

With regard to the newborn testing issues, the conferees have endorsed the CDC guidelines which emphasize voluntary testing and provided authorization for an outreach program to encourage voluntary testing of pregnant women. This would allow these women to take advantage of the latest treatments available to prevent the transmission of HIV to their babies. I am pleased that the conferees have managed to avoid approaches which may have driven many pregnant women away from medical care.

This authorization bill also allows for an orderly distribution of funds to States for new drugs recently approved by the FDA to improve longevity and quality of life for people with AIDS. Last week, Congress approved President Clinton's request for an emergency supplemental appropriation of \$52 million for this important AIDS Drug Assistance Program [ADAP]. Now these funds can be more fairly distributed to the States.

Again, I commend Chairman BILIRAKIS and Mr. WAXMAN, as well as the other conferees, for their hard work in reaching agreement on these important provisions. The bill—and the 17-percent increase in funding provided in the appropriations bill—bring hope to people with AIDS, their caregivers, and their loved ones.

#### LEGISLATIVE PROGRAM

(Mr. BONIOR asked and was given permission to address the House for 1 minute.)

Mr. BONIOR. Mr. Speaker, I rise for the purposes of engaging the distinguished majority Whip about the schedule for the rest of this week and next week.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to my friend from Texas.

Mr. DELAY. I thank the distinguished minority whip for yielding, and, Mr. Speaker, I am pleased to announce that we have concluded our legislative business for the week.

On Monday, May 6, the House will meet in pro forma session. There will be no legislative business and no votes on that day.

On Tuesday, May 7, the House will meet at 12:30 p.m. for morning hour and 2 p.m. for legislative business. Members should note we do anticipate votes soon after 2 p.m. on Tuesday.

Mr. Speaker, on Tuesday, May 7, we will consider a number of bills under suspension of the rules. I will not read through the list at this time, but a complete schedule will be distributed to all Members' offices.

After consideration of the suspensions we will take up two crime bills, both of which are subject to rules: H.R. 2974, the Crimes Against Children and Elderly Persons Increased Punishment Act, and H.R. 3120, a bill regarding witness retaliation, witness tampering and jury tampering.

For Wednesday, May 8 and the balance of the week the House will consider the following bills:

H.R. 3322, a bill to authorize appropriations for fiscal year 1997 for civilian science activities; two resolutions, House Resolution 416 and 417, establishing a select subcommittee to investigate the United States role in Iranian arm transfers to Croatia and Bosnia; H.R. 3286, a bill to help families defray adoption costs and promote the adoption of minority children; and H.R. 2406, the United States Housing Act of 1995.

Mr. Speaker, we should finish legislative business and have Members on their way home to their families by 2 p.m. on Friday, May 10, and I thank the gentleman for yielding me this time.

Mr. BONIOR. Mr. Speaker, I thank my colleague for his remarks, and I just have two questions for my friend from Texas.

Could the gentleman inform the House when we will consider the budget resolution?

Mr. DELAY. Unfortunately, we were not able to mark up the budget this week. We anticipate marking it up next week and bringing it to the floor the following week.

Mr. BONIOR. And how about the health care bill? When do we expect to go to conference on the health care bill?

Mr. DELAY. Evidently we are working with the other body, and we hope to appoint conferees sometime next week.

Mr. BONIOR. Mr. Speaker, I thank the gentleman, and I wish him well this weekend.

Mr. DELAY. Mr. Speaker, I thank the gentleman for yielding to me, and I wish everyone a safe weekend.

ADJOURNMENT FROM THURSDAY, MAY 2, 1996 TO MONDAY, MAY 6, 1996

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Thursday, May 2, 1996, it adjourn to meet at 2 p.m. on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

—  
 HOUR OF MEETING ON TUESDAY,  
 MAY 7, 1996

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday, May 6, 1996, it adjourn to meet at 12:30 p.m. on Tuesday, May 7, 1996, for morning hour debates.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

—  
 DISPENSING WITH CALENDAR  
 WEDNESDAY BUSINESS ON  
 WEDNESDAY NEXT

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the business in

order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### RESIGNATION AS MEMBER OF COMMITTEE ON THE BUDGET

The SPEAKER pro tempore laid before the House the following resignation from the Committee on the Budget:

CONGRESS OF THE UNITED STATES,  
 HOUSE OF REPRESENTATIVES,  
*Washington, DC, April 25, 1996.*

Hon. NEWT GINGRICH,  
*Speaker, U.S. House of Representatives, The  
 Capitol, Washington, DC.*

DEAR MR. SPEAKER: I hereby resign from the Committee on the Budget.

Sincerely,

HARRY JOHNSTON.

The SPEAKER pro tempore. Without objection, the resignation will be accepted.

There was no objection.

□ 1945

#### SPECIAL ORDERS

The SPEAKER pro tempore. (Mr. TAYLOR of North Carolina). Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. MICA] is recognized for 5 minutes.

[Mr. MICA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

[Mr. LIPINSKI addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

#### ICWA SPELLS HEARTBREAK FOR FAMILY IN OKLAHOMA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Ms. PRYCE] is recognized for 5 minutes.

Ms. PRYCE. Mr. Speaker, I rise today to address the Indian Child Welfare Act, to explain that as it stands today, it has struck tragedy in the hearts of countless children, birth parents, and adoptive families throughout this entire country.

The Indian Child Welfare Act, or ICWA as it is called, was intended to stop State court abuse of Native American children in involuntary placements. In its current form, ICWA is a factor in every single adoption in this

country, because it is nearly impossible to determine what child may be part Indian due to some remote part of its heritage.

I have already recounted several tragic incidences due to the misapplication of ICWA on this House floor. Today I want to tell the Members about an especially sad story that took place in Oklahoma. A couple, Rick and Kathy Clarke, who were seeking to adopt, were notified that they had been selected for possible placement and home study by a tribal worker from the birth mother's tribe. The home study was conducted by the manager of the tribe's division of children and family services.

After conducting the home study, the tribal manager told the prospective parents that ICWA could be waived, and that the tribe had only the best interests of the child at heart. He further suggested that the child be enrolled in the tribe and be allowed to explore his or her cultural heritage.

The couple enthusiastically agreed to this suggestion. Rick and Kathy Clarke were with Shonna Bear, the birth mother, when the child was born. It was a joyous and special occasion. Little did they know that because of the misapplication of ICWA, the little boy they already loved so much would be taken from them.

Mr. Speaker, the court ordered Rick and Kathy to turn the child over to the tribe. Tribe officials, using ICWA, succeeded in securing a relinquishment order, even after assuring the Clarks that they would not. Mr. Speaker, the sad irony is that Shonna Bear wanted her baby to have a loving and stable home with these adoptive parents. She, a loving and courageous birth mother who chose life for her baby instead of abortion, had a right to feel comfortable and confident that she, in her judgment as the birth mother, had made the right decision for her baby. But her decision was overturned. The adoption plan she had so carefully and lovingly made was overturned by the court.

ICWA was never intended to cause such pain and anguish for potential parents, birth parents, and children. Rick Clarke, the adoptive father, did not enter into this adoption carelessly or without the utmost due diligence to the law that applied. He is an Oklahoma judge, very well-versed in the law and its many pitfalls.

Let me quote from the letter that Rick sent to me:

We had less than an hour and a half to say good-bye to our baby. I will never forget Kathy sitting in Jeffrey's room, holding him and saying, "We are never going to see him again, are we?" The pain in Kathy's eyes tortures me even now.

He goes on to say:

For weeks we were totally depressed. We cried every day. Even with the help of our pastor, we needed the help of other professionals to pull us out of our tailspin. Even now, months later, when we think of him we get so upset. When we think if adopting another child, we get fearful of this type of thing happening again.

Mr. Speaker, that is exactly the point of this legislation. Surely we want to correct our legislative overbreadth so these individual tragedies do not occur again to loving, well-meaning families, but more importantly, we must realize that this correction will be one small step this Congress can take to encourage adoption in our Nation, rather than foster impediments to it.

How many children languish in foster homes and are shuffled about from one setting to the next, year after year after year, because otherwise willing and wanting families are afraid to go through what might end up being a heartbreaking experience? I will tell the Members how many: 500,000 children are awaiting an adoptive home. We have a chance to remove yet another one of the roadblocks to adoption, that fear of being the next front page story.

Let me read one more line of Judge Clarke's letter:

Because we committed all our resources to this adoption, after having the approval of the tribe, we are effectively prevented from attempting to adopt again.

The minor changes I have offered to the Indian Child Welfare Act go a long way towards avoiding such tragedies, while maintaining the intent of the act. Rick and Kathy will never see the little boy again that they love so much, but we can make that right, Mr. Speaker. Rick Clarke is absolutely right: This fight is for the children. I urge my colleagues to join me by supporting the adoption legislation on the floor next week.

Mr. Speaker, I include for the RECORD the letter from Rick Clarke.

The letter referred to follows:

RIK AND KATHY CLARKE,  
Tulsa, OK, April 25, 1996.

Hon. DEBORAH PRYCE,  
U.S. Representative,  
Columbus, OH.

DEAR CONGRESSWOMAN PRYCE: Enclosed you will find a summary of what my wife and I experienced dealing with one Indian tribe and the Indian Child Welfare Act. Also, I am sending along a copy of the letter the tribal worker sent us when they agreed to waive ICWA and place Jeffrey in our home. I send this information to you at Nichole's request.

Nichole and I talked earlier today about your goals with the present legislation pending before Congress. She was very informative, professional and still compassionate concerning our ordeal. Please thank her again for me.

As you will see from our story, the effect of the ICWA is sometimes devastating to not only potential adoptive parents' lives, but even more so for the children it imprisons. Kathy and I wholeheartedly support your efforts to limit the ICWA's abusive and disastrous results. You are fighting a good fight for the sake of innocent children all over this nation. May God bless you in your battle.

We stand ready to offer any assistance you need in winning this fight. I know our story and pain don't even begin to compare to those of others, but we will do what we can to help. Please let us know how we can assist.

Sincerely,

RIK CLARKE.

EARLY NOVEMBER

John O'Connor called and said that he had someone who wanted to see a biography on us. We revised the one that we have previously given out and sent it to him. We also found out at this time that the baby's father was part Indian. We were not very optimistic because Indian tribes seldom will approve non-Indian homes for placement. However, since we thought they could waive that requirement, we went ahead and tried.

Kathy has said that if we don't have a baby by the end of the year, she wanted to stop looking for a baby and try to get an older child. With this possibility, we both agree to try.

DECEMBER

John called on 12/16/94 and told Rick that the tribal worker had agreed to do a homestudy of us. At that point, we had given up hope because we had not heard anything for a while. We assumed that since we were not Indian, the tribe had declined. However, even knowing we were not Indians, they agreed to see us.

On 12/17/94 Scott Johnson, Manager of the Division of Children & Family Services for the Muscogee (Creek) Nation, came to our home for the purpose of conducting a homestudy. Mr. Johnson spent close to three hours in our home talking to us and asking us questions. He informed us that his goal, and that of the tribe, was to make sure that the child's best interests were served by the adoption.

Mr. Johnson told us that the primary reason for the strict requirements on adoption of Indian children was to make sure that the Indian children became members of the tribe and to avoid the wholesale baby-brokering of Creek children. We made it clear to him that we were concerned about not being Indian and he told us that the preferences in the ICWA could be waived by the tribe when they thought it would be best for the child. He said that most tribal authorities were most concerned about keeping the numbers of enrolled members high—it somehow effected their financial support. The only conditions he asked us to agree to were to enroll the baby with the Creek Nation and to allow the child to freely explore his cultural heritage if he wanted to do so. We joyfully agreed to those conditions as we both thought they would be in a child's best interest.

As we talked with Mr. Johnson, he made it clear to us that he knew the Bear family. He said that the father of this child, Freddie Bear, had several children the tribe knew about that he was not providing for. His general impression of the whole family was not very favorable. He said he was happy that this child would have a chance to be raised in a better environment than would his siblings and relatives.

As Mr. Johnson left our home, he commented that he rarely had been in an adoptive home where there was as much peace and love as he felt in ours. With that, he informed us that he would approve our home as an adoptive placement for this baby and that the tribe would not intervene.

Needless to say, we got very excited. We went out almost immediately and began to buy baby stuff. We still didn't unwrap many of the items because we had such a long road ahead of us.

On 12/21/94, we met with John in his office at 4:30. He said that things were looking very good. He told us at that point we could back out of the process and there would be no legal expense to us since everything up to then was somewhat preliminary to even considering this baby. However, since the tribe was the only party that was previously unknown and they were now with and for us, there appeared to be nothing standing in the

way of a successful adoption. Based on that, we agreed to go full steam ahead and committed to adopting this baby and paying all expenses to accomplish that goal.

We thought that the baby might be born around Christmas due to the mother having some complications. It was not meant to be, however.

JANUARY

Because of a lack of communication and possibly stress on the mother, we thought that the adoption may be off in early January. Shonna's father did not think we were paying enough of her bills. We, however, wanted to avoid the appearance of baby-buying. We agreed to meet with the mother on 1/15/95, and were pleasantly surprised. She restated her commitment to having us adopt the baby. She also told us that we were really the only couple she seriously considered. She read several biographies and liked ours the best by far.

On 1/31/95, Shonna went to the OU Medical Clinic and is told that the doctor want to induce labor. As soon as we find out, we went to the hospital and talk to her and then wait for the big event. At around midnight, we went home to let the dog out. We were only home for a few minutes when we got the call saying to return to the hospital immediately—the baby was on his way.

As we got off the elevator, we met John O'Connor and he congratulated us on the birth of a son. Jeffrey Adam was born at 12:53 A.M. on 2/1/95 and weighed 7 lbs. 20 ozs. He was 21 inches long. Without a doubt, he was and is a perfect baby.

JANUARY 1, 1995

We stayed with Jeffrey the nursery until around 6:00 A.M. Kathy got a bracelet so we could visit and take him out of the nursery. Rick went to work, but met Kathy and her mom at the hospital at noon. We went in the room with Jeffrey and the mother and had a wonderful visit.

We went back up to the hospital after work that evening. Because there was a problem with the bracelet, we could only take Jeffrey to another room if a nurse went with us. While upsetting, we agreed because we just wanted to spend time with our baby boy.

FEBRUARY 2, 1995

Again, Kathy and Rick met at the hospital at noon to visit Jeff. Rick's court guard and some friends were there also. Jeff was not in the nursery, so we thought something was wrong. He was in Shonna's room with her. She told us that her mother-in-law and other family members were up and wanted to see the baby. We think they had seen him and that was the reason why he was in her room. Kathy and her mom stayed up at the hospital for a long time after Rick went back to work. Then they went shopping to get Jeffrey a "going home outfit."

When we went back that evening, everything got much worse. We know she had been moved to a different room and went directly to the new room. When we passed the nurses desk, we saw an Indian woman and several younger Indians asking for someone's room number and being told she (later found out to be Shonna) was not at the hospital. The would-be visitors were not happy.

Shonna told us that the family was looking for her. Because she did not want to see them, she had been listed in the hospital directory as not a resident. Her door was even marked "No admittance. Check at nurse's desk." Jeffrey was in her room at that time. We sat and held him for a short time.

Then, a nurse came in the room and told us "I have to take the baby to the nursery." She would not tell us why so we would not let her take him. She returned a few minutes later and told us she had to sit in the room

with us if he could not go to the nursery. We eventually found out that there were three lighthorsemen (Creek Nation tribal police) in the lobby with a tribal court pick-up order for Jeffrey. This order, I understand, requested that the child be placed in the custody of the manager of the Family Services Division of the Creek Nation. That person was Scott Johnson, the same person that had previously approved us as adoptive parents for Jeffrey. When I walked through the lobby, I saw three Indian men sitting in the waiting room—one dressed in a uniform with a gun and the other two in plain clothes with guns.

At this point in time, Jeffrey had not been released by his pediatrician to leave the hospital—any removal would have to have been "Against Medical Advice." The hospital staff had called the "risk management" department who eventually got their lawyer involved. The hospital lawyer showed up at the hospital late in the evening. He told the lighthorsemen that they had no authority to be on the hospital property, threatened them with trespassing and they finally left the hospital with the threat to return with a different order. Also, apparently the date on the order was incorrect.

Needless to say, during this time we were extremely upset. We were calling everybody we knew that might be able to help. This included our attorneys, Shonna's attorney, tribal members involved with children's services, and even tried to get a hold of Scott Johnson. All of our efforts proved futile. Had it not been for the hospital attorney, we would have lost Jeffrey right then.

After they left, we stayed at the hospital until Shonna checked out at around 2:00 A.M. on 2/3/95. Jeffrey was returned to the nursery.

2/3/95

We met Shonna at the hospital around 9:00 A.M. with the intent to take him home with us. Because of the tribe's actions and the cloud of uncertainty it caused, we decided not to file the adoption petition that morning. However, because Shonna and we were still in agreement about us adopting Jeffrey, we decided to take him home with us. The hospital required that Shonna check him out and leave with him. We immediately took physical custody of him after she left the hospital with him. That was one of the happiest moments we have ever experienced.

Within 20-30 minutes after we got home with our new baby, I received a call from people at my work. They told me that Mr. Charles Tripp, Assistant Attorney General with the Creek Nation, was at the Juvenile Bureau asking Judge Crewson to sign a pick-up order for Jeffrey. It is my understanding that the reason for this was because the mother agreed to give her baby up for adoption, she was not a fit mother and the child was at risk because of that.

Our extreme joy was immediately turned into utter terror. Because of our love and concern for Jeffrey, we felt it was in his best interest to return to his mother's physical custody as opposed to the possibility of being placed in a shelter for "deprived children." We know that there was a strong possibility that she would get attached to this lovely baby boy. Also, her two sons had been told all along that the baby would not be coming home with her, but she was having him for someone else. This had to confuse them, too.

We called Shonna and told her that the tribe was still trying to remove him from our care and our fear of Jeff going to a shelter. We all agree that it would be close to impossible for the tribe to remove him from her custody and to meet in order to return Jeffrey to Shonna temporarily.

While Kathy takes Jeffrey to Shonna, Rick is on the phone with Judge Sellers (acting as

presiding Judge while Judge Winslow was out of the courthouse.) Mr. Tripp was before Judge Sellers asking him for the pick-up order since Judge Crewson had recused. After Mr. Tripp talked to the tribal judge, there is an agreement to allow Jeffrey to stay in our home, without tribal interference, until a full hearing could be held in front of Judge Winslow. That hearing was to be set on 2/14/95. However, by the time the agreement was made, Kathy had already returned Jeffrey to Shonna.

The rest of that day we spent crying our hearts out. Not only for ourselves, but also for Jeffrey. He had to go back to his mom who could not afford or want to have him. He was the lifetime victim.

2/4/95

Early on Saturday we called Shonna to see if everything was all right. Since she was not prepared to take him home, we were concerned for everybody. She seemed elated and relieved to hear from us. She said she could not handle what was going on and still wanted us to adopt Jeffrey. She even suggested that we go out of state and do the adoption and lie about who the father was and say the child was not Indian. We obviously could not do that, but we told her we could come and get him and keep him until the court date.

Once again, we were overjoyed. Our hope that the Creek Nation would do the right thing for this child took over. We met Shonna and took physical custody of Jeffrey early in the afternoon. Even though we were just "baby-sitters" at that point, we felt like a family.

2/4/95 TO 2/11/95

Kathy has taken off work to spend all of her time to be with Jeffrey. We take him to church on Sunday and introduce him as our baby. We take him to friends homes, bring him to my workplace, and everywhere else we go normally. We are a family.

2/11/95

As we were eating breakfast, Shonna called and asked if she could see Jeffrey to say good-bye. Because of all the problems the tribe caused, she did not have a chance to do that. As Rick talked to her, it became obvious that she was probably changing her mind. The time she had to spend with him due to the tribe's interference forced her to bond with him. We do not believe that she did this maliciously or with the intent to just get some bills paid. Of interest, is that even now the father has not seen the baby nor expressed any interest in Jeffrey.

We had less than an hour and half to say good-bye to our baby. I will never forget Kathy sitting in Jeffrey's room, holding him and saying "We are never going to see him again, are we?" The pain in her eyes tortures me even now.

I met Shonna for the last time with only Jeffrey—Kathy could not bear having to hand him over to her. We gave her almost all of the clothes and toys we had bought for him. We knew she did not have anything to take care of him. We wanted Jeffrey to be happy and safe and have plenty of things he needed. After I gave Jeffrey to Shonna I drove away with a feeling of total loss. I had never wanted something to happen more nor experienced so much pain when it didn't.

For weeks we both were totally depressed. We cried every day when we thought of Jeffrey. Even with the help of our pastor, we almost needed the help of other professionals to pull out of our tailspin. Gradually, our pain subsided. However, even seven months later, when we think of him we get upset. Also, when we even think about adopting any other child we get fearful of this type of thing happening again. That is in addition to the fact that we have no money to even

begin the adoption process since we spent so much on the failed attempt.

#### AFTER JEFFREY'S RETURN TO HIS MOTHER

We have been told that after this mess happened, Scott Johnson was called before tribal authorities and told to change his ways concerning his representation of the tribe's position on adoption. This is born out by his behavior. During the time we had Jeffrey in our home, Mr. Johnson called our home and talked to Kathy. He told her we were still the best place for Jeffrey to be and he still would continue to fight for that to happen. He had not, at that time, changed his opinion at all.

After his meeting with tribal authorities, we are told that he now says that he never promised us that the tribe would consider us as an adoptive placement for the child and that the tribe would follow placement guidelines as it always does, without exception. Obviously, his letter is clear on this point.

Both of us, during separate conversations with Mr. Johnson, expressed our concern over him personally and the possible negative impact he may suffer for his bold and appropriate position for the best interests of this child. He apparently has changed his position.

Two days after the article about the failed adoption was in the May 28, 1995 Tulsa World, Shelly S. Crow, Second Chief of the Muscogee (Creek) Nation called Rick at the office and wanted to meet. Within a week after that, Ms. Crow showed up at the courthouse and met with him. She informed Rick that she was very disturbed by the article and wanted to know what she could do to make everything right. She said something like what happened to us should never happen and that the tribe was concerned about Indian children. She also said that sometimes the best thing for Indian children was to be placed outside an Indian family, "as in your case."

Ms. Crow informed me that she was contacted by the paternal grandmother and told of the circumstances. She proceeded to write letters to put a stop to the adoption and insisted that the tribe intervene just as it eventually did. I asked her if she was aware that Mr. Johnson had approved our home when she decided to intervene and she said she did not know that nor had she seen the letter. She was also surprised to learn that the paternal grandmother had seven other grandchildren living with her on a permanent basis and that all were being supported by state and tribal assistance in substandard housing. She acted without even considering the best interests of Jeffrey.

Since Ms. Crow felt so guilty about her actions, she was very free with even more information. She went on to tell me that after Mr. Johnson changed his "official" position, he got promoted to a better/easier job with an extra \$3,000 a year salary increase. She believed that Mr. Johnson had been reprimanded at least four times in recent years by the tribe for various infractions while employed by the tribe.

Her last comment about Mr. Johnson was that his father worked somewhere in the federal government, possibly for the Department of Housing and Urban Development. Because of this, and the fact that if the tribe did anything to Mr. Johnson the federal government may cut funding, Ms. Crow thought the tribe would put up with him no matter what he did wrong.

#### CONCLUSION

The Creek Nation should not be allowed to ruin so many innocent children by their selfish, destructive conduct. Not only have they shattered our lives, after encouraging us to go forward with this adoption, but they have sentenced Jeffrey to live a life in an environ-

ment where he was not wanted and could not be provided for adequately—They have not only destroyed our lives, but, more importantly, Jeffrey's.

In addition, because we committed all of our resources to this adoption, only after getting the approval by the tribe, we were effectively prevented from attempting to adopt again for some time.

The Creek Nation should suffer for the pain they have caused.

#### MUSCOGEE (CREEK) NATION

*Okmulgee, OK, December 29, 1994.*

Mr. JOHN O'CONNER,

*Newton and O'Conner Law Firm,  
Tulsa, OK.*

DEAR MR. O'CONNER. A homestudy was conducted on the home of Richard Randal and Kathy Jean Clarke for the purpose of placing the unborn child of Ms. Shanon Boar whose spouse and father of the said child is an enrolled member of the Muscogee (Creek) Nation. The home was found to be of extraordinary quality. Mr. and Mrs. Clarke are people of integrity with high morals and quality values. Seldom have I met a couple with such character and desire to be good parents. Rarely do I have the opportunity to enthusiastically recommend a home for placement without reservation. In this instance however, I am delighted to approve this home for placement.

As a duly appointed Officer of the Court and representative of the Muscogee (Creek) Nation Division of Children and Family Services we accept the home of Mr. and Mrs. Clarke as suitable placement for the unborn child of Ms. Shanon Bear. The Muscogee (Creek) Nation declines to intervene in the adoptive placement of said child to the Clarke family. However, if an alternate placement is made, the Muscogee (Creek) Nation reserves the right to intervene at a later time.

SCOTT A. JOHNSON,

*Division Manager.*

#### BONE MARROW TRANSPLANT FOR TOM WELCH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. MEEHAN] is recognized for 5 minutes.

Mr. MEEHAN. Mr. Speaker, I have come to the floor this evening to ask for the Nation's help. A long time family friend of mine, Tom Welch, who lives in the town of Chelmsford, MA, is in serious need of a bone marrow transplant. Tom is a community activist, who tirelessly works to help others. He is employed by Hewlett Packard and he also serves as a town selectman—a position to which he was recently elected. He has a wife, Maureen, and two sons—a family to which he is absolutely committed.

Well-read and smart; a lover of jazz music, Tom is—to all who know him—an all around great guy. That is why it is with great sadness that I make this plea tonight.

In January of this year, Tom was diagnosed with Myelodysplastic Disorder, a condition which inhibits reproduction of the body's blood cells and destroys its ability to combat infection. Tom's condition is the result of long-term exposure to several forms of radiation therapy as, over the years, he has battled Hodgekin's Disease, Mela-

noma, and Basil-Cell Carcinoma. While his cancer is in remission, his life is now threatened by this immuno-deficient condition, and the last hope for a cure is to perform a bone marrow transplant. Such a procedure would replace his damaged bone marrow with another person's, much healthier marrow, restoring his body's blood-cell production and adding years onto his life. Since Tom is in good health, the procedure should be successful; the real obstacle is finding an acceptable donor match.

Each year over 9,000 Americans are diagnosed with Tom's condition. Unfortunately, less than 30 percent of those in need ever receive a bone marrow transplant. Matching potential donors is an extremely difficult process. Currently, two agencies in the United States are coordinating the effort: The American Bone Marrow Donor Registry, and the National Marrow Donor Program. Worldwide, over 3 million potential donors have been cataloged, but the demand for transplants still outnumbers the known supply.

Today, in my district, the friends of Tom Welch are holding a donor drive in an attempt to find a match for Tom, and this where I need America's help. I want to first encourage all Americans to contact their local donor registry to be listed as a potential donor. I also want to urge for help with the tremendous financial burden involved with such a drive. Take Tom's case for example, the cost to catalog each potential donor is approximately \$50. One can easily see that such a drive quickly becomes very expensive.

So tonight I am asking, on behalf of Tom Welch and all other patients in need of a bone marrow transplant, for help. Behind me is the address and phone number of the friends of Tom Welch. I urge everyone to call and pledge your support.

In closing, I want Tom and Maureen to know that they are in my prayers and in the prayers of people across the nation. With the help of the entire Nation, donors will be found for Tom and all others in need.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would request that Members address the Chair and not the television audience.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes.

[Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]