

Laura joins me in sending our best wishes for a joyous celebration. Eid mubarek.

GEORGE W. BUSH

NOTE: An original was not available for verification of the content of this message.

Message to the Senate Transmitting the Japan-United States Treaty on Mutual Legal Assistance in Criminal Matters
November 24, 2003

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the United States of America and Japan on Mutual Legal Assistance in Criminal Matters, signed at Washington on August 5, 2003. I transmit also, for the information of the Senate, a related exchange of notes and the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of modern mutual legal assistance treaties negotiated by the United States in order to counter criminal activities more effectively. The Treaty should be an effective tool to assist in the investigation and prosecution of a wide variety of crimes. The Treaty is self-executing.

The Treaty provides for a broad range of cooperation in criminal matters. Mutual assistance available under the Treaty in-

cludes: taking testimony, statements, or items; examining persons, items, or places; locating or identifying persons, items, or places; providing items from governmental departments or agencies; inviting persons to testify in the requesting Party; transferring persons in custody for testimony or other purposes; assisting in proceedings related to forfeiture and immobilization of assets; and any other form of assistance permitted under the laws of the requested Party and agreed upon by the Central Authorities of the two Contracting Parties.

I recommend that the Senate give early and favorable consideration to the Treaty, and give its advice and consent to ratification.

GEORGE W. BUSH

The White House,
November 24, 2003.

Remarks at Spring Valley Hospital in Las Vegas, Nevada
November 25, 2003

Thank you for the warm welcome. It's great to be here in Las Vegas, the great State of Nevada. I'm sorry I don't get to spend the night here. [Laughter] They say the nightlife is pretty active. [Laughter] It's a great part of our country. Thanks for your welcome.

I also appreciate the Spring Valley Hospital Medical Center team for hosting us.

It's not easy to have the President of the United States come. It seems like the entourages are quite large these days. [Laughter] So I appreciate the hard work in facilitating my visit.

It's amazing that this facility is not only—is not yet 2 months old, yet it is providing a really good record of care and compassion, thanks to the good docs and nurses

and CEOs and aides who work here. I want to thank you for caring about your fellow citizens with good, decent health care.

Today—speaking about good, decent health care—today we had a major victory to improve the health care system in America. The United States Senate has joined the House of Representatives in passing historic reform of Medicare that will strengthen the system, that will modernize the system, that will provide high-quality care for the seniors who live in America.

I want to thank and congratulate the Members of Congress for their hard work. You see, we have a responsibility in Washington, DC, to solve problems, not to pass them on. And today the United States Congress met its responsibility. We inherited a good Medicare system. It has worked, but it was becoming old and needed help. Because of the actions of the Congress, because of the actions of members of both political parties, the Medicare system will be modern, and it will be strong.

I appreciate Karla Perez for hosting us here. She had a very good visit about health care needs in this community and around our country. Karla is an impressive CEO and managing director, and I'm really glad she invited me here. I want to thank Alan Miller, Mike Marquez, and Dan McBride for their leadership as well.

I appreciate so very much your fine Governor, Kenny Guinn, for showing up today. Governor, it's great to see you. He's a close friend, as is Dema. The Governor and I both married very well. [*Laughter*] Laura sends her love to both of you. [*Laughter*]

Two Members of the United States Congress from Nevada are with us today, Congressman Jim Gibbons and Congressman Jon Porter. They supported this piece of legislation. They support a lot of good legislation. And I'm proud of your work, and I appreciate your courage in doing the right thing for America's seniors—by the way, not only the seniors today but those of us who are going to be seniors. I also want to welcome Trent Franks from the great

State of Arizona, friend, a man who also supported Medicare reform. He and his wife Josie are here to join us today, and I'm honored that you all would come over from Arizona to say hello.

I want to thank the Nevada attorney general for joining us, Brian Sandoval. I appreciate members of the statehouse for being here. I'm glad Darlene Ensign is with us, the Senator's good wife—for joining us. Most of all, I'm really glad you all are here, and thanks for letting me come by to say hello.

Today when I landed, I met Maria Konold-Soto. She's a—where is Maria? Oh, there's Maria, yes. What Maria does is she volunteers in your community on the Medical Reserve Corps. Perhaps you've heard about it. It is a chance to help our communities prepare for a potential emergency. Notice I said "volunteers." A lot of times people talk about the strength of the country in terms of our military might or the size of our wallets. The strength of America is the heart and souls of our fellow citizens who are willing to volunteer to make their communities a better place.

I know a lot of the docs here provide a lot of care for people who hurt. That's part of making America a compassionate place. Maria is part of making America a compassionate place. All of you who volunteer, I want to thank you very much for the job you do. If you're interested in being a patriotic American, love a neighbor just like you'd like to be loved yourself, and you'll make a significant contribution to our country.

This Nation's health care is great. We've got the best health care in the world, and we need to keep it that way. We've got a great health care system because of our docs—well trained, decent, caring people who practice medicine. We've got a great health care system because of our nurses who work hard to provide compassionate care. We've got the best research in the world. We're on the leading edge of change in America.

But we've got to keep the system vibrant. And we must keep it the best in the world, which we intend to do in Washington, DC. We started that by making sure our seniors have got a modern system. The Medicare system, first of all, is an essential commitment of the Federal Government. Our Federal Government has made a commitment to our seniors that we will provide them an up-to-date, decent health care system. It's a basic trust that has been upheld throughout the generations. And we're keeping that trust by making sure the system works, by making sure that our seniors are well treated.

In recent years, Medicare has not kept up with the advances of modern medicine. In other words, it hasn't met the trust that the Federal Government has promised to our seniors. Remember, when Medicare was passed in 1965, health care meant house calls and surgery and long hospital stays. And the system was designed to meet the health care delivery systems of the day.

Modern medicine today now includes preventative care, outpatient procedures, and at-home care. Many invasive surgeries are now unnecessary because of the new prescription drugs which are being developed. Many Americans have coverage for these new forms of health care, and that's positive, and we need to keep it that way. Yet seniors who rely exclusively on Medicare do not have the coverage for many of the new treatments and do not have coverage for prescription drugs. In other words, medicine changed, and Medicare didn't. And as of today, Medicare is changing.

Let me give you an example of the need for modernization. The health care providers here know these examples only too well. Medicare is willing to pay \$28,000 for a hospital stay for ulcer surgery. But it won't pay the \$500 for the anti-ulcer drugs that would keep the senior out of the hospital in the first place. Those examples—or that example, like many others, says to me we had a problem with the

Medicare system. It doesn't make any sense to pay the 28,000 at the end of the process but not the 500 up front to keep the 28,000 from happening in the first place.

Medicare should cover medications to keep our seniors out of the hospitals. The new bill does this. The important part of the reform is to recognize that medicine has changed. It will save our Government and the taxpayers money by providing prescription drugs early so we don't have to pay for it in long hospital stays or invasive surgeries.

Most seniors have got some form of prescription drug coverage from a private plan, and that's important. It's a fact of life here in America. Those plans, however, are becoming less available. We've got to make sure the private sector remains vibrant. The bill I'm about to describe to you does that.

Medicare was very slow to take advantage of new medical advances, besides prescription drugs. In other words, you had to go through a bureaucracy in order to get certain procedures covered. Bureaucracies don't move very quickly. They tend not to be very sympathetic organizations. They're not consumer-driven. They're process-driven. They're hidebound by rules and regulations. The docs here know what I'm talking about. You get to deal with bureaucracies. It must be a frustrating experience. Sometimes it's a frustrating experience to try to change bureaucracies.

The Medicare plan that I'm going to sign understands that a lack of competition meant that there was no real need to provide innovation. And so we're helping to change the system by giving seniors more options and more choices. See, Members of Congress have got choices. They get to choose from a health care plan, and it works quite well. The three Congressmen here would tell you they're probably pretty satisfied with the plan, if they've chosen to be in it. In other words, you get to choose.

This new Medicare bill I'm going to sign says seniors are plenty capable of making

choices themselves. I used to say, "If it's good enough for the Members of Congress to have choice, it ought to be good enough for the seniors in America to have choice." Now they're going to have choice, thanks to the bill I'm going to sign.

It's going to take a while for this piece of legislation to kick in. It's going to take about 2 years to get all the reforms in place. But within 6 months of the law being signed, our seniors will start to see real savings in health care costs because seniors will be eligible for a drug discount card that will save them between 10 to 25 percent off their regular drug costs. And low-income seniors will receive up to \$600 a year to help them with their drug costs in addition to the card. Their card will serve as a transition to the reforms that are inherent in the Medicare legislation.

When the full drug benefit arrives in 2006, all seniors will be eligible for prescription drug coverage for a monthly premium of about \$35. The result is that for most seniors without coverage today, the Medicare drug plan will cut their annual drug bills roughly in half. That's positive news for America's seniors.

It's positive news for Joyce and J.C. Pearson. J.C.'s from Tennessee, by the way, and he reminded me that without Tennessee, Texas wouldn't have been much. [*Laughter*] He reminded me more than once, I might add. [*Laughter*] The Pearsons are—live on a tight budget. They spend about \$300 a month for prescription drugs. Under the new Medicare reform bill passed today, they will save \$1,800 a year. Joyce said they can use that money. She said it's going to come in handy in their retirement years.

Seniors with the highest drug bills will save the most. Seniors with the greatest need will get the most help. Low-income seniors will pay a reduced premium or no premium at all and lower or no copayments for their medications.

Under the new reforms, seniors, as I mentioned, will have choices. You see, some seniors don't want to choose, and I

can understand that. In other words, people who are on Medicare just don't want to be confronted with a choice, and the system in the bill we passed recognizes that. You can understand why. The person is up in years, and it's pretty comfortable. They don't want to have to change. Change makes some people nervous, and we understand that. And so, should seniors want to stay in traditional Medicare and receive a prescription drug benefit, they will now be able to do so. That's one of the key reforms in the bill.

But other seniors want to choose. They want to be able to make a selection based upon their own particular needs. Some might want protection from high out-of-pocket medical expenses. Some might want expanded coverage for hospital stays. Some might want to be able to pick a plan that better meets their own individual needs. And under this law, choices will be readily available for our seniors, and that's an important part of reform. Because, you see, when seniors or any citizen makes a demand, the system responds. If there is a demand-driven system, it means the doctor-patient relationship is going to be more firm, and it means people will have better choices to meet their own particular needs. Some seniors may want the coverage that comes with managed care plans, Medicare+Choice.

Bob May is with us today. Bob is a World War II veteran. He is what I would call a solid citizen. Bob said, you know, his wife—who unfortunately passed away recently—and he sat down and analyzed, made a choice. He said, "We weighed the pros and the cons about what health care plan would fit our needs." I want you to hear that carefully. Bob and his wife sat down and said, "Here's the pluses and the minuses." In other words, he's plenty capable of making a choice. He didn't need the Government telling him how to choose what health care plan best met his needs. And so he chose Medicare+Choice, and it works, he said. Under the law,

Medicare+Choice will be strengthened, not starved. It is a viable option for our seniors around the country. In other words, people will have more control over their health care options, and health care plans will start competing for their business. And that's positive, positive for the consumers, positive for the seniors of America.

There are other important reforms in this bill. When seniors sign up for Medicare, they will get a complete health examination so that doctors can know their health needs from the start. We're finally beginning to focus on preventative care. It makes sense to include preventative care in any health care reforms. The health care providers here know that better than anybody.

The bill provides incentives for companies to keep the existing coverage they provide for senior retirees. There was some concern in Washington—a legitimate concern, as far as I'm concerned—that a Medicare reform plan would encourage employers to not do their responsibility to their former retirees. This bill addresses that. Two out of every three seniors is now covered by some form of private coverage, and the bill addressed the issue to make sure that that coverage is still a viable alternative in the marketplace.

Every American, old and young, will be able to have a health savings account. They will be able to put money aside tax-free to help their families with medical expenses. Medical savings accounts are important part of reform. Medical savings accounts trust the consumers, provides incentives for people to make wise choices, and helps to maintain the doctor-patient relationship.

This bill helps rural hospitals. This would not qualify as a rural hospital here. *[Laughs]* But rural hospitals need help to continue to serve our country. This bill sets fair reimbursement rates for doctors serving Medicare patients. This is a good bill, and I'm looking forward to signing it.

Last Saturday's vote in the House and today's vote in the Senate marks an historic

moment, a bipartisan achievement that all Americans can be proud of. Year after year, the problems in Medicare system were studied and debated, and yet nothing was done. As a matter of fact, they used to call Medicare "Medi-scare" for people in the political process. Some said Medicare reform can never be done. For the sake of our seniors, we've gotten something done. We're acting. We acted on principle in Washington, DC. We'll provide new treatments and new choices. We'll get prescription drug coverage they deserve. We'll keep our commitment to Medicare to better the lives of the American seniors for generations to come.

I appreciate the hard work of the Members of the Congress. It's a tough bill. People worked hard on it. A lot of people searched their soul on this complex and important piece of legislation, but they stayed after it, stayed focused on the people. A lot of Members put politics aside, which we need to do in Washington, DC, when we're talking about the people's business.

I appreciate the seniors and the seniors' groups, such as the AARP, who lobbied hard on behalf of a modern Medicare system. People made their opinions known. They let the Members know where they stand. And it worked, and it helped. And I'm honored to put my signature on this historic piece of legislation.

Another topic of conversation came up at our roundtable discussion, and that was the effect of junk lawsuits on the delivery of health care in America and in Nevada. You see, one of the things we must work for is a health care system which is affordable and available. Junk lawsuits, the threat of junk lawsuits, drive up the cost of health care and run good docs out of the system.

It's important for our fellow citizens to understand the effect of junk lawsuits. You see, docs who are threatened and are constantly sued, even though their practice is a good, strong, excellent practice, resort to what's called defensive medicine. They

order procedures and tests that may not be needed but are—provide protection in the court of law. You see, if you think a lawyer is simply fishing for a rich settlement, is constantly looking over your shoulder, you'll end up practicing what's called defensive medicine. Docs are afraid to give their patients certain advice. In other words, the doctor-patient relationship is disrupted for fear that that advice will be used against them in the court of law. This problem not only affects the doctors; it affects the patients as well. See, it's running up the cost of medicine. It affects a person's ability to deliver good, quality health care.

Donna Miller is an ob-gyn specialist here in Vegas. Dr. Miller has seen her premiums go up about \$28,000 last year, to about \$72,000 this year. She thinks they're headed to about \$100,000 this year. You know what I'm talking about, about premium increases. It's a system that reflects lawsuit after lawsuit after lawsuit. And Dr. Miller's patients pay the price. These junk lawsuits are driving up the cost of medicine.

Here's what she says. She says, "You got into medicine to take care of people and to spend time with your patients. With the premiums going up the way they are, you can't do that." She told me about the colleagues who have left Nevada. I remember when your trauma center shut down here. It made national news. It's a clear sign that you've got an issue here that must be dealt with, because the people who are affected are the people of Nevada.

It means that women who want to have their babies delivered in Nevada are having a hard time finding a doc; that's what it means. And I met Jill Forte today, a proud mother. She found out she was pregnant with her second child. She called her doctor. The doctor told her that because of insurance costs, she could no longer deliver her baby. So she started calling around. She was told the same thing—I think she told me, about five different docs. She considered going to California. Fortunately, she was able to make a connection through a

friend for a local doc to take her case. But you see—and let me tell you what she said. She said she was in total shock. She didn't know what was going on until it happened.

Looking for a doctor, worried about finding a doctor when you're pregnant, is a stress that is an unnecessary stress. It's a stress caused by frivolous and junk lawsuits. It doesn't make any sense to have a society that sues so often that expectant mothers are worried about finding a doctor. We've got to do something about this in America.

There's a cost to the Federal Government because of the frivolous and junk lawsuits and the defensive practice of medicine. It is estimated that the defensive practice of medicine raises the Federal budget by \$28 billion a year. You see it from Medicare, Medicaid, veterans' health benefits, for example. The junk lawsuits affect our budget. Therefore, I view this as a national problem which requires a national solution. We need a system where patients who are harmed have their day in court, where they can collect damages to cover their injuries or recovery or rehabilitation and loss of income. If you've been harmed by a bad doc, you deserve your day in court. Frivolous lawsuits, by the way, that clog the courts make it very difficult for someone with a legitimate claim to get into the court. When patients can prove they were harmed by a doctor's egregious behavior, they should be able to collect reasonable punitive damages.

There needs to be a \$250,000 cap on noneconomic damages. I laid out this proposal to the Congress. The House of Representatives responded in a positive way, and I want to thank the Members here for voting the right way. The bill is stuck in the Senate. You need to contact a Senator in the State of Nevada and let them know you're interested in national medical liability reform. The Senators must understand that nobody in America has ever been healed by a frivolous lawsuit. For the sake of the patients in this State

and for the doctors in this State and for the patients and docs around the country, we need medical liability reform now. And the Members of the Senate must understand, this is a compelling national issue, and I will keep it on the front burner until we get the problem solved.

Finally, yesterday I was in Fort Carson, Colorado, where I had the honor of addressing men and women who wear the Nation's uniform. I just want to share with you right quick our country's foreign policy. In a nutshell, it's "We'll do everything we can to keep America secure." I will not forget the lessons of September the 11th, 2001. My duty as the President, obviously, is to deal with domestic issues and to tackle tough problems. My duty as your President as well is to keep this country secure. And I had the honor of meeting with men and women who wear the Nation's uniform who are doing just that.

We'll protect our homeland as best as we possibly can. But the best way to protect the homeland is to chase the killers down one at a time and bring them to justice, which is exactly what we intend to do.

Freedom equals peace, as far as I'm concerned. And when you hear us working for freedom in troubled parts of the world, you've just got to know it will lead to peace. We'll deal with the short-term security needs by staying on the offensive. We'll help our children grow up in a free society by bringing freedom to parts of the world that desperately need freedom. Our soldiers—as we head into Thanksgiving, we

need to give thanks to our soldiers for their sacrifice, for the honor they bring to our country, for the service they render by bringing freedom to troubled parts of the world. You see, we're bringing freedom in the heart of the Middle East.

Free countries don't develop weapons of mass destruction. Free countries don't attack their neighbors. Free countries listen to the hopes and aspirations of the people who live in those countries. No, America also believes that freedom is not America's gift to the world; freedom is the Almighty's gift to every person who lives in this world. And this Nation will stay the course to bring democracy and freedom to Afghanistan and Iraq. And by doing so, we will not only help the long-suffering people in those countries; we will make America more secure and the world more peaceful.

Thank you for letting me come today. May God bless you all, and may God bless America.

NOTE: The President spoke at 10:32 a.m. In his remarks, he referred to Karla Perez, chief executive officer and managing director, and S. Daniel McBride, chief of staff, Spring Valley Hospital; Alan B. Miller, president and chief executive officer, and Michael Marquez, vice president of acute care, Universal Health Services; Gov. Kenny C. Guinn of Nevada and his wife, Dema; Josephine Franks, wife of Representative Trent Franks; and Darlene Ensign, wife of Senator John Ensign of Nevada. The Office of the Press Secretary also released a Spanish language transcript of these remarks.

Remarks at a Bush-Cheney Luncheon in Las Vegas *November 25, 2003*

Thanks for coming. Go ahead and please be seated. I appreciate you coming. Thanks for the warm welcome. It's great to be in one of America's greatest cities, Las Vegas.

The Governor was saying, "Don't you want to spend a little time here, a little quality time?" And I said, "Well, I'm on Government pay"—[laughter]—if you know what