

3-15380

Robert Joe McLean
Attorney at Law
1330 21st Way South, Suite 200
Birmingham, AL 35205
joemcleanlaw@bellsouth.net

February 23, 2016

Office of the Secretary
U. S. Securities and Exchange Commission
100 F Street, N.E.
Washington, D.C. 20549-1090

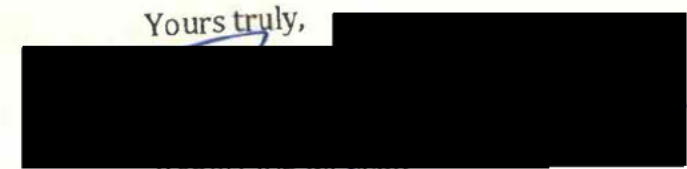
Re: Request to Vacate Bar(s) from Association with Nationally Recognized
Statistical Rating Organizations and / or Municipal Advisors in light
Of Koch v. SEC - response by Jon H. Deal

Dear Sirs:

My client received the enclosed documents from you requesting a response.
Mr. Deal does not believe he is subject to a bar from association with any nationally
recognized statistical rating organization and/or municipal advisor based solely on
conduct that occurred before July 22, 2010.

Please contact me if you need additional information or if you believe that
there is a bar.

Yours truly,



Robert Joe McLean
Attorney at Law

cc: Jon H. Deal

Enclosures: three executed copies of documents requiring response

3-15380

COMMISSION STATEMENT REGARDING DECISION IN *KOCH v. SEC*

In its July 14, 2015 decision in *Koch et al. v. SEC* (No. 14-1134), the United States Court of Appeals for the D.C. Circuit granted in part a petition for review of a Commission order imposing sanctions for violations of the securities laws. The court held in relevant part that the portion of the order imposing bars from association with municipal advisors and nationally recognized statistical rating organizations was impermissibly retroactive, and the court therefore vacated those bars. Congress first authorized the Commission to impose those associational bars in the Dodd-Frank Act, which was enacted on July 21, 2010. In *Koch*, all the conduct at issue pre-dated the enactment of the Dodd-Frank Act, and the court held that applying those provisions to such conduct would be impermissibly retroactive. The Commission has determined not to seek further review of that decision.

If you are the subject of a Commission order imposing a bar from associating with a municipal advisor and/or a nationally recognized statistical rating organization *and* you believe that the *Koch* decision affects the bar(s) in your case because all of the conduct relevant to such bar(s) occurred before July 22, 2010, the effective date of the Dodd-Frank Act, you may request that the Commission issue an order vacating the bar(s) by completing the form available at this link: www.sec.gov/about/offices/ocr/form-nrsro-muni-bars.pdf and submitting the form to the Commission as the form directs. This process applies only to these two bars; if the Commission grants you relief, any other bars or suspension from association that were imposed (such as bars from associating with a broker-dealer or investment adviser) will remain in force.

This statement does not constitute a decision by the Commission on any particular case or request.

3-15380

REQUEST TO VACATE BAR(S) FROM ASSOCIATION WITH NATIONALLY RECOGNIZED STATISTICAL RATING ORGANIZATIONS AND/OR MUNICIPAL ADVISORS IN LIGHT OF KOCH V. SEC


Summary:

1. As a result of the decision of the United States Court of Appeals for the District of Columbia Circuit in *Koch v. SEC*, the Securities and Exchange Commission has determined to grant requests to vacate bars from association with nationally recognized statistical rating organizations ("NRSROs") and municipal advisors that were imposed against individuals based entirely on conduct that occurred before the effective date of the Dodd-Frank Wall Street Reform and Consumer Protection Act (July 22, 2010).
2. The Commission has established an expedited program for eligible individuals to request that their NRSRO and/or municipal advisor bars be vacated through the completion of this form.
3. This program applies only to NRSRO and municipal advisor bars. If we determine that you are eligible for relief under the program, all other bars and/or suspensions to which you are subject (e.g., from association with a broker-dealer or investment adviser) would remain in place.

Instructions:

1. To make a request that the Commission vacate your NRSRO and municipal advisor bars, you must complete this form by providing all information sought below. Completing the form will facilitate the Commission's determination of your eligibility for the program. Do not submit any additional materials with this form. If the Commission determines that it needs additional information to determine your request, it will notify you.
2. Send three copies of your completed form to the following address:
Office of the Secretary
U.S. Securities and Exchange Commission
100 F Street, N.E.
Washington, D.C. 20549-1090
3. You will be notified of the Commission's determination of your request at the address you provide below.

Information to be provided by affected individual:

Name: JON H. DEAL
Address: 

I am subject to a bar from association with any nationally recognized statistical rating organization and/or municipal advisor based solely on conduct that occurred before July 22, 2010. Yes No

Date of order imposing bar: _____

Signature: 

Dated: 2/23/14