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COMMITTEES:
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United States Senate

WASHINGTON, DC 20510-1401

March 2, 2011

Mr. Eric Spitler
Director of Legislative & Inter. Affairs
Security and Exchange Commission
100 F Street, N.E.
Washington, D.C. 20549

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Office of Legislative and Intergovernmental Affairs

Dear Mr. Spitler:

Because of the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested.

Your findings and views, in duplicate form, along with the return of the enclosure, will be greatly appreciated. Please direct your reply to the attention of Darlee McCollum of my Washington office.

Thank you for your thoughtful attention.

Sincerely,



Richard G. Lugar
United States Senator

RGL/cgd
Enclosure



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February 8, 2011

The Honorable Richard G. Lugar
United States Senate
306 Hart Senate Office Building
Washington, DC 20510-1401

Re: DFA Sec 975 Municipal Advisor Registration

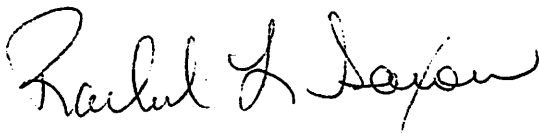
Dear Senator Lugar:

I am writing today to express my concern with the SEC's municipal advisor proposal.

This proposal does not define key terms, such as "advice" and "municipality". It appears that traditional banking activities could require registration with the SEC and Municipal Securities Rulemaking Board. Many community banks will decide not to become registered because of the duplicative regulatory burden that will be incurred. This will result in reduced banking services available to municipalities.

This additional regulatory burden is not an effective use of government regulatory dollars. The OCC, FDIC and/or Federal Reserve in addition to state regulators already examine banks. I do not believe that adding more regulators to the mix will enhance safety within the financial system. It will increase bank costs that, in the long run, will be passed on to consumers.

Sincerely,



Rachel L. Saxon
President and Senior Trust Officer
Horizon Bank, N.A. dba Horizon Trust & Investment Management