

Memorandum

To: Members and Member Organizations

From: William N. Briggs, Executive Vice President
Strategic Financial Management and Administration

Date: November 16, 2007

Re: Fee Rate Advisory Issued by the Securities and Exchange Commission
Relating to Section 31 Fees

The Securities and Exchange Commission (“Commission”) issued a fee rate advisory on November 15, 2007, which included a reference to the Section 31 fee rate. The portion of the fee rate advisory that refers to Section 31 fees is set forth below:

The continuing resolution funding the Securities and Exchange Commission for fiscal year 2008 since Oct. 1, 2007, has been extended further through Dec. 14, 2007. Therefore, fees paid under Section 31 of the Securities Exchange Act of 1934 will remain at their current rates.

As previously announced, thirty days after the date of enactment of the Commission's regular fiscal year 2008 appropriation, the Section 31 fee rate applicable to securities transactions on the exchanges and in the over-the-counter markets will decrease to \$11.00 per million dollars from the current rate of \$15.30 per million dollars.

The Division of Trading and Markets' Office of Interpretation and Guidance is available to answer questions relating to Section 31. That office may be reached by phone at 202-551-5777 or by email at tradingandmarkets@sec.gov.

A copy of the Commission's April 30, 2007, order regarding fee rates for fiscal year 2008 is available at <http://www.sec.gov/rules/other/2007/33-8794.pdf>.

The Commission will issue further notices as appropriate to keep the public informed of developments relating to enactment of the Commission's regular appropriation and the effective dates for the above fee rate changes. These notices will be posted at the SEC's Internet web site at <http://www.sec.gov>.