

TO APPROVE THE CHOCTAW NATION OF OKLAHOMA LEADERSHP 401(k) PLAN

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL

A COUNCIL BILL

TO APPROVE the Choctaw Nation of Oklahoma (the "Nation") Leadership 401(k) Plan and make certain findings and issue certain directives related to the Leadership 401(k) Plan.

WHEREAS, the Tribal Council of the Choctaw Nation of Oklahoma (the "Council") is considering approval of an amended and restated Supplemental Retirement Income Plan (SRIP) and wishes to adopt the attached tax-qualified 401(k) retirement plan to be known as the Nation's Leadership 401(k) Plan to work in tandem with the SRIP;

WHEREAS, the Council finds, based on all relevant facts and circumstances and in a good faith exercise of its sovereign authority, that elected Council members shall be treated as employees solely for purposes of the Leadership 401(k) Plan and certain other employee benefit programs maintained by the Nation, and that such finding shall not affect the status of the Council members as elected officials for other purposes; and

WHEREAS, the Choctaw Nation Governmental Retirement Plan Committee (the "Committee") shall be established, which shall consist of at least four (4) members to be designated by the Chief with the advice and consent of the Council, for the purposes of the Leadership 401(k) Plan.

THEREFORE BE IT ENACTED by the Tribal Council of the Choctaw Nation of Oklahoma that this Bill be cited as the adoption of the Choctaw Nation of Oklahoma Leadership 401(k) Plan subject to such further changes as may be recommended by the Nation's legal counsel or outside tax counsel for tax and tribal law compliance, or as may be required to coordinate with outside service providers following the completion of a request for proposal to secure administration for the amended program; provided that such changes do not materially detract from the program features approved hereby without additional action by the Council". to be effective on January 1, 2023.

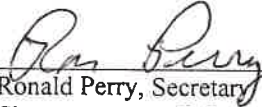
BE IT FURTHER ENACTED by the Tribal Council of the Choctaw Nation of Oklahoma that this Council Bill be cited as the establishment of the Choctaw Nation Governmental Retirement Plan Committee, which shall consist of at least four (4) members to be designated by the Chief with the advice and consent of the Tribal Council, for the purposes of the Choctaw Nation of Oklahoma Leadership 401(k) Plan.

BE IT FURTHER ENACTED by the Tribal Council of the Choctaw Nation of Oklahoma that this Council Bill be cited as acknowledgement that elected Council members shall be treated as employees solely for purposes of the Leadership 401(k) Plan and certain other employee benefit programs maintained by the Nation, and that such finding shall not affect the status of the Council members as elected officials for other purposes.

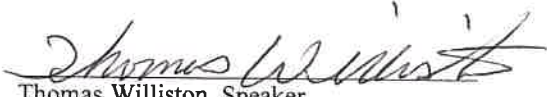
CERTIFICATION

I, the undersigned, as speaker of the Tribal Council of the Choctaw Nation of Oklahoma, do hereby certify that the Tribal Council is composed of twelve (12) seats. Eight (8) members must be present to constitute a quorum. I further certify that twelve (12) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma on October 8, 2022. I further certify that the foregoing Council Bill CB- 15 -23 was adopted at such meeting by the affirmative vote of twelve (12) members, zero (0) negative votes, and zero (0) abstaining.

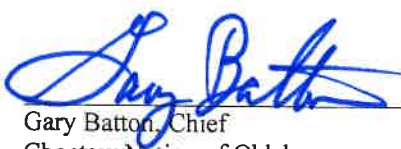
TO APPROVE THE CHOCTAW NATION OF OKLAHOMA LEADERSHIP 401(k) PLAN



Ronald Perry, Secretary
Choctaw Nation Tribal Council



Thomas Williston, Speaker
Choctaw Nation Tribal Council



Gary Batton, Chief
Choctaw Nation of Oklahoma

Date 10-12-22

TO APPROVE THE CHOCTAW NATION OF OKLAHOMA LEADERSHIP 401(k) PLAN

Purpose/Need of Council Bill: To approve the Nation's Leadership 401(k) Plan, establish the Choctaw Nation Governmental Retirement Plan Committee as Plan Administrator of the Leadership 401(k) Plan, and direct that elected members of the Tribal Council of the Choctaw Nation of Oklahoma shall be treated as employees for purposes of the Leadership 401(k) Plan and certain other employee benefit programs maintained by the Nation;

Title of Council Bill: **TO APPROVE THE CHOCTAW NATION OF OKLAHOMA LEADERSHIP 401(k) PLAN**

Choctaw Nation Department: Human Resources

Federal Award: N/A

Match Required: N/A

Request by Project Director/SEO: Duane Winship, Senior Director, Human Resources; Gary Burrus, Executive Officer, Human Resources; Kelly McKaughan, SEO Integrated Services