

RESOLUTION OF THE  
WHITE MOUNTAIN APACHE TRIBE OF THE  
FORT APACHE INDIAN RESERVATION

- WHEREAS, the Tribal Code of the White Mountain Apache Tribe, specifically Section 2.3 entitled "Determination of Tribal Custom and Establishment of Apache Custom Advisory Panel", authorizes each member of the Tribal Council to appoint one person to the Apache Custom Advisory Panel to represent his/her district; and
- WHEREAS, the Tribal Code requires that any person appointed to the Apache Custom Advisory Panel shall be a person who is respected in his/her community as one who is wise, honest, ethical, and especially knowledgeable about human relations and White Mountain Apache culture, including the language, history, teachings, tradition, values and customs; and
- WHEREAS, said members of the Apache Custom Advisory Panel shall serve for life or until they resign or are unable to serve, or are removed by two-thirds vote of the Tribal Council for any unethical or illegal activity which indicates a breach of the trust delegated to them pursuant to the Tribal Code and their appointment; and
- WHEREAS, tribal common law consists of the decisions of the Tribal Court, Tribal Court of Appeals, and the customs and traditions of the White Mountain Apache people; and
- WHEREAS, questions of tribal custom are questions of law and not questions of fact; and
- WHEREAS, the Tribal Court is not bound by the law of the State of Arizona or the United States; and
- WHEREAS, due to claims filed against the White Mountain Apache Tribe by both non-members and members alike have brought into issue or may bring into issue in the near future, questions concerning the applications of Apache custom and to what extent the custom should be applicable to cases presented to the Tribal Court; and
- WHEREAS, the Tribal Council has considered the following persons to be appointed to the Council of Elders as meeting all of the requirements set forth in the Tribal Code:

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|----|----------------|-------------|
| 1. | Kinny Dale     | District I  |
| 2. | Francis Dehose | District I  |
| 3. | Clara Albert   | District II |

- |     |                    |              |
|-----|--------------------|--------------|
| 4.  | Audie Skidmore     | District II  |
| 5.  | Ike Kasey          | District II  |
| 6.  | Nelson Lupe, Sr.   | District III |
| 7.  | Mary Garland Riley | District III |
| 8.  | Louella Massey     | District III |
| 9.  | Ralph Clarkson     | District IV  |
| 10. | Edgar Perry        | District IV  |
| 11. | Nannie Case        | District IV  |

WHEREAS, the Tribal Council concludes that the aforementioned persons should be appointed as the Apache Custom Advisory Panel.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby appoints the following persons as members of the White Mountain Apache Custom Advisory Panel:

- |     |                    |              |
|-----|--------------------|--------------|
| 1.  | Kinney Dale        | District I   |
| 2.  | Francis Dehose     | District I   |
| 3.  | Clara Albert       | District II  |
| 4.  | Audie Skidmore     | District II  |
| 5.  | Ike Kasey          | District II  |
| 6.  | Nelson Lupe, Sr.   | District III |
| 7.  | Mary Garland Riley | District III |
| 8.  | Louella Massey     | District III |
| 9.  | Ralph Clarkson     | District IV  |
| 10. | Edgar Perry        | District IV  |
| 11. | Nannie Case        | District IV  |

The foregoing resolution was on February 13, 1991, duly adopted by a vote of eight for and two against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) (s) of the Amended Constitution and Bylaws of the Tribe, ratified by the Tribe June 27, 1958, and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

RECEIVED

MAR 28 1991

FORT APACHE INDIAN AGENCY  
WHITERIVER, ARIZONA

  
Chairman of the Tribal Council

  
Secretary of the Tribal Council