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**NAVAL WAR COLLEGE  
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**The FBI: A Partner in Counterinsurgency Operations**

by

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**Civilian**

**A paper submitted to the Faculty of the Naval War College in partial satisfaction of the requirements of the Department of Joint Military Operations.**

**The contents of this paper reflect my own personal views and are not necessarily endorsed by the Naval War College or the Department of the Navy.**

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**23-October-2006**

## **Abstract**

### *The FBI: A Partner in Counterinsurgency Operations*

This paper will inform the operational commander how the FBI can participate in a counterinsurgency campaign. It will document what is already in place, how the FBI investigator attacks organized and or disorganized criminal enterprises and how the Bureau uses the task force approach to combat those groups. It will draw parallels between organized criminal enterprises and insurgency groups. The purpose of this paper is to provide some insight as to an effective way to implement FBI and other law enforcement agents in a counterinsurgency campaign. Because many of the current joint FBI and U.S. Military operations in Iraq and Afghanistan are classified, this unclassified paper will not provide details on specific structures in place and the operational successes that have resulted from those arrangements. This paper will outline the existing relationships, point out parallels in methods and targets, and suggest a potential use for the assets.

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## **Introduction**

When Pearl Harbor was attacked in 1941 the United States (U.S.) reacted on numerous fronts to include creating a modern intelligence component. The attacks of 9/11 have resulted in similar reactions, and again the country has decided that a modification of the intelligence community was warranted. To assist in the Global War on Terrorism (GWOT), the FBI, as a partner in the Intel Community, began a metamorphosis. The organization created dozens of additional Joint Terrorism Task Forces, "Flying Squads," that could react to fresh intelligence related to terror attacks in CONUS and abroad, an Intelligence Directorate, and a College of Analytical Studies at the FBI Academy. With the enactment of all of these positive changes, the FBI, on its own, is no more capable of keeping the nation safe at home as the U.S. military, acting independently, is at protecting our interests abroad. The GWOT will be won only with a concerted effort of the military, intelligence and law enforcement communities.<sup>1</sup>

This paper will inform the operational commander how the FBI can participate in a counterinsurgency campaign. It will document what is already in place, how the FBI investigator attacks organized and or disorganized criminal enterprises and how the Bureau uses the task force approach to combat those groups. It will draw parallels between organized criminal enterprises and insurgency groups. The purpose of this paper is to provide some insight as to an effective way to implement FBI and other law enforcement agents in a counterinsurgency campaign. Because many of the current joint FBI and U.S. Military operations in Iraq and Afghanistan are classified, this unclassified paper will not provide details on specific structures in place and the operational successes that have resulted from those arrangements. This paper will outline the existing relationships, point out parallels in methods and targets, and suggest a potential use for the assets.

## ***Already in Place: Counterterrorism Division, Military Liaison Detainee Unit, Afghanistan Operation, Baghdad Operation Center, and the Legat Program***

Following the attacks of 09/11/2001, and the subsequent 9/11 Commission Report that outlined intelligence community shortcomings, the President ordered then Attorney General John Ashcroft to oversee the remodeling of the FBI. The agency responded by bolstering the Joint Terrorism Task Forces (JTTFs) nationwide, creating an Intelligence Directorate, and increasing its presence internationally. With the passing of the Patriot Act it was able to restructure the way it conducted intelligence investigations. The investigative effort targeting terrorist cells was no longer disjointed; intelligence and criminal matters could be worked simultaneously.<sup>2</sup> In addition, the FBI has recognized they can significantly assist the U.S. Military prosecute the War on Terrorism. In late 2001, the FBI set up a Guantanamo Bay (GITMO) Task Force at FBIHQ to work with the U.S. Military and the other participating agencies of Operation Enduring Freedom (OEF). The primary mission of the FBI in OEF was to debrief captured Taliban and Al Qaeda fighters for intelligence purposes. As the FBI's support for the military increased, the Bureau recognized the need to permanently staff the task force.<sup>3</sup>

To organize their efforts, the FBI created the Military Liaison and Detainee Unit (MLDU). The mission of MLDU is to prevent acts of terror against the United States at home and abroad by staffing, supporting, coordinating, and overseeing FBI operations at GITMO, Afghanistan and logistical matters related to the Iraq Theater of operations. Additionally, MLDU provides oversight for representatives at the Department of Defense (DOD) Combatant Commands for fusion of intelligence and law enforcement information.<sup>4</sup>

Following the creation of MLDU, the Bureau joined the U.S. Army CID, the Naval Criminal Investigative Service (NCIS), and the U.S. Air Force OSI as members in the Criminal Investigative Task Force (CITF). This group was created in February 2002 to fuse law enforcement techniques in the fight on the GWOT. By early 2004, the CITF had a staff of more than 150 individuals from all four services as well as personnel from the FBI, U.S. Secret Service (USSS), Department of Homeland Security (DHS), DoD CI Field Activity, National Security Agency (NSA), and U.S. Army Intelligence Command. This task force's primary mission is to support the military investigations of captured suspected Al Qaeda members detained at GITMO. Investigations involved interrogation of detainees, interviewing witnesses of high profile federal cases (e.g. John Walker Lindh, the Buffalo Six), seizure of evidence, and integration of all forms of tactical and strategic intelligence.<sup>5</sup>

Since late 2001, the FBI has sent personnel to Afghanistan on a rotational basis. The primary mission of the FBI Afghanistan Team is to collect actionable threat intelligence which could have a link to CONUS. This mission is directly linked to the primary goal of the FBI's Counterterrorism Division (CTD), prevent acts of terror at home and acts that target U.S. interests abroad.

In addition to detainee interviews to obtain actionable intelligence, the FBI also participates in the following: it supports military operations that target the capture of Al Qaeda members; it establishes and maintains close liaison with coalition forces, DoD, DOS, CIA, and the Government of Afghanistan (GOA); it supports the Combined Explosive Exploitation Cell (CEXC); it supports CIA specialized missions aimed at preventing terrorist attacks that target the U.S. and U.S. interests; and it provides CT training to the GOA and other coalition partners.<sup>6</sup>

On December 24, 2003, William P. Marriott, Executive Secretary, Office of the Secretary of Defense requested the assignment of FBI Counterterrorism representatives to the Combatant Commands to support to the Joint Interagency Coordination Group (JIACG) in addition to the existing Bureau support. The FBI assigned Liaison Officers (LNOs) to NORTHCOM, SOCOM, EUCOM, and CENTCOM. The mission of the LNOs was to serve as a conduit for CT, Counterintelligence, and criminal information; provide a Bureau perspective to DoD in their efforts to combat terrorism, and when possible, leverage the capabilities and resources of the FBI and the DoD to prevent, deter, and respond to terrorist acts and threats to national security.<sup>7</sup>

The FBI's mission in the Iraqi theater of operations (ITO) is to protect the United States from terrorist attack by conducting investigations and acquiring intelligence that prevents, disrupts, and defeats terrorist operations targeting U.S. citizens, property, and interests. The components of the FBI's operation in Iraq are very similar to the Afghanistan mission explained earlier. In Iraq, the FBI maintains a Baghdad Operation center (BOC), which coordinates all FBI activity in the ITO. The BOC manages CONUS investigations with ties to Iraq, is the lead on U.S. hostage investigations in theater; participates in intelligence collection as a partner with the military and other government agencies (OGA); provides evidence collection capabilities to the military; assists the CEXC mission; and provides police training to Iraqi nationals. In addition, the FBI provides agent and analytical support to The Regime Crimes Liaison Office (RCLO). The RCLO is a group of Coalition law enforcement agents and prosecutors that assisted the Iraqi judges in the assembly of the investigations that targeted Saddam Hussein and various members of his regime.<sup>8</sup>

An important FBI contribution to the ITO was the creation and development of the Hostage Working Group (HWG). The HWG quickly became the principal investigating body

for all hostage, kidnapping, and murder investigations involving U.S. citizens or Coalition Forces (CFs). The mission of the group is to advise and make recommendations to the Chief of Mission on actions to deter and prevent hostage incidents involving U.S. citizens or CFs. One of the biggest successes of the group was the September 2005 rescue of Tennessee resident Roy Hallums. Hallums spent more than a year in captivity. The rescue was the combined effort of the HWG, the Intelligence Team and the swift action of a Special Operation Forces (SOF) unit.<sup>9</sup>

The Evidence Response Team (ERT) members are included in the deployments to assist operators with crime scene exploitations, the processing of evidence, and collection of biometric data. The CEXC component provides technical support and intelligence on Improvised Explosive Device (IED) construction techniques in order to identify trends, target IED makers and enable both offensive and defensive counter operations by CFs.<sup>10</sup>

The last piece of the puzzle is the FBI's Legat program, in simple terms, the Bureau's "diplomatic staff." In the early 1990s, the FBI maintained 16 offices overseas. In the wake of the first attack on the World Trade Center and the overall changing perspectives at FBI Headquarters regarding the growing threat of international terrorism, Director Louis Freeh orchestrated the expansion of the FBI's Legat Program. Today, the Bureau maintains more than 50 offices worldwide to include, Kabul, Afghanistan and Baghdad, Iraq. This expansion has provided the FBI with significant access globally, contributing to better investigations of terrorist acts abroad, and better coverage of leads generated in domestic investigations. Legats regularly interact with colleagues in the Departments of Justice, Defense and State and "facilitate the extraditions of terrorists wanted for killing Americans, which must be the absolute cornerstone of America's message to foreign terrorists: anyone targeting American citizens and/or interests will

face justice--no matter where that attack takes place or where that terrorist might hide.”<sup>11</sup>

In July 2005, U.S. Attorney General, Alberto Gonzales offered the services of the FBI and other federal law enforcement agencies to assist the Iraqi police in investigating high level crimes to include kidnapping and murder. Absent Iraqi participation, the FBI has already participated in high level investigations including but not limited to the Najaf bombing, the UNHQ bombing, the Nicholas Berg and Steven Vincent homicides, and dozens of kidnappings. In addition, there are approximately 400 Justice Department employees and contractors participating in the mission train Iraqi judges, prosecutors, and police. FBI trainers teach Iraqi investigators a curriculum of organized crime, human rights, and the role of the police in terrorism investigations.<sup>12</sup>

### **How the FBI Targets Enterprises**

In the late 1960s the federal government created strike forces to better combat the organized criminal element in the United States. These groups included, but were not limited to, the following: the United States Attorney's Office (USAO), the FBI, the USSS, Customs, Immigration, the Department of Labor, and state and local law enforcement.<sup>13</sup> In the 1970s, the government's unified approach to combating the organized crime problem received a significant tool with the creation of the Racketeer Influenced and Corrupt Organization (RICO) section of the Organized Crime Control Act of 1970. This legislation enabled the Strike Forces to target the hierarchal structure of Organized Crime "families" by implementing the Enterprise Theory of Investigation (ETI).<sup>14</sup>

"ETI encourages a proactive attack on the structure of the criminal enterprise. Rather than viewing criminal acts as isolated events, the ETI attempts to show crimes are committed in furtherance of the criminal enterprise itself."<sup>15</sup> As a result, the Strike Force, "by applying the

ETI, can target and dismantle entire criminal enterprises in one criminal indictment.”<sup>16</sup> This investigative method was and continues to be quite effective in targeting all types of organized crime.<sup>17</sup>

In order to effectively implement ETI, investigators must accept certain three basic premises. First, profit remains the key underlying motivating factor of organized criminal groups. Second, groups engage in numerous criminal activities to achieve this profit. These crimes are interrelated, resulting in a division of responsibility for committing these acts among different members of the organization. The ETI capitalizes on the organization’s range of activities analyzing their actions, determining which components are critical to the enterprise’s operation, and subsequently “exploiting the identified vulnerable areas within each component.”<sup>18</sup> For example, a major drug trafficking organization (DTO) must set up four components to accomplish their financial objectives. These subsets would include a narcotics transportation mechanism, a distribution component, financial management system, and a communication network. “The ETI identifies and then targets each of these areas simultaneously,”<sup>19</sup> focusing on the most vulnerable components. The more diverse criminal enterprises, present the investigator with potentially more opportunities to exploit the targeted group. “The final premise of the ETI maintains that major organized criminal groups have a pyramidal structure.”<sup>20</sup> The organization’s lower levels conduct the majority of the enterprise's criminal activities. Therefore, these groups provide the most investigative opportunities.<sup>21</sup>

This approach closely resembles a Center of Gravity (COG) analysis. The investigators examine the enterprise’s leadership and component structure and determine the group’s COG. In most enterprises, the leadership is usually the organization’s COG. Through intelligence

collection they will fully identify the enterprise's components, activities, critical capabilities, requirements, and vulnerabilities.<sup>22</sup> They will then proceed to apply pressure at the weakest and most active parts of the enterprise. That part could be a weak member, a dysfunctional crew, or a poorly managed subset of the organization, like the group's financial component. This pressure continues throughout the investigation. Investigators gather intelligence, collect evidence, and develop witnesses to the criminal activity, assembling an indictment that targets the entire organization.

Through years of trial and error, law enforcement agencies determined the most effective means of targeting organized criminal enterprises is through joint effort. It is absolutely necessary to apply the ETI in a task force environment. The strength that combined resources provide in achieving objectives is essential. Immediate benefits include additional staff, an augmented intelligence base, access to more technical and investigative equipment, and the pooling of financial resources for items to include evidence purchase and informant payments.<sup>23</sup>

The task force concept flourished, and, by the mid-1980s, many other formalized FBI-sponsored task forces existed, dealing with such issues as organized crime, fugitives, drugs, and, eventually, terrorism. This effort combined the technical capabilities and nationwide resources of the FBI with local law enforcement agencies nationwide.<sup>24</sup> All FBI-sponsored task forces have two common elements that make them unique: written memorandums of understanding (MOUs) between participating law enforcement agencies and FBI funding to pay for participating state and local departments' expenses. The formulations of these Task Forces throughout the country enable the FBI to leverage its resources and effectively target terrorism cells. The groups by their nature facilitate pre-incident liaison and the augmentation of resources.<sup>25</sup>

Following the attacks of September 11, FBI Director Robert Mueller established formal Joint Terrorism Task Forces (JTTF) in every FBI Field Office, raising the total from 35 to 56. In addition, ten task forces were created in its largest satellite offices. To compliment the JTTFs, Attorney General John Ashcroft established antiterrorism task forces (ATTF). These task forces are senior level working groups managed by the U.S. Attorney's Office (USAO) that provide high level briefings and recommend policy changes to the Attorney General.<sup>26</sup>

In an effective JTTF, all investigators are equal partners assigned substantive cases that are investigated using established FBI protocols. The key to JTTF success remains the combining of talented personnel from various agencies into "a single focused unit." Investigative successes of the task force approach include the 1993 World Trade Center bombing and the prevention of the planned attacks targeting the New York/New Jersey bridges and tunnels later that same year.<sup>27</sup>

### ***Why Law Enforcement for a Counterinsurgency Campaign?***

**Sir Robert Thompson opined there are five principles of counterinsurgency. They are as follows: the government must have a clear political aim: free united country that is economically and politically viable; the government must follow the established law; the government must have a plan that covers all political, economic, administrative, police, and other measures which have an effect on the insurgency; the government must give priority to defeating the political subversion; and in the guerrilla phase of the insurgency, the government must secure its base areas first.<sup>28</sup> Although these principles were directed at a communist insurgency, an insertion of a capable law enforcement force component to support the military and the host nation with regard to matters of security, general crime, and the insurgency itself is critical to the success of a counterinsurgency operation.**

The U.S. Military and its allies have a long history of conducting small wars. In the Philippine War, 1899-1902, the army waged a successful counterinsurgency campaign by establishing security for the population, and "leveraging an indigenous force to conduct imperative reconnaissance and intelligence operations."<sup>29</sup> In Vietnam, small war tactics produced

significant results. The Accelerated Pacification Campaign, which included the Phoung Hoang and Chieu Hoi Programs resulted in the addition of tens of thousands former Viet Cong recruits to the side of the South Vietnamese government. Subsequently, there was a reduction in Viet Cong extortion collections, a reduction Viet Cong South Vietnamese recruiting, and a decrease of enemy provisions taken from villagers. In addition, the bloody Viet Cong response created a willingness of the people to accept the South's aggressive conscription program. Ten years earlier the French used similar tactics in Algeria. The Intelligence and Exploitation Group, also known as the GRE, established a group of native Muslim informers that infiltrated the insurgent command in Algeria. In actions similar to the Philippine, Vietnam, and Algerian Wars, law enforcement personnel could play a significant role in supporting host nation security efforts by collecting intelligence, recruiting "turncoats," identifying participants and leaders of the movements, identifying targets, collecting evidence, and preparing cases for prosecution along side host nation investigators and security force personnel.<sup>30</sup>

In Malaya, it took the British two years to develop an effective plan to combat the insurgency. In 1950, Sir Harold Briggs laid out five main tenets to his plan. They included the following: resettle the squatters under police surveillance; regroup the local mine and estate labor; recruit and train criminal investigators and special branch police; provide framework for the military support of the police, while simultaneously using the military to clear priority areas; and ensure the army and the police act in total accord, with the integration of military and police intelligence. Here the British recognized the need for law enforcement participation in the counterinsurgency effort.<sup>31</sup>

To support this plan, the British created the State War Executive Committee and the District War Executive Committee which were managed by the Federal Emergency Operations Council. In doing so, they established a formal command and control structure.<sup>32</sup> The police, supported by the military, enforced curfews, imposed the death penalty for carrying arms, and levied penalties on terrorist supporters to include imprisonment and the restriction of residence. In addition, the police gathered a tremendous amount of intelligence from the local population. In many instances, this information was used by the military to target and subsequently defeat the insurgency.<sup>32</sup>

In 1962, Peter Paret and John Shy commented, “Only if government has the opportunity and the boldness to recruit unusual personnel, former insurgents for example, and permits to fight in an unorthodox framework, does there seem any prospect for success.”<sup>33</sup> If such a force can be properly managed and controlled, it is easy to see the benefits of an indigenous army. It has knowledge of the terrain and enemy tactics; it increases the number of fighters waging the counterinsurgency, and if publicized properly would deal a severe blow to insurgent morale.<sup>34</sup>

All insurgencies are different, Malaya is not Vietnam, and Iraq is not Afghanistan. As a result, there is no one template for a counterinsurgency. However, one thing remains constant; no matter how they are organized or what their desired end state of the insurgent, the one thing they all have in common is that at some point they must engage in direct action against the controlling faction. Their actions could include guerrilla warfare, assassination, or terror. While carrying out these actions, they must hone their skills, accumulate resources and garner support whether it is internal, external or both. Because the U.S. is able to exert pressure on outside supporters, insurgent groups are forced to devote significant efforts towards fund-raising. To

achieve that end, inevitably they engage in activities similar to those practiced by organized criminal elements in the U.S. for decades, smuggling, robbery, narcotrafficking, kidnapping, money laundering and extortion.<sup>35</sup> This is where the FBI, with vast experience and success in dissecting and dismantling organized criminal enterprises, can bring a significant contribution to the effort.

There are many commonalities between organized criminal enterprises and insurgent groups. These similarities exist in leadership, organization, culture, recruitment, and finances. Both groups are led by non-elected individuals who in most cases reign until death; they both require leaders capable of synchronizing simultaneous events; both organizations are usually pyramidal structures; the groups are committed to their “cause;” they each have a culture usually dependent on what neighborhood (or tribe) they grew up in; they all engage in degrees of violence and deception; and they all must recruit new members and manage their finances. The main difference in the organizations is the ultimate objective. Insurgents are usually more politically motivated, where organized criminals may affect politics; their goals have little to do with politics. In addition to their similarities, many insurgencies have turned to forms of organized crime to finance their operations. In Columbia the FARC is heavily involved in the drug trade to finance operations and in Iraq, kidnapping is among the crimes of choice to finance insurgent’s continued efforts.<sup>36</sup>

### **Conclusion**

The National Strategy for Homeland Security says the first priority of homeland security is to “prevent terrorist attacks,” “deter all potential terrorists from attacking America,” and “defeating terrorism wherever it appears.”<sup>37</sup> The National Strategy for Combating Terrorism

opines the U.S. and its partners will attack terrorists' sanctuaries, leadership, and financial support bases.<sup>38</sup> In the Strategy for Homeland Defense and Civil Support, DoD offers that "protecting the U.S. homeland from attack" is the department's highest priority.<sup>39</sup> The mission of the FBI is to deter and prevent a terror attack in the U.S. In support of these national strategies, the FBI and the U.S. Military have joined forces in a number of operations nationwide and worldwide.

An effective counterinsurgency plan needs to address several significant issues to include breaking the link between the insurgent group and organized crime or dismantling the group that has already become an organized criminal element.<sup>40</sup> The FBI's experience and expertise in that arena are second to none. In the 1990s, the Strike Forces, backed by the FBI, made effective use of the RICO statute, years of intelligence, and "turncoat" mafia members to deal a decisive blow to La Cosa Nostra (LCN). For the first time in U.S. history, "made members" of the LCN began to cooperate with the government en masse. Cooperators were used operationally and historically to build airtight case against the hierarchy of the five families in New York. The effects on organized crime were devastating. The LCN suffered severe setbacks in the construction, concrete, restaurant, airfreight and garment industries. In addition they lost the majority of formerly controlled labor unions. All of these rackets were significant sources of illicit income. Government actions targeting the LCN have castigated the group, enabling the Bureau to shift of resources to higher priority counterterrorism matters.<sup>41</sup>

Are FBI assets properly positioned to participate in a counterinsurgency campaign? Based on what has been has been already mentioned above, the pieces are in place to successfully participate in a counterinsurgency campaign. Looking at the assets in Iraq as an

example, there are investigators, interrogators, evidence collectors, and SABTs. The key to making these parts more effective is to set them in a task force setting using the JTTF as a model. This group could be formed with representatives from agencies already in theater, based on the framework of the CITF. The addition of host nation security forces and investigators and SOF teams would also be essential elements to this new task force. The face of the host nation must be the face of success of the operation. SOF is essential because it is the only U.S. force organized and trained to support police forces, bolster security and conduct counterinsurgency warfare.<sup>42</sup> To maximize effectiveness task forces should be located in forward operating bases in key strategic locations throughout the country. All participants in these task forces need to be collocated.

To arrange law enforcement and intelligence components in a “JTTF” model, some kind of formal agreement should be in place. A MOU with all participating parties is recommended. At a minimum this document should articulate the command structure and the roles and responsibilities of the participating parties. This assembly process has at least one issue in common with building coalitions; participants of the task force may have different Rules of Engagement (ROE).<sup>43</sup> A clear understanding as to who is in charge and what binding constraints exist will result in a more successful operation.

The skill sets used to weaken the LCN are transferable. Enterprises are two or more individuals associated in fact. Whether they are gangs, organized crime families or insurgent groups, the same investigative principles can be applied. How successful could a joint co-located military/interagency taskforce be if they combined the investigator’s ability to implement the ETI against an insurgent group, while front line SOF teams shape the environment with an

effects based strategy? The effects based strategy attempts to develop an overall understanding of the environment for all members of a team. This results in unity of effort. This also works lock step with an ETI approach that relies on a significant collection of intelligence in order to fully identify an organization and its activities. As effects based operations (EBO) shape the environment and forces the enemy to exhibit predictable behavior, investigators can assist in target identification, building solid investigations, collecting evidence at capture scenes, and effectively assisting in the dismantling insurgent organizations through capture and intelligence collection. The U.S. military and HN must have a plan for the captured insurgents. Prosecution of the captured preferably under the HN rule of law would be ideal.<sup>44</sup>

Most existing strategy in doctrine deals with national insurgencies in lieu of liberation insurgencies. One of the keys to a successful counterinsurgency campaign is for the prosecutor of the action to master the task of establishing local security and intelligence forces capable of carrying out the mission. The full participation of all government agencies under a unified command is the best way to effectively manage the elements of national power needed to accomplish the task. Intelligence, counterintelligence, and the seamless integration of law enforcement with the military are central to the success of counterinsurgency. As mentioned earlier, an effective counterinsurgency plan needs to address several significant issues to include breaking the link between the insurgent group and organized crime or dismantling the insurgent group that has already become an organized criminal element. It is of vital importance to limit the insurgent's access to illicit resources; their criminal means of survival must be countered. A long term effort with heavy reliance on interagency components is required to thwart this activity.<sup>45</sup>

The FBI has exercised a willingness to assist the U.S. military by dedicating agent and analytical personnel to overseas operations. Agents possess skills and experiences that could be invaluable to a successful counterinsurgency campaign. If integrated properly, the Bureau and other law enforcement agencies could be key tools in the counterinsurgency toolbox.

## Endnotes

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<sup>1</sup> Gary Schmitt, "Can the CIA and the FBI Meet the Threat?" *The World and I*, October 2002, Volume 17, Issue 10, <http://proquest.umi.com/> (accessed 26 September 2006).

<sup>2</sup> Walter Pincus, "FBI, CIA Proposals To Retool Called 'Business as Usual' Panel Says Plans Do Not Meet Goals," *Washington Post*, 15 April 2005, <http://www.washingtonpost.com/up-dyn/articles/A54800-2005Apr14.html> (accessed 29 September 2006) .

<sup>3</sup> FBI Intranet, "*DTRS: Military Liaison and Detainee Unit*," site last modified 14 July 2006, (accessed 12 September 2006).

<sup>4</sup> FBI Intranet, "*MLDU: GITMO*," site last modified 15 August 2006, (accessed 12 September 2006).

<sup>5</sup> Eric Patterson, "CITF: Criminal Investigation Task Force," *TIG Brief - The Inspector General*, November/December 2003, Volume 55, Issue 6, <http://proquest.umi.com> (accessed 26 September 2006).

<sup>6</sup> With the approval of the Assistant Director of CTD, the FBI has been able to support military operations by participating in Sensitive Site Exploitations (SSE) and forward staged interrogations. Embedded personnel have been able to take pocket litter, or seemingly irrelevant documents from target locations to develop timely strategic intelligence. Coalition liaison is an integral responsibility for FBI AT personnel mission. With so many different entities collecting intelligence, it is critical that the FBI make every possible attempt to meet with coalition and interagency partners to fuse intelligence on a regular basis.

In a formal request dated 05/08/2004, DoD requested CEXC participation by FBI Special Agent Bomb Technicians (SABT). FBI SABTs have experiences and possess investigative skills not available within the DoD structure. With proper force protection in place, SABTs process blast scenes, collect and document critical components and evidence, locate and interview bomb makers, and search suspected bomb making locations.

As intelligence gathering and CT efforts are key to the WOT, Chief of Station Kabul and FBI personnel have maintained a close relationship since late 2001. The FBI coordinates all intelligence gathering missions with the CIA. In addition, the Bureau has regularly assisted CIA counterparts on interrogations and source debriefings with positive results. The FBI also participates in training Afghani Security Forces. The goal of the training is to transform a security force formerly modeled on the Soviet system of a closed autocratic society to an entity that will operate in a progressive, democratic society. (See FBI Intranet, "*MLDU: Afghanistan – FBI Mission*," collected 12 September 2006, site last modified 14 July 2006.)

<sup>7</sup> The duties of the FBI detailees include: integration of CT plans and operations in accordance with Presidential Decision Directives 39 and 62; provide technical and policy expertise to the Combatant Commander and his staff concerning counterterrorism aspects of national security policy; as a representative to the Combatant Commander, communicate theater CT strategy to the FBI, and rely subsequent feedback to the Combatant Commander; Assist in planning and execution of ongoing terrorism and regional security initiatives; foster interagency coordination in planning and implementing CT programs by stressing integration of national, strategic, and operational goals; assist in the development of policy recommendations and subsequent staffing on behalf of the combatant commander; develop background information, tactics and approaches to present combatant command and DoD policy positions in house, to the interagency participants, to Congress, and to the press; assist in branch planning to counter policy implementation problems; participate in practical implementation and doctrinal development of the JIACG concept. Agents assigned to the Combatant Commands insure commanders receive timely terrorism, criminal and general intelligence that impact his or her Area of Operation (AOR). This information is intended to assist the commander in properly allocating his resources to enable the military to prevent, deter or respond to terrorist activities, attacks or

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other threats to national security. (See FBI Intranet, “MLDU: Combatant Commands,” collected 12 September 2006, site last modified 31 August 2006.)

<sup>8</sup> John Giacalone, “FBI Operations in Iraq,” PowerPoint, 9 May 2006, Philadelphia, PA: FBI Community Outreach.

<sup>9</sup> Octavia Nasr, “American, Iraqi Captives Freed in Iraq,” *CNN.Com*, 7 September 2005, <http://cnn.com/2005/WORLD/meast/09/07/hostage.freed/> (accessed 5 September 2006).

<sup>10</sup> FBI Intranet, “MLDU: Afghanistan – FBI Mission,” collected 12 September 2006, site last modified 14 July 2006.

<sup>11</sup> Dale L. Watson, “Statement for the Record of Dale L. Watson, Executive Assistant Director, Counterterrorism and Counterintelligence, Federal Bureau of Investigation; Before the Select Committee on Intelligence, U.S. Senate and the Permanent Select Committee on Intelligence, House of Representatives,” 26 September 2002, [http://www.fas.org/irp/congress/2002\\_hr/092602watson.html](http://www.fas.org/irp/congress/2002_hr/092602watson.html) (accessed 5 September 2006).

<sup>12</sup> Mark Sherman, “Iraq Accepts Offer of FBI Help in Tracking Down Criminals,” *Sydney Morning Herald*, 5 July 2005, <http://www.smh.com.au/news/world/iraq/2005/07/04/1120329385704.html> (accessed 5 September 2006).

<sup>13</sup> Howard Abadinski, *Organized Crime* (Boston: Allyn and Bacon, 1981), 182.

<sup>14</sup> Gary D. Calese, “Law Enforcement Methods for Counterinsurgency,” (Fort Leavenworth, Kansas, United States Command and General Staff College, School of Advanced Military Studies, 26 May 2005) 25.

<sup>15</sup> Richard A. McFeely, “Enterprise Theory of Investigation,” *The FBI Law Enforcement Bulletin*, May, 2001, Volume 70, Issue 5, 19 <http://proquest.umi.com> (accessed 5 September 2006).

<sup>16</sup> *Ibid*, 19.

<sup>17</sup> *Ibid*, 19.

<sup>18</sup> *Ibid*, 20.

<sup>19</sup> *Ibid*, 20.

<sup>20</sup> *Ibid*, 20.

<sup>21</sup> *Ibid*, 20.

<sup>22</sup> Milan Vego, *Operational Warfare*, (2000, Dr. Milan Vego, Naval War College), pp 309-316.

<sup>23</sup> McFeeley, “Enterprise Theory of Investigation,” 23.

<sup>24</sup> Frank Bolz, Jr., Kenneth J. Dudonis, and David P. Schulz, *The Counter-Terrorism Handbook: Tactics, Procedures, and Techniques*, (New York: Elsevier Science Publishing Co., Inc., 1990), 13.

<sup>25</sup> James Casey, “Managing Joint Terrorism Task Force Resources,” *FBI Law Enforcement Bulletin*, Washington: November 2004. Vol. 73, Iss. 11, <http://proquest.umi.com> (accessed 17 October 2006).

<sup>26</sup> *Ibid*.

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<sup>27</sup> JTTFs have had numerous successes nationwide over the last 15 years. Examples of two successes are the 1993 World Trade Center attack and the subsequent prevention of the planned NY/NJ tunnel and bridge attacks. The 1993 World Trade Center investigation was among the most significant JTTF Successes. On February 26, 1993, six people were killed as a result of an explosion in the garage of the World Trade Center. Within months of the attack four suspects were arrested and were subsequently convicted after a six month trial in September 1993. Following the 1993 World Trade Center attack, New York's JTTF arrested 15 individuals preventing planned acts of terrorism. Ten were convicted at trial and five suspects plead guilty prior to trial. (See Robert A. Martin, "The Joint Terrorism Task Force: A Concept that Works," *FBI Law Enforcement Bulletin*, Washington: March 1999. Vol. 68, Iss. 23, <http://proquest.umi.com> (accessed 17 October 2006).)

<sup>28</sup> Robert Thompson, *Defeating Communist Insurgency: The Lessons of Malaya and Vietnam*, (New York: Praeger Publishers, 1966), 50-57.

<sup>29</sup> Ibid.

<sup>30</sup> Robert Cassidy, "The Long Small War: Indigenous Forces for Counterinsurgency," *Parameters*, Carlisle Barracks: Summer 2006, Volume 36, Issue 2, <http://www.proquest.umi.com> (accessed 26 September 2006).

<sup>31</sup> Eric M. McFadden, "Contemporary Counterinsurgency Operations: History as a Guide to Assist in The Development of the Joint Interagency Taskforce," *Comparative Strategy*, 361-378, <http://proquest.umi.com> (accessed 26 September 2006).

<sup>32</sup> Ibid.

<sup>33</sup> Cassidy, "The Long Small War: Indigenous Forces for Counterinsurgency."

<sup>34</sup> Ibid.

<sup>35</sup> Stephen Metz and Raymond Miller, "Insurgency and Counterinsurgency in the 21<sup>st</sup> Century: Reconceptualizing Threat and Response," U.S. Army War College, (Carlisle, PA: U.S. Army Strategic Studies Institute, November 2004) 4, 13.

<sup>36</sup> Calese, Gary D. "Law Enforcement Methods for Counterinsurgency Operations," School of Advanced Military Studies, United States Army Command and General Staff College, Fort Leavenworth, Kansas, May 26, 2005, 11-36.

<sup>37</sup> U.S. President, National Strategy of Homeland Security, (Washington DC: White House, July 2002), 2.

<sup>38</sup> U.S. President, National Strategy for Combating Terrorism, (Washington, DC: White House, February 2003), 11.

<sup>39</sup> Department of Defense, Strategy for Homeland Defense and Civil Support, (Washington, DC: Department of Defense, June 2005), 1.

<sup>40</sup> Metz and Miller, "Insurgency and Counterinsurgency in the 21<sup>st</sup> Century: Reconceptualizing Threat and Response," 29.

<sup>41</sup> The writer was an organized crime investigator in the New York Office of the Federal Bureau of Investigation from 1991-2000. During that time span he was the case agent of two significant LCN (La Cosa Nostra- "This Thing of Ours") investigations, the New York Garment Center and Labor Racketeering at John F. Kennedy International Airport. The ETI was successfully implemented in both investigations resulting in numerous arrests and convictions of multiple individuals of the LCN to include the "Boss" of the Luchese LCN, and "Captains" and "Soldiers" from

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all five New York Families. He also assisted on other significant investigations that ultimately changed the face of the LCN in the U.S. In addition the writer had the opportunity to debrief numerous “mob turncoats.” Information collected from these debriefing resulted in additional indictments. From 2000-2002, the writer served an Organized Crime Program manager for 11 major U.S. cities at FBIHQ.

<sup>42</sup> Kavlev I. Sepp, “Best Practices in Counterinsurgency,” *Military Review*, May/June 2005, 10.

<sup>43</sup> An example of an ROE issue could include travel restrictions into combat areas without approval from their stateside agency.

<sup>44</sup> Joint War Fighting Center, Joint Concept Development and Experimentation Directorate, Standing Joint Headquarters, Commander’s Handbook for an Effects-Based Approach to Joint Operations, (Suffolk, VA: U.S. Forces Command, February 24, 2006), I-1-2.

<sup>45</sup> Stephen Metz and Raymond Miller, “Insurgency and Counterinsurgency in the 21<sup>st</sup> Century: Reconceptualizing Threat and Response,” 29.

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