

badly. Oh, and lest we forget another household name, ESPN introduced us to the man who genuinely put the "Madness" into March Madness—the nattering nabob of Naismith, the great Dick Vitale.

So thanks to Chris Berman, to Dick Vitale, and to all the others who have made ESPN part of our lives.

ESPN is today to sports what Walter Cronkite once was to politics and public affairs—the authoritative voice fans turn to when a major story breaks. As political columnist George Will once wisely said: "If someone surreptitiously took everything but ESPN from my cable television package, it might be months before I noticed."

Mr. President, I ask unanimous consent for 3 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. Despite ESPN's national prominence and its countless opportunities to relocate to a larger media market, the network has steadfastly stayed with bucolic Bristol, as it is endearingly referred to on the air. ESPN maintains its foothold in the same industrial park where it began 20 years ago, although the Bristol campus, as it is now called, spans today 43 acres and the network has 210 employees. We in Connecticut are very proud of this relationship and particularly of ESPN's leaders and broadcasters who have happily put down roots and raised their families in central Connecticut.

I think John Leone, former mayor of Bristol, now head of the Bristol Chamber of Commerce, may have summed up the relationship between the city and its network best when he said:

In New York, ESPN would be just another network. Here in Bristol, ESPN is the king.

So to the king of Bristol—and their royalty of American sports television—I say happy 20th, ESPN, and many more.

Before I yield the floor, I want to give a special thank you to Eric Kleiman of my office staff who truly inspired this statement of gratitude and tribute to a great television network.

I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DEWINE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### UNBORN VICTIMS OF VIOLENCE ACT

Mr. DEWINE. Mr. President, yesterday my colleagues in the Senate, Senator HELMS, Senator ENZI, Senator VOINOVICH, Senator Tim HUTCHINSON, and Senator NICKLES, introduced a bill

that would establish new criminal penalties for anyone injuring or harming a fetus while committing another Federal offense. By providing a Federal remedy, our bill, the bill we are calling the Unborn Victims of Violence Act, will help ensure that crimes against unborn victims are in fact punished. The House passed their version of this bill yesterday by a vote of 254 to 172.

Tragically, unborn babies, perhaps more than we realize, are the targets—sometimes intended, sometimes otherwise—of violent acts. That is why we need to pass this bill.

Let me give several very disturbing real-life examples.

In 1996, Airman Gregory Robbins and his family were stationed in my home State of Ohio at Wright-Patterson Air Force Base. At that time, Mrs. Robbins was more than 8 months pregnant with a daughter whom they would name Jasmine.

On September 12, 1996, in a fit of rage, Airman Robbins wrapped his fist in a T-shirt to reduce the chance he would inflict visible injuries and then savagely beat his wife by striking her repeatedly about the head and the stomach. Fortunately, Mrs. Robbins survived this violent assault, but, sadly and tragically, her uterus ruptured during the attack, expelling the baby into her abdominal cavity, causing this little child's death.

A prosecutor sought to prosecute the airman for the little girl's death, but neither the Uniform Code of Military Justice nor the Federal code makes criminal such an act, such an act which results in the death or injury of an unborn child. So they had to look outside the Federal code, outside that law. The only available Federal offense actually was for the assault on the mother. That, of course, is a Federal offense.

This was a case in which the only available Federal penalty obviously did not fit the crime. So prosecutors looked outside Federal law, used Ohio law, and then bootstrapped—if we can use the term—the Ohio fetal homicide law to convict Mr. Robbins of Jasmine's death. This case is currently pending appeal. We certainly hope justice is done. It is being appealed under the theory that if it was not in fact a Federal offense, you could not use the assimilation statute to bring this into the court using the Ohio law.

If it weren't for the Ohio law that is already in place and that the Presiding Officer of the Chamber was very instrumental in getting passed and signed into law, there would have been no opportunity to prosecute and punish Airman Robbins for the assault against baby Jasmine.

We need a Federal remedy to avoid having to bootstrap State laws and to provide recourse when a violent act occurs during the commission of a Federal crime, especially in cases when the

State in which the crime occurs does not have a fetal protection law in place, because there are some States that simply do not.

There are other sickening examples of violence against innocent unborn children. An incident occurred in Arkansas just a few short weeks ago. Nearly 9 months pregnant, Shawana Pace of Little Rock was days away from giving birth to a child. She was thrilled about the pregnancy. Her boyfriend, Eric Bullock, did not share her joy and did not share her enthusiasm. In fact, Eric wanted the baby to die. So he hired three thugs to beat her, and to beat her so badly that she would lose this unborn child. During the vicious assault against mother and child, one of the hired hitmen allegedly said—and I quote—Your baby is going to die tonight.

Tragically, the baby did die that night. Shawana named the baby Heaven. We all should be saddened, we all should be sickened, by the sheer inhumanity and brutality of this act of violence.

Fortunately, the State of Arkansas, like Ohio, passed a fetal protection law which allows Arkansas prosecutors to charge defendants with murder for the death of a fetus. Under previous law, such attackers could be charged only with crimes against the pregnant woman. That is under the old law, as in the case of Baby Jasmine's death in Ohio, but for the Arkansas State law, there would be no remedy—no punishment—for Baby Heaven's brutal murder. The only charge would be assault against the mother.

Another example: In the Oklahoma City World Trade Center bombings—here, too—Federal prosecutors were able to charge the defendants with the murders of, or injuries to, the mothers—but not to their unborn babies. Again, Federal law currently only provides penalties for crimes against born humans. There are no Federal provisions for the unborn, no matter what the circumstances, no matter how heinous the crime. This clearly is wrong.

Within the Senate, we have the power to do something about this, to rectify this wrong, to change the law. That is what our bill is intended to do.

It is wrong that our Federal Government does absolutely nothing to criminalize violent acts against unborn children. We must correct this loophole. I think most Americans would look at it that way and say that is a loophole that should not exist. Congress should change this. We must correct this loophole in our law, for it allows criminals to get away with violent acts—and sometimes even allows them to get away with murder.

We, as a civilized society, should not, with good conscience, stand for that. That is why our bill would hold criminals liable for conduct that harms or kills an unborn child. It would make it

a separate crime under the Federal Code and the Uniform Code of Military Justice to kill or injure an unborn child during the commission of certain existing Federal crimes.

Our bill, the Unborn Victims of Violence Act, would create a separate offense for unborn children. It would acknowledge them as the victims they are. Our bill would no longer allow violent acts against unborn babies to be considered victimless crimes. At least 24 States already have criminalized harm to unborn victims, so this is not a new concept. Another seven States have criminalized the unlawful termination of a pregnancy.

In November of 1996, a baby, just 3 months from full term, was killed in Ohio as a result of road rage. An angry driver forced a pregnant mother's car to crash into a flatbed truck. Because the Ohio Revised Code imposes criminal liability for any violent conduct that terminates a pregnancy of a child in utero, the prosecutor successfully tried and convicted the driver for recklessly causing the baby's death. Our bill would make an act of violence such as this a Federal crime. It would make sure it was always covered. This is a very simple step, but one that will have a dramatic affect. It is, quite frankly, a question of justice.

Let me make it clear to my colleagues in the Senate that we purposely drafted this legislation very narrowly. For example, it would not permit the prosecution for any abortion to which a woman consented. It would not permit the prosecution of a woman for any action—legal or illegal—in regard to her unborn child. That is not what the intent of this legislation is all about. This legislation, further, would not permit the prosecution for harm caused to the mother or unborn child in the case of medical treatment. The bill would not allow for the imposition of the death penalty under this act.

It is time we wrap the arms of justice around unborn children and protect them against criminal assailants. Those who violently attack unborn babies are criminals. The Federal penalty should, in fact, fit the crime. I strongly urge my colleagues to support our legislation. We have an obligation to our unborn children. This bill will bring about justice. It is the right thing to do.

I thank the Chair and yield the floor.

Ms. LANDRIEU addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Ms. LANDRIEU. Mr. President, I ask unanimous consent to speak for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ADOPTING A CHILD

Ms. LANDRIEU. Mr. President, I rise this afternoon to speak on a subject

that is very important to many Members of this body. In fact, Senator DEWINE from Ohio has been one of the leading advocates for adoption. Before he leaves the floor, I wanted to acknowledge that. He, along with many Members, including the occupant of the Chair, Senator VOINOVICH, have been very active in the promotion of laws and policies that would help us to reach our goal of finding a loving and nurturing home for every child in this world that needs one. Many of us believe that it is a fundamental right to grow up in a home with a family, as opposed to in a hospital, or some type of institution.

I rise to bring the body up to date on some of the things that we have accomplished and that we should be proud of, as well as some of the challenges that are still before us as a Congress. In the short time ahead, I am hopeful the appropriate committees will have hearings on relevant legislation in order to move the adoption debate along quickly. There are literally millions of children and families depending on us to act.

First, let me congratulate Senators CHAFEE and ROCKEFELLER for leading the successful effort last year to pass the Adoption and Safe Families Act. Last week, President Clinton and Mrs. Clinton hosted the first awards ceremony associated with the passage of that Act. The great news is that we have taken a mighty and important step forward because since the passage of the Act 36,000 American children have been placed in foster care while 15,000 foreign children have found permanent homes—all with wonderful families throughout America. Moreover, at least 35 States were acknowledged for their outstanding work in this area at the White House ceremony last week.

In some States, the increases have been 20 percent over last year's numbers, while others have seen 50- to 70-percent increases over the previous year. This has occurred because the law we passed gave the necessary tools to parents, social workers, community activists, and to local elected officials so that the dream of a family became a reality for these 36,000 children.

The problem is we still have over 500,000 children waiting for a family to call their own. Through this bill, many of the children in foster care, who range from all ages, races, medical conditions, and backgrounds, will be able to one day return to their biological families. However, despite our best efforts, unfortunate circumstances exist which prevent some of these children from returning home. Consequently these children must be moved to a permanent place. The Adoption and Safe Families Act will provide the tools for us to help these children in terms of guidelines and the necessary resources.

Again I want to thank all the members, particularly Senators ROCKE-

FELLER and CHAFEE, for their leadership in making this law possible. It is working and we just need to continue our efforts because many children are still waiting for a home to call their own.

That leads me to the next three points.

We have accomplished some wonderful things. But in this Congress during the next few weeks, some important tasks still remain to be finished. If we fail, there will be several million children left waiting.

Next week, under the leadership of the distinguished Senator from North Carolina, Senator HELMS, we will be having our first hearing on the Hague Treaty, the International Convention for Adoption. The purpose of the hearing will be to consider the Intercountry Adoption Act, legislation which seeks to implement the objectives of this Treaty. I am an original cosponsor of this measure, along with Senator HELMS, Chairman of the Senate Foreign Relations Committee, and the Ranking Member, Senator BIDEN from Delaware.

This Treaty is very important because, as we endeavor to ensure that every child in America who needs a home will have one, it is also important for us to realize that there are millions of children around the world—in South America, in Africa, in Latin America, in Eastern and Western Europe, and Asia—who are growing up in horrible conditions. Some of them are in institutions with unspeakable conditions and there are others who are actually living in the streets.

With all of our global successes, it is appalling and unacceptable that these conditions exist anywhere in the world. We can do something about it.

Today, the Internet will allow us to do more than we ever dreamed possible—connecting families with children, allowing agencies to work more closely together, and, most importantly, allowing for improved communications between governments. The language barriers are coming down as technology opens up greater opportunities.

But none of this can work without a body of international law that gives us the rules and regulations for how this is going to take place. We must eliminate the corruption, the outrageous trafficking of children, and the extraordinary fees that are sometimes being paid illegally. So if we are to have protection for children, protection for families, and protection for the legal framework, this Treaty is absolutely essential.

I urge my colleagues to pay special attention next week during this hearing, and I urge them to learn more about this issue, because there is something we all can do; that is, to move this piece of legislation forward with