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| Date: | December 8, 2021 |
| To: | Barry Pack, Director |
| From: | Tessa Hergenreter, Sr. Manager, Retail Contracts |
| Subject: | Request for approval of alternative disclosure process for Tribal Owned Entities |
| Tribe: | The Confederated Tribes of the Umatilla Indian Reservation - CTUIR |
| Entity: | <i>Wildhorse Entertainment, LLC</i> – Lottery Applicant Entity & Registered in Oregon as a Foreign LLC |
| ABN: | “Hamley Steakhouse” & “The Golf Course at Birch Creek” |

Background:

In 2021, Oregon Lottery adopted temporary rule **OAR 177-040-0001(4)(a)(B)**¹ which authorizes businesses wholly owned by a federally recognized Tribe who is applying for a lottery contract qualify for consideration of an alternative disclosure process as allowed under **ORS 461.300(2)(b)**² subject to approval by the Oregon State Lottery Commission. A Tribal applicant must meet the following criteria to qualify for this alternative disclosure process:

1. The applicant entity is wholly owned by a federally recognized Tribe, or the applicant entity is a subsidiary of an entity owned by a federally recognized Tribe; and
2. The applicant entity is registered with the Secretary of State Corporation Division; and
3. The Assumed Business Name (ABN) is registered with the Secretary of State Corporation Division showing the applicant entity as Registrant.
4. The establishment cannot be on Tribal or Sovereign Land.

The alternative disclosure process focuses the security background investigation on the business entity applicant, LLC manager(s), and location managers. vs. the Tribe and/or Tribal Council.

¹ (4) (a)(B) Alternative Disclosure Process: An Entity wholly owned by a federally recognized Tribe.

² ORS 461.300(2)(b)...“Except when the director recommends, and the commission concludes, that it is reasonable and prudent to waive disclosure requirements under this section and that to do so will not jeopardize the fairness, integrity, security and honesty of the lottery, prior to the execution of any contract with a lottery game retailer, the lottery game retailer shall disclose to the lottery the names and addresses of the following...”



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Entity:

The Confederated Tribes of the Umatilla Indian Reservation is a union of three tribes: Cayuse, Umatilla, and Walla Walla. As of December 2021, The Confederated Tribes of the Umatilla Indian Reservation Tribe, is comprised of more than 3,100 Tribal members including eight (8) Tribal Council Members. The Confederated Tribes of the Umatilla Indian Reservation controls 172,000 acres (about 273 square miles) acres of their ancestral homeland. *Wildhorse Entertainment, LLC* is the registered business entity applicant, wholly owned by The Confederated Tribes of the Umatilla Indian Reservation (CTUIR) which is one of the Nine (9) Federally recognized Tribes in Oregon. The Assumed Business Names of “*Hamley Steakhouse*” and “*The Golf Course at Birch Creek*” are registered and active with Oregon. The location of “*Hamley Steakhouse*” is 8 SE Court Ave, Pendleton, OR 97801. The location of “*The Golf Course at Birch Creek*” is located 697772 Hwy 395 South, Pendleton OR, 97801. Neither of these properties are located on tribal land.

The Confederated Tribes of the Umatilla Indian Reservation clearly meets the qualifications for the alternative disclosure process. It is recommended and would be prudent to request that the commission waive the personal disclosure requirements for The Confederated Tribes of the Umatilla Indian Reservation and Tribal Council which has met the criteria for the alternative disclosure process.

Hamley Steakhouse and The Golf Course at Birch Creek Ownership Structure

