

Resources, Development Committee approve historic burial, cemetery regulations

Written by Staff Reports

Friday, 23 February 2024 00:00



TSE BONITO, New Mexico — The Navajo Nation Council Resources and Development Committee passed Legislation 0029-24, historically approving the Navajo Nation Burial and Cemetery Regulations on Feb. 14.

The passage of Legislation 0029-24 signifies a profound step forward in the governance of burial procedures for the Navajo people, giving regulations for actions surrounding burials and cemeteries.

“This is a sensitive topic that is both personal and critical to our people. In formalizing these regulations, the Committee had to acknowledge the importance of applying and incorporating traditional principles,” RDC Chairwoman Brenda Jesus (Oaksprings, St. Michaels) said. “We also had to apply regulations and guidance to current burial practices to empower our chapters when assisting our community members during these times of need.”

Legislation 0029-24 addresses general provisions, definitions, designation of sites and expansion, maintenance standards, Chapter burial and cemetery policies, roadside memorials, cremation, prohibited behaviors, and penalties among other areas of burials and cemeteries.

Notable regulations include:

Regarding burial and cemetery expansion, any Navajo Nation lands used for burial must be

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properly authorized. All new cemeteries and expansions of existing cemeteries must be approved by the Navajo Land Withdrawal Designation Regulations and/or an approved lease.

Family plot cemeteries are prohibited on Navajo Nation Trust Land but pre-existing burials will be grandfathered to not violate regulations. While these pre-existing burial plots will be grandfathered in, future burials at pre-existing Family Plot Cemeteries shall be prohibited.

All cemeteries must be maintained through efficient management. All cemeteries must have adequate roadway and entrance for vehicles, such as a funeral hearse. Cemeteries must have defined times where no individuals are permitted to enter the cemetery grounds.

Cremation and the spreading of cremated remains/human ashes anywhere on the Navajo Nation is prohibited. Cremated remains can be buried in a durable urn.

There shall be no possession of firearms, except for military services approved by the Navajo Division of Veteran Affairs.

Chapters are responsible for developing burial plots through their Community Land Use Plans for approval by the RDC. Chapters can choose to charge a fee for cemetery plots but the fees cannot exceed \$150. For any fees collected, the Chapter must create a fund management plan and revenue shall be used to maintain the Chapter cemetery.

Roadside memorials are prohibited, and all pre-existing roadside memorials shall be removed.

The implementation of Legislation 0029-24 sets the stage for a comprehensive approach to addressing the diverse needs of the Navajo people.

“This regulation is a good beginning. There is an amendment clause at Section 14, so we can amend this at any time in the future. The legislation reflects our dedication to preserving the cultural heritage of the Navajo people while adapting to the needs of our community,” Assistant

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Attorney General in the Chapter Unit Rodgerick T. Begay said.

The Resources and Development Committee expressed their gratitude for the collaborative efforts of past committee members and prior Navajo Nation Council that led to the passage of this legislation.

“This legislation is the culmination of long hours spent by the RDC, the Navajo Nation Land Department, the General Land Development Department, the Navajo Nation Heritage and Historic Preservation Department, and the Department of Justice,” RDC Vice-Chair Casey Allen Johnson said. “I applaud my colleagues on the RDC for assessing, streamlining, and removing red tape to help facilitate the approval of these regulations.”

Legislation 0029-24 was approved unanimously with a vote of 5-0, with the Resources and Development Committee being the final authority for the legislation.