

**Congress of the United States**  
Washington, DC 20510

April 7, 2006

The Honorable Joshua Bolten  
Director  
Office of Management and Budget  
725 17<sup>th</sup> Street, NW  
Washington, DC 20503

Dear Director Bolten:

We request that the Office of Management and Budget designate the Western Hemisphere Travel Initiative (WHTI) a significant regulatory action. As members of the Washington state congressional delegation we are uniquely concerned about the economic impact that WHTI will have on our Northern Border communities and the nation as a whole.

The Departments of Homeland Security and State jointly published an Advanced Notice of Proposed Rulemaking establishing a proposal for WHTI on September 1, 2005. As such, OMB should require that the Department of Homeland Security complete a cost-benefit analysis of WHTI before the agency publishes a formal Notice of Proposed Rulemaking in the Federal Register.

According to Executive Order 12866, the federal government is required to “create a regulatory system...that improves the performance of the economy without imposing unacceptable or unreasonable costs on societies.” To meet these goals, Executive Order 12866 mandates that a federal agency designate a proposed rule as a significant regulatory action if that rule may:

*“Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities.”*

Section 6 of Executive Order 12866 clearly states that federal rules designated a significant regulatory action must undergo a thorough cost-benefit analysis prior to being printed in the Federal Register as a proposed rule. The combined economic impacts of new PASS card purchases and the effect of WHTI regulations on Northern Border commerce will significantly surpass the \$100 million milestone. Given Washington state’s dependence on trade, tourism and travel, this cost-benefit analysis would provide a thorough explanation as to how WHTI will impact the economy.

A comprehensive cost-benefit analysis is not only crucial for Northern border communities in Washington state such as Blaine, Sumas, Orville, and Colville but will provide a crucial analytical foundation for the entire Washington state economy which is highly dependent on

smooth and efficient trade across its borders. This analysis will be even more crucial as we cope with the flow of U.S. citizens from Washington state to Vancouver, B.C. for the 2010 Winter Olympics.

In addition, such an analysis would provide an explanation of the cost of creating and obtaining new travel documents and equipping all ports of entry with new card readers. Overall, this analysis would provide further guidance to ensure that the implementation of the WHTI would have the most benefit and least detriment to our state's economy.

We appreciate your attention to this matter and look forward to your response.

Sincerely,

Maria Carmichael

Patty Murray

Rid Zana

Norm Siebo

Jeff Aulec

Jim McDermott

Eric Lutz

Benjamin B. B...

Cathy McManis

Alan Smith

\_\_\_\_\_

Di Becher