by the requester too...very, very specific.

- 2. “18\_08\_10\_Response20to20FOIA20Request20SBA-2018-000862” Davida Bobo Administrative Officer, HUBZone Program Government Contracting and Business Development U.S. Small Business Administration release of records in response to “SBA-2018-000862” where she specifically states,

“...Request number 4 has been referred to the Defense Logistics Agency.”



- 3. “DLA-HQ-2020-000158\_Final\_Disposition\_Letter” where Ms. Dixon states, in response to records referred from SBA per Ms. Bobo’s statement within the enclosed, ““18\_08\_10\_Response20to20FOIA20Request20SBA-2018-000862” that

“...Request number 4 has been referred to the Defense Logistics Agency.”

Ms. Dixon states, (on October 29, 2019)

*"We thoroughly searched our system and we have no records of a referral from SBA as you have described on your FOIA request. Please reach out to SBA and have them resend the referral to the Defense Logistics Agency (DLA) FOIA office."*



(gosh!)

How can it be that Ms. Dixon - who I know to be very assiduous in her efforts - could possibly conduct such a thorough search for the referral Ms. Bobo knows to have made to the DLA on or prior to August 10, 2018?

Mr. Fashola, Ms. Dixon, Ms. Brown, Ms. Bobo;  
Can you

1. help me answer the following question:

What could it be about that record that reveals what it was that "...brought it to the agency's attention..." that DLA felt compelled to file

- i. the first HUBZone status protest it had ever raised against any HUBZone Certified Small Business Concern in the entire twenty year history of the HUBZone program?
  - ii. two business days after DLA Acquisitions Office learned that JEQ&Co made a protected disclosure to the 2<sup>nd</sup> Congressional District of VA?
2. Help me track down the record requested as Request #4 within SBA-2018-000862 given that
  - a. the request occurred 550 days ago
  - b. Ms. Bobo states – and she's very trustworthy – that she referred request number 4 to the DLA
  - c. Ms. Dixon thoroughly searched the DLA database of records and is unable to find such a referral
  - d. I'm showing all of you those records so there can't be anymore finger pointing
  - e. I'm sure the reason that record hasn't found its way to the requester is just a...minor oversight...probably a server error or some such other inadvertent communication error.

Please let me know if there's a reason you can't provide those records in an expedited fashion given all of the facts set forth above.

Thanks and if I don't hear back, have a Merry Christmas.

Jacob Queern

Principal

JEQ&CO LLC

CAGE 7B1T4

(O/C): +1(757)633.1206

(F): +1(757)425.1841

[jqueern@jeqandco.com](mailto:jqueern@jeqandco.com)

Small Business Administration HUBZone Certified Small Business Concern





June 16, 2018

## RE: FOIA Request 16-2018 JEQ

### 1) Request #1:

- a. **Dates:** June 14, 2017 - June 14, 2018
- b. **Document type / title: "HUBZone Protest for Solicitation..."** In accordance with (IAW) 13 C.F.R § 126 Subpart H—PROTESTS, **all protests initiated by any Defense Logistics Agency (DLA) contracting officer (co)** regarding the HUBZone Status of a currently HUBZone Certified (HZN) Small Business Concern (SBC)
  - i. **excluding** protests initiated by "interested parties other than a contracting officer" as described in 13 C.F.R §126.801 ( c )
  - ii. **excluding** protests initiated by the SBA as described in 13 C.F.R §126.801 ( c )(2)
  - iii. **Author:** Any contracting officer of the Defense Logistics Agency
  - iv. **Recipient:** IAW 13 C.F.R §126.801 ( c )(2) A contracting officer and SBA must submit their protest to the D/HUB
  - v. **Geographic location:** All DLA offices to include head quarters and field offices

### 2) Request #2:

- a. **Dates:** June 14, 2017 - June 14, 2018
- b. **Document type / title: "HUBZone Protest for Solicitation..."** In accordance with (IAW) 13 C.F.R § 126 Subpart H—PROTESTS, **all protests initiated by any Defense Logistics Agency (DLA) Troop Support contracting officer (co)** regarding the HUBZone Status of a currently HUBZone Certified (HZN) Small Business Concern (SBC)
  - i. **excluding** protests initiated by "interested parties other than a contracting officer" as described in 13 C.F.R §126.801 ( c )



- ii. **excluding** protests initiated by the SBA as described in 13 C.F.R §126.801 ( c )(2)
- iii. **Author:** Any contracting officer of the DLA Troop Support Office
- iv. **Recipient:** IAW 13 C.F.R §126.801 ( c )(2) A contracting officer and SBA must submit their protest to the D/HUB
- v. **Geographic location:** All DLA Troop Support offices

3) Request #3:

- a. **Dates:** June 14, 2017 - June 14, 2018
- b. **Document type / title:** “HUBZone Protest for Solicitation...” In accordance with (IAW) 13 C.F.R § 126 Subpart H—PROTESTS, **all protests initiated by Rebecca Bacon, Contracting Officer, DLA Troop Support IH** regarding the HUBZone Status of a currently HUBZone Certified (HZC) Small Business Concern (SBC)
  - i. **Author:** CO Rebecca Bacon
  - ii. **Recipient:** IAW 13 C.F.R §126.801 ( c )(2) A contracting officer and SBA must submit their protest to the D/HUB
  - iii. **Geographic location:**

DLA  
Industrial Hardware Division  
700 Robbins Ave  
Philadelphia, PA 19111

4) Request #4:

- a. **Dates:** December 1, 2017 - June 14, 2018
- b. **Document type:** Between pages 60-65 in the following in a document authored by Rebecca Bacon, titled “RE: HUBZone Small Business Concern Status Protest” attached, Ms. Bacon states:

*“It has been brought to the agency’s attention that vendor JEQ Co LLC’s address of his company is an apartment, 2404 Arctic Ave #2 Virginia Beach,*



*VA. JEQ Co LLC may not be operating out of the Arctic Avenue address...is not currently in a HubZone (sic)."*

**Please provide documentation demonstrating how this matter was  
"...brought to the Agency's attention..."**

- i. **Author:** CO Rebecca Bacon
- ii. **Recipient:** IAW 13 C.F.R §126.801 ( c )(2) A contracting officer and SBA must submit their protest to the D/HUB
- c. **Geographic location:**

DLA  
Industrial Hardware Division  
700 Robbins Ave  
Philadelphia, PA 19111

5) Request #5:

- a. **Dates:** June 14, 2018 - present
- b. **Document type:** on page #6 within this attachment, in the document authored by Ms. Mariana Pardo titled "HUBZone Protest for Solicitation No. SPE5E3-18-4570 /Contract No. SPE5EY-18-P0051", Ms Pardo states:

*"The contracting officer further asserts that JEQ's profile in the System for Award Management (SAM.gov) identifies JEQ's mailing address as 4269 Buckeye Ct., Virginia Beach, VA (4269 Buckeye Ct. location), which is not located in a HUBZone. The contracting officer provided supporting documentation in support of these assertions. Based on all of this, the contracting officer argues that JEQ's principal office is not located in a HUBZone. Because the contracting officer has provided specific allegations that JEQ may not meet the HUBZone program's principal office requirement, I find this protest allegation to be specific."*



JEQ & CO LLC

**JEQ&CO, LLC**  
2404 Arctic Ave, Suite 2  
Virginia Beach, VA 23451

Please provide documentation demonstrating

- i. Why Ms. Pardo failed to realize that no supporting documentation was provided supporting that assertion?
- ii. Why Ms. Pardo found the protest to be specific prior to seeing any evidence supporting the assertions made by Ms. Bacon?
- iii. Why Ms. Pardo would continue to find the protest allegations to be specific even after having been made aware that the evidence provided by Ms. Bacon contained no evidence that the mailing address for JEQ in SAM was anything other than

2404 Arctic Avenue, Suite 2  
Virginia Beach, VA 23451

as can be demonstrated in pages 72, 71, 70, 69, and 68 of this document?

- c. **Author:** Mariana Pardo, HUBZone Program Director
- b. **Recipient:** Jacob Queern, Principal, JEQ&Co LLC
- d. **Geographic location:**

U. S Small Business Administration  
Washington D.C 20416

Thank you for your consideration.



JEQ & CO LLC

**JEQ&CO, LLC**

2404 Arctic Ave, Suite 2  
Virginia Beach, VA 23451

Jacob Queern

Principal

JEQ&CO LLC

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## Jacob Queern

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**From:** Bobo, Davida M. <davida.bobo@sba.gov>  
**Sent:** Friday, August 10, 2018 1:21 PM  
**To:** Jacob Queern  
**Cc:** Bobo, Davida M.; FOIA; Pardo, Mariana A.  
**Subject:** Response to FOIA Request SBA-2018-000862  
**Attachments:** Response #1.pdf; Response #2.pdf; Response #3.pdf; Response #5.pdf  
  
**Importance:** High

Good afternoon Mr. Queern,

This email is in response to your Freedom of Information Act ("FOIA") request SBA-2018-000862. Attached you will find HUBZone's responses to request numbers 1, 2, 3 and 5. Request number 4 has been referred to the Defense Logistics Agency.

If you are dissatisfied with the Agency's decision, you may file an administrative appeal within 90 days of the date of this letter to:

Office of Hearings and Appeals  
Attention: Delorice Ford, FOIA Officer  
409 3<sup>rd</sup> Avenue, SW – 8<sup>th</sup> Floor  
Washington, DC 20416

If you are unable to resolve your FOIA dispute through our FOIA Public Liaison in the Office of Hearings and Appeals, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road--OGIS  
College Park, MD 20740-6001  
[ogis@nara.gov](mailto:ogis@nara.gov)  
[ogis.archives.gov](http://ogis.archives.gov)  
202-741-5770  
877-684-6448

v/r

Davida Bobo  
Administrative Officer, HUBZone Program  
Government Contracting and Business Development  
**U.S. Small Business Administration**  
(202) 205-7124  
[davida.bobo@sba.gov](mailto:davida.bobo@sba.gov)



U.S. Small Business  
Administration

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**DEFENSE LOGISTICS AGENCY**  
**HEADQUARTERS**  
**8725 JOHN J. KINGMAN ROAD**  
**FORT BELVOIR, VIRGINIA 22060-6221**

October 29, 2019

Jacob Queern  
MuckRock News  
DEPT MR 81390  
Highland Avenue  
Somerville, MA 02144

Dear Mr. Queern,

This is in response to your Freedom of Information Act (FOIA) request number DLA-HQ-2020-000158, received on October 17, 2019. We did not receive a referral from the Small Business Administration (SBA).

We thoroughly searched our system and we have no records of a referral from SBA as you have described on your FOIA request. Please reach out to SBA and have them resend the referral to the Defense Logistics Agency (DLA) FOIA office. Once we receive the referral from SBA, we will process it in accordance with our FOIA procedures.

Therefore, your FOIA request is administratively closed.

If you have any questions, please reach out to my supervisor Kathy Dixon.

Kathy M. Dixon, CIPP/US/G  
Branch Chief, FOIA and Privacy  
Defense Logistics Agency  
Suite 1552, Office 1564, ATTN: IGC  
8725 John J. Kingman Rd.  
Fort Belvoir, VA 22060-6221  
571-767-6183 DSN: 392-6183

You may contact Shirley Brown at [Shirley.brown@dla.mil](mailto:Shirley.brown@dla.mil) or 215-737-2199 if you have questions or wish to discuss your request. Please reference case numbers DLA-HQ-2020-000158 in any correspondence.

Sincerely,

*Shirley Brown*

SHIRLEY BROWN  
FOIA and Privacy Specialist