

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## **BC Resolution # 09-25-19-F Approve Changes to the Enterprise 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 engages Transamerica Retirement Services ("Transamerica") to provide investment, asset custody, recordkeeping and administration services with regard to the Governmental Plan and the Enterprise Plan (the "Plans"); and
- WHEREAS,** the Nation wishes to amend the Enterprise Plan effective October 1, 2019 to allow highly compensated employees to participate in the Enterprise Plan, subject to the same eligibility and automatic enrollment rules already in place under the Enterprise Plan; and
- WHEREAS,** Transamerica is in the process of preparing an Amendment to the Enterprise Plan at the request of the Nation, to be effective October 1, 2019; and
- WHEREAS,** the Nation's management personnel and outside legal counsel to the Nation have reviewed an outline of the proposed amendment to the Enterprise Plan and recommend that the proposed changes to the Enterprise Plan be authorized.

**NOW THEREFORE BE IT RESOLVED,** that the Oneida Business Committee hereby authorizes and approves changes to the Oneida Nation Enterprise 401(k) Plan effective October 1, 2019 and as discussed with the Business Committee this date.

**BE IT FINALLY RESOLVED**, that the Nation's Chief Financial Officer shall be, and hereby is, authorized and directed to execute on behalf of the Nation an Amendment to the Enterprise Plan upon receipt of such document from Transamerica and following review and approval by the Nation's Chief Deputy 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 25<sup>th</sup> day of September, 2019; 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.

  
\_\_\_\_\_  
Lisa Summers, Secretary  
Oneida Business Committee

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