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Mr. Michael Marinelli
Office of General Counsel
Federal Election Commission
999 E Street, NW
Washington, D.C. 20463
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Supplement to
AOR 1999-32

VIA FACSIMILE

Re: Draft AO 1999-32

Dear Mr. Marinelli:

Mr. Curry of the Tohono O'odham Nation recently forwarded me some information regarding the Tohono O'odham Utility Authority's ("TOUA") distribution of profits. In accordance with Section 4(A)(6) of the Second Restated Plan of Operation, distribution of TOUA's revenue is made "in the order of the priority of use." The last enumerated authorized use is "to provide a fair return to the Nation on its investment."

As demonstrated in TOUA's 1997 annual report (we are told this is the most recent), revenue from operations is used to pay operating expenses and repay loans and debts. The current General Manager of TOUA has advised us that he is unaware of any distribution of revenue to the Nation because TOUA has used its revenues to fund operations and pay debts.

Sincerely,



Shanti Nayak