

NEZ PERCE RESEARCH REGULATION ORDINANCE

Section 1: Authority

This regulatory ordinance is established by the Nez Perce Executive Committee under authority contained in the Constitution and by-Laws of the Nez Perce Tribe, including the amendments therein.

Section 2: Purpose

The purpose of this ordinance is to regulate studies, surveys, research and service delivery projects on the Nez Perce Tribe in order to preserve and protect the rights of the Nez Perce Tribe and their tribal members, their privacy, integrity and their interests in the results and products of such studies, surveys, research and service delivery projects.

Section 3: Permit Required

Any individual, corporation, agency or institution, whether public or private, wishing to undertake a study, survey, or research project for any purpose, on the Nez Perce Tribe, must obtain a permit approved through The Research Regulation Ordinance process as stated herein. This does not apply to those entities specifically requested or contracted for and by the Nez Perce Tribe.

Section 4: Written agreement required for issuance of permit

No permit will be issued for any study, survey, or research project, without a written agreement with the Nez Perce Tribe. (Verbal agreement are not authorized agreements). The agreement shall contain assurance of protection of individual as well as tribal rights, methodology of the research, timeliness, study results, review opportunity prior to publication, final authorization and parameters for publication, and if product is published for profit, the percent of royalty due to the Nez Perce Tribe. A \$75.00 permit fee will be assessed and payable upon final approval of the permit.

Section 5: Information required for issuance of permit

No permit shall be issued to conduct any study, survey or research project until the following information has been provided to and approved by the Nez Perce tribal executive Committee:

- a. Name and signature of individual applicant or authorized agent of any corporation, agency or institution designing to conduct or participate in the conduct of the study, survey or research project.
- b. Purpose of the study, survey, or research, including whether it is being conducted for profit.
- c. Source of funding and amount of funding of the study, survey or research project.
- d. Methodology to be used in conducting the project.
- e. Names and qualifications of all persons authorized to be involved and/or participate in the conduct of the project, whether or not those persons will actually be present on the Nez Perce Reservation during the term of the project.
- f. Dates between which the study, survey, or research project will be conducted on the Nez Perce Tribe and indication of the location of sources of information to be investigated during the term of the project.
- g. A description of the intended final product of the study, survey or research project, whether or not publication is intended.
- h. How the individual, agency, or institution conducting the study, survey, or research project intends to use the results thereof.
- i. An indication of steps to be taken to insure the protection of the rights of individual tribal members and their families and the rights of the Nez Perce Tribe.
- j. A performance bond in circumstances deemed appropriate by the Nez Perce Tribe.

Section 6: Cancellation of Permit

The permit issued pursuant to this ordinance is conditional and may be canceled at any time if it appears that the individual, corporation, agency or institution conducting the study, survey or research project has deviated from the study design approved in the granting of the permit or from provisions of the required underlying agreement upon which issuance of the permit is based.