

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # 03-22-17-E

Adoption of the Second Amendment to the Business Committee 401(k) Savings 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 the Oneida Nation Business Committee 401(k) Savings Plan (the "Plan"); and

WHEREAS, the Plan is a governmental tax-qualified retirement plan, operated in accordance with the exemptions extended to governmental retirement plans pursuant to Section 414(d) of the Internal Revenue Code and Section 3(32) of the Employee Retirement Income Security Act of 1974; and

WHEREAS, effective January 1, 2016, the Plan was amended and restated in its entirety to incorporate the most recent amendments and make certain other compliance changes; and

WHEREAS, the January 1, 2016 restatement of the Plan was sent to the Internal Revenue Service ("IRS") for a favorable determination letter and the IRS has requested a clarification in the Effective Date of the Plan document; and

WHEREAS, legal counsel has prepared a Second Amendment to the Plan at the request of the IRS and advises that the Second Amendment to the Plan contains no benefit or design changes to the Plan; and

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee hereby authorizes and approves the Second Amendment to the Oneida Nation Business Committee 401(k) Savings Plan in the form presented to the Oneida Business Committee this date and together with any technical, legal or compliance related revisions as may be necessary prior to execution.

BE IT FINALLY RESOLVED, that the Chairwoman or the Vice-Chairwoman of the Business Committee shall be, and hereby is, authorized and directed to execute the Second Amendment to the Plan on behalf of the Nation.

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; 6 members were present at a meeting duly called, noticed and held on the 22nd day of March, 2017; that the forgoing resolution was duly adopted at such meeting by a vote of 5 members for, 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.



Lisa Summers, Tribal Secretary
Oneida Business Committee

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