Jemez Mountains in the Santa Fe National Forest consist of approximately 900,000 acres and are among the most prized public lands in New Mexico. Easy access and scenic surroundings make the Jemez a highly popular public recreational area.

During the 101st Congress, I sponsored legislation that designated the East Fork of the Jemez River as wild and scenic and prohibited the patent of any mining claims along the wild and scenic area. While the wild and scenic legislation protects the East Fork, there is significant mining activity throughout the area threatening the prestigious Jemez Mountains. In fact, the Jemez area is threatened by the pumice-mining operations of a single individual who has filed for patent on approximately 1,520 acres in the Jemez. As a result, there is overwhelming public sentiment to establish a comprehensive management policy for the Jemez Mountains to protect it from mining.

The bill I am introducing today would designate approximately 70,000 acres of the Jemez Mountains as a national recreation area, withdraw the area from any future mining claims, and prohibit the patent of any mining claims as of May 30, 1991. The bill would also require that the land be returned to its original state after any mining activity. The bill also includes provisions that respect and preserve the rights of native Americans in the area, protects wildlife and cultural resources, and provides for the enhancement of recreational facilities, including the establishment of a visitors center. Finally, the bill allows for traditional multiple use to continue such as logging, grazing, hunting, and fishing. I urge my colleagues to support this legislation. I have included a section-by-section summary of the legislation.

JEMEZ NATIONAL RECREATION AREA

1. *Establishment and Purpose*—To conserve, preserve, and restore the recreational, ecological, cultural, religious, and wildlife resources of the Jemez Mountains.

2. *Area Included*—Approximately 70,000 acres.

3. *Mining*—

A. Withdrawal—Withdraws lands within the recreation area from future mining.

B. Limitation on Patent Issuance—No patents shall be issued after May 30, 1991, for any location or claim made in the recreation area under the U.S. mining laws. Any party claiming to have been deprived of any property right may file in the U.S. Claims Court a claim against the U.S. within 1 year after enactment seeking compensation for such property right.

C. Reclamation—Prevents any adverse effects on the resources or values of the area and assures complete reclamation of all disturbed lands to a condition visually and hydrologically indistinguishable from their premining condition.

D. Mining Claim Validity Review—The Secretary shall undertake an expedited program to determine the validity of all unpatented mining claims within the area. Such a determination shall be made within 2 years after enactment. If a claim is determined invalid, the Secretary shall declare the claim null and void.

4. *Cultural Resources*—Provides protection for cultural resources in accordance with the Archaeological Resources Protection Act and the National Historic Preservation Act;

5. *Native Americans*

a) Provides non-exclusive access rights to the recreation area for Indian people for traditional cultural and religious purposes;

b) Directs the Secretary to request recommendations from appropriate Indian Tribes on methods to assure access to religious and cultural sites, enhancing the privacy of traditional cultural and religious activities in the recreation area, and protecting traditional cultural and religious sites in the recreation area (same as El Malpias Bill).

5. *Wildlife Resources*—The Secretary shall give particular emphasis to the preservation and protection of wildlife resources within the recreation area and comply with applicable Federal and State laws relating to wildlife, Forest Service listed Sensitive Species, and the Endangered Species Act.

6. *Hunting*—Hunting will be permitted in accordance with applicable Federal and State law.

7. *Grazing*—Grazing will be permitted within the recreation area in accordance with current regulations. Riparian areas will be managed in such a manner as to protect the important resource values.

8. *Transportation Plan*—Transportation plan emphasizes efficient use of existing roads and trails that provide for dispersed recreation while avoiding significant archaeological sites.

9. *Recreational Facilities*—Emphasis on maintaining and expanding existing facilities with minimal impact on scenic beauty and primeval character of the recreation area.

10. *Visitors Facilities*—Directs Secretary to establish a visitors center and interpretive facilities on or near the recreation area.

11. *Power Transmission Lines*—In accordance with Federal and State laws and regulations, the Secretary may permit transmission lines if the Secretary determines that: 1) no feasible alternative; 2) damage to the recreational and scenic quality of the area will not be significant and; 3) it is in the public interest.

12. *Acquisition of Land*—The Secretary may acquire lands within the recreation area by donation, purchase, or exchange. The Secretary may not acquire mineral interests separate from surface (no mining). Lands acquired by the Secretary are withdrawn from location, entry and patent.

13. *State Lands*—State lands may be acquired only by donation or exchange (Federal Govt. does not prefer purchase of state land).

14. *Offers to Sell*—The Secretary shall give prompt consideration to any offer made by private landowners within the recreation area to sell.

15. *Adjoining Lands*—The Secretary may from time to time evaluate lands adjoining the recreation area for possible inclusion in the recreation area.

16. *Authorization of Appropriations*—Authorized to be appropriated such sums as may be necessary.

THE U.S. SUPREME COURT'S RULING ON THE GAG RULE

HON. CARDISS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1991

Mrs. COLLINS of Illinois. Mr. Speaker, I rise to speak today in shock, sadness, and dismay at the decision of the U.S. Supreme Court to uphold the so-called gag rule at federally funded family planning clinics. This decision sustains a policy that threatens women's lives, curbs the judgment of doctors and other medical professionals, and unfairly penalizes poor women.

It is a sad fact that the far majority of women who seek medical attention at clinics that receive Federal moneys, do so because they cannot afford other, private medical services. These family planning clinics serve a vital health care need for many hundreds of thousands of poor women who go to these health centers to receive a variety of screening and diagnostic services including routine blood pressure checks, Pap smears. VD and other sexually transmitted disease cultures, genetic testing, and blood tests that can detect anemia and diabetes. The clinics provide many other services that run the gamut from HIV counseling, to dispensing of contraceptive devices, to treatment for a variety of reproductive system diseases and illnesses. Now, these and other necessary health care activities will be jeopardized because the medical staff will no longer be free to offer their best and most complete medical diagnosis and treatment protocol or risk losing Federal funds and seeing the clinics disappear altogether.

Just how many women do these clinics reach and how many will be affected? One year ago, Planned Parenthood opened a new clinic in my district. That clinic today serves three times the number of women the director thought it would likely serve. For many of these women, and others, family planning clinics are their only source of primary health care. Clearly, there is a need for comprehensive family planning clinics.

The federally funded family planning clinics of which I speak are not abortion mills. We all know that the use of Federal funds for abortion services has been prohibited since 1976. It is ironic that the existence of family planning clinics—both federally and privately funded—have served to reduce the number of unwanted pregnancies and have consequently reduced the number of abortions performed each year. So why are those who most vociferiously oppose a woman's right to make informed decisions about her reproductive health, hailing the Supreme Court's decision on the gag rule? What will happen if these clinics are forced to close?

Finally, Mr. Speaker, in a nation that has a second-class housing system and a second-class education system for its poor, low income, and minority citizens, the Supreme Court has just laid another brick in the foundation of a second-class health care system for poor women.

THE GOVERNMENT DOESN'T HAVE UNLIMITED JURISDICTION

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1991

Mr. DUNCAN. Mr. Speaker, it is a tragedy that so many people have come to expect the Federal Government to take care of every little problem they experience in life.

I wish that we could afford this, but we simply cannot. Our Government is badly broke and deeply in debt.

Additionally, the Federal Government was established by the Founding Fathers in the Constitution to be limited in its areas of jurisdiction. When we create more and more Gov-