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Methodology for Determining If a Particular Fee Included a Reserve Component, and Calculations To Remove Such a Component (if any)

Last Modified:

APHIS used the publicly available information in 80 FR 66748-79 to remove the reserve component from the air passenger (Table 1, 80 FR 66753), cruise ship passenger (Table 6, 80 FR 66757), commercial truck (Table 8, 80 FR 66757-66758), and commercial truck transponder fees (Table 8, 80 FR 66757-66758).

On the basis of the same publicly available information in 80 FR 66748-79, APHIS determined that the fees for commercial vessel (Table 7, 80 FR 66757), commercial railroad car (Table 9, 80 FR 66758), commercial aircraft (Table 4, 80 FR 66756), and phytosanitary treatment monitoring (Table 10, 80 FR 66758), were not set at a level that included a collection for the reserve (or a reserve “surcharge”). The following table summarizes this data.

Table 1. Removal of the reserve component (where applicable) and fee recalculation summary using previously published, publicly available data [80 FR 66748 – 66799].

| Column A User Fee Class | Column B: AQI Base Fee (Unit) Cost (FY 2010)¹ | Column C: AQI Base Fee (Unit) Cost (FY 2011)² | Column D: AQI Base Fee (Unit) Cost (FY 2012)³ | Column E: AQI Base Fee (Average Unit Cost) | Column F: AQI Base Fee Rate with 3.5% Reserve | Column G: Current AQI Fee (Beginning 12/28/15) |
|--------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|-------------------------------------------------------------------|--------------------------------------------------------------------------|-----------------------------------------------------------------------|
| Commercial aircraft [80 FR 66756] | \$236.14 | \$230.25 | \$219.32 | \$228.57 | \$236.57 | \$225.00 |
| Air passenger [80 FR 66753] | \$3.77 | \$3.69 | \$4.02 | \$3.83 | \$3.96 | \$3.96 |
| Commercial truck [80 FR 66757- 66758] | \$7.03 | \$7.21 | \$7.63 | \$7.29 | \$7.55 | \$7.55 |
| Commercial truck (transponder) [80 FR 66757- 66758] | \$281.20 | \$288.40 | \$305.20 | \$291.60 | \$302.00 | \$301.67 |
| Cruise ship (sea) passenger [80 FR 66757] | \$1.58 | \$1.83 | \$1.64 | \$1.68 | \$1.74 | \$1.75 |
| Commercial cargo vessel [80 FR 66757] | \$763.84 | \$924.67 | \$821.79 | \$836.77 | \$866.06 | \$825.00 |
| Commercial cargo railcar [80 FR 66758] | \$2.43 | \$2.44 | \$2.14 | \$2.34 | \$2.42 | \$2.00 |
| Treatment [80 FR 66758] | \$226.92 | \$226.92 | \$285.92 | \$246.59 | \$255.22 | \$237.00 |

¹ Unit Cost per the Final 2015 AQI Rule

² Unit Cost per the Final 2015 AQI Rule

³ Unit Cost per the Final 2015 AQI Rule

- Table 1 shows the cost data that APHIS used to calculate the AQI user fees in the Final Rule.
- Unit costs are the actual agency costs for performing AQI services per unit (commercial vessel, truck, railroad car, aircraft, international air passenger, international cruise ship passenger and treatment monitoring).
- APHIS arrived at the unit costs in Final Rule Tables 1, 4, 6, 7, 8, 9, and 10 by adding APHIS Total Cost and CBP Total Cost, and dividing the result by the number of inspections units (passengers, conveyances or treatments) for each fee type by fiscal year.
- In the Final Rule, APHIS calculated the unit costs (as described above) for each of the fee categories for fiscal years 2010 (Column B), 2011 (Column C), and 2012 (Column D). APHIS then calculated the average unit cost across the three data years to arrive at the base fee (Column E).
- Column F shows what the fee rates would have been if APHIS had fully implemented the 3.5% reserve surcharge across all fee categories.
- Column G shows the rates established by the Final Rule and that were in effect at the time of the June 21, 2022 Decision.
- As Table 1, Columns F and G show, and as was previously disclosed, in the Final Rule, APHIS did not add the 3.5% reserve surcharge to the fees for commercial aircraft, commercial vessel, commercial railroad car, and treatment monitoring.
- Table 1, Columns E and G further show that the average unit cost (before the addition of any reserve surcharge) for commercial aircraft, commercial vessel, commercial railroad car, and treatment monitoring are higher than the AQI fees set in the Final Rule.
- APHIS and CBP appropriations absorbed the costs to the program above the enacted fee rates.

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