S. HRG. 105–132

NOMINATION OF MICHAEL J. ARMSTRONG

HEARING

BEFORE THE

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS UNITED STATES SENATE

ONE HUNDRED FIFTH CONGRESS

FIRST SESSION

ON

THE NOMINATION OF MICHAEL J. ARMSTRONG TO BE ASSOCIATE DIRECTOR OF MITIGATION OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

JUNE 4, 1997

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NOMINATION OF MICHAEL J. ARMSTRONG

WEDNESDAY, JUNE 4, 1997

U.S. SENATE,
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
Washington, DC.

The committee met, pursuant to notice, at 9:30 a.m. in room 406, Senate Dirksen Building, Hon. John H. Chafee (chairman of the committee) presiding.

Present: Senators Chafee, Kempthorne, Inhofe, Allard, Sessions, and Baucus.

Also present: Senators Campbell, Conrad and Dorgan, and Representatives Skaggs and Pomeroy.

OPENING STATEMENT OF JOHN H. CHAFEE, U.S. SENATOR FROM THE STATE OF RHODE ISLAND

Senator CHAFEE. Good morning, I want to welcome everyone here today.

This is a hearing to consider the nomination of Michael Armstrong to be Associate Director of Mitigation for the Federal Emergency Management Agency, FEMA. The President nominated Mr. Armstrong to this position on April 28, and it is my intention that the committee act expeditiously on his nomination.

In fact, the full committee is scheduled to consider Mr. Armstrong's nomination during tomorrow morning's business meeting.

I would like to welcome everyone, especially Mr. Armstrong. I understand you are joined by your parents, Mr. Armstrong.

Mr. ARMSTRONG. That is correct.

Senator CHAFEE. Could they rise so that we can get a chance to welcome them?

We're very glad to see you and appreciate your coming.

Before we proceed there are several members here who would like to make an introductory statement on behalf of Mr. Armstrong, and I turn to my colleague on the committee, the distinguished Senator from Colorado, Senator Allard.

[The prepared statement of Senator Chafee follows:]

PREPARED STATEMENT OF HON. JOHN H. CHAFEE, U.S. SENATOR FROM THE STATE OF RHODE ISLAND

Good morning. The purpose of today's hearing is to consider the nomination of Michael Armstrong to be Associate Director of Mitigation for the Federal Emergency Management Agency. The President nominated Mr. Armstrong for this position on April 28, and it is my intention that the Committee act expeditiously on his nomination.

I would like to welcome everyone, especially Mr. Armstrong, who is joined by his parents Dermond Armstrong and Joan Armstrong.

I am pleased to report that Michael Armstrong has an impressive background that suits him well to the position before him. For the past three and a half years, he has served as the Director of FEMA Region 8, which includes the States of Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.

As you can tell by the laudatory introductions you just heard, Mr. Armstrong has done an excellent job as Region 8 Director. He has assumed tremendous leadership during major disasters, such as the recent floods in North Dakota. Moreover, Mr. Armstrong has done a great deal to encourage public outreach and coordination between Federal, State, and local response resources.

FEMA is the central agency within the Federal Government responsible for emergency planning, preparedness, mitigation, response and recovery. The position for which Mr. Armstrong has been nominated, Associate Director of Mitigation, carries out the policies and programs to eliminate or reduce risks to life and property from natural hazards such as flood, hurricanes and earthquakes.

Federal emergency management has always focused primarily on how to respond to a disaster, after it strikes. We in Congress are no different; almost every year, we pass supplemental emergency appropriations legislation to pay for the additional, unanticipated costs of timely disasters.

FEMA is beginning to place greater emphasis on the mitigation or prevention of long-term risks before the disaster strikes. The purpose of this shift in focus is hopefully to reduce liabilities and ultimately to reduce the cost of disaster response. This appears to be a smart move, and I am eager to learn more about how FEMA will carry out this initiative.

If confirmed, Mr. Armstrong will lead FEMA's efforts in mitigating the risks of natural disasters. This task is not an easy one, but I am confident in Mr. Armstrong's ability to face the challenge ahead. I look forward to hearing what Mr. Armstrong has to say about his experience and what he hopes to accomplish in the position before him. Thank you.

OPENING STATEMENT OF HON. WAYNE ALLARD, U.S. SENATOR FROM THE STATE OF COLORADO

Senator ALLARD. Thank you, Mr. Chairman.

I am pleased to introduce Mr. Michael Armstrong to be the Associate Director for Mitigation at the Federal Emergency Management Agency. I hope that we act quickly on his nomination, not only because I believe he is well qualified, but we don't want to give him any chance to change his mind, understanding the nature of that job.

Although I don't know him personally, I have relied on what people have told me. People have told me about his performance, and I think I've got a pretty good feeling of what he will do as Associate Director.

We have talked to many local officials and those who have worked with him in times of great need and stress have all complimented him on his ability to work with them. As Director of FEMA's Region VIII, he worked diligently to ensure that when FEMA services were needed, they were prepared. This has been demonstrated by Region VIII's effort to assist flood victims in North and South Dakota.

Also, Mr. Armstrong has shown a strong ability to work with local communities and locally elected officials. Under his watch Region VIII has been cited as a center of excellence for developing national policy for community relations and outreach. The ability to work well with local communities and officials is no doubt due to Mr. Armstrong's long service as assistant city attorney in Aurora, CO. Working in this capacity it is obvious he learned that communication between all levels of government is important to achieving an optimal result.

After meeting with Mr. Armstrong I am certain that he wants FEMA to move in a common sense direction. As Associate Director

of Mitigation at FEMA, I am certain that he will continue to work on breaking the disaster/recovery/disaster cycle.

Furthermore, I believe he has some ideas on how individuals and local governments can become less reliant on the Federal Government through mitigation. He also understands the complex nature of how natural resources and economic concerns interplay in the west and throughout the Nation as a whole.

Mr. Chairman, I'm no expert on emergency response efforts for mitigation as it applies to FEMA's mission. However, I do know that we need experts with Mr. Armstrong's proven record and willingness to listen.

Finally, I hope that today's confirmation doesn't end our involvement with FEMA. Oversight of the work of this important agency would be very valuable, as would a discussion on how the Federal Government budgets, or doesn't budget, for disasters.

Welcome, Mr. Armstrong.

Senator CHAFEE. Well, thank you very much, Senator.

We have Senator Campbell, also from Colorado, and, Senator, we welcome you. Go to it.

STATEMENT OF HON. BEN NIGHTHORSE CAMPBELL, U.S. SENATOR FROM THE STATE OF COLORADO

Senator CAMPBELL. Thank you, Mr. Chairman, and members of the committee.

I'm honored to join my colleague, Senator Allard, and Congressman Skaggs from the State of Colorado to introduce to you Mr. Mike Armstrong, who has been nominated for the position of Associate Director of FEMA for Mitigation.

I have personally known Mike for a good number of years. As Senator Allard mentioned, he currently serves as the Regional Director of FEMA's Region VIII and has done so since January 1994.

This region encompasses not only my home State of Colorado, but Montana, North Dakota, South Dakota, Utah, and Wyoming, as well. In these times—I'm sure, our colleague at the end of the table here will tell you how important this new position is to his State in these disastrous times of floods in our northern States, particularly the Dakotas.

In his current position as regional director, Mike has coordinated mitigation preparedness and disaster response and recovery activities in these six States, as Senator Allard has already mentioned.

Mike's region has been cited, as Senator Allard again mentioned—we must have had the same note writer—as the center of excellence in developing national policy for community relations and outreach. Mike has also served in the State and local government for more than a decade, and I know for a fact that he has had a terrific relationship with local and delegation-elected officials in our State of Colorado.

Prior to joining FEMA, he held the position of deputy director for the Colorado Governor's Office of Energy and Conservation. He also served 10 years as an assistant city attorney in Aurora, CO, where he specialized in land use issues. Mike's public service over the years and his work at FEMA have prepared him very well for the position of Associate Director of Mitigation for which he has been nominated.

He is a person of personal integrity and a personal friend of mine too.

Thank you, Mr. Chairman. I appreciate the opportunity to be here, and I look forward to a favorable consideration of this committee's remarks and vote for confirmation of Mike Armstrong.

Thank you.

Senator CHAFEE. Thank you very much, Senator.

Now we have been joined by a colleague on our full committee, Senator Inhofe from Oklahoma.

Senator do you have a statement?

OPENING STATEMENT OF HON. JAMES M. INHOFE, U.S. SENATOR FROM THE STATE OF OKLAHOMA

Senator INHOFE. Just a brief comment.

I am the chairman of the committee that oversees this agency so I have more than just a passive interest in this. I had a chance to talk to Michael Armstrong, and one of the first things I look at when we get into a program like the mitigation program is, is this another big brother program?

I think that Michael brings to this nomination process a background in local government, and I think that's important as a former mayor. I am much more concerned about what the local community's role is going to be in having an understanding. All too often here in Washington we don't have an understanding of what the local community's needs are.

I know that seeing James Lee Witt back there that he does, and he has done such a great job. I think it is quite a compliment that of all those he could have chosen he chose Michael Armstrong, and I'm looking forward to working with him.

[The prepared statement of Senator Inhofe follows:]

PREPARED STATEMENT OF HON. JAMES INHOFE, U.S. SENATOR FROM THE STATE OF OKLAHOMA

Thank you Mr. Chairman for holding today's nomination hearing. As the Subcommittee Chairman with jurisdiction over the Federal Emergency Management Agency, I am very interested in the Mitigation Office.

I think it is very important for FEMA to work closely with local communities and the States to develop mitigation strategies. I am concerned about the costs of our emergency response programs. I think it is important that we try to reduce the financial burden these programs place on our Federal budget. The efforts FEMA is making to reduce or eliminate long-term risk from natural disasters through the mitigation program is important. However, we must be careful that the Federal Government works with our local governments and that the mitigation program does not become another example of big brother telling local zoning boards and planning commissions what to do.

However, based on his record, I think Mr. Armstrong is a very good candidate for this position. I am particularly encouraged by his experience in local government service. Too often bureaucrats in Washington have no idea how local governments operate, but I trust Mr. Armstrong's experience will aid him in this challenging position. I look forward to working with Mr. Armstrong and his associates at FEMA, but I hope we will be working together here in Washington and not because of something that happens in Oklahoma.

Senator CHAFEE. We've been joined by Senator Sessions.

Senator do you have any statement that you would like to make?

OPENING STATEMENT OF HON. JEFF SESSIONS, U.S. SENATOR FROM THE STATE OF ALABAMA

Senator SESSIONS. Just briefly that, Mr. Armstrong, the FEMA people in Alabama speak well of you. They think that you will be responsive, and we have a number of issues that will be coming forth—as we always do, hurricanes and floods in the State—and we have a pretty active and, I think, a good group. My impression is, from what I hear so far, that you will be the kind of responsive leader and innovative leader that we've got to have. There is a lot of money involved in these programs.

As a Federal prosecutor for 12 years, I had the ability to observe the expenditures of a lot of money for a lot of disaster relief. Sometimes it's not well spent. Of course, the best way to save money is to mitigate it in advance, and that will be your challenge. I think we can do a lot more in that as the years go by, and I think we've got to.

I'm going to look at it, Mr. Chairman, the amount of money year after year we are spending on disasters. I know to some degree our population increases but not that much, and I think disaster funding has gone up much more than that. I think it's incumbent on us to do what we can to mitigate the ever-growing expenditures for disaster relief.

Thank you very much, Mr. Chairman.

Senator CHAFEE. Thank you, Senator.

And now we've been joined by the distinguished Senator from North Dakota, Senator Conrad.

STATEMENT OF HON. KENT CONRAD, U.S. SENATOR FROM THE STATE OF NORTH DAKOTA

Senator CONRAD. Thank you, Mr. Chairman.

It's really an honor to be here today to say a word about Michael Armstrong. Let me just say that as Region VIII Director for FEMA, we now consider Mike to be an honorary North Dakotan because he has been involved in six major Presidential disaster declarations in the State of North Dakota since 1993, two this year.

As you know, Mr. Chairman, and members of the committee, we have experienced the most extraordinary weather pattern in our history—first of all, the worst winter ever, 10 feet of snow, followed in the first week of April by the most powerful winter storm in 50 years that wiped out the electrical grid of 80,000 people—they did not have power for an entire week—followed by flooding on the Red River that was the 500 year flood that devastated a city of 50,000—98 percent of the city of 50,000 was evacuated. Many of those people are not back in their homes yet, and in the midst of all that we had a fire break out in downtown Grand Forks that burned three blocks of downtown, most of the business district destroyed.

This is an extraordinary set of disasters, and I can say to you that Michael Armstrong has been superb. Not only has he dealt with those disasters but we also have another disaster in North Dakota—we have Devil's Lake, one of only two major lakes in the United States that is a completely closed basin, no inlet and no outlet, and the lake has been rising dramatically. It has tripled in volume and doubled in size in just the last 3 years. You've never

seen anything quite like this, and this is a huge lake, more than 20 miles long, and it is rising inexorably.

Michael has been in charge of the Federal task force to deal with this disaster, and he has done an absolutely outstanding job.

I think all of us know that James Lee Witt has really transformed FEMA. Many have said to me that the single best appointment that Bill Clinton made was James Lee Witt. One of the reasons James Lee Witt has been successful in changing that agency—and I think all of us remember the days when after a disaster, if FEMA came, the joke was that that was the next disaster because, frankly, FEMA did not respond well. That has not been the case under James Lee Witt and one of the reasons is he surrounded himself with people of the quality of Mike Armstrong.

So I am very pleased to be here to recommend him to you, and to wish him the best.

Thank you, Mr. Chairman.

Senator CHAFEE. Mr. Witt is here, and we're delighted to see you, sir.

Senator Dorgan, we welcome you and look forward to your comments.

STATEMENT OF HON. BYRON L. DORGAN, U.S. SENATOR FROM THE STATE OF NORTH DAKOTA

Senator DORGAN. Senator Chafee, thank you very much.

I am delighted to be here to support Mike Armstrong. I will not repeat what Senator Conrad has just described to you. I would be depressed if I repeated again that recitation of disasters in North Dakota.

We have suffered terribly through a series of natural disasters, but we have, fortunately, had the help of a lot of wonderful people, and I would echo the sentiments of Senator Conrad, and I think others, that James Lee Witt has turned FEMA into a first-class operation. When FEMA is on the way, people feel good because they know something is going to get done.

I went into a FEMA operations center in Grand Forks a week ago today, and over 100 people are working there. I can tell you that I left there feeling really confident that we have great people doing wonderful things for people who had suffered from these disasters.

Mike Armstrong has been involved in Region VIII, and I have gotten to know him as he has worked in Region VIII, and I'll tell you, he is one of these unusual people in government who comes in and really asks two questions: all right, what do we need to do here, No. 1; and, No. 2, how do we get it done?

It is not a case of someone in government trying to figure out where are the barriers—what are the problems going to be as I try to deal with this. It is someone who has a mindset to try to solve problems and solve problems the right way. When I heard that Mr. Armstrong was being nominated for this position, I reflected once again on how good it is for this country that people of Mr. Armstrong's quality are willing to commit themselves to more public service. He is exactly the kind of people we need in public service. He gives people confidence, he solves problems and I am very proud to be here today to say that if we decide to act favorably on

the President's nomination, we will have done something good for this country by advancing Michael J. Armstrong to this post at FEMA.

Senator CHAFEE. Well, Mr. Armstrong, you've had 6 percent of the Senate testify in support of you.

[Laughter.]

Senator CHAFEE. It's pretty hard to go above that.

Now, we're going to hear from members of the House of Representatives.

Representative Skaggs, we appreciate your taking the trouble to come here.

STATEMENT OF HON. DAVID SKAGGS, U.S. REPRESENTATIVE FROM THE STATE OF COLORADO

Mr. SKAGGS. Mr. Chairman, thank you very much.

Your observation echoes or precedes what was going to be mine, and, in addition to Mike's many talents—and I have known him personally for over 20 years—he is, obviously, a very able political organizer in the very best sense of the word, of knowing how to marshal human resources on behalf of getting a job done, and the fact that we are all here witnessing for him is a testament to those skills, as well.

Talking about an Associate Director of Mitigation, I wish there were some way to create a parallel position in the Congress—perhaps, we could have some assistance in eliminating some of our own natural hazards—but, Mike, in his spare time, maybe you can come over and give us some help on the Hill as well.

I have, I think, among those who are here to speak on his behalf, the unique experience and privilege of really knowing Mike personally for a long, long time; of having watched his passion for public service come into its full maturity and competence. This is a man who is absolutely selfless, absolutely committed to helping people. He will not go Washington on us. I am absolutely confident that he will be out in the field maintaining the kind of hands-on, immediate connection with the issues that he is trying to deal with, but will be here to be accountable whenever that is appropriate, as well.

As with others, I think the success of Mr. Witt in his management of this agency is due not only to his own enormous talents, but attracting people like Mike Armstrong to, first, the Region VIII job he has done magnificently, and now to help us with this major national responsibility. I recommend him to the committee and am glad that he will get your quick consideration.

Senator CHAFEE. Well, thank you.

I notice that we have the talents of Mr. Armstrong—I notice in this bio here he was executive director of the Colorado Democratic Party, and we've had both Republican Senators here in support of him. So either they want him to move on because he represents a threat, or he is one of these people that successfully bridges gaps across the parties.

[Laughter.]

Senator CHAFEE. Representative Pomeroy, we welcome you here, and, thank you, Representative Skaggs, for coming.

STATEMENT OF HON. EARL POMEROY, U.S. REPRESENTATIVE FROM THE STATE OF NORTH DAKOTA

Mr. POMEROY. Thank you, Mr. Chairman.

It's good to see my former colleagues, Senator Inhofe and Senator Allard again.

I know that when you come last on the panel, brevity is perhaps the best thing that you've got going for you, and I'm going to be very brief.

I want to talk a moment about Mike's skills as uniquely linked to the Associate Director of Mitigation position.

You know, for too long we've tried to overrule Mother Nature, we've tried to manage with levees that ultimately don't hold, we've tried to underwrite the risk of Mother Nature by insurance plans that ultimately can't be sustained. What we need to do in dealing with natural hazards is figure out a way to permanently mitigate development risks in conjunction with inevitable natural hazard. Having represented a city of 50,000 that may have sustained a $1 billion flood damage, I can speak to this really from the depths of my heart.

That is tricky business because when development butts up against—a prime development opportunity butts up against some high risk area, you've got to have extraordinary skills to negotiate your way through that one. Mike Armstrong has those extraordinary skills. I have watched him lead an interagency task force dealing with this very unique problem of a lake, a closed basin lake, that was described by Senator Conrad. Over the last 2½ years Mike has put himself to that task and done so really in an exemplary fashion. We've all watched Members of Congress, or, for that matter, members of the executive branch, mediate and arbitrate and try and coordinate activity.

I've never seen anyone more skillful than Mike Armstrong in dealing with the terrible problem, a lot of interests and doing it with that level of skill. I think that those skills will be so well matched with this hazard and mitigation position that's it's going to be a real credit to the agency and to the entire country.

I look forward to what he will be able to achieve in this position, should he be confirmed by you all, a step I would heartily recommend.

Thank you.

Senator CHAFEE. Thank you very much for coming.

Now, Mr. Armstrong, you've heard some very, very fine thing said about you, particularly based on the job that you did as Region VIII Director, and you've assumed leadership there, as the two Senators from North Dakota pointed out and the two Senators from Colorado. You've had public outreach and coordination between the Federal, and the local and the State resources.

I'm very interested in this post that you're going into, and I concentrate—although you're responsible for emergency planning, preparedness, response and recovery, you're also responsible for mitigation. As Representative Pomeroy said, it seems to me we get into a very difficult spot here.

Let's take flood plains—when houses around flood plains are swept away in a flood, unhesitatingly we vote for appropriations to cover losses. We're all concerned about—for those who lost their

homes, everything they had. Yet, once that's over with and the flood plain is there, it's very, very hard to get any money at all to try and buy up that flood plain and make sure that what took place does not take a second, or third or fourth time. That's what it seems to me mitigation is all about.

I suppose there are mitigation steps that can be taken in connection with hurricanes. I suppose that gets into strengthening the houses, the design of the houses, there must be different building techniques that perhaps can withstand hurricanes better than others—it's an area that I'm not totally familiar with by a long shot.

But, as I said, I think it is very important that in FEMA we spend more time, and, again, it's very hard to get the money for mitigation or prevention; whereas, we're fairly lavish when it comes to covering things when a disaster has occurred.

So I am anxious to hear your thoughts on that. We're prepared now—you're at bat and if you would like to make a statement, please do so.

STATEMENT OF MICHAEL ARMSTRONG, NOMINATED TO BE ASSOCIATE DIRECTOR OF MITIGATION, FEDERAL EMERGENCY MANAGEMENT AGENCY, WASHINGTON, DC

Mr. ARMSTRONG. Well, thank you very much, and I want to thank the Senators and Representatives for their kind words this morning. I want to tell you, Mr. Chairman, that I am deeply honored to come before your committee today and to be given the opportunity to discuss serving my country and this Administration in this manner.

I want to acknowledge my friends in the Congress. Again, my home State Senators, Senator Allard and Campbell, the North Dakota delegation of Senators Dorgan and Conrad, and Representative Pomeroy, and my own Congressman, Representative Skaggs, of Colorado's second district, for their ongoing support and their attendance here today.

I especially want to recognize FEMA Director James Lee Witt, who has shown such leadership for America and such confidence in my work. He's been a true motivator and an inspiration to me.

Most important, I would like to thank my parents for being here, Dermond and Joan Armstrong, who came out from Colorado to be with me today.

Senator CHAFEE. Well, that's very nice, and we're certainly delighted that you took the trouble to come. You have good reason to be proud of your son.

Mr. ARMSTRONG. The work of this committee, Senator, with respect to FEMA and its new mitigation mission has been truly historic. It has expanded the scope of the Stafford Act to create increased mitigation opportunities after disasters occur, and it has encouraged efforts to promote pre-disaster mitigation. In confirming the agency's first Associate Director for Mitigation, this committee has ratified the efforts of FEMA to spotlight mitigation as a key component of its mission. We have learned that whatever form it takes, mitigation requires many partners, much patience, and a sensitivity to local needs.

As a FEMA appointee since 1994, I have seen that partnerships, patience, and listening to local needs have created successful miti-

gation projects throughout the country. Some successes have been dramatic, such as the relocation of an entire town. Some have been more subtle, such as the public, private, and non-profit partnership that we engineered in my region when FEMA brochures on wildlife preparedness were underwritten by corporate funds from Janus Funds and distributed by local rotary club members and written by FEMA personnel in the foothill communities west of Denver.

Most mitigation initiatives must be viewed in the long-term as investments for future generations, and to have a realistic chance of success they must involve a mixture of Federal, State, and local stakeholders. Mitigation can manifest itself in many different forms. It can be something as delicate as passage of tough local regulations, as complicated as retrofitting structures to withstand natural hazards, or as insightful as effective public education programs involving specialists, families, and school children.

As a former local and State government official, I bring a definite bias toward local government to this job. My tenure as a FEMA Regional Director has reinforced the belief that unless State, county, and local governments believe that a concept, an initiative or a program has local relevancy and is understandable, it will stand little chance of true lasting success.

While the Federal Government can be a catalyst for innovation, real progress can only be realized when State and local officials feel that they are part of the process.

The creation of a Mitigation Directorate has provided better customer service to our partners by bringing together like-minded programs and staff who have helped create a more functional organization. I am proud of my association with the hard working staff of FEMA, both at the regional and headquarters levels. We can point to project after project which will protect lives and property, and, as a result, also lessen the drain of disasters on the Federal Treasury. And we can indicate the numerous partnerships which have been created with business, non-profit and academic communities to promote mitigation. Now we must move forward.

I am before you today because, if confirmed, I want to serve in a leadership capacity in what James Lee Witt has called the cornerstone for emergency management in the 21st Century. If confirmed, I want to enlist you in the effort to support and educate communities in their efforts to become disaster resistant. I believe that, if confirmed, I can take my experience as a public servant serving at the field implementation level, and bring practical knowledge to the policy developers regarding how to move this program ahead.

A thought came to me regarding this confirmation process as I was attending my last church service in my hometown of Arvada, CO. It occurred to me that perhaps the most dramatic example of mitigation efforts we have is that of Noah in the Old Testament. Here was an individual who believed in selecting the right structure to withstand a predicted hazard, even as others scoffed at his efforts as being a waste of time and money. In fact, you could even say that this was one of the first known successful relocation efforts, done before a disaster and by an individual rather than by a government.

We do have modern-day Noahs who have heeded warnings about potential disasters. One in California comes to mind—the gentleman who built his home to withstand fire hazards in the Laguna Beach area. He made national news with the photograph of the only home standing undamaged in an otherwise charred environment. This was because he took the time to understand the environment in which he was building and built accordingly. This is mitigation in its purest form, where individual citizens take it upon themselves to think smartly when they build or occupy structures and learn how to adapt to hazards in their own community.

But not every individual has the opportunity to control his or her living environment. Therefore, we must work with our partners in State and local government to put into place the kind of approaches which will one day equip our Nation with the tools and the talents to create communities which are more resistant to disasters. The best that all of us can do in our professional and personal capacities is to create a national environment which encourages such responsible behavior. You have my personal commitment to pursue this goal.

Mr. Chairman, I appreciate this opportunity, and I look forward to your questions.

Senator CHAFEE. Thank you very much. I don't think you will find anybody on this panel arguing with you about Noah.

I am interested in what about mitigation—of course, I cited earlier the example of the flood plain, and then you cited the example of the man in California who designed his house with—I suppose, he cut the brush around it; I'm not sure what he did. I hope that you will go out there and do everything you can in the mitigation area; it is true that we go back time and time again to recover from disasters. I referred to the flood plains example, but I suppose there are others. In my own State, I've seen hurricane damage on the beach. Before you know it, however, everybody has built houses again on the beach, and they have forgotten what took place in 1938 and 1958. Then comes another hurricane and they seek assistance from the Federal Government.

What can be done, just briefly? Take, for example, this man in Laguna Beach. What did he do?

Mr. ARMSTRONG. Senator, a good example of one of the easiest forms of mitigation is public education. There is plenty of information out there right now for home builders and individual citizens, business people, local government leaders, on how communities and structures within communities should be built—what kind of material should be used. It's my understanding in reading about him, that this gentleman had studied the area that he was going to live in. He knew that based upon the climate, the topography and the vegetation that fire hazards were of a concern. He carefully chose the materials he built his house of. What comes to mind immediately is the example of the Three Little Pigs—he built his house of strong materials that he knew would withstand the hazard—without government assistance and without government mandate. It was because public education was available to him.

I think that is something that FEMA does well, but we can do more in partnership with the private sector, with volunteer groups, to educate people. If they're going to live in certain areas of the

country that have high hazards, there are ways to prevent property damage and property loss, and, more importantly, loss of life.

Senator CHAFEE. What about hurricanes?

Mr. ARMSTRONG. Well, the same applies——

Senator CHAFEE. The same applies?

Mr. ARMSTRONG. Well, the same can apply, sir, to any area of the country depending on the hazard. If you want to talk about flood plains, we can talk about participation in the community assistance program and local regulations that are adopted by communities to enforce strict construction codes within flood plains. In higher hurricane areas public education can apply to how to build buildings after a disaster has occurred in repetitive hazard areas. There are ways to retrofit structures, there are stronger building materials that can be employed, and all of that can be done through public education and through assistance, both on the Federal and State level.

Senator CHAFEE. Well, thank you.

Senator Baucus.

Senator BAUCUS. Thank you, Mr. Chairman.

Mr. Armstrong, I want to begin by just complimenting your agency under James Lee Witt—I see he is in the audience behind you. I have nothing but the highest praise for FEMA. The few times that I have dealt directly with FEMA I have found the agency to be professional, first-rate, and very dedicated to public service. I commend the Director more than anyone else for that phenomenon. People in our country sometimes complain about government—too much of it; it doesn't do the right things; or it wastes money—but I take my hat off to FEMA. I think you've done a terrific job. James Lee Witt's presence here today also, I think, is a testament to the dedication that he has to the agency. It is not often that someone here for a confirmation hearing has his boss sitting in the audience, and that's very good.

I, as you know, have particular interest in mitigation. You and I spoke about this yesterday when you were in my office, and I just want to follow up on the conversation that you had with the chairman. There are all forms of mitigation. We talked a bit about educating the public. In fact, I did a public service announcement not too long ago encouraging people in Montana to buy flood insurance—I'm trying to do my part because we've had a good number of floods. However, I urge you to find other ways in addition to public education to encourage meaningful mitigation—whether it is the use of buy-outs, relocation, building code changes or whatever necessary, in addition to public education, because in the long run we're going to save a lot of dollars if we spend more on mitigation.

Flood plains are called flood plains for a reason. It doesn't make a lot of sense to build something where there is going to be a flood. You will find tremendous reception here on the Hill if you and the Administration can come up with ideas to deal with this in a more aggressive way than has been done in the past. It's very much needed.

I note also that you have been highly recommended by the Governor of Montana, Marc Racicot. That speaks very well for you. He is a very popular Governor, does a good job in our State. I wish you

well and look forward to hearing your proposals and what we can do to get even more meaningful mitigation.

Mr. ARMSTRONG. Thank you, Senator.

I would note in thinking about our conversation yesterday that I would be remiss if I didn't recognize the many successful projects that we've had in other parts of the country, especially in the midwest, with relocation of property. We have more and more communities joining the Community Assistance Program and adopting tougher local regulations, so I think we're on the way.

Senator BAUCUS. Good, thank you.

Thank you, Mr. Chairman.

Senator CHAFEE. Thank you.

Senator Allard.

Senator ALLARD. We've talked a lot about local governments and how we're going to work with them. Do you have any thoughts in mind about what you can do to work with local governments that is not now being done in FEMA, as far as mitigation?

Mr. ARMSTRONG. Well, I think that I bring somewhat of a unique background to this job. As an assistant city attorney, I was the legal advisor to the chief building official. I staffed planning commissions and local zoning boards of adjustment. I prosecuted code enforcement cases. I think I have a good and keen understanding of how local government functions, the pressures that occur on a mayor or city council, how to work with homeowners groups, understanding the limited pots of money that they have, and also the relationship with them and their State legislatures, having worked in State government.

So I think being able to go into a situation where I can tell people around the table that I've been there, I've walked in their shoes and I understand their issues, I think that will come as somewhat of a surprise and maybe a refreshing difference to them that it's not just another Federal bureaucrat coming in, but it's somebody who knows and understands local government. And perhaps that credibility and that experience will help FEMA move things on at a quicker pace and bring some insights into the process.

Senator ALLARD. What do we do about these flood plains that was referred to by my colleague from Montana. How do you handle that? What kind of a recommendation do you provide?

I've been a part of a community that has had a flood problem—in fact, we had a disastrous problem with a flood in Thompson Canyon where more than 100 people were killed in that flash flood. But here you are with—you have disadvantaged families, and all of a sudden as a consequence of a flood they've lost their home, lost, in some cases, their business, and then you tell them that they can't build back in that area. In other words, you tend to heap a catastrophe on top of a catastrophe, and that is a tough issue.

Do you have any ideas?

Mr. ARMSTRONG. Well, one thing we have recently done—the Congress has allowed FEMA to spend some money in equipping each State with a State Hazard Mitigation Officer, and this is a relatively new program that will allow State officials now to meet with their county and municipal counterparts on a regular basis to give them some more education and ability and technical assistance to interpret flood plain maps, to make them better equipped,

to make building decisions at the outset before the construction begins. Also it will, hopefully, encourage more participation in the community assistance program so that local governments will not allow construction to begin within those flood plain areas so that they won't be displacing anyone. They will be prohibiting construction to start out with.

Senator ALLARD. That is all I have, Mr. Chairman.

Senator CHAFEE. Thank you.

Senator Inhofe.

Senator Inhofe is the chairman of the subcommittee that deals with FEMA, so we're glad you're here.

Senator INHOFE. Thank you, Mr. Chairman.

Mr. Chairman, let me make a request and see if it is consistent with your rules for running this since James Lee Witt is here. Would it be all right if he joined the table up there so that I can ask him a couple of questions?

Senator CHAFEE. Sure, sure, he's there. Step right up, Mr. Witt.

[Mr. Witt joined the witness at the table.]

Senator INHOFE. James, just briefly, so that we would have an idea—I would like to ask you two questions. First of all, so that we can get an understanding of how Michael is going to fit in with the rest of your operation here—I understand you have five deputies. I would like to have you just tell us how this works out and where he would fit in; and then, second, you chose him from one of, what, 10 regions? I would like to ask you why you chose him, singled him out.

Mr. WITT. Mike, if confirmed, Senator, will be the Associate Director of Mitigation over the entire Mitigation Directorate, as well as working with all 10 regions, and also working with the States in implementation of the National Mitigation Strategy that we put together. It is a very big responsibility because there is so much that we have to do in cutting costs of disasters, looking to the future and better building, better building codes, helping the States and local governments to work through those issues. He has a tremendous responsibility, and with the initiative of prevention that we're trying to push to cut disaster costs, this is so critical.

Mike was chosen because he has the experience. He has the background from local government to State government, as well as regional director, and he has dealt with these issues with State and local governments, as well as individuals. Mike was tasked to chair the Federal Task Force on Devil's Lake by the President to lead the Federal, State, and local task force in developing a long-range recovery plan for Devil's Lake, and he has done a great job.

We are public servants. We have customers out there that we serve, as well as customers on the Hill, and customers internally to FEMA—our employees—and we need a manager who can help all these people work together. Mike has demonstrated those qualities.

Senator INHOFE. Let me take this opportunity, this forum, to again compliment you, as I have before on the very fine work that you did after our disaster in the Federal office building in Oklahoma.

Mr. Chairman, Mr. Witt was there right after it happened, and he was getting dirty with everybody else. He did a remarkable job, and I compliment him on that.

Michael, we've talked, I think, mostly about natural disasters, and of course I'm very sensitive to man-made disasters after—how does mitigation work in that type of prevention?

Mr. ARMSTRONG. Well, mitigation ideally is to make sure that people and structures are placed in a reduced risk status. My region is preparing right now for the Summit of VIII to occur at the end of the month in Denver, and so I was intimately involved up until I came out here several weeks ago with the Department of Justice and the Department of Defense to make sure that the Nunn-Lugar legislation dollars that are coming into Colorado are being expended in a way that maximizes the opportunity to train local officials, to educate public officials and to make sure that when it is anticipated, what can be done to respond quickly should such an event occur.

There is a lot of blending at that point when you talk about man-made disasters with preparedness, as well as mitigation, and it blends into areas like hazardous materials, and not only awareness of terrorism threat, but other chemical issues, as well.

So the best thing we can do in terms of mitigation is be supportive of training and exercises that occur, and make sure that knowledge is out there on how to work together so that the Federal, and State and local officials can work seamlessly should an event occur.

Senator INHOFE. Of course, right now with this particular timing, we are all very sensitive to the costs of these disasters. After our interview, I look at your position as one that is going to end up being not just cost-effective but saving money.

Would you agree with that?

Mr. ARMSTRONG. Yes, absolutely. We believe that it is the ounce of prevention is worth a pound of cure.

Senator INHOFE. The last thing I would ask is that with your background at the local level to be looking at these programs in terms of sensitivity to unfunded mandates. I hope you work with the communities, as opposed to sending down mandates that otherwise we're going to have to sometime come up with the money to pay for.

Mr. ARMSTRONG. You can count on it, Senator.

Senator INHOFE. Good, thank you.

Senator CHAFEE. Thank you, Senator.

Senator Kempthorne, do you have any questions?

OPENING STATEMENT OF HON. DIRK KEMPTHORNE, U.S. SENATOR FROM THE STATE OF IDAHO

Senator KEMPTHORNE. Mr. Chairman, no, I do not have any questions. I'm just here to demonstrate my support for Michael. I had worked with him when he was in the Denver office, and so I look forward to certainly supporting this nomination. I think it's a good nomination.

James Lee Witt, I must say, you and your team—and I see the team is here—I can't say anything but high praise for all that you do. It has been tremendous, and many Idahoans sing the praises of you, Mr. Director, and your team. I known that we have actually

sat in the back seat all scrunched in going from meeting to meeting, town meetings, etc., in some very tough situations.

So, Mr. Chairman, I'm here to support the nomination, but also to just say what an advocate I am for how FEMA is being administered and the help that you deliver in a timely, efficient, effective fashion, and keep up the great work.

Mr. ARMSTRONG. Thank you, Senator.

Mr. WITT. Thank you, Senator.

Senator CHAFEE. A couple of obligatory questions, Mr. Armstrong.

Are you willing at the request of any duly constituted committee of the Congress to appear in front of it as a witness?

Mr. ARMSTRONG. Yes, sir.

Senator CHAFEE. Do you know of any matters which you may or may not have thus far disclosed which might place you in any conflict of interest if you are confirmed in this position?

Mr. ARMSTRONG. No, sir.

Senator CHAFEE. Now, it is my understanding that the Administration has requested $50 million in the new budget for pre-disaster hazardous mitigation programs. I'm not sure, one, how you arrived—of course, this was before your watch; you were not even there. But it's my understanding—and maybe we'll have to ask these questions of Mr. Witt—it is my understanding that the Stafford Act has to be amended for this program to exist, and do you know when the Administration will submit the legislation to do that? Do you have any idea on that?

Mr. ARMSTRONG. Well, Senator, you are correct. Much of this work had been done before I came on board, and I know that Senator Bond has requested that by the Fourth of July FEMA submit some proposals, and I know that Director Witt and others are working on those now. The program you specifically referred to most of that money is designed to showcase communities across the country that we think would demonstrate a healthy climate for mitigation because of good public-private partnerships, because of a will to work in mitigation by the locally elected officials, and we hope by having these communities spotlighted that we can set a tone and show an example to other local governments across the country on how mitigation can work and is working.

Senator CHAFEE. All right, well, when you get into your job—I might ask Mr. Witt about the Stafford Act and a program that—apparently, he is required to change that.

I just would like to make a couple of observations, if I can. Let's just take an example from my section of the country. A snowfall comes along and it's really not that bad, but any self-respecting Governor wants the area declared a disaster area because there is going to be some free money showing up, and so why not get in on it. I probably participated in a little of that myself when I was Governor, but I think that these really aren't disasters. FEMA has to be tough, and I know that it is easy for me to say that being on the other side asking for the aid—"Oh, yes, you want some aid. There's a terrible situation here. We've got two feet of snow so we better ask for disaster relief and get some of these low-cost loans to fix up the property," and before you know it FEMA is paying to clean up the place.

Now, I don't want Mr. Witt to make a note to turn down all requests from Rhode Island—that's not the purpose of what I'm saying here.

[Laughter.]

Senator CHAFEE. The second point I would like to make is it seems to me that as you see some of these terrible disasters from hurricanes or tornadoes, more so, they often seem to happen in trailer parks, and you can see that these trailers are light-weight. I just wonder if—and there must be a way of predicting the paths with some degree of accuracy, of habitable paths of tornadoes and trailer parks.

Is there anything that can be done about that to help these poor souls who are low-income individuals in many instances and these that represent their total home?

Mr. ARMSTRONG. Well, Senator, being a Coloradan, I can't talk to you too much yet about hurricanes. I can talk to you about snow, and I can reference your first point, which is we have had a long-standing policy that State and local governments' budget for snow removal every year, and that snow removal per se is totally within the purview of State and local government.

There are on rare occasions instances where emergency services are imperiled by snow storms, where despite the best efforts of State and local government, and despite the treasuries at the State and local level, roads cannot be kept clear so that ambulances, law enforcement vehicles, public utility vehicles to restore power can traverse public roadways.

On those rare occasions it has been appropriate for Governors to request assistance, and most recently in North and South Dakota this past winter we had that very situation in my own region.

Regarding the issue of trailer parks, I can only say that sometimes we wonder if there is something magnetic in trailer parks in terms of their relationship to disasters. The fact is, unfortunately, that low-income housing seems to locate itself in less desirable parts of communities in terms of the topography and that frequently if it is in a flood plain, you will find a trailer park.

This gets back to my earlier comments about local governments joining the Community Assistance Program, effectively enforcing flood plain regulations and prohibiting construction in those areas and communities.

Senator CHAFEE. All right, well, I think it would be interesting to see how much the country has spent in the past 15 years, year by year, for disaster relief and then say how much have we spent for mitigation? I bet it's practically zero, and, therefore, there should be an argument that, all right, X percent of that—whatever it is—we ought to request for mitigation so there won't be building in flood plains, so there won't be trailer parks in the paths of tornadoes. We could probably plot that, as I said, with some degree of accuracy, and there is where you get your ounce of prevention, but the trouble is, I suspect, Congress has been very, very reluctant to do anything about prevention.

Senator Baucus.

Senator BAUCUS. You've covered it all, Mr. Chairman. Thank you.

Senator CHAFEE. Senator Allard.

Senator ALLARD. I don't have anything further, Mr. Chairman. Thank you.

Senator CHAFEE. All right, Mr. Armstrong, thank you very much for appearing, and, as I mentioned, we are going to try to move this along swiftly. You've certainly had an impressive array of witnesses in your support.

Thank you, and I thank everyone.

Mr. ARMSTRONG. Thank you, Senator. Thank you, committee members.

Senator CHAFEE. That concludes the hearing.

[Whereupon, at 10:26 a.m., the committee adjourned, to reconvene at the call of the chair.]

[Additional material submitted for the record follows:]

PREPARED STATEMENT OF MICHAEL J. ARMSTRONG

Mr. Chairman, I am deeply honored to come before this Committee today, and to be given the opportunity to discuss serving my country, and this Administration, in this manner. I want to acknowledge my friends in the Congress, starting with my home State Senators Campbell and Allard, the North Dakota delegation of Senators Dorgan and Conrad, and Representative Pomeroy, and my own Congressman, Representative Skaggs of Colorado's Second District, for their support and their attendance today. I especially want to recognize FEMA Director James Lee Will, who has shown such leadership for America and such confidence in my work. He has been a true motivator and inspiration to me. Most importantly, I would like to introduce the Committee to my parents, Dermond and Joan Armstrong, who came out from Colorado to be with me today.

The work of this Committee with respect to FEMA and its new mitigation mission has been truly historic. It has expanded the scope of the Stafford Act to create increased mitigation opportunities after disasters occur, and it has encouraged efforts to promote more pre-disaster mitigation. In confirming the agency's first Associate Director for Mitigation, this committee ratified the efforts of FEMA to spotlight mitigation as a key component of its mission.

We have learned that whatever form it takes, mitigation requires many partners, much patience, and a sensitivity to local needs. As a FEMA appointee since 1994, I have seen that partnerships, patience and listening to local needs have created successful mitigation projects throughout the country. Some successes have been dramatic, such as the relocation of an entire town. Some have been more subtle, such as the public/private/non-profit partnership in my region, when FEMA brochures on wildfire preparedness were underwritten by Janus Funds and distributed by local Rotary Club members in the foothill communities west of Denver. Most mitigation initiatives must be viewed in the long term, as investments for future generations. And, to have a realistic chance of success, they must involve a mixture of Federal, State and local stakeholders. Mitigation can manifest itself in many different forms: something as delicate as passage of tougher local regulations, as complicated as retrofitting structures to withstand natural hazards, or as insightful as effective public education programs involving specialists, families and schoolchildren.

As a former local and State government official, I bring a definite bias toward local government to this job. My tenure as a FEMA Regional Director reinforced the belief that unless State, county and local governments believe that a concept, initiative or program has local relevancy and is understandable, it will stand little chance of true, lasting success. While the Federal Government can be a catalyst for innovation, real progress can only be realized when State and local officials feel they are part of the process.

The creation of a Mitigation Directorate has provided better customer service to our partners by bringing together like-minded programs and staff who have helped create a more functional organization. I am proud of my association with the hard working staff of FEMA, at both the regional and headquarters levels. We can point to project after project which will protect lives and property, and as a result also lessen the drain of disasters on the Federal treasury. We can indicate the numerous partnerships which have been created with business, non-profit, and academic communities to promote mitigation. Now we must move forward.

I am before you today because, if confirmed, I want to serve in a leadership capacity in what James Lee Witt has called the cornerstone for emergency management

in the 21st century. If confirmed, I want to enlist you in the effort to support and educate communities in their efforts to become disaster resistant. I believe that, if confirmed, I can take my experience as a public servant serving at the field implementation level, and bring practical knowledge to the policy developers regarding how to move this program ahead.

A thought came to me regarding this confirmation process as I was attending my last church service in my hometown of Arvada, Colorado. It occurred to me that perhaps the most dramatic example of mitigation efforts we have is that of Noah in the Old Testament. Here was an individual who believed in selecting the right structure to withstand a predicted hazard, even as others scoffed at his efforts as being a waste of time and money. In fact, you could even say that this was the one of the first known successful relocation efforts, done before a disaster and by an individual rather than a government. We have modern day Noahs, who have heeded warnings about potential disasters. One in California comes to mind: the gentleman who built his home to withstand fire hazards in the Laguna Beach area, and made national news with the photograph of the only home standing undamaged in an otherwise charred environment, because he took the time to understand the environment in which he was building, and built accordingly. This is mitigation in its purest form: where individual citizens take it upon themselves to think smartly when they build or occupy structures, and learn how to adapt to hazards in their own community. But not every individual has the opportunity to control his or her living environment. Therefore, we must work with our partners in State and local government to put into place the kind of approaches which will, one day, equip our nation with the tools and talents to create communities which are more resistant to disasters. The best all of us can do, in our professional and personal capacities, is create a national environment which encourages such responsible behavior. You have my personal commitment to pursue this goal.

Mr. Chairman, I appreciate this opportunity and look forward to your questions.

FEDERAL EMERGENCY MANAGEMENT AGENCY • REGION VIII
Denver Federal Center, Building 710 • Denver, Colorado 80225

BIOGRAPHY

MICHAEL J. ARMSTRONG

REGIONAL DIRECTOR, FEMA REGION VIII

Michael J. Armstrong is the Director of the Federal Emergency Management Agency's (FEMA) regional office in Denver, Colorado. A lawyer with extensive experience in local government services, including land use and personnel issues, he officially assumed this position January 16, 1994. At the time of his appointment at age 38, he was the youngest regional director in the agency's history.

As director of FEMA's Region VIII office, Armstrong is responsible for administering a variety of federal emergency management programs in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming. Established in 1979, FEMA is the central point of contact within the federal government for emergency management preparedness, response, recovery and mitigation operations involving any kind of natural or manmade disaster.

During his first year at FEMA, Armstrong has been given several crucial assignments by agency management. His region was named FEMA's "Center for Excellence" in developing national policy for community relations and outreach. Armstrong chaired the reorganization of the agency's performance management system. He was one of only three regional directors tapped to formulate policy for the Federal Coordinating Officers who manage disaster response on behalf of the President.

Armstrong has also revised priorities of the regional office through external outreach and internal restructuring efforts. For the first time, the office was opened for a public open house. This successful venture is now an annual event. Armstrong reorganized the Regional Operations Center into a fully operational disaster coordination center - serving both state and federal agencies. He has also started initiatives with private, non-profit, and public sector groups to break chronic disaster/recovery/disaster cycles, established a working partnership with the Rocky Flats facility in Colorado, and strengthened relationships with state and local customers.

- more -

Before joining FEMA, Armstrong had served for over a decade in local and state government. His previous position was as the Deputy Director of the Governor's Office of Energy Conservation. Earlier in his career, he worked for 10 years as an assistant city attorney in Aurora, Colorado. In that office, Armstrong served as a prosecutor, and as a specialist in personnel matters and land use issues ranging from zoning and building codes to neighborhood planning concerns. During 1992 and early 1993, he took a leave of absence from Aurora to work as Executive Director of the Colorado Democratic Party.

Armstrong is a former reporter and has extensive communications training, experience and skills. He holds a B.S. degree in Journalism and a B.A. degree in English from the University of Colorado in Boulder, and a J.D. from the Pepperdine University of Law in Malibu, California.

A resident of Arvada, Colorado, Armstrong is active in his community and church. He serves on several non-profit boards.

UNITED STATES SENATE

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

ROOM 410 DIRKSEN BUILDING WASHINGTON, DC 20510

INFORMATION

REQUESTED OF PRESIDENTIAL NOMINEES

In order to assist the Committee in its consideration of nominations, each nominee is requested to complete the attached Statement For Completion By Presidential Nominees. The Statement is intended to be publicly available. In the event that a nominee asks that a specific answer be kept confidential, he or she should notify the Chairman and Ranking Member.

The original and forty (40) copies of the requested information should be made available to Honorable John H. Chafee, Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, DC (Attn: Staff Director) as soon as possible.

Name of Nominee: Michael J. Armstrong

Business Address: Federal Emergency Management Agency, Region VIII
Denver Federal Center, Building 710
Box 25267, Denver, CO. 80225-0267

Business Phone: (303) 235-4812

Home Address: 10252-C West 80th Drive

Arvada, Colorado 80005

Home Phone: (303) 425-6424

UNITED STATES SENATE

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

STATEMENT FOR COMPLETION BY PRESIDENTIAL NOMINEES

Name: Armstrong (Last) Michael (First) Joseph (Middle)

Position to which nominated: Federal Emergency Management Agency Associate Director for Mitigation

Date of Nomination: April 25, 1997

Date of birth: 24 06 55 (Day) (Month) (Year) Place of birth: Long Beach, California

Marital status: Single Full name of spouse:

Name and ages of children: None

Education:

Institution	Dates attended	Degrees received	Dates of degrees
University of Colorado at Boulder	1973-77	B.A., B.S.	1977
Pepperdine University School of Law	1977-80	J.D.	1980

Employment record: List all positions held since college, including the title and description of job, name of employer, location, and dates. If you were terminated involuntarily from any position(s), please note the circumstances.

City of Aurora, Parks and Recreation part-time worker, 1977-80

Law Clerk, Office of the U. S. Attorney, Denver, 1979

Law Clerk, Offices of L. B. Ullstrom, 1980-81.

City of Aurora, Assistant City Attorney, 1981-91

Executive Director, Colorado Democratic Party, 1992-93

Employment record—Continued

Deputy Director, Governor's Office of Energy Conservation, Denver, 1993-94

Regional Director, FEMA Region VIII, Denver, 1994-present

Honors and awards: List significant scholarships, fellowships, honorary degrees, military medals, honorary society memberships, and any other special recognitions for outstanding service or achievement.

Denver Newspaper Guild Scholarship, School of Journalism
University of Colorado at Boulder, 1976-77
Law Review, 1978-80, Pepperdine University School of Law
Moot Court Honor Board, 1979-80, Pepperdine University School of Law

Memberships: List significant memberships and offices held in professional, fraternal, business, scholarly, civic, charitable and other organizations.

Organization	Office held (if any)	Dates
Mile High Chapter American Red Cross	Board of Directors	1995-present
Denver Center for the Performing Arts	Public Affairs Advisory Committee	1993-present
Colorado Institute for Leadership Training	Board of Directors	1993-present
Arvada Covenant Church	Board of Deacons	1990-1994

Qualifications: State fully your qualifications to serve in the position to which you have been named.

See Attachment

Future employment relationships:

1. Indicate whether you will sever all connections with your present employer, business firm, association or organization if you are confirmed by the Senate.

If confirmed, I will continue to be employed by the Federal Emergency Management Agency.

2. As far as can be foreseen, state whether you have any plans after completing government service to resume employment, affiliation or practice with your current or any previous employer, business firm, association or organization.

No

3. Has anybody made a commitment to you for a job after you leave government?

No

4. (a) If you have been appointed for a fixed term, do you expect to serve the full term?

Yes

Attachment, page 3

Qualifications:

During my tenure as FEMA Region VIII Director, I have overseen the field implementation of all Stafford Act and FEMA programs including mitigation programs in the six states of my jurisdiction : Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming. Director James Lee Witt selected me to chair the Federal Interagency Task Force addressing long term mitigation issues for Devils Lake, North Dakota. During my tenure the region also worked as co-sponsor, with the National Parks Service, of the Vermillion River Basin, South Dakota, long-term mitigation project. In both cases, multi-objective planning concepts were applied to mitigation issues for the first time and succeeded in giving local government and citizens the tools to determine their future in repetitive disaster locations. Additionally, I brought to FEMA an expertise from my ten years as an assistant city attorney, specializing in building and planning issues.

Based on my other area of legal expertise, personnel, Director Witt selected me to chair FEMA's Performance Management Leadership Group (PMWG). The PMWG developed a new performance rating system which was acclaimed by the Office of Personnel Management as innovative and progressive, and which has been reviewed by other agencies for implementation. I redesigned the Region VIII Equal Employment Opportunity Committee and chaired the rewrite of the Region VIII Equal Employment Opportunity Plan, which was sent from Headquarters to all regions as a model for the agency.

I was also tasked to develop the agency's new Disaster Community Relations program. Our region served as the developmental unit for the program formerly known as "outreach" and delivered fully developed modules in the area of training, field guides, and procedures to get information quickly to disaster victims when traditional media sources are inaccessible or unused. Congressional Members have given high marks to this program for serving as a means of giving comfort to victims who need information quickly as well as a means of reducing the workload of congressional staff in the aftermath of disasters.

I have been asked on several occasions to serve as a mentor for newer Regional Directors and was selected by the Director to serve as the Acting Director of Regional Operations for several weeks in 1994. I was selected by FEMA's Associate Directors and Office Directors to serve as a member of the agency's Customer Service Task Force.

(b) If you have been appointed for an indefinite term, do you have any known limitations on your willingness or ability to serve for the foreseeable future?

not applicable

(c) If you have previously held any Schedule C or other appointive position in the Executive branch, irrespective of whether the position required Congressional confirmation, please state the circumstances of your departure and its timing.

I currently hold a non-career SES position, which I would be departing if confirmed by the Senate.

Financial Statement:

1. Attach a copy of your Executive Personnel Financial Disclosure Report (SF 278).

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services and firm memberships or from former employers, clients, and customers. Amounts should be indicated by the categories established for reporting income on Form SF 278, Schedule A.

None: please note listed SF 278 vested pension interest.

3. Are any assets pledged? (Add schedule).

No

4. Are you currently a party to any legal action?

Please see attached sheet.

5. Have you filed a Federal income tax return for each of the last 10 years? If not, please explain the circumstances.

Yes

Attachment , page 4, question 4

I am not currently a party to any legal action. I have been named as an alleged discriminating official in two Equal Employment Opportunity Commission (EEOC) complaints, both of which were brought by the same complainant. In the first complaint, the Agency prevailed before the EEOC judge at a hearing. The complainant subsequently appealed to the EEOC's Office of Federal Operations, and we are awaiting a decision. The second complaint is under investigation by an independent investigator and has not gone to hearing yet. Both of the complaints are selection cases in which I, as the Regional Director, selected another person for a position in the regional office based upon the advice of a selection panel.

6. Has the Internal Revenue Service ever audited your Federal tax return? If so, what resulted from the audit?

No

Potential conflicts of interest:

1. Describe any financial or deferred compensation agreements or other continuing dealings with business associates, clients or customers who will be affected by policies which you will influence in the position to which you have been nominated.

None

2. List any investments, obligations, liabilities, or other relationships which might involve potential conflicts of interest, or the appearance of conflicts of interest, with the position to which you have been nominated.

None

3. Describe any business relationship, dealing or financial transaction (other than taxpaying) which you have had during the last 10 years with the Federal Government, whether for yourself or relatives, on behalf of a client, or acting as an agent, that might in any way constitute or result in a possible conflict of interest, or an appearance of conflict of interest, with the position to which you have been nominated.

None

4. Explain how you will resolve any potential conflict of interest, or appearance of a conflict of interest, that may be disclosed by your responses to the above items.

Not applicable; however, should such an issue arise, I will seek the guidance of FEMA's Ethics Office and follow their advice.

5. Explain how you will comply with conflict of interest laws and regulations applicable to the position for which you have been nominated. Attach a statement from the appropriate agency official indicating what those laws and regulations are and how you will comply with them. For this purpose, you may utilize a statement by the relevant agency Ethics Officer.

Please see the attached letter from FEMA's Senior Ethics Official.

I intend to comply fully with all applicable federal ethics laws.

Political affiliation and activities: List all memberships and offices held in, or financial contributions (in excess of $1,000), and services rendered to any political party or election committee during the last 10 years.

I do not recall any financial contributions in excess of $1,000.

In addition to my paid staff position with the Colorado Democratic Party, I served as an officer of the Jefferson County Democratic Party from 1989 to 1993, as a member of the County and State Central and Executive Committees from 1983 to 1997.

Published writings: List the titles, publishers and dates of any books, articles, or reports you have written. (Please list first any publications and/or speeches that involve environmental or related matters.)

"Boards of Adjustment in the 1990s," The Colorado Lawyer, 1991.

"The Opinions of Mr. Justice White," Pepperdine Law Review, 1980.

My speeches during my tenure as Regional Director are extemporaneous, frequent, and drawn from general "bullet points" supplied by staff.

Additional Matters:

1. If there is any additional information which you believe may be pertinent to the Members of the Committee in reaching their decisions, you may include that here.

   None

2. Do you agree to appear before all Congressional Committees which seek your testimony?

   Yes

3. Having completed this form, are there any additional questions which you believe the Committee should ask of future nominees?

   No

AFFIDAVIT

Michael J. Armstrong) ss, being duly sworn, hereby states that he/she has read and signed the foregoing Statement for Completion by Presidential Nominees including the Financial Statement and that the information provided therein is, to the best of his/her knowledge and belief, current, accurate, and complete.

Michael J. Armstrong

Subscribed and sworn before me this 7th day of May, 1997

My Commission Expires 1/19/2000

Marilyn V. Hanson

Notary Public

Federal Emergency Management Agency
Washington, D.C. 20472

May 5, 1997

The Honorable John H. Chafee
Chairman
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510-6175

Dear Mr. Chairman:

This letter complies with the Ethics in Government Act of 1978, as amended, and 5 CFR part 2634, which require that I submit to you a formal statement in writing concerning the nomination by President Clinton of Michael J. Armstrong, who has been nominated for the position of Associate Director for Mitigation of the Federal Emergency Management Agency.

In my position as the Alternate Agency Ethics Official and Acting General Counsel, I have reviewed the Public Financial Disclosure Report (SF-278) for Mr. Armstrong. A complete copy of that report was sent to you on April 29, 1997, by the Honorable Stephen D. Potts, Director, Office of Government Ethics with a statement concerning his favorable review. I have independently reviewed Mr. Armstrong's filed SF-278 and find that the report does not disclose any financial conflict of interest under any applicable law or regulation, actual or apparent, and the SF-278 is approved as filed.

I know of no other reason that would prevent Mr. Armstrong from serving in the position of Associate Director for Mitigation, Federal Emergency Management Agency, and I recommend his early confirmation.

Sincerely,

Michael B. Hirsch

Michael B. Hirsch
Acting General Counsel
Alternate Designated Agency Ethics Official

United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

April 29, 1997

The Honorable John H. Chafee
Chairman
Committee on Environment and Public Works
United States Senate
Washington, DC 20510-6175

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Michael J. Armstrong, who has been nominated by President Clinton for the position of Associate Director for Mitigation of the Federal Emergency Management Agency.

We have reviewed the report and have also obtained advice from the Federal Emergency Management Agency concerning any possible conflict in light of its functions and the nominee's proposed duties.

Based thereon, we believe that Mr. Armstrong is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

Stephen D. Potts
Director

Enclosure
bcc: Federal Emergency Management Agency

FEDERAL EMERGENCY MANAGEMENT AGENCY, ASSOCIATE DIRECTOR FOR MITIGATION

The term *Mitigation* describes actions which help to reduce or eliminate long-term risk from natural disasters, such as floods, earthquakes, hurricanes or dam failures. The goal of mitigation is to create opportunities for State and local governments to enable citizens to construct and locate structures appropriately to reduce loss of lives and property damage. Examples of mitigation projects include the elevation or floodproofing of structures to comply with National Flood Insurance Program (NFIP) standards; the relocation of owners of flood-damaged structures to new, safe and sanitary housing outside of a floodplain; or the construction of buildings to better resist hurricane forces.

The Associate Director for Mitigation oversees all of FEMA's mitigation programs. He or she is responsible for the development, coordination and implementation of all policies, plans and programs within the Directorate, including the development and implementation of a National Mitigation Strategy and the provision of grants and technical assistance to State and local jurisdictions to build their capabilities to reduce the risks of natural hazards. The Associate Director manages a headquarters staff of approximately 90 and a Fiscal Year 1997 operating budget (estimated) of $118.9 million.

Major programs within the Mitigation Directorate include the Hazard Mitigation Grant Program, Pre-Disaster Mitigation Activities, the National Hurricane Program, the National Earthquake Hazard Reduction Program, the Floodplain Management Program, the Hazard Identification and Risk Assessment Program (including floodplain mapping) and the National Dam Safety Program.

RESPONSES BY MICHAEL ARMSTRONG TO QUESTIONS SUBMITTED BY SENATOR WYDEN

Question 1. Recently, officials from flood-damaged counties in Oregon met with FEMA officials to discuss providing more flexibility and efficiency for disaster relief projects and funding. Their specific concerns are multiple reporting requirements for road repair. Different kinds of roads fall under different Federal agencies for road repair dollars, and those repair projects are subject to different rules. why do disaster areas have to deal with two different agencies, FEMA and the Federal Highway Administration, two different accounting and contracting systems and two different funding sources in order to get their roads repaired? Isn't it possible to consolidate and streamline the system?

Response. This issue does not fall within the jurisdiction of the Mitigation Directorate, but instead applies to our response and recovery function and the activities being managed by the Federal Coordinating Officer at the Disaster Field Office in Oregon. I can tell you that from my experience as a Regional Director, the issue of accessing highway funds has been a source of questions in States in my region as well. It is my understanding that the Congress has determined the process by which some funds come from the Federal Highway Administration, because such roads are funded and maintained with Federal dollars, and other funds for non-Federal aid roads would therefore come from FEMA. In fact, the Stafford Act specifically limits FEMA's assistance to non-Federal aid roads. However, consolidation and streamlining are important ongoing goals of this Administration, and this issue deserves a closer look.

Question 2. Several of the counties in Oregon that have been most adversely impacted by recent floods are also the least affluent areas in the State. These counties cannot afford the 25 percent local match requirements for FEMA assistance. Are there ways for FEMA to provide flexibility in this matching requirement for these less affluent areas?

Response. Again, this is an area which falls under the jurisdiction of response and recovery functions and the Federal Coordinating Officer in Oregon, rather than mitigation. However, I am personally aware of the impact of the most recent flooding in Oregon, as my region was assigned to staff the disaster response on behalf of Region X. Many of my staff were deployed to the Salem Disaster Field Office, including Sherryl Zahn from my mitigation staff, who served as the first Federal Coordinating Officer for the recent events. More specifically, I do know that it has been important for FEMA to consistently apply the Stafford Act in all situations. It is important to note that many States assist local government with the 25 percent match. In addition, the State has the option to apply for a FEMA cost share loan to assist State and local governments with meeting their responsibilities.

Question 3. You testified that FEMA should encourage efforts to promote more pre-disaster mitigation and that we need to support communities in their efforts to become disaster resistance. One of the goals of Oregon's statewide land use system is to steer development away from areas vulnerable to natural disasters and other

hazards. The idea is to have local communities first identify areas prone to flooding, landslides, earthquakes and other natural hazards. Then the local communities develop land use plans and regulations to avoid sitting homes or businesses in these hazardous areas as a way to minimize damage in the event of a disaster. What do you see as the Federal role in supporting these types of State and community efforts? How can FEMA recognize and promote this type of local initiative?

Response. The President's budget request for FY98 for FEMA includes a request for an appropriation of $50 million for pre-disaster mitigation. If this appropriation is approved, FEMA will be able to commence a program spotlighting and assisting communities which have specific efforts underway to create disaster-resistant environments. We are particularly interested in those communities which have achieved the support and-participation of the private sector, and have demonstrated the political will to adopt progressive regulations and public education efforts which promote construction and occupation of structures which place their occupants out of harm's way. Our flood insurance program also supports State and community efforts to adopt strong local ordinances by awarding communities with special status which makes flood insurance more affordable. If confirmed, I intend to use my experience in State and local government to promote mitigation initiatives with key stakeholders in the public and private sectors.

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