

**From:** "Getto, Leila" <leila\_getto@ios.doi.gov>

**To:** "Philip.Baker-Shenk@hklaw.com" <Philip.Baker-Shenk@hklaw.com>

**Cc:** Scheduling SIO <scheduling\_sio@ios.doi.gov>

**Subject:** Fwd: [EXTERNAL] MHA request for meeting May 1, 2019

**Date:** Fri, 26 Apr 2019 16:57:28 +0000

**Importance:** Normal

**Attachments:** DB\_Meeting\_Information\_Request\_Form\_--\_Chief\_Fox,\_MHA\_Nation\_2019-05-01.pdf;  
DB\_Meeting\_Information\_Request\_Form\_--\_Chief\_Fox,\_MHA\_Nation\_2019-05-01.docx

**Inline-Images:** image001.png; image002.png

---

Dear Mr. Baker-Shenk,

Secretary Bernhardt is looking forward to the meeting on Friday, May 3rd at 10:45am.

Can you please confirm who will participate in the meeting (name, title, and organization/affiliation)? Please note, we have a new strict policy for all meeting participants – we need to know their name, title and affiliation at least one business day before the meeting. Unfortunately, we are no longer able to accept any changes to participants regardless of circumstance on the day of the meeting. I appreciate your understanding.

Will anyone need parking? If yes, I would need the car make, model, tag number and state no later than the day before the meeting. We'll use yellow cones to reserve a parking spot directly in front of our building main entrance.

Please arrive via our main entrance on C Street -- 1849 C Street NW, Washington, DC 20240. (Note – E Street is now an employee only entrance.)

We'll have a member of our staff greet you in the lobby to escort you to the Secretary's Office.

Thank you!

Leila

*Leila Getto*

*U.S. Department of the Interior*

*Immediate Office of the Secretary*

*Deputy Director, Scheduling and Advance*

*Direct: 202-208-5359; Main: 202-208-7551*

*Cell: 202-706-9435*

*Email: [leila\\_getto@ios.doi.gov](mailto:leila_getto@ios.doi.gov)*

----- Forwarded message -----

From: <[Philip.Baker-Shenk@hklaw.com](mailto:Philip.Baker-Shenk@hklaw.com)>

Date: Mon, Apr 15, 2019 at 1:04 PM

Subject: RE: [EXTERNAL] MHA request for meeting May 1, 2019

To: <[scheduling\\_sio@ios.doi.gov](mailto:scheduling_sio@ios.doi.gov)>

Cc: <[nicholas\\_davis@ios.doi.gov](mailto:nicholas_davis@ios.doi.gov)>

Here is the filled-out form. I'm sorry to see this transmission was delayed until now.

**#1364408.1**

Sierra Club FOIA - DOI-

OS-2024-000670

SC\_EVERSPLIT0004416

Thanks. Regards, Phil

Philip Baker-Shenk

**HOLLAND & KNIGHT LLP**

o: 202.457.7031

m: 301.520.0340

**From:** [nicholas\\_davis@ios.doi.gov](mailto:nicholas_davis@ios.doi.gov) <[nicholas\\_davis@ios.doi.gov](mailto:nicholas_davis@ios.doi.gov)> **On Behalf Of** SIO, Scheduling

**Sent:** Thursday, April 11, 2019 8:52 AM

**To:** Baker-Shenk, Philip (WAS - X77031) <[Philip.Baker-Shenk@hklaw.com](mailto:Philip.Baker-Shenk@hklaw.com)>

**Subject:** Re: [EXTERNAL] MHA request for meeting May 1, 2019

*[External email, exercise caution]*

---

Hi Philip,

Thank you for your meeting request to Acting Secretary Bernhardt. Please fill out the attached meeting request form so we can properly work to accommodate your request.

Thank you,

Nick

**Nick Davis**

Office of Scheduling and Advance

Immediate Office of the Secretary

U.S. Department of the Interior

Office: 202-208-7551

Cell: 202-805-9898

**#1364408.2**

On Wed, Apr 10, 2019 at 12:23 PM Boulton, Caroline <[caroline\\_boulton@ios.doi.gov](mailto:caroline_boulton@ios.doi.gov)> wrote:

Good afternoon Phil,

Thank you for submitting this request! I have included the Scheduling Office on this email. They will be able to get back to you regarding a potential meeting.

Best,

Caroline

On Wed, Apr 10, 2019 at 12:12 PM <[Philip.Baker-Shenk@hklaw.com](mailto:Philip.Baker-Shenk@hklaw.com)> wrote:

Good afternoon, Caroline. Might I convey a request to meet with Mr. Bernhardt on May 1, 2019, assuming of course that Secretary-Designate Bernhardt is confirmed well before then?

***The Honorable Mark Fox, Chairman of the Mandan, Hidatsa, and Arikara Nation, would like to meet with Secretary Bernhardt in the Secretary's office to discuss the status of the Nation's oil and gas development on the Ft. Berthold Indian Reservation (North Dakota), the Nation's related interests in the minerals underlying the Reservation's Missouri Riverbed, the status of the Department's review of its M-37052 partial suspension of M-37044, and the status of the Nation's 2011 fee to trust application for the buffalo ranch that is pending Central Office review and approval.***

Any time on May 1, 2019 will work for Chairman Fox as he is in town for other meetings on May 2-3. In attendance would be at least the following persons, and perhaps others to be identified closer to that date:

Hon. Mark Fox, Chairman (MHA Nation)

John Fredericks III, Esq. (MHA Nation)

Philip Baker-Shenk, Esq. (Holland & Knight LLP)

Thanks.

**#1364408.3**

Regards, Phil

**Philip Baker-Shenk | Holland & Knight**

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, DC 20006

Phone 202.457.7031 | Mobile: 301.520.0340 | Fax 202.955.5564

[philip.baker-shenk@hklaw.com](mailto:philip.baker-shenk@hklaw.com) | [www.hklaw.com](http://www.hklaw.com)

[Add to address book](#) | [View professional biography](#)



2013-2018

2011-2018

---

NOTE: This e mail is from a law firm, Holland & Knight LLP ("H&K"), and is intended solely for the use of the individual(s) to whom it is addressed. If you believe you received this e mail in error, please notify the sender immediately, delete the e mail from your computer and do not copy or disclose it to anyone else. If you are not an existing client of H&K, do not construe anything in this e mail to make you a client unless it contains a specific statement to that effect and do not disclose anything to H&K in reply that you expect it to hold in confidence. If you properly received this e mail as a client, co counsel or retained agent of H&K, you should maintain its contents in confidence in order to preserve the attorney client or work product privilege that may be available to protect confidentiality.

--

Caroline Boulton  
Special Assistant to the Secretary  
Immediate Office of the Secretary  
U.S. Department of the Interior  
202.208.5403

**#1364408.4**

# Meeting Information Request Form

To ensure that the appropriate individual within the Department of the Interior is meeting with you on a given matter and because the Office of the Secretary is committed to maintaining the highest ethical standards, we need the information requested below before we can agree to schedule a meeting<sup>1</sup>.

Please respond to the questions below and send your response to [scheduling@ios.doi.gov](mailto:scheduling@ios.doi.gov). If you have any questions you may contact the Scheduling Office at 202-208-7551.

|                                                                                                                                                                                               |                                                                                                                                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Requesting individual/organization:<br>(Please identify the person(s) (name and affiliation) requesting the meeting, including any background information on the affiliated organization(s).) | Hon. Mark Fox, Chairman – MHA Nation (Mandan, Hidatsa, and Arikira Tribes of the Ft. Berthold Reservation, ND).                                                                                                                |
| Contact information (Name, Email, Phone):                                                                                                                                                     | Philip Baker-Shenk, <a href="mailto:philip.baker-shenk@hklaw.com">philip.baker-shenk@hklaw.com</a> , 202.520.0340                                                                                                              |
| Please describe the action sought from the Office of the Secretary:                                                                                                                           | Government to government discussion with Secretary Bernhardt of the <u>status</u> of (1) MHA Nation's oil and gas development, (2) its related riverbed interests, and (3) its pending buffalo ranch fee to trust application. |
| Meeting date (if date is flexible please indicate the range):<br><br>Please explain any time sensitivity that impacts the date of the meeting, such as court-ordered or statutory deadline:   | May 1, 2019. Any time that day.                                                                                                                                                                                                |
| Proposed meeting location (City, State):                                                                                                                                                      | Secretary's Office, Washington D.C.                                                                                                                                                                                            |
| Expected meeting participants (name, title, and organizational affiliation):                                                                                                                  |                                                                                                                                                                                                                                |
| Are any expected meeting participants registered lobbyists or lobbying organizations, and/or registered under the Foreign Agents Registration Act? (If yes, please identify.)                 | Yes. Philip Baker-Shenk, partner, Holland & Knight LLP (registered lobbyist)                                                                                                                                                   |
| Are any expected meeting participants a partisan political candidate, a representative of a political party or a registered political action committee                                        | No.                                                                                                                                                                                                                            |

<sup>1</sup>Per the Administration Ethics Pledge, the Acting Secretary agreed that he will not for a period of two years from the date of his appointment participate in any particular matter involving specific parties in which a former employer or client of his is or represents a party, if he served that former employer or client during the two years prior to his appointment, absent a waiver under Section 3 of Executive Order No. 13770. This includes recusal from any meeting or other communication with such a former employer or client unless (1) there are five or more different stakeholders present and (2) no particular matters involving specific parties are discussed.

#1364896.1

|                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (PAC)? (If yes, please identify.)                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Do any expected meeting participants seek or currently have any business interests with the Department such as permits, contracts, litigation, grants, etc.? (If yes, please identify.)                                                                                                                                                         | Only as to interests that arise from the fact that the MHA Nation is a trust beneficiary of resources held in trust by the United States.                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>Were any of the expected meeting participants previously represented by the Acting Secretary? (If yes, please identify.)</p> <p>Are any of the expected meeting participants currently represented in any matter by Brownstein Hyatt Farber Schreck, LLP? (If yes, please identify.)</p>                                                     | No to both questions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Describe the proposed meeting topic/ agenda, provide available briefing materials, and identify desired outcome(s):                                                                                                                                                                                                                             | The Honorable Mark Fox, Chairman of the Mandan, Hidatsa, and Arikara Nation, would like to meet with Secretary Bernhardt in the Secretary's office to discuss the status of the Nation's oil and gas development on the Ft. Berthold Indian Reservation (North Dakota), the Nation's related interests in the minerals underlying the Reservation's Missouri Riverbed, the status of the Department's review of its M-37052 partial suspension of M-37044, and the status of the Nation's 2011 fee to trust application for the buffalo ranch that is pending Central Office review and approval. |
| Will the meeting involve legislation, broad policy options, or other general matters that involve a large and diverse range of persons and interests? (If yes, please describe.)                                                                                                                                                                | No.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Will the meeting involve regulations, rules, or other matters that impact a specific industry, sector of the economy, or group of persons? (If yes, please describe.)                                                                                                                                                                           | No.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p>Will the meeting involve a litigation matter, a permit, a grant, a contract, or any other matter that involves specific parties?</p> <ul style="list-style-type: none"> <li>• If yes, please identify the matter and list the specific parties.</li> <li>• Are any of the parties represented by Brownstein Hyatt Farber Schreck,</li> </ul> | No to both questions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

**#1364896.2**

|                                                                                              |                                          |
|----------------------------------------------------------------------------------------------|------------------------------------------|
| LLP, in the matter? (If yes, please identify.)                                               |                                          |
| With which Bureau or Agency does your agenda most align? Please list all, if more than one.  | BIA.                                     |
| If the Acting Secretary is unable to meet, is a surrogate desired? If yes, who specifically? | Meeting sought with Secretary Bernhardt. |
| Any additional notes or information?                                                         |                                          |

**#1364896.3**

# Meeting Information Request Form

To ensure that the appropriate individual within the Department of the Interior is meeting with you on a given matter and because the Office of the Secretary is committed to maintaining the highest ethical standards, we need the information requested below before we can agree to schedule a meeting<sup>1</sup>.

Please respond to the questions below and send your response to [scheduling@ios.doi.gov](mailto:scheduling@ios.doi.gov). If you have any questions you may contact the Scheduling Office at 202-208-7551.

|                                                                                                                                                                                               |                                                                                                                                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Requesting individual/organization:<br>(Please identify the person(s) (name and affiliation) requesting the meeting, including any background information on the affiliated organization(s).) | Hon. Mark Fox, Chairman – MHA Nation (Mandan, Hidatsa, and Arikira Tribes of the Ft. Berthold Reservation, ND).                                                                                                                |
| Contact information (Name, Email, Phone):                                                                                                                                                     | Philip Baker-Shenk, <a href="mailto:philip.baker-shenk@hklaw.com">philip.baker-shenk@hklaw.com</a> , 202.520.0340                                                                                                              |
| Please describe the action sought from the Office of the Secretary:                                                                                                                           | Government to government discussion with Secretary Bernhardt of the <u>status</u> of (1) MHA Nation's oil and gas development, (2) its related riverbed interests, and (3) its pending buffalo ranch fee to trust application. |
| Meeting date (if date is flexible please indicate the range):<br><br>Please explain any time sensitivity that impacts the date of the meeting, such as court-ordered or statutory deadline:   | May 1, 2019. Any time that day.                                                                                                                                                                                                |
| Proposed meeting location (City, State):                                                                                                                                                      | Secretary's Office, Washington D.C.                                                                                                                                                                                            |
| Expected meeting participants (name, title, and organizational affiliation):                                                                                                                  |                                                                                                                                                                                                                                |
| Are any expected meeting participants registered lobbyists or lobbying organizations, and/or registered under the Foreign Agents Registration Act? (If yes, please identify.)                 | Yes. Philip Baker-Shenk, partner, Holland & Knight LLP (registered lobbyist)                                                                                                                                                   |
| Are any expected meeting participants a partisan political candidate, a representative of a political party or a registered political action committee                                        | No.                                                                                                                                                                                                                            |

<sup>1</sup>Per the Administration Ethics Pledge, the Acting Secretary agreed that he will not for a period of two years from the date of his appointment participate in any particular matter involving specific parties in which a former employer or client of his is or represents a party, if he served that former employer or client during the two years prior to his appointment, absent a waiver under Section 3 of Executive Order No. 13770. This includes recusal from any meeting or other communication with such a former employer or client unless (1) there are five or more different stakeholders present and (2) no particular matters involving specific parties are discussed.

**#1364908.1**

|                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (PAC)? (If yes, please identify.)                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Do any expected meeting participants seek or currently have any business interests with the Department such as permits, contracts, litigation, grants, etc.? (If yes, please identify.)                                                                                                                                                         | Only as to interests that arise from the fact that the MHA Nation is a trust beneficiary of resources held in trust by the United States.                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>Were any of the expected meeting participants previously represented by the Acting Secretary? (If yes, please identify.)</p> <p>Are any of the expected meeting participants currently represented in any matter by Brownstein Hyatt Farber Schreck, LLP? (If yes, please identify.)</p>                                                     | No to both questions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Describe the proposed meeting topic/ agenda, provide available briefing materials, and identify desired outcome(s):                                                                                                                                                                                                                             | The Honorable Mark Fox, Chairman of the Mandan, Hidatsa, and Arikara Nation, would like to meet with Secretary Bernhardt in the Secretary's office to discuss the status of the Nation's oil and gas development on the Ft. Berthold Indian Reservation (North Dakota), the Nation's related interests in the minerals underlying the Reservation's Missouri Riverbed, the status of the Department's review of its M-37052 partial suspension of M-37044, and the status of the Nation's 2011 fee to trust application for the buffalo ranch that is pending Central Office review and approval. |
| Will the meeting involve legislation, broad policy options, or other general matters that involve a large and diverse range of persons and interests? (If yes, please describe.)                                                                                                                                                                | No.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Will the meeting involve regulations, rules, or other matters that impact a specific industry, sector of the economy, or group of persons? (If yes, please describe.)                                                                                                                                                                           | No.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p>Will the meeting involve a litigation matter, a permit, a grant, a contract, or any other matter that involves specific parties?</p> <ul style="list-style-type: none"> <li>• If yes, please identify the matter and list the specific parties.</li> <li>• Are any of the parties represented by Brownstein Hyatt Farber Schreck,</li> </ul> | No to both questions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

**#1364908.2**

|                                                                                              |                                          |
|----------------------------------------------------------------------------------------------|------------------------------------------|
| LLP, in the matter? (If yes, please identify.)                                               |                                          |
| With which Bureau or Agency does your agenda most align? Please list all, if more than one.  | BIA.                                     |
| If the Acting Secretary is unable to meet, is a surrogate desired? If yes, who specifically? | Meeting sought with Secretary Bernhardt. |
| Any additional notes or information?                                                         |                                          |

**#1364908.3**