

(i) authority granted by law to an agency or the head thereof; or

(ii) functions of the Director relating to budget, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law (including laws and executive orders relating to the protection of information from disclosure) and subject to the availability of appropriations.

(c) In implementing this order, the Director of National Intelligence shall perform the functions assigned to the Director of National Intelligence by the National Security Act of 1947, as amended (50 U.S.C. 401 *et seq.*), consistent with section 1018 of the Intelligence Reform and Terrorism Prevention Act (Public Law 108–458), and other applicable laws.

(d) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its agencies, or entities, its officers, employees, or agents, or any other person.

George W. Bush

The White House,
November 13, 2007.

[Filed with the Office of the Federal Register, 10:44 a.m., November 14, 2007]

NOTE: This Executive order was published in the *Federal Register* on November 15.

Message to the House of Representatives Returning Without Approval the “Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2008”

November 13, 2007

To the House of Representatives:

I am returning herewith without my approval H.R. 3043, the “Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2008.”

This bill spends too much. It exceeds the reasonable and responsible levels for discretionary spending that I proposed to balance

the budget by 2012. The Congress is on a path to spend \$205 billion more over the next 5 years than I requested. This puts a balanced budget in jeopardy and risks future tax increases. This year, the Congress plans to overspend my budget by \$22 billion, of which \$10 billion is for increases in this bill. Health care, education, job training, and other goals can be achieved without this excessive spending if the Congress sets priorities.

This bill continues to fund programs that are duplicative or ineffective. The Congress continues to fund 56 programs totaling more than \$3.2 billion that I proposed to terminate because they are duplicative, narrowly focused, or not producing results.

This bill does not sufficiently fund programs that are delivering positive outcomes. For example, Reading First, a critical initiative that is demonstrating results, receives a 61 percent cut, even though low-income students enrolled in Reading First schools posted a more than 10-point improvement in reading proficiency from 2004 to 2006.

This bill has too many earmarks. I set out clear goals for the Congress to reform the earmarking process. The Congress chose not to put earmarks in bill text, instead including nearly all in report language, and they did not reach the goal of cutting the cost and number of earmarks by at least half. This bill contains more than 2,200 earmarks totaling nearly \$1 billion. Congressional earmarks divert Federal taxpayer funds to localities without the benefit of a merit-based process, resulting in fewer resources for national priorities or unnecessary spending above the requested level.

I urge the Congress to send me a fiscally responsible bill that sets priorities. Americans sent us to Washington to achieve results and be good stewards of their hard-earned tax dollars. Because the legislation violates that commitment, I must veto this bill.

George W. Bush

The White House,
November 13, 2007.