

# Oneida Nation

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Oneida, WI 54155

## **BC Resolution # 12-11-19-B First Amendment to the Governmental 401(k) Plan**

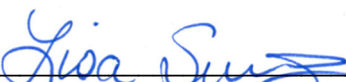
- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been 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 document the reflect the continuing availability of Roth conversions and in-service withdrawals at normal retirement age, effective January 1, 2019; and
- WHEREAS,** outside legal counsel to the Nation has prepared the First Amendment to the Governmental Plan to make the Nation's desired design changes.

**NOW THEREFORE BE IT RESOLVED,** that the Oneida Business Committee hereby authorizes, approves, and adopts the First Amendment to the Oneida Nation Governmental 401(k) Plan, effective January 1, 2019.

**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 First Amendment to the Governmental Plan upon receipt of such document from Transamerica and following review and approval by the Nation's Chief Financial Officer and 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; 8 members were present at a meeting duly called, noticed and held on the 11<sup>th</sup> day of December, 2019; that the forgoing resolution was duly adopted at such meeting by a vote of 7 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."