

**Congress of the United States**  
**Washington, DC 20515**

December 4, 2014

The Honorable Tom Vilsack, Secretary  
U.S. Department of Agriculture  
1400 Independence Avenue, SW  
Washington, DC 20250

Dear Secretary Vilsack:

We write to express concerns about the U.S. Department of Agriculture's Animal and Plant Health Inspection Service's (APHIS) pending rulemaking increasing Agricultural Quarantine Inspection (AQI) fees.

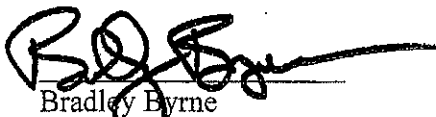
As proposed in the April 24 *Federal Register*, the AQI rulemaking increases fees for commercial trucks by 52 percent, commercial trucks with transponders by 205 percent, commercial vessels by 66 percent and commercial aircraft by 218 percent. It also establishes a new \$375 per pest treatment fee, \$2 fee for each international cruise vessel passenger and lifts the fee caps for commercial trucks, vessels and railcars. The maximum amount a commercial vessel presently pays is \$7,440 per year. Under the pending rulemaking, a commercial cargo vessel with a weekly call to the U.S. from the Caribbean, for example, would pay \$42,900 (nearly five times the current fee) not including overtime fees. Furthermore, some cruise vessels could pay as much as \$600,000 annually.

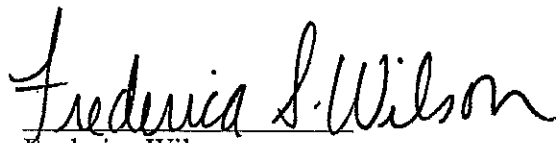
According to APHIS, the proposal increases AQI user fees by \$530.6 million, much of which will be borne by small, port-related businesses such as importers, commercial truckers, cargo and passenger vessels and aircraft. It is difficult then to imagine how APHIS believes that "effects of the proposed rule on firms within the transportation sector are expected to be limited, regardless of size."

We recognize that APHIS needs additional financial resources to adequately safeguard our borders from destructive invasive pests and that AQI user fees have not been increased in 10 years. We also appreciate that the rulemaking seeks to more closely align, by class, the cost of AQI services provided and user fee revenue received. In its current form, however, the AQI proposal will be extremely disruptive and must be reconsidered.

We are disappointed that APHIS officials did not – as they should have under Section 2(C) of Executive Order 13563 of January 18, 2011 (Improving Regulation and Regulatory Review) - seek the views of many affected stakeholders before issuing the proposed rulemaking. Consequently, we urge APHIS to consider withdrawing the pending rulemaking and instead negotiate another more workable proposal with representatives of affected industries.

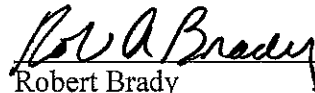
Sincerely,

  
Bradley Byrne  
MEMBER OF CONGRESS

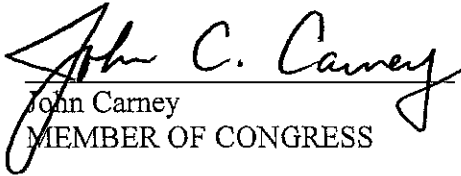
  
Frederica Wilson  
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MEMBER OF CONGRESS



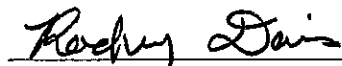
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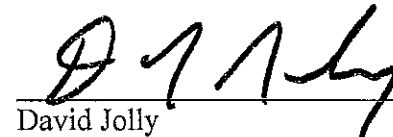
Chaka Fattah  
MEMBER OF CONGRESS



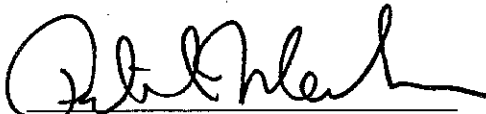
Bob Gibbs  
MEMBER OF CONGRESS



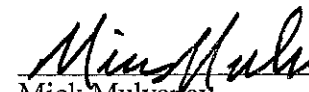
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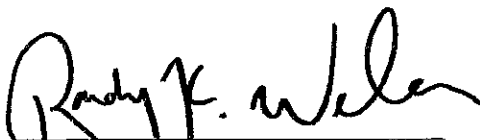
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