



## Resources and Development Committee hears report on Navajo Nation burial policies and challenges

**FOR IMMEDIATE RELEASE:** January 19, 2021

**WINDOW ROCK, ARIZ.—** On Wednesday, Jan. 13, the Resources and Development Committee (RDC) of the 24th Navajo Nation Council received a report from the General Land Development Department (GLDD), the Navajo Land Department (NLD) and the Historic Preservation Department (HPD) regarding challenges arising from the outdated or nonexistent grave site, burial and land designation policies.

GLDD Manager Elerina Yazzie indicated her department has sought the help of Navajo Nation rangers and other entities to begin recording previously documented family burials, stating: “They’re like Christmas lights on a Christmas tree lighting up everywhere on the map in random places. Many are not recorded and we don’t know what to tell younger generations who ask where their relatives are buried.”

Yazzie reported concerns received by GLDD from Navajo citizens about remains being transported on public roads without consideration of proper ceremonial protocol. Similarly, the GLDD received complaints from Navajo residents living near family burial sites who are wary of their livestock consuming plastic items, like flowers, blowing away.

NLD Manager Mike Halona and HPD Manager Richard Begay pointed out new burial policies are needed at both the chapter and Navajo Nation levels. Begay added that no Navajo Nation policies are currently in place to address cremation and the spreading of ashes on Navajo Nation lands. Another concern included roadside memorials, a growing norm among Navajo people.

HPD has been recording burials and mapping them within the department, but the information needs to be cross-referenced and expanded with the assistance of GLDD and NLD.

“We don’t know just how many burials there are on Navajo Nation lands, which will and does provide issues with economic development and processes for clearances for projects,” said Begay.

Begay said HPD’s policies do not address common requests for scattering ashes around public places or within sensitive areas, including archeological and cultural sites.

Halona indicated local Navajo Nation chapters are allowed 30 acres for a community cemetery under Title 15 of the Navajo Nation Code and recommended expanding cemeteries. Although community cemeteries are intended for any Navajo person, some large-population communities charge up to \$300 for non-registered chapter members to bury loved ones, stated Halona.

With the ongoing coronavirus (Covid-19) pandemic, RDC members expressed concern and observations about Navajos having difficulty burying their relatives.

“I know these are sensitive topics that are tough to talk about, but we need to have these conversations and ask chapters to help at the local level so we can pay our respects. I was actually late to this discussion because I had to attend a funeral for my cousin earlier,” added Council Delegate Kee Allen Begay, Jr. (Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain). “We need to especially meet with the new chapter grazing officials first to help them understand the process and that this is a priority.”

Delegate Begay noted previous legislation to legally recognize family burial plots by the Navajo Nation was under development by Council Delegate Amber Crotty (Cove, Toadlena/Two Grey Hills, Red Valley, Tsé'ahnáoozt'íí, Sheepsprings, Beclabito, Gad'ii'áhi/Tó Ko'í).

The Office of Legislative Counsel confirmed legislation was in the works, but has encountered challenges with specifying land status designations and obtaining necessary consent from grazing officials and permit holders on tribal trust lands and, within allotment areas, the consent from the land owners.

Delegate Begay also recommended sending a memorandum to all 110 chapters to establish community cemeteries and to revise community-based land use plans.

RDC Chair Rickie Nez (T'iiistsoh Sikaad, Nenahnezad, Upper Fruitland, Tsé Daa K'aan, Newcomb, San Juan) called for a work session that will include representatives from the GLDD, the NLD, HPD, the Department of Justice and chapter grazing officials from all five Navajo Nation agencies to ensure new policies are inclusive of their recommendations.

Council Delegate Herman Daniels (Ts'ah Bii' Kin, Navajo Mountain, Shonto, Oljato) added, "Our relatives need to be able to legally bury their loved ones in places that bring them peace. We are going to ensure legislation is in place to help that."

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