

Statement of Emily Webster Murphy
Nominee to be Administrator, U.S. General Services Administration
October 18, 2017

Senate Committee on Homeland Security and Governmental Affairs

Chairman Johnson, Ranking Member McCaskill, and Members of the Committee –

I appear before you today humbled by the nomination to serve as the next Administrator of the U.S. General Services Administration, or GSA, and I am honored by the confidence placed in me by President Trump and his team. I owe a debt of gratitude to my home state Senator, Ranking Member McCaskill, for her willingness to introduce me here today.

Before I begin my formal remarks, I would be remiss if I did not introduce several members of my family who have made the trip from St. Louis to be here for today's hearing:

My father Jim Murphy, who taught me the value of hard work by having me answer phones for the family business; my mother Mimi who started practicing law in 1971, showing me that women can do anything; my sister Anne Hill and her husband Rob, who had the courage to start their own small business; their children Charlie who is in fifth grade and Jane who is in third grade; and my brother Joey who has the most important job of any of us - teaching the next generation.

I am proud to have grown up in St. Louis, the Gateway to the West, and will always consider it home. But I have spent most of my professional life in Washington, D.C., delving into the details and nuances of contracting and procurement policy. In fact, I consider myself a bit of a workaholic – and I mean that in the best way possible.

After graduating from Smith College, I interned for my Member of Congress, Jim Talent. He eventually hired me to work for him at the House Committee on Small Business. As I'm sure some of your staff can attest, the newest staffer often gets the issue no one else wants, and so I started working on Federal procurement policy. Working on contracting, I realized I could make a difference by saving money for taxpayers, improving competition, and helping agencies deliver on their unique missions. More than twenty years later, I still find it compelling.

I attended law school at the University of Virginia, earning my J.D., and returned to Washington to practice government contracts law. In 2004, I was honored to join the U.S. Small Business Administration (SBA) as a senior advisor for government contracts and business development and the Acting Administrator for Government Contracting. In that role, I directed a team of over 140 staff nationwide to help the agency better provide assistance to small businesses seeking Federal procurement opportunities. Our team was able to successfully reduce the cycle time for some small business certifications by 65 percent. I am proud to say that during my tenure, the SBA - for the first time in history - met its statutorily-mandated goal of awarding 23 percent of prime contracts to small businesses.

In 2005, I had the privilege of joining GSA and serving as its inaugural Chief Acquisition Officer. In this role, I participated in leading the transformation of the agency's assisted acquisition centers, as well as the consolidation of the Federal Supply Service and the Federal Technology Service. As the agency's representative to the Federal Acquisition Regulatory (FAR) Council and the leader of the Civilian Agency Acquisition Council, I coordinated efforts to modernize the FAR and GSA regulations to more closely reflect the Federal Government's increasing use of service contracts, as opposed to commodity buys.

Most importantly, I worked closely with the Inspector General (IG) to address contracting issues in GSA's eleven regions, where the IG had identified problems with improper sole source contracts, misuse of small business contracts, out-of-scope orders being placed against contracts, and Anti-Deficiency Act violations. The auditors attributed their findings to an ineffective system of internal management controls and contract personnel prioritizing customer preference over proper procurement procedures. To address these issues, I worked with the GSA Commissioners and the Regional Administrators to: 1) communicate that failure to follow the law would not be tolerated; 2) identify areas where contracting specialists perceived ambiguity and provide clarity regarding expectations and policy; 3) engage in workforce training targeting identified failures or weaknesses; 4) implement an ongoing series of procurement management reviews to identify other outstanding issues; 5) realign reporting chains and performance plans to ensure that contract specialists were evaluated on the quality of their work; 6) communicate with contractors regarding the proper procedures to follow should a task order appear to exceed to scope of the contract; 7) develop the Schedules eLibrary to assist contracting officers in making scope determinations; 8) institute regular meetings with the Department of Defense (DoD) to insure that any DoD specific requirements or funding issues were appropriately addressed by GSA; and 9) engage in ongoing dialogue with the IG so that all issues could be addressed promptly, thus mitigating risk to the taxpayer. GSA continues to have regular program management reviews, engage in targeted training, and maintain many of these processes.

After my time at GSA, I rejoined the private sector and gained critical experience and insight on the Federal contracting process from different perspectives – as a customer, prime contractor and subcontractor; from the civilian and defense sides; and as a lawyer representing clients seeking to navigate the Federal procurement system. These firsthand experiences have been invaluable, as they provided a holistic view of the Federal contracting process. I know the frustrations of customers seeking to contract with the Federal Government because I have been in their shoes, and if confirmed, I will continue to use that experience to improve the process.

In 2011, I returned to the House Committee on Small Business, serving again under a Missouri Chairman, Congressman Sam Graves, and then Chairman Steve Chabot of Ohio. While I specialized in acquisition policy, I also worked on capital access, regulatory reform, tax, and trade issues. The Committee conducted rigorous oversight of contracting agencies, including GSA, and worked on bipartisan legislation that aimed to help small businesses seeking to

compete for contracts with the Federal Government. These bipartisan reforms - many of which originated in a Republican House, but were adopted by a Democratic Senate and signed into law by then-President Obama - sought to improve opportunities for service-disabled veterans and small technology firms; minimize barriers to entry; reduce regulatory burdens on prime and subcontractors; reduce waste, fraud, and abuse in government contracting; and streamline design-build contracting.

I gained further valuable experience during my time on the House Committee on Armed Services (HASC), working on acquisition issues specific to the DoD, such as challenges with commercial item contracts, auditing, service contracting, program management, acquisition workforce, and business processes at the DoD.

Earlier this year, I rejoined GSA, where I analyze topics related to acquisition to provide advice to the Acting Administrator, Tim Horne. For instance, I worked with Acting Administrator Horne on the merger of the Federal Acquisition Service and the Technology Transformation Service, the implementation of the Transactional Data rule, and opportunities to improve how GSA facilitates purchases of technology.

Over the past 20 years, through my various roles in the legislative and executive branches, I have gained a deep appreciation for the oversight responsibilities of Congress. If confirmed, I pledge that you will have an accessible, transparent, and responsive Administrator who looks forward to continuing this important work.

Taking on this responsibility, I am reminded of a saying of a native son of Missouri, President Harry S Truman, who signed into law the Federal Property and Administrative Services Act establishing GSA: "It is amazing what you can accomplish if you do not care who gets the credit." I am not here to garner headlines or make a name for myself; my goal is to do my part in making the Federal Government more efficient, effective, and responsive to the American people.

Indeed, as someone who has spent much of my career working on Capitol Hill, I believe it is still GSA's mission to fulfill the charge Congress gave it at its inception in 1949 – to "provide for the Government an economical and efficient system for (a) the procurement and supply of personal property and nonpersonal services . . . ; (b) the utilization of available property; [and] (c) the disposal of surplus property." While I understand that Congress has amended this list over the years, it remains GSA's core objective to facilitate the missions of other Federal agencies by carrying out the functions enumerated by Congress in a way that demonstrates good stewardship of taxpayer money.

In 2017, as government continues to modernize, I believe GSA's mission extends to providing contracts, buildings, technology, and other mission support services in an efficient and effective manner. If confirmed, it would be my responsibility to hold GSA to this mission and provide it with goals and strategies to advance support for other agencies and taxpayers.

To that end, there are four overarching priorities that I intend to focus on if confirmed. The first is to provide ethical leadership. The Office of Government Ethics recently sent a letter reminding us that “the citizens we serve deserve to have confidence in the integrity of their Government [but the] public's trust is not guaranteed.” I will strive to earn that trust every day, by creating a culture within GSA that puts the taxpayer first, encourages a diversity of opinions, values the contributions all employees, and promotes a safe culture for reporting misconduct.

My second priority is to reduce duplication. While progress has been made since I previously served at GSA, the agency still has opportunities to reduce duplication in its internal mission support services. It can also reduce duplication in its own systems, which will reduce barriers to entry for contractors, barriers to access for other agencies, and the risk associated with managing outdated systems. Within the Public Building Service, GSA should facilitate the disposal of unused or underutilized real property. Further, where appropriate, GSA should help other agencies reduce duplication by facilitating the adoption of shared services.

Third, it is critical that the agency look for additional ways to increase competition. There are opportunities for GSA to do so at both the contract award level and at the task order level, both for its own internal contracts and on the contracts used by other agencies. In terms of real property, the leases for approximately 100 million square feet of leased office space are set to expire over the next five years, which is an incredible opportunity for GSA to work with Congress and its tenant agencies to get better deals.

Finally, continued efforts to improve transparency are central to the agency's work. Taxpayers must have confidence that GSA always puts their interests first. Whether this means providing taxpayers access to the Federal Real Property Profile database, working to make more data available at data.gov, or improving the integration and usability of the System for Award Management/Integrated Award Environment, transparency will not only expose flaws and instill confidence, but it can also lead to increased competition, cost savings, informed policy making, and accountability. GSA can and should improve the quality, security, and accessibility of its data, while helping other agencies do the same.

These guiding principles can be applied to nearly every facet of GSA's mission. They will provide a framework for addressing recommendations from the Government Accountability Office and IG. Most importantly, they are key to inspiring confidence in the agency from Congress, Federal agencies, those who do business with GSA, and from the American taxpayer.

Thank you for the opportunity to be here today; if confirmed, I am excited about the opportunity to work with you and your staffs in this important role. I would be happy to take any questions you may have.