

USAWC STRATEGY RESEARCH PROJECT

**REALIGNING COAST GUARD ENHANCED
MARITIME CAPABILITIES: A LESSON LEARNED
FROM THE U.S. SPECIAL OPERATIONS COMMAND**

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ABSTRACT

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The United States Coast Guard is a unique instrument of national security because of its multi-mission character as an armed force, law enforcement agency, and regulatory agency for maritime transportation. This multi-mission character is more relevant since the terrorist attacks of September 11, 2001, and as the Coast Guard undertakes its assigned role as the Lead Federal Agency for Maritime Security. The Coast Guard faces major challenges in executing its responsibilities and must leverage the capabilities of its specially trained boarding teams, small boat security forces, and hazardous materials response teams. However, the operational control, training, and doctrine of these specially trained forces are unfortunately fragmented. Furthermore, shipping is an inherently global venture, with thousands of ships operating under flags of convenience with little or no oversight by their national registries. Moreover, ports have traditionally been open to ensure the free flow of goods in international commerce. While major efforts are being undertaken to shore up international port security, many nations do not have the infrastructure, oversight, or response capability necessary for meaningful improvements. These realities require the Coast Guard to have a robust international program for cooperative security training and joint operations that can best be executed by an enhanced maritime capability, not unlike those forces conducting foreign internal defense and civil affairs assigned to the U.S. Special Operations Command (USSOCOM).

Drawing on the precedent set by USSOCOM, this paper therefore advocates consolidating Coast Guard enhanced maritime capabilities under a central command – to be called the Coast Guard Enhanced Maritime Capabilities Command (CGEMCC) - as a more effective and efficient means of projecting the elements of national power. The paper also considers whether these capabilities should be further developed into a true Special Operations Force (SOF) for integration into USSOCOM, but ultimately concludes that it is premature to do so because the potential disadvantages and legal complexities are too great. However, the CGEMCC should maintain an active liaison with USSOCOM to promote greater interoperability and to begin a dialogue on what potential gaps and seams the Coast Guard could fill for SOF.

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REALIGNING COAST GUARD ENHANCED MARITIME CAPABILITIES: A LESSON LEARNED FROM THE U.S. SPECIAL OPERATIONS COMMAND

The 9/11 disaster revealed to the Coast Guard, and to the nation as a whole, the new scope of operations that are necessary to keep us safe.

—Admiral Thomas Collins
Commandant, U.S. Coast Guard

The Coast Guard faces major challenges in executing its homeland security and homeland defense responsibilities in a maritime domain that is increasingly vulnerable to terrorist exploitation. The threats and risks to maritime transportation and port infrastructure are constantly changing and are becoming more pronounced. To be successful in preventing, deterring and detecting potential security threats to the marine transportation system, the Coast Guard must do a better job of leveraging the capabilities of its specially trained boarding teams, small boat security forces, and hazardous materials response teams. Furthermore, given the international character of global shipping and the interdependence of global maritime commerce, the Coast Guard must also have a robust international program for cooperative security training and joint operations to develop the capabilities of, and foster a greater commitment by, U.S. maritime trading partners to improve maritime security. A consolidated enhanced maritime capability force can best execute this international outreach, not unlike those forces conducting foreign internal defense and civil affairs assigned to the U.S. Special Operations Command (USSOCOM).

However, the operational control, training, and doctrine of these specially trained forces are unfortunately fragmented. The Coast Guard's failure to synchronize its international activities also impairs the promotion of maritime security abroad. The lack of operational coordination and synergy between the forces undermines the Coast Guard's ability to effectively and efficiently carry out its assigned responsibilities. Drawing on the precedent set by USSOCOM in consolidating and coordinating Department of Defense (DOD) special operations forces (SOF), this paper advocates restructuring and consolidating Coast Guard enhanced maritime capability forces under a central command – to be called the Coast Guard Enhanced Maritime Capabilities Command (CGEMCC) - as a more effective and efficient means for the Coast Guard to execute its homeland security responsibilities and, as an armed force, to provide improved responsiveness and support to the geographic combatant commanders. The paper also considers whether Coast Guard enhanced maritime capability forces should be

further developed into a true SOF for integration into USSOCOM, but ultimately concludes that it is premature to do so. The potential disadvantages and legal complexities of developing a Coast Guard SOF are too great at present in light of the fact that the Coast Guard is already undergoing a massive, complex change through its transition into the Department of Homeland Security (DHS). However, the CGEMCC should develop and maintain an active liaison with USSOCOM to promote enhanced interoperability and to begin a dialogue on what potential gaps and seams the Coast Guard could fill for SOF.

BACKGROUND

VULNERABILITY OF THE MARINE TRANSPORTATION SYSTEM

The marine transportation system is inherently international in character. The hijacking of the Italian cruise ship *ACHILLE LAURO* and the killing of the disabled American passenger Leon Klinghofer in 1985 was the first significant maritime terrorist event that awakened the world to the vulnerability of international shipping to terrorist exploitation. The attacks on the *USS COLE* and the tanker *LIMBURG*, in 2000 and 2002 respectively, reinforced this grim reality.

There are roughly 50,000 large seagoing cargo ships in the international shipping inventory, which combined carry approximately 80% of the world's traded goods and products.¹ The Nation's waterways support approximately 95% of all goods and materials imported to or exported from the United States.² This accounts for over two billion metric tons of waterborne cargo per year.³ Waterborne cargo contributes over \$742 billion each year to the Nation's gross domestic product and employs approximately thirteen million people.⁴ Foreign-flagged vessels carry most of the cargo imported annually into the United States; over 44% of the world merchant fleet by capacity trades with the United States.⁵ It is evident that any significant disruption in maritime trade will have catastrophic economic effects. Terrorists can potentially "cripple the global economy" by attacking the maritime interests of countries that lack the capability to secure "their own maritime backyard."⁶ As one domestic example, the ripple effect in the supply chain from the labor dispute that shutdown West Coast ports in 2002 is estimated to have cost the U.S. economy almost \$1 billion per day.⁷

Terrorists can employ ships themselves as weapons of terror. A hijacked ship carrying volatile or dangerous cargo would be a potent bomb in a port area, against critical infrastructure, or if sunk in a vital sea-lane to impede commerce. Much has been written about the nightmare scenario of a terrorist smuggling a Weapon of Mass Destruction (WMD) into the United States by secreting it in a container. Similarly, terrorists could use ships to transport WMD precursor materials or to otherwise illicitly carry WMDs. There is also growing evidence that terrorist

organizations use seemingly legitimate shipping as a source of revenue to fund their activities.⁸ The maritime practice of registering ships under flags of convenience exacerbates this problem by allowing terrorist organizations to hide because these flag states do not require full disclosure of beneficial ownership. Approximately 60% of the world's merchant fleet is also registered under flags of convenience, or so-called "open registries", where there is no requirement that the owner of the ship have any national connection with the country of registry.⁹ The lack of financial, safety or social scrutiny associated with most open registries is an "ideal cover" that facilitates both criminal and terrorist activity.¹⁰ The practice of forged documents and certificates and other fraudulent practices in these registries further impair the ability of port states to effectively pre-screen crews prior to port arrival and during port visits.¹¹

Piracy also continues to be a pervasive problem that plagues international shipping and poses a significant threat to global economic security. In the past decade, pirate attacks against ships have tripled.¹² Recent estimates put the annual loss from piracy at \$16 billion per year.¹³ These attacks frequently involve a growing "tactical sophistication" of "trained fighters aboard speedboats" that employ a variety of lethal weapons and technologies.¹⁴ There is increasing evidence of an inextricable link between piracy and terrorism, with many of today's pirates seeking ideological and political gain rather than wealth.¹⁵

The threats extend beyond ships. Critical port facilities and offshore terminals are targets of terrorism as well. In April 2004, using tactics similar to that against the *USS COLE*, suicide bombers in fast boats attacked the Iraqi oil terminal at Basra despite the robust U.S. security presence. This attack resulted in the first Coast Guard combat casualty since the Vietnam War. As another example, in May 2004, terrorists fired on workers at a Saudi petrochemical terminal on the Red Sea.¹⁶ Other recent attacks against maritime infrastructure occurred in Nigeria, Colombia, and Yemen.¹⁷ The current Commandant of the Coast Guard remarked, ". . . tighter security in aviation will likely cause terrorists to use alternate means to attack our country, among these alternative means will be maritime transportation."¹⁸ He noted that future U.S. actions against terrorism must include ports and the ships that use them.¹⁹

OVERVIEW OF COAST GUARD MISSIONS

The United States Coast Guard is a multi-mission, maritime, and military service, operating under the Department of Homeland Security (DHS) in peacetime. The Coast Guard operates and conducts the range of missions assigned to it in a volatile, uncertain, complex, and ambiguous maritime environment, as reflected by the vulnerabilities in marine transportation.

The Homeland Security Act divides the Coast Guard's mission profile as:²⁰

Non-Homeland Security Missions

- (A) Marine safety.
- (B) Search and rescue.
- (C) Aids to navigation.
- (D) Living marine resources (fisheries law enforcement).
- (E) Marine environmental protection.
- (F) Ice operations.

Homeland Security Missions

- (A) Ports, waterways and coastal security.
- (B) Drug interdiction.
- (C) Migrant interdiction.
- (D) Defense readiness.
- (E) Other law enforcement.

The Homeland Security missions form the core of the Coast Guard's efforts to shore up the vulnerabilities in the global marine transportation system to ensure the continued mobility of maritime commerce. The *National Response Plan*, which establishes the lead Federal agency roles for domestic emergency response, mirrors the Homeland Security Act by assigning primacy to the Coast Guard as the Federal agency responsible for maritime homeland security and safety.²¹ The Coast Guard is also at all times a military service and branch of the armed forces²² and actively supports the geographic combatant commanders. However, the Coast Guard remains a distinct service and only becomes part of the U.S. Navy upon declaration of war or by order of the President.²³ This has not happened since World War II.

COAST GUARD ENHANCED MARITIME CAPABILITY FORCES²⁴

Most of the Coast Guard's regular forces are multi-mission generalists, in that they have to be able to effectively carry out the range of non-homeland security and homeland security missions in a relatively low intensity environment. Regular units must quickly respond to search and rescue, fisheries enforcement, marine environmental protection, law enforcement, and maritime security. Some times the Coast Guard's responsibilities require highly trained and specialized forces, mostly in small boat units and teams, to conduct missions not suitable for these regular Coast Guard forces or for which these regular units have no training. This is especially true for higher risk law enforcement operations, hazardous material response, defense operations, international engagement, and maritime security at events of national significance. These forces (which I will hereafter refer to as "enhanced maritime capability" forces or units, or generally as "enhanced maritime capabilities" to distinguish them from both

regular Coast Guard units and special operations forces operating under DOD) receive more intensive and focused training in their respective operational specialties than regular Coast Guard forces. Some of the enhanced maritime capability forces have existed for years, evolving as the maritime threats and operational requirements dictated.

The events of September 11, 2001, prompted the Coast Guard to begin re-examining its force structure, which spurred the fielding of additional enhanced maritime capability forces. The tragedy also pushed the Coast Guard to work more cooperatively with the international community to protect international shipping from emerging threats. Unfortunately, the Coast Guard is pursuing a disjointed approach to building its enhanced maritime capabilities, resulting in forces that are not very well aligned or coordinated. Coast Guard efforts to address the vulnerability of the global marine transportation system, together with military obligations in support of the Global War on Terrorism (GWOT), have also resulted in the largest worldwide deployment of the Coast Guard since World War II. These demands are increasingly challenging the Coast Guard to meet its range of statutory responsibilities,²⁵ which have to date been balanced by the surge capacity of enhanced maritime capability forces. It is doubtful that the Coast Guard can sustain this balance under the current framework, and it is clear that the Coast Guard must realign and consolidate its enhanced maritime capabilities.²⁶ Recognizing that the security environment substantially changed after 9/11, the most recent Quadrennial Defense Review (QDR) stresses the need for the military services to adapt their capabilities and transform to maximize effectiveness, especially with respect to expeditionary forces.²⁷ The Coast Guard must heed this clarion call for its enhanced maritime capability forces to meet the challenges and vulnerabilities in the maritime environment. However, before addressing consolidation, it is important to outline the enhanced maritime capabilities being deployed.

Port Security Units (PSUs)

Currently, the Coast Guard is actively supporting Operation Iraqi Freedom through maritime interception operations (MIO), coastal security patrols, and port security missions. Deployed assets include cutters, law enforcement detachments, and PSUs. However, it is



FIGURE 1 COAST GUARD PORT SECURITY UNIT

the PSUs, manned mainly by Coast Guard reservists, that typically perform the Coast Guard overseas missions in support of DOD, and that have the most integration with the Naval Coastal Warfare Plan.²⁸ The primary mission of a PSU is to provide port security for military and humanitarian missions worldwide.²⁹ A typical PSU is a self-contained, deployable small boat unit with 115 Coast Guard reservists and five active duty personnel. The PSU is the only truly expeditionary capability of the Coast Guard.³⁰ It is the PSU that “fits well within the combatant commander’s requirement for a proficient, expeditionary, self-contained port security contingent.”³¹ PSUs receive advanced training in small boat tactics and techniques, as well as defensive combat training, at the Coast Guard Special Missions Training Center (SMTC), which is co-located with the Marine Corps Riverine Training Center at Camp Lejeune. However, PSUs are a perimeter force for deterrence and protection³² that typically only operate in a lower threat environment within the protected waters of a port. PSUs do not conduct at sea boardings or MIO. The Coast Guard’s Office of Defense Operations (G-OPD) manages the PSUs.

Maritime Safety and Security Teams (MSSTs)

After 9/11, the Coast Guard quickly established several MSSTs to close vulnerabilities in the nation’s ports.³³ MSSTs are specialized, self-contained small boat units, with a mix of active



FIGURE 2 MARITIME SAFETY AND SECURITY TEAM

duty and reserve personnel, which deploy by air, land or sea primarily within the continental United States to provide port security, harbor defense, and antiterrorism/force protection.³⁴ However, the MSSTs also conduct high speed maritime interceptions, supplement U.S. forces overseas, and carryout any other operational mission deemed appropriate.³⁵ The MSSTs use the organizational and operational structure of the PSUs and law enforcement detachments as a model, but the Coast Guard’s Office of Homeland Security Operations and Tactics (G-OPC) manages the MSSTs. Coast Guard Area Commanders exercise operational control of the MSSTs.³⁶

The MSSTs receive specialized training at the SMTC, similar to the PSUs. The intent is to further equip and train each MSST for WMD detection and to detect narcotics and explosives,

including the use of canine handling teams and underwater detection by remote operating vehicle or diving.³⁷ The Coast Guard is also expanding these capabilities by training MSST personnel in vertical insertions to vessels offshore, close quarters combat for high risk boardings (primarily in the law enforcement context), precision marksmanship, hazardous material response, and to conduct port security assessments.³⁸ The Coast Guard is cultivating the MSSTs as both a maritime security and law enforcement force that operates distinctly from the PSUs.

Law Enforcement Detachments (LEDETs)

LEDETs deploy onboard Coast Guard cutters, U.S. Navy ships, and naval vessels of U.S. allies to conduct counterdrug law enforcement operations.³⁹ LEDETs were originally disbursed throughout the Coast Guard under the operational control of local Coast Guard commands. LEDETs are now consolidated into three regional Tactical Law Enforcement Teams (TACLETs) with expanded missions under the operational control of Coast Guard Area Commanders. A number of LEDETs form the core of the TACLET. Although the primary mission remains counterdrug operations, TACLETs also “support, train, and augment Department of Defense (DOD), foreign, federal, state, and local law enforcement with personnel highly trained in all aspects of maritime law enforcement.⁴⁰ TACLETs/LEDETs are not self-contained like PSUs and MSSTs and rely on the small boats of ships on which they deploy as boarding platforms.



FIGURE 3 COAST GUARD LEDET BOARDING

The law enforcement focus of TACLETs/LEDETs, especially counterdrug and migrant interdiction, correlates well with the maritime security strategy by targeting potential funding sources for terrorism.⁴¹ Nevertheless, their mission also includes deploying aboard Coast Guard cutters or Navy ships in theater to support the geographic combatant commanders, usually by conducting MIO or performing boardings on commercial vessels transiting in a combat zone to protect infrastructure, enforce sanctions, or prevent the introduction of contraband material, such as weapons. The Coast Guard Office of Law Enforcement (G-OPL) manages the TACLETs/LEDETs.

Strike Teams

The Coast Guard, through its National Strike Force Coordination Center, maintains three hazardous materials strike teams on each coast of the United States for rapid response to hazardous material spills in the maritime and port environment. This includes deploying overseas to assist foreign governments or in support of the geographic command commanders. For example, the strike teams deployed during the first Gulf War to provide a unique response capability for oil and chemical tanker spills during the armed conflict and as Saddam Hussein environmentally sabotaged the oil fields during the Iraqi retreat from Kuwait.⁴² Under a more recent concept of operations, strike teams are deploying to support Military Environmental Response Operations (MERO) in Operation Enduring Freedom and Operation Iraqi Freedom⁴³ and as part of the U.S. military contingent conducting tsunami relief efforts.⁴⁴ The strike teams have been specifically trained and are capable of responding to chemical, biological, radiological, and nuclear (CBRN) threats and can also operate in a WMD environment.⁴⁵ In fact, the strike teams maintain an active liaison with the U.S. Army Chemical Weapons School.⁴⁶



FIGURE 4 COAST GUARD STRIKE TEAM

The National Strike Force has become an important element in the Coast Guard's *Maritime Homeland Security Strategy* and a key part of the Coast Guard's contribution to the *National Military Strategy*.⁴⁷ The Coast Guard Headquarters' Office of Marine Environmental Response (G-MRP) establishes doctrine for the National Strike Force.

Foreign Port Assessments

After the terrorist attacks on 9/11, the Coast Guard pursued enhancements in maritime security through the International Maritime Organization (IMO).⁴⁸ These enhancements primarily focus on ensuring the security of the ship-port interface and impose substantial requirements on industry to meet minimum international security standards. To promote

uniformity, these standards are generally consistent with those enacted domestically through the Maritime Transportation Security Act of 2002 (MTSA).⁴⁹ Since IMO has no independent enforcement authority, the Coast Guard is primarily enforcing the new standards on ships through inspections prior to port entry.⁵⁰ Furthermore, as required by the MTSA, the Coast Guard is establishing a foreign port assessment program. Under this program, Coast Guard teams will visit foreign ports serving ships that trade with the U.S. to work with the host government in assessing the security of their ports against the new standards, to provide limited training, and to share lessons learned.⁵¹ Its focus is to scrutinize the mechanisms in place at foreign ports to ensure a secure operating environment, including access control, physical security, and secure cargo handling and storage. This requires direct and continuous engagement with foreign port personnel, government military and civil officials, and the international maritime industry, yet the program does not include language skills or cultural awareness training for Coast Guard personnel conducting the assessments. However, they will be coordinated through a Coast Guard foreign port liaison officer in consultation with U.S. embassies. The Coast Guard's Director of Port Security (G-MP) manages and directs the foreign port assessment program.

International Training Division

The Coast Guard's Office of International Affairs (G-CI) manages and directs the Coast Guard international training program. The Coast Guard has an International Training and Technical Assistance Division (ITD) that deploys at the request of the U.S. State Department and DOD to provide training and technical assistance across the spectrum of Coast Guard missions.⁵² Mobile Training Team (MTT) members from the ITD receive some language training, primarily Spanish because of the Coast Guard's emphasis on the Caribbean Basin.⁵³ The MTT members also receive training in counter-terrorism, force protection, survival skills, and other advanced training.⁵⁴ Part of the training curriculum offered to host governments is port and maritime security, including small boat operations and tactics.⁵⁵

The Caribbean Support Tender (CST), a converted 180-foot Coast Guard buoy tender, is another dimension of the Coast Guard's international training and technical assistance efforts. The CST, commanded by the Coast Guard, operates with an international crew that provides training and technical assistance to Caribbean nations to assist them in operating previously transferred Coast Guard equipment and to train the various Caribbean countries to conduct operations related to maritime security, drug interdiction, and illegal migrant interdiction.⁵⁶ U.S. Southern Command and the State Department provide partial support for the CST.⁵⁷

THE NEED FOR AN ENHANCED MARITIME CAPABILITIES COMMAND (CGEMCC)

Even a cursory review of the current Coast Guard enhanced maritime capability units, many of which have overlapping capabilities, clearly reveals that the command and control, budgeting, programming, and manning of these forces is fragmented. Different offices within Coast Guard headquarters manage the Coast Guard units conducting specialized maritime operations and environmental response. These units and programs are generally detached from those units doing international outreach and engagement related to specialized maritime operations. Coast Guard International Affairs, with its own MTTs, directs international training and technical assistance to avoid pulling resources from operational units to support the Coast Guard's international engagement strategy. The net result is an overall lack of synchronization in these essential Coast Guard programs.

Much of the fragmentation results from the historic command structure split within the Coast Guard between operations (known colloquially as "O"), which focuses on law enforcement and military support operations, and maritime safety and security (known as "M"). Prior to 9/11, it was common to have two separate Coast Guard field commands within a geographic area – one having operational control of "O" missions and a distinct command having authority over "M" missions within that area. Similarly, the hierarchical structure in superior commands, including at the headquarters level, generally reflects this split. There are even further splits internally within this hierarchy, where law enforcement and military support missions each operate independently within the "O" community, as do maritime safety and security within the "M" community. Furthermore, port security is traditionally an "M" mission, despite the continuous use of PSUs for defense support within the "O" context. After 9/11, the Coast Guard had the wisdom to begin dissolving these artificial separations by merging many aspects of the "O" and "M" programs. However, this distinction affected the evolution of Coast Guard enhanced maritime capabilities and persists today. The Coast Guard must continue to break down these barriers.

The Coast Guard must have a more coordinated approach to its homeland security missions, of which enhanced maritime capability units are a key element. The demands for deployable Coast Guard assets will also continue to grow, whether domestically for homeland security or abroad in support of JFCs. The Coast Guard's deployment practice to date, albeit successful, has been *ad hoc*.⁵⁸ There is growing recognition within the Coast Guard that its current command and control structure for enhanced maritime capability forces is impeding its ability to meet current and emerging requirements.⁵⁹ The Coast Guard's inability to deploy the right mix of forces, domestically and internationally, that are sufficiently integrated operationally

and in training, staffing and support is a manifestation of this impediment.⁶⁰ If the Coast Guard is to continue to be a unique instrument of national security and effectively respond to the vulnerabilities in the global maritime transportation system, as well as fulfill its functions as a deployable-armed force, it must counter these inefficiencies by consolidating its enhanced maritime capability forces. There can be no unity of effort without unity of command.⁶¹ In many respects, the consolidation of the special operations forces within DOD under USSOCOM is instructive for the Coast Guard.

LOOKING TO USSOCOM

USSOCOM is the unified command for SOF pursuant to the Nunn-Cohen Act in 1986.⁶² Prior to that date, DOD's use of SOF had similarly been *ad hoc*.⁶³ The creation of USSOCOM has its genesis in the failed attempt to rescue the American hostages in Iran in 1980. One of the reasons for this failure was the lack of effective coordination between the various military SOF involved in the operation.⁶⁴ The unacceptable lack of interoperability between and integration of the service SOF during the U.S. invasion of Grenada was the final catalyst to establish USSOCOM.⁶⁵ The Nunn-Cohen Act, therefore, provides USSOCOM with broad authority over all SOF resources and activities, perhaps most importantly the authority to direct and control funds to train and develop SOF. This extends to the development and procurement of SOF-specific equipment, supplies, material, and services.⁶⁶ One of the main purposes of the legislation was to improve planning and coordination of SOF activities by enhancing joint doctrine, training, intelligence support, and command and control to ensure a unity of effort.⁶⁷ In many respects, the pathologies that plagued the command and control of SOF prior to the Nunn-Cohen Act are similar to those facing Coast Guard enhanced maritime capability units, albeit on a more limited service-specific scale within the Coast Guard.

USSOCOM effectively has service-like responsibilities for SOF with command authority over all active and reserve SOF, Army psychological forces, and all civil affairs forces stationed within the continental United States.⁶⁸ USSOCOM operates as a force provider to other combatant commanders and, when directed, is the command authority for specified special operations missions.⁶⁹ The Nunn-Cohen Act expressly listed the special operations activities assigned to SOF, which Defense policy further refines, as follows:⁷⁰

- (1) Direct action (core task).
- (2) Special reconnaissance (core task).
- (3) Unconventional warfare (core task).
- (4) Foreign internal defense (core task).
- (5) Civil affairs operations (core task).
- (6) Psychological operations (core task).

- (7) Information operations (core task)
- (8) Counterterrorism (core task).
- (9) Counterproliferation (core task)
- (10) Humanitarian assistance (collateral activity).
- (11) Theater search and rescue (collateral activity).
- (12) Other activities as may be specified by the President or the Defense Secretary.

SOF are a vitally important element in fighting the GWOT.⁷¹ It is the advanced training and education, experiences, initiative, team size and maturity that make SOF “special” and set them apart from other forces.⁷² One of the primary characteristics of SOF is that they are “regionally focused: culturally, linguistically, and politically.”⁷³

BENEFITS OF A COAST GUARD ENHANCED MARITIME CAPABILITIES COMMAND

A coordinated special missions force

The USSOCOM framework provides a good template for the consolidation of Coast Guard enhanced maritime capabilities. The consolidation and streamlining of these capabilities will produce operational efficiencies by eliminating redundancies. In other areas, the consolidation will provide greater flexibility for the Coast Guard to meet its mission requirements through economies of scale and a more coordinated deployment policy. For example, the PSUs and MSSTs both use small boats and employ similar tactics, techniques and procedures (TTP). The SMTC trains each using a similar protocol. In reality, the only substantive difference between the PSUs and MSSTs is that one operates mainly overseas with reservists (PSUs) and the other operates domestically with mostly active duty personnel (MSSTs). However, despite these strong similarities, the small boats used are different and different programs within the Coast Guard hierarchy ultimately manage the two. Moreover, the MSSTs, PSUs and TACLETs/LEDETs each have a core competency in port and maritime security but the Coast Guard is not developing these individual security capabilities with sufficient operational coordination. In fact, different operational headquarters programs manage each of these units, ironically outside of the Coast Guard directorates responsible for port and maritime security. The MSSTs, PSUs, and TACLETs/LEDETs also each rely on similar operational intelligence to support their missions. While intelligence is coordinated at the national-level by the Coast Guard’s Office of Intelligence, the operational and tactical coordination of disseminating intelligence for supporting homeland security missions is absent, as is reporting by the various special teams to support established intelligence programs. Additionally, the Coast Guard is planning to expand the MSSTs’ mission profile to include CBRN response, including in a WMD environment, while at the same time the Coast Guard maintains a redundant capability in the

strike teams. Furthermore, all of the enhanced maritime capability units deploy and are capable of working in support of the geographic combatant commanders' objectives, yet the Coast Guard Office of Defense Operations only directly manages the PSUs. Under the Coast Guard's current concept of operations, the PSUs are the Coast Guard units that most closely coordinate with the Navy mobile inshore undersea warfare units (MIUW), inshore boat units, explosive ordnance teams, mobile underwater and demolition salvage units (MUDSU), the Marine Corps fleet antiterrorism and security teams (FAST), and Army military police.⁷⁴

These are just a few examples that highlight the need for more responsive and coordinated enhanced maritime capabilities. The Coast Guard's effectiveness in conducting its homeland security missions would be substantially improved by realigning and consolidating these forces under a single command, which could be called the Coast Guard Enhanced Maritime Capabilities Command (CGEMCC). Doing so would also be more cost effective by eliminating redundancies and ensuring standardization. In other circumstances, this realignment and consolidation will address potential shortfalls in the Coast Guard's homeland security missions. One vivid illustration is that the Coast Guard can no longer rely entirely on its PSUs to support DOD. PSU deployments in Desert Storm and subsequent military operations outside of the United States "strained employer support for the Reserve program and negatively affected recruiting and retention."⁷⁵ This tension is growing because many PSU personnel are Federal, state, and local law enforcement officers and firefighters upon whom local communities rely to support first response efforts.⁷⁶ The realignment and consolidation of Coast Guard enhanced maritime capabilities will address this problem by giving the Coast Guard a more viable and flexible port security force that draws from a larger cadre of well trained and ready personnel from both the active and reserve components.

The CGEMCC would work best as a force provider of special teams that conduct a range of core tasks. The CGEMCC, like USSOCOM, should be assigned responsibility for managing enhanced maritime capability forces and training, developing TTP and doctrine, and have authority to program and acquire special equipment. The forces will better understand the rules of engagement and the policies for use of force by being more concentrated in their mission assignments through a central command authority. At the same time, the CGEMCC will ensure a proper force employment balance in the increasing and often competing demands for the Coast Guard's enhanced maritime capability units. This includes providing surge support for regular Coast Guard commands, deploying a more adaptable and responsive capability in support of the geographic combatant commanders (one that has the right mix of qualified and trained personnel that can perform a variety of missions best conducted by Coast Guard

forces), and as a more effective means of evaluating mission performance to promote continued relevance. The CGEMCC should not displace regular Coast Guard commands, who understand the unique threats, risks and needs of their respective areas of responsibility (AORs) and who have forged special relationships with Federal, state, and local agencies and private industry that will make up the incident command structure in those AORs. The CGEMCC's primary function should be to support regular Coast Guard commands and the geographic combatant commanders. However, if necessary, the CGEMCC could assume command responsibility for Coast Guard enhanced maritime capability units where appropriate, such as maritime security at National Special Security Events⁷⁷ that involve greater Federal planning and resources and more detailed coordination with other highly trained security personnel. The realignment and consolidation of these Coast Guard capabilities can be done by the Commandant under existing legal authorities.

Drawing from the organic capabilities of the units and teams to be integrated, the core tasks of the CGEMCC would be:

- High-risk maritime law enforcement.
- Enhanced domestic maritime and port security.
- Maritime CBRNE liaison, planning, and response.
- Maritime interception operations.
- In-shore and near-shore defense operations.
- Foreign maritime security training.
- Port security assessments.
- Maritime domain awareness.

Enhanced security through more effective international outreach

The U.S. has a rich tradition in promoting cooperative security. Alfred Thayer Mahan, considered the father of U.S. naval grand strategy, opined that national power flowed from the defense of international maritime trade, which could be assured through transnational naval cooperation.⁷⁸ President Bush's *National Security Strategy* describes strategic objectives of the United States in pursuing the vital national interest of preserving the security of our Homeland, including modes of transportation. Among these objectives is "defending the peace by fighting terrorists and tyrants."⁷⁹ While preserving the right to act unilaterally in appropriate cases, one of the key strategic concepts expressed in the *National Security Strategy* to achieve this end is robust international engagement by the United States to strengthen alliances by "forging new, productive international relationships and redefining existing ones . . ." ⁸⁰ It also requires "direct

and continuous action using all the elements of national and international power.”⁸¹ This *National Security Strategy* prescribes a truly multilateral approach to security in recognition of the force multiplier effect of international partnership and commitment.⁸² The *National Military Strategy*, *National Homeland Security Strategy*, and the *Maritime Strategy for Homeland Security*, which collectively support and complement the *National Security Strategy*, reflect the same preference for international engagement. It is the emphasis on international cooperation that “lies at the nexus of the *National Strategy for Homeland Security* and the [*National Security Strategy*].”⁸³ The *National Strategy for Homeland Security* expressly calls for intensifying efforts to build foreign civil and military capabilities through enhanced law enforcement cooperation and specialized training and other assistance.⁸⁴

The *National Security Strategy* and the other key supporting national strategies clearly reflect the importance of cooperative security and reflect the traditions espoused by Mahan. The wisdom of this approach is apparent – international cooperation and greater action by foreign governments to address maritime security effectively pushes the U.S. borders out. Instead of being relegated to detecting and responding to threats as they approach the coastal U.S., international efforts project the positive effects of detection, deterrence, and response well beyond U.S. shores. Improved security capabilities at foreign ports provide greater protection for U.S.-flagged ships and other ships carrying U.S. government preference cargoes and assure the protection of U.S. passengers traveling abroad. The improved access and information-sharing that results from increased international engagement is also a valuable source of intelligence that helps in identifying and analyzing existing or potential threats. Lastly, the relationships built during international engagement lay a crucial foundation for potential U.S. military access to secure, strategic foreign ports to protect U.S. interests.

Although a major step in the right direction, a close examination of the Coast Guard’s current international approach to maritime security reveals that it is too limited by focusing on the Coast Guard’s regulatory role of ensuring conformity with international security standards by the global maritime industry. The international standards generally relate to industry preparations to deter a security incident onboard the ship or port facility. They do not assign significant responsibility to governments regarding detection, deterrence or response to an actual or potential incident. The Coast Guard primarily acts as an auditor of industry standards rather than evaluating whether the host government has a capable maritime enforcement and response element. The foreign port assessment program also does not include the language skills and cultural awareness that could prove essential in not only a thorough security assessment, but also to forming and maintaining important relationships with ports and military

and law enforcement officials critical to U.S. defense and economic interests overseas. The lack of a more formalized training program embedded within the foreign port assessment program, together with the lack of language and cultural skills for Coast Guard personnel, will likely result in lost opportunities to shape the international maritime environment.

While the MTTs and CST provide training to foreign governments,⁸⁵ and the Coast Guard intends to coordinate, to the maximum extent practical, a simultaneous MTT visit to the host nation that is sponsoring a foreign port assessment, in reality there is no direct linkage between the MTTs' efforts and the Coast Guard's international maritime security program. The MTTs also train across the spectrum of Coast Guard missions, both homeland security and non-homeland security related missions. As mentioned, Coast Guard International Affairs manages the MTTs and CST; the training teams are not operational elements of the Coast Guard and its exportable training primarily focuses on Latin America and the Caribbean Basin.⁸⁶ In specifically addressing the threat to the various modes of transportation, the 9/11 Commission report states that "terrorists should perceive that potential targets are defended. They may be deterred by a significant chance of failure."⁸⁷ Despite the Coast Guard's compliance efforts, shipping will remain at risk until a capable enforcement or response component is cultivated in foreign ports.

The Coast Guard's international program in the context of maritime security fails to leverage the Coast Guard's expertise as an operational law enforcement agency and armed force. Merging the Coast Guard international training program, foreign port assessment program, and other enhanced maritime capability forces under the CGEMCC will provide a robust and meaningful international engagement strategy that can more effectively work with host governments in developing port and maritime security competencies. It will ensure that the Coast Guard provides the right training at the right time by the right personnel, in concert with the Coast Guard's effort to assess the security at the respective foreign port. The consolidation of training will also make it easier to expand international engagement beyond its traditional focus on Latin America and the Caribbean and to ensure that Coast Guard personnel have the proper language and cultural training, again much like what is done in USSOCOM. Moreover, the CGEMCC will be better able to ensure alignment between the Coast Guard's international outreach initiatives and the respective geographic combatant commanders' Theater Cooperation Security Programs (TSCP), and that these TSCPs maximize Coast Guard capabilities.

Expanded Maritime Domain Awareness

Prior to 9/11, the Coast Guard's awareness of maritime activity was limited primarily to understanding the system capabilities of first responders in the event of a maritime incident, whether safety, security, or environmental protection.⁸⁸ In reflecting on the events of 9/11 and the potential vulnerabilities of the marine transportation system, the Coast Guard realized that it did not have a good picture of shipping activity in the maritime domain to classify or preempt threats. Faced with this ominous problem, the Coast Guard, co-sponsored by the U.S. Navy, initiated a cooperative Maritime Domain Awareness (MDA) program to consolidate and synthesize available information about global maritime activity. The MDA program is still in its infancy, but its goal is to reach "from the banks and levees of inland waterways, the high-water marks in ports, and along the shorelines to the high seas and beyond" as a means of sorting and classify maritime threats.⁸⁹ By doing so, the Coast Guard and Navy intend to detect, deter, disrupt and interdict a potential threat at its origin far from U.S. shores, including the ports of another country.⁹⁰ The concept of the MDA program is simply to find a more effective and comprehensive way to collect, store in a commonly accessible database, use, and share intelligence and other information.⁹¹ Ultimately, the MDA program will provide a Common Operational Picture (COP) for the military, domestic maritime security forces and, where appropriate, international allies to assist with operational responses to emerging threats.⁹²

One of the keys to doing this will be to leverage existing information and intelligence capabilities through better coordination and integration.⁹³ This includes monitoring vessels, people, cargo, and other areas of interest throughout the maritime environment.⁹⁴ However, as drafted, the MDA program stresses the importance technological observation systems that track vessel movements and the analysis of electronic data.⁹⁵ To the extent that the MDA program considers the observations and information gathered from the security assessments made by the Coast Guard's international training teams, the foreign port assessment program, and other special mission team activities, it does not appear to be a prominent centerpiece of the program.⁹⁶ Yet, it is this kind of human intelligence that will prove invaluable in (1) defining security risks, (2) assessing foreign port anti-terrorism measures, (3) gauging the security culture within a foreign port, (4) assessing the protective measures for the security of ships calling at that port, and (5) assessing the response capabilities of foreign authorities in the event of an incident.

National strategies and policies depend on "information and decision superiority."⁹⁷ Consistent with what the QDR stresses regarding U.S. national intelligence systems, the Coast Guard and Navy must similarly exploit all advantages to optimize the MDA program if it is to

achieve the COP envisioned.⁹⁸ Frankly, despite the program's expressed intention, this valuable information gained from Coast Guard international activities, including the information developed by TACLETs/LEDETs in conducting maritime law enforcement and MIO, is not being fully leveraged and will be a major gap in the MDA program implementation. It is “personal, experienced-based knowledge of the systems, infrastructure, and geography” of a foreign area that DOD intelligence programs value from its SOF activities.⁹⁹ The Coast Guard should equally value the intelligence potential of its enhanced maritime capability units.

In fairness, the MDA program's deficiencies can be attributed to the institutionalized, fragmented use of Coast Guard operational forces, each operating under differing programs where no comprehensive doctrine exists for collecting, reporting and disseminating information gleaned from the Coast Guard's international engagements. Bringing all enhanced maritime capability functions under the CGEMCC will rectify this by ensuring a unity of effort, coordinated doctrine for information gathering, and consistent training standards for evaluating information reported from international activities. There will no longer be an illogical segregation between the foreign port assessment program and international training, nor will international training be exclusively the province of non-operational Coast Guard forces, all of which now report to different program managers. Realigning Coast Guard international activities under the CGEMCC allows the MDA program to expand its efforts by using the enhanced maritime capability units, through the CGEMCC, as a more reliable source of information that can paint a truer picture of the security risks at a foreign port. The CGEMCC will standardize reporting formats and establish parameters on information collection and reporting that will be more efficient and productive. The CGEMCC will be the conduit between the enhanced maritime capability forces, the MDA program, and the intelligence system.

The CGEMCC would consolidate the following capabilities:

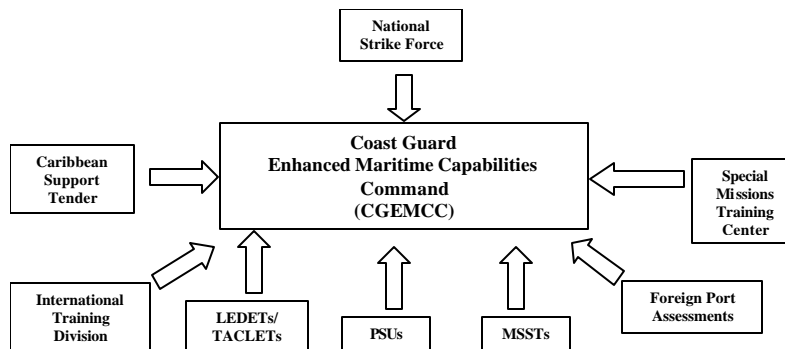


FIGURE 5 PROPOSED CONSOLIDATION OF ENHANCED MARITIME CAPABILITIES

SHOULD THE COAST GUARD INTEGRATE WITH USSOCOM?

If the Coast Guard is looking to USSOCOM as a model to consolidate and realign its enhanced maritime capabilities, then the obvious question is whether the Coast Guard should build a true Coast Guard SOF for integration into USSOCOM. At least one author has opined that:

Although they are not usually considered Special Operations forces by their military brethren, members of the U.S. Coast Guard seemed poised to take on a number of tasks that would be familiar to Special Operations planners and historians. These include their enviable record in SAR and CSAR (Combat Search & Rescue); their role as both a law enforcement and combat arm of the federal government; their tasks overseas where the presence of a coast guard is less threatening than that of a navy; and the crucial job of port security for the continental United States.¹⁰⁰

It is interesting to note that the Coast Guard is the only armed force that does not have a component integrated into USSOCOM. However, integration into USSOCOM is not a light decision. Developing a SOF capability is an expensive proposition for the services. While USSOCOM does manage Major Force Program 11 (MFP-11) funding for maintaining the readiness and sustainability of SOF, including items such as SOF-peculiar equipment, the individual services retain a major responsibility for resourcing administrative and other support and maintenance of their respective SOF.¹⁰¹ There are other important service considerations. For example, the U.S. Marine Corps (USMC) initially resisted integration to USSOCOM primarily because of the perceived lack of flexibility and the potential impact on the USMC's service-wide reputation as an elite corps.¹⁰² It was only recently that the USMC began developing a true SOF capability when it became apparent during Operation Enduring Freedom that the USMC's responsibilities in the GWOT were expanding beyond an expeditionary, forcible entry force. The U.S. Navy also sought to retain control of the SEALs for reasons similar to the USMC, but the Navy succumbed early on by integrating into USSOCOM through the Naval Special Warfare Command.¹⁰³ Therefore, the potential benefits and drawbacks of developing Coast Guard enhanced maritime capabilities into a SOF for integration into USSOCOM is a matter for careful consideration.

POTENTIAL BENEFITS

A Potential Force Multiplier

A joint special operations command that includes all Service special operations capabilities can better tailor forces to respond to the tasking of the National Command Authorities and the Combatant CinCs."¹⁰⁴

As the quote suggests, a truly joint special operations command can best assure responsiveness to special operations requirements. Frankly, “[t]here are more SOF missions than SOF units can execute”¹⁰⁵ and additional SOF forces would be welcomed. In fact, USSOCOM has an immediate need for more expeditionary SOF assets that can deploy rapidly.¹⁰⁶ This is especially true as the demands for SOF continue to expand in line with USSOCOM’s additional role as the supported combatant commander for the GWOT.¹⁰⁷ It seems intuitive that adding the Coast Guard to the SOF equation would be wise as a force multiplier. There is certainly some commonality between Coast Guard enhanced maritime capabilities and many SOF tasks that is not always obvious.¹⁰⁸ The Coast Guard’s small boat expertise in maritime and port security in the littoral appears to be the most similar operational capability to SOF that would be best suited for integration into USSOCOM. However, the Coast Guard only employs this expertise in low-threat environments that do not necessarily require the offensive use of lethal force. The doctrine for the MSSTs only contemplates the offensive use of force against opposing forces in exceptional circumstances.¹⁰⁹ Naval Special Warfare Command (NAVSPECWARCOM) has extensive capabilities to conduct direct actions in the littoral and port environments to ensure maritime mobility using SEALs and Navy Special Boat Units (SBUs).¹¹⁰ The Navy maintains SOF assets, ranging from light patrol boats, rigid hull inflatable boats, and special operations craft that have the proper training and equipment to perform SOF missions requiring an offensive use of force in a low to medium threat environment. While the addition of the Coast Guard to USSOCOM would be a force multiplier for the Naval Special Warfare Command, it is unlikely the Coast Guard could bring the kind of potent force necessary to conduct SOF core tasks, especially with the physical and political risk and isolation from supporting forces that is the hallmark operating environment for SOF.

It is attractive, however, to look at the Coast Guard’s organic search and rescue (SAR) capability as a force multiplier for SOF theater SAR, an important collateral activity of USSOCOM. The Coast Guard is an important element in the Joint Doctrine for Combat Search and Rescue because of its longstanding expertise in maritime SAR.¹¹¹ Under this doctrine, the Coast Guard deploys up to five Joint Search and Rescue Centers to support the geographic combatant commanders.¹¹² Furthermore, USSOCOM must consider the SAR capabilities of the other services in executing its theater SAR functions, including the Coast Guard.¹¹³ Arguably, the Coast Guard could develop and refine the SAR capacity of its enhanced maritime capability units for incorporation into USSOCOM to provide additional combat SAR support in the near-shore and inshore environments. On the other hand, the doctrine for combat SAR contemplates that the Coast Guard would simply extend its peacetime maritime SAR functions in a lower

threat environment than that in which SOF typically operate for combat SAR. In addition, the joint doctrine prefers that each service essentially retain responsibility for conducting SAR related to its own missions.¹¹⁴ Furthermore, USSOCOM's unique contribution is conducting combat SAR for isolated personnel that are beyond the capability of the other service components and when the operating environment requires the special capabilities of SOF.¹¹⁵ This necessarily excludes the Coast Guard's organic SAR capabilities.

Another potential intersection between Coast Guard enhanced maritime capability units and SOF, especially those from the Navy and the USMC that could possibly benefit from Coast Guard integration into USSOCOM, is MIO, including expanded MIO (E-MIO)¹¹⁶ and other similar nonproliferation initiatives. Both the Coast Guard and SOF have been critical to the successful MIO and ship interdictions in the Persian Gulf to ensure the observance of UN sanctions.¹¹⁷ Furthermore, E-MIO is an important emerging tool in the GWOT by extending ship interdictions to suspect vessels, wherever located, that pose an imminent threat to the United States, irrespective of UN sanctions. The Coast Guard and SOF will be instrumental to the success of E-MIO. Moreover, the Proliferation Security Initiative (PSI) also envisions an expanded maritime interdiction program whereby forces will conduct boardings of ships, generally based on the consent of the flag state or through a multilateral agreement, to search for WMD as a means of deterrence and detection.¹¹⁸ The PSI uses the series of bilateral and multilateral boarding protocols spearheaded by the Coast Guard for counterdrug efforts as a model.¹¹⁹ Like these counterdrug protocols, the Coast Guard plays a central role in the PSI, as will SOF. It is imperative that the Coast Guard and SOF therefore attain and maintain proficiencies in identifying, locating, and seizing WMD.¹²⁰ The 9/11 Commission report specifically recommends expanding the PSI and using military, economic, and diplomatic efforts to interdict potential shipments of WMD.¹²¹ This is a prime opportunity for the integration of the Coast Guard and SOF to a dedicated purpose.

Foreign Internal Defense and Civil Affairs

Perhaps the greatest opportunity for Coast Guard special mission integration into USSOCOM, and its best use, would be the value added to USSOCOM civil affairs activities¹²² and foreign internal defense (FID)¹²³ – core tasks of SOF. The Coast Guard and SOF efforts in this regard are both intended to enhance the relationships with foreign military and civil authorities and to contribute to the development of a foreign government's ability to fight subversion and insurgency, protect against other threats to its sovereignty, such as internal instability, civil disorder, and drug trafficking.¹²⁴ Civil affairs and FID are an integral part of a

geographic commander's TSCP to promote national security objectives by working collaboratively with host nations in building capabilities and assuring contingency and peacetime access by U.S. forces.

The Coast Guard's international engagement efforts support these objectives, and largely have become part of the respective TSCPs already. Along with maritime law enforcement training, there is a growing demand by the geographic combatant commanders for Coast Guard foreign port assessment capabilities and port security training.¹²⁵ These programs are geared towards building host nation security capabilities and to improve port operations to support continued maritime mobility. An underlying defense function to these programs further promotes U.S. access to ports worldwide and provides an assessment of the concomitant risks associated with that access. One vivid example of security cooperation is the Regional Maritime Security Initiative (RMSI) under discussion between Asian-Pacific nations. The purpose of the RMSI is to address the threat of piracy and terrorism, primarily in the Strait of Malacca and Strait of Singapore, through joint naval and law enforcement operations and information sharing.¹²⁶ The three littoral states – Malaysia, Indonesia, and Singapore – are pursuing a trilateral cooperative maritime patrol effort to secure the straits,¹²⁷ but their naval and coast guard forces are not up to the task. The United States must train and augment these forces until the littoral nations develop an adequate regionalized capability.¹²⁸ The Coast Guard is integrally involved in assisting the U.S. Pacific Command in supporting and executing the RMSI.

From the USSOCOM perspective, integration of a Coast Guard SOF element expands USSOCOM alternatives as a more acceptable conduit of national power where the "overt use of general forces may not be desirable."¹²⁹ Despite its military character, the Coast Guard does not engender international perceptions of military force.¹³⁰ Many "navies" throughout world are of relatively small size and have missions more aligned with those of the Coast Guard than the U.S. Navy. It is also interesting to note that, although the U.S. Navy does support civil affairs, it does not maintain a distinct exportable civil affairs component.¹³¹ Furthermore, in January 2004, an "eclectic group of thinkers" from the military, academia, public sector, and industry met in Cody, Wyoming, to consider the future needs of U.S. Army Special Forces.¹³² While the Cody Conference specifically focused on recommending changes to Army Special Forces training and development process, it concluded, in part, that there is a need for Special Forces to "re-energize" foreign military relationships to forge a consensus against terrorism, especially by advising and training host nation law enforcement, intelligence, and military personnel.¹³³ It reinforced the importance of providing "intensified and revolutionized" language and cultural

training for Special Forces elements as a force multiplier.¹³⁴ The Conference recognized that intelligence generated through Special Forces contact with other nations, together with foreign enforcement actions, is also paramount to winning the GWOT.¹³⁵ Additionally, the Conference concluded that Special Forces engagement in civil affairs would diffuse threats by improving the civil situation and expanding opportunities for civilian populations.¹³⁶

The Coast Guard and SOF approaches to international engagement are strikingly similar but not directly linked. The Cody Conference's conclusion that Army Special Forces should re-energize foreign engagement provides an equally relevant formula for the Coast Guard and SOF generally – pursue initiatives for revolutionizing efforts to be more effective internationally. The challenge is to design a solution that expands the Coast Guard's influence overseas to develop capable international partners, improve the integration and alignment of the Coast Guard with the strategies of the combatant commanders, and provide a force multiplier for USSOCOM in supporting the TSCPs. Coast Guard MTTs and SOF have a history of working closely together in conducting FID in Central and South America in support of counterdrug initiatives. This could provide a good segue for Coast Guard integration into USSOCOM and sets the stage for expanded cooperation in the areas of port and maritime security from the civil affairs perspective. This would not require a wholesale integration of Coast Guard special mission teams into USSOCOM, but rather only those special mission elements that conduct foreign port assessments and perform international training focused on security and counter narcotics. From the Coast Guard perspective, the specialized training of SOF, primarily language and cultural, with the opportunities and technological benefits of being part of USSOCOM, will address the current gaps in the Coast Guard's international maritime security efforts that largely neglect host government law enforcement and response capabilities.

Some factors militate against Coast Guard integration into USSOCOM for civil affairs and FID. First, there is an emerging paradigm in DOD, stressed by General Schoomaker, to incorporate "SOF-like" capabilities in conventional forces to take the strain off overstretched SOF.¹³⁷ Civil affairs and FID may be some of those responsibilities that could be phased-out of USSOCOM and passed to more conventional forces.¹³⁸ Secondly, FID and civil affairs require an interagency effort; they are not the sole responsibility of USSOCOM. Although part of the TSCP, many times the military is in a supporting role within the larger interagency context.¹³⁹ The Coast Guard currently contributes to TSCPs now, operating outside of USSOCOM as part of the interagency effort. In short, Coast Guard international training capabilities, its capacity to develop similar foreign coast guards, and its foreign port assessment program will remain available to geographic combatant commanders irrespective of Coast Guard integration into

USSOCOM. It would be ill-advised to integrate any capability into USSOCOM that would ultimately be returned to conventional forces.

Increased Interoperability

While the Coast Guard historically wrestled with its obscure image as the fifth and smallest armed force,¹⁴⁰ it emerged after 9/11 to be an integral element in national security decision making and a more prominent part of the U.S. military.¹⁴¹ Before the U.S. launched military operations in Iraq, the U.S. Central Command reached out to the Coast Guard because of its unique capabilities.¹⁴² Even so, the interplay of Coast Guard operations and DOD, including SOF, has been event-driven rather than through a continuous, interoperable focus. Senior leaders are now calling for greater integration between the Coast Guard and DOD maritime capabilities, especially farther from shore.¹⁴³ The Navy and the Coast Guard have been cooperating to develop a joint and interoperable maritime force. There has also been a push for a joint Navy and Coast Guard command and control structure to eliminate organizational bias, ensure a unity of effort and to add greater flexibility in meeting maritime mission objectives to support Maritime Homeland Defense (MHL D).¹⁴⁴ The National Fleet Concept is the primary means for doing this by “synchroniz[ing] multimission platforms, infrastructure and personnel to gain the highest level of naval and maritime capability.”¹⁴⁵ The DOD and DHS recently signed a Memorandum of Agreement (MOA) regarding the inclusion of the Coast Guard in MHL D.¹⁴⁶ The MOA creates a standing working relationship between DOD and DHS for MHL D missions and identifies the need to update joint doctrine, operational plans, and “memberships in [homeland defense and homeland security]-related organizations” to reflect this joint effort.¹⁴⁷ The National Fleet Concept will be a central part of Coast Guard and Navy interoperability by examining the Coast Guard deepwater recapitalization program’s contribution to the Navy fleet.¹⁴⁸

It is a “unity” of effort across the threat spectrum between the mechanisms of the Federal government that the 9/11 Commission found essential to addressing the terrorist threat.¹⁴⁹ However, it appears that most of the Coast Guard’s efforts towards “jointness” with DOD predominantly focus on the interoperability of its deepwater cutters and aircraft. The Coast Guard and Navy need to pursue better coordination of small boat coastal warfare or other small boat and littoral maritime activities. The integration of Coast Guard SOF into USSOCOM would be an important and lasting link between the Coast Guard and DOD in the GWOT and provide additional capability as combatant commanders continue to solicit greater use of SOF in their respective areas of responsibilities.¹⁵⁰ It would also be another important step forward in giving

meaning to the recent MOA between DOD and DHS. The interoperability that comes through Coast Guard integration into USSOCOM, especially between the Coast Guard and Naval Special Warfare Command, promotes a more joint MHL D strategy, and a more timely and effective response to threats.¹⁵¹

POTENTIAL DRAWBACKS TO INTEGRATION

Lack of Flexibility (The Marine Corps Analogy)

Despite the potential benefits of full integration of a Coast Guard SOF into USSOCOM, there are some major drawbacks. The USMC experience best illustrates this. As previously addressed, the USMC was reluctant to integrate any of its forces into USSOCOM because of the broad legislative authorities of USSOCOM to command and consolidate forces assigned to it.¹⁵² Essentially, USSOCOM, working with the geographic commanders, sets the priorities for forces assigned to it, not the parent service. The perceived loss of the USMC's "prerogative" to "organize, train and equip" its Marines was initially untenable.¹⁵³ Part of this was a practical concern about loss of control and flexibility, but there was also an underlying political aspect due to the USMC's wariness of congressionally mandated reorganization.¹⁵⁴

Furthermore, the USMC was not convinced that its "special operations" elements were purely SOF; instead, they crossed the entire spectrum of USMC capabilities that were essential for field commanders.¹⁵⁵ To many, USMC SOF was viewed as a distinction without a difference as compared to the then existing force structure and operational deployments.¹⁵⁶ The USMC was also concerned about the potential erosion in its traditions. Specifically, there was concern that the USMC would only develop as a "Raider Force" by being directed solely towards special operations missions.¹⁵⁷ At the same time, the Commandant of the USMC was equally concerned about resource constraints and the ability of the USMC to support a SOF while at the same time preserving the integrity of the Marine Air Ground Task Force.¹⁵⁸

Finally, there was a concern that USMC SOF would simply duplicate the activities of SOF from other services. A Defense Department memo advising against such duplication, issued contemporaneously with the formation of USSOCOM, was an important element in the USMC's resistance.¹⁵⁹ There was not a clear vision of what gap or seam the USMC would fill for USSOCOM that was not already being filled by either the Army Special Forces (Green Berets), other Army SOF, or the Navy SEALs. Similarly, the USMC also did not want to duplicate the efforts of other national counter-terrorism forces.¹⁶⁰ The USMC, however, did revitalize its capabilities through selected training and equipment to ensure interoperability with USSOCOM. The intent was to make its Marine Expeditionary Units (MEUs) more capable, lethal, and

responsive. These forces are certified as “special operations capable” (SOC) by the USMC and deploy as Marine Expeditionary Units Special Operations Capable (MEU SOCs). The MEU SOCs are not SOF and remain under USMC control, but they conduct a range of operations, both combat-related and peacekeeping missions.¹⁶¹ One major distinction from SOF is that the MEUs, including those that were certified as a MEU SOC, effectively disbanded after each 12-month deployment cycle (6 months for training; 6 months on deployment), and the units forming the MEU returned to their parent commands.¹⁶² After further reflection, however, the USMC in 2003 decided to develop USMC SOCOM Detachment 1 for integration into USSOCOM because of the “long-term benefits for the [USMC] from the perspective of interoperability, technology, career growth, and protections of roles and missions”¹⁶³ However, this was almost twenty years after the formation of USSOCOM and a product of careful thought and consideration. Even so, the USMC still preserved the MEU SOCs as an integral element of their force structure under USMC direction.

The Coast Guard will certainly wrestle with the same concerns that the USMC debated regarding cost and the lack of flexibility and loss of control of Coast Guard forces. The Coast Guard’s separate departmental structure, together with its small size, magnifies these concerns. The Coast Guard will also struggle with whether the creation of a SOF would run counter to its identity as a multi-mission service that easily transitions from maritime mobility to law enforcement to defense operations, doing all equally well. Even the USMC’s creation of the MEU SOC was met with initial skepticism and a lack of understanding as to its capabilities.¹⁶⁴ As a result, there was limited use of the MEU SOCs to support SOF and some reluctance within the USMC culture to create a capability that appeared to set apart certain Marines from conventional USMC forces. As a small service, the Coast Guard can also expect to meet similar cultural resistance in creating a special command that appears to set Coast Guard forces apart from regular Coast Guard units. A Coast Guard command that centralizes forces that have been heretofore been controlled by field commanders and used to support regular Coast Guard units could be perceived as a derogation of the contribution of those units to the GWOT. Developing these forces into a SOF for integration into USSOCOM may be a step too far.

Political Concerns

Many view the Coast Guard as primarily a means for ensuring homeland coastal security and defense for domestic ports, while asserting its regulatory authority to enforce international security standards. International engagement and expeditionary efforts by the Coast Guard in support of DOD would be limited under this view, as funding and other Coast Guard mission

obligations permit. For example, some have challenged the Bush Administration for projecting military force around the world in the GWOT instead of funding infrastructure improvements for domestic ports.¹⁶⁵ Moreover, the vast majority of first responders at the Federal, state and local level suffer from a lack of preparation and coordination, especially for catastrophic incidents involving weapons of mass destruction.¹⁶⁶ Advocates of this *status quo* would prefer that resources be spent ensuring the preparation and readiness of these domestic capabilities, including the readiness of Coast Guard enhanced maritime capability teams to support domestic maritime security.¹⁶⁷ While many of the teams deploy in support of the geographic combatant commanders or focus primarily on international activities, they at all times remain available to support and augment regular Coast Guard forces and domestic homeland security operations under DHS and Coast Guard operational control. Transforming Coast Guard enhanced maritime capabilities into a SOF effectively results in their use primarily outside the continental U.S. to support geographic combatant commanders, relegating domestic security and maritime law enforcement almost exclusively to regular Coast Guard forces that may not have the special training and skills for higher tempo operations. While expanding the units and retaining a portion of the capability under Coast Guard operational control for homeland security may mitigate the impact of Coast Guard SOF integration, such an expansion would be untenable because of the perceived duplication of effort and cost.

Others may also support this *status quo* by questioning the feasibility and wisdom of a perceived expansion in Coast Guard missions at a time when it is already having difficulty balancing its multi-mission portfolio domestically within the Department of Homeland Security.¹⁶⁸ The divided responsibilities that come with a multi-mission service, mixed with politics, aggravate the Coast Guard's difficulties. A shift or reprioritization of assets and personnel that would be required to develop Coast Guard SOF capabilities and expand international engagement may meet political resistance as a retrenchment from the legacy missions of maritime safety, environmental protection, or search and rescue.¹⁶⁹ There is a general prohibition of any degradation in the Coast Guard's "non-homeland security missions" without congressional approval.¹⁷⁰

Finally, the fiscal and policy wisdom of Coast Guard expansion into special operations will likely raise questions in light of the need, as previously discussed, for greater interoperability between the Coast Guard and conventional naval forces within the U.S. littoral. Some could rightly argue that promoting Coast Guard/Navy cooperation in the context of MHL, including alignment between Coast Guard port and littoral assets and U.S. Navy domestic coastal warfare capabilities, is a better use of scarce funds rather than developing a Coast Guard SOF. The

President's recent direction to DHS and DOD to jointly lead an interagency effort to develop a *National Strategy for Maritime Security* bolsters this argument. This direction addresses, in part, the need to identify the potential maritime threats against the United States and to clarify the respective roles of the various agencies in addressing these threats.¹⁷¹ This is a clear reflection that much remains to be done to define the responsibilities of the Coast Guard and USNORTHCOM (as the combatant commander for the U.S. Homeland) and the concomitant distinction between MHLA and maritime homeland security (MHLS).

MHLA is generally defined as the effort to “deter, prevent and, when necessary, defeat transnational maritime threats” to the U.S. Homeland.¹⁷² DOD is the lead federal agency for MHLA operations.¹⁷³ MHLS comprises those efforts to prevent and protect the U.S. Maritime Domain and marine transportation system against terrorist attacks, reduce the vulnerabilities of the U.S. Maritime Domain to such attacks, and to minimize the damage and recover from such attacks that may occur within the U.S. Maritime Domain.¹⁷⁴ However, these are not “mutually exclusive” concepts: It is evident that MHLA and MHLS overlap and the characterization of an incident as MHLA or MHLS can have substantial implications on the “who” and which authorities are properly employed to address the incident.¹⁷⁵ It is important, therefore, that DHS - through the Coast Guard - and DOD - through USNORTHCOM - closely coordinate to ensure a unity of effort and the proper exercise of legal authority and force.¹⁷⁶ The recent establishment of a Maritime Policy Coordinating Committee to ensure the effective implementation of the National Maritime Security Policy when it is issued, consistent with the President's directive, further reinforces this.¹⁷⁷ Developing and resourcing a Coast Guard SOF when these fundamental DOD/DHS relationships and response plans remain to be developed or refined seems imprudent.

Potential Legal Complications

Although the Nunn-Cohen Act only contemplated a restructuring of special operations forces assigned to DOD, the Secretary of Defense has the legal authority to designate “any forces of the armed forces” as SOF.¹⁷⁸ Therefore, it is reasonable to assume that qualified Coast Guard elements, as an armed force at all times under Title 14 of the U.S. Code, are eligible for designation as SOF that would then fall within USSOCOM jurisdiction. However, since the Homeland Security Act, which constitutes the latest expression of congressional intent, does not expressly authorize Coast Guard integration into USSOCOM, it could arguably undermine the statutory authority of the Secretary of Homeland Security in overseeing Coast Guard budgeting and operations. The Act expressly assigns the Secretary of Homeland

Security direction, control, and authority over all elements within DHS.¹⁷⁹ It could also contravene the legislative reservation of authority for the Secretary of Homeland Security to “engage in warfighting, the military defense of the United States, or other traditional military activities. . . .”¹⁸⁰ However, notwithstanding this limitation, the Act includes a savings clause that preserves the authorities of the armed forces, of which the Coast Guard is a part, to engage in military activities and warfighting.¹⁸¹ The Act also directs the Commandant of the Coast Guard to carry out all of assigned statutory responsibilities, including naval readiness (emphasis added).¹⁸² One can rightly conclude that the Homeland Security Act does not impair the Coast Guard’s ability to become part of USSOCOM. However, since Coast Guard integration into USSOCOM was not expressly authorized, nor can it fairly be said to be a traditional military activity of the Coast Guard regarding naval readiness that existed when the Homeland Security Act was debated, a potential legal question merits further consideration before the Coast Guard seriously entertains integration into USSOCOM.

At a minimum, integration could frustrate congressional intent to create a separate and distinct department having program and budgetary responsibility for the Coast Guard. Although this ultimately may be more of a political concern than a legal one, it does warrant caution. Interestingly, the MOA between DOD and DHS regarding the inclusion of the Coast Guard in MHLA is careful to point out that the agreement does not affect “the tactical and operational integrity of Departmental organizations,” nor does it impose any particular “programming or budgeting obligations on either Department.” This is strong evidence of the potential sensitivities concerning respective Department identities and authorities of DOD and DHS.

The greatest legal issue that begs for caution with Coast Guard integration into USSOCOM is the potential impact on the ability of a Coast Guard SOF to continue to enjoy an exemption under the Posse Comitatus Act (PCA). The PCA, as expanded by other provisions of law, restricts the military (those operating under authority of title 10 of the U.S. Code) from directly engaging in law enforcement.¹⁸³ The PCA expressly excludes the Coast Guard from its restrictions in recognition of the Coast Guard’s maritime law enforcement responsibilities and authorities. While the DOD military services operating under title 10 authority may generally support law enforcement activities, including those of the Coast Guard, through the use of equipment, information and personnel, these military services may not become directly or actively involved in law enforcement, nor can they infringe on activities that are inherently the province of civilian law enforcement.¹⁸⁴ The PCA only applies domestically, but DOD policy has extended the restrictions extraterritorially.¹⁸⁵ To illustrate, when Coast Guard LEDETs operate from a U.S. Navy ship for counterdrug operations, tactical control of the U.S. Navy ship must be

temporarily shifted to the Coast Guard for the duration of a suspect ship seizure or the arrest of a suspected crewmember by the LEDET.¹⁸⁶ This avoids the perception that the U.S. Navy is actually exercising law enforcement authority or in any way controlling the Coast Guard's law enforcement activity. During this temporary shift of tactical control, the U.S. Navy follows the Coast Guard's use of force policy.¹⁸⁷ Furthermore, while the Coast Guard is exempt from the PCA when operating under DHS, it would lose that exemption upon transfer to the U.S. Navy pursuant to a declaration of war or at the direction of the President.¹⁸⁸ This further reinforces the legal requirement for a clear separation of control as the Coast Guard exercises law enforcement authority.

Given the level of authority and oversight that USSOCOM has over all SOF forces, and the control that geographic combatant commanders have over SOF in theater, these legal issues significantly complicate Coast Guard integration into USSOCOM. The constant concern over the tactical control of Coast Guard SOF during special operations activities, especially for MIO and the PSI, would be onerous. It also creates an unacceptable situation where Coast Guard SOF may not exercise law enforcement authority in domestic operations where USSOCOM, as a force provider, assigns those Coast Guard SOF to NORTHCOM in support of civil law enforcement agencies. Under the current protocol, the Coast Guard SOF, like other SOF, has a civil support role under the control of NORTHCOM as the responsible geographic commander, rather than as a Coast Guard force provided independently by the Coast Guard under its lead role for federal maritime security. This defeats the main purpose of creating Coast Guard special mission capabilities and erodes perhaps the most unique and fundamental aspect of Coast Guard forces as being at all times multi-mission, maritime enforcement, and military. Certainly, innovative command relationships and the creative shifting of tactical control when necessary can avoid these legal issues, but the question remains whether it is wise to go through such machinations to accommodate a Coast Guard SOF when its special capabilities would still otherwise be available to support all combatant commanders without integration into USSOCOM.

RECOMMENDATION: IMPROVED COAST GUARD LIAISON WITH USSOCOM

A Coast Guard SOF would generally benefit the Coast Guard by improving operational coordination with similar DOD specialized maritime capabilities, domestically and abroad, primarily in the littorals. Integration into USSOCOM would also give the Coast Guard greater access to specialized training, especially language and cultural to support international engagement, provide additional funding through MFP-11 to support specific Coast Guard SOF

capabilities, and also reinforce the relevance of the Coast Guard's status as an armed force. A Coast Guard SOF would benefit USSOCOM by proving a force multiplier for its core tasks and collateral activities, and give USSOCOM and the geographic combatant commanders greater flexibility in FID and civil affairs by using a specialized maritime force whose structure, personnel and capabilities are similar to most foreign navies. However, after doing the calculus, it seems evident that, on balance, the potential drawbacks of developing a true Coast Guard SOF for integration into USSOCOM outweigh these potential benefits. The potential political, funding, and legal obstacles are too great to tackle at a time when DOD and DHS roles and responsibilities for MHLA and MHLD continue to mature and public policy for homeland security is being refined. The USSOCOM role in the GWOT also continues to evolve. While the Coast Guard would offer USSOCOM some unique capabilities and be a force multiplier at a time when SOF missions are expanding, Coast Guard capabilities would be largely redundant to those already provided by the NAVSPECWARCOM. In addition, while the Coast Guard's status as an armed force is more prominent since September 11, 2001, the Coast Guard has limited offensive capability and is more accustomed to operating in a lower threat environment than SOF. Nevertheless, the Coast Guard special mission capabilities remain available to support the geographic combatant commanders and efforts are ongoing to ensure better interoperability between the Coast Guard and the Navy.

However, the Coast Guard should not foreclose the possibility of developing a Coast Guard SOF at some point in the future. Looking again at the USMC experience, the commonality and compatibility between the MEU SOCs and SOF, together with the ongoing shortage of SOF assets, pushed the USMC and USSOCOM to explore options for USMC integration and support to USSOCOM, even at a time when the USMC disfavored developing a SOF capability.¹⁸⁹ The USMC and USSOCOM convened several boards and conferences to examine gaps and consider potential USMC capabilities to fill those gaps, which in turn helped to ultimately define the roles, tasks and requirements of USMC SOF (Detachment 1) once it was created.¹⁹⁰ Likewise, the Coast Guard should engage USSOCOM, and the Naval Special Warfare Command in particular, to begin a similar dialogue to determine what gaps and seams the Coast Guard may fill for USSOCOM. The best overture would be to assign a Coast Guard liaison officer to USSOCOM to not only begin this process, but to also work on interoperability issues related to Coast Guard special mission forces and USSOCOM. The Coast Guard liaison officer would also be a vital conduit between the CGEMCC and USSOCOM.

CONCLUSION

Coast Guard enhanced maritime capability forces are essential to meeting the growing challenges of the Coast Guard's expanding homeland security missions. However, the Coast Guard's ability to sustain mission effectiveness, domestically and abroad, is at risk because of the fragmented, decentralization and uncoordinated command, deployment, and use of these forces. Duplication in many of these dispersed capabilities is also eroding mission efficiency. Furthermore, the international community views the Coast Guard as the preeminent maritime security service – one to be emulated by other nations, especially those that rely on maritime commerce. Surprisingly, the Coast Guard has yet to fully harmonize its international engagement strategy with the objectives of its deployable maritime security forces. To remain viable and relevant, Coast Guard enhanced maritime capabilities, including certain aspects of the Coast Guard's international outreach efforts for port and maritime security, need to be realigned and consolidated. This must not simply be an internal reorganization; there must be a change in philosophy that seeks to maximize these consolidated forces for a range of high risk homeland security missions for are generally beyond the capability of regular Coast Guard units. The problems facing Coast Guard enhanced maritime capability forces are not unlike those that plagued special operations forces in DOD prior to the creation of USSOCOM. USSOCOM was formed to improve planning and coordination of SOF activities by enhancing joint doctrine, training, intelligence support, and command and control to ensure a unity of effort. This is a valuable lesson for the Coast Guard, which should likewise unify its special capabilities similar to the USSOCOM model, albeit on a smaller, more service-specific scale.

This realignment and consolidation will permit the Coast Guard to better promote all the elements of national power – diplomatic, information, military, and economic. Diplomatically, it will ensure a more comprehensive international outreach effort in developing foreign security, law enforcement, and response capabilities of host nations, consistent with the *National Security Strategy*. These efforts will also be more responsive to, and have greater consistency with, the geographic combatant commander's TSCPs. Furthermore, the consolidation and realignment of enhanced maritime capabilities will expand maritime domain awareness to develop a better Common Operational Picture of maritime activity for sorting and classifying potential threats. Economically, the Coast Guard's efforts might better concentrate on protecting maritime mobility and ensuring the security of maritime commerce. From the military perspective, the new command will provide greater flexibility in fielding Coast Guard expeditionary forces and ensuring that these forces have the right doctrine, training, skills, and

the optimum mix of personnel to conduct operations to support the geographic combatant commanders.

Looking to USSOCOM as a template for unifying Coast Guard enhanced maritime capabilities leads to the inevitable question of whether the Coast Guard should further develop this capability into a true SOF to ensure a more exact unity of effort between all the military services. Coast Guard integration with USSOCOM does have some mutual benefits; especially as SOF face ever-increasing demands in the GWOT. However, there are serious potential drawbacks – practically, politically, and legally. The USMC experience in creating a SOF is instructive for the Coast Guard, which would likely have the same reservations and concerns initially expressed by the USMC. Furthermore, the Coast Guard forces operate in lower threat environments as a perimeter or protective force rather than an offensive capability. The Coast Guard is not accustomed to operating in environments involving the isolation and physical and political risk attendant with SOF missions. At best, Coast Guard operations appear to duplicate the capabilities of the NAVSPECWARCOM. It seems premature therefore for the Coast Guard to take this step, given the resource challenges it faces in meeting all of its title 14 and title 10 responsibilities in a time of massive change for the Service. In fact, “[t]he Coast Guard’s homeland security role is still evolving,”¹⁹¹ and it would be premature to move towards USSOCOM integration until the Coast Guard’s role in DHS and its relationships with DOD regarding MHLA is more mature.

Nevertheless, the Coast Guard should detail a Coast Guard liaison officer to serve on staff at USSOCOM. This liaison officer would be the first important step in working with USSOCOM in a committed way to study and consider whether a Coast Guard SOF could add significant value to USSOCOM’s mission portfolio and, if so, how that capability would meet both Coast Guard and USSOCOM requirements. Moreover, the liaison officer would be a valuable and continuous link between the CGEMCC and USSOCOM to ensure better interoperability and coordination where Coast Guard enhanced maritime capabilities support and work in tandem with SOF in promoting the geographic combatant commanders’ objectives. All told, this would smooth the path for developing a Coast Guard SOF if, at some future date, the balance shifted and the potential benefits of developing such a capability outweighed the drawbacks.

WORD COUNT= 13,413

ENDNOTES

¹ Gail Luft and Anne Korin, "Terrorism Goes to Sea," *Foreign Affairs* 83, no. 6 (2004): 62.

² Interagency Task Force on the Marine Transportation System, *An Assessment of the Marine Transportation; A Report to Congress* (Washington D.C.: U.S. Government Printing Office, September 1999), 2.

³ Ibid.

⁴ Ibid.

⁵ Ibid., 26.

⁶ Luft and Korin, 67.

⁷ George W. Bush, "President's Remarks on West Coast Ports," 8 October 2002; available from <<http://www.whitehouse.gov/news/releases/2002/10/20021008-4.html>>; Internet; accessed 28 September 2004.

⁸ Luft and Korin, 64.

⁹ Congress, House, Committee on Armed Services, Special Oversight Panel on the Merchant Marine, *Vessel Operations Under "Flags of Convenience" and Their Implications on National Security, Hearing Before the Special Oversight Panel on the Merchant Marine, 107th Cong., 2^d sess., 13 June 2002, 25.*

¹⁰ Ibid., 87-88, 103.

¹¹ Ibid., 27.

¹² Luft and Korin, 61-62.

¹³ Ibid., 62.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Ibid., 65.

¹⁷ Ibid.

¹⁸ VADM Thomas Collins, "Maritime Security Plan," speech, U.S. Naval Institute. Annapolis, MD, 3 April 2002; available from <<http://www.uscg.mil/Commandant/Maritime%20Security%20Plan%20USNI.htm>>; Internet; accessed 20 September 2004.

¹⁹ Ibid.

²⁰ *Homeland Security Act of 2002, U.S. Code, vol.6, sec. 888 (2004)* [hereinafter HSA].

²¹ Department of Homeland Security, *National Response Plan* (Washington D.C.: U.S. Department of Homeland Security, November 2004), ESF #13-7.

²² U.S. Code, vol. 14, sec. 1 (2004).

²³ *Ibid.*, sec. 3.

²⁴ In 1998, the Coast Guard established a helicopter interdiction tactical squadron (HITRON 10) to employ an airborne use of force capability to counter the use of go-fast boats in drug trafficking. See U.S. Coast Guard, "Helicopter Interdiction Tactical Squadron," available at http://www.uscg.mil/hq/g-cp/history/AC_HITRON_History.html; Internet; accessed 22 January 2005. This initiative, which uses specially equipped helicopters, broke a longstanding paradigm in the Coast Guard against using aviation assets in operations requiring the direct use of deadly force. The Coast Guard recently expanded the mission of HITRON 10 to include maritime homeland security. However, the use of force capability of the aircraft is limited to standard machine guns operated by door gunners. HITRON 10 is not yet designed to deploy in support of the geographic combatant commanders and operates only from deployed Coast Guard cutters and within the domestic port environment. This distinguishes HITRON from the other special mission capabilities identified herein. This paper does not advocate integrating HITRON 10 into the proposed Special Missions Command at this time for these reasons. At some future time, as the capability and its doctrine mature and the Coast Guard fully develops the concept, including possibly expanding the number of HITRON units, consideration should be given to whether this capability can be properly consolidated into the Enhanced Maritime Capabilities Command.

²⁵ U.S. Coast Guard Atlantic Area Command, "Maritime Operations Command," Draft concept document, Portsmouth, VA, n.d., 1.

²⁶ *Ibid.*

²⁷ Department of Defense, *Quadrennial Defense Review Report (QDR)* (Washington D.C.: U.S. Department of Defense, 30 September 2001), IV-V, 14.

²⁸ VADM James Hull, CDR Cari Thomas and LCDR Joe DiRenzo, "What Is the Coast Guard Doing in Iraq?" *U.S. Naval Institute Proceedings*, August 2003 [journal online]; available from <http://www.usni.org/proceedings/Articles03/PROHull08.htm>; Internet; accessed 28 September 2004.

²⁹ U.S. Coast Guard Pacific Area, "Port Security Unit 305," available from <http://www.uscg.mil/lantarea/psu/305/aboutus.htm>; Internet; accessed 9 December 2004.

³⁰ J.R. Wilson, "Coast Guard Expeditionary Forces," *The United States Coast Guard: Shield of Freedom* (Washington D.C.: U.S. Coast Guard, 2004), 45, 48.

³¹ Hull.

³² CDR Sean Burke, Coast Guard Office of Defense Operations, telephone interview by author, 18 November 2004.

³³ Coast Guard, *Maritime Safety and Security Teams (MSST) Program (Draft)*, COMDTINST M3510.3 (Washington D.C.: U.S. Coast Guard, n.d.), 2.

³⁴ *Ibid.*

³⁵ *Ibid.*

³⁶ *Ibid.*, 2. The Coast Guard Atlantic and Pacific Areas are each commanded by a vice admiral. These commanders have operational control over most Coast Guard assets assigned within their respective areas. They report directly to the Commandant.

³⁷ *Ibid.*, 4.

³⁸ *Ibid.*, 5.

³⁹ Coast Guard Pacific Area, "Pacific Tactical Law Enforcement Team," available from <<http://www.taclet.com>>; Internet; accessed 9 December 2004.

⁴⁰ *Ibid.*

⁴¹ Collins, "Maritime Security Plan," 6.

⁴² Coast Guard, "Press Release: Coast Guard Strike Team Members to Return from Operation Enduring Freedom," available from <<http://www.uscg.mil/pacarea/news/newsreleases/2003/Apr/apr21StrickTeam.htm>>; Internet; accessed 22 January 2005.

⁴³ U.S. Coast Guard National Strike Force, "Year in Review (2003)," available from <<http://www.uscg.mil/hq/nsfweb/download/20pageyir.pdf>>; Internet; accessed 22 January 2005.

⁴⁴ Juliana Gittler, "Coast Guard Hazmat Team Joins Tsunami Relief Effort." *Stars and Stripes* [journal online], 21 January 2005, available from <<http://www.stripesonline.com/article.asp?section=104&article=25748&archive=true>>; Internet; accessed 24 January 2004.

⁴⁵ National Strike Force, 2003 Year in Review.

⁴⁶ *Ibid.*

⁴⁷ *Ibid.*

⁴⁸ The International Maritime Organization (IMO) is a specialized agency of the United Nations whose mission is to promote safer ships, cleaner seas, and a more secure maritime environment. The Coast Guard has been delegated authority by the U.S. State Department to negotiate at IMO on behalf of the United States to develop international conventions and standards related to maritime shipping. As such, Coast Guard officials serve as the heads of the U.S. delegations to the various IMO committees and subcommittees. More information on IMO can be found at <<http://www.imo.org>>.

⁴⁹ *Maritime Transportation Security Act*, Code, vol. 46, secs. 70101-70111 [hereinafter *MTSA*].

⁵⁰ RADM Larry Hereth, Director of Coast Guard Port Security, Statement to Congress, House, Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, *Implementation of the Maritime Transportation Security Act*, 108th Cong., 2^d sess., 9 June 2004, 2; available from <<http://www.house.gov/transportation/cgmt/06-09-04/hereth.pdf>>; Internet; accessed 25 September 2004.

⁵¹ *MTSA*, sec. 70108.

⁵² Coast Guard, International Affairs, "Training and Technical Assistance," available from <<http://www.uscg.mil/hq/g-ci/intl.htm>>; Internet; accessed 29 September 2004.

⁵³ *Ibid.*

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*

⁵⁸ Coast Guard Atlantic Area Draft "Maritime Operations Command" concept document, 1,2.

⁵⁹ *Ibid.*

⁶⁰ *Ibid.*, 2, 8.

⁶¹ Wendy C. Grimes, "Comprehensive Perimeter Security: Merging the Border Patrol and the U.S. Coast Guard," *Joint Center for Operations Analysis and Lessons Learned Quarterly Journal* 7 no.1 (2004), 72.

⁶² Codified at *U.S. Code*, vol. 10, sec. 167 (2004).

⁶³ Special Operations Command, *Special Operations Posture Statement 2003-2004* (MacDill Air Force Base, FL: U.S. Special Operations Command, 2003), 7.

⁶⁴ *Ibid.*, 8-9.

⁶⁵ *Ibid.*

⁶⁶ Joint Chiefs of Staff, *Unified Action Armed Forces (UNAAF)*, Joint Pub 0-2 (Washington, D.C.: U.S. Joint Chiefs of Staff, 10 July 2001), II-15.

⁶⁷ *SOF Posture Statement*, 9.

⁶⁸ *UNAAF*, II-15. See also *SOF Posture Statement*, 9. It should be noted, however, that USSOCOM is not the combatant commander for Marine Corps Reserve Civil Affairs Groups.

⁶⁹ *Ibid.*

⁷⁰ *U.S. Code*, vol. 10, sec. 167(j).

⁷¹ *SOF Posture Statement*, foreword.

⁷² *Ibid.*, 7.

⁷³ Special Operations Command, *Attributes for Special Operations Forces (SOF)* (MacDill Air Force Base, FL: U.S. Special Operations Command, 7 November 2002), 2.

⁷⁴ Ronzelle L. Green and Kevin Richardson, "The Coast Guard Port Security Unit as a Deployable Asset in National Defense," *Joint Center for Operations Analysis and Lessons Learned Quarterly Journal* 7, no.1 (2004), 87.

⁷⁵ P. J. Capelotti, *Rogue Wave* (Washington D.C.: U.S. Coast Guard, 2004), 166-167.

⁷⁶ *Ibid.*

⁷⁷ A National Special Security Event (NSSE) is an event designated by the Secretary of Homeland Security, in consultation with the Homeland Security Council, under Homeland Security Presidential Directive 7 (HSPD 7). Many factors are considered in designating an NSSE, including the expected dignitaries, the size of the event, and its national significance from an historic, political, or symbolic perspective. The lead federal agency for ensuring security at NSSE's is the Secret Service. NSSE events have included national sporting events (Superbowl), national political conventions, and presidential inaugurations.

⁷⁸ Jon T. Sumida, *Inventing Grand Strategy and Teaching Command* (Washington D.C.: Woodrow Wilson Center, 1997), 107-108.

⁷⁹ George W. Bush, *The National Security Strategy of the United States of America* (Washington D.C.: The White House, September 2002), Foreword.

⁸⁰ *Ibid.*, 5-7.

⁸¹ *Ibid.*, 6.

⁸² John L. Gaddis, "A Grand Strategy," *Foreign Policy*, no. 133 (November/December 2002), 51, 56.

⁸³ George W. Bush, *National Strategy for Homeland Security* (Washington D.C.: The White House, July 2002), 59.

⁸⁴ *Ibid.*, 60.

⁸⁵ U.S. Coast Guard, International Affairs, "Training and Technical Assistance."

⁸⁶ *Ibid.*

⁸⁷ National Commission on Terrorist Attacks Upon the United States, *The 9/11 Commission Report: The Final Report of the National Commission on Terrorist Attacks Upon the United States* (New York: W.W. Norton & Co., Inc., 2004), 391.

⁸⁸ Collins, "Maritime Security Plan," 4.

⁸⁹ Scott C. Truver, "Maritime Domain Awareness: If it Moves in the Maritime Domain . . . the Coast Guard Will Know," *The United States Coast Guard: Shield of Freedom* (Washington D.C.: U.S. Coast Guard, 2004), 114.

⁹⁰ Collins, "Maritime Security Plan," 7.

⁹¹ Jeffrey High, Director of Coast Guard Maritime Domain Awareness Integration, Statement to Congress, House, Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, *The U.S. Coast Guard's Maritime Domain Awareness Efforts*, 108th Cong., 2d sess., 6 October 2004, 4; available from <<http://www.house.gov/transportation/cgmt/1-06-04/high.pdf>>; Internet; accessed 25 November 2004.

⁹² *Ibid.*, 5.

⁹³ *Ibid.*, 1.

⁹⁴ *Ibid.*, 6.

⁹⁵ *Ibid.*

⁹⁶ See, for example, the Coast Guard's Maritime Homeland Security Strategy that identifies "near-term initiatives" to increase MDA. None of the items listed relates to the Coast Guard's international activities or special mission operations. Admiral Thomas Collins, *The Maritime Strategy for Homeland Security* (Washington D.C.: U.S. Coast Guard, December 2002), 26. However, it is important to understand that this strategy was issued prior to the full development of either the MDA concept or the foreign port assessment program.

⁹⁷ *QDR*, 37.

⁹⁸ *Ibid.*

⁹⁹ John C. Knie, *Special Forces Skills: Are they Special Enough*, Strategy Research Project (Carlisle Barracks: U.S. Army War College, 9 April 2002), 5-6.

¹⁰⁰ Samuel A. Southworth and Stephen Tanner, *U.S. Special Forces – A Guide to America's Special Operations Units – the World's Most Elite Fighting Force* (Cambridge, MA: DaCapo Press, 2002), 211.

¹⁰¹ *SOF Posture Statement*, 90.

¹⁰² Mark A. Clark, *Should the Marine Corps Expand Its Role in Special Operations*, Strategy Research Project (Carlisle Barracks: U.S. Army War College, 7 April 2003), 5-10.

¹⁰³ *Ibid.*

¹⁰⁴ *Ibid.*, 24, quoting LTCol Rogish.

¹⁰⁵ *Ibid.*, 1.

¹⁰⁶ *Ibid.*, 3-4.

¹⁰⁷ Ibid., 15.

¹⁰⁸ Christopher Forando, "Special Ops Needs a New Player," *U.S. Naval Institute Proceedings* 123, no. 10 (October 1997), 48.

¹⁰⁹ *MSST Program*, 3-1.

¹¹⁰ *SOF Posture Statement*, 77.

¹¹¹ Joint Chiefs of Staff, *Doctrine for Combat Search and Rescue*, Joint Pub 3-50.2 (Washington D.C.: U.S. Joint Chiefs of Staff, 26 January 1996), E-1.

¹¹² Ibid.

¹¹³ Ibid., I-1.

¹¹⁴ Joint Pub 3-50.2, I-1.

¹¹⁵ Ibid.

¹¹⁶ See Northern Command, *Homeland Defense Concept of Employment (Draft)*, (Peterson AFB, CO: U.S. Northern Command, n.d.), 3-17. MIO is normally conducted to enforce UN sanctions and to prevent contraband items, such as weapons and other unauthorized items, from entering a theater of operations or to support peacekeeping efforts. MIO protocol involves a process of Visit, Board, Search and Seize (VBSS) to intercept suspected vessels. MIO has been expanded (E-MIO) to include VBSS to intercept vessels and personnel that pose an imminent threat to the United States, irrespective of sanctions. E-MIO has become an important maritime mission set for USNORTHCOM.

¹¹⁷ Special Operations Command, *History: 15th Anniversary* (MacDill AFB, FL: U.S. Special Operations Command, 16 April 2002), 69.

¹¹⁸ State Department, "Proliferation Security Initiative: Frequently Asked Questions (FAQ)," available from <<http://www.state.gov/t/np/rls/fs/32725.htm>>; Internet; accessed 15 October 2004.

¹¹⁹ Ibid.

¹²⁰ Knie, 10.

¹²¹ *9/11 Commission Report*, 380-1.

¹²² Civil Affairs is defined as "Designated Active and Reserve component forces and units organized, trained, and equipped specifically to conduct civil affairs activities and to support civil-military operations." Civil affairs activities are those "activities performed or supported by civil affairs that (1) enhance the relationship between military forces and civil authorities in areas where military forces are present; and (2) involve application of civil affairs functional specialty skills, in areas normally the responsibility of civil government, to enhance conduct of civil-military operations." Joint Pub 1-02, 86.

¹²³ Foreign Internal Defense is defined as: "Participation by civilian and military agencies of a government in any of the action programs taken by another government or other designated organization to free and protect its society from subversion, lawlessness, and insurgency. Joint Pub 1-02, 212.

¹²⁴ Joint Chiefs of Staff, *Joint Doctrine for Military Operations Other Than War*, Joint Pub 3-07 (Washington D.C.: U.S. Joint Chiefs of Staff, 16 June 1995), III-10.

¹²⁵ Burke.

¹²⁶ Luft and Korin, 69.

¹²⁷ Radio Singapore International, "Singapore, Malaysia and Indonesia Launch Trilateral Coordinated Patrols of the Malacca Straits," [journal online], 21 July 2004, available from <http://www.rsi.com.sg/english/newsline/view/2004072119382/1/.html> > Internet; accessed 24 January 2004.

¹²⁸ Ibid, 70.

¹²⁹ Forando, 45.

¹³⁰ Wilson, 49.

¹³¹ Joint Chiefs of Staff, *Joint Doctrine for Civil Affairs*, Joint Pub 3-57.1 (Washington, D.C.: U.S. Joint Chiefs of Staff, 14 April 2003), xiii, VI-3.

¹³² MG Geoffrey C. Lambert, "The Cody Conference: Discussing the War on Terrorism and the Future of SF," *Special Warfare* 16, no. 4 (May 2004): 20.

¹³³ Ibid., 22.

¹³⁴ Ibid., 24.

¹³⁵ Ibid., 23.

¹³⁶ Ibid., 24.

¹³⁷ Roxana Tiron, "Special Operators Must Change to Win War," *National Defense* 88, no. 605 (April 2004): 16.

¹³⁸ Knie, 11.

¹³⁹ Bruce Pirnie and Margaret C. Harrell, *Analysis of Special Operation Forces in Decision Aids: Current Short Falls* (Santa Monica, CA: Rand, 1994), 5.

¹⁴⁰ Capelotti, 165.

¹⁴¹ Ibid.

¹⁴² Clarence A. Robinson, Jr., "Supporting Combatant Commanders: The Coast Guard Assigns Vital Assets to Theaters of War, Deploying Them Via Air, Ground, and Sea," *The United States Coast Guard: Shield of Freedom* (Washington D.C.: U.S. Coast Guard, 2004), 24.

¹⁴³ Christopher J. Castelli, "DoD Develops Homeland Defense Strategy, Advocates Maritime NORAD," *Navy News* 2 August 2004, Reserve Officers Association, available from <http://www.roa.org/military_section/navy_details.asp?id+2805>; Internet; accessed 28 September 2004.

¹⁴⁴ David F. Blackburn, *Use of the National Fleet Concept in Maritime Homeland Security and Defense* (Newport, RI: U.S. Naval War College, 16 May 2003), 1.

¹⁴⁵ Charles S. Hamilton and Patrick M. Stillman, "Charting New Seas: Navy-Coast Guard Cooperation," *Joint Force Quarterly* 35 (October 2004): 50.

¹⁴⁶ *Memorandum of Agreement Between the Department of Defense and the Department of Homeland Security for the Inclusion of the U.S. Coast Guard in Support of Maritime Homeland Defense*, signed but n.d.

¹⁴⁷ Ibid. See also enclosure 1, p.2, to this MOU.

¹⁴⁸ Ibid., 53.

¹⁴⁹ 9/11 Commission Report, 400-428.

¹⁵⁰ Eric Schmitt and Thom Shanker, "Special Warriors Have Growing Ranks and Growing Pains in Taking Key Anti-terror Role." *New York Times*, 2 August 2004, sec A, p.8.

¹⁵¹ Ibid., 10.

¹⁵² Marine Corps, "Information Paper, History (Supported by Hard Data) as to Why the Marine Corps Did Not Participate in the Standup of SOCOM," revised 5 March 2003; available from <<http://hqinet001.hqmc.usmc.mil/pp&o/POE/POE-301/main%20page.htm>>; Internet; accessed 29 September 2004.

¹⁵³ Ibid.

¹⁵⁴ Ibid.

¹⁵⁵ Ibid.

¹⁵⁶ Ibid.

¹⁵⁷ Clark, 10.

¹⁵⁸ Ibid., 11.

¹⁵⁹ Ibid., 10-11.

¹⁶⁰ Laurence D. Nicholson, *An Analysis of the Twenty-One Mission of the Marine Corps Expeditionary Unit (Special Operations Capable)* (Defense Technical Information Center: Ft. Belvoir, VA, 1994), 8.

¹⁶¹ Scott R. Gorley, "MEU SOCs". Special Operations Technology Online Edition 2, issue 6, 13 September 2004 [journal online]; available from <<http://www.sotech-kmi.com/articles.cfm?DocID=606>>: Internet; accessed 29 September 2004.

¹⁶² Clark, 33.

¹⁶³ Marine Corps Information Paper.

¹⁶⁴ Clark, 11-12.

¹⁶⁵ Stephen Flynn, "The Neglected Homefront," *Foreign Affairs* 83, no. 5 (September/October 2004): 22-23.

¹⁶⁶ Council on Foreign Relations. *America – Still Unprepared, Still in Danger* (New York, N.Y.: Council on Foreign Relations, 2002), 212-16.

¹⁶⁷ Discussions with Coast Guard senior staff about the concepts and proposals in this paper highlight this as an internal debate as well. On the one hand, an Anteon Corporation study, done in 2004 for the Coast Guard regarding the future concept of operations for ports, waterways and coastal security, recommends establishing a Coast Guard deployable security force for the "North American" hemisphere. This study therefore sees the need for a specialized, deployable force that can be used both domestically and abroad, but seems to limit deployment to the Western Hemisphere and the Americas. This necessarily excludes the foreign port assessment program and international training, and also neglects Coast Guard efforts in the Middle East. Bruce Stubbs <brucestubbs@msn.com>, "FYI Mega CONOPs Study as a Possible Reference," electronic mail message to author <steven.poulin@carlisle.army.mil>, 13 February 2005. On the other hand, at least one commenter generally favored a consolidation of enhanced maritime capability units, but only to be focused on domestic port and maritime security as the greatest and most immediate need. One of the benefits of creating the CGEMCC is that the Coast Guard could consolidate units in a scalable fashion. Ultimately, each of the units identified in this paper should be consolidated in the CGEMCC, but the Coast Guard could start by consolidating those units that can address the most immediate operational requirements, such as the MSSTs, PSUs, and TACLET/LEDETs. The CGEMCC could then expand by bringing in other enhanced maritime capability units as funding and commitments permit.

¹⁶⁸ James C. Benton and Adriel Bettelheim, "New Homeland Security Duties Spotlight Service's Juggling Act," *CQ Weekly*, 30 March 2002, 860. Although it is beyond the scope of this paper, DHS needs to look at the intra-departmental relationships between the various DHS operational agency special capabilities. There will likely need to be a defined DHS organizational structure that ensures alignment between the special capabilities of the U.S. Secret Service, Customs and Border Protection, Border Patrol, Immigrations and Customs Enforcement, and the CGEMCC. Within DOD, the Office of the Assistant Secretary for Special Operations and Low Intensity Conflict (SO/LIC) has overall supervision of SOF activities, including oversight and resources, and acts as the primary adviser to the Secretary of Defense for SO/LIC issues. DHS will likely need a similar departmental office.

¹⁶⁹ Ibid.

¹⁷⁰ HSA, *U.S. Code*, vol.6, sec. 888 (2004).

¹⁷¹ George W. Bush, *Maritime Security Policy: National Security Presidential Directive NSPD-41/Homeland Security Presidential Directive HSPD-13* (Washington D.C.: The White House, 21 December 2004).

¹⁷² USNORTHCOM Homeland Defense Concept of Employment, 3-16.

¹⁷³ Ibid, 3-19.

¹⁷⁴ *Maritime Strategy for Homeland Security*, 14.

¹⁷⁵ USNORTHCOM Homeland Defense Concept of Employment, 3-19.

¹⁷⁶ Ibid.

¹⁷⁷ NSPD-41/HSPD-13, 3.

¹⁷⁸ *U.S. Code*, vol. 10, sec. 167(i)(1)(C) (2004).

¹⁷⁹ HSA, *U.S. Code*, vol. 6, sec. 112 (2004).

¹⁸⁰ Ibid., sec. 456.

¹⁸¹ Ibid.

¹⁸² Ibid, sec. 113. See also *U.S. Code*, vol. 14, sec. 2 (2004).

¹⁸³ *Posse Comitatus Act, U.S. Code, U.S. Code*, vol. 18, sec.1385 (2004). Although the Posse Comitatus Act only applies to the Army and Air Force, it has been extended by DoD policy to the Navy and Marine Corps. The Posse Comitatus Act is not a complete ban on military involvement in law enforcement activity. Generally, the military services can support law enforcement operation within the certain guidelines promulgated by DoD and may also engage in direct enforcement if specifically provided by statue. The National Guard is not restricted by the Posse Comitatus Act unless it is operating under title 10 authority.

¹⁸⁴ Department of the Army, *Domestic Operations Law (DOPLAW) Handbook for Judge Advocates, 2001* (Charlottesville, VA: Center for Law and Military Operations, 15 April 2001), 17.

¹⁸⁵ Ibid., 11.

¹⁸⁶ Ibid., 48.

¹⁸⁷ Ibid.

¹⁸⁸ Ibid., 10.

¹⁸⁹ Clark, 15.

¹⁹⁰ Ibid., 16-19.

¹⁹¹ General Accounting Office, *Challenges Facing the Coast Guard as it Transitions to the New Department* (Washington D.C.: U.S. General Accounting Office, February 2003), 4.

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