

Oneida Tribe of Indians of Wisconsin

Post Office Box 365



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.

Phone: (920) 869-2214



Oneida, WI 54155



UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

BC Resolution 02-24-10-M

Resolution to Adopt the Ninth Amendment to the Oneida Tribe of Indians of Wisconsin Retirement Savings & 401(k) Plan

WHEREAS, the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States, and

WHEREAS, the Oneida General Tribal Council is the duly recognized governing body of the Oneida Tribe of Indians of Wisconsin, and

WHEREAS, the Oneida Business Committee has been delegated the authority of Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council, and

WHEREAS, the Oneida Business Committee previously adopted the amended and restated Oneida Tribe of Indians of Wisconsin Retirement Savings and 401(k) Plan (the "401(k) Plan"), and

WHEREAS, the Oneida Business Committee recently approved a motion to amend the 401(k) Plan to allow in-service withdrawals by participants who continue working beyond a certain age, and

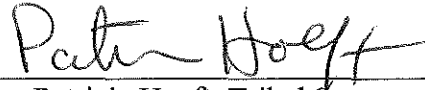
WHEREAS, Tribal officers have worked with legal counsel to have the Ninth Amendment to the 401(k) Plan prepared, which allows in-service withdrawals by participants who are active employees of the Tribe and who have attained normal retirement age under the 401(k) Plan (age 65), subject to certain administrative limits.

NOW THEREFORE BE IT RESOLVED, that the adoption and execution of the Ninth Amendment to the 401(k) Plan is hereby approved, confirmed and ratified by the Oneida Business Committee.

BE IT FINALLY RESOLVED, that the actions taken by Tribal officers and personnel in connection with the matters addressed in these resolutions be, and hereby are, ratified, confirmed and adopted as actions of the Oneida Tribe of Indians of Wisconsin.

Certification

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum. 5 members were present at a meeting duly called, noticed and held on the 24th day of February 2010; that the foregoing resolution was duly adopted at such meeting by a vote of members for; 0 members against; and 0 members not voting; and that said resolution has not been rescinded or amended in any way.



Patricia Hoeft, Tribal Secretary,
Oneida Business Committee

ONEIDA TRIBE OF INDIANS OF WISCONSIN

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."

**NINTH AMENDMENT
TO THE
ONEIDA TRIBE OF INDIANS OF WISCONSIN
RETIREMENT SAVINGS AND 401(K) PLAN**

Effective January 1, 1992, the Oneida Tribe of Indians of Wisconsin, a federally recognized Indian tribe (the "Employer"), established the Oneida Tribe of Indians of Wisconsin Profit Sharing Plan, now known as the "Oneida Tribe of Indians of Wisconsin Retirement Savings and 401(k) Plan" (the "Plan"). Effective January 1, 1995, the Plan was amended to add a post-tax employee thrift savings feature and, effective January 1, 1997, the Plan was amended to add a 401(k) savings feature. The Plan was most recently amended and restated in its entirety effective January 1, 1999 and has been amended on eight subsequent occasions. The Employer received a favorable GUST determination letter on the Plan dated November 4, 2002. By this instrument, the Employer intends to amend the Plan to add an in-service withdrawal feature.

1. The provisions of this Ninth Amendment shall be effective as of the date of execution, except as set forth below.
2. This Amendment shall amend only those sections of the Plan set forth herein, and those sections not amended shall remain in full force and effect.
3. Article VIII of the Plan hereby is amended by adding a new Section 8.14 to the end thereof as follows:

8.14. NORMAL RETIREMENT AGE WITHDRAWALS.

A Participant who is actively employed by the Tribe and who has attained Normal Retirement Age (sixty-five (65) years of age) may elect to withdraw all or any portion of his vested Plan account balance, including Employee Contributions, Employer Contributions and Rollover Contributions, and earnings thereon. The minimum amount of any Normal Retirement Age withdrawal shall be One Thousand Dollars (\$1,000.00). A Participant shall not make more than one Normal Retirement Age withdrawal in any Plan Year. Amounts withdrawn by the Participant pursuant to this Section may not be repaid to the Plan. The Plan Administrator may promulgate uniform policies and procedures governing

withdrawals pursuant to this Section, including policies imposing additional limitations or restrictions on such withdrawals. A Participant who elects to receive a withdrawal pursuant to this Section 8.14 shall continue to participate in the Plan subsequent to his receipt of such withdrawal.

IN WITNESS WHEREOF, the Employer has caused this Ninth Amendment to the Plan to be executed by its duly authorized representative this 24th day of February, 2010.

ONEIDA TRIBE OF INDIANS OF WISCONSIN

By: Patricia Hoey

Its: _____