

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Freezing the Sif Oidak District 401(k) Plan)**

RESOLUTION NO. 25-456

1 **WHEREAS,** the Tohono O'odham Legislative Council is vested with the powers "to manage any
2 funds within the exclusive control of the Tohono O'odham Nation" (Constitution
3 of the Tohono O'odham Nation, Article VI, Section 1(d)(2)); and
4 **WHEREAS,** the Constitution also vests the Tohono O'odham Legislative Council with the
5 authority to "consult, negotiate and conclude agreements and contracts on
6 behalf of the Tohono O'odham Nation with Federal, State and local governments
7 and other Indian tribes or their departments, agencies, or political subdivisions,
8 or with private persons or organizations on all matters within the authority of the
9 Tohono O'odham Council" (Constitution, Article VI, Section 1(f)); and
10 **WHEREAS,** the Tohono O'odham Legislative Council approved a 401(k) Retirement Plan
11 ("Plan") for employees of the Tohono O'odham Nation ("Nation") by Resolution No.
12 2000-453 and the Plan has been amended on multiple subsequent occasions; and
13 **WHEREAS,** the Plan was most recently amended and restated in its entirety effective January
14 1, 2016 and then amended again on two subsequent occasions; and
15 **WHEREAS,** the Board of Trustees have recommended the adoption of the amended and
16 restated Plan and Trust Agreement, which were approved by Legislative Council
17 Resolution No. 25-455; and
18 **WHEREAS,** the amended and restated Plan document permits the Board of Trustees to
19 approve the adoption of the Plan by Districts that are under the financial control
20 and management of the Nation, upon request by the District and with the consent
21 of the District Council, including the Sif Oidak District; and
22 **WHEREAS,** the Sif Oidak District Council by Resolution No. SODC-24-035 authorized the
23 transfer of the District's 401(k) Plan to the Nation; and
24 **WHEREAS,** the Trustees recommend that the Sif Oidak District of the TOHO 401(k) Profit
25 Sharing Plan and Trust (the "SOD 401(k) Plan"), which currently is managed by the
26 Nation pursuant to Resolution No. 23-440 and Resolution No. SODC 24-035, be
27 frozen by the Legislative Council, in a manner which will stop all enrollments in
28 and contributions to the SOD 401(k) Plan, but allow employee loan payments and
29 distributions to continue in accordance with the terms of the SOD 401(k) Plan, to
30 facilitate the transfer of Sif Oidak District employees to the Nation's Plan, as of a
31 date determined by the Trustees; and
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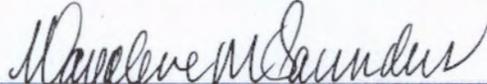
1 WHEREAS, the Human Resources Development Committee has reviewed the proposal to
2 freeze the SOD 401(k) Plan and recommends approval.

3 NOW, THEREFORE, BE IT RESOLVED that the Legislative Council, pursuant to Resolution No. 23-
4 440 and Resolution No. SODC 24-035, authorizes the freezing of the SOD 401(k)
5 Plan in the manner and as of the date determined by the Board of Trustees in
6 order to facilitate the transfer of Sif Oidak District employees to the Nation's
7 401(k) Plan.

8 RE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that the Tohono O'odham
9 Nation chairperson is authorized to execute any documents required in
10 connection with the freezing of the SOD 401(k) Plan pursuant to this Resolution.

11 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 17TH
12 day of DECEMBER 2025 at a meeting at which a quorum was present with a vote of 3,321.1 FOR;
13 -0- AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by
14 Article VI, Section 1(d)(2) and Section 1(f) of the Constitution of the Tohono O'odham Nation,
15 adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy
16 Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the
17 Act of June 18, 1934 (48 Stat.984).

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19 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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22 _____
23 Wavalene M. Saunders, Legislative Chairwoman

24
25 19 day of December, 2025

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29 ATTEST:

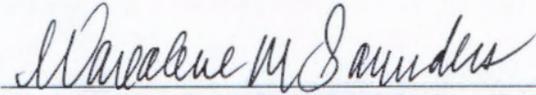
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31 _____
32 Evonne Wilson, Legislative Secretary

33
34 18 day of December, 2025

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36 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
37 O'odham Nation on the 19 day of December, 2025 at 8:06 o'clock, a.m.,
38 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
39 effective upon his approval or upon his failure to either approve or disapprove it within 48
40 hours of submittal.
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TOHONO O'ODHAM LEGISLATIVE COUNCIL

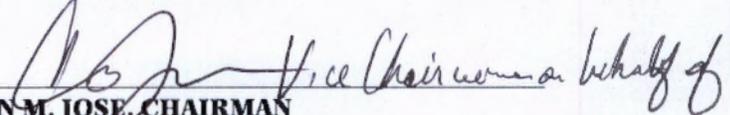

Wavalene M. Saunders, Legislative Chairwoman

APPROVED

on the 22 day of December, 2025

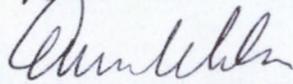
DISAPPROVED

at 10:55 o'clock, a.m.


VERLON M. JOSE, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 22 day of

December, 2025, at 11:05 o'clock, a.m.


Evonne Wilson, Legislative Secretary

ACTION: FREEZING THE SIF Oidak DISTRICT 401(K) PLAN**MOVED: COUNCILMAN FRANCIS HOMEWYTEWA****SECOND: COUNCILMAN BENNETT CHEWING****DATE: DECEMBER 17, 2025**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF Oidak 251.2	1. WAVALENE M. SAUNDERS (Mary Lopez)	125.6	X			
	2. FRANCIS HOMEWYTEWA ()	125.6	X			
SELLS 565.7	1. JANET B. ELEANDO ()	282.85	X			
	2. EVELYN JUAN MANUEL (Juan Buendia)	282.85	X			
SCHUK TOAK 195.3	1. THEORIA CAMPILLO (Rebecca Ann Valentine)	97.65	X			
	2. DELISA M. RAMON (Quintin C. Lopez)	97.65	X			
SAN XAVIER 249.8	1. DANIEL L.A. PRESTON III ()	124.9	X			
	2. JANICE FELIX ()	124.9	X			X
SAN LUCY 266.3	1. GLORIA M. RAMIREZ (Lorraine M. Eiler)	133.15	X			
	2. ROGER MANUEL (Christina Andrews)	133.15	X			
PISINEMO 240.3	1. PAMELA J. BENAVIDEZ (Nora J. Ruelas)	120.15	X			
	2. NAOMI MONTE (Edward D. Manuel)	120.15	X			
HICKIWAN 222.9	1. LOUIS R. LOPEZ (Loretta A. Ortega)	111.45	X			
	2. DELMA M. GARCIA ()	111.45	X			X
GU VO 279.6	1. LESLIE LUNA ()	139.8	X			
	2. BENNETT CHEWING ()	139.8	X			
GU ACHI 289.2	1. JEROME F. JOAQUIN (Gloria Johnson)	144.6	X			
	2. LUCIUS E. LOPEZ (Victoria A. Hobbs)	144.6	X			
CHUKUT KUK 361.9	1. MARLAKAY HENRY ()	180.95	X			
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	180.95	X			
BABOQUIVARI 398.9	1. JESSE NAVARRO (Alberta J. Ray)	199.45	X			
	2. NED NORRIS, JR. (Leander Mase)	199.45	X			
TOTAL		3,321.1	3,321.1	-0-	-0-	[02]