

DESIGNATE MARITIME SECURITY RESPONSE TEAMS AS UNITED STATES
NORTHERN COMMAND'S MARITIME CRISIS RESPONSE FORCE

A thesis presented to the Faculty of the U.S. Army
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fulfillment of the requirements for the
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MASTER OF MILITARY ART AND SCIENCE
Art of War Scholars

by

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The opinions and conclusions expressed herein are those of the student author and do not necessarily represent the views of the U.S. Army Command and General Staff College or any other governmental agency. (References to this study should include the foregoing statement.)

ABSTRACT

DESIGNATE MARITIME SECURITY RESPONSE TEAMS AS UNITED STATES NORTHERN COMMAND'S MARITIME CRISIS RESPONSE FORCE, by Lieutenant Commander Christjan C. Gaudio, 89 pages.

This thesis uses Army Force Management processes to outline the development of the Coast Guard's Maritime Security Response Team and advanced interdiction capabilities. Using the Capabilities Based Assessment Process, this thesis builds upon the development of the Maritime Security Response Team and explores United States Northern Command's need for a designated Maritime Crisis Response Force. By outlining the future joint operating environment and conducting functional area analyses, functional needs analyses and a functional solution analysis the thesis builds to its conclusion with the capabilities-based assessment recommendation on the need for the United States to have a crisis response unit focused on domestic maritime incidents and capable of supporting special mission units when directed by National Command Authority.

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TACLET South, you are the Coast Guard's force of choice. Continue to train hard and deploy down range in support of combatting transnational organized crime. Your job matters and your impact is visually measured by the metric tons of cocaine removed from the streets of the United States. Your true worth to the nation is immeasurable.

MSRT Chesapeake, thank you for giving a motivated and young Ensign the chance to excel fourteen years ago. I am proud to be a plank owner of your unit and count my blessings each day to have had the opportunity to work with such a motivated group of individuals. As the Coast Guard's silent professionals, you and the TACLETs work together to provide a blanket of protection to our nation that it does not realize it needs. Keep fighting the good fight.

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ACRONYMS

MSRT	Maritime Security Response Team
SOF	Special Operations Forces
TACLET	Tactical Law Enforcement Team
USNORTHCOM	United States Northern Command
WMD	Weapons of Mass Destruction

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CHAPTER 1

INTRODUCTION

The U.S. Coast Guard is recognized worldwide for our ability to perform diverse maritime missions over vast geographic areas. Our value to the Nation resides in our enduring commitment to protect those on the sea, to protect the United States from threats delivered by the sea, and to protect the sea itself. As a military, law enforcement, regulatory, and humanitarian Service, the Coast Guard relies upon an array of unique authorities and partnerships to enhance our capability and capacity throughout the maritime domain.

—Admiral Paul F. Zukunft, Commandant,
United States Coast Guard Western Hemisphere Strategy

The September 11, 2001 terrorist attacks on New York City and Washington, DC highlighted a future operating environment the United States was unprepared for. Non-state actors hid amongst the legitimate populations of nation states and emerged to attack a target before fading back into the populace. This new environment required a different response by the government with a unified front, close interagency coordination and integration of law enforcement and Department of Defense authorities and jurisdictions to protect United States territory. The creation of the cabinet level Department of Homeland Security, the Coast Guard, specifically, brought an increase in missions related to law enforcement due to its unique authority and jurisdiction that allow the department to extend United States borders out to 200 miles offshore and in some cases beyond. One issue with this expansion was that of control and response. How can the Coast Guard respond to known threats that far offshore, in a timely manner, and with the special capabilities needed to seize control of a ship, with suspected threats aboard? The answer, in part is the Maritime Security Response Team, created in 2004 to meet the threats posed by this domain and to augment security for the three National Special Security Events

scheduled that year.¹ From this initial operating capacity achieved in 2004, the Maritime Security Response Team grew into an assault force capable of operating alongside Naval Special Warfare and Special Forces in support of national tasking.²

The establishment of United States Northern Command (USNORTHCOM) in 2002 created a Geographic Combatant Commander with responsibility for the homeland, Canada, Mexico and the associated offshore areas without resourcing it similarly to other Geographic Combatant Commands. The Posse Comitatus Act, along with additional policies governing the deployment of military forces within the United States, limits the employment of forces by the USNORTHCOM Commander within the continental United States. The Coast Guard is uniquely positioned to fulfill some of the force allocation needs and capability gaps of United States Special Operations Command North, the special operations component for USNORTHCOM. The Maritime Security Response Team can fulfill the role and responsibilities of a Maritime Crisis Response Force within USNORTHCOM and provide domestic law enforcement capabilities that Department of Defense forces are restricted from executing by Congress. Threats related to Weapons of Mass Destruction, and attacks on maritime commerce require a “unique response that combines the capabilities of both law enforcement agencies and a . . . special missions

¹ Matthew Jones, “Coast Guard Shows Off for Homeland Security Secretary,” *Virginia Pilot* (14 July 2009): 1-2, accessed February 23, 2018, https://pilotonline.com/news/military/coast-guard-shows-off-for-homeland-security-secretary/article_7b8f091d-cd75-589a-9a6b-690b315d096e.html. In 2004 the G8 Summit, Republican National Convention, and Democratic National Convention all met in cities near water and exposed to waterborne threats.

² Lieutenant David Allan Adams Jr., “Coast Guard is More Than Cutters,” *Naval Institute Proceedings* (August 2017): 23.

team.”³ Designating a Maritime Crisis Response Force for USNORTHCOM provides economy of force to the nation by allocating a trained and equipped initial response to a known or perceived threat.

Figure 1 documents the term Combatant Commander Crisis Response Force within unclassified Army Doctrine and identifies the six existing teams. Each team aligns with a geographic combatant commander under their regionally aligned Special Forces Group headquarters with a seventh (USNORTHCOM’s) missing as the restrictions of the Posse Comitatus Act prevent Department of Defense forces operating domestically in a law enforcement capacity.

³ Adams, 24.

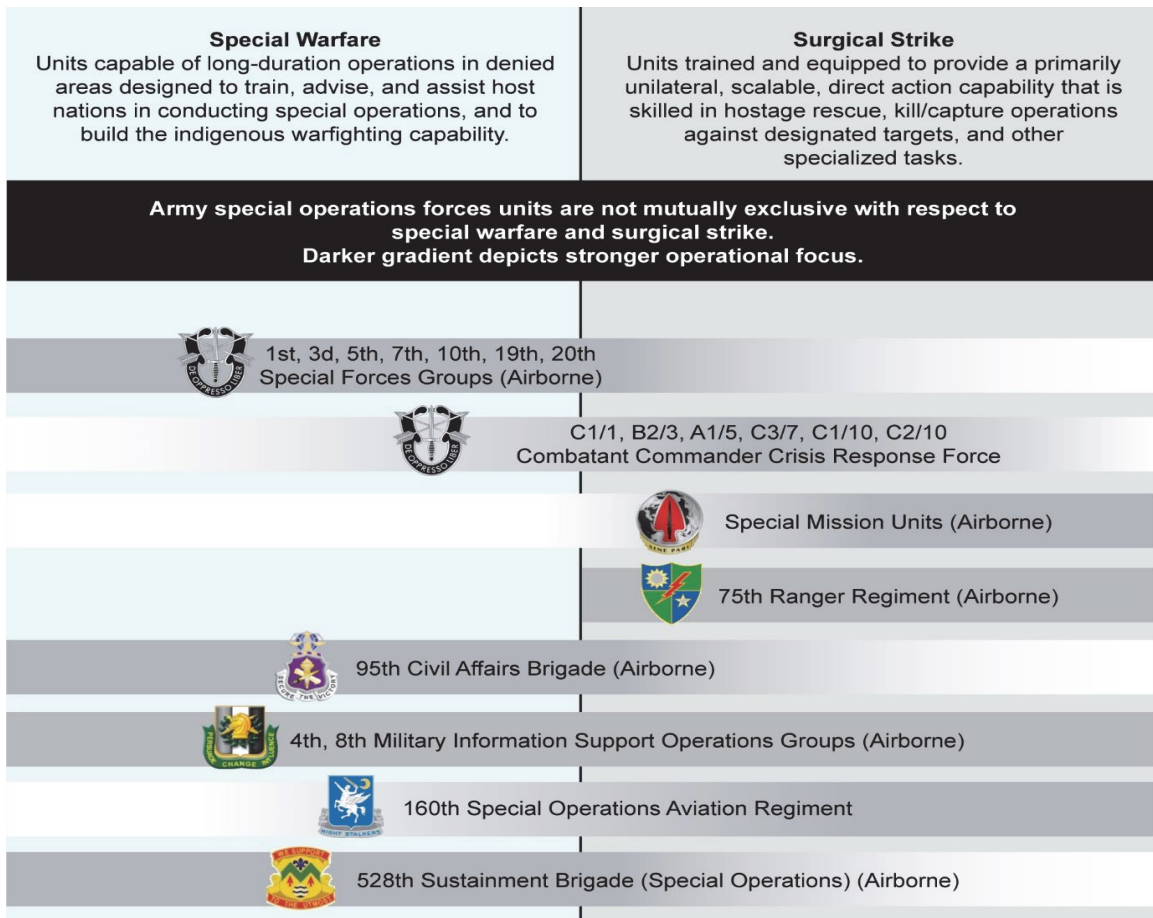


Figure 1. U.S. Army Commander's Crisis Response Force Relationship to Special Warfare and Surgical Strike Missions

Source: U.S. Department of the Army, Army Doctrine Publication 3-05, *Special Operations* (Washington, DC: Government Printing Office, 2018), 19.

Problem Statement

This study examines the requirement to designate the Coast Guard's Maritime Security Response Team as the Maritime Crisis Response Force for USNORTHCOM to provide a law enforcement response to domestic maritime incidents and give the national command authority options for multiple domestic threats while supporting special missions units.

Research Questions

1. Should the Department of Defense fill the requirement of a domestic based and focused Maritime Crisis Response Force?
2. Is the Coast Guard the right service or agency to fill the need for a designated Maritime Crisis Response Force?
3. Should the Maritime Security Response Team be the Maritime Crisis Response Force for USNORTHCOM?

Assumptions

The responsiveness of USNORTHCOM and the Department of Homeland Security to domestic maritime threats is enhanced and improved with the addition of a domestically focused Maritime Crisis Response Force.

A command relationship for a domestically focused Maritime Crisis Response Force will be modeled on the existing shared relationship between the Department of Defense and Department of Homeland Security of deployed Coast Guard Law Enforcement Detachments.

The Department of Defense is focused on protecting the United States by projecting power worldwide and will not always be able to provide a domestic response due to world-wide commitments in support of other Geographic Combatant Commanders.

The Coast Guard has uniquely qualified, trained and equipped forces that are able to meet the need of a Maritime Crisis Response Force for USNORTHCOM.

Definitions of Terms

Combatant Commander Crisis Response Force is a Department of Defense unit trained to operate between Special Warfare and Surgical Strike mission sets with an emphasis on the latter.⁴ The Crisis Response Force provides the Geographic Combatant Commander with an on-call response similar in application to that provided by a law enforcement special weapons and tactics team.

Homeland Defense is “the protection of US sovereignty, territory, domestic population, and critical infrastructure against external threats and aggression, or other threats as directed by the President.”⁵

Homeland Security is “a concerted national effort to prevent terrorist attacks within the United States, reduce America’s vulnerability to terrorism, and minimize the damage and recover from attacks that do occur.”⁶

National Command Authority is “a term used to collectively describe the President and the Secretary of Defense. The President, as commander-in-chief of the armed forces, is the ultimate authority. The Office of the Secretary of Defense carries out

⁴ This definition is of the author’s making and is derived from readings in U.S. Department of the Army, Army Doctrine Publication 3-05, *Special Operations* (Washington, DC: Government Printing Office, 2018).

⁵ U.S. Department of Defense, Joint Publication 3-27, *Homeland Defense* (Washington, DC: Government Printing Office, 2013), 1-1.

⁶ Homeland Security Council, *National Strategy for Homeland Security* (Washington, DC: Government Printing Office, 2007), 3.

the Secretary's policies by tasking the military departments, the Chairman of the Joint Chiefs of Staff and the unified commands."⁷

National Special Security Events is "a designated event that, by virtue of its political, economic, social, or religious significance, may be the target of terrorism or other criminal activity."⁸ Examples include, but are not limited to, the Group of Eight Economic Summit, the Super Bowl, the World Series, the Republican National Convention, the Democratic National Convention, and Papal visits.

Posse Comitatus Act: "Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined not more than \$10,000 or imprisoned not more than two years or both. The Act therefore makes it a felony with certain well-defined exceptions, to use the Army or Air Force to enforce the law within the civilian community. The exceptions to this rule are generally limited to large-scale civil disorders, such as insurrection or rebellion, beyond the capacity of law enforcement authorities. Use of military in these instances can only be authorized by the President (10 U.S.C. 331-333) . . . the Navy, although not specifically mentioned in the Posse Comitatus Act, considered itself bound by the spirit of that statute. The Navy had therefore issued instructions prohibiting Navy involvement in civilian law enforcement with the same narrow exceptions mentioned in the statute itself.

⁷ U.S. Department of Defense, "DOD 101: Overview of the Department of Defense," accessed October 21, 2017, www.defense.gov/About/DoD-101/.

⁸ U.S. Department of Defense, Joint Publication 3-28, *Defense Support of Civil Authorities* (Washington, DC: Government Printing Office, 2013), GL-8.

SECNAVINST 5820.7 of 15 May 1974.”⁹ The Posse Comitatus Act does not apply to Department of Homeland Security or Coast Guard forces which have inherent law enforcement authorities related to domestic operations.

Transnational Organized Crime “refers to those self-perpetuating associations of individuals who operated transnationally for the purpose of obtaining power, influence, monetary and/or commercial gains, wholly or in part by illegal means, while protecting their activities through a pattern of corruption and/or violence, or while protecting their illegal activities through a transnational organizational structure and the exploitation of transnational commerce or communication mechanisms.”¹⁰

Ungoverned Spaces are “an area where the state is absent, unable, or unwilling to perform its functions.”¹¹

Limitations

This study is limited to source material from the Combined Arms Research Library and available internet sources. This thesis is also limited by the sensitive nature of the topic as it relates to homeland security and military capabilities. Disclosing specific capabilities, processes, and procedures goes against the interests of security. This thesis is

⁹ U.S. Coast Guard Academy, *Maritime Law Enforcement: Cases and Materials*, 3rd ed. (Boston, MA: McGraw-Hill Primus Custom Publishing, [2001]), 125-126.

¹⁰ Office of the President of the United States, *Strategy to Combat Transnational Organized Crime: Addressing Converging Threats to National Security* (Washington, DC: Government Printing Office, 2011).

¹¹ William Presson, “Enhancing Security-Projecting Civil Authority into America’s Uncontrolled Spaces” (Master’s thesis, U.S. Army Command and General Staff College, Fort Leavenworth, KS, 2012), 5.

additionally limited by the perspective of the author in that he is a serving Coast Guard officer as well as an original member of the Maritime Security Response Team and professional interest motivates the writing of this thesis.

Delimitations

Source material will be limited to unclassified documents and sources only. Maritime Security Response Team capabilities will be discussed using unclassified sources, with inferences from published articles, and unclassified field manuals related to units of similar type and capability. The majority of specific information regarding Combatant Commander Crisis Response Forces will be taken from Army doctrine related to Army Special Operations Forces and Army Special Forces. Keeping this thesis unclassified will ensure availability for further scrutiny and research that can build upon the concepts listed herein and in preceding works. Maintaining an impartial frame of reference, on the part of the author, is achieved through the rigorous academic standards exerted by the United States Army Command and General Staff College, and the author's thesis committee. Additionally, using both Coast Guard sources as well as Army doctrine to explain concepts and validate the argument will ground the thesis in established practices and policies and mitigate the author's perspective and passion.

Significance

Attacks, within the last five years, in Belgium, Denmark, and France potentially indicate that the current global trend of terrorist attacks will likely continue into the near future. Geographic combatant commanders have Army Special Forces Combatant Commander Crisis Response Forces identified to respond during periods of heightened

tension to both known and suspected threats, with USNORTHCOM as the lone exception. This Geographic Combatant Commander needs to have a similar capability to respond to domestic incidents offshore and on land. The Department of Justice has responsibility for responding to domestic terrorist incidents on land through, among other resources, the Federal Bureau of investigation's Hostage Rescue Team.¹² Based on current authorities and jurisdiction the maritime response capability should reside within the Coast Guard and the Department of Homeland Security. The Coast Guard's Maritime Security Response Team is currently trained and capable of providing additional capability to help meet the mission requirements and demands of a Maritime Crisis Response Force for USNORTHCOM. Officially designating the units as the Maritime Crisis Response Force for USNORTHCOM mirrors similar capabilities existent in other Geographic Combatant Commands and enables both USNORTHCOM and the Department of Homeland Security to meet their mandate of responding to domestic threats to the homeland as it relates to threats from the sea.

The new operating environment the United States found itself in following the attacks on September 11, 2001 facilitated changes within the federal government to meet the challenges posed by international terrorism. These changes led to the establishment of the Department of Homeland Security, the standing up of USNORTHCOM, and the development of the Coast Guard's Maritime Security Response Team. The concept development and experimentation of the Maritime Security Response Team by the Coast

¹² James B. Comey, "Statement Before the House Judiciary Committee: Oversight of the Federal Bureau of Investigation," Federal Bureau of Investigation, June 2014, accessed April 15, 2018, <https://www.fbi.gov/news/testimony/oversight-of-the-federal-bureau-of-investigation-6>.

Guard led to the service's development of advanced interdiction capabilities that enabled the Coast Guard, through the Maritime Security Response Team, to project law enforcement power and authority seaward to seize control of a ship, with suspected threats embarked aboard, two hundred miles offshore

CHAPTER 2

LITERATURE REVIEW

The situation whereby the Coast Guard is best able to defend the nation against the maritime spectaculars is also that in which the Coast Guard is most relevant to the joint force, where the Coast Guard offers a full spectrum of capabilities useful in both conventional and special operations.

—Gary R. Bowen, *Coast Guard SOF*

Little has been formally written concerning the designation of a Maritime Crisis Response Force for USNORTHCOM. Even less has been written on the Coast Guard providing such a force. This literature review is organized along United States Army methodology as outlined in chapter 3 of *How the Army Runs*¹³ and has been adapted to accommodate Coast Guard doctrine and processes. National strategies provide the capstone concept and guidance for the Coast Guard. Joint doctrine provides support for the national strategies and is in turn supported by the Coast Guard's doctrinal framework which is divided between service level strategies and the sitting Commandant's strategic intent. Coast Guard Publication 3-0, *Operations* (2012)¹⁴ provides the Coast Guard's Operating Concept with Coast Guard Publication 1-0, *Doctrine for the United States Coast Guard* (2014)¹⁵ providing functional concepts. These documents outline the threat posed by transnational organized crime and infer the need for timely and far reaching law

¹³ U.S. Army War College, *How the Army Runs: A Senior Leader Reference Handbook 2015-2016*, 30th ed. (Washington, DC: Government Printing Office, 2015).

¹⁴ U.S. Coast Guard, Coast Guard Publication 3, *Operations* (Washington, DC: Government Printing Office, 2012).

¹⁵ U.S. Coast Guard, Coast Guard Publication 1, *Doctrine for the U.S. Coast Guard* (Washington, DC: Government Printing Office, 2014).

enforcement response capabilities within the Coast Guard's other missions. Academic theses and monographs form the majority of work regarding USNORTHCOM and the establishment of a Combatant Commander Crisis Response Force. These theses, strategic documents, and the Coast Guard's doctrinal framework are supported by current events, and books related to the Coast Guard, special operations forces, and domestic law enforcement capabilities and capacities. From them may be gathered a requirement for USNORTHCOM to have a Maritime Crisis Response Force, and an existing capability within the Coast Guard that can be officially designated to provide USNORTHCOM the skill-sets needed to effectively respond to domestic threats that fall within the Homeland Defense/Homeland Security mission sets.

National Strategies

National level strategic guidance provides the capstone guidance for both the Coast Guard and USNORTHCOM. It specifies the need for close cooperation between domestic law enforcement and military forces.

The President's *National Security Strategy of the United States* (2017) lists defeating terrorists and dismantling transnational organized crime as priorities for the administration.¹⁶ It specifically guides U.S. forces to "take direct action against terrorist networks and pursue terrorists who threaten the homeland."¹⁷ While also allotting "greater resources to dismantle transnational criminal organizations . . . and their

¹⁶ Office of the President of the United States, *National Security Strategy of the United States of America* (Washington, DC: Government Printing Office, 2017).

¹⁷ *Ibid.*, 11.

subsidiary networks.”¹⁸ *The National Security Strategy of the United States* is the capstone guidance upon which all other strategies are built. It outlines the President’s priorities and goals for the nation. Specifically, the 2017 version continues to emphasize the threats posed by international terrorism and organized crime and the need to protect Americans from their malicious activities.¹⁹

The *National Defense Strategy of the United States* (2018) builds upon the *National Strategy of the United States* and prioritizes the nation’s military response and support to the President’s priorities and goals. This edition of the document is classified and the information taken to support this thesis is derived from the unclassified *Summary of the 2018 National Defense Strategy of the United States of America* (2018).²⁰ This document begins with a stern warning that: “We are facing increased global disorder, characterized by decline in the long-standing rules-based international order - creating a security environment more complex and volatile than any we have experienced in recent memory.”²¹ It continues on with noting that “trans-national criminal organizations . . . and other malicious non-state actors have transformed global affairs with increased capabilities of mass disruption” indicating that they are a critical threat to the peace and

¹⁸ Office of the President of the United States, *National Security Strategy of the United States of America*, 11.

¹⁹ *Ibid.*, 12.

²⁰ U.S. Department of Defense, *Summary of the 2018 National Defense Strategy of the United States of America* (Washington, DC: Government Printing Office, 2018).

²¹ *Ibid.*, 1.

prosperity of the United States.²² It makes as its first objective the defense of “the homeland from attack” and dovetails its concerns over transnational threats with the *National Security Strategy of the United States*.²³

The *National Strategy for Combating Transnational Organized Crime* (2011) is unique in that it is written in response to a criminal threat rather than a nation-state threat.²⁴ It is significant because as a national strategy it acknowledges that the threat posed by transnational organized crime has risen to the strategic level and so is one worthy of the full focus of the nation at large. The strategy seeks to “integrate” the elements of national power to more effectively combat the threat posed by transnational organized crime to U.S. national security.²⁵ This strategy directly relates to the concepts of this thesis as the designation of a Maritime Crisis Response Force for USNORTHCOM will closely align and integrate both Department of Defense and Department of Homeland Security capabilities to provide the American people with a domestic law enforcement response to maritime threats. The *Strategy to Combat Transnational Organized Crime* describes these criminal organizations as vast networks that are focused on diverse criminal enterprises relating to narcotics, human, and weapons

²² U.S. Department of Defense, *Summary of the 2018 National Defense Strategy of the United States of America*, 3.

²³ *Ibid.*, 4.

²⁴ Office of the President of the United States, *Strategy to Combat Transnational Organized Crime*.

²⁵ *Ibid.*, 1.

smuggling, weapons of mass destruction proliferation, and cyber related crimes capable of working with sovereign states or independently for their own interests.²⁶

The *National Strategy for Maritime Security* (2005) specifically listed Weapons of Mass Destruction (WMD) as a “complex and perilous security situation” that can be combined with traditional kinetic methods and disrupt the maritime commons and global trade at relatively little cost when compared to the damage it would cause.²⁷ Despite being thirteen years old, the risks outlined in the document are as relevant today as they were then. The Maritime Security Response Team provides a chemical, biological, radiological, nuclear, and explosive detection capability that integrates with existing Department of Defense and law enforcement detection and monitoring activities.²⁸ Military and domestic law enforcement units work within the national intelligence community to identify threats to the United States and provide the information to government agencies. USNORTHCOM, as a Geographic Combatant Commander, is a synchronizer of information and forces. Information provided by the national intelligence community is analyzed and assessed but cannot be used as there is no appropriate response capability resident within the Geographic Combatant Command. The Coast Guard’s Maritime Security Response Team can bridge the gap between military offensive strike and domestic law enforcement protections and operate with military precision in

²⁶ Office of the President of the United States, *Strategy to Combat Transnational Organized Crime*, 3.

²⁷ Office of the President of the United States, *National Strategy for Maritime Security* (Washington, DC: Government Printing Office, 2005), 4.

²⁸ Adams, 23.

response to perceived threats and actionable information using domestic law enforcement authorities. The *National Strategy for Maritime Security* refined guidance released in the *National Strategy for Combating Terrorism* (2003) and noted that “the smuggling of people, drugs, weapons, and other contraband as well as piracy and armed robbery against vessels, pose a threat to maritime security.”²⁹ This document formed the national level capstone regarding the need for a dedicated national response within the maritime environment. Enemy actors are capable of capitalizing on human smuggling networks and work collectively with transnational criminal organizations to take advantage of proven methods of nefarious entry into the United States.³⁰ The strategy specifically addressed threats posed by weapons of mass destruction and the need to protect the nation from them.³¹

The *National Strategy for Combating Terrorism* (2003) was released in response to the 9/11 terrorist attacks and provided guidance for the United States’ response to future attacks.³² It defined terrorism as “premeditated, politically motivated, violence perpetrated against noncombatant targets by subnational groups or clandestine agents.”³³

²⁹ Office of the President of the United States, *National Strategy for Maritime Security*, 5.

³⁰ *Ibid.*, 6.

³¹ *Ibid.*, 7.

³² Office of the President of the United States, *National Strategy for Combating Terrorism* (Washington, DC: Government Printing Office, 2003).

³³ Office of the President of the United States, *National Strategy for Combating Terrorism*, 1. This definition of terrorism does not take into account attack on military personnel and facilities which is interesting considering that the strategy came into effect

This threat included enemy actors' proliferation of weapons of mass destruction, declaring them "a clear and present danger" to the national security of the United States.³⁴ The need for a dedicated response to weapons of mass destruction and other threats to the homeland forms the basis for a dedicated team allotted to USNORTHCOM and capable of maritime interdiction. This Maritime Crisis Response Force must be able to operate within the United States and bridge the similar mission sets between the Department of Homeland Security and USNORTHCOM.

The preceding five strategic documents comprise the capstone concepts applicable to both the Coast Guard and USNORTHCOM. They outline the nation's interests and expectations in regards to a coordinated response to maritime threats. They are complemented by Joint Doctrine which outlines the supporting joint concepts related to a coordinated domestic response.

Joint Doctrine

Joint Doctrine builds upon the guidance issued in the national strategies and supports the concepts outlined by the Office of the President. It specifically tells the Joint Force, comprised of the Army, Navy, Air Force, Marine Corps, and Coast Guard, how it will work to meet the guidance set forth by the Commander-in-Chief. The Department of Defense Directive 5100.1, *Functions of the Department of Defense and Its Major Components*, (2010) lists the expectations for each component service as well as the

following the events of 9/11 when attacks on the Pentagon were labeled as terrorist in nature.

³⁴ Office of the President of the United States, *National Strategy for Combating Terrorism*, 10.

geographic combatant commanders.³⁵ It specifically describes the expected functions of the Coast Guard, as it relates to the Department of Defense, outlining ten specific responsibilities including:

- (a) Conduct coastal sea control and maritime and air interception and interdiction operations.
- (b) Conduct maritime homeland security and counterterrorism operations.
- (c) Provide for port operations, security, and defense.
- (d) Provide maritime operational threat response.
- (e) Conduct counter illicit trafficking operations.
- (f) Conduct military environmental response operations.
- (g) Conduct theater security cooperation operations.
- (h) Conduct search and rescue operations.
- (i) Conduct ice operations.
- (j) Provide for marine safety, including aids to navigation.³⁶

The first five listed responsibilities directly relate to security of the homeland and aligns Coast Guard activities with USNORTHCOM missions while specifically outlining counterterrorism and counter illicit trafficking operations as threats within the Coast Guard's purview.

Joint Publication 3-05, *Special Operations* (2014) outlines specific requirements and capabilities that differentiate special operations forces from conventional ones.³⁷ It lists specific mission sets including direct action, countering weapons of mass destructions, and security force assistance.³⁸ The Coast Guard's Maritime Security

³⁵ U.S. Department of Defense, Department of Defense Directive 5100.1, *Functions of the Department of Defense and Its Major Components* (Washington, DC: Government Printing Office, 2010).

³⁶ *Ibid.*, 33.

³⁷ U.S. Department of Defense, Joint Publication 3-05, *Special Operations* (Washington, DC: Government Printing Office, 2014).

³⁸ *Ibid.*, II-3.

Response Team trains to operate within these mission sets and was designed by the Coast Guard and Department of Homeland Security to do so domestically. While not included within the joint publication as a part of Special Operations Forces (SOF), the specialized capability bridges the gap between domestic law enforcement and more advanced special missions units that have the authority and ability to conduct direct action amongst U.S. citizens. Assigning this domestic capability within United States Special Operations Command North and having it available to the USNORTHCOM Commander increases the readiness of the geographic combatant command responsible for defense of the homeland and provides a bridge of interoperability between Department of Homeland Security deployable specialized forces and Department of Defense special operations forces.



Figure 2. Geographic Commanders' Area of Responsibility

Source: Department of Defense, "Unified Command Plan," accessed April 15, 2018, <https://www.defense.gov/About/Military-Departments/Unified-Combatant-Commands/>.

Joint Publication 3-27, *Homeland Defense* (2013) provides guidance to the joint force on how and when to operate domestically in defense of the United States.³⁹

³⁹ U.S. Department of Defense, *Joint Publication 3-27, Homeland Defense*.

Specifically it “provides information on planning, command and control, interorganizational coordination, and operations required to defeat external threats to, and aggression against, the homeland, or against other threats as directed by the President.”⁴⁰ The document outlines the strategic environment and notes the “continued desire of transnational terrorists to attack United States with variety of weapons and means (including chemical, biological, radiological, and nuclear/weapons of mass destruction [WMD]).”⁴¹ On the same page, joint doctrine lists “transnational criminal organizations” as an additional strategic threat.⁴² The availability of a highly capable law enforcement entity to react to these threats in the same capacity as other Geographic Combatant Commanders is crucial to countering these risks.

Joint Publication 3-28, *Defense Support of Civil Authorities* (2013) forms the new cornerstone upon which the National Guard Bureau is focusing its efforts.⁴³ It specifically outlines the “overarching guidelines and principles to assist commanders and their staffs in planning, conducting, and assessing” Department of Defense support to domestic agencies and state governments with the intent of improving coordination during times of civil strife and disaster response.⁴⁴ This support is designed to

⁴⁰ U.S. Department of Defense, Joint Publication 3-27, *Homeland Defense*, i.

⁴¹ *Ibid.*, 1-4.

⁴² *Ibid.*

⁴³ U.S. Department of Defense, Joint Publication 3-28, *Defense Support of Civil Authorities*.

⁴⁴ U.S. Department of Defense, Joint Publication 3-28, *Defense Support of Civil Authorities*, i. The author attended a course on Leadership in Homeland Security at the Kennedy School of Government sponsored by the National Guard Bureau and discussed

complement existing domestic capabilities and enhance the overall effectiveness of the nation's response in a challenging domestic operating environment.

The Joint Operating Environment 2008: Challenges and Implications for the Future Joint Force (2008) is a formal attempt by the Department of Defense to outline probable future scenarios and trends to help align joint force development and procurement.⁴⁵ This document is a “historically informed, forward-looking effort to discern most accurately the challenges (the nation) will face at the operational level of war, and to determine their inherent implications.”⁴⁶ It was written under the guidance of General James Mattis while serving as the commander of United States Joint Forces Command. As the current Secretary of Defense, he is uniquely positioned to evaluate the validity of his projection and the persistent conflict that continues post September 11, 2001. *The Joint Operating Environment* builds a case for preparation based on the fundamentals of strategy and war, the significant changes to world demographics, changes within geopolitics and resources, building a “contextual world” for the Department of Defense to prepare for.⁴⁷ Within this future there are “unconventional, non-state, or trans-state actors . . . (that) exist outside the recognized norms and

the change in focus within the National Guard with classmates during facilitated discussions.

⁴⁵ U.S. Joint Forces Command, *The Joint Operating Environment 2008: Challenges and Implications for the Future Joint Force* (Washington, DC: Government Printing Office, 2008).

⁴⁶ *Ibid.*, iv.

⁴⁷ *Ibid.*, 26.

conventions of society.”⁴⁸ Now called transnational organized crime, these actors “operate beyond state control and acquire the tools and means to challenge states and utilize terrorism against populations to achieve their aims.”⁴⁹ They are a threat both domestically and internationally and have not gone away despite the United States specifically targeting their networks.

Joint Doctrine outlines the joint concepts that support USNORTHCOM in its mission to protect the homeland. It outlines requirements and constraints, including the Posse Comitatus Act, that the joint force must provide or abide by to operate domestically in an environment and during a time of “persistent conflict” overseas.⁵⁰

Coast Guard’s Conceptual Framework

Coast Guard strategic documents as well as the Commandant’s strategic intent, form the capstone concept for the service and specifically identify the areas in which the service should focus and prioritize its efforts to meet its roles and responsibilities as outlined in Joint Doctrine and encapsulated within the national strategies.

Commandant’s Strategic Intent (2015) was released following Admiral Paul Zukunft’s confirmation as the 25th Commandant of the Coast Guard.⁵¹ The document outlined traditional Coast Guard mission sets that focus on transnational criminal

⁴⁸ U.S. Joint Forces Command, *The Joint Operating Environment 2008: Challenges and Implications for the Future Joint Force*, 36.

⁴⁹ Ibid.

⁵⁰ U.S. Joint Forces Command, *The Joint Operating Environment 2008*, 3.

⁵¹ U.S. Coast Guard, *Commandant’s Strategic Intent, 2015-2019* (Washington, DC: Government Printing Office, 2015).

organizations, expansion in the arctic circle, and a balance between maritime security, search and rescue, and other traditional missions. The Commandant outlined service to the nation as a tenant to guide the Coast Guard in providing for “America’s security and prosperity by maintaining and building the capabilities, capacities, and cooperative relationships that we use to accomplish our missions.”⁵² This document is very broad in nature and meant to encompass all service members regardless of their community and specialty by appealing to the history and traditions of the service as life savers and maritime guardians.

In the joint sea service document *A Cooperative Strategy for 21st Century Seapower* (2015), the Chief of Naval Operations, Commandant of the Marine Corps, and Commandant of the Coast Guard built on the existing framework for mutual cooperation and provided a unifying mission to provide for “the security of the American people, our territory, and our way of life.”⁵³ It squarely identified the Coast Guard as taking the defensive lead for maritime security and the protection of national sovereignty in the littoral areas, leaving expeditionary offensive actions overseas squarely with the Marines and Navy strike groups.⁵⁴ This separation of emphasis and focus enables the nation to best economize the forces available and meet the myriad of challenges associated with the maritime realm.

⁵² U.S. Coast Guard, *Commandant’s Strategic Intent, 2015-2019*, 12.

⁵³ U.S. Department of the Navy, *A Cooperative Strategy for 21st Century Seapower* (Washington, DC: Government Printing Office, 2015), iv. This is a revised document; the original was released in 2007.

⁵⁴ *Ibid.*, 26.

The *U.S. Coast Guard Western Hemisphere Strategy* (2014) updated the focus of the service on meeting the challenges posed by transnational organized crime.⁵⁵ The strategy fused together the responses of different parts of Coast Guard Deployable Specialized Forces and focused their efforts on the western hemisphere, aligning both national obligations with international ones in Central and South America. It aligned homeland security missions with missions combating transnational criminal organizations responsible for smuggling drugs, weapons and people.⁵⁶ “Criminal and terrorist networks operating in the region, often with direct nexus to the United States, pose a direct threat to citizen safety in the Nation and throughout the Western Hemisphere.”⁵⁷ These organizations can be manipulated or hired by non-state actors to infiltrate U.S. security and attack the interior of the nation. This strategy complemented the Department of Defense focus on the Middle East, Pacific region, and other external threats and signaled the government that the Coast Guard, under the Department of Homeland Security would maintain the common operational picture for the Western Hemisphere.

The *U.S. Coast Guard Strategy for Maritime Safety, Security, and Stewardship* (2007) was released by Coast Guard Headquarters to complement the jointly developed *A Cooperative Strategy for 21st Century Seapower* (2007).⁵⁸ The Coast Guard strategy outlined and clarified specific functions related to national security and the importance of

⁵⁵ U.S. Coast Guard, *United States Coast Guard Western Hemisphere Strategy*.

⁵⁶ *Ibid.*, 27.

⁵⁷ *Ibid.*, 27-28.

⁵⁸ U.S. Coast Guard, *The U.S. Coast Guard Strategy for Maritime Safety, Security, and Stewardship* (Washington, DC: Government Printing Office, 2007).

the maritime domain. It begins by emphasizing sovereignty and the obligations a nation has to protect its citizens, provide for the integrity of its borders, and be aware of what is present in its littorals.⁵⁹ Border integrity and maritime domain awareness contribute to domestic security as well as to fulfilling the duties of the naval services in projecting power on the water, protecting maritime and coastal trade, and denying the maritime domain as an avenue of attack by foreign entities and non-state actors. The service level strategy specifically identified the role to “protect the U.S. maritime domain and the Marine Transportation System, and deny their use and exploitation by terrorists as a means for attacks on U.S. territory, population, vessels, and critical infrastructure.”⁶⁰ This role dovetails with USNORTHCOM’s duties to protect the homeland and identifies the coast as vulnerable and a likely avenue of approach to transnational criminals.

Maritime Sentinel (2006) documents the Coast Guard’s strategic plan to combat maritime terrorism within the guidance of then current policy documents.⁶¹ It outlined the critical role that maritime trade has on a globalized society and identified the cost of allowing a maritime incident to interrupt 95 percent of the overseas trade that is processed in the nation’s ports and which account “for two billion tons and almost \$800

⁵⁹ U.S. Coast Guard, *The U.S. Coast Guard Strategy for Maritime Safety, Security, and Stewardship*, 11.

⁶⁰ *Ibid.*

⁶¹ U.S. Coast Guard, *Maritime Sentinel: Coast Guard Strategic Plan for Combating Maritime Terrorism* (Washington, DC: Government Printing Office, 2006).

billion of domestic and international freight each year.”⁶² This service level strategy outlined objectives for the Coast Guard to address which included:

- Prevent and respond to a terrorist/subversive attack within the maritime domain.
- Reduce America’s vulnerabilities to terrorist/subversive acts.
- Protect US. Population centers, critical infrastructure, maritime borders, ports, waterways, coastal approaches, offshore regions, and the boundaries and seams between them.
- Minimize the damage to and expedite recovery from terrorist/subversive attacks that may occur within the maritime domain.⁶³

Maritime Sentinel led to the development and refinement of the Coast Guards Maritime Security Response Team to meet the outlined requirements of a unit capable of conducting offshore searches of vessels, in concert with other Coast Guard units, to meet and mitigate threats prior to their docking in U.S. ports.⁶⁴

While not a service specific document, the *2014 Quadrennial Homeland Security Review* documents a complete review of the Department of Homeland Security and set strategic guidance and goals for departmental agencies to align their service level strategies to.⁶⁵ The document listed preventing terrorism and enhancing security as its first of five mission sets.⁶⁶ Increased criminal activities resulting in the Boston Marathon

⁶² U.S. Coast Guard, *Maritime Sentinel: Coast Guard Strategic Plan for Combating Maritime Terrorism*, 5.

⁶³ *Ibid.*, 7.

⁶⁴ *Ibid.*, 25.

⁶⁵ U.S. Department of Homeland Security, *The 2014 Quadrennial Homeland Security Review* (Washington, DC: Government Printing Office, 2014).

⁶⁶ U.S. Department of Homeland Security, *The 2014 Quadrennial Homeland Security Review*, 6.

Bombing in 2013 focused the department's efforts on identifying lone extremists operating in hard to find cells. These homegrown threats are hard to identify and isolate and impose an increasing threat domestically.⁶⁷ Security is improved by the close working relationship of federal, state, local and tribal law enforcement agencies.⁶⁸ The initial response to domestic incidents involve members of these diverse groups and requires that they work together to facilitate the response. As both a federal law enforcement agency and a military service, the Coast Guard is uniquely positioned to provide domestic law enforcement capability to the USNORTHCOM Commander and provide the Geographic Combatant Commander with response options during domestic incidents.

The Coast Guard's operating concept is encapsulated in Coast Guard Publication 3-0, *Operations* (2012) which outlines the diverse maritime missions of the service and "provides the enduring guidance for Coast Guard operations."⁶⁹ The document is similar to the *Army Operating Concept: Win in a Complex World* (2014) in that it outlines the expected operational environment as well as the Coast Guard's expected missions and tasks for the immediate future.⁷⁰ It divides the Coast Guard's mission into three categories:

⁶⁷ U.S. Department of Homeland Security, *The 2014 Quadrennial Homeland Security Review*, 19.

⁶⁸ *Ibid.*, 33.

⁶⁹ U.S. Coast Guard, Coast Guard Publication 3, *Operations*, ii.

⁷⁰ U.S. Department of the Army, Training and Doctrine Command Pamphlet 525-3-1, *The U.S. Army Operating Concept: Win in a Complex World 2020-2040* (Washington, DC: Government Printing Office, 2014).

- (1) Protect those on the sea (Safety)
- (2) Protect the Nation from threats delivered by the sea (Security)
- (3) Protect the sea itself (Stewardship)⁷¹

The watchwords of safety, security, and stewardship guide the Coast Guard in its duty to “maintain persistent presence in the maritime domain” and serve the nation.⁷² Protecting against threats delivered by the sea includes the sub-missions of ports, waterways, and coastal security, drug interdiction, and defense readiness. This last category includes further division between maritime interdiction operations, theater security cooperation, coastal sea control, and combating terrorism amongst others.⁷³ These missions, as outlined in Coast Guard Publication 3-0, *Operations*, dovetail with USNORTHCOM’s defensive missions focused on the North American Continent.

Coast Guard Publication 1, *Doctrine for the United States Coast Guard* (2014) complements the operating concept and provides the Coast Guard’s functional concepts outlining the Coast Guard’s missions, history, and continued service to the nation.⁷⁴ This document describes the culture of the service outlining the Coast Guard’s diverse mission areas while illustrating how they interrelate and complement one another to accomplish the overarching requirement to serve the nation.⁷⁵ Maritime Security encompasses Maritime Law Enforcement and gets to the heart of what the Coast Guard can provide to

⁷¹ U.S. Coast Guard, Coast Guard Publication 3-0, *Operations*, 3.

⁷² *Ibid.*

⁷³ *Ibid.*

⁷⁴ U.S. Coast Guard, Coast Guard Publication 1, *Doctrine for the U.S. Coast Guard* (Washington, DC: Government Printing Office, 2014).

⁷⁵ *Ibid.*, 6.

USNORTHCOM as the service possesses “the authority to board any vessel subject to U.S. jurisdiction, or to the operation of any U.S. law, to make inquiries, examinations, inspections, searches, seizures, and arrests upon the high seas and waters over which the U.S. has jurisdiction.”⁷⁶ This authority and jurisdiction corresponds with USNORTHCOM’s area of responsibility and gives the Coast Guard the unique role as the “only branch of the Armed Forces of the United States to which *Posse Comitatus*, preventing the other military services from acting as law enforcement agents on U.S. soil, in U.S. territorial waters, or against U.S. citizens under most circumstances, has not been applied.”⁷⁷

These service specific strategic documents form the capstone concept for the Coast Guard and prioritize its responsibilities as outlined in Joint Doctrine and the national strategies. Further refining force operating capabilities, to include defining the need for a USNORTHCOM Maritime Crisis Response Force requires the study and use of scholarly works. Academic theses, newspaper/magazine articles, and books balance the official strategies and policies listed above and provide insight into what outside observers think in regards to critical needs, and capabilities within the joint force.

Academic Theses, Articles, and Books

Academic theses, articles, and books complement the official strategies and doctrine regarding Coast Guard roles and responsibilities, capabilities, and outline the

⁷⁶ U.S. Coast Guard, Coast Guard Publication 1, *Doctrine for the U.S. Coast Guard*, 11.

⁷⁷ *Ibid.*

potential for the Maritime Security Response Team fulfilling the role of a Maritime Crisis Response Force for USNORTHCOM.

“US Northern Command Counterterrorism Response Force Requirements” (2016) was written by Major Matthew Bartles as a thesis for the U.S. Army Command and General Staff College.⁷⁸ This thesis was later published as an article in a 2018 edition of the *InterAgency Journal*.⁷⁹ The article directly ties the need for a counterterrorism response force to USNORTHCOM and identified ways in which “an on-call Title 10 response force” could reduce US vulnerabilities to domestic attacks.⁸⁰ It provides a Department of Defense centric solution to what is a law enforcement and specifically Department of Homeland Security problem while outlining the needs for a unit with military precision and capabilities.

“Reorganizing Coast Guard Deployable Specialized Forces Capability to Meet National Requirements” (2012) was written at the U.S. Marine Corps Command and Staff College to fulfill the requirements of a Master Degree and is authored by LCDR Douglas Stark.⁸¹ The thesis focuses on the capabilities of Maritime Safety Security

⁷⁸ Matthew D. Bartles, “US Northern Command Counterterrorism Response Force Requirement” (Master’s thesis, U.S. Army Command and General Staff College, Fort Leavenworth, KS, 2016).

⁷⁹ Matthew D. Bartles, “U.S. Northern Command Counterterrorism Response Force Requirement,” *InterAgency Journal* 9, no 1 (2018): 5-27.

⁸⁰ Bartels, “US Northern Command Counterterrorism Response Force Requirement,” 3.

⁸¹ Douglas K. Stark, “Reorganizing Coast Guard Deployable Specialized Forces Capability to Meet National Requirements” (Master’s thesis, U.S. Marine Corps Command and Staff College, Quantico, VA, 2012).

Teams and recommends changes and improvements to the Coast Guard's Deployable Operations Group. It was written prior to the Deployable Operations Group's dissolution and the recommendations are a defined foundation should the organization be reinstated in one form or another.⁸² The Deployable Operations Group was decommissioned in 2013 and had been a headquarters and synchronizer for Coast Guard forces with specialized capabilities that included the Maritime Security Response Team, Maritime Safety and Security Teams (focused on domestic port security), Tactical Law Enforcement Teams (focused on counterdrug operations), the National Strike Force (expeditionary forces focused on marine environment pollution), and Port Security Units (reserved units focused on port security overseas). This thesis is an important component of the historiography of this topic because it illustrates the Coast Guard's institutional resistance to change as it relates to specialized units as well as the historical existence of a headquarters unit responsible for Coast Guard specialized units.

Chief Inspector William Presson wrote his thesis "Enhancing Security – Projecting Civil Authority into America's Uncontrolled Spaces" (2012) for the U.S. Army Command and General Staff College.⁸³ In it he developed the idea of "ungovernable spaces" as an area within the territorial borders of a nation where sovereignty is not exerted.⁸⁴ Though not included in the thesis, the maritime littoral area could be encompassed in his definition as the ratio of government agents available to

⁸² The Coast Guard Deployable Operations Group was decommissioned in 2013.

⁸³ Presson.

⁸⁴ Ibid., 5.

assert sovereignty is significantly smaller than the space needing to be governed. He answers the need to project sovereignty within these areas by offering a solution based around a full time National Guard paramilitary law enforcement entity, similar in concept to the Italian Carabinieri, which is a military entity with law enforcement authorities.⁸⁵ The Coast Guard exemplifies this concept as it is both a military service and has law enforcement authorities under Title 14 of United States Code.

Major Matthew Peaks wrote the monograph “Considerations for SOF in Domestic Homeland Security” (2008) to fulfill requirements for the School of Advanced Military Studies.⁸⁶ It sought to identify domestic nodes and missions whereby special operations forces could work “under the auspices of Defense Support to Civil Authorities (DSCA) and Homeland Defense (HD)” with first responders in response to domestic incidents.⁸⁷ It offered the possibility of special operations forces being used as force multipliers to domestic law enforcement agencies during domestic emergencies.

In 2005 then LCDR Gary Bowen completed a thesis for the U.S. Army Command and General Staff College entitled “Is it Time to Designate Coast Guard Special Operations Forces?”⁸⁸ This thesis was later published as a pamphlet entitled *Coast Guard*

⁸⁵ Presson, 47.

⁸⁶ Matthew K. Peaks, “Considerations for SOF in Domestic Homeland Security” (Monograph, School of Advanced Military Studies, U.S. Army Command and General Staff College, Fort Leavenworth, KS, 2008).

⁸⁷ *Ibid.*, iv.

⁸⁸ Gary Russell Bowen, “Is It Time to Designate Coast Guard Special Operations Forces?” (Master’s thesis, U.S. Army Command and General Staff College, Fort Leavenworth, KS, 2005).

SOF (2006) by Joint Special Operations University Press.⁸⁹ This work forms the foundation for this thesis as it was the first time that an author had formally associated specialized capabilities within the Coast Guard with special operations forces. The work was also timely in that it was written one year following the stand-up of Maritime Security Response Team Chesapeake and became a driving force within the Coast Guard in the development of the Deployable Operations Group, which stood up in 2007. This headquarters unit was designed to manage and standardize the specialized capabilities within the service and was modeled on the U.S. Army's Special Operations Command. It was decommissioned under the 24th Commandant. *Coast Guard SOF* documented the institutional challenges related to having a special operations capability within the Coast Guard and also addressed the capabilities that such an organization offered to the nation in its war on terror.

Daniel E. Ward's article "An Underutilized Counterinsurgency Asset" (2017) puts forth the thesis that the Coast Guard has a role to play in counterinsurgency missions.⁹⁰ Specifically, Ward proposes that Coast Guard units can contribute much in regards to "soft power" because its primary missions relate to the same issues domestically as they do in stability operations overseas.⁹¹ The addition of Coast Guard units to counterinsurgency efforts frees up other combat focused units to focus on more high intensity operations. He advocates developing a process by which Coast Guard units

⁸⁹ Bowen, *Coast Guard SOF*.

⁹⁰ Daniel E. Ward, "An Underutilized Counterinsurgency Asset: the U.S. Coast Guard," *Military Review* (May-June 2017): 89-98.

⁹¹ *Ibid.*, 90.

augment Department of Defense efforts with emphasis on law enforcement operations and training, alluding to the need to develop a process and partnership that develops interoperability amongst the strengths of each military service.⁹²

Kevin Duffy's article, "Indispensability is Not Enough" (2017) takes the Coast Guard to task for overvaluing its service to the nation.⁹³ He warns that "the Coast Guard might always face difficulties conveying its full value to the nation" and that it should "confront perception challenges" head-on continuously looking to advertise and publicize its value to the nation.⁹⁴ As a multi-mission service, the Coast Guard battles within itself to determine its focus and role while trying to balance diverse mission sets with associated cultures and budgets.

"Neutralizing the Threat" (2017) is a Coast Guard Recruiting vignette that illustrates the capabilities of the Maritime Security Response Team.⁹⁵ The article provides a fictional domestic scenario illustrating the type of missions that the Maritime Security Response Team is designed to respond to. From this article a reader may determine some of the broader force structure of the unit and identify some of the capabilities that it brings to USNORTHCOM if designated the Maritime Commander's In-Extremis Force.

⁹² Ward, 96.

⁹³ Kevin Duffy, "Indispensability is Not Enough," *Naval Institute Proceedings* (January 2017): 34-37.

⁹⁴ *Ibid.*, 36-37.

⁹⁵ Go Coast Guard.com, "Neutralizing the Threat," accessed February 23, 2018, <https://www.gocoastguard.com/about-the-coast-guard/experience-the-coast-guard/neutralizing-the-threat>.

Jetta Disco's article "MSRT: Coast Guard's specialized force to be reckoned with" (2014) records an exercise in New York City in which the Maritime Security Response Team is working aboard a Staten Island Ferry to identify and secure a potential "radiological device."⁹⁶ Information from this article can be combined with the Coast Guard Recruiting vignette to build a unit force structure while also providing a description of the unit's tactical capabilities as they relate to advanced interdiction and chemical, biological, radiological, nuclear, explosive response.

Matthew Jones' article "Coast Guard shows off for Homeland Security Secretary" (2009) documents an exercise that the Maritime Security Response Team completed to illustrate their capabilities to then Department of Homeland Security Secretary Janet Napolitano.⁹⁷ The article documents the Maritime Security Response Team's formation in 2004 "as the service's only maritime counter-terrorism unit" and notes its ability to board vessels at sea using both helicopter and small boat platforms.⁹⁸

Richard Farrell's article "Maritime Terrorism: Focusing on the Probable" (2007) takes the contrary view of questioning whether maritime terrorism is as significant a threat to the United States' Maritime Transportation System as advertised.⁹⁹ He cautions that the globalized economy cannot accommodate the delays caused by increased

⁹⁶ Jetta Disco, "MSRT: Coast Guard's Specialized Force to be Reckoned With," Defense Visual Information Distribution Service, April 21, 2014, accessed February 23, 2018, <https://www.dvidshub.net/news/printable/126886>.

⁹⁷ Jones, "Coast Guard shows off for Homeland Security Secretary."

⁹⁸ *Ibid.*, 2.

⁹⁹ Richard Farrell, "Maritime Terrorism: Focusing on the Probable," *Naval War College Review* 60, no. 3 (Summer 2007): 46-60.

security.¹⁰⁰ Furthermore he seeks to increase the sharing of information and the developing of transparency amongst governments and law enforcement agencies to mitigate the risks to the global economy of security related delays in shipment of goods.¹⁰¹

William Mendel's and Dr. Peter McCabe's book, *SOF Role in Combating Transnational Organized Crime* (2016), takes a look at where special operations forces can contribute to the fight against Transnational Organized Crime.¹⁰² Missions that fall under the umbrella term of Transnational Organized Crime include, but are not limited to, counterdrug operations, alien/migrant interdiction, weapons smuggling interdiction, and the suppression of international money laundering all of which are missions that the Coast Guard currently undertakes with both its conventional units as well as with its Deployed Specialized Forces. The articles within *SOF Role in Combating Transnational Organized Crime* discuss the "national sovereignty challenges" associated with SOF operating domestically and in a law enforcement capacity.¹⁰³ Others outline the skill sets necessary to prosecute the missions related to countering transnational organized crime, in essence outlining capabilities inherent within Coast Guard Tactical Law Enforcement Teams and Maritime Security Response Teams.

¹⁰⁰ Farrell, "Maritime Terrorism: Focusing on the Probable," 47.

¹⁰¹ *Ibid.*, 56.

¹⁰² William Mendel and Peter McCabe, *SOF Role in Combating Transnational Organized Crime* (MacDill Air Force Base, FL: Joint Special Operations University Press, 2016).

¹⁰³ *Ibid.*, vii.

Russell Howard's and Colleen Traughber's book, *The Nexus of Extremism and Trafficking: Scourge of the World or So Much Hype?* (2013), discusses the potential nodes between organized crime and international terrorism.¹⁰⁴ In developing the connections between terrorists and criminals, Howard and Traughber show that there is little difference between the two and that the threats of each constitute a significant issue for national security. It makes sense to deduce that law enforcement skill sets are a requirement for the successful interdiction and prosecution of these related enemies and that a military service capable of operating in both the military and law enforcement realms has a role to play in its suppression.

Matthew Mitchell's book, *Not Your Father's Coast Guard: The Untold Story of U.S. Coast Guard Special Forces* (2010), documents a relatively unknown period of Coast Guard history when small teams were sent ashore in South America to advise and assist indigenous forces in the eradication of cocaine production.¹⁰⁵ While designed to work overseas in an advisory capacity, and thus not directly relatable to the Coast Guard's domestic focus, these small teams form the lineage for today's deployable specialized forces. As such this book forms an important part of the historiography of Coast Guard special operations.

David Helvarg's book, *Rescue Warriors: The U.S. Coast Guard, America's Forgotten Heroes* (2009), is an overarching review of the service and its missions, post

¹⁰⁴ Russell D. Howard and Colleen Traughber, *The Nexus of Extremism and Trafficking: Scourge of the World or So Much Hype?* (MacDill Air Force Base, FL: Joint Special Operations University Press, 2013).

¹⁰⁵ Matthew Mitchell, *Not Your Father's Coast Guard: The Untold Story of U.S. Coast Guard Special Forces* (Bloomington, IN: AuthorHouse, 2010).

Hurricane Katrina's 2005 landfall.¹⁰⁶ It provides an external view of the Coast Guard's culture and values in addition to a broad history of the service.¹⁰⁷ Uniquely, it divides the chapters of the book between the different communities within the Coast Guard with the chapter pertaining to deployable specialized forces labeled "Warriors." The book forms an important piece of the recent historiography of the service as it documents the changes the Coast Guard has undergone since the September 11, 2001 attacks.

Special Agent Christopher Whitcomb's book, *Cold Zero: Inside the FBI Hostage Rescue Team* (2001), is his memoir of service on the national level hostage rescue team. It is included in this literature review because it documents the impact the establishment of such a unit had on the conventional Federal Bureau of Investigation as well as the reasoning that was used to establish a full time, paramilitary hostage rescue team. The Maritime Security Response Team was similarly developed and received by the conventional Coast Guard and so this book provides comparable context for a Coast Guard unit that has very little written on it.

National strategy documents, doctrinal and service level documents, along with journal articles and outside books comprise the background and history of national, homeland security and Coast Guard policy as it has developed since the 9/11 terrorist attacks in 2001. These sources agree that maritime security, preventing and responding to domestic incidents, and specifically the proliferation of weapons of mass destruction, are

¹⁰⁶ David Helvarg, *Rescue Warriors: The U.S. Coast Guard, America's Forgotten Heroes* (New York: Thomas Dunne Books, 2009).

¹⁰⁷ Helvarg is not associated with the Coast Guard and his book forms an outsider's opinion of the service, its missions, and the Coast Guard's contributions to the collective defense and safety of the United States.

critical components to protecting the homeland from further terrorist attacks. An effective defense-in-depth requires a holistic and interlocking focus using all instruments of national power. The Department of Homeland Security's defensive focus naturally complements the Department of Defense's focus overseas. Chapter 3 explains the Capabilities Based Assessment methodology that is used in chapter 4 to identify a potential bridge that can further the interoperability between the two departments with the establishment of a USNORTHCOM Maritime Crisis Response Force.

CHAPTER 3

RESEARCH METHODOLOGY

Globalization has led to an interconnected world, where the security and prosperity of any one nation relies on productive international relationships. Today's economy is critically dependent on global trade, which in turn relies on safe, resilient, and efficient transportation systems. Over 90 percent of global trade travels through maritime conveyance, making the safety, security, and environmental stewardship of the U.S. Maritime Transportation System (MTS) a national security and economic imperative.

—U.S. Coast Guard,
Commandant's Strategic Intent 2015-2019

The research methodology for this study is based on the United States Army's Capabilities-Based Assessment Process and is a qualitative description. The Army process has been adapted by the author to reflect Coast Guard capabilities, doctrine, and processes. The research uses official publications and published literature to examine the thesis hypothesis. The information used does not include any interviews, surveys, focus groups, observations, or other data comprised from interactions with human subjects. This thesis' capabilities-based assessment process is used to articulate the next logical step for the Coast Guard's Maritime Security Response Team and proposes that it be formally designated as a Maritime Combatant Commander Crisis Response Force for USNORTHCOM.

The capabilities-based assessment approach specifically identifies a way forward by outlining the expected future joint operating environment, by conducting a functional area analyses in addition to a functional needs analyses, and a functional solution analyses before proposing a capabilities-based assessment recommendation. The functional area analyses "provides the framework to assess" the functional needs analysis

and “begins with the military problem to be examined.”¹⁰⁸ The functional needs analysis is “a comparison of . . . existing and programmed capabilities and the identification of . . . corresponding gaps” in response and capabilities.¹⁰⁹ The third phase of the capabilities based assessment is the functional solution analysis which “describes the ability of each identified approach to satisfy the need.”¹¹⁰ The functional solution analysis’ recommendations must “be strategically responsive and deliver approaches when and where they are needed . . . must be feasible with respect to policy, sustainment, personnel limitations, and technological risk . . . and . . . must be realizable in that DOD could actually resource and implement the approaches within the timeframe required.”¹¹¹

This methodology will identify and explain the challenges associated with designating the Maritime Security Response Team as the Maritime Crisis Response Force for USNORTHCOM. Research into national strategies, joint doctrine, Coast Guard doctrine, and the laws and regulations associated with military and law enforcement operations in the United States will be used throughout the process to support the thesis and explain Coast Guard authorities and capabilities.

In chapter 1, this thesis introduced the concept of a Maritime Crisis Response Force for USNORTHCOM and identified the Coast Guard Maritime Security Response Team as an existing capability that can fulfill this role.

¹⁰⁸ U.S. Army War College, *How the Army Runs*, 3-16.

¹⁰⁹ *Ibid.*

¹¹⁰ *Ibid.*, 3-17.

¹¹¹ *Ibid.*

Chapter 2, “Literature Review” outlined capstone concepts through national strategies, identified supporting joint concepts as explained by joint doctrine, and introduced the idea of a Coast Guard concept framework with service level strategies comprising the Coast Guard’s capstone concept, Coast Guard Publication 3-0, *Operations* representing the Coast Guard’s operating concept, and Coast Guard Publication 1-0, *Doctrine for the U.S. Coast Guard* explaining the Coast Guard’s functional concepts.

Chapter 4 puts forth the capabilities-based assessment. It begins by explaining the future joint operating environment and discusses the relationship between USNORTHCOM and the Department of Homeland Security. The chapter then transitions into the functional area analysis and states the problem; specifically, that USNORTHCOM is the only Geographic Combatant Commander that does not have a formally designated Combatant Commander Crisis Response Force and that the Posse Comitatus Act precludes the role being filled, similarly to the other Geographic Combatant Commanders, by United States Army Special Forces. Chapter 4 transitions into the functional needs analysis and defines the supposed capabilities and authorities that a Maritime Combatant Commander Crisis Response Force for USNORTHCOM needs. The chapter concludes with the functional solution analysis and proposes that the Coast Guard’s currently existing Maritime Security Response Team is capable of performing in the role of a Maritime Combatant Commander Crisis Response Force.

Chapter 5 summarizes the information in chapter 4 and puts forward the capabilities-based assessment recommendation. It specifically proposes a non-material solution and outlines the need to draft policy assigning the Maritime Security Response Team to the role of a Maritime Combatant Commander Crisis Response Force as well as

the need to add or reassign the unit to the mission area. Chapter 5 concludes with recommendations for further study.

The Army's Capabilities-Based Assessment Process is a qualitative methodology that will logically organize and present the material in this thesis. Readers should finish reading this thesis and understand the future joint operating environment, the problem as stated in the functional area analysis, the capability requirements needed by a Maritime Crisis Response Force as presented in the functional needs analysis, and the proposed solution as written in the functional solution analysis. By its conclusion the data will support designating the Coast Guard's Maritime Security Response Team as the Maritime Crisis Response Force for USNORTHCOM.

Capabilities-Based Assessment Process

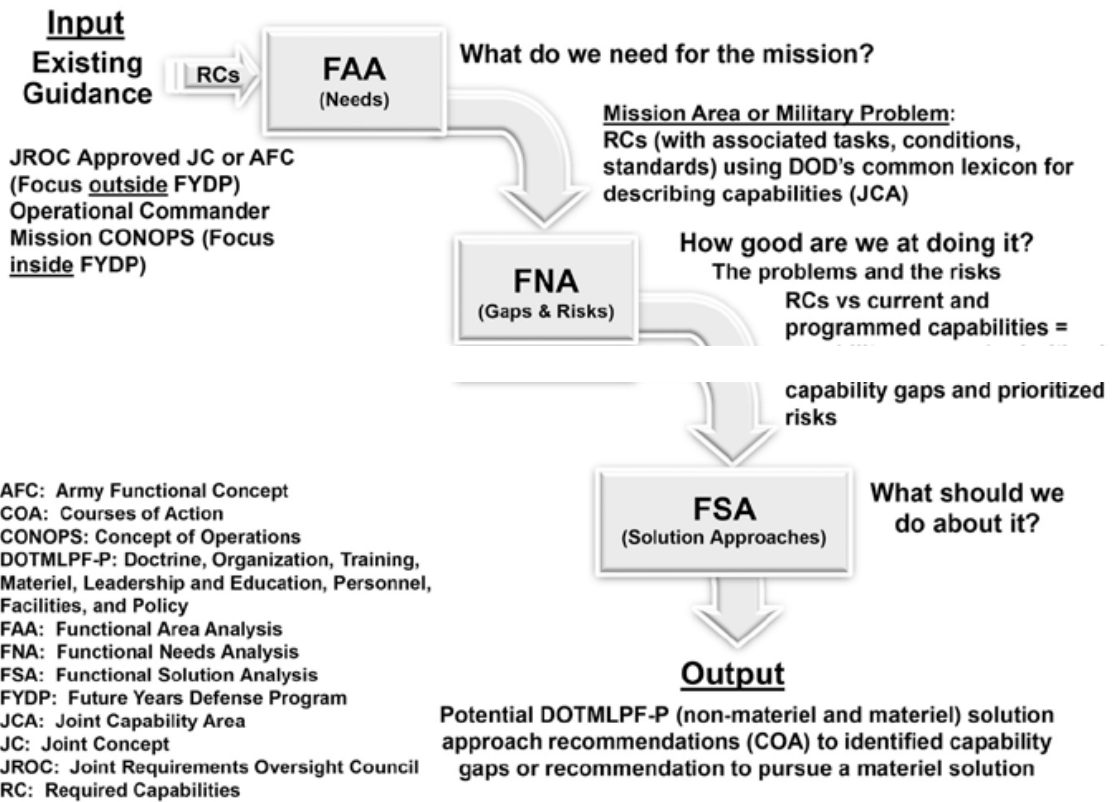


Figure 3. U.S. Army Capabilities-Based Assessment Process

Source: U.S. Army War College, *How the Army Runs: A Senior Leader Reference Handbook 2015-2016*, 30th ed. (Washington, DC: Government Printing Office, [2015]), 3-15.

CHAPTER 4

ANALYSIS

The United States must build rapid-reaction forces to support first responders with capabilities to respond to WMD and other terrorist incidents that occur in the maritime domain. These response forces will blend the expertise and resources of the public and private sectors. They will be organized, trained, equipped, and exercised to operate in contaminated environments and manage the consequences of WMD incidents. Specifically, they will develop and deploy capabilities to detect and identify harmful chemical and biological agents, as well as conduct casualty extraction and mass decontamination in the maritime environment.

—Office of the President of the United States
The National Strategy for Maritime Security, September 2005

This capabilities-based assessment forms the next logical step in the development of the Coast Guard's Maritime Security Response Team and USNORTHCOM. The opportunity to refine coordination and interoperability between domestic law enforcement and USNORTHCOM is one that should not be overlooked and cannot be overstated. United States domestic law enforcement is complicated. Overlapping jurisdictions, specialties and interests create both a creative and collaborative environment. The United States does not have the same level of interoperability domestically that the Department of Defense does during operations overseas. Specifically, there is not a joint force system in place that aligns the different agencies within the Department of Homeland Security in the same manner as it does within the Department of Defense. The exception is the Coast Guard which follows Department of Defense Joint Doctrine, and is a member of the Joint Force while operating within the Department of Homeland Security. Both the Department of Homeland Security and USNORTHCOM work collaboratively with federal, state and local law enforcement

agencies to respond to domestic incidents. Transnational Organized Crime is a growing threat that is international in nature, thrives in ungoverned spaces, and has the capacity to overwhelm local law enforcement agencies.¹¹² One of the largest and most remote areas to police is the extensive offshore Territorial, Contiguous and Exclusive Economic Zones. These areas constitute a well-used avenue of approach for trade, smuggling, and attack (see figures 3 and 4). To meet these challenges a more coordinated effort is needed between USNORTHCOM and the Department of Homeland Security.

Future Joint Operating Environment

The future joint operating environment is contentious. Conflict is inevitable and is interwoven into the fabric of human history. “One cannot rule out the possibility that U.S. military forces will be engaged in persistent conflict over the next quarter century. In the next twenty-five years, there will continue to be those who will hijack and exploit Islam and other beliefs for their own extremist ends.”¹¹³ The nation’s enemies work to identify existing frictions within the United States’ domestic defensive construct and exploit these seams to weaken the country internally using its own processes against it.¹¹⁴ United States forces will continue to work in an “environment where struggle predominates.”¹¹⁵

¹¹² Presson, 27.

¹¹³ U.S. Joint Forces Command, *The Joint Operating Environment*, 3.

¹¹⁴ The concept of friction as written here is one specifically relating to the theories of Clausewitz and can be found in chapter seven of *On War*. Carl von Clausewitz, *On War*, trans. and ed. Michael Howard and Peter Paret (Princeton, NJ: Princeton University Press, 1976), 121.

¹¹⁵ U.S. Joint Forces Command, *The Joint Operating Environment*, 5.

The world is only getting more complicated. Transnational Organized Crime and international terrorism will continue to threaten the United States as will the rise of near-peer adversaries.

The Department of Defense cannot bear the burden for meeting these challenges alone. The organization must continue its focus external to the domestic United States and prepare itself to meet growing international near-peer threats. The *U.S. Army Operating Concept: Win in a Complex World 2020-2040* outlines the Department of the Army's, and by extension the Department of Defense's, acknowledgement that wars in the future will comprise the full range of military operations, from near-peer conflict to stability operations.¹¹⁶ It is an attempt to outline a way ahead that creates a land component capable of operating across the full spectrum of operations and do everything equally well. It can be taken as an indication of the Department of Defense's recognition of the threats currently in place across the globe. Despite its title, the Department of Defense is an offensively motivated entity whose job is to keep the fight away from the homeland and prosecute its missions worldwide. This poses an issue for USNORTHCOM which, as a Department of Defense entity, is the only Geographic Combatant Command responsible for domestic territory and responding to threats in the homeland. Due to Congressional limits on Department of Defense forces USNORTHCOM is without operational assets capable of performing in a law enforcement capacity.

¹¹⁶ U.S. Department of the Army, Training and Doctrine Command Pamphlet 525-3-1, *The U.S. Army Operating Concept: Win in a Complex World 2020-2040*.

In addition to the threat posed by global competitors, transnational organized crime complicates the United States' future as it furthers crime and instability domestically, regionally, and globally. Transnational organized crime is “deeply rooted in the preconditions for terrorism and insurgency and the thirst for power and wealth, as well as in the policies of nations that make it profitable.”¹¹⁷ It is a destabilizing influence that contributes to declining and failing states and challenges the Westphalian system of nations constricted by international laws and agreements.¹¹⁸ Transnational organized crime keeps “states weak and incapable of effective partnership” while enabling the growth of large international organizations with the capital and capabilities inherent in nation states.¹¹⁹ People, weapons, drugs, and contraband continue to be the largest moneymakers worldwide for transnational criminal organizations earning them billions in profit while undermining domestic governance, economies, “trade, transportation and transactional systems.”¹²⁰

Even with the need to focus on near-peer and transnational organized threats there remains the threat of domestic and international terrorism. Terrorists have “idealistic motives” and ideals do not die easily.¹²¹ The *Joint Operating Environment 2008* anticipates the global war on terrorism extending into the 2030s due to the terrorist

¹¹⁷ Mendel and McCabe, 2.

¹¹⁸ *Ibid.*, 14.

¹¹⁹ *Ibid.*, 175.

¹²⁰ Howard and Traugher, 1.

¹²¹ *Ibid.*, 2.

organization's embracing of the internet to recruit and train volunteers to continue the fight.¹²² While Al Qaeda and Islamic State are weakened, it is shortsighted to think that other organizations, with similar goals, will not rise into the void focused on supplanting the primacy of the United States. These non-state actors are a continued threat that may potentially harness weapons of mass destruction to meet their organizational goals.¹²³

The future joint operating environment holds significant threats to the welfare of the United States. The nation continues to meet and oppose these threats using all of its instruments of national power. Improved coordination and the streamlining of the national effort may make the response to both international and domestic threats more efficient and effective. Domestically, USNORTHCOM needs more means to improve its interoperability with the Department of Homeland Security and contribute to the coordinated defense of the domestic homeland.

¹²² U.S. Joint Forces Command, *The Joint Operating Environment 2008*, 36.

¹²³ *Ibid.*, 37.

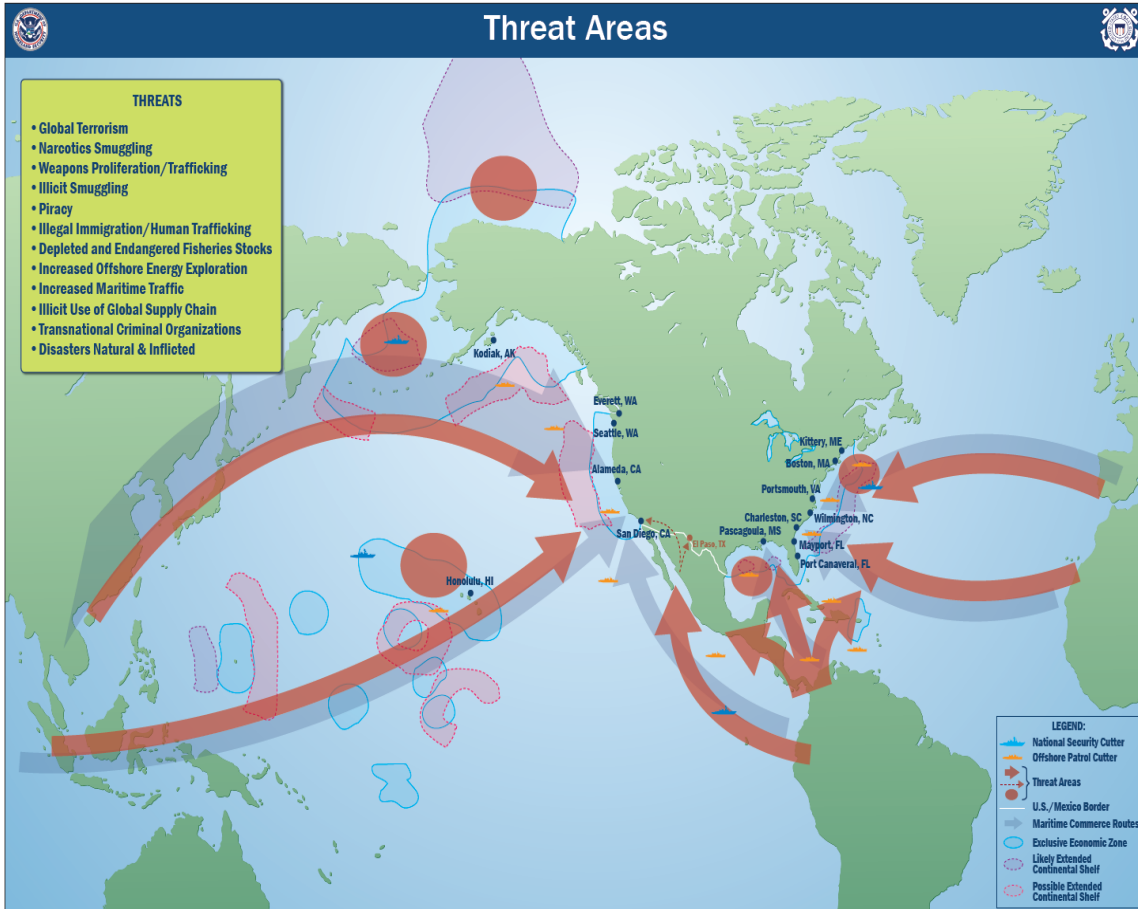


Figure 4. Threat Areas

Source: U.S. Coast Guard, Coast Guard Publication 3-0, *Operations* (Washington, DC: Government Printing Office, 2012), 14.

NOTE: This image shows what the United States Coast Guard identifies as threat areas.

Functional Area Analysis

A Maritime Crisis Response Force provides USNORTHCOM with the ability to respond to threats to the homeland originating in the littorals. United States Army Special Forces are regionally aligned and provide Crisis Response Forces to each Geographic

Combatant Command with the exception of USNORTHCOM.¹²⁴ The Posse Comitatus Act limits the missions that the Department of Defense can support domestically.¹²⁵ As an organization, the Department of Defense is focused on projecting power overseas in support of United States national interests; relying on domestic law enforcement agencies, comprised of federal, state and local municipalities, to secure the homeland using each organizations' law enforcement authorities. The issue is one of authority and jurisdiction, which is something that Congress can change. It begs the question should an exception be made to the practice that enables the Department of Defense to fill the requirement of a domestic based and focused Maritime Commander's In-Extremis Force?¹²⁶

Based on the *Joint Operating Environment 2008*, the future projected environment that the joint force needs to be prepared to operate in is both diverse and challenging. As such, the Department of Defense's responsibilities and focus needs to remain external to the United States. It wields a proven military capable of projecting power anywhere in the globe to enforce or impose U.S. diplomatic will on an enemy. These forces should retain their overseas focus and mindset.

¹²⁴ Reference figure 1 and U.S. Department of the Army, Field Manual 3-05, *Army Special Operations* (Washington, DC: Government Printing Office, 2014), 4-6.

¹²⁵ U.S. Coast Guard Academy, *Maritime Law Enforcement*, 125.

¹²⁶ Perhaps looking at an either or model is incorrect, rather should Maritime Security Response Teams be added to the Combatant Commander Crisis Response Force and special mission units inventory to enable USNORTHCOM to respond to threats within the littorals and simultaneously strike multiple suspect vessels in response to perceived threats to the nation?

The defense and protection of U.S. citizens at home is traditionally the role of federal, state, and local law enforcement and first responders. There is a different culture and mindset needed to properly do this. Though it is not completely divergent from that needed to operate offensively it was subtle enough for Congress to recognize and codify the difference with the passage of the Posse Comitatus Act in 1878.

Much like an American football team has players that specialize in offense or defense, U.S. military and federal agencies should do likewise. The scramble to respond to the attacks of September 11, 2001 saw many federal agencies and services stepping on one another. While this has lessened over the past seventeen years, there continues to be a lot of overlap. The Department of Defense has a role to play in securing the homeland. USNORTHCOM provides a link to training, logistics, and support that was crucial to the domestic responses to Hurricane's Katrina and Rita, as well as to domestic law enforcement missions related to national security special events, like the Democratic and Republican National Conventions, Presidential Inaugurations, the World Series, and the Super Bowl.¹²⁷ USNORTHCOM's ability, as a Geographic Combatant Commander, to synchronize Department of Defense support with domestic agencies is a strength. However, it is time to take the next logical step and provide that commander with units that can respond to the information and intelligence available to the Department of Defense while operating domestically. Special Operations Command, like the rest of the Department of Defense, needs to maintain its focus and span of control on the external

¹²⁷ This observation has been made by the author, who was present as a Coast Guard responder in New Orleans for Hurricanes Katrina and Rita and is supported by the article "MSRT: Coast Guard's Specialized Force to be Reckoned With," 2.

threats to the United States. The rise of a Chinese blue water navy, a nuclear North Korea, a growingly aggressive Iran, and continued international terrorism means that the Department of Defense has plenty on its plate without having to pick up domestic mission sets.

In adopting the Crisis Response Force model that provides the Geographic Combatant Commander with an enhanced response capability, USNORTHCOM is better prepared to meet known or perceived threats to the United States with a more appropriate span of control. That capability should follow a military model but have inherent authority and jurisdictions that enable it to operate domestically and bridge the existing gap between domestic law enforcement and military special operations forces.

Functional Needs Analysis

Any discussion regarding an existing organization's capability must revolve around existing authorities and jurisdictions that enable domestic operations. In identifying an organization from which to produce this capability for USNORTHCOM existing maritime capacities should be considered. As the only maritime focused military service with existing law enforcement authorities, might the Coast Guard be the right service or agency to fill the need for a designated Maritime Crisis Response Force?

The United States Coast Guard has the law enforcement authorities to police the homeland and provide the maritime domain awareness necessary to deter, prevent, and respond to national threats in the littorals. In the era of globalized economies, the littorals have become a crucial part of a nation's sovereignty with agents of the government having the requirement to ensure unrestricted and unimpeded commerce encompassing nearly ninety percent of world trade, adjacent to a shoreline area where the majority of a

nation's population resides.¹²⁸ The risk associated with attacks occurring in this littoral environment is speculative and estimates range in scale from doomsday-like prophecies to minor interruptions in the global supply chain. USNORTHCOM's responsibility to synchronize a national response in this area currently competes with the Department of Homeland Security's responsibility to do the same.¹²⁹

The Coast Guard is a uniquely positioned resource in the coordinated fight against TOC [Transnational Organized Crime] networks in the Western Hemisphere. Leveraging a broad array of authorities and capabilities across diverse maritime missions coupled with a persistent at sea presence, the Coast Guard is a versatile and critical resource in our Nation's larger battle against TOC networks. The Coast Guard also maintains unique capabilities and authorities to engage TOC networks in areas where they are not only unchallenged by other partners, but where they are also most vulnerable to disruption.¹³⁰

Following a tested and proven model of Coast Guard Law Enforcement Detachments working for both the Coast Guard, an agency within the Department of Homeland Security, and the Department of Defense it is possible to create a pathway whereby USNORTHCOM's synchronization skills work collaboratively with Coast Guard assets to provide a comprehensive defense of the nation.¹³¹

¹²⁸ U.S. Department of the Navy, *A Cooperative Strategy for 21st Century Seapower*, vi.

¹²⁹ The same can be said for both the littorals as well as on land. NORTHCOM's and Department of Homeland Security's charters currently make the organizations competitors. A way needs to be developed to synchronize an interoperable and mutually supporting response in the littorals.

¹³⁰ U.S. Coast Guard, *United States Coast Guard Western Hemisphere Strategy*, 31.

¹³¹ The effectiveness of this model is the opinion of the author who had to shift tactical control between Department of Defense entities and Department of Homeland Security entities to act in a law enforcement capacity during Combating Transnational Organized Crime Patrols in the Caribbean Sea and Eastern Pacific Oceans.

The *Quadrennial Homeland Security Review* outlined the continuing concern with weapons of mass destruction and focused specifically on nuclear terrorism which “would cause severe loss of life, illness, and injury; present challenges to our economy and our free and open society; and damage the national psyche.”¹³² The current responsibility to respond to these incidents resides with the national command authority and there is not an organization designated to bridge the local police response and more capable special missions units. USNORTHCOM needs a dedicated capability to tie local law enforcement response into the larger national level response. It needs a force capable of providing a short notice on scene assessment of the situation in a maritime environment, capable of securing the scene for the arrival of additional assets while fulfilling the role of an immediate response in periods of extremis.

The Coast Guard holds unique authorities and jurisdiction that make it the ideal service to provide a Maritime Crisis Response Force to USNORTHCOM. The service can project power in Territorial Waters, the Contiguous Zone and the Exclusive Economic Zone outwards of two hundred nautical miles from the shore of the United States. In some cases, such as when conducting counter-narcotics operations, the Coast Guard can assert jurisdiction even farther making it a unique military service that can establish jurisdiction on the High Seas and act in a law enforcement capacity world-wide.¹³³ Title 14 United States Code, Section 89 states that “the Coast Guard may make

¹³² U.S. Department of Homeland Security, *The 2014 Quadrennial Homeland Security Review*, 62.

¹³³ Refer to Figure 5 for a visual aid regarding Coast Guard authority and jurisdiction.

inquiries, examinations, inspections, searches, seizures, and arrests upon the high sea and waters over which the United States has jurisdiction, for the prevention, detection, and suppression of violations of laws of the United States.”¹³⁴ This robust authority gives the Coast Guard the status of a law enforcement agency in addition to its role as a military service and establishes jurisdiction over vessels entering and exiting the homeland. They give the service broad authorities to use in defense of the United States maritime littorals. In patrolling the world maritime commons, it is the only military service with the capacity and capability to operate side by side with law enforcement agencies domestically.

In addition to the authority and jurisdiction, a Maritime Combatant Commander Crisis Response Force must be certified, on-call, trained, manned, and equipped to deploy and respond in response to identified or perceived homeland security threats.¹³⁵ “For protection and deterrence to be successful, maritime security forces must be visible, well-trained, well-equipped, mobile, adaptive, and capable of generating effective presence quickly, randomly, and unpredictably.”¹³⁶ The Coast Guard is an existing and known entity within the federal government that can provide the capabilities necessary to fulfill a role as USNORTHCOM’s Maritime Crisis Response Force. Municipal, state, and federal law enforcement teams “train to handle limited situations with a relatively low threat

¹³⁴ U.S. Coast Guard Academy, *Maritime Law Enforcement*, 16.

¹³⁵ Bartels, “US Northern Command Counterterrorism Response Force Requirement” (2016), 46-48.

¹³⁶ Office of the President of the United States, *National Strategy for Maritime Security*, 22.

level.”¹³⁷ The Coast Guard, as a military service, has the capability to field well-trained military units capable of operating in a law enforcement capacity and able to employ the transportation, manpower, and assets inherent to the federal government.

The Coast Guard is poised and focused on operations in the Western Hemisphere.¹³⁸ Its efforts complement the Department of Defense’s offensive operations with homeland oriented defensive ones. The Coast Guard is positioned and capable now to work collaboratively with USNORTHCOM and bring its unique law enforcement authorities to the fight by providing necessary protections to the United States. The Coast Guard is the correct agency to provide USNORTHCOM with the ability to “identify and interdict unlawful acquisition and movement of chemical, biological, radiological, and nuclear precursors and materials; and (detect), locate, and prevent the hostile use of chemical, biological, radiological, and nuclear materials and weapons” in the maritime domain and in doing so meet its charter to protect and serve the nation.¹³⁹

¹³⁷ Christopher Whitcomb, *Cold Zero: Inside the FBI Hostage Rescue Team* (Boston, MA: Little Brown and Company, 2001), 163.

¹³⁸ U.S. Coast Guard, *United States Coast Guard Western Hemisphere Strategy*.

¹³⁹ U.S. Department of Homeland Security, *The 2014 Quadrennial Homeland Security Review*, 76.

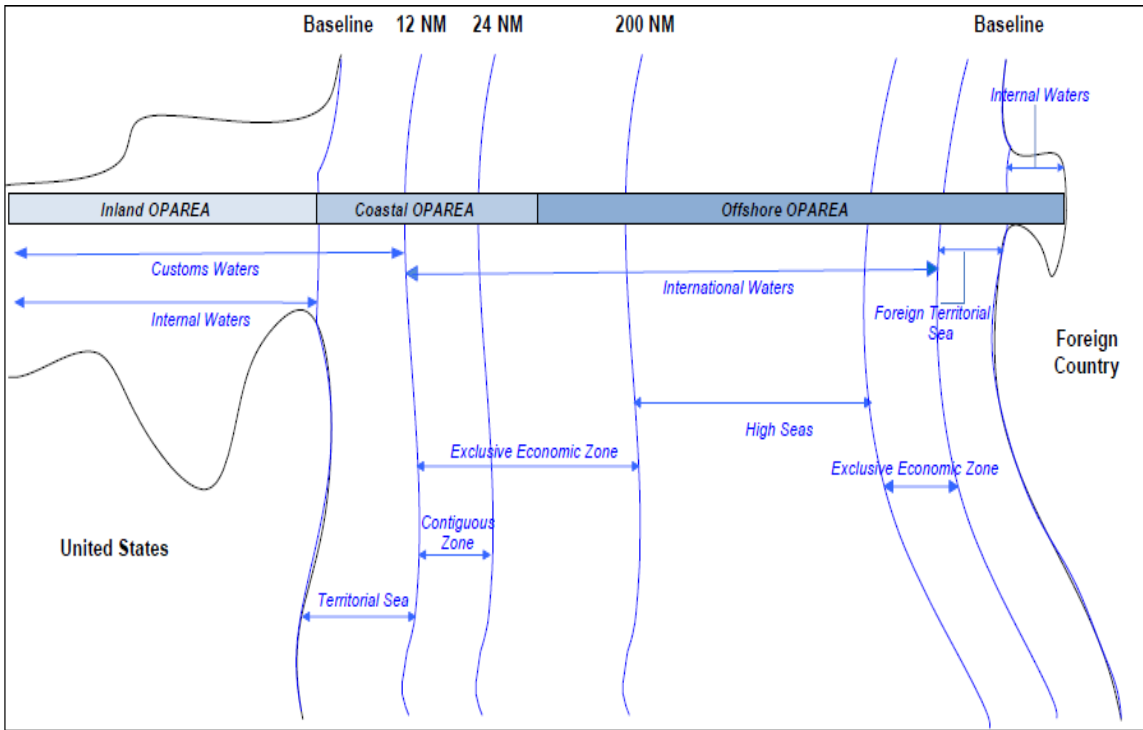


Figure 5. Maritime Jurisdictional Zones

Source: U.S. Coast Guard, Coast Guard Publication 3, *Operations* (Washington, DC: Government Printing Office, 2012), 10.

Functional Solution Analysis

The Coast Guard holds unique authorities that can enable a domestically focused Maritime Crisis Response Force. Inherent in the Coast Guard’s Maritime Security Response Team is a capability that could fulfill the role. Should the Maritime Security Response Team be the Maritime Crisis Response Force for USNORTHCOM?

The threats posed by transnational criminal organizations and terrorists are not anticipated to dissipate. It is the normal environment in which the nation must carry on in the post 9/11 world. A comprehensive defense that begins two hundred miles offshore is possible with implementation of interoperability practices between the Department of

Homeland Security and USNORTHCOM. One way to do this is to designate a Department of Homeland Security asset as USNORTHCOM's Maritime Crisis Response Force. The Coast Guard's Maritime Security Response Teams are uniquely qualified, equipped and trained to provide domestic law enforcement capability to the USNORTHCOM Commander and provide the Geographic Combatant Commander with response options during high risk domestic incidents.

The Coast Guard is both a military service and a federal law enforcement agency. It combines the discipline and focus of a military tradition with domestic law enforcement authorities and has historically bridged the gap between domestic law enforcement and the United States military. Department of Defense Directive 5100.01, *Functions of the Department of Defense and Its Major Components*, acknowledges that the Coast Guard is "a unique Military Service" that "shall develop concepts, doctrine, tactics, techniques, and procedures and organize, train, equip, and provide forces to . . . conduct maritime homeland security and counterterrorism operations."¹⁴⁰ The service's Tactical Law Enforcement Teams deploy Law Enforcement Detachments in support of Combating Transnational Organized Crime missions along the Caribbean and Eastern Pacific drug trafficking corridors. When deployed down range these small teams operate under the United States Southern Command Geographic Combatant Commander and transfer their tactical control to the Coast Guard when operating in a law enforcement capacity. Domestically this model could work for USNORTHCOM whereby the Maritime Security Response Team functions in the capacity of a Maritime Crisis

¹⁴⁰ U.S. Department of Defense, Department of Defense Directive 5100.01, *Functions of the Department of Defense and Its Major Components*, 32-33.

Response Force and responds to domestic threats as an agent of both the Coast Guard and USNORTHCOM.

The Maritime Security Response Team is uniquely suited to fulfilling the role of a domestic Maritime Crisis Response Force. The unit “is a ready assault force whose members are trained in maritime security, law enforcement boarding procedures, force protection and environmental hazard response within a tactical law enforcement operation.”¹⁴¹ USNORTHCOM’s leveraging of these abilities increases the security of the nation by providing a response capability to the Geographic Combatant Commander who in turn forms a close working relationship with the Coast Guard’s operational commanders, intelligence programs, and through them a closer relationship to the Department of Homeland Security. The Coast Guard has, over its 227 years, accrued many law enforcement authorities, only some of which are currently leveraged. Its ability to operate in domestic littorals, develop information on shipping moving through the Exclusive Economic Zone, Contiguous Zone, and Territorial Seas and project law enforcement authority throughout provides a capability that is not mirrored within the Department of Defense.¹⁴²

With the development of Maritime Security Response Team Chesapeake in 2004, the Coast Guard enhanced its traditional role by developing a unit trained for advanced

¹⁴¹ GoCoastGuard.com, “Neutralizing the Threat,” 2.

¹⁴² U.S. Coast Guard, *The US Coast Guard Strategy for Maritime Safety, Security, and Stewardship*, 12.

interdiction missions.¹⁴³ This unit trained rigorously to meet the demands of this specific mission set and aligned with the Coast Guard’s obligation to “provide forces to [Geographic Combatant Commanders] to perform activities for which those forces are uniquely suited.”¹⁴⁴ The Maritime Security Response Team “as an adaptive force package, is comprised of members from the Direct Action Section . . .; Precision Marksman Observer Team . . .; and the Chemical, Biological, Radiological, Nuclear, High Yield Explosive . . . team” with small boat delivery teams.¹⁴⁵ In the case of domestic threats related to maritime infrastructure and weapons of mass destruction, the geographic combatant commander is USNORTHCOM. The Coast Guard’s law enforcement authorities give the Maritime Security Response Team the unique capabilities that differentiates it from similar Department of Defense special operations forces. “The MSRT, appropriately called a ‘ready assault force,’ conducts maritime threat response unilaterally or as part of an interagency adaptive force package. The teams are capable of interdicting, boarding, and verifying threats, and when required, engaging in offensive operations against a hostile threat.”¹⁴⁶ The ability to operated domestically

¹⁴³ U.S. Coast Guard, *United States Coast Guard Western Hemisphere Strategy*, 40-41.

¹⁴⁴ U.S. Department of Defense, Joint Publication 1, *Doctrine for the Armed Forces of the United States* (Washington, DC: Government Printing Office, 2013), II-7.

¹⁴⁵ Disco, 1.

¹⁴⁶ *Ibid.*, 1-2.

within the constraints imposed by Congress in the Posse Comitatus Act make it an ideal force to “identify, deter, mitigate, and counter threats to maritime commerce.”¹⁴⁷

The Coast Guard’s martial history and military traditions enable it to integrate closely with USNORTHCOM in a way that civilian law enforcement agencies cannot. Following the 9/11 attacks the Coast Guard received additional authorities as the Federal Maritime Security Coordinator which increased the role of Captains of the Port making the Coast Guard “responsible for coordinating all maritime security planning and operations in the nation’s ports and waterways, including efforts to prevent terrorist attacks and to respond as necessary to mitigate the consequences of an attack, should one occur.”¹⁴⁸ By designating the Coast Guard’s Maritime Security Response Teams as the USNORTHCOM Maritime Crisis Response Force the interoperability between the Department of Homeland Security, the department responsible for the Coast Guard, and USNORTHCOM increases and the interdependent nodes between USNORTHCOM’s synchronization responsibilities and domestic law enforcement agencies is strengthened. These efficiencies streamline the national response to a domestic threat providing better protections to the American people.

¹⁴⁷ U.S. Coast Guard, *United States Coast Guard Western Hemisphere Strategy*, 43; U.S. Department of Defense, Joint Publication 1, *Doctrine for the Armed Forces of the United States*, II-7.

¹⁴⁸ COTP is the acronym for Captain of the Port, the Coast Guard officer in charge of enforcement within a major U.S. port city, the position normally aligns with a Coast Guard Sector Commander. U.S. Coast Guard, *The U.S. Coast Guard Strategy for Maritime Safety, Security, and Stewardship*, 12.

CHAPTER 5

CONCLUSIONS AND RECOMMENDATIONS

The nexus between criminal and terrorist networks is significant and evolving, and the threat to our nation's security demands that we collectively explore regional whole-of-government approaches and determine the potential . . . roles for countering and diminishing these violent destabilizing networks.

—Rear Admiral Kerry Metz, USN, quoted in Mendel and McCabe,
SOF Role in Combating Transnational Organized Crime

Capabilities-Based Assessment Recommendations

A complementary, domestic focused force is needed to provide the USNORTHCOM Commander with response options. The solution exists and can be implicated through the drafting and implementation of policy between the Coast Guard and USNORTHCOM. The Maritime Security Response Teams exist and are suitable for the mission sets expected of a domestically focused Maritime Crisis Response Force.¹⁴⁹ Designating them as USNORTHCOM's Maritime Crisis Response Force puts the units on parity with other Geographic Combatant Commander's Crisis Response Forces and provides USNORTHCOM, and its component Special Operations Command North, a specialized team capable of conducting domestic maritime operations offshore.¹⁵⁰

¹⁴⁹ Capabilities outlined in the articles "Coast Guard Shows Off for Homeland Security Secretary," "MSRT: Coast Guard's Specialized Force to be reckoned With," and "Neutralizing the Threat."

¹⁵⁰ The author believes that formally designating this relationship will also facilitate cross training between the Army Special Forces Crisis Response Forces and the Coast Guard's Maritime Security Response Teams, as well as increase the logistic, transportation and training options for the Maritime Security Response Teams.

The Coast Guard is a service that is thoroughly trained and motivated to respond to short notice threats in the United States. Its members operate intuitively, arriving on scene, assessing the situation and then acting in accordance with the commander's knowledge and experience. This cultural experience, combined with the service's unique law enforcement authorities, make Coast Guard forces ideal force multipliers to the USNORTHCOM Commander.

Designating the Maritime Security Response Team as USNORTHCOM's Maritime Crisis Response Force formalizes relationships and practices that the public believes already exist. As currently structured, the Department of Defense is not able to fulfill the mission sets required of a domestic focused crisis response force for the maritime environments covered by USNORTHCOM without a change in laws and legal authorities associated with the Posse Comitatus Act.¹⁵¹ To operate domestically in a law enforcement capacity requires Congressional legislation to give specific units the statutory authorities necessary to operate within United States borders. The Coast Guard's Maritime Security Response Teams are currently trained, equipped and on call to serve in the capacity of a Maritime Crisis Response Force. They require no change in statutory authority and only lack a formal designation and endorsement of that capacity as well as a defined way in which they may be called upon in time of need. The Coast Guard's law enforcement authorities make it the ideal choice to operate in the nation's littorals and provides a law enforcement and military capacity to USNORTHCOM and the Department of Homeland Security. This choice enhances the fight against

¹⁵¹ Howard and Traugher.

transnational organized crime while freeing up Department of Defense special operations forces to operate offensively against terrorism and transnational organized crime overseas. Taken collectively and collaboratively, the Department of Homeland Security and the Department of Defense complement one another just as the offensive and defensive players complement a football team. Formally designating USNORTHCOM's Maritime Crisis Response Force improves the nation's response to maritime incidents which enhances national resiliency against external threats and more efficiently protects the American people.

Recommendations for Further Study

Though not within the bounds of this thesis the following areas are fruitful opportunities for future study in enhancing the Department of Homeland Security's and the Department of Defense's coordination and interoperability.

A possibility to further interoperability between the Department of Homeland Security and the Department of Defense is to formally tie the two Coast Guard Tactical Law Enforcement Teams to United States Southern Command in a manner similar to that proposed by this thesis. Tactical Law Enforcement Teams deploy Law Enforcement Detachments throughout United States Southern Command's area of responsibility and provide a forward deployed presence that can support other Geographic Combatant Commander initiatives in the region while interdicting smugglers operating along drug transit corridors. Formally designating them as a United States Southern Command asset under the control of Special Operations Command South opens up a breadth of opportunity in integrating law enforcement authorities with military capabilities while furthering the United States response to incidents in the Caribbean Basin and Eastern

Pacific Ocean. A future thesis or article on this topic is fertile intellectual ground for developing seamless interoperability between the Department of Homeland Security and the Department of Defense.

Coast Guard deployable specialized forces comprise a small part of the military service. Their relatively small size, combined with a requirement for costly and intensive training make the units pariahs to the conventional force. Further research exploring the possibility of using existing Department of Defense training pipelines to accomplish deployable specialized forces training and initial qualifications could provide a possible solution to the cost of training teams and personnel. Specifically looking at the United States Army's training pipeline, where there is capacity to accommodate the relatively small deployable specialized forces personnel turnover, could provide an opportunity for further interoperability and understanding between the Department of Homeland Security and the Department of Defense by creating Coast Guardsmen that are familiar with and capable of integrating amongst Department of Defense special operations forces.

A final area includes looking at improving United States response to domestic law enforcement and homeland security concerns by building upon Chief Inspector William Presson's thesis, "Enhancing Security – Projecting Civil Authority into America's Uncontrolled Spaces." In doing so an author could articulate the need to develop a uniformed service, similar to Italy's Carabinieri, Spain's Guardia Civil, and France's Gendarme, by combining existing agencies within the federal government. An example could be to look at combining uniformed members of Customs Border Patrol with the military service's military police forces. This new entity could work within the Department of Homeland Security as a uniformed force responsible for border security

while also supporting the Department of Defense with military police. This force could project sovereignty within the ungoverned spaces outlined in Chief Inspector Presson's thesis and support United Nations and North Atlantic Treaty Organization training missions in addition to military stability operations requiring a law enforcement presence. In essence it would be the land base component of the Coast Guard and combine military capabilities with law enforcement authorities.

The continued improvement of interoperability between the Department of Homeland Security and the Department of Defense is one that will improve the overall security of the nation. Providing a robust defensive posture to complement the robust offensive military capabilities of the Department of Defense is the ideal role of the Department of Homeland Security. Identifying the seams and areas in which to improve upon will be the work of future scholars, academics, and service level thinkers.

GLOSSARY

Advanced Interdiction. A term associated with the Maritime Security Response Team and used within the Coast Guard to describe the manner in which the unit intercepts targets of interest. The term can be found on page 22 of Coast Guard Publication 3-0 *Operations*.

Captain of the Port. The Coast Guard officer in charge of enforcement within a major U.S. port city, the position normally aligns with a Coast Guard Sector Commander.¹⁵²

Combatant Commander Crisis Response Force. An Army Special Forces unit trained to operate between Special Warfare and Surgical Strike mission sets with an emphasis on the latter.

Contiguous Zone. “An area extending seaward from the territorial sea in which the coastal nation may exercise the control necessary to prevent or punish infringement of its customs, fiscal, immigration, and sanitary laws and regulations that occur within its territory or territorial sea.”¹⁵³

Countering Weapons of Mass Destruction. “Efforts against actors of concern to curtail the conceptualization, development, possession, proliferation, use, and effects of weapons of mass destruction, related expertise, materials, technologies, and means of delivery.”¹⁵⁴

Direct Action. “Short-duration strikes and other small-scale offensive actions conducted as a special operation in hostile, denied, or diplomatically sensitive environments and which employ specialized military capabilities to seize, destroy, capture, exploit, recover, or damage designated targets.”¹⁵⁵

¹⁵² U.S. Coast Guard, *The U.S. Coast Guard Strategy for Maritime Safety, Security, and Stewardship*, 12.

¹⁵³ U.S. Coast Guard Academy, *Maritime Law Enforcement*, 50.

¹⁵⁴ Department of Defense, U.S. Department of Defense, *DoD Dictionary of Military and Associated Terms* (Washington, DC: Government Printing Office, 2017), 56.

¹⁵⁵ *Ibid.*, 69.

Exclusive Economic Zone. An area of the littorals “in which the United States will exercise sovereign rights in living and nonliving resources within 200 nautical miles of its coast.”¹⁵⁶

Federal Maritime Security Coordinator. Coast Guard Captains’ of the Port are Federal Maritime Security Coordinators for their areas of responsibility. As the Federal Maritime Security Coordinator, they may:

- (1) Establish, convene, and direct the Area Maritime Security (AMS) Committee;
- (2) Appoint members to the AMS Committee;
- (3) Develop and maintain, in coordination with the AMS Committee, the AMS Plan;
- (4) Implement and exercise the AMS Plan; and
- (5) Maintain the records required by § 103.520 of this part.¹⁵⁷

High Seas. Includes “all parts of the ocean seaward of the exclusive economic zone.”¹⁵⁸

Homeland Defense. “The protection of US sovereignty, territory, domestic population, and critical infrastructure against external threats and aggression, or other threats as directed by the President”

Homeland Security. “A concerted national effort to prevent terrorist attacks within the United States; reduce America’s vulnerability to terrorism, major disasters, and other emergencies; and minimize the damage and recover from attacks that do occur”¹⁵⁹

Littoral. “The littoral comprises two segments of operational environment: 1. Seaward: the area from the open ocean to the shore, which must be controlled to support operations ashore. 2. Landward: the area inland from the shore that can be supported and defended directly from the sea.”¹⁶⁰

¹⁵⁶ U.S. Coast Guard Academy, *Maritime Law Enforcement*, 31.

¹⁵⁷ Cornell Law School, “33 CFR 103.200-Designation of the Federal Maritime Security Coordinator (FMSC),” accessed March 20, 2008, <https://www.law.cornell.edu/cfr/text/33/103.200>; Cornell Law School, “33 CFR 103.205-Authority of the COTP as the Federal Maritime Security Coordinator (FMSC),” accessed March 20, 2008, <https://www.law.cornell.edu/cfr/text/33/103.205>.

¹⁵⁸ U.S. Coast Guard Academy, *Maritime Law Enforcement*, 51.

¹⁵⁹ U.S. Department of Defense, *DoD Dictionary of Military and Associated Terms*, 106.

¹⁶⁰ *Ibid.*, 144.

Maritime Domain Awareness. “The effective understanding of anything associated with the maritime domain that could impact the security, safety, economy, or environment of a nation.”¹⁶¹

National Command Authority. “A term used to collectively describe the President and the Secretary of Defense. The President, as commander-in-chief of the armed forces, is the ultimate authority. The Office of the Secretary of Defense carries out the Secretary’s policies by tasking the military departments, the Chairman of the Joint Chiefs of Staff and the unified commands.”

National Special Security Events. “A designated event that, by virtue of its political, economic, social, or religious significance, may be the target of terrorism or other criminal activity.”

Posse Comitatus Act. “Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined not more than \$10,000 or imprisoned not more than two years or both. The Act therefore makes it a felony with certain well-defined exceptions, to use the Army or Air Force to enforce the law within the civilian community. The exceptions to this rule are generally limited to large-scale civil disorders, such as insurrection or rebellion, beyond the capacity of law enforcement authorities. Use of military in these instances can only be authorized by the President (10 U.S.C. 331-333) . . . the Navy, although not specifically mentioned in the Posse Comitatus Act, considered itself bound by the spirit of that statute. The Navy had therefore issued instructions prohibiting Navy involvement in civilian law enforcement with the same narrow exceptions mentioned in the statute itself. SECNAVINST 5820.7 of 15 May 1974.”¹⁶²

Security Force Assistance. “The Department of Defense activities that support the development of the capacity and capability of foreign security forces and their supporting institutions.”¹⁶³

Special Warfare. “The execution of activities that involve a combination of lethal and nonlethal actions taken by a specially trained and educated force that has a deep understanding of cultures and foreign language, proficiency in small-unit tactics,

¹⁶¹ U.S. Department of Defense, *DoD Dictionary of Military and Associated Terms*, 148.

¹⁶² U.S. Coast Guard Academy, *Maritime Law Enforcement*, 125-126.

¹⁶³ Department of Defense, *DOD Dictionary of Military and Associated Terms*, 209.

and the ability to build and fight alongside indigenous combat formations in a permissive, uncertain, or hostile environment”¹⁶⁴

Surgical Strike. “The execution of activities in a precise manner that employ special operations forces in hostile, denied, or politically sensitive environments to seize, destroy, capture, exploit, recover or damage designated targets, or influence threats”¹⁶⁵

Territorial Sea. “A narrow belt of water along the coast of a nation over which the nation extends its sovereignty and therefore treats as its territory.¹⁶⁶ The United States claims a twelve-mile wide territorial sea measured from the baseline.

Transnational Organized Crime. “Refers to those self-perpetuating associations of individuals who operated transnationally for the purpose of obtaining power, influence, monetary and/or commercial gains, wholly or in part by illegal means, while protecting their activities through a pattern of corruption and/or violence, or while protecting their illegal activities through a transnational organizational structure and the exploitation of transnational commerce or communication mechanisms.”

Ungoverned Spaces. “An area where the state is absent, unable, or unwilling to perform its functions.”

¹⁶⁴ U.S. Department of the Army, Army Doctrine Publication 3-05, *Special Operations* (Washington, DC: Government Printing Office, 2012), 9.

¹⁶⁵ U.S. Department of the Army, Army Doctrine Reference Publication 3-05, *Special Operations* (Washington, DC: Government Printing Office, 2012), 9.

¹⁶⁶ U.S. Coast Guard Academy, *Maritime Law Enforcement*, 24.

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