

Statement on Signing the Medical Device User Fee and Modernization Act of 2002

October 26, 2002

Today I have signed into law H.R. 5651, the “Medical Device User Fee and Modernization Act of 2002.” The Act protects patients from inappropriate reuse of medical devices, strengthens the inspection regime for medical device manufacturing facilities, modernizes Food and Drug Administration (FDA) medical device operations, and establishes a program under which the users of the FDA’s medical device review services pay for those services.

Section 201(a) of the Act enacts section 704(g)(10) of the Food Drug and Cosmetic Act, which purports to make the operation of the “accredited persons” inspection provisions for medical device establishments dependent upon certain determinations by the Comptroller General, a legislative agent, of amounts obligated by the Secretary of Health and Human Services for particular purposes. The executive branch

shall construe this provision in accordance with the principles set forth in *Bowsher v. Synar*, 478 U.S. 714 (1986).

Several provisions of the Act require executive branch officials to submit recommendations to the Congress. The executive branch shall construe such provisions in a manner consistent with the President’s constitutional authority to submit for the consideration of the Congress such measures as the President judges necessary and expedient.

GEORGE W. BUSH

The White House,
October 26, 2002.

NOTE: H.R. 5651, approved October 26, was assigned Public Law No. 107–250. This statement was released by the Office of the Press Secretary on October 28.

Remarks in Alamogordo, New Mexico October 28, 2002

The President. Thank you all very much. *Hola.*

Audience members. *Hola.*

The President. *Si.* Thank you all for coming today. It’s a beautiful day here. Of course, every day is a beautiful day in New Mexico. I love to come to a part of the country where the cowboy hat is—the cowboy hat, instead of the tie, is a part of the work uniform. It kind of reminds me of home, right around the corner from here.

They tell me I’m the first President ever to come to Alamogordo. For that, I’m honored. I’m honored, and I’m honored so many of my fellow Americans have come

out to say hello, to listen to what’s on my mind. First of all, what’s on my mind is that in order to be a good American, in my judgment, you’ve got to exercise your right. You’ve got to go to the polls. In order to do your job as an American, you can’t take democracy for granted. You owe it to our society to go vote.

Of course, I’ve got a few suggestions for you when you go to the polls. It doesn’t matter to me whether you’re a Republican, Democrat, or independent. You have an obligation. So I’m here to urge you all to do your duty and to go to your coffee shops and your houses of worship, community centers, and urge your fellow citizens to