

NOMINATION OF VINCENT G. LOGAN TO BE
SPECIAL TRUSTEE, OFFICE OF SPECIAL
TRUSTEE FOR AMERICAN INDIANS,
DEPARTMENT OF THE INTERIOR

HEARING

BEFORE THE

COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE

ONE HUNDRED THIRTEENTH CONGRESS

FIRST SESSION

DECEMBER 11, 2013

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CONTENTS

	Page
Hearing held on December 11, 2013	1
Statement of Senator Barrasso	4
Statement of Senator Cantwell	1
Statement of Senator Tester	27

WITNESSES

Bighorse, Hon. Scott, Assistant Principal Chief, Osage Nation	2
Prepared statement	3
Logan, Vincent G., Nominee to be Special Trustee, Office of Special Trustee for American Indians, U.S. Department of the Interior	4
Prepared statement	6
Biographical information	10

**NOMINATION OF VINCENT G. LOGAN TO BE
SPECIAL TRUSTEE, OFFICE OF SPECIAL
TRUSTEE FOR AMERICAN INDIANS,
DEPARTMENT OF THE INTERIOR**

WEDNESDAY, DECEMBER 11, 2013

U.S. SENATE,
COMMITTEE ON INDIAN AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 2:00 p.m. in room 628, Dirksen Senate Office Building, Hon. Maria Cantwell, Chairman of the Committee, presiding.

**OPENING STATEMENT OF HON. MARIA CANTWELL,
U.S. SENATOR FROM WASHINGTON**

The CHAIRWOMAN. The Senate Indian Affairs Committee will come to order.

We are here today on two different issues. One is the nomination of Vince Logan to be the Special Trustee for American Indians, U.S. Department of the Interior. Mr. Logan was nominated on February 27th of this year by President Obama and the full nomination packet was received by the Committee on July 23rd. The American Indian Trust Fund Management Reform Act that created the position of Special Trustee was passed in 1994, and is a response to concerns regarding the Department of Interior's trust management practices. These concerns include the inability to provide accounting of balances to beneficiaries, a lack of trained staff and an inadequate record of keeping systems.

Currently, the Department of Interior holds 56 million acres of land in trust for tribes and individuals, and the Department manages approximately \$4.4 billion in trust funds, generated by leases, resource development royalties, use permits, judicial settlement and judgments. In fiscal year 2012, almost \$500 million was collected for 387,000 individual Indian accounts and nearly \$1.4 billion was collected for the 250 tribal accounts.

President Obama's Administration has made significant progress in improving the management of Indian assets. This includes settling lawsuits with over 40 tribes, and most notably, the final settlement agreement in the 16-year long *Cobell v. Salazar* litigation.

But despite these achievements, much work remains to be done. This nomination hearing is about discussing that remaining work with Mr. Logan and his plans to continue making progress on behalf of Indian Country. The Committee is also interested in the

Commission on Indian Trust Administration and Reform established by then-Secretary Salazar. I am sure the Commission's findings will have a number of recommendations that the Secretary will want to implement. And these changes will likely rely on the leadership that will be provided by the Special Trustee.

If confirmed, Mr. Logan would be the fourth person to hold the position of Special Trustee for American Indians. We look forward to hearing his ideas on how to improve the trust service that the Federal Government provides to Indian Country. Hopefully we can finally move past the need for trust reform and focus efforts solely on trust asset management and financial growth for tribal and individual beneficiaries.

So now I would like to see if my colleague, Senator Tester, has any opening statements. I know my colleague, the Vice Chairman, is probably on his way. But maybe before that we would allow the Honorable Scott Big Horse, Assistant Principal Chief of the Osage Nation, who is here to introduce our nominee, say a few words.

**STATEMENT OF HON. SCOTT BIGHORSE, ASSISTANT
PRINCIPAL CHIEF, OSAGE NATION**

Mr. BIGHORSE. Thank you, Madam Chairwoman. Vice Chairman Barrasso isn't here, and I want to say good morning, or afternoon, to Mr. Tester, members of the Committee. Thank you for the opportunity to appear before this Committee to introduce Vincent Logan, one of our Osage tribal members, to this Committee and the United States Senate.

I am Scott Bighorse, the Assistant Principal Chief of the Osage Nation. It is an honor for me to be here. Principal Chief John Red Eagle was unable to be here because of business back home. We have had a lot of tragedies and a lot of deaths here in the past couple of months. But he does ask that his letter of support be entered into the record on behalf of Mr. Logan.

Let me first give you some background on the Osage Nation, because Vince Logan's story is a story of the Osage Nation and its people. The Osage Nation is a sovereign Indian nation based in Pawhuska, Oklahoma. Our current homeland, the Osage Reservation, is about one and a half million acres located in northeastern Oklahoma. It is contiguous with Osage County, Oklahoma, realigned into what is our last reservation from our former reservation in Kansas and our aboriginal territories that covered almost all of Missouri, parts of Arkansas, Kansas and Oklahoma.

The Osage Nation has signed several treaties with the United States and Congress has passed several special statutes that addressed our homelands and rights as a tribal nation. We came to the new reservation in Oklahoma only after one of our leaders, Wa Tenka, first visited the land and came back to our people and told them that there is something in the land that would keep our elders and children from starvation. As you know, many tribes were moved into Oklahoma and were on the brink of starvation. Our people relied on Wa Tenka and agreed to move to the Indian territory.

Many of our people have interpreted Wa Tenka's prophecy to mean the vast oil reserves that were discovered beneath the surface of the land after we arrived to our reservation. Our leaders

today understand that it may have been the oil that they were talking about, but it is truly the sovereignty that we hold within our reservation.

Madam Chairwoman, Vince Logan is a direct descendant of Wa Tenka. Mr. Logan understands the trust relationship that both the Osage Nation and Osage individuals have with the United States Government. He understands that our Nation and our people have come to rely on this trust relationship and we have acted to enforce it when necessary.

Vince Logan also understands that tribal governments are sovereigns that make laws and are self-governing and a sound, productive trust relationship means listening to the leaders of the tribal governments, to the individual Indians who are directly impacted by the trust relationship. He also understands that these trust systems have failed Indian Country on many occasions, and the systems need reform.

Vince Logan, a man whose family primarily comes from the Zonzoli district of the Osage Reservation, is well qualified to serve as the special trustee. His professional background as an attorney in investment management would serve him well in this position. This office has been without a Special Trustee for far too long. As the Trust Commission continues its work and decisions will be made about reforming the Federal trust system that has been broken for decades, individual Indians need a leader and an expert that is willing to listen and act for the betterment of Indians and Indian tribes.

Madam Chairwoman, the Osage Nation believes that Vince Logan is the right leader and the right person for this challenge. I strongly encourage this Committee to move this nominee forward and for the full Senate to confirm him as Special Trustee for American Indians.

[The prepared statement of Mr. Bighorse follows:]

PREPARED STATEMENT OF HON. SCOTT BIGHORSE, ASSISTANT PRINCIPAL CHIEF,
OSAGE NATION

Chairwoman Cantwell, Vice Chairman Barrasso, Members of the Committee, thank you for the opportunity to appear before this Committee to introduce Vincent Logan, one of our Osage tribal members, to this Committee and the United States Senate. I am Scott Bighorse, the Assistant Principal Chief of the Osage Nation, and it is an honor for me to be here. Principal Chief John Red Eagle is unable to be here because of business back home, but he asks that his letter of support be entered into the record.

Let me first give you some background on the Osage Nation, because Vince Logan's story is a story of the Osage Nation and its people.

The Osage Nation is a sovereign Indian nation based in Pawhuska, Oklahoma. Our current homeland, the Osage Reservation, is about 1.4 million acres located in Northeastern Oklahoma and is contiguous with Osage County, Oklahoma. We arrived into what is our last reservation from our former reservation in Kansas, and our aboriginal territory covers parts of Missouri, Arkansas, Kansas, and Oklahoma. The Osage Nation has signed several treaties with the United States and Congress has passed several special statutes that address our homelands and rights as a tribal Nation.

We came to the new reservation in Oklahoma only after one of our leaders, Wah-Ti-An-Kah, first visited the land and came back to our people and told them that there is something in the land that would keep our elders and children from starvation. Our people relied on Wah-Ti-An-Kah and agreed to move to the Indian Territory.

Many of our people have interpreted Wah-Ti-An-Kah's prophecy to mean the vast oil reserves that were discovered beneath the surface of the land after we arrived

to our reservation. Our leaders today understand that he may have been talking about the sovereignty that is based in our homeland.

Madam Chairwoman, Vince Logan is a direct descendant of Wah-Ti-An-Kah. Vince Logan understands the trust relationship that both the Osage Nation and Osage individuals have with the United States. He understands that our Nation and our people have come to rely on this trust relationship, and we have acted to enforce it when necessary.

Vince Logan also understands that tribal governments are sovereigns that make laws and are self-governing, and a sound, productive trust relationship means listening to the leaders of the tribal governments, to individual Indians, whose lives are directly impacted by the trust relationship.

He also understands that these trust systems have failed Indian country on many occasions, and the systems need reform.

Vince Logan, a man whose family primary comes from the Zon-Zo-Lin District of the Osage Reservation, is well qualified to serve as the Special Trustee. His professional background as an attorney and investment management would serve him well in this position.

This Office has been without a Special Trustee for far too long. As the Trust Commission continues its work and decisions will be made about reforming the federal trust systems that have been broken for decades, individual Indians need a leader and an expert that is willing to listen and act for the betterment of Indians and tribes.

Madam Chairwoman, the Osage Nation believes that Vince Logan is the right leader and the right person for this challenge, and I strongly encourage this Committee to move this nominee forward and for the full Senate to confirm him as Special Trustee for American Indians.

The CHAIRWOMAN. Thank you, Chief Bighorse. Thank you so much for being here and for that introduction.

Now I want to turn to the Vice Chairman of the Committee for any comments he would like to make before we turn to the witness.

**STATEMENT OF HON. JOHN BARRASSO,
U.S. SENATOR FROM WYOMING**

Senator BARRASSO. Thank you, Madam Chair. I will just have my statement put into the record. I want to congratulate Mr. Logan on his nomination and look forward to working with him during this nomination process. I will have questions for Mr. Logan.

Thank you, Madam Chairwoman.

The CHAIRWOMAN. Thank you.

Mr. Logan, welcome. Thank you for your willingness to serve. It is a pleasure to have you here before the Committee today. Go ahead with any comments or introductions you might want to make.

**STATEMENT OF VINCENT G. LOGAN, NOMINEE TO BE SPECIAL
TRUSTEE, OFFICE OF SPECIAL TRUSTEE FOR AMERICAN
INDIANS, U.S. DEPARTMENT OF THE INTERIOR**

Mr. LOGAN. Thank you, Madam Chairwoman, Vice Chairman Barrasso, Senator Tester. My name is Vincent Logan and my Osage, or Wah-zha-zhe, name is Hunka-zhe-na-zhe. I am honored to appear before you today seeking your confirmation for my nomination to serve as Special Trustee for American Indians.

As a member of the Osage Nation, I am honored to have Assistant Principal Chief of the Osage Nation, Scott Bighorse, here to introduce me. Thank you, Assistant Chief. And with me today is my sister, Jeanine Logan, who traveled here from Oklahoma, and my partner, Dr. Steven Lieberman, who came down from New Jersey.

Jeanine is an attorney with the Social Security Administration's Office of Disability Adjudication and Review in Oklahoma City and also serves as Associate Justice on the Osage Nation Supreme Court. Steven is Chief of Staff of the Veterans Affairs New Jersey Health Care System and has received numerous awards and commendations for his service to our heroes.

Jeanine and Steven, through their many years of public service, have guided me in my professional career, and I would like to thank them both here today.

I was born in Pawnee Indian Hospital in Oklahoma, raised in Norman, but have spent the majority of my life as a New Yorker. I received my education at Oklahoma State University, the University of Oklahoma College of Law and Columbia University School of International and Public Affairs. I come from a family dedicated to serving the public with military service and government service, which makes me both proud and humble. My parents served this Country during World War II and are interred not far from here at Arlington National Cemetery. My father, Oscar Logan, Jr., joined the United States Marine Corps and fought with the Fifth Division in Iwo Jima, where he was critically wounded. He was awarded the Purple Heart for his combat service. My mother, Della Morrell Logan, served in the United States Army during World War II, as a nurse stationed here in Washington.

I am proud of my career in public service, which began with the State of Oklahoma Attorney General's Office in the Criminal Division. I also worked in the United States Department of Justice Antitrust Division here in Washington. I was also a corporate finance lawyer in New York for many years. In 2006, I moved to the asset side of the balance sheet when I became a financial advisor. I am currently an investment consultant working for tribal nations in economic development.

My career, experience, and expertise are germane to the Office of Special Trustee for American Indians and to the position for which I am nominated in three distinct areas: law, investments, and of course, Native Americans. I spent 15 years as a corporate lawyer in New York specializing in finance. But I always sought a career working with Native Americans and Indian Country. I was at the Federal Indian Bar Conference one year and tribal leaders were asking me about assets and pricing on financial products. Frankly, I couldn't answer them at the time, I didn't know enough.

But fortunately for me, I worked at Schulte Roth and Zabel in New York, which is one of the preeminent investment management law firms in the world. I spoke to partners about my concerns about tribal investing. It became clear at that time that I needed to learn the world of investments. I was picked to be part of the Merrill Lynch private banking and investment group, where I received excellent schooling and mentoring in key areas such as investment policy preparation, asset allocation, performance measurement, risk analysis and, above all, the fiduciary duties for investment advisors.

However, and this is what I consider to be the most fulfilling aspect of my professional career, I have been part of the investment education movement in Indian Country. I have committed my business and offered my professional services to helping tribes learn

the business of investments. My business value proposition is this: tribes should look at the university endowment model and even look at some of the sovereign wealth strategies, but only after edification in boardmanship and governance, the adoption of investment guidelines and the building of internal capacity and capabilities.

Further, and this has been equally fulfilling, I am committed to investment education for individuals, and particularly tribal youth. I have spent many years in Indian Country speaking to children, to Native kids candidly about money, savings and careers.

The American Indian Trust Fund Management Reform Act of 1994 created the Office of Special Trustee to improve the accountability and management of Indian funds held in trust by the Federal Government. As trustee, if I am confirmed, I will oversee the management of trust assets using my experience and knowledge to the best of my ability, bearing in mind that with respect to investments, there are a multitude of outside factors, many of which are organic and ever-changing.

Furthermore, as to the trust principles of the Secretary, as stated in the departmental manual and published on the OST's website, if I am confirmed for this position, I will carry out my responsibilities as the Special Trustee with the duty of care of the highest level of competence, professionalism and thoroughness. If I am confirmed, I will act solely in the interest of the beneficiaries, and this applies to all of the obligations, duties and responsibilities that the OST has been given, granted and assigned.

Madam Chairwoman, Vice Chairman Barrasso and Senator Tester, thank you for considering my nomination to this important position. I look forward to working with you and I am happy to answer any questions you may have.

[The prepared statement and biographical information of Mr. Logan follow:]

PREPARED STATEMENT OF VINCENT G. LOGAN, NOMINEE TO BE SPECIAL TRUSTEE,
OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS, U.S. DEPARTMENT OF THE
INTERIOR

Thank you, Madam Chairwoman, Vice-Chairman Barrasso, and Members of the Committee. My name is Vincent Logan, and my Osage, or Wah-zha-zhe, name is Hunka-zhe-na-zhe. I am honored to appear before you today seeking your confirmation for my nomination to serve as Special Trustee for American Indians. As a member of the Osage Nation, I am honored to have Assistant Principal Chief of the Osage Nation Scott Bighorse here to introduce me. Thank you Assistant Chief.

With me today are my sister, Jeanine Logan, who traveled here from Oklahoma, and my partner, Dr. Steven Lieberman, who came down from New Jersey. Jeanine is an attorney with the Social Security Administration's Office of Disability Adjudication and Review in Oklahoma City. Jeanine also serves as Associate Justice on the Osage Nation Supreme Court. Steven is Chief of Staff for the Veterans Affairs New Jersey Healthcare System. Steven has received numerous awards and commendations for his service to our heroes. Jeanine and Steven, through their many years of public service, have been an inspiration to me and have provided me guidance in my professional career, and I would like to thank them both here today.

I was born in Pawnee Indian Hospital in Oklahoma, raised in Norman, but have spent the majority of my life as a New Yorker. I received my education at Oklahoma State University, the University of Oklahoma College of Law, and Columbia University's School of International Affairs.

I come from a family dedicated to serving the public, both in military service and government service, which makes me both proud and humble. My parents served this country during World War II and are interred not far from here at Arlington National Cemetery. My father, Oscar Logan Jr., joined the United States Marine

Corps and fought with the Fifth Division on Iwo Jima where he was critically wounded. He was awarded the Purple Heart for his combat service. He later worked for the Indian Health Service and for the Osage Nation. My mother, Della Morrell Logan, served in the United States Army during World War II as a nurse stationed here in Washington. After the war and while raising a family, she worked with State of Oklahoma Tax Commission and the Indian Health Service.

As for my other siblings, my brother Joe, served as a Captain in the United States Marine Corps, and retired from a career in public service with the State of Oklahoma. My sister Grace also retired from public service with the State of Oklahoma. My brother Kyle is a public high school teacher in Oklahoma City.

I am proud of my career in public service, which began after I graduated from law school and went to work for the State of Oklahoma Attorney General's Office in the Criminal Division. During the Clinton Administration, I worked in the United States Department of Justice, Antitrust Division, here in Washington.

Since leaving the Department of Justice I have worked in the private sector. I was a corporate finance lawyer for many years in New York. In 2006 I moved to the asset side of the balance sheet when I became a financial advisor. I am currently an investment consultant working with tribal nations, not only in investment matters, but also in economic development. My career, experience and expertise are germane to the Office of the Special Trustee for American Indians and to the position for which I am nominated in three distinct areas: law, investments, and, of course, Native Americans.

Let me begin by telling a brief story about how I came to the world of finance. I moved to New York to attend Columbia University. I arrived in the Big Apple full of optimism, a bit of fear and anxiety, and seeking a career in the international or diplomatic arena. But as they say, the best laid plans . . . The wheels turned in another direction, and turned very fast for me. I was fortunate enough to be hired by law firm while in school and, as fate would have it, I was assigned to the shipping division. Being a son of the plains, and never on the ocean, I often used the word 'boats', to the chagrin of my colleagues. Thus began my career in finance.

I spent fifteen years in corporate law in New York, specializing in finance, mainly aircraft, shipping, and big ticket equipment. While I found that work very rewarding, I was always a bit disappointed that my career didn't involve Indian Country, and there was certainly no way of having a successful legal career in New York with a tribal business at that time.

What happened next is what leads me to be seated in front of you today. I was attending the annual Federal Bar Indian Law Conference, and was at the luncheon. I was seated next to a tribal leader and he told me about his tribe's investments with a local bank. He said they didn't know anyone by name at the bank and certainly didn't know how the money was invested. He asked me if I knew anything about investments. And by coincidence, another tribal leader at the same table overheard our conversation and asked me if a fee of one hundred and fifty basis points was high, or was that usual for a tribal account. I couldn't answer them—and that is what I told them.

I went back to New York puzzled, perplexed, call it what you will, by that conversation but definitely focused on finding out more about the investment industry, not because of intellectual curiosity, but because I could see on those men's faces that they were troubled by how the tribe's reserves were being managed.

Fortunately, the law firm at which I then worked, Schulte Roth & Zabel, was and remains the pre-eminent investment management law firm in the world. I spoke to partners about my concerns with tribal investing and it became clear to me that if I wanted to be part of the tribal investment world, I would need to leave the legal world and move to the world of investment management.

I needed training and licensing in the securities industry. I was picked to be part of the Merrill Lynch Private Banking & Investment Group program where I received excellent schooling and mentoring in key areas such as investment policy preparation, asset allocation, performance measurement, risk analysis, and above all, fiduciary duties for investment advisors.

I have spent the last eight years in this industry and have worked with many clients, including several tribal nations, varying from small accounts to large tribal reserve funds. I have helped tribal leaders draft investment guidelines, select asset managers, collateralize tribal funds for casino expansion projects, and have provided general asset guidance. Over the years, I have heard of instances of credulity in investment decisions by some tribal officials and unscrupulous business practices, but personally, I have not witnessed that. Rather, I have seen investment decisions made with full understanding of the product and associated risk. That is the business approach I was taught and that is what I practice.

As it turns out, after years in this industry, I have found that I am more quantitative and analytical in nature, which I have put to good use working for tribal nations. The investment industry is very complex, with many levels of expertise required, and the complexities and personalities are difficult to manage unless one has an advisor who puts his or her clients' interests first. I know I have always done so.

However—and this is what I consider to be the most fulfilling aspect to my professional career—I have been part of the investment education movement in Indian Country. I have committed my business and offered my professional services to helping tribal leaders learn the business of investments. My business value proposition is this: tribes should look to the university endowment model in handling their investments, and even look at some of the sovereign wealth fund strategies, but only after edification in boardmanship and governance, the adoption of investment guidelines, and building internal capacity and capabilities.

Further—and this has been equally fulfilling—I am committed to investment education for tribal individuals and tribal youth. Having spent years throughout Indian Country I am acutely aware of the challenges our tribal people face, particularly our children. I speak to Native kids candidly about money, savings, and careers. I developed my own program called “Your First Paycheck” based on my own experience as a kid growing up in Oklahoma and getting my first paycheck through the Comprehensive Employment and Training Act program.

A lack of financial guidance for youth, either in Indian Country or elsewhere in the United States, exacerbates many of the social ills we see. We also have a lack of guidance at home, or the “dinner table talk” as I call it, particularly in Indian Country, when parents can teach their children about money, work, and savings. Absent that, it is imperative—no, it is our duty as Indian Country investment professionals—to support and participate in financial education for tribal leaders and individuals. Our future is at stake, and the lack of investment knowledge will limit our capacity to build self-sustaining communities.

As I mentioned earlier, I am a member of the Osage Nation. My ancestors include hereditary Chief William Penn and Way-Hu-Hah-Kah, both signers of the Constitution of the Great and Little Osages in 1881. My great, great grandfather, Frank Corndropper, was a member of the original Osage Tribal Council and my ancestors have been a part of the Osage leadership since that time. Another ancestor is legendary Chief Wah-Ti-An-Kah, whose leadership and vision was critical to my people moving to Oklahoma.

The discovery of oil under our reservation, and the resultant effects on our people and our land, are well-documented. The fact that the Osage mineral estate was put in trust in 1906, with the United States as Trustee, has to be considered one of the most important events in the tribal/federal relationship because of the sheer magnitude of the wealth that was generated. Hundreds of millions of dollars in revenue have been distributed to the Osage people over the past hundred years or so, and billions more remain untapped. The Osage Mineral Trust is just one part of the heritage of my Osage people, but it's indisputably what we are most known for and what garners the most attention. The Osage people are well-aware we are inextricably linked to the United States because of this special trust relationship, as are many other tribal communities.

There is certainly no need to discuss the importance of the special trust relationship between the United States and the various tribal nations, as this has been much discussed in this chamber and before this esteemed Committee, and it is, obviously, the reason we are here today. Let me merely state that I am well aware of the importance of the trust relationship and I would be most honored, if confirmed, to serve as the Special Trustee for American Indians.

I do have a brief personal story about this special relationship. My first experience in hearing of the “trust” was in the 1960s when I went with my parents to the Osage Agency regarding an account issue. I recall meeting the Field Solicitor and hearing them discuss monies and accounts. Such was my introduction to this relationship. Furthermore, I have been a shareholder in the Osage Mineral Trust since 1986. As such, I'm acutely aware of the special relationship between the Osages, the United States vis-à-vis the Department of the Interior, as Trustee, and the Office of the Special Trustee for American Indians, or the “OST” as it's called.

As for the history of the OST, I don't believe it is necessary to discuss in detail the efforts of the late Elouise Cobell or discuss the *Cobell* litigation and settlement, or the Osage Trust Case or any other tribal trust cases. Suffice it to say that these matters are well-documented and have been a part of the Indian Country dialogue for many years.

What I would like to consider is the OST going forward. The American Indian Trust Fund Management Reform Act of 1994 created the OST to improve the ac-

countability and management of Indian funds held in trust by the Federal Government. As trustee, the Department of the Interior has the primary fiduciary responsibility to manage both tribal trust funds and Individual Indian Money accounts.

One of the Secretary's trust responsibilities is to protect and preserve Indian trust assets. If confirmed as Special Trustee for American Indians, I will oversee the management of the trust assets using my experience and knowledge to the best of my ability, bearing in mind that, with respect to investments, there are a multitude of outside factors to consider, many of which are organic and ever changing.

Going back to my training at Merrill Lynch, it is said that the first principle of investing is capital preservation and the foremost risk to an investor is inflation. These remain the basics of investing and this is the starting point industry-wide and certainly part of my investment approach. If confirmed, I will protect and preserve Indian trust assets from loss, damage, or depletion.

Furthermore, as for the trust principles of the Secretary, as stated in the Departmental Manual and published on the OST's website, if I am confirmed for this position I will carry out my responsibilities as the Special Trustee with a duty of care of the highest level of competence, professionalism, and thoroughness. I will act solely in the interest of the beneficiaries and this applies to all of the obligations, duties, and responsibilities that the OST has been given, granted, and assigned. And I will work with and support the efforts of the Secretarial Commission on Indian Trust Administration and Reform.

Madam Chairwoman, Vice-Chairman Barrasso, and Members of the Committee, thank you for considering my nomination to this important position. I look forward to working with you and I am happy to answer any questions that you may have.

A. BIOGRAPHICAL INFORMATION

1. Name: (Include any former names or nicknames used.)

Vincent G. Logan

2. Position to which nominated:

Special Trustee for American Indians, U.S. Department of the Interior (hereafter, "Special Trustee")

3. Date of nomination:

February 27, 2013

4. Address: (List current place of residence and office addresses.)

Home: ;

Office: ;

5. Date and place of birth:

DOB: June 11, 1958

Place: Pawnee Indian Hospital, Pawnee, OK

6. Marital status: (Include maiden name of wife or husband's name.)

Never married.

7. Names and ages of children: (Include stepchildren and children from previous marriages.)

None

8. Education: (List secondary and higher education institutions, dates attended, degree received, and date degree granted.)

Oklahoma State University, 1975 – 1979, *Bachelor of Science*, May, 1979.

University of Oklahoma College of Law, 1981 – 1983, *Juris Doctorate*, January, 1983.

Columbia University, School of International and Public Affairs, 1986 – 1988.

9. **Employment records:** (List all jobs held since college, including the title or description of job, name of employer, location of work, and dates of employment, including any military service.)

The Nations Group, LLC, New York, NY (2009 to present). Title: Owner and Managing Member.

The Nations Group Advisors, LLC, New York, NY (2010 – ceased operations March, 2012). Title: President and financial advisor. Became eligible for New York State, Department of Labor, Unemployment Insurance Benefits upon closing of the business.

Private Banking and Investment Group of Merrill Lynch, New York, NY (2006 – 2009). Title: Private banker.

Schulte, Roth & Zabel LLP, Corporate Finance, New York, NY (2001 – 2006). Title: Corporate finance attorney.

Corrao, Miller, Rush & Weisenthal, New York, NY (2000 – 2001). Title: Legal search consultant.

Freelance Writer, New York, NY (1992 – 1996, 1998 – 2000). Researched a book and produced a community service video.

U.S. Department of Justice, Antitrust Division, Washington, DC (1996 – 1997). Title: Contract attorney.

Haight, Gardner, Poor & Havens, New York, NY (1986 – 1992). Title: Law clerk & attorney.

DLB Energy Corporation, Counsel, Oklahoma City, OK (1985 – 1986). Title: Attorney.

State of Oklahoma, Attorney General's Office, Oklahoma City, OK (1983 – 1985). Title: Legal intern and attorney.

Oklahoma State University, Geography Department (1980 – 81). Title: Graduate Assistant

10. **Government experience:** (List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.)

None

11. **Business relationships:** (List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.)

The Nations Group, LLC, New York, NY. Position: Owner and Managing Member (Current).

The Nations Group Advisors, LLC, New York, NY. Position: President (2010 – ceased operations 2012).

AMERINDA, Inc., New York, NY. Position: Board Member (2009 - 2010).

Oklahoma State University Foundation, Stillwater, OK. Position: Board of Governors (Current).

Oklahoma State University, Provost's External Advisory Council, Stillwater, OK. Position: Member (Current).

Native American Media Project, Inc., Norman, OK. Position: Incorporator (2003).

12. Memberships: (List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable and other organizations.)

Member, Osage Nation

Member, Oklahoma Bar Association

Member, American Bar Association

Member, Federal Bar Association

Member, Native American Bar Association of Washington, DC

Member, Investment Management Consultants Association

Member, Global Association of Risk Professionals

Member, Oklahoma State University Alumni Association

FINRA General Securities Representative (Series 7)

North American Securities Administrators Association (Series 66)

State of New York, Insurance License – Health, Variable Annuity and Life

13. Political affiliations and activities:

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 10 years.

None

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$500 or more for the past 10 years.

None

14. Honors and awards: (List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.)

2012 Distinguished Alumnus Award, Oklahoma State University

15. Published writings: (List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.)

None

16. Speeches: Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of on topics relevant to the position for which you have been nominated.

No formal speeches given during the last five years relevant to the position.

17. Selection:

(a) Do you know why you were selected for the position to which you have been nominated by the President?

The position of Special Trustee involves three separate, but equally important, areas of knowledge and proficiency: law, investments and Native Americans. I have been nominated for this position because I am uniquely qualified in that I have experience and expertise in these areas and have been a part of Indian Country my entire life. Additionally, as a member of the Osage Nation, a shareholder in the Osage Mineral Trust and Individual Indian Money ("IIM") account holder, I am well aware of the fiduciary duties and responsibilities of The Office of Special Trustee for American Indians ("OST") and have seen firsthand how the OST, in its daily operations, affects the lives of IIM account holders.

(b) What in your background or employment experience do you believe affirmatively qualifies you for this particular appointment?

I have particular knowledge of the OST through my years of having an IIM account. My IIM account relates not only to mineral lease revenues but also farming and grazing lease revenue on restricted land. Over the years I have had personal experience with the OST Trust Beneficiary Call Center, particularly in tracking down lost monies, and the Bureau of Indian Affairs, Real Estate Services, appraisal process. I have entered into approved farming and grazing leases and have received my quarterly statements indicating revenues paid and land inventory.

My consulting business, The Nations Group, LLC, provides technical assistance to tribes relating to investment matters for tribal monies, whether they be from gaming sources or otherwise. Additionally, I advise tribes in developing and implementing investment policies, plans and guidelines. Further, I am an advocate for tribes to build internal capacity to manage their own investments so I

assist tribes in creating investment committees and boards, including developing governing documents and policies, and teach investment courses to tribal leadership.

I also teach financial education to individual tribal members, focusing on financial skills and household budgeting. However, I am passionate about financial education for tribal youth so I developed my own program to teach teenagers about saving, credit and their first paycheck. I volunteer to help tribal youth programs by adding a financial component and mentor young tribal professionals seeking investment careers. While these activities might not be part of the trust fund mandate, I do feel the OST has a special interest in helping tribal minors, particularly those with TIM accounts.

I also have experience in the tribal trust fund withdrawal process. During my tenure at Merrill Lynch, I worked with three tribes that had withdrawn or were withdrawing their trust funds from OST. I have knowledge of the withdrawal process as set forth in the statute and the development of the tribal management plan.

I have expertise in general trust duties and responsibilities through working with banking trustees in numerous leveraged lease transactions during my career as a corporate lawyer. These tax-based lease structures had banks operate as both equity and debt trustees for the transaction, and their duties were set forth in the trust documentation. While I never represented a trustee, my familiarity with trust duties arose from representing both lenders and borrowers.

Finally, I have industry experience in the investment of large sums of tribal assets. While at Merrill Lynch, my group managed over \$1 billion in assets, including over \$200 million in tribal assets. My advisory work included asset manager recommendations for tribal clients and I worked with several tribes in the development of tribal investment policies and guidelines.

B. FUTURE EMPLOYMENT RELATIONSHIPS

1. Will you sever all connections with your present employers, business firms, business associations, or business organizations if you are confirmed by the Senate?

Yes

2. Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, please explain.

None

3. Do you have any plans, commitments, or agreements after completing government service to resume employment, affiliation, or practice with your previous employer, business firm, association, or organization?

None

4. Has anybody made a commitment to employ your services in any capacity after you leave government service?

No

5. If confirmed, do you expect to serve out your full term or until the next Presidential election, whichever is applicable?

Yes

C. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers.

A 401(k) plan ("Plan") was established for me as a benefit of my employment with The Nations Group Advisors, LLC ("TNGA"). TNGA ceased operations in March, 2012. Since my employment with TNGA ended, I am entitled to withdraw my contributions from the Plan but have not done so.

2. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

In connection with my nomination process, I have consulted with the Office of Government Ethics and the Department of the Interior's designated ethics official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's ethics official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

Fractional undivided interest in the Osage Minerals Trust, Osage County, OK, held in trust by the Department of the Interior.

Fractional undivided interest in 16 parcels of undeveloped land, surface rights only, Osage County, OK, held in trust by the Department of the Interior.

3. Describe any business relationship, dealing, or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

In connection with my nomination process, I have consulted with the Office of Government Ethics and the Department of the Interior's designated ethics official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's ethics official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

4. Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy.

None.

5. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items. (Please provide a copy of any trust or other agreements.)

In connection with my nomination process, I have consulted with the Office of Government Ethics and the Department of the Interior's designated ethics official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's ethics official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

6. Do you agree to have written opinions provided to the Committee by the designated agency ethics officer of the agency to which you are nominated and by the Office of Government Ethics concerning potential conflicts of interest or any legal impediments to your serving in this position?

Yes.

D. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, please explain.

No

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority for violation of any Federal, State, county, or municipal law, regulation, or ordinance, other than for a minor traffic offense? If so, please explain.

No

3. Have you or any entity, partnership or other association, whether incorporated or unincorporated, of which you are or were an officer ever been involved as a party in an administrative agency proceeding or civil litigation? If so, please explain.

No

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, please explain.

No

5. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination.

None

E. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by congressional committees?

Yes

2. Will you ensure that your department/agency does whatever it can to protect congressional witnesses and whistle blowers from reprisal for their testimony and disclosures?

Yes

3. Will you cooperate in providing the committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee?

Yes

4. Please explain how if confirmed, you will review regulations issued by your department/agency, and work closely with Congress, to ensure that such regulations comply with the spirit of the laws passed by Congress.

Consistent with executive branch protocols, I will meet with Congressional members and staffers as concerns arise and listen to any concerns involving existing and proposed Department regulations.

5. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so?

Yes

F. GENERAL QUALIFICATIONS AND VIEWS

1. How does your previous professional experiences and education qualify you for the position for which you have been nominated?

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Finally, I have industry experience in the investment of large sums of tribal assets. While at Merrill Lynch, my group managed over \$1 billion in assets, including over \$200 million in tribal assets. My advisory work included asset manager recommendations for tribal clients and I worked with several tribes in the development of tribal investment policies and guidelines.

2. Why do you wish to serve in the position for which you have been nominated?

I am well aware of the challenges facing the Special Trustee given the recent history of the Office of the Special Trustee for American Indians (hereafter, "OST") and the legal challenges, some of which are still unresolved. However, given my professional experience and personal history with the OST, I know that I can lead the organization in building trust with the trust beneficiaries, and provide competent stewardship and management of trust assets.

3. What goals have you established for your first two years in this position, if confirmed?

I intend to follow through on Department initiatives currently in progress, paying particular attention to any appropriate recommendations from the Commission of Indian Trust Administration and Reform. I also intend to start a dialogue with trust beneficiaries on such topics as fiduciary duties of the Special Trustee and investment education.

4. What skills do you believe you may be lacking which may be necessary to successfully carry out this position? What steps can be taken to obtain those skills?

I do not believe I am lacking any skills that are necessary to serve successfully in this position.

5. Please discuss your philosophical views on the role of government. Include a discussion of when you believe the government should involve itself in the private sector, when society's problems should be left to the private sector, and what standards should be used to determine when a government program is no longer necessary.

Having spent the better part of my professional life in the private sector, I am well aware of the possibilities and limitations of addressing society's problems through a private sector lens. The bottom line is the 'bottom line,' meaning, the private sector only operates in a for-profit world, and simply cannot address a societal problem if there is no profit motive. Other than philanthropic efforts, the private enterprise must be focused on self-preservation or it will no longer be in business. It is imperative that the country has a strong, growing and self-sustaining private sector.

The government has the lead role in addressing society's problems when the private sector no longer has any appetite for involvement or cannot meet the required demands without sacrificing profit. However, my belief is that government and the private sector are a formidable force when working together and can achieve far more, collectively, in addressing these concerns.

As for terminating a federal program, I would have to examine the original mission of the program, and what, if any, were the performance standards established when the program originated. I would ask, among other things: how has the program met the needs of the constituents and has it served its mission? Over the years, what did the annual performance reviews indicate to the leadership of the

program? An established methodology answering these questions would be necessary prior to any final determination and seemingly establish the rationale for terminating a program.

6. Describe the current mission, major programs, and major operational objectives of the department/agency to which you have been nominated.

The mission of the OST is clear: to perform the fiduciary trust responsibilities to beneficiaries and provide effective stewardship and management of trust assets. The Special Trustee is charged with oversight of the Indian trust asset reform efforts and to ensure proper and efficient discharge of the fiduciary trust responsibilities to trust beneficiaries.

Major programs of the OST include: implementing the trust records management program; establishing communications with a diverse group of stakeholders about the Department of the Interior ("DOI") and its trust reform initiatives and OST's tribal self-governance and self-determination program; conducting examinations of Indian trust asset management activities and records management assessments to ensure the responsibilities and recordkeeping activities involving Indian fiduciary trust program records are in compliance with established guidelines and procedures; assessing risk management; maintaining field operations necessary for providing beneficiary services and OST trust management services; providing appraisal services for beneficiaries; executing the historical accounting of IIM accounts; and providing general trust services.

OST was created to ensure that the DOI establishes appropriate policies and procedures, develops necessary systems, and takes actions to reform the management of Indian trust funds. Furthermore, OST has a duty to ensure that trust accounts are properly maintained, invested, and reported in accordance with the American Indian Trust Fund Management Reform Act of 1994, Congressional action, and other applicable laws.

7. What do you believe to be the top three challenges facing the department/agency and why?

The fiscal challenges to the Department are well-known and significant. The impact on the trust beneficiaries will be felt in terms of the fiduciary responsibilities set forth in the OST guidelines. It will certainly be challenging to determine how to allocate cuts and responsibilities.

Another significant challenge will be in restoring the 'trust' in the OST from the beneficiaries' perspective. As stated, I am an IIM account holder and well-familiar with the litigation history of the OST and it certainly does give one pause. As Special Trustee I will work very hard to address concerns of the beneficiaries, not only through words but with deeds.

Finally, I am concerned about the nature of the investment portfolio and what would be the consequences of a prolonged inflationary period. As a professional investment consultant, one always keeps a focus on inflation and strategies to hedge risk and to invest prudently. The challenge

will be to communicate and edify beneficiaries about investing, risk and strategy during challenging times.

8. In reference to question number six, what factors in your opinion have kept the department/agency from achieving its missions over the past several years?

The Cobell case, and other tribal cases, have made a significant impact throughout Indian Country and, no doubt, affected the OST in its responsibilities as fiduciary. These matters, coupled with the continuing litigation concerns, will be the legacy of the Department. Reform efforts aside, it will be impossible to ignore the impact the litigation has made on the OST.

9. Who are the stakeholders in the work of this department/agency?

The stakeholders of Office of the Special Trustee for American Indians are the trust beneficiaries.

10. What is the proper relationship between the position to which you have been nominated, and the stakeholders identified in question number nine?

As previously stated, I am an IIM account holder. I have mineral interests and restricted land holdings which are in trust with the DOI. I do not see any potential conflict of interest with my being named Special Trustee and having an IIM account because upon confirmation I will have recused myself from certain activities of the Special Trustee which would have any effect on my personal IIM account.

11. The Chief Financial Officers Act requires all government departments and agencies to develop sound financial management practices.

a) What do you believe are your responsibilities, if confirmed, to ensure that your department/agency has proper management and accounting controls?

My responsibility as Special Trustee will be to perform the requisite fiduciary duties of the position, which includes the responsibility to insure adequate management and accounting systems are in place. Having not been privy to the current OST system, I will undertake the task of reviewing and analyzing in-house particulars, and will work with the Department to ensure effective changes are implemented and performance standards are adopted, if necessary.

b) What experience do you have in managing a large organization?

As the owner of The Nations Group, LLC, a Native American owned and managed investment consultancy, I am actively engaged in all management decisions ranging from company strategic planning to marketing the business to our tribal clientele. Doing business in Indian Country requires a culturally sensitive management approach because of the unique nature of the clientele and the overall lack of formal investment training in the marketplace. I made the critical and expensive

decision to develop an investment guideline and asset allocation model specifically suited for tribal risk profiles because I knew tribes were underserved. Further, the industry of investments is vast and dynamic and since not all investments are suitable for tribal clients, the management process is crucial in determining the direction and scope of the business.

To be a success in the investment industry for tribes also requires a keen ability to communicate complicated investment theories to tribal decision makers all of which is part of the management style that I have developed for my market. I have taught investment classes to tribal leaders for a number of years which demonstrates my special aptitude and skill to speak to lay people. Further, during my tenure at Merrill Lynch, the tribal market required me to pull resources from several of Merrill's businesses, many with their own agendas, and move these businesses to better serve the tribes in a manner that was clear and made good business sense. My belief is that good communication not only serves the client well but creates an environment that fosters quality relationships.

During my years in the legal profession, I managed large legal staffs through numerous aircraft and shipping financings (including paralegals, law clerks, support staff and governmental liaison). These transactions often took months to close, and even three years in the case of a large cruise line new build. During the course of a typical airline financing, the firm may produce over fifty documents, each of which may be revised numerous times prior to closing. The management of teams of lawyers and non-legal staffs in document production requires a certain buoyancy in style yet determination in achieving the goal of commercial success. Personalities are strong in the law firm setting, particularly across the negotiating table, and I can point to a history of successes which demonstrate my management and negotiating abilities.

With respect to large governmental entities, I was contracted with the U.S. Department of Justice, Antitrust Division ("DOJ"), and assigned to the Telecommunications Task Force. I worked on numerous investigations, including the first investigation of the internet and other telecom mergers, all of which included legal and non-legal staffing. I was not only part of the team effort but often oversaw the work product of the non-legal staff reviewing voluminous corporate submissions in response to DOJ discovery orders. Work product of this nature requires the ability to structure the due diligence investigation in a way that expeditiously reviews thousands of corporate documents. My professional experience includes such large-scale management capabilities.

12. The Government Performance and Results Act requires all government departments and agencies to identify measurable performance goals and to report to Congress on their success in achieving these goals.

a) What benefits, if any, do you see in identifying performance goals and reporting on progress in achieving those goals?

Institutions must have adopted performance goals and review as a continuing effort to determine if the organization's mission is being met. The benefits are clear – the employees know what is being asked of them and that their efforts are being considered, thus, clarity of purpose will alleviate confusion and keep the organization moving in the same direction.

b) What steps should Congress consider taking when a department/agency fails to achieve its performance goals? Should these steps include the elimination, privatization, downsizing, or consolidation of departments and/or programs?

These outlined steps seem to be premature in the sense that when, speaking as an institutional advisor, performance goals are not met, the proper analysis would be to examine the 'why' behind the failure, and, just as important, were the performance goals proper in the first place. The answer could be as simple as underfunding, no clarity of purpose, an outlier, among other things. I would propose a methodical approach which would include understanding the nature of the failure before any talk of those outline steps.

c) What performance goals do you believe should be applicable to your personal performance, if confirmed?

In addition to goals set by the Secretary, I would suggest the primary performance goal would be to act as a fiduciary and insure the proper management of the trust fund.

13. Please describe your philosophy of supervisor/employee relationships. Generally, what supervisory model do you follow? Have any employee complaints been brought against you?

What is important to me is hiring excellent staff and keeping them well-trained as to their duties and responsibilities. As a supervisor, I believe in delegating as much as possible, given circumstances within the organization. I'm also a firm believer in continuing education, particularly for seasoned employees. I have never had an employee bring any complaints against me.

14. Describe your working relationship, if any, with the Congress. Does your professional experience include working with committees of Congress? If yes, please explain.

I have no previous working relationships with Congress or any committee of Congress.

15. Please explain what you believe to be the proper relationship between yourself, if confirmed, and the Inspector General of your department/agency.

I certainly believe the proper relationship between the OST and the Inspector General should be one of mutual respect. Government officials have their mandates and duties and other agencies and other officials should work together, absent some overriding concern.

16. In the areas under the department/agency's jurisdiction to which you have been nominated, what legislative action(s) should Congress consider as priorities? Please state your personal views.

I am not aware of the Department's legislative priorities or which legislation is currently pending before Congress.

17. Within your area of control, will you pledge to develop and implement a system that allocates discretionary spending in an open manner through a set of fair and objective established criteria? If yes, please explain what steps you intend to take and a time frame for their implementation. If not, please explain why.

Yes, I will pledge to develop and implement such a system. I do feel that it will be important to communicate to and seek input from trust beneficiaries as to appropriate changes. The time frame is somewhat open given the nature of the trust beneficiaries.

G. FINANCIAL DATA (Will not be released to the public.)

The CHAIRWOMAN. Thank you, Mr. Logan. Again, thank you and welcome to your family that is here with you today.

Obviously, after 20 years of reforms and litigation, do you have recommendations for Congress on what would help the Department carry out its trust responsibilities?

Mr. LOGAN. Thank you, Senator, for that question. Obviously that is important to Native Americans, it is important to the United States. The fiduciary duty standard of care that is outlined by Congress in the Act is so important to all of us that I fully intend, if I am confirmed, to carry out those fiduciary duties to the highest level that I know and that I can, using my professional experience.

I hope, and it is my desire to make sure that the Office of Special Trustee, if I am confirmed, continues with its work and we all understand that the fiduciary trust relationship is important to Native Americans and to the beneficiaries and tribal beneficiaries.

The CHAIRWOMAN. What of the buyback program? How would you use the buyback program to help manage the trust assets?

Mr. LOGAN. Thank you for that question. I know that question comes up often. It is important to Native Americans and to me personally. I must say that I am not a part of, obviously, Interior yet. A lot of the information is proprietary, and I wasn't able to see exactly how the OST would relate to the buyback program and, therefore, I am not quite familiar with the specific job tasks assigned to the OST and the land buyback program.

But if I am confirmed, I am happy to learn more and look forward to working with you on that issue.

The CHAIRWOMAN. Why do you want to have this position? What interests you in this position?

Mr. LOGAN. When I first had discussions about this position, the part that caught my eye was financial education. That is in the mandate, and it is in the act as Congress put forth. As I said in my opening statement, that is a passion of mine, financial education, not only on the institutional side, with the tribal boards and tribal investment boards, but the real work is with children and Native youth. That is ultimately the future of our people.

It is clear that the Office of Special Trustee, while there are fiduciary duties to the beneficiaries that are so important, part of the mandate is also financial education. I know that that is the thing that caught my attention, and that is what I am seeking here today, if I am confirmed, to work on that to the best of my ability. Ultimately that is part of the doctrine of self-governance and of the trust relationship.

The CHAIRWOMAN. But you are aware of the huge responsibility and the litigation that has preceded you.

Mr. LOGAN. Certainly, Senator. I am an individual account holder myself. And I have been following the trust relationship since I was a child. The first time I visited with my parents to the Osage Agency was in the 1960s. I remember my father talking to the tribal and department officials at the time about his account and lease monies. So frankly, I have been aware of it a long time. And I respect all the work that has been put forth to date, and I am certainly well aware of the *Cobell* settlement.

But for now, what I am focused on in this position is the current Act as it stands, and fulfilling my fiduciary duties and obligations in the current Act.

The CHAIRWOMAN. Okay. Vice Chairman Barrasso, do you have any questions?

Senator BARRASSO. I do, thank you very much, Madam Chairwoman.

The *Cobell* settlement, which we are all well aware of, the Committee has spent a lot of time on it, established a \$1.9 billion fund for the land buyback program, you are familiar with that, the purpose to purchase and consolidate these fractional interests in trust lands. The programs can require appraisals, carried out by the Office of Special Trustee. And there can be over 90,000 tracts of this fractionated land.

It is going to take some time and it could be costly to put this all together. So I am just wondering what kind of a role you would see tribes having in assisting in the appraisals, conducting the appraisals and help there, and if you do see a role at all.

Mr. LOGAN. Thank you for that question, Senator. As an account holder myself and a member of the Osage Nation, the role that the tribal community can put forth is through leadership and participation and consultation. The local communities know the land well, that is true for the Osage and I am sure that is true around the Country and in your State as well, and for your constituents.

As I said earlier, I am aware of the appraisal piece to the Office of Special Trustee, but beyond that, I haven't really lifted the hood and taken a peek in there to see exactly how it is going to work. But I am here to say that I am eager to learn more.

Senator BARRASSO. You said the things that you knew a lot about you can bring to the table, law, investment and Native American issues. As we try to grapple with all of this, do you see different levels in terms of participation, of tribal financial literacy as you go from tribe to tribe and try to make some decisions?

Mr. LOGAN. Yes. I have seen that in my career. As an institutional advisor, I have experienced tribes that were further down the road, that is for certain, they had established investment committees. We had, in my business, directed our efforts toward bring-

ing those up to speed with traditional institutional advisory levels. That would be adoption of investment guidelines and plans.

But the majority of it, that was not the case. The investments were handled just locally, by a local financial advisor. And coming from New York and with institutional background, it was somewhat challenging to move the ball toward more institutional investments.

But I will say one thing. Every time I was out there, and I visited tribes in your State, in all three States, in fact, it was possible, I did see people, no one was against it, they always said yes, but we need help. As a small business owner, it was not possible to provide those kinds of resources, but I know it is possible.

Senator BARRASSO. In terms of other things that could be possible, just your thoughts on this, this was a response to the Committee questionnaire to you. You noted that restoring the trust of beneficiaries is a key challenge for the Office of Special Trustee. Possible, but I am just going to ask you specifically, because you cited the Office's litigation history, and the law is something that you know about, as a reason for some of these concerns and the loss of trust that you referred to in your written questions.

How do you intend to try to restore the trust and the confidence for the beneficiaries?

Mr. LOGAN. Thank you for that question. Of course, when I wrote that, I was coming as an individual account holder. And my experience, with the Office of Special Trustee, was quite good. Personally I saw appraisals, I called the trust beneficiary call center twice and had immediate responses and satisfaction.

But I know that a lot of the other individual account holders, that was probably not their experience.

But I would say this, trust has to be earned. That is true in all businesses and in government. It comes through and is driven through leadership. That is why I am here before you today. Not only if I am confirmed to be the trustee, I will also be an advocate for and on behalf of the beneficiaries, and in turn, I will work to gain their trust as their trustee.

Senator BARRASSO. Thank you. Thank you, Madam Chairwoman.

The CHAIRWOMAN. Senator Tester, any questions for this witness?

**STATEMENT OF HON. JON TESTER,
U.S. SENATOR FROM MONTANA**

Senator TESTER. Yes, very quickly.

You are a smart guy, first of all. Thank you for being willing to serve.

From the 30,000 foot level, tell me what your definition of the trust relationship is. A lot of people in Congress aren't even aware that there is a trust relationship. So from 30,000 feet, tell me what your definition of that relationship would be.

Mr. LOGAN. Thank you for that question. I am going to speak as an Osage. The Assistant Chief laid out the history of our people. And that relationship between the Osage and the United States Government is what I consider one of the most important relationships there is.

It wasn't a matter of trust in the sense of a private sector or trust company.

Senator TESTER. Different kind of trust.

Mr. LOGAN. Right. It is a matter of that things were being done on your behalf, that the land was being taken care of, that whatever the actions of the Federal Government were being done, they were being done properly and they were being done professionally. That was in fact, for many in the Native American community, that was lost, you are absolutely right.

You asked about what I see from above. I can tell you have that as a professional, it is difficult for me to look at the history as an investment professional and as an attorney and not know that there was a loss of trust. It is just going to be very difficult to regain that trust.

But I will say that I am an optimist. I am an optimist by nature. And looking at it through one lawyer eye and one investment professional eye, I know it is possible, as I said. But no doubt it is clear, through the *Cobell* litigation that has been discussed in this room many times, it is going to be difficult.

Senator TESTER. Yes, and that is what the next hearing is going to be about. You said something that was very important in that the local tribes knew the value of the land better than anybody. I think we ought to be taking into consideration, you ought to be looking to them for help. I know you are not long on staff, anyway, so it might be an opportunity to offload some of those duties, and hold them accountable in the process.

Thank you, Madam Chair.

The CHAIRWOMAN. Thank you. That concludes this hearing.

Again, Mr. Logan, we hope to move your nomination very quickly here and get you working toward resolving many, many issues. This part of the hearing is adjourned.

[Whereupon, at 2:25 p.m., the Committee proceed to other business.]