

proceed to a period of morning business with Senators allowed to speak therein for a period not to exceed 5 minutes each.

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

THE HAPPY HOOLIGANS

Mr. CONRAD. Madam President, when the Pentagon was attacked and F-16s were scrambled from Langley Air Force Base, those fighter planes were the 119th Fighter Wing of the North Dakota National Guard. I didn't know that myself when I saw those planes flying. I can tell you, they made an awful lot of us feel much more secure when we saw F-16 fighter planes in the air protecting Washington, DC. So imagine my surprise and my pride when I learned that those were North Dakota National Guard fighter planes.

This is the group we affectionately call in North Dakota the Happy Hooligans. The Happy Hooligans are America's best. The Happy Hooligans have been called the best fighter unit on the planet Earth. They have been called that because the Happy Hooligans have been recognized in competition after competition as America's best. Not only have they won the competitions—the William Tell award, for example—as the best active fighting unit in the United States, but they have not only been in competition with other National Guard units but the regular Air Force. The Happy Hooligans come out No. 1.

So not only are we incredibly proud in North Dakota that a key part of this Nation's defense at this time of tragedy and attack was from North Dakota but that we sent our very best and that our very best are America's very best.

GROWING PROBLEM OF PIRACY AT SEA

Mr. AKAKA. Mr. President, I rise today to call attention to the growing problem of piracy at sea. The days of Blackbeard and Captain Kidd may be gone, but pirates are still with us.

In February 2001 the International Maritime Bureau, IMB, of the International Chamber of Commerce reported that piracy attacks jumped 57 percent from 1999 to 2000. The IMB reported a total of 469 attacks on ships either at sea, at anchor, or in port. Today's pirates prowl the sea in speedboats, armed with automatic weapons, satellite phones, and global positioning devices. They are often backed by organized crime syndicates, making use of forged registration documents and bills of lading to offload hijacked cargo. Rarely are hijacked ships recovered or pirates arrested.

We should be concerned with this because U.S. trade and national security depend upon maritime transportation. Ninety percent of the world's cargo is

carried over the seas. In addition to its role in foreign commerce, our Nation's merchant shipping fleet provides vital national security sealift in the event of war or other crisis. Crews and cargo are coming under increasing attack from pirates. Through violence or the threat of force, pirates are boarding vessels and looting cargo. Last year, there were 72 reported deaths of mariners and 99 injuries due to pirate attacks.

Maritime crime, in general, can take many forms including low-level assaults, thefts, armed robbery, organized hijacking, environmental crimes, and smuggling of humans or contraband. Criminals use violence or the threat of violence to target seafarers, cargo, and ships. Attacks may occur while at dock, in territorial waters, or on the high seas. Piracy can result in immediate loss of life and property and may present a threat to navigational safety.

Under international law, piracy is defined as theft or other illegal acts of violence committed on the high seas for private gain by the crew of a private ship against another ship, or the persons or property on board. The phrase "on the high seas" is a legal term of art. It is any area not within the territorial sea, or sovereignty, of another state. Under the United Nations Convention on the Law of the Sea, a state's territorial sea extends 12 nautical miles from its coastline. Piracy on the high seas is considered a crime against all nations. Accordingly, under international law every state has the right to seize pirate ships on the high seas and arrest pirates who are subject to the jurisdiction of the courts of the state which carried out the arrest.

The true scope of the piracy problem, however, is not known. Despite numerous press reports, current sea piracy statistics are incomplete. There is no consensus among reporting organizations on what constitutes a reportable piracy attack. Although the definition under international law requires that the attack occur on the high seas, some organizations include attacks at port. In addition, it appears that instances of piracy among noncommercial vessels such as yachts and regional fishermen may be significantly underreported.

Although the risk of attack on U.S. flag ships is not significant, piracy is a problem for our trading partners in Asia. The nations of this region account for more than \$435 billion in trade with the U.S., more than any other region in the world. Approximately 98 percent of this commerce moves by sea. The Malacca Straits, separating the Malay Peninsula with the island of Sumatra, is one of the most important shipping lanes in the world. Surrounded by the nations of Indonesia, Malaysia, and Singapore, it is the shortest route between the Indian

Ocean and the South China Sea. Asian allies, dependent on oil imports from the Arabian Gulf, rely upon ships passing safely through the straits. It also happens to be a pirate hot spot.

The piracy problem in Southeast Asia has resulted in several regional responses. In July 2000 Indonesia set up a special court to try piracy cases. In November 2000 the Japanese sent a coast guard vessel to India and Malaysia to participate in joint exercises. In January 2001 Malaysia launched an operation to reduce piracy in the Malacca Straits in cooperation with Indonesia, Singapore, and Thailand. In June 2001 the Japanese Coast Guard announced that it is planning to send patrol boats to the region periodically to participate in joint training exercises.

The U.S. has also responded to this issue through the U.S. Coast Guard, USCG. The Coast Guard's Deepwater Program is responsible for conducting operations 50 miles or more out to sea. The Coast Guard is leveraging its maritime law enforcement expertise by providing training to foreign maritime law enforcement agencies to combat sea piracy. For example, in June 2001 the USCG led a cooperation afloat readiness and training, CARAT, exercise on maritime law enforcement techniques with the Royal Thai Navy. CARAT is an annual series of bilateral exercises between the American military and that of several Asian nations including Indonesia, Malaysia, Singapore, the Philippines, and Brunei. Although well-suited for this mission the Coast Guard is currently ill-equipped. It is in the process of modernizing its aging fleet to carry out more deepwater missions. The current plan calls for the replacement of approximately 100 cutters and more than 200 aircraft in the Deepwater Program.

The rise in the number and seriousness of pirate attacks has drawn the attention of the United Nations' International Maritime Organization, IMO. The IMO encourages cooperation among governments in the area of regulations and standards concerning maritime safety. Since 1998, the IMO has sponsored a series of seminars around the world to study the piracy problem and heighten awareness. At a June 2001 meeting the IMO renewed its call for all governments and industry to intensify their efforts to eradicate sea piracy and encouraged regional agreements supported by appropriate national piracy laws and adequate enforcement and prosecutorial capabilities. The IMO also approved a draft resolution for submission to the U.N. General Assembly session in November 2001.

As the Bush administration reviews its policy on the issue of sea piracy, I strongly encourage consideration of the following points: (1) We need better statistics on pirate attacks to assess the national security risks. More detailed reporting and analysis is needed