

CAU-46-61, August 31, 1961.

Note. "Advisory Committee" changed to "Resources Committee", 2 N.N.C. § 695.

Section 901(A)(3) "Advisory Committee" was changed to Government Services Committee as the Resources Committee lacks specific authority to grant Homesite Leases to non-Navajo members.

Cross References

Approval of leases to non-Navajos by the Navajo Nation Council, see 16 N.N.C. § 601.

Navajo Nation Cultural Resources Protection Act, see 19 N.N.C. § 1001 *et seq.*

United States Code

Congressional authority to lease Tribal lands for terms not to exceed ninety-nine (99) years, see 25 U.S.C. § 415, in Appendix, Part 2, Acts of Congress, of Navajo Nation Code.

Chapter 11. Land for Public, Charitable and Religious Purposes

Subchapter 1. [Reserved]

§ 1101. [Reserved]

History

CD-68-89, December 15, 1989.

Note. CD-68-89 redelegated authority of the standing committees of the Navajo Nation Council including the Transportation and Community Development Committee and the Resources Committee codified at 2 N.N.C. § 420 *et seq.*, and 2 N.N.C. § 691 *et seq.* respectively.

Subchapter 3. Mission Sites

§ 1151. **Permits for religious activities; applications for lands**

A. The Navajo Nation Council adopts 16 N.N.C. §§ 1151-1164 for the issuance of permits to missionaries and mission bodies to conduct religious and other related activities on the Navajo Nation.

B. No missionary or mission group shall construct, commence construction, install or otherwise effect any improvements upon Navajo Nation lands, or use existing improvements upon Navajo Nation lands, for the purpose of using such improvements for the conduct of religious services or ceremonies at intervals of twice per month or more in frequency, without possessing a valid mission site permit. Any missionary or mission group violating the provisions of this Section shall be, if such missionary or mission group is subject to the civil jurisdiction of the Navajo Nation, liable for reasonable rental fees for lands used, or, if such missionary or mission group is not subject to the civil

jurisdiction of the Navajo Nation, subject to the provisions of 17 N.N.C. §§ 1901-1906, or to the exercise of any other applicable remedies exercisable by the Navajo Nation.

C. The Resources Committee of the Navajo Nation Council is authorized to act for the Navajo Nation Council in considering all applications of missionaries and mission bodies for Navajo Nation lands, in approving or disapproving such applications, and in transmitting them to the Secretary of the Interior.

D. All persons and entities occupying lands withdrawn pursuant to this Subchapter and all programs operated on lands withdrawn pursuant to this Subchapter are subject to the laws of the Navajo Nation.

History

CN-61-84, November 14, 1984.

ACM-53-70, March 13, 1970.

Tribal Council Res. 1922-1951, Res. p. 184, § 1, March 15, 1950.

Note. "Advisory Committee" changed to "Resources Committee", 2 N.N.C. § 695(B)(2) (1992).

§ 1152. Revocation of permits

No mission site permit may be renewed or issued except on a revocable basis; provided that such permit shall be cancelled by the Secretary for failure to carry out the purpose or purposes for which it was renewed or issued within a reasonable time.

History

Tribal Council Res. 1922-1951, Res. p. 184, March 15, 1950.

§ 1153. Contents of applications

A. No permit to enlarge the area of Navajo Nation land presently under permit to a missionary or mission body, and no permit to grant Navajo Nation land for a new mission site will be granted by the Resources Committee unless the application for such permit has first been reviewed by the Navajo Land Department of the Navajo Nation.

B. Such application shall contain the following information and documentation:

1. An exact description of the Navajo Nation land for which application is made.

2. A detailed statement of the purpose or purposes for which the said Navajo Nation land shall be used. If a missionary or mission body proposes to establish facilities for educational, medical, or other non-religious activities, the application shall set forth fully the

extent and character thereof.

3. A signed petition of a substantial number of Navajos residing in the vicinity of the proposed site endorsing the proposed permit.

4. An endorsement of Navajo Nation Council Delegates of the District in which the proposed site is located.

5. A description of buildings and improvements to be placed on Navajo Nation lands and an estimate of the cost thereof.

History

ACM-53-70, March 13, 1970.

Tribal Council Res. 1922-1951, Res. p. 184, March 15, 1950.

§ 1154. Report by Navajo Area Director

The Navajo Area Director shall, within 60 days from the receipt of a permit application, submit to the Resources Committee a report thereon, containing a statement of the proposed withdrawal of Navajo Nation lands on:

A. The water resources of the Reservation area concerned;

B. The use rights to the Navajo Nation lands covered by a permit which are claimed by any Navajo or Navajo family; and

C. Any other interest of the Navajo Nation.

History

Note. "Advisory Committee" changed to "Resources Committee", 2 N.N.C. § 695 (1992).

Tribal Council Res. 1922-1951, Res. p. 184, March 15, 1950.

§ 1155. Number of missions in area

The Resources Committee is authorized to deny or grant, on behalf of the Navajo Nation, any permit with special consideration to the establishment of too many missions in any one area or at any one point.

History

Note. "Advisory Committee" changed to "Resources Committee", 2 N.N.C. § 695(B) (2).

Tribal Council Res. 1922-1951, Res. p. 184, March 15, 1950.

§ 1156. Transfer of permits

No permit issued in accordance with 16 N.N.C. §§ 1151-1156 shall be transferable, except with the consent of the Resources Committee and of the

Secretary of the Interior.

History

Note. "Advisory Committee" changed to "Resources Committee", 2 N.N.C. § 695(B) (2).

Tribal Council Res. 1922-1951, Res. p. 184, March 15, 1950.

§ 1157. Rental fees; exemption

The Resources Committee of the Navajo Nation Council hereby establishes a minimum rental fee of fifteen dollars (\$15.00) per acre per year for all mission sites in the Navajo Nation. Notwithstanding the above, any mission in the Navajo Nation, which is actively conducting either substantial medical programs or state, Navajo Nation, or federally accredited educational programs upon its site shall be exempt from the above rental fee.

History

ACM-53-70, March 13, 1970.

Cross References

Resources Committee authority, 2 N.N.C. § 695(B) (4).

§ 1158. Expansion of sites

It shall be the policy of the Navajo Nation that requests for expansion of present mission sites shall be granted only in those cases where an expansion of a mission site is required for the construction of permanent facilities for community use or for the conduct of substantial medical or accredited educational programs.

History

ACM-53-70, March 13, 1970.

Cross References

Resources Committee authority, 2 N.N.C. § 695(B) (2).

§ 1159. Acreage limitations—Generally

A. It shall be the policy of the Navajo Nation that acreage used for each mission site shall be the minimum acreage required for the conduct of mission programs thereon.

B. The following acreage limitations shall apply to all applicants for permits:

1. Mission site for purely religious activities: one and one-half acres (1 1/2);

2. Mission site for religious activities and community services facilities: three and one-half acres (3 1/2);

3. Mission site for religious activities and either substantial medical or accredited educational programs: eight acres (8); and

4. The Resources Committee may, in the case of applications for mission sites in or near areas withdrawn for townships in the Navajo Nation, limit site acreage to less than two and five-tenths acres (2 5/10), and may set rental fees with due regard for present or future competing demands for land use in such areas.

C. For the purposes of this Subchapter, "community service facilities" shall be deemed to include only those permanent improvements upon the permitted site which are for the purpose of providing recreational programs, non-religious educational programs, including adult education, and other non-religious programs of benefit to the community.

History

ACM-53-70, March 13, 1970.

§ 1160. Waiver

A. The acreage limitations established by 16 N.N.C. § 1159 may be waived by the Resources Committee upon a showing by the applicant that planned programs will be of sufficient benefit to the Navajo People to justify waiver of acreage limitations. No waiver of acreage limitations shall be granted unless the applicant has complied with 16 N.N.C. §§ 1153 and 1161, and all other procedures provided by law.

B. No waiver of acreage limitations shall be granted in cases of applications subject to acreage limitations established by 16 N.N.C. § 1159(B) (1).

History

ACM-53-70, March 13, 1970.

§ 1161. Applications for mission sites and waiver of acreage limitations

No application for a mission site permit for an area of Navajo Nation land in excess of the limitations established in 16 N.N.C. § 1159 shall be granted by the Resources Committee unless the application for such permit has been reviewed and approved by the Division of Community Development of the Navajo Nation, and by the Navajo Land Department of the Navajo Nation.

History

ACM-53-70, March 13, 1970.

§ 1162. Permits for excess acreage

No mission site permit shall be granted for an area in excess of the

acreage limitations established by 16 N.N.C. § 1159, unless the permit includes the following conditions:

A. That the permit is revocable at the will of the Resources Committee;

B. That the permit, as to acreage in excess of that provided in 16 N.N.C. § 1159, shall automatically terminate upon the discontinuance of non-religious programs for the benefit of the Navajo People;

C. That the missionary or mission group permittee submit yearly written reports describing in detail the community service programs carried on by the permittee, such reports to be submitted to the Navajo Land Department of the Navajo Nation no later than January 31 of the following year. The Navajo Land Department shall review such reports, and make recommendations as are appropriate to the Resources Committee. The failure to submit such a report shall result in automatic revocation of the mission site permit, as to the entire permitted area; and

D. That the permittee pay in accordance with this Subchapter such additional rental fees as the Resources Committee may establish.

History

ACM-53-70, March 13, 1970.

§ 1163. Lapse of present permits

Three years from the date 16 N.N.C. §§ 1157-1164 becomes effective, all mission site permits granted prior to said date shall automatically terminate. The Navajo Land Department is authorized and directed to take such steps as are necessary to notify present permittees of the contents of this Section. Present permittees may reapply for mission site permits under the provisions of this Subchapter.

History

ACM-53-70, March 13, 1970.

§ 1164. Termination of permits

If any missionary or mission group shall fail to pay yearly rental fees due, by December 30, prior to the year for which such fees are due, the mission site permit granted such missionary or mission group shall automatically terminate.

History

ACM-53-70, March 13, 1970.

Chapter 13. Compensation for Improvements and Customary Use Rights Upon Adverse Disposition of Land

Annotations