



THREE AFFILIATED TRIBES • FORT BERTHOLD RESERVATION

*Mandan, Hidatsa and Arikara Tribes*  
TRIBAL EMPLOYMENT RIGHTS OFFICE (TERO)

P.O. Box 488, New Town, North Dakota 58763  
(701).627-3634 FAX (701) 627-4496

To: Right of Way Applicants on the Fort Berthold Indian Reservation

From: MHA TERO Commission

Subj: **The MHA TERO ADMINISTRATIVE SERVICES MANDATE**

Effective immediately, this shall serve as Notice of Implementation of the **MHA TERO Administrative Services Mandate**. This mandate was developed to reaffirm Indian preference in the specific area of Administrative Services. The MHA TERO Administrative Mandate and the MHA TERO ROW Preference Disclosure Document were approved unanimously by MHA TERO Commission on 26 June 2018. With the amount of activity from the Oil and Gas Industry that has come to our Nation, it is MHA TERO's intent to make every effort in applying Indian Preference in contracting and subcontracting from the beginning to the completion of a project. Out of the identified administrative services, the Right-of-Way Processing service will require having detailed policy and procedure in place.

#### WHAT IS REQUIRED?

It is MHA TERO's understanding that the Right-of-Way (ROW) process is essentially the beginning of oilfield and non-oilfield related activities conducted on the lands of the MHA Nation. The Right-Of-Way application process is complex and multifaceted. To monitor compliance within this area of focus, MHA TERO has developed and mandated the use of the **MHA TERO ROW Preference Disclosure Document**. This document is designed to identify who has been commissioned work within the ROW application process.

#### THE PROCEDURE

With the cooperation of the MHA Energy Department, it is now mandated that the completion of the MHA TERO ROW Preference Disclosure Document be included on the MHA Energy Department's ROW Checklist. The MHA TERO ROW Preference Disclosure Document is designed to be completed and submitted to the MHA TERO Indian Contracting Department. This is not intended to be hindrance or impediment in any way. Once received by MHA TERO, it will be approved by TERO Indian Contracting Department staff as proof of completion for the applicant to provide to the MHA Energy Department. At that point, the TERO section on the checklist may be considered completed and can be given the appropriate checkmark on the MHA Energy checklist. If there is a TERO issue, that issue will be handled separately with the applicant on any areas that are identified as being a concern.

If you have any questions, please feel free to contact the MHA TERO Indian Contracting Department at (701) 627-3634. Thank you in advance for your cooperation.

Regards,

Whitney Bell

MHA TERO Commission Chairperson

10 May 19