

# Oneida Nation

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Oneida, WI 54155

## BC Resolution # 11-13-24-J

### Resolution to Approve the Third Amendment to the Governmental 401(k) Plan


- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; 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 Nation sponsors two tax-qualified retirement plans for the benefit of its employees, known as the Oneida Nation Governmental 401(k) Plan (the "Governmental Plan") and the Oneida Nation Enterprise 401(k) Plan (the "Enterprise Plan"); and
- WHEREAS,** the Nation wishes to make certain changes to the Governmental Plan to clarify the Nation's intent for the plan to provide Employees credit for Years of Service for the Plan for all periods of employment with the Nation or any entity or enterprise of the Nation that is eligible to participate in the Enterprise Plan; and
- WHEREAS,** outside legal counsel to the Nation has prepared the Third Amendment to the Governmental Plan to make the Nation's desired design changes; and
- WHEREAS,** the Third Amendment was drafted in August of 2022, but inadvertently was not formally adopted, and since then, on December 13, 2023, an amendment was adopted labeled the "Fourth Amendment", and because the Third Amendment was intended to be adopted prior to the Fourth Amendment, it is titled the "Third Amendment".

**NOW THEREFORE BE IT RESOLVED,** that the Oneida Business Committee hereby authorizes, approves, and adopts the Third Amendment to the Oneida Nation Governmental 401(k) Plan, effective immediately.

**BE IT FURTHER RESOLVED**, that the Chief Financial Officer shall be, and hereby is, authorized and directed to execute on behalf of the Nation the Third Amendment to the Governmental Plan following review and approval by the Nation's Chief Financial Officer and the Nation's Deputy Chief Counsel.

**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; 9 members were present at a meeting duly called, noticed and held on the 13<sup>th</sup> day of November, 2024; that the forgoing resolution was duly adopted at such meeting by a vote of 8 members for, 0 members against, and 0 members not voting\*; and that said resolution has not been rescinded or amended in any way.

  
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Lisa Liggins, Secretary  
Oneida Business Committee

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