

Coast Guard Law Enforcement Detachments In the War on Terror

**A Monograph
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Abstract

COAST GUARD LAW ENFORCEMENT DETACHMENTS IN THE WAR ON TERROR by LCDR Gary R. Bowen, USCG, 82 pages.

This monograph explores the role of Coast Guard law enforcement detachments (LEDETs) abroad in the post-Cold War, post-9/11 strategic security environment. Drawing on the work of National Defense University and Thomas Barnett, the author finds that the globalization of economies and markets has become the driving force of the international system, as nationalism and bipolarity had been in earlier ages. While globalization promises a better life for the developing world, it also enables transnational crime and nonstate actors such as Al Qaeda. Therefore, ala Barnett and Robert Kaplan, globalization must be managed. Those who benefit from globalization must help to extend the rule of law into the developing world. Simultaneously, the end of the Cold War has reduced the state-based threats, especially in the realm of strategic nuclear forces. In general, these factors suggest the need to revamp and improve nontraditional national security instruments such as the Coast Guard. Since a safe, secure, and functional maritime domain is a necessary and enabling condition of globalization, then much of this work falls to maritime security forces. A variety of factors suggests that the U.S. Government should expand these efforts in maritime Southeast Asia: Indonesia is home to the world's largest Muslim population; the region also is home to several designated foreign terrorist organizations with links to Al Qaeda, including Jemmah Islamiya and the Abu Sayyaf Group; the Strait of Malacca and Indonesia on their own account for 33 percent of the world's piracy and armed robbery against ships; the Strait of Malacca is one of five strategic chokepoints on which the global economy depends; and finally, the area falls within the geographic responsibility of Joint Interagency Task Force West, an existing organization that could bring all elements of national power to bear on the problem. The author recommends the Coast Guard apply its experience from the Caribbean to push for an effective regime of bilateral agreements, even if the national sovereignty concerns in the region raise the need for creative solutions. Finally, by combining this approach with the low-profile, special operations approach, the author found that Coast Guard LEDETs, operating with SOF-like capabilities, hold the potential to be highly effective in this environment. He suggested four operational concepts where LEDETs could support Special Operations Command Pacific and Joint Interagency Task Force West. In order to succeed in the end, however, the Coast Guard must make significant, radical change in the ways it organizes, trains, equips, and employs LEDETs, including the addition of a serious human intelligence capability. By making LEDETs more relevant to the strategic environment, the Coast Guard could make significant inroads against the lawlessness and insurgency, and thereby help to integrate maritime Southeast Asia into the global economy.

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INTRODUCTION

Our mandate and responsibility, indeed our passion, is serving the Nation with the best leadership, authorities, and capability we can muster.¹

Statement of Vice Admiral Thad W. Allen on his nomination to be Commandant of the U. S. Coast Guard before the Senate Committee on Commerce, Science, and Transportation

Since 11 September 2001, the United States Coast Guard has been fully engaged in reinventing itself to fulfill its responsibilities to the nation given the renewed emphasis on maritime security. After some 30 years of divergence, the Coast Guard reintegrated its operations and marine safety field commands in order to present a unified face to its many customers in the community and apply scarce resources across the spectrum of missions according to integrated priorities. In addition to reordering its own house, the Coast Guard has contributed significantly to standing up the Department of Homeland Security and its national operations center. Operationally, the Coast Guard has begun to develop the maritime security capabilities and doctrines that the nation requires in the 21st century, including maritime domain awareness; Deepwater recapitalization; offensive counterterrorist capabilities; maritime safety and security teams; integrated port, ship, and facility security plans; and measures of performance and effectiveness for critical infrastructure protection. The Coast Guard has conducted its maritime security work on balance with all the responsibilities it had on 10 September 2001 as well as new deployments in support of Operations Enduring Freedom and Iraqi Freedom. Likewise,

¹U.S. Coast Guard, "Statement of Vice Adm. Thad W. Allen on his Nomination to be Commandant of the U. S. Coast Guard before the Senate Committee on Commerce, Science, and Transportation," press release [website] (9 March 2006); Available from: <https://www.piersystem.com/go/doc/786/112274/>; Internet; Accessed 16 March 2006.

the Coast Guard's International Training Division (ITD) has continued its short-term deployment program in support of theater security cooperation plans in building the capacity of foreign maritime security forces. Coast Guard law enforcement detachments (LEDETs) have deployed 220 days per year as the versatile, reliable, innovative, and effective providers of maritime security services they always have been.² In September 2005, the Coast Guard mounted its exemplary response to Hurricanes Katrina and Rita. In sum, the Coast Guard has been very busy "doing." All of these varied activities get at the very essence of this "military, maritime, multi-mission service."³

This monograph, on the other hand, is about what the Coast Guard has *not* been doing. The author had the opportunity—comparatively rare in this service—to learn about the nation's sensitive special operations and intelligence programs and to think about how the Coast Guard's unique authorities, expertise, and capabilities might be used to buttress those programs in the very specialized maritime domain, and thereby to help the nation and its partners win the global war on terrorism (GWOT). The Coast Guard is the only organization in the United States Government with the combined authorities of a law enforcement agency, an intelligence agency, and a military service. Within the footprint of one eight-member team (the author recommends 12 members per team) or smaller sub-teams, a Coast Guard LEDET—properly organized, trained, equipped, and empowered—can, in the same operation, sort and service military targets, intelligence sources, and subjects of law enforcement interest for domestic or foreign prosecutors. A transistor normally has one input and "A" and "B" outputs. Think of LEDETs as

²Mark Ogle, e-mail to author, 14 March 2006.

³U.S. Coast Guard, "Overview," [website] (undated); Available from <http://www.uscg.mil>; Internet; Accessed 28 March 2006.

transistors with “A,” “B,” and “C” outputs. Given a boat trafficking high explosive, the LEDET can interdict the material (a military outcome), seize the material and arrest the subjects for prosecution in the host nation (a law enforcement outcome), or turn the event into an intelligence operation which can generate future military, law enforcement, or intelligence operations. Such capability in such a small package represents tremendous, untapped potential, but in order to exploit it the Coast Guard must be willing to build and maintain specialist operators. The Coast Guard must make the effort to organize, train, and equip LEDETs that can safely operate independently in remote regions where international political sensibilities preclude the use of conventional naval forces. Further, the Coast Guard should not attempt to mount such operations on its own, since it has neither the operational reach nor the primary statutory responsibility. Coast Guard LEDETs as envisioned herein will augment DOD theater special operations commands and the intelligence community with critical expertise for their ongoing GWOT operations. In return, the Coast Guard would gain critical experience against intelligent and hostile adversaries thus far not available in domestic waters.

Prior to the 11 September terrorist attacks, the nation could afford an antique Coast Guard that lived in a certain comfortable bliss, irrelevant to the state-based threats of a bipolar, nuclear, strategic environment. In the present world, where the major threats no longer emanate from states but from nonstate actors empowered with weapons of mass destruction (WMD), the Coast Guard's roles are every bit as important as those of strategic nuclear forces, and the Coast Guard has a duty to help the nation field capabilities that offer maximum chance of success in the global war on terrorism. It may

be that this fundamental shift in the strategic security environment has transformational implications for Coast Guard LEDETs.

Coast Guard LEDETs and their parent commands, the tactical law enforcement teams (TACLETs), were born in 1982 as specialized counterdrug teams intended to sail on U.S. Navy warships. Since then, LEDET operations have expanded to include independent operations at home and abroad supporting both military and law enforcement missions. Such operations have included technical assistance to foreign military and law enforcement services, migrant interdiction (often involving a greater level of violence as reflected in use-of-force statistics), UN sanctions enforcement against Iraq and Serbia, a wide range of law enforcement support to domestic special events including national special security events, and special operations. Together with their newer derivatives, the post-11 September Maritime Safety and Security Teams (MSSTs), TACLETs have led the way in the application of special weapons and tactics to Coast Guard law enforcement missions, including less-lethal munitions and fast-roping. Since 11 September 2001, the demand for TACLET capability has only increased and broadened.⁴ Nonetheless, the Coast Guard continues to lag in establishing the necessary training infrastructure and other support systems. This may sub-optimize the TACLETs' contributions to GWOT, preclude opportunities to detect and interdict terrorist threats in time to make a difference, and thereby place the country in greater danger.

⁴Ogle.

Research Questions

The author sought to determine whether Coast Guard LEDET operations have fundamentally changed because of the post-Cold War, post-9/11 strategic security environment, and if so, then determine what changes the Coast Guard needs to make to field LEDETs most relevant and capable in today's environment.

The logical roots of this question lead one to investigate the international threats to the United States. What about the system has changed since 1982, when the Coast Guard fielded its first LEDETs? If the international system is different, then it might suggest a need for the Coast Guard to change how it organizes, trains, equips, and employs LEDETs.

The author then asked whether the Coast Guard is using to maximum benefit the legal authorities it already possesses. The Coast Guard is a unique and versatile instrument of national power that possesses military, law enforcement, and intelligence authorities. Any changes to the LEDET program would have to be consistent with existing law or further authorities would have to be sought.

With an understanding of the international system and Coast Guard authorities, what types of operational solutions might be appropriate and where is the need most urgent? To avoid the square peg in the round hole, one must consider cultural factors before recommending operational concepts.

Finally, having identified specific operational concepts, the author considered whether Coast Guard law enforcement detachments could deploy immediately to carry out the suggested operational concepts, or if not, what changes are necessary.

In the next section, the author explains the research methodology.

METHODOLOGY

This qualitative study was an effort to determine whether Coast Guard LEDETs should adapt to the post-Cold War, post-11 September 2001 security environment, and if so, how. The primary danger during the Cold War was always the threat of nuclear annihilation. The transnational issues in which LEDETs have expertise were of lesser concern. With Communism defeated, the military competition between two rival political economies is gone. The international system is now defined as a global, capitalist economy—all else flows from that. Whereas nationalism was the driving force from 1789-1945, and bipolarity dominated the international system from 1945-1989, the driving force now is the globalization of markets and economies. The author further found that maritime power underpins globalization. Therefore, the global maritime domain is a critical vulnerability of the global economy. The attacks on the French oil tanker *Limburg* and *USS Cole* demonstrate that Al Qaeda has reached similar conclusions. The research suggested that these attacks are first forays into the maritime domain and that those who benefit most from globalization perhaps should do more to enhance global maritime security while simultaneously preventing the enemies of globalization from enhancing their own maritime power.

In this monograph, the author makes three essential points: that global maritime security is a necessary condition for the sustainment and advancement of globalization; that Coast Guard LEDETs can provide a low-profile, discretionary capability to build the capacity of foreign maritime security forces; and that, in order to do so, LEDETs should adopt some of the characteristics of U.S. Army Special Forces.

The author gathered data through field research; the Combined Arms Research Library at Fort Leavenworth, Kansas; and the Internet. Data consisted of in-person and electronic interviews, the *United States Code*, government documents, books, and scholarly journal articles.

The next section is about the world as it is. The author defines globalization, its relationship to the maritime domain, and the maritime threats to globalization. He then makes the case for starting in Southeast Asia.

FACING THE CHALLENGES

The sea was, and still is, a grand arena for the pursuit of fighters and for decisive battles. Some of the great days of Arab conquests were fought at sea, such as Dhat al-Sawari and Dhat al-Salasil--or the destruction of the destroyer USS Cole, and the strike against the French oil tanker, and others. We ask God to grant us power over the necks of the Crusaders and the Apostates, and grant us the means to massacre the enemies of The Faith.⁵

Anonymous author calling himself "The Brother of Him that Obeys God," in the 17 April 2004 issue of the Al Qaeda online military magazine *Mu'askar al-Battar* (*Al-Battar Training Camp*)

There are three major characteristics of the post-Cold War, post-9/11 security environment that suggest a need for Coast Guards the world over to reinforce and transcend their traditional national security roles. The first of these is globalization. The second is globalization's relationship to the maritime domain: the maritime domain is simultaneously an enabler of globalization and, in the absence of effective security, a threat vector of potentially catastrophic proportions due to the very globalization it enables. The final, fatal ingredient is the existence of a radical Islamist insurgency whose fighters hate globalization's effects but use its mechanisms to halt the advance of globalization, eliminate modernity in the Islamic world, and isolate their societies in order to return to the "glory" of sixth century Islam.

Globalization

Globalization is important to the United States and its Coast Guard because it offers all humanity the means to work toward a better future and simultaneously offers

⁵"The Brother of Him that Obeys God" (pseudonym), Stephen Ulph and Christopher Heffelfinger, translators, "Anti-Ship Warfare and Molotov Cocktails at the Siege of Acre, 1190," *The Terrorism Monitor* 2, No. 9 (6 May 2004), 1-4; Available from <http://www.jamestown.org>; Internet; Accessed 18 November 2004.

doom mongers the means to deny human beings their rights to life, liberty, and property—what Americans call the American way of life. In order to work with the term, it is necessary to define it, consider its potential, and consider its drawbacks. The author draws on the works of the Defense Department, Thomas Barnett, and Robert Kaplan. It is critical to understand globalization before considering any actions that may be necessary to influence it or will occur within its effects.

In attempting to define globalization for the purposes of economics and national security, the usual dictionaries offer no help. Likewise, the Department of Defense (DOD) has published no joint definition. The Defense Science Board defined globalization as “the integration of the political, economic, and cultural activities of geographically and/or nationally separated peoples.”⁶ Ellen Frost of National Defense University (NDU) has defined globalization as an “expansion of cross-border networks and flows,” such as investment, democracy, and communications.⁷ In *Globalization and Maritime Power*, Sam Tangredi (also of NDU) defined globalization as both a phenomenon and a system. In defining the phenomenon, he qualified Frost’s “expansion” as “substantial” and added Jan Art Scholte’s concepts of “superterritoriality, reterritorialization, localization, and regionalization,” which refer to the formation of new groupings of people other than the existing political groupings as represented by nation-states for reasons such as culture, commerce, or communications. Finally, Tangredi

⁶U.S. Office of the Secretary of Defense, Defense Science Board Task Force on Globalization and Security, *Report of the Task Force on Globalization and Security* (December 1999), 1, as quoted in Sam J. Tangredi, ed., *Globalization and Maritime Power* (Washington DC: NDU Press, 2002), xxv.

⁷Ellen L. Frost, “Globalization and National Security: A Strategic Agenda,” *The Global Century: Globalization and National Security*, ed. Richard Kugler and Ellen L. Frost (Washington, DC: National Defense University (NDU) Press, 2000), 37, as quoted in Tangredi, *Globalization and Maritime Power*, xxiv.

offered a “complementary” definition of globalization “as the defining aspect of the current post–post-Cold War international system, and therefore, an appropriate title for the system itself.”⁸ For this monograph, the author accepted globalization as both an ongoing process and the essence of the post-Cold War international system.

In their concepts of localization and regionalization, Scholte and Tangredi share common ground with Robert Kaplan, the widely traveled journalist who has argued that regionalization is challenging the legitimacy and relevance of nation-states. In his highly acclaimed reporting for *The Atlantic Monthly* and subsequent books, Kaplan argued that the nation-state is in decline due in part to the stronger forces of socio-cultural and economic integration at work across borders. As evidence, he said that immigration and business ties attract the U.S. West Coast to extra-national areas of the Pacific Rim, families and businesses along the American southwest border to their counterparts in northwestern Mexico, and the northeastern United States to Western Europe.⁹ In Southeast Asia, Mindanao Muslims feel closer connections with the Muslim populations of Malaysia and Indonesia than with their Filipino compatriots in the predominantly Christian north.¹⁰ Thus, Kaplan argues, these factors challenge the legitimacy and effectiveness of national borders and their accompanying state functions such as revenue, social services, and law enforcement. Add to these forces an exploited environment, food

⁸Ibid, xxv.

⁹Robert D. Kaplan, “The Coming Anarchy,” *The Atlantic Monthly* 273, no. 2 (February 1994), 44-76; EBSCOhost, Accession no. 9404280908, Available from <http://search.epnet.com/login.aspx?direct=true&db=aph&an=9404280908>; Internet; Accessed 24 March 2006; Kaplan, Robert D. “Travels into America’s Future,” *The Atlantic Monthly* 282, no. 1 (July 1998): 47-68. EBSCOhost, Accession no. 867034. Available from <http://search.epnet.com/login.aspx?direct=true&db=aph&an=867034>. Internet. Accessed 24 March 2006.

¹⁰Robert D. Kaplan, “Imperial Grunts,” *The Atlantic Monthly* 286, no. 3 (October 2005); 84-93; EBSCOhost, Accession no. 18146352, Available from <http://search.epnet.com/login.aspx?direct=true&db=aph&an=18146352>; Internet; Accessed 24 March 2006.

shortages, refugee flows, disease—all the problems that landed on Stephen Flynn’s desk as Bill Clinton’s Director of Global Issues—and “criminal anarchy emerges as the real strategic danger.”¹¹ For Kaplan, globalization has an ominous “dark side” likely to deliver the world or part of it into a future straight out of the movie *Road Warrior*.¹² Considering the Coast Guard’s experience with transnational flows of people and material—licit and illicit—throughout its history, Kaplan’s predictions about the negative effects of globalization suggest that governments may need to place greater emphasis on managing globalization using nontraditional elements of national power such as the Coast Guard.

Thomas Barnett, best-selling author of *The Pentagon’s New Map: War and Peace in the 21st Century*, sees it differently. For all the ill that Kaplan has found in the world, Barnett attributes it to a failure, absence, or rejection of globalization. Barnett argues that the post-Cold War era is actually the world’s third attempt at globalization. The world is divided into two camps. The first is the “Functioning Core” (or simply, “the Core”), where globalization is working, and societies have adapted to its attendant content flows of free speech, free trade, respect for women, etc. The second is the “non-integrated gap” (or “the Gap”), where globalization has not penetrated, where countries have in some way been exploited by globalization, or where countries or polities have rejected the content flows. The global economic system has an associated security rule set that functions well in the Core but does not extend to the Gap. The “reach [of globalization’s] rule sets is not defined by this superpower’s ability to project military power, but by the

¹¹Kaplan, “The Coming Anarchy.”

¹²Ibid.

progressive reduction of those global trouble spots to which U.S. military power must consistently deploy.”¹³ Barnett argues that the United States, as the de facto leader of the Core, must lead the Core in a multidisciplinary effort to reduce the size and membership of the Gap by integrating those countries into the world economy in a way that benefits both the Core and the Gap. This, according to Barnett, is the singular national security challenge of the day. This is a longer view than simply defeating terrorism, which Barnett says is only one current manifestation of “the enemies of connectedness.”¹⁴ “Either America steps up to the challenge of defining this new global security rule set, or we will see those rules established by people who dream of a very different tomorrow.”¹⁵

For the purposes of this monograph, the author accepts the notions of globalization as both a process of “cross-border flows” and an international system. Globalization has been good for the Functioning Core. It is worth pursuing with the goal of integrating the Gap. Core countries should take care to manage globalization in order to maximize its value for all countries. Inherent in these considerations, however, is the requirement for a safe, secure, and functional maritime domain.

¹³Barnett, *The Pentagon’s New Map*, 35.

¹⁴Barnett, luncheon at CGSC, 9 December 2005.

¹⁵Ibid, *The Pentagon’s New Map*, 46.

The Maritime Domain

Unlike the concepts of land power or air power, which are generally defined only in military terms, sea power can never be quite separated from its geo-economic purposes. Navies may be the obvious armed element of sea power. However, maritime shipping, seaport operations, undersea resources (such as oil), fisheries, and other forms of commerce and communications through fluid mediums can all be seen as integral to a nation's sea power.¹⁶

Sam J. Tangredi
Globalization and Maritime Power

Globalization requires maritime power for this simple reason: 90 percent of global trade by weight and volume travels by sea.¹⁷ Fully 75 per cent of global shipping “moves through five chokepoints: the Panama Canal, the Suez Canal, the Straits of Gibraltar, the Straits of Malacca, and the Straits of Hormuz.”¹⁸ In the United States, 95 per cent of imports and exports—“more than two billion metric tons” annually—travels through the maritime transportation system (MTS).¹⁹ The U.S. Department of Transportation has said the nation cannot afford significant non-availability of the MTS to support commerce and military movements.²⁰ They left unsaid the fact that maritime trade is a circuit. If the United States cannot afford to lose its own MTS, then neither can it afford significant interruptions in the global MTS, and neither can any member of the Core or very many

¹⁶Tangredi, 3.

¹⁷Tangredi, xxvi.

¹⁸Richard Minitier, *Shadow War: The Untold Story of How Bush Is Winning the War on Terror* (Washington, DC: Regnery Publishing, 2004); 110.

¹⁹U.S. Department of Transportation. *An Assessment of the U.S. Marine Transportation System* (Washington, DC: September 1999, accessed 29 November 2004), 13-19; Available from <http://www.dot.gov/mts/report/>

²⁰*Ibid.*

members of the Gap. Yet there are serious threats and vulnerabilities in the maritime domain that demand attention before the Core can extend globalization's "security rule set" further into the Gap.

Probably the largest single source of maritime vulnerability is the degree of anonymity with which people and material move by sea. Conditions that enable anonymity include flags of convenience; containerized cargo; and the lack of pervasive, effective state influence in the maritime domain. The first two of these conditions fall mainly within the realm of the UN's International Maritime Organization, various organizations within the U.S. Department of Homeland Security, and industry. They are long-term challenges that pose immediate risks, and the risks will only be mitigated when the President and Congress work together to devote the necessary leadership and resources. The third area is an area where Coast Guard LEDETs can have significant and immediate impact if the Coast Guard is willing to commit itself to the problem. Effective state influence is more than a marked police asset at the entrance to a port or critical chokepoint. In combination with some marked and visible presence, governments rely on lower profile but highly effective striking forces as well as covert and clandestine intelligence collection. Vulnerability by itself, however, is not usually sufficient to justify changes in national security practices. Threats are usually considered a combination of vulnerability and the capability and intent of an enemy to exploit the vulnerability.

In the maritime domain, Al Qaeda has proven to be a credible threat. Information on maritime security issues is readily available through *Jane's Intelligence Review*, U.S. Pacific Command's Virtual Information Center, and the International Maritime Bureau (IMB) Piracy Reporting Center. In Chapter Five of *Shadow War*, Journalist Richard

Minter detailed the more significant of the al Qaeda-related maritime events through 2004. Al Qaeda's maritime attacks have included not only *USS Cole* and the oil tanker *Limburg*, but also the failed and thwarted attacks in Singapore and Gibraltar. Besides its small boat capability, al Qaeda is reported to control 12-15 merchant ships and use them to move jihadists, explosives, cash, and drugs. According to Minter, NATO stepped up maritime interdiction operations in the Mediterranean and elsewhere in an effort to find some of this fleet, but obtained mixed results. They discovered some suspicious activity, but are not known to have removed the al Qaeda fleet from circulation.²¹ Moreover, lax international controls (incl. flags of convenience) ensure that al Qaeda can replace any such capability as long as it has funds and operatives.

Less ominous than al Qaeda's known capability, but still a source of critical vulnerability and potential risk, is the continuing problem of piracy. Pirate attacks throughout the world averaged 308 annually for calendar years 1995 through 2005. In its 2005 annual report, issued 31 January 2006, IMB noted that heavily armed pirates took 440 hostages for ransom in 2005, 12 of whom remain missing. Pirates took these hostages-for-ransom in the waters of Somalia, Nigeria, and Indonesia.²² Coalition naval forces (including the U.S. Coast Guard) have begun to interdict pirate attacks near the Horn of Africa based on real-time reports from the Piracy Reporting Center.²³ The Horn

²¹Minter, 111.

²²International Maritime Bureau Piracy Reporting Center, *Piracy and Armed Robbery Against Ships, 1 January-31 December 2005* (Kuala Lumpur, Malaysia: International Chamber of Commerce, 2006); Available from <http://www.icc-ccs.org>; Internet; Accessed 25 March 2006.

²³U.S. Navy Fifth Fleet, "Coalition Maritime Forces Intercept Hijacked Vessel" *Navy Newsstand* (18 March 2005); Available from http://www.news.navy.mil/search/display.asp?story_id=17550; Internet; Accessed 27 March 2005; International Maritime Bureau Piracy Reporting Center, "Somali pirates detained by US Navy," [website] (24 January 2006); Available from <http://www.icc-ccs.org/main/news.php?newsid=62>; Internet; Accessed 25 March 2006.

of Africa is near the large concentration of coalition naval forces in the Arabian Gulf and Arabian Sea. Some pirate attacks, such as the 2003 attack on the chemical tanker *Dewi Madrim* in the Malacca Strait, raise concerns more than others do. In this case, the attackers seemed to practice maneuvering the tanker, slowing it down and turning left and right. They left with two skilled officers but never asked for a ransom. They had no interest in the cargo. In other words, this attack seemed to suggest pre-attack training of the 9/11 variety. While critics have challenged this assertion, they have not offered an acceptable alternative explanation. *Jane's* cited IMB's numbers that indicated an increase in the incidence of murder and kidnapping by pirates. "In the maritime domain, the distinction between terrorism and piracy has become blurred both in terms of execution, outcome, and gain. Certain terrorist groups have well-honed piracy capabilities and a willingness to use of them."²⁴ While the fundamental aim of piracy is private gain, some terrorist and insurgent organizations use illicit activities such as kidnapping, piracy, and drug trafficking to support their political objectives.²⁵ Thus, the problems associated with piracy include not only the danger to innocents and the drain on the economy, but also the potential masking of preparatory activities for catastrophic attacks, and the funding of those operations.

Unfortunately, the piracy problem is endemic to every major region in the Gap, as is another major transnational threat: smuggling. The challenge then is that demand outstrips the supply of maritime security forces, especially those expert in space

²⁴Rupert Herbert-Burns and Lauren Zucker, "Drawing the Line Between Piracy and Maritime Terrorism," *Jane's Intelligence Review* (1 September 2004; accessed 14 October 2004), Available from www.janes.com.

²⁵*Ibid.*

accountability and smuggling trends such as the 24 existing U.S. Coast Guard LEDETs. To minimize system-level chaos, it might be smart to focus the effort on the five aforementioned strategic chokepoints and their surrounds. The chokepoints are attractive for many reasons. Obviously, they present a high volume of maritime traffic and the means of disrupting it. More importantly, the adjacent landmasses and populations sustain and hide the attackers as well as provide the mass media to showcase the attacks. Although maritime trade is vulnerable at all points on its routes (including areas of the high seas), a rogue ship far at sea is an easy target and not much of a threat to populations or trade routes. For these reasons, spectacular maritime attacks would achieve their most significant effects against globalization at the strategic chokepoints and their approaches.²⁶

The next cut might be made by eliminating those areas overtly and effectively controlled by conventional naval forces of the Functioning Core, such as the Panama Canal and the Straits of Hormuz and Gibraltar.²⁷ The area comprised of the Suez Canal and Red Sea at this time would seem to lack a material maritime threat, having experienced only 10 attacks—these at the south end of the Red Sea—in 2005.²⁸ In contrast, Indonesia and the Strait of Malacca together accounted for 91 events, or 33 per

²⁶Individual ports are also of significant concern, but they are not the primary specialty of LEDETs. Other Coast Guard special purpose forces—e.g., MSRT, MSSTs, and PSUs—could contribute in this realm using a parallel approach to that proposed herein for LEDETs.

²⁷Although the Panama Canal has transferred to Panamanian control, U.S. maritime security forces have a long history of cooperation with Panama's National Maritime Service and conduct frequent counterdrug operations on both the Pacific and Caribbean sides of the canal. Control of the canal itself remains a concern, but so far, there has been no consistent record of attacks within the canal. NATO controls Gibraltar, and Iraq-related coalition naval forces have effectively controlled Hormuz since 1990.

²⁸As a departure point for further research, it would be interesting to know whether Suez presents an environment unfavorable to maritime security threats, whether illicit organizations there have failed to develop a maritime capability, or whether they achieve their ends through alternative means.

cent of global piracy and armed robbery incidents reported by the IMB Piracy Reporting Center in 2005. By further overlaying known radical Islamist organizations, the most populous Muslim nation, maritime security, strategic chokepoints, the world's largest port, and a joint interagency task force capable of applying all elements of national power, one arrives at the Strait of Malacca, the three surrounding countries of Indonesia, Malaysia, and Singapore, and the nearby Republic of the Philippines.

Southeast Asia: Radical Islam in the Maritime Domain

According to *Jane's Intelligence Review*, the evidence suggests that the next batch of 11 September terrorists right now is training and refining its skills in this region for their next attack on the United States. Indonesia has a newly established and still fledgling democratic government, al Qaeda has demonstrated operational capabilities there through its alliance with Jemmah Islamiyya (JI), and the country faces a continuing maritime piracy threat from the Free Aceh Movement (Gerakin Aceh Merdeka, GAM), "which was established in the 1970s to compel [Indonesia] into recognizing Aceh as an independent Islamic state." Although GAM recently signed a peace accord with the government, piracy has continued unabated.²⁹ Malaysia faces Islamist terrorist threats from JI and Kumpulan Mujahadeen Malaysia (KMM). The Republic of the Philippines has the radical Islamist Abu Sayyaf Group, another ally of al Qaeda also conducting an active piracy campaign.

²⁹IMB, *Piracy and Armed Robbery Against Ships, 1 January-31 December 2005*.

Extending globalization's maritime security rule set into the Gap will require defeating existing terrorist organizations, denying sanctuary, and improving the capacity of foreign maritime security forces. According to *Jane's*,

All the pieces are now in place—nautical skills, personnel, weaponry, firepower, motivation, connections, tactical flair, command and control acumen, and strategic outlook—to design a maritime terrorist operation. Thus, something that may first be dismissed as an act of violent piracy in waters distant from U.S. or European shores could evolve into a maritime terrorist attack against a critical and densely-populated Eastern Seaboard port-urban area complex, a vital Asian trading artery, a Gulf Coast port-located refinery, or a 100,000 [Gross Ton] cruise ship two hours into a night passage in the Strait of Florida.³⁰

For these reasons, the Core must not tolerate maritime attacks, even nuisances, in or near strategic chokepoints. Al Qaeda has preceded its previous attacks with extensive pre-operational surveillance and tests of security measures. Pirates presently save them this trouble when it comes to attacks on ships. Al Qaeda can see that attacks on ships presently are not taken very seriously. The piracy statistics are enough to suggest that Al Qaeda could develop a capability and mount attacks before the Core would do anything about it. On the other hand, if the Core responded firmly to piracy and suppressed it in and near the strategic chokepoints, Al Qaeda could be reasonably certain that its own prospective activities also would be interdicted.

Although the Coast Guard's International Training Division (ITD) has trained host nation forces in Southeast Asia and the Coast Guard Cutter *Mellon* participated in the Southeast Asia Cooperation Against Terrorism exercise,³¹ Southeast Asia merits

³⁰Herbert-Burns and Zucker.

³¹Ron Pailliotet and Chris Phelan, "Around the World: Sharing our values and experiences with foreign maritime services, the Coast Guard's International Training Division is making a difference..." [website] (26 October 1999, accessed 14 May 2005); Available from <http://www.uscg.mil/hq/g-cp/cb/OCT99/ITT.html>.

greater attention. In the next section, the author will demonstrate how the United States can use existing organizations to implement solutions in this important region.

EXPLORING SOLUTIONS

Whether we realize it or not, we are all—right now—standing present at the creation of a new international security order.³²

Thomas Barnett
The Pentagon's New Map

The clandestine nature of terrorist organizations, their support by some populations and governments, and the trend toward decentralized control and integration into diverse communities worldwide complicate the employment of military power. Success in this war relies heavily on the close cooperation among U.S. Government agencies and partner nations to integrate all instruments of U.S. and partner national power—diplomatic, information, military, economic, financial, intelligence, and law enforcement.³³

National Military Strategic Plan for the War on Terrorism

Thus far in the Global War on Terrorism, the United States has relied heavily on the tools it really knows how to use: the Department of Defense and the Central Intelligence Agency. While this approach may have been acceptable in Iraq and Afghanistan, the United States is not likely prepared to initiate hostilities the world over. In all of the Core and most of the Gap, conditions other than war prevail. Certainly, this is the case in the maritime nations of Southeast Asia—nations the United States counts as allies and with whom the United States is economically interdependent. This section explores solutions that reinforce the sovereignty of these nations by building the capacity and effectiveness of their maritime security forces; improve American access to the

³²Thomas Barnett, *The Pentagon's New Map*, (New York: Berkeley Books, 2005), 45.

³³U.S. Department of Defense, *National Military Strategic Plan for the War on Terrorism*, (Washington, DC: GPO, 2006.), 12-13; Available from <http://www.defenselink.mil/pubs/pdfs/2006-01-25-Strategic-Plan.pdf>. Internet. Accessed 16 March 2006.

region for military, law enforcement, and intelligence purposes; and remain fully consistent with legal authorities and articulated strategies.

U.S. Government Strategies

The Bush Administration has published the strategies necessary to protect the American public from future doomsday scenarios. Of greatest import here are *The National Security Strategy*, *The National Military Strategic Plan for the War on Terrorism*, and *The National Strategy for Maritime Security*. For the most part, the strategies reinforce each other. “The goal of [America’s] statecraft is to help create a world of democratic, well-governed states that can meet the needs of their citizens and conduct themselves responsibly in the international system.”³⁴ This objective is very similar to Barnett’s objective of shrinking the Gap. The *National Security Strategy* says this country *must*:

Champion aspirations for human dignity, strengthen alliances to defeat global terrorism, work with others to defuse regional conflicts, prevent our enemies from threatening [anyone] with weapons of mass destruction (WMD), ignite a new era of global economic growth..., expand the circle of development by opening societies and building the infrastructure of democracy, develop agendas for cooperative action with other main centers of global power, transform America’s national security institutions to meet the challenges and opportunities of the 21st century; and engage the opportunities and confront the challenges of globalization.”³⁵

The final imperative in the strategy indicates clearly that the administration has accepted that globalization presents this generation with both “opportunities” and “challenges” ala Barnett and Kaplan.

³⁴U.S. President, *The National Security Strategy of the United States of America*, 2006, 1.

³⁵*Ibid.*

In the *National Military Strategic Plan for the War on Terrorism*, Secretary of Defense Donald Rumsfeld writes in his forward:

Relationships with existing allies and efforts to expand the number of security partners are vital because of their unique access, information, and other capabilities. Essential for the successful prosecution of this long-term war will be U.S. efforts to strengthen existing partnerships and develop new regional partners that agree to cooperate in distinct aspects of the War on Terrorism.³⁶

Although the Secretary probably refers to overseas partners in this extract, the national leadership and DOD should not lose sight of “expanding the number of security partners” even within the U.S. government. The Coast Guard, like many agencies of government, has unique access and relationships based on its roles in government.

Finally, *The National Strategy for Maritime Security* states, “The safety and economic security of the United States depends upon the secure use of the world’s oceans.”³⁷ The U.S. Coast Guard and U.S. Navy jointly drafted this strategy and considered maritime security from a global perspective.³⁸ The strategy identifies nonstate actors and states that support them as the most dangerous threats.

The strategies, therefore, define objectives and communicate the President’s intent, which is clearly global in scope. Unfortunately, the U.S. Government has not resourced the problem sufficiently outside the U.S. Central Command (USCENTCOM) region. This monograph is an effort to fill that gap. Before considering concepts of

³⁶U.S. Department of Defense, *National Military Strategic Plan for the War on Terrorism*, 2006, 1.

³⁷U.S. President, *National Strategy for Maritime Security*, 2005, ii.

³⁸U.S. President, *National Security Presidential Directive NSPD-41/Homeland Security Presidential Directive HSPD-13, Maritime Security Policy*, (21 December 2004), 2-3; Available from <http://www.fas.org/irp/offdocs/nspd/nspd41.pdf>; Internet; Accessed 27 March 2005.

operation, however, it will be useful to review existing legal authorities that define how Coast Guard LEDETs might be useful in the global war on terror.

Coast Guard Authorities

Perhaps the most distinguishing—and simultaneously the most useful and most troublesome—characteristic of the U.S. Coast Guard is its dual status as an armed force responsible to combatant commanders and the Secretary of Defense and as federal agency with regulatory and law enforcement authority in civil matters reporting to the Secretary of Homeland Security. An additional characteristic that affects both its military and its civil operations is its membership in the Intelligence Community. Neither the Coast Guard nor any of its masters has yet articulated a rationale to fight or employ this organization making maximal use of all of its strengths in an integrated fashion. Simply by reviewing the existing authorities, the author found that LEDETs would be more effective if they were better enabled to carry out independent military, law enforcement, and intelligence operations.

Title 14, *United States Code*—Coast Guard

Department of Homeland Security

When fulfilling the Coast Guard’s domestic mission requirements under Title 14, *United States Code*—which include a host of operations beyond the territorial jurisdiction of the United States—Coast Guard task units report to Coast Guard geographic district commanders and/or the Atlantic or Pacific Area Commander, to the Commandant of the Coast Guard, to the Secretary of Homeland Security, and ultimately to the President of the United States. Unlike DOD, the service and its chief in this role participate in the

operational chain of command. This is a requirement in order to exercise law enforcement authority, including the surveillance, search, seizure, arrest, use of force, and prosecution of U.S. citizens and foreign nationals. Posse Comitatus removed the Secretary of Defense and his subordinates from this chain of command, subject to few exceptions.

Department of State

Title 14, United States Code, Section 141 (a) provides the following assistance clause:

The Coast Guard may, when so requested by proper authority, utilize its personnel and facilities (including members of the Auxiliary and facilities governed under chapter 23) to assist any Federal agency, State, Territory, possession, or political subdivision thereof, or the District of Columbia, to perform any activity for which such personnel and facilities are especially qualified. The Commandant may prescribe conditions, including reimbursement, under which personnel and facilities may be provided under this subsection.³⁹

Under this assistance authority, the Coast Guard has long supported the activities of the various embassies of the United States in foreign countries, particularly with respect to training foreign maritime services and providing technical assistance to such forces in the context of operations designed to counter the smuggling of drugs, firearms, persons, and weapons of mass destruction. One of the principal agents in carrying out this assistance to the State Department is the Coast Guard's International Training Division (ITD):

In Bolivia, where a high percentage of the world's coca is grown, the ITD [worked] with the Drug Enforcement Agency and U.S. Special Forces to support and train the Diablos Azules (Blue Devils). The U.S.-funded group is a counter-

³⁹United States Code, <http://www.findlaw.com>, accessed 15 February 2006.

narcotics division of the Bolivian Navy and has [maritime law enforcement] authority over thousands of miles of navigable waterways. The ITD also established the International Waterways Law Enforcement School in Trinidad, Bolivia, where, each year, more than 100 Bolivians and other Latin Americans complete an 8-week [sic] program in riverine operations and law enforcement. In Peru, the ITD is part of a DOD and DEA-led task force. Team members there are assisting the DINANDRO, the Anti-Narcotics Division of the Peruvian National Police, and the Peruvian Coast Guard with the establishment of a joint waterways law enforcement school and engineering maintenance facility in Iquitos, Peru. In Panama, the ITD works directly with the Coast Guard liaison at the U.S. Embassy. ITD members serve as advisers to the Panamanian Servicio Marítimo Nacional (National Maritime Service), an agency modeled after the U.S. Coast Guard. In 1998 alone, the Panamanian force seized more than 10,000 pounds of cocaine and 19 speedboats. In Haiti, the ITD maintains a year-round presence where the U.S. and Canadian Coast Guards have helped Haiti establish a coast guard. Since it formed in 1996, the Haitian Coast Guard--more than 100 members strong--has seized 7,315 pounds of cocaine, 6,712 pounds of marijuana and six speed boats.⁴⁰

Unfortunately, the Coast Guard recently cashed in ITD's tremendously successful long-term deployment program—one that amounts to a core competency—for exclusively short-term training missions in USCENTCOM countries such as Yemen. The Coast Guard lacks the depth of long-term personal relationships in such countries, and moreover, has no plans for the long-term missions that would develop them. The last long-term training detachment left Bolivia on 30 September 2004. This was a unilateral policy decision.⁴¹

⁴⁰Ron Pailliotet and Chris Phelan, "Around the World: Sharing our values and experiences with foreign maritime services, the Coast Guard's International Training Division is making a difference..." [website] (26 October 1999, accessed 15 February 2006); available from <http://www.uscg.mil/hq/g-cp/cb/OCT99/ITT.html>

⁴¹Matthew Creelman, interview by author, Yorktown, VA, 25 January 2005.



Figure 1. Coast Guard International Training Division in Bolivia. Maintaining a continuous presence on South American rivers from the mid-1980s until 30 September 2004, the Coast Guard helped to build the capacity of foreign forces to conduct independent anti-smuggling operations, reduce lawlessness, and extend governed space. The Coast Guard has since reprogrammed these missions for shorter term, lower risk, and lower payoff training visits.

Source: <http://www.uscg.mil/hq/g-cp/cb/OCT99/ITT.html>, accessed 15 February 2006.

Title 10, *United States Code*—Armed Forces

Department of Defense

According to Title 14, *United States Code*, Section 2, “[the] Coast Guard ...shall be a military service and a branch of the armed forces of the United States at all times.

The Coast Guard shall be a service in the Department of Homeland Security, except

when operating as a service in the Navy.”⁴² As an armed force performing military missions, the Coast Guard generally shifts tactical control of specific units to support the needs of the geographic combatant commanders. This practice is consistent with joint doctrine on command and support relationships as well as Sections 161 through 166 of Title 10, United States Code—the combatant command authorities provided under the Goldwater-Nichols Department of Defense Reorganization Act of 1986.⁴³ Probably as a result of these newer conventions, transferring the Coast Guard administratively to the Department of the Navy—which is not a combatant commander—has proven to be an antiquated, unnecessary, and unused provision of the law. As a matter of practice, the Coast Guard generally has provided units directly to the maritime component commander for specific operations (and in Haiti served as the maritime component commander), a subtle but important legal difference. In some instances, however, even this operational commander may be an inappropriate point of insertion. Appropriately trained and equipped Coast Guard special purpose forces may be better suited to meet the needs of the Combined and Joint Force Special Operations Component Commander, especially in low-intensity conflict or what has been called “Phase Zero” or “the shaping zone.” In contrast with high-intensity or even strategic conflict, low-intensity conflict is the mainstay of Coast Guard operations. The supervising entity within DOD from a policy perspective is the Assistant Secretary of Defense for Special Operations and Low-

⁴²*United States Code*, <http://www.findlaw.com> 27 February 2005.

⁴³U.S. Congress, *PUBLIC LAW 99-433-OCT. 1, 1986: Goldwater-Nichols Department of Defense Reorganization Act of 1986* [website] (1 October 1986, accessed 15 February 2006); available at <http://www.ndu.edu/library/goldnich/99433pt1.pdf>

Intensity Conflict.⁴⁴ Just as the law excludes the Secretary of Defense from the civil regulatory and law enforcement chain of command, so the law excludes the Secretary of Homeland Security and the Commandant of the Coast Guard from the warfighting chain of command.

These authorities establish the basis for Coast Guard operations around the globe in support of country teams and combatant commanders. In the next section, the author describes how the counterdrug operations model can be implemented as a solution in Southeast Asia.

Where to Begin

Due to its complex nature and immense size, the Maritime Domain is particularly susceptible to exploitation and disruption. The United States must deploy the full range of its operational assets and capabilities to prevent the Maritime Domain from being used by terrorists.⁴⁵

President George W. Bush
Homeland Security Presidential Directive 13, Maritime Security

Although there is ample demand for work around the globe, the factors previously discussed suggest that the Coast Guard pay greater attention now to the maritime nations of Southeast Asia. The Coast Guard has the experience, authorities, and international relationships to assume a leadership role in framing how the GWOT ‘battle of the Pacific’ plays out. Southeast Asia is a maritime region and its countries a series of islands. The

⁴⁴U.S. Special Operations Command, *United States Special Operations Command 15th Anniversary History* (MacDill AFB, FL: 16 April 2002), 5. Website. Available from www.socom.mil. Accessed 22 September 2004

⁴⁵U.S. President, *National Security Presidential Directive NSPD-41 / Homeland Security Presidential Directive HSPD-13, Maritime Security Policy*, (21 December 2004, accessed 27 March 2005); Available from <http://www.fas.org/irp/offdocs/nspd/nspd41.pdf>.

counterdrug JIATFs, commanded by Coast Guard admirals, are the de facto models of interagency success, and JIATF West is an established organization working transnational issues within U.S. Pacific Command. If it can work multilaterally to lessen conditions that allow the transnational trafficking in illicit people and materials, that is like stopping the blood flow for nonstate networks. The political forces in the region demand that any U.S. involvement present a minimal footprint, minimal visible impact, and a minimal impact on the information environment, while offering a maximum reinforcement of host-nation sovereignty. Malaysia and Indonesia have rejected previous offers by USPACOM to patrol the Malacca Straits with U.S. Navy surface combatants or U.S. Coast Guard cutters.⁴⁶ These factors suggest the U.S. government may achieve its maximum potential for success if the Special Operations Component of USPACOM serves as the supported commander exercising tactical control of U.S. Coast Guard LEDETs (and other forces as appropriate) backing up foreign maritime security forces in policing their own maritime frontiers.

Caribbean Counterdrug Operations: a Model

The counterdrug model is an approach that has a proven record of accomplishment in the Caribbean Sea. The approach has been successful because it established the bilateral agreements that provide legal authority and jurisdiction throughout the region, it established the interagency task force to fuse intelligence and provide for the tactical control of forces; and it combined all relevant elements of national

⁴⁶Admiral Fargo, former Commander of USPACOM, has said that no such offer was made, that the respective governments misinterpreted his remarks. Nonetheless, Malaysia and Indonesia made it clear that no such offer would be accepted if offered in fact.

power. Like the Caribbean of the 1980s and earlier, the main issue in maritime Southeast Asia is ungoverned space, especially within the territorial waters of Indonesia and the areas where those waters meet with the waters of Malaysia, Singapore, and the Republic of the Philippines (as well as any high seas between them). The great Muslim population of Indonesia should be considered a strategic center of gravity in the War on Terror. If the Caribbean model can be adapted successfully to this area, it would greatly advance the cause of globalization and restrict the ability of JI and others to exploit ungoverned space to terrorize moderate Muslim populations or for other illicit purposes.

Build on success: the Joint Interagency Task Force

When pressed to cite a functioning example of unified federal effort including but not limited to DOD, many will point to the Joint Interagency Task Force (JIATF), specifically that located in Key West, currently called JIATF South. Between November 1993 and April 1994, the Clinton administration reorganized Joint Task Force Four into JIATF East, which in short time grew to encompass not only joint and interagency but also combined operations with the Royal UK and Dutch Navies.⁴⁷ DOD later renamed JIATF East as JIATF South. JIATF West achieved similar successes in the Pacific, except that their operations require ad hoc authorities due to an absence of standing bilateral authorities. Initially based at Coast Guard Island, Alameda, California, JIATF West is now collocated with US Pacific Command and Special Operations Command Pacific in Hawaii. As happened in the Caribbean, operations should proceed concurrently

⁴⁷U.S. Congress, *House Report 104-486* (19 March 1996); Available from http://www.fas.org/irp/offdocs/pdd14_house.htm; Internet; Accessed 18 February 2006.

with building the legal framework. Naturally, operations will grow more effective as professional relationships and bilateral agreements proliferate.

The existing counterdrug JIATFs have stated their missions as follows:

Joint Interagency Task Force South conducts counter illicit trafficking operations, intelligence fusion and multi-sensor correlation to detect, monitor, and handoff suspected illicit trafficking targets; promotes security cooperation and coordinates country team and partner nation initiatives in order to defeat the flow of illicit traffic.⁴⁸

JIATF West's mission is to conduct operations to detect, disrupt, and dismantle drug-related transnational threats in Asia and the Pacific by providing interagency intelligence fusion, supporting U.S. law enforcement, and developing partner nation capacity in order to protect U.S. security interests at home and abroad. To accomplish this mission, JIATF West provides U.S. and foreign law enforcement with fused interagency information and intelligence analysis, and with counterdrug training and infrastructure development support.⁴⁹

The reader will have noticed that JIATF West retains the counterdrug focus in accordance with its establishing legal authorities while JIATF South's language implies much broader application. As the parent organization, DOD should seek a formal expansion of this authority from Congress because it allows the JIATFs greater flexibility in applying resources where needed. Effective measures can guarantee that the JIATFs do not jeopardize counterdrug performance in favor of other activities.

Build a legal framework

The main difference right now between JIATF South and JIATF West is that the former enjoys the benefit of strong bilateral agreements that are essential in dealing with

⁴⁸Joint Interagency Task Force South, [website] (Key West, FL: 8 September 2005); Available at <http://www.jiatfs.southcom.mil/>; Internet; Accessed 12 March 2006.

⁴⁹Joint Interagency Task Force West, [website] (Hawaii: 21 December 2005); Available at <http://www.pacom.mil/staff/jiatfwest/index.shtml>; Internet; Accessed 12 March 2006.

transnational, illicit flows. Between roughly 1970 and 2000, Coast Guard attorneys led the effort to establish these bilateral counterdrug agreements with every country between the United States and the coca fields. Most of these agreements allow Coast Guard boarding teams to exercise U.S. or host nation jurisdiction, independently or in concert with host-nation ship-riders, on the high seas or in foreign territorial waters, on U.S.- or foreign-flagged ships. Further, boarding officers have the authority to invoke most of these bilateral agreements simply by notifying the cognizant operations center. In other words, these comprehensive agreements provide the mechanism to establish law and order across nation-state boundaries where previously anarchy reigned. The legal framework in force today in the Caribbean, while not perfect, gives the nations of the Western Hemisphere most of the authority they need to pursue, interdict, and prosecute drug smugglers. Besides illegal drugs, the Coast Guard has made progress against illegal fishing practices and the smuggling of people. As often as possible, Coast Guard LEDETs develop case packages for foreign prosecutors and integrate the participation of foreign security forces at the earliest stages, in order to build the capacity of developing nations to carry out fair and effective justice processes. Nonetheless, when special circumstances arise, Coast Guard forces have the authority and kinetic capability to interdict, apprehend, and refer perpetrators for US prosecution. The “war on drugs” is actually the second time the Coast Guard transformed the Caribbean. The Coast Guard first cleaned up this once-celebrated haven of pirates during the 19th century.⁵⁰

In order to be effective in Southeast Asia, the same legal foundation must be laid. There is a catch, however: the United States does not enjoy the same influence in

⁵⁰Irving King, *The Coast Guard Under Sail*.

Southeast Asia that it has in the Caribbean. Simply clogging the waters of Southeast Asia with American warships as it did in the Caribbean will not work, not least because most of the problem lies within foreign territorial waters. While few nations are likely to accept foreign warships operating in their territorial waters, a combined Coast Guard and special operations approach—legal and low profile—might be a way in. Relevant bilateral agreements could facilitate LEDETs providing technical assistance to the Indonesian Navy or Malaysian Maritime Enforcement Agency on board their vessels and helicopters.⁵¹ The agreements could establish procedures to prosecute in the host nations, or to transfer offenders to regional powers such as Australia or Singapore. Piracy is one of the universal crimes listed in the UN Convention on the Law of the Sea, which means any country can exercise jurisdiction over the persons, the vessel, and the offense. The primary challenge lies in building consensus around an interdiction force having the right capabilities and authorities to operate freely and effectively within the territorial waters of Indonesia and Malaysia.

Although the United States has been challenged to achieve its objectives in maritime Southeast Asia, it should not be regarded as impossible. Mexico is another partner whose national sovereignty trumps most considerations. Yet with persistent effort and a low-profile approach that focuses on successful Mexican government processes rather than unilateral American action, the Coast Guard has made inroads against all manner of illicit activity including illegal fishing and the trafficking of people and drugs. Mexico has become a stronger maritime partner over the years. One thing can be said with certainty: there will be no success in Southeast Asia until someone makes the effort.

⁵¹Technical assistance might be made a condition of a security assistance program.

Most of the diplomatic effort thus far has centered on the Proliferation Security Initiative (PSI), which the White House announced on 31 May 2003.⁵² According to the White House fact sheet, “PSI seeks to involve in some capacity all states that have a stake in nonproliferation and the ability and willingness to take steps to stop the flow of [WMD] at sea, in the air, or on land.”⁵³ PSI falls short of an ideal international legal framework primarily because it provides no new legal authority and because participation is limited. As of this writing, 15 nations are signatories, of which 11 countries comprise the “PSI core group: Australia, France, Germany, Italy, Japan, Netherlands, Poland, Portugal, Spain, U.K., U.S.”⁵⁴ Interestingly, all of these 11 nations belong to Barnett’s “Functioning Core.” In order to be effective as an international policing mechanism, PSI really needs the standing flag-state consent to board ships or enter foreign territorial waters that the signatories have in the bilateral counterdrug agreements.

In the years since the 11 September 2001 tragedy, a considerable chorus of critics in Core countries has voiced the preference that counterterrorist operations be conducted under the auspices of law enforcement in all but the most extreme cases, especially in “the shaping zone” or “Phase Zero,” terms that describe the normal state of affairs before and after open hostilities. Again, forward-deployed Coast Guard LEDETs offer the president, various cabinet officers, and combatant commanders teams that carry simultaneous authority as military, law enforcement, and intelligence forces. They can energize these teams instantaneously in the mode the situation dictates—all of this in an

⁵²U.S. Department of State, “Proliferation Security Initiative” [website] (Washington, 15 September 2003); Available from <http://www.state.gov/r/pa/ei/rls/24134.htm>; Internet; accessed 12 March 2006.

⁵³Ibid.

⁵⁴U.S. Department of State, PSI website.

extremely small footprint. Since 1982, Coast Guard LEDETs have demonstrated this flexibility in working for DOD as the lead agency for counterdrug detection and monitoring and then shifting tactical control on the fly to the Coast Guard or other interagency partners for law enforcement endgames.

Having considered the available authorities and an existing model of success, the author now considers how LEDETs might contribute in specific operational capacities. The following concepts of operation can be applied globally, but for reasons previously discussed, they should be prioritized in maritime Southeast Asia.

Operational Concepts

Special Operations Maritime Interdiction

In addition to building the capacity of Gap countries to conduct maritime interdictions of WMD, illegal drugs, persons of interest, and piracy, forward-deployed LEDETs can provide theater special operations commands with additional options to conduct maritime interdiction operations unilaterally, in concert with other regional powers such as Australia or Singapore, or in capacity-building roles with Gap countries. With respect to cooperation on maritime security, the number one priority of both Indonesia and Malaysia has been their national sovereignty.⁵⁵ Here again, political considerations suggest that the low-profile flexibility provided by joint special operations task forces may be preferable to the heavy-handed, high-visibility presence of Expeditionary Strike Groups or even individual surface combatants (not to mention the

⁵⁵ *Jane's Intelligence Review*.

risk of small boat attack on expensive naval combatants). Maritime interdiction in this sense would be conducted predominantly from host-nation boats and helicopters, not from American warships. With traditional SOF focused on operations in USCENTCOM,⁵⁶ Coast Guard LEDETs can provide a much-needed boost in capacity in this critical maritime region.

High Risk Sea Marshaling

Given the absence of an umbrella organization with the power of NATO, bilateral agreements define the realm of the possible within U.S. Pacific Command.⁵⁷ This fact presents not only challenges, but also benefits. The United States can begin to make an impact on piracy even before a broad, regional consensus forms. For example, the United States and the Bahamas could agree on their own to protect Bahamian-flagged cruise ships transiting the South China Sea or the Malacca Strait. U.S. Coast Guard LEDETs would then have the authority to act as a high-risk personnel security detachment aboard high-interest vessels during transits where there exists a high risk of piracy.

The conditions that point more to special operations than conventional capability include the fact that these teams would not have the support of a nearby naval surface combatant, as is the case with conventional maritime interdiction operations. In order to preserve operational security and perhaps expand the benefit even to ships that may not have a LEDET onboard, these teams likely would insert and extract during ports of call or underway via low-profile special operations-style watercraft. Some members of the

⁵⁶Charles King, lecture for CGSC SOF Track, 31 October 2005.

⁵⁷King.

team might be in uniform while others may try to blend in with the passengers or crew. Further, the extreme close proximity of combatants and noncombatants or criminals and innocent bystanders would demand a high degree of proficiency in close quarter battle skills.

Long-Term Training with Operational Evaluations

One of the critical capabilities that Coast Guard LEDETs can provide the theater special operations commands is the long-term training team. Usually deploying for three to six months (as conducted previously by ITD), these teams closely mirror the missions and results of the joint combined exchange training programs typically conducted by U.S. Army Special Forces. In addition to the training, LEDETs can accompany host nation forces on operations in order to evaluate the effectiveness of the training programs, subject to the desires of the host nation and the American ambassador. The Coast Guard International Training Division provided this capability to the various country teams from the 1980s until September 2004, when Coast Guard headquarters took a policy decision to conduct only short-term training programs lasting from a few days to a few weeks. Unfortunately, short-term training missions do not build the relationships and rapport that facilitate the intelligence flows critical to finding terrorists before they strike their targets. Coast Guard LEDETs, with the additional training necessary to spot, assess, and recruit sources, can leverage the access provided by long-term training missions to develop the early warning infrastructure the United States needs to deny sanctuary to terrorists and prevent their attacks.

Operational Preparation of the Environment (OPE)

Further along this line of operation, Coast Guard LEDETs have unique and critical expertise in the maritime domain that can help theater special operations commands shape their environments for follow-on missions in the war on terror. It is important to understand that expertise in the maritime domain is not a binary affair, a box to be checked or unchecked. While the Navy, Marine Corps, and Coast Guard are all sea services, they are all expert in different aspects of the maritime domain. Navy SEALs use the sea and specialized maritime mobility systems to gain access to military targets, predominantly for direct action and special reconnaissance missions. Coast Guard special purpose forces have particular expertise in the legal and illegal uses of the sea for commercial and other civil purposes. To the extent that DOD special operations forces prepare the environment without the benefit of this expertise, they create blind spots that can jeopardize missions and allow terrorists room to operate.

The next section presents the author's recommendations for TACLET and LEDET transformation by adapting the characteristics of U.S. Army Special Forces necessary to maximize the Coast Guard's contributions to national security in its military, law enforcement, and intelligence functions.

TRANSFORMING THE LEDETS

With the exception of OPE, LEDETs have existing, SOF-like capabilities and carry out the aforementioned operational concepts on a daily basis. In the interest of full disclosure, it must be said that Coast Guard institutions do not provide this SOF-like capability, despite the fact that the Coast Guard relies on this advanced capability in the daily execution of its Title 14 responsibilities. Coast Guard LEDETs (and other special purpose forces) have been forced to develop this capability on their own initiative with organic and contracted resources. In a March 2006 record message criticizing the institutional training support for MSSTs, Vice Admiral Harvey Johnson enumerated some of the problems with the existing situation: a lack of system-wide standardization of advanced capabilities, confusion as to the real-world capabilities of the teams for mission planning purposes, and the resultant risk that they may be employed incorrectly. Additionally, the commanding officer of Pacific Area TACLET noted in an e-mail on this subject the de facto requirement that unit commanding officers certify these advanced capabilities on their own authority without the support of institutional processes. The Coast Guard must undertake significant change in the realms of policy, doctrine, organization, and training to institutionalize advanced tactical capabilities just to meet its own Title 14 mission requirements. Without such change, the Coast Guard further jeopardizes the relevance of its special purpose forces in a joint or interagency environment.

Policy and Doctrine

In order to guarantee its own access to advanced tactical capabilities as well as offer them to the joint and interagency communities, the Coast Guard must make three major changes to policy and doctrine (which the Coast Guard usually intertwines). First, the Coast Guard must develop individual operators and their teams as an operational system (or weapons system in DOD parlance). Second, TACLETs should be able to deploy and provide some command and control functions for LEDETs and other special purpose forces conducting combined maritime security operations abroad. Finally, the Coast Guard should formally authorize its special purpose forces to participate in covert and clandestine activities under proper supervision and subject to the requirements of federal law. These three changes and the changes that flow from them represent the heart of transformational change as envisioned in this monograph.

The Coast Guard must develop the tactical operator as an operational system—individually and in teams of various sizes. That means matching institutional support for advanced capabilities to operational requirements. The foundation of the operator’s capabilities is the stock on which the system is built: the person. As articulated in the SOF truths, “Humans are more important than hardware.”⁵⁸ The Coast Guard needs a way to identify the people who are suited to these types of missions and, just as important, the means to screen out those who are not. Typically, those identifiers include a degree of uncommon physical and mental toughness, which come out through a selection process that resets the graduates’ frame of reference in overcoming challenges.

⁵⁸*SOCOM 15th Anniversary History*, 18.

Army Special Operations Forces, as well as intelligence agencies and law enforcement agencies the world over, include psychological screening.⁵⁹ The next step in the process consists of advanced skill training. The “Special Forces training pipeline...from recruitment to operating inventory” is 26-37 months.⁶⁰ They begin with E-4s and O-2s who have already proven themselves in their initial endeavors in the service. Successful candidates earn a new rating (MOS) in Special Forces. In order to get the necessary return on investment, the Coast Guard also needs some mechanism to segregate this group of individuals as a closed-loop community. The other services have found that this means a career-field designator, separate ratings or military occupational specialties, or a combination of both.

Make no mistake—the Coast Guard cannot be a top shelf agency without top shelf operators. This is simply the lens through which the other military services and law enforcement agencies view the world. Some of the Coast Guard’s own studies have shown that it lacks the institutional depth necessary for the development and retention of advanced expertise among its law enforcement personnel,⁶¹ yet it has been inexplicably slow to correct the problem. As will be explored in the training section, a host of gaps exists at the institutional level. Coast Guard special purpose forces have spent considerable effort to develop the needed competencies—often in spite of rather than

⁵⁹Morgan Banks, Interview by author, 15 March 2005.

⁶⁰U.S. Army, “Special Forces Training Pipeline,” presentation slide, 28 October 2005.

⁶¹U.S. Coast Guard Commandant, “PEOPLE AND READINESS - ADVANCED LAW ENFORCEMENT QUALIFICATION COMPETENCY (ALEC) PROGRAM,” record message, 19 April 2005; U.S. Coast Guard Pacific Area, “MSST TACTICAL TRAINING COURSE (TTC) ASSESSMENT,” record message, 9 March 2006. See also D. A. Goward, G. H. Teuton, and R. E. Wells, “It’s Time for Enlisted Law Enforcement Rates” (unpublished paper presented to Law Enforcement Council, 1997); Gary R. Bowen, “Storm Approaching,” *Proceedings* (December 2000) and Camilla Messing, “Leveraging LEDETs,” *Proceedings* (December 2000).

because of Coast Guard systemic support. The time has long since come for a community of Coast Guard tactical operators.

Second, TACLETs should be able to deploy and provide some command and control functions for LEDETs. Today the TACLETs only support the homeport administrative and training requirements of LEDETs. A comparison of Pacific Area TACLET's command overhead to that of a doctrinal Special Forces company, or Operational Detachment Bravo (ODB), revealed that the TACLET has 15 supporters whereas the ODB has only 11 of roughly the same mix. The TACLET has an O-5 Commanding Officer whereas the ODB commander is only an O-4. The TACLET has eight LEDETs and the ODB has six ODAs. The addition of deployable planning and C4ISR capabilities and supporting doctrine modeled on the ODB would allow the TACLET to insert as a LEDET command and control element within a Joint Special Operations Task Force (JSOTF). A JSOTF could then assign the TACLET an area in which to run combined maritime interdiction operations using LEDETs in support of host-nation maritime security forces. This area might be a natural chokepoint such as the Malacca Strait.⁶² Running two shifts of two LEDETs each spread over four to six boats with indigenous forces, the TACLET would employ only half its forces. The other half could be deployed for traditional counterdrug operations, training, or in rest and refit status with a TACLET rear detachment composed of perhaps four of the 15 supporters, including either the Commanding Officer or the Executive Officer in alternating rotations. Deploying the TACLET gives LEDETs the top cover they need in a joint and

⁶²Michael Kenny, "B Det," e-mail to author, 13 March 2006; Ogle.

combined environment and allows the teams to push the risk and capability envelopes under the supervision of more experienced leadership.

Finally, the requirement for the Coast Guard to participate in clandestine and covert activities flows from the proclivity of illicit transnational organizations to operate in shadowy networks of covert and clandestine cells and operators. According to General “Doug” Brown, Commander of the U.S. Special Operations Command, the most challenging aspect of the war on terrorism is finding the terrorists.⁶³ For DOD, the Soviet Union’s armed forces were easy to find but hard to kill; terrorist organizations are the opposite. The Coast Guard does itself no favors in this regard by painting everything it owns in red, white, and blue or international orange. To the extent that governments want to succeed against nonstate actors, they need to realign their capabilities accordingly. Terrorist networks typically are least vulnerable to detection in the planning stages, yet this is the best time to interdict them because this is where the risk to the civilian population is lowest. While the United States and its allies certainly have a large and capable apparatus devoted to finding terrorists abroad, the people doing this work see the world through the lenses created by their respective institutions. Coast Guard teams see the world through a different lens, based on experience that only comes with a career in the Coast Guard. Therefore, the burden rests on the shoulders of the Coast Guard alone to provide this experience. The author does not suggest that the Coast Guard at large conduct covert and clandestine activities on its own Title 14 authorities. Rather, the Coast Guard has unique expertise to contribute to those organizations that already conduct these

⁶³William M. Arkin, “New Rules for War on Terrorism,” *WashingtonPost.com* [website] 5 October 2005; available from http://blogs.washingtonpost.com/earlywarning/2005/10/new_rules_for_w.html; Internet; Accessed 15 March 2006.

types of activities, to wit, the combatant commanders and the intelligence agencies. The reporting and oversight overhead associated with these activities therefore also lies with these organizations. The Coast Guard nonetheless has the legal authority to participate in the clandestine and covert activities of other agencies either as an armed force or under the authority to assist other agencies provided by 14 USC 141.

The preference to participate in overt activities thus far has been simply a matter of policy and culture. While this policy may be generally appropriate for multimission Coast Guard forces operating in or near the homeland predominantly among U.S. citizens, it essentially guarantees that the organizations on the front lines in the war on terror—special operations forces, the FBI, and the intelligence community—must solve the major national security problems without the help of the Coast Guard, even though it has unique expertise in countering the illicit trafficking of persons, WMD, drugs, and other material; protecting critical infrastructure; and managing the ports, waterways, and facilities essential for maritime commerce, one of the key functions and facilitators of globalization. The policy also makes the Coast Guard dependent on other agencies for intelligence support to Title 14 missions, which they sometimes provide and sometimes do not. That is a recipe for failure.

By making these changes to policy and doctrine, the Coast Guard will position itself to meet its own needs in the 21st century and make its capabilities more relevant in both the joint and interagency environment. Further change is required, however, and organizational considerations follow.

Organization

Although LEDETs have demonstrated advanced competencies in maritime interdiction and can execute today some of the proposed operational concepts in measured degree, some reorganization across the service is necessary to put the Coast Guard in a position to generate special operations-quality forces indefinitely (regardless of whether they are integrated with U.S. Special Operations Command). Such reorganization should begin with forces that already exist with an eye toward future scalability. Three specific organizational changes are required: a Coast Guard Special Operations Command, scalable TACLETs and LEDETs with standardized tables of organization and equipment (TOEs), and a conceptual and organizational division of law enforcement forces that matches mission profiles with required capabilities.

The most important current need for reorganization involves the establishment of a Coast Guard Special Operations Command. This is a concept that has gathered considerable momentum in the last five years. In June of 2001, four Coast Guard officers published an article in *Proceedings* entitled, “The Coast Guard Goes Expeditionary.” These officers suggested a similar reorganization of Coast Guard special purpose forces (as opposed to multimission forces such as cutters and stations): TACLETs and LEDETs, Port Security Units, Helicopter Interdiction Tactical Squadron (HITRON and the proposed “HITRON West”), the Special Missions Training Center, and the National Strike Force (or elements thereof)—the same units considered herein along with the special purpose forces created since 11 September 2001 (original and “enhanced” versions of the MSSTs). These officers suggested that an “Expeditionary Operations Command (EOC)” serve as the parent administrative command and act as force provider

directly to the supported Coast Guard commander, lead federal agency, or regional combatant commander. They did not plug this EOC into any higher-echelon organization such as the U.S. Special Operations Command (USSOCOM).⁶⁴ The major benefits of such reorganization would be similar to those realized with the creation of USSOCOM: unification of special purpose forces under a flag-level command with greater authority to organize, train, and equip these forces in accordance with their missions and required capabilities. The hidden hand in this effort has been Vice Admiral Thad Allen,⁶⁵ who has been nominated by the President as the next Commandant of the Coast Guard. In Congressional testimony given on his nomination, VADM Allen indicated his intent to move forward with this realignment.⁶⁶ His hand will not likely remain hidden for long.

There are two reasons why this command should be called a Special Operations Command and not an Expeditionary Operations Command. First, the term expeditionary does not discriminate between special purpose forces and multimission cutters—both are expeditionary. Second, the command should be a modular fit with the U.S. Special Operations Command even if the politics are too complex or sensitive to merge budgets, missions, and operational control. Commanders in DOD and the Coast Guard should at least be able to use these forces as intended even if, administratively, they keep their own books.

⁶⁴Wayne Gibson, Tom Vitullo, Joe DiRenzo, and Craig Peterson, "Coast Guard Goes Expeditionary," *Proceedings*, 53-57, June 2001, UMI-Proquest, Document ID: 73461599; available from <http://proquest.umi.com/>; Internet; Accessed 15 November 2004.

⁶⁵Thad W. Allen, Interview by author, Baton Rouge, LA, 27 September 2005.

⁶⁶Thad W. Allen, Statement before the Senate Committee on Commerce, Science, and Transportation, 9 March 2006.

In order to generate and regenerate LEDETs and other special operations-quality forces with the advanced military, law enforcement, and intelligence competencies to support the proposed operational concepts, the Coast Guard should further refine “advanced interdiction” concept introduced in the proposed TACLET program manual that conceptually and organizationally aligns operational forces, law enforcement missions, and required capabilities. The Coast Guard could arrange them in pyramid fashion in line with an FBI concept, as shown in Figure 2.⁶⁷

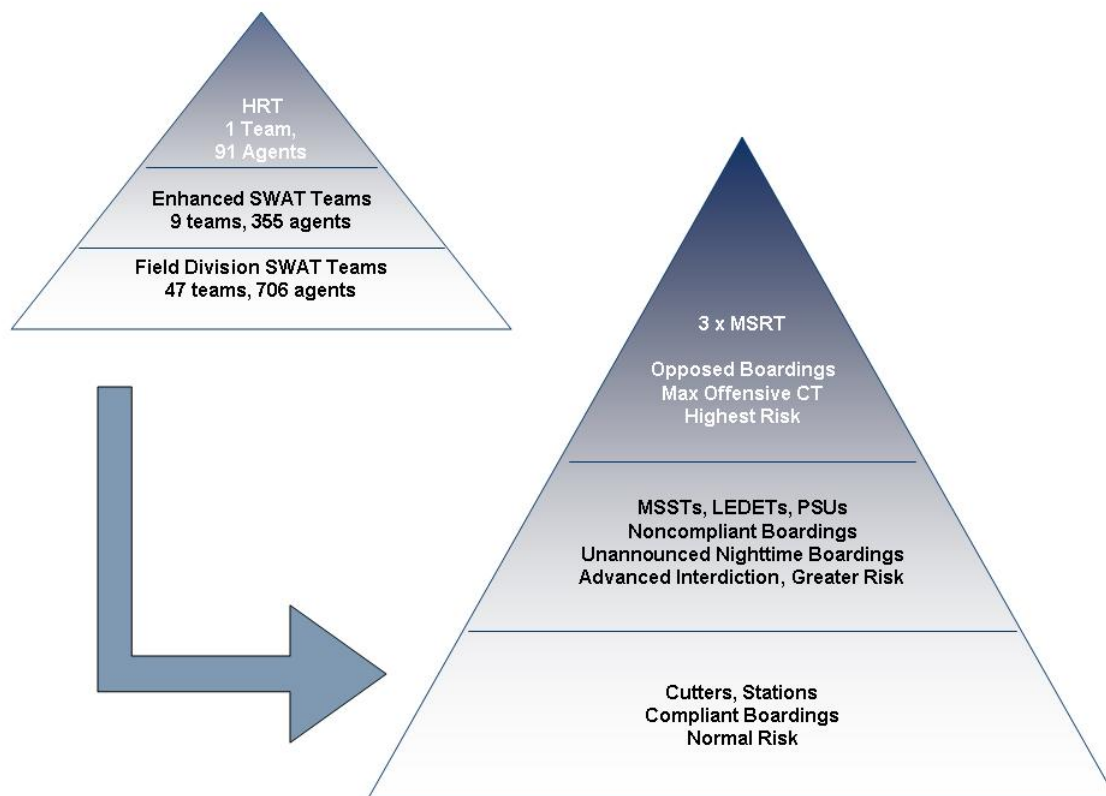


Figure 2. Organization of Coast Guard Law Enforcement Activities based on FBI model.

Source: 1997 GAO/NSIAD-97-254 *Combating Terrorism* (FBI data only)

⁶⁷HRT: Hostage Rescue Team; SWAT: Special Weapons & Tactics; MSRT: Maritime Security Response Team; MSST: Maritime Safety & Security Team; LEDET: Law Enforcement Detachment; PSU: Port Security Unit.

In order to feed all levels of the pyramid, the Coast Guard requires greater law enforcement competency than it has today at the cutters and stations. Captain Tom Atkins refers to this as “building the base.”⁶⁸ The Coast Guard might accomplish this by sprinkling two to three rated law enforcement personnel per unit to serve as boarding officers and training teams for boarding team members. Major cutters would be better able to accomplish advanced interdiction missions if the Coast Guard augmented them with LEDETs and relieved the cutter crews of the burden to maintain advanced law enforcement competencies such as close-quarters battle and vertical insertion. Members at the baseline competency must then self-select into the next rung, which is the demarcation of the closed-loop community of law enforcement or maritime security specialists whose initial qualifications will decay over time in favor of the tactical skills necessary to support military special operations and SWAT-style law enforcement operations. This intermediate rung, in addition to serving its own purposes, comprises the critical talent pool for the third and final rung, the dedicated counterterrorist operators found in the Maritime Security Response Teams (enhanced MSSTs). One finds this striated system of accession with minimal adaptations in both the special operations community and civilian law enforcement. The Coast Guard should institutionalize this concept in both policy and practice.

Within the TACLETs, the key reorganization effort should focus on standardization and scalability. The Coast Guard has labeled its current three TACLETs as North, South, and Pacific. These names are useless because they only refer to where the unit is physically located within the United States. Although the TACLETs have

⁶⁸Thomas Atkins, Interview by author, New Orleans, 26 September 2005.

accumulated unofficial regional specializations (e.g., East Caribbean CD ops in the East Coast TACLETs, Chinese migrant interdiction on the West Coast), officially all LEDETs deploy worldwide. A useful renaming mechanism is already in place in that the first number of each LEDET (e.g. the “1” in 103) corresponds to the TACLET to which the team reports. To improve scalability, the TACLETs simply ought to use that number in the way that Army Special Forces Groups and SEAL Teams already have. Thus, Pacific Area TACLET would be called the First Tactical Law Enforcement Team. If the next administration wanted to increase LEDET activities dramatically, it would become difficult and confusing to follow the current motif—imagine a “TACLET West-Southwest.” Likewise, LEDETs should have a standard Table of Organization and Equipment (TOE).

While an effort to identify a LEDET TOE could consume its own complete study, it should be intuitive that all LEDETs should have standardized capabilities even if some measure of regional specialization continues. LEDETs need an organic, dedicated boat coxswain, crew, and engineer so that each team can integrate with host nation forces, train their boat crews, and operate their craft if necessary or desirable. Several other members should be qualified combat boat crewmembers (perhaps qualified as Special Warfare Combatant Crewmen) who can operate mounted and personal weapons to help the coxswain fight the boat as a weapons system. The Deployable Pursuit Boat concept proved this feasible. Further, each LEDET needs a damage control technician who, in addition to their standard rating skills, can operate the various means of dynamic and explosive breaching in use by special operations forces and SWAT teams. LEDETs in the Northern Arabian Gulf have been using cutting tools and “quickie saws” to force entry

into ship superstructures, more specifically, to force entry into the most likely fatal funnel on the ship. The unannounced nighttime boardings common in counterdrug operations present similar risks.⁶⁹ Teams could better mitigate risk and dominate the situation had they the option to choose the time and place of their entries with shaped charges, exercising due regard to the ship's stability and watertight integrity requirements (main deck and below). The Israeli Defense Forces, in their April 2002 assault on the compact, compartmentalized town of Nablus, breached walls in unexpected places to conceal their own movements and catch their terrorist enemies off balance.⁷⁰ In order to mitigate the risk of independent operations, LEDETs require organic experts in long-range communications and combat medicine. The remainder of the skills in the recommended TOE is based on traditional LEDET staffing.

Although LEDETs have hovered between seven and nine members, the 12-member team is the unchallenged standard for high-risk entry teams. It allows two to three subordinate teams to advance on separate objectives or carry out different functions. For example, two teams of four can move simultaneously to the bridge and main control while a third looks for unaccounted for personnel. Alternatively, a team of two can set up a remote Sniper/Observer post to provide detailed reconnaissance to the entry team, as well as security over-watch in the form of precision rifle fire. This capability can protect boarding teams whether perched in a helicopter, on a merchant vessel superstructure, or on a dockside structure. Another team of two can cover the team from the small boat. This leaves seven for the boarding and one mission commander, which is how LEDETs

⁶⁹Ogle.

⁷⁰Amir Yarom, SAMS Lecture, 31 October 2005.

do many of their boardings today, minus the risk mitigation. The Coast Guard most likely derived the 8-member LEDET from constrained resources rather than from solid mission analysis. From the beginning, LEDETs have grown accustomed to being outnumbered two and three to one on the typical counterdrug boarding of a larger fishing vessel. Based on its success in other established high-risk tactical organizations, the 12-member team (or multiples of them)—properly organized, trained, and equipped—is dynamic enough to meet nearly any demand. Figure 3 shows how the size and resident capabilities in each ODA can be adapted to derive a standard doctrinal manning template for Coast Guard LEDETs.

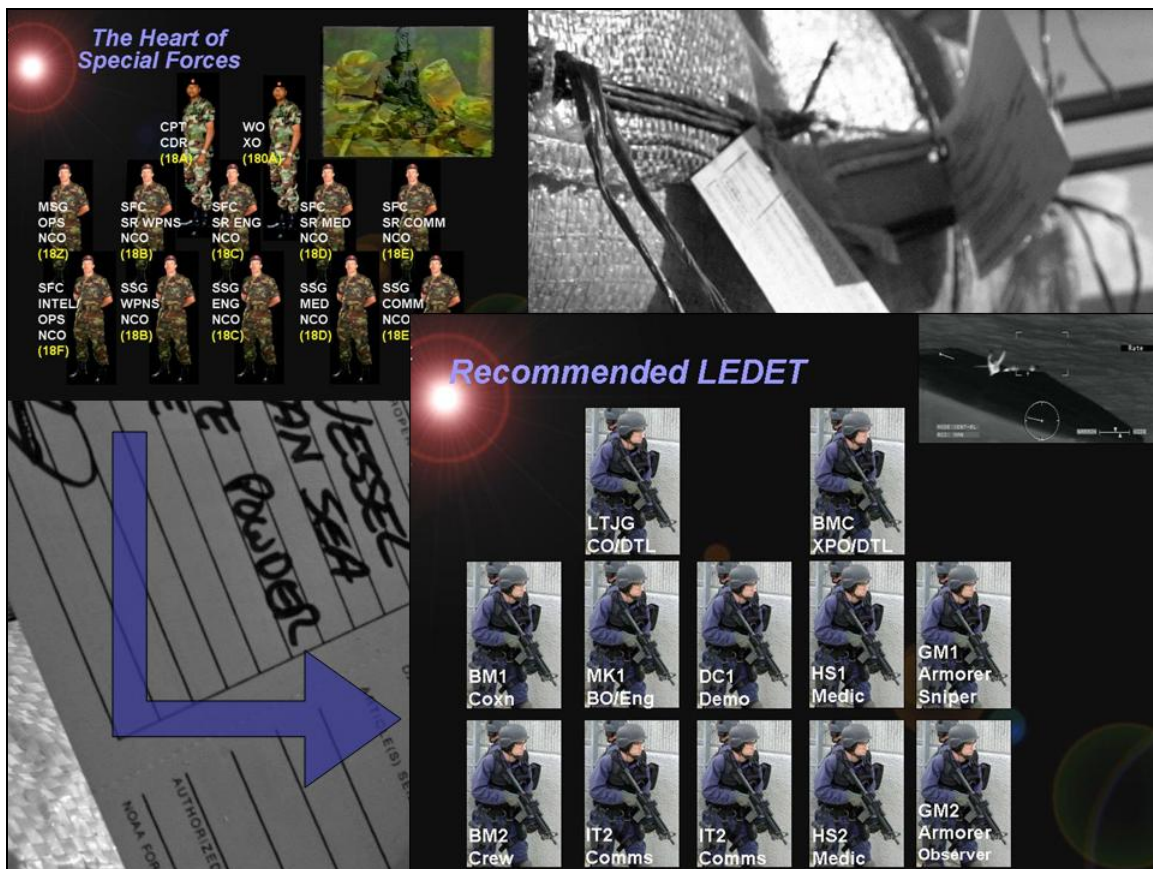


Figure 3. Recommended LEDET organization derived from Special Forces ODA
Source: CGSC SOF Track, 26 April 2005

A Coast Guard Special Operations Command, along with scalable TACLETs and the pyramidal organization of law enforcement missions and required competencies, will position the Coast Guard to generate and regenerate special operations-quality forces to meet its enduring mission requirements as well as those of other federal agencies and the combatant commanders.

Training

The worst thing the Coast Guard could do—and the worst thing it has done since 11 September 2001—is to try to crack the code to special operations capabilities on its own. The best thing the Coast Guard has done is to bring into its ranks relevant subject matter experts from DOD SOF to stand up the MSRT and its program management staff. The additional operational concepts proposed in this monograph carry with them a significant training burden, but fortunately, the necessary resources already exist in the federal government. By means of an agreement signed 10 May 2005, USSOCOM has authorized direct liaison between its subordinate commands and the Coast Guard to support the training of maritime security forces.⁷¹

There ends the good news in the training department. In the author's two years of graduate research, the data has demonstrated consistently that the Coast Guard has not fielded the necessary training infrastructure to meet even its current operational requirements.⁷² The first year's research dealt primarily with the MSST and MSRT

⁷¹Bryan D. Brown (Commander, U.S. Special Operations Command), lecture to CGSC SOF Track, 21 April 2005, and e-mail to author, 10 May 2005.

⁷²Interviews at Coast Guard Headquarters (G-OPC), International Training Division (including two of the old warhorses, Curt Bradley and Manny Vega), Maritime Security Response Team, Special Missions Training Center, and Pacific Area TACLET.

programs, and the second year's effort looked at the TACLET program. The skill sets required across all of these programs have considerable overlap, and consist mainly of vertical insertion, close-quarters battle, precision marksmanship (snipers), breaching, and independent boat operations over the horizon at night. As was the case when the author served as a LEDET officer in charge from 1996 to 1998, the “slow, ponderous, and deliberative”⁷³ processes at Coast Guard Headquarters have forced the field units to seek out “black market”⁷⁴ training opportunities in the aforementioned skill areas in order to accomplish their missions.

Behold the “unannounced nighttime boarding.” LEDETs have developed this capability in response to a recent trend in which smugglers have orders to sink or burn their vessels at the first sign of law enforcement. Unless the U.S. Attorney and the Coast Guard are satisfied with merely “rescuing mariners in distress” and foregoing felony prosecutions for multi-ton cocaine shipments, LEDETs must have the capability to take positive control of ship and crew before they can destroy the evidence. Unfortunately, the TACLETs have built this capability on their own and to date they are the only place in the Coast Guard where anyone can obtain this capability. Yet they have not been resourced to conduct the training. Pacific Area TACLET has trained 12 major cutters each on a three-week curriculum.⁷⁵ This is time that LEDETs are not on the prowl suppressing lawlessness or at home with their families. The Commandant of the Coast Guard wants the high-endurance cutters to have this high-end capability and says, “Make

⁷³Lee Alexander, Interview by author, Camp Lejeune, NC, 25 January 2005.

⁷⁴Mark Ogle, “TACLET Program,” e-mail to author, 20 March 2006.

⁷⁵Ibid.

it so,” but he has not held his headquarters accountable to provide a responsive training system. The monkey lands on the backs of the field units.

For another example, the Coast Guard’s fast-roping (vertical insertion) program has been “in development” since 1999—and this is something tactical forces all over the world already know how to do. Seven years and counting is unacceptable. Either the Coast Guard has failed as a “learning organization”⁷⁶ or it has insurgents defeating the process from within. The Coast Guard must be able to solve simple problems quickly and move on to the challenging problems.

The availability of advanced tactical training for Coast Guard special purpose forces has been unsatisfactory for years, but the Coast Guard aggravates the problem by insisting that it must reinvent the wheel even when proven resources exist elsewhere, such as within USSOCOM. Naval Special Warfare is in the business of, among other things, operating boats on night vision goggles. Yet their decades of organizational experience do not satisfy the “human performance study” step of fielding a Coast Guard capability.⁷⁷ This verges on the insane. Recall that the Coast Guard and USSOCOM signed a training agreement in March 2005. One year later, Vice Admiral Johnson’s record message of 9 March 2006 seemed to indicate that the Coast Guard had yet to capitalize sufficiently on this opportunity.⁷⁸ What should be clear is that the existing institutional processes have failed to meet the mission requirements and the derivative training requirements.

⁷⁶Gordon R. Sullivan and Michael V. Harper, *Hope Is Not a Method* (New York: Times Books, 1996), Chapter 11, as referred to in John A. Nagl, *Learning to Eat Soup with a Knife* (Chicago: University of Chicago Press, 2005), 10.

⁷⁷ETC Main (SWCC), interview by author, Special Missions Training Center, 27 January 2005.

⁷⁸U.S. Coast Guard Pacific Area.

The implications of this problem are many. Unit commanders must certify their teams as ready for operations without the benefit of a qualification process sanctioned by the Coast Guard.⁷⁹ Standardization is therefore unlikely, which exposes the Coast Guard to some liability. One of the authorities that must be resident in a flag-level special operations command is the authority to write its own policies or waivers to existing Coast Guard policies based on specialized mission requirements that do not affect the majority of the force.

In order to achieve the kind of self-reliance that would truly give LEDETs the ability to operate independently with minimal risk while maximizing their contributions in the collection of intelligence and operational preparation of the environment, the TACLET program should take a systems approach and provide LEDETs with a broad array of the training available through USSOCOM: shooter skills; survival, evasion, resistance, and escape (SERE); advanced combat medicine; communications; and time-sensitive planning at a minimum. Another critical skill for developing intelligence is the management of low-level sources. In DOD, this qualification tends to be regarded as something of a holy grail, but law enforcers refer to this as managing confidential informants, and these skills are nearly universal from the patrol officers involved in community policing to the special agents on the various organized crime task forces. Therefore, LEDETs ought to be able to acquire this training from USSOCOM, the Intelligence Community, or the Federal Law Enforcement Training Center, and put their new skills to use across a wide spectrum of missions in support of homeland security, national security, and the Intelligence Community.

⁷⁹Ogle, 20 March 2006.

CONCLUSIONS AND RECOMMENDATIONS

Conclusions

The United States must win the war on terror, and it needs the Coast Guard's help in small but critical ways overseas to do it. With some improvements to the TACLET program, LEDETs are more than capable of providing this capability. The post-9/11 strategic security environment therefore requires transformational change for Coast Guard law enforcement detachments. The Coast Guard must quickly build the supporting infrastructure to maintain and improve LEDETs' SOF-like capabilities in maritime interdiction. Further, the Coast Guard should make LEDETs more capable in the field of intelligence. It should enable them to manage low-level sources and give them the global connectivity to use and provide imagery and other technical intelligence. Adding this SOF-like intelligence capability will empower LEDETs to execute SOF-like military interdictions, high-risk law enforcement cases, and intelligence operations for a wide variety of interagency partners. The most likely customers are the joint interagency task forces, theater special operations commands, friendly foreign maritime security forces and judicial systems, the U.S. intelligence community, and the U.S. Attorney. This also would enhance LEDET core competencies in counterdrug operations, making them more independent and versatile. By focusing these three national security powers in its law enforcement detachments and building out their related capabilities, the Coast Guard can lend its critical expertise and authorities to help deny use of the maritime domain by radical Islamists and other illicit, nonstate actors. Coast Guard LEDETs can thus help to extend the maritime security "rule set" into the Gap.

Coast Guard law enforcement detachments today can carry out some of the concepts proposed herein, such as Sea Marshalling cruise ships and cargo ships through the Malacca Strait, by integrating with the reach and capability of theater special operations commands. To guarantee that all LEDETs can operate independently, discreetly, and reliably in environments ranging from permissive to hostile, the Coast Guard should adopt the SOF approach to organizing, training, and equipping them. This is necessary not only to support a program in Southeast Asia, but also to support the Coast Guard's own essential Title 14 mission requirements. Further, LEDETs are in great demand, but short supply. To carry out the proposed concepts, other commitments will have to be dropped or the force expanded. Southeast Asia merits one or both outcomes.

The Coast Guard is the only organization in the United States that combines military, intelligence, and law enforcement authorities and capabilities into a single entity. These legal authorities are sufficient as written. In contrast, legal authorities are critically short in the form of bilateral agreements necessary to facilitate maritime interdiction operations in Southeast Asia.

The author agrees largely with Barnett's description of the world as bifurcated into a "Functioning Core" and "Non-integrated Gap." The Core is where countries compete in the marketplace and where their peoples enjoy economic and political freedom. Living standards are high. In contrast, the Gap exists where globalization has failed or where governments or peoples have rejected information flows, such as rights for women and press freedom. A safe, secure, and functioning maritime domain is a necessary condition for globalization to succeed.

Recommendations

Based on the conclusions, the author recommends that the Coast Guard immediately establish a policy objective to contribute its unique expertise in helping to solve national security problems as a top-tier national security organization. The Coast Guard may already see itself that way and even more so as Deepwater recapitalization progresses. In fact, however, the Coast Guard does not today have this status and no amount of Deepwater recapitalization will impute such status. What will get it there is an adjustment of culture and the policies and capabilities that follow from it. The Coast Guard has to be willing to “take off the gloves” and bloody its nose in real national security problems, such as maritime security in Southeast Asia. This is simply the lens through which other national security organizations see the world.

The Coast Guard could really prove its mettle to these organizations by leading the effort in Southeast Asia using its experience from the Caribbean. In order to help diminish maritime Southeast Asia’s status as a haven for the illicit trafficking of people, drugs, conventional weapons, and weapons of mass destruction, the U.S. Government must win the trust, confidence, and respect of Indonesia, Malaysia, Singapore, and the Republic of the Philippines. Given the Coast Guard’s success in Latin America, where the United States has perhaps its strongest tradition of gunboat diplomacy, there is every reason to be optimistic that the Coast Guard could make inroads in Southeast Asia. The key is to provide the resources that allow these countries to police their waters themselves—not to do it for them.

In order to achieve this policy objective, the Coast Guard must make significant (i.e. transformational) changes to the TACLET program in the realms doctrine, policy, organization, and training. Doctrinal changes include developing the tactical operator as a weapon system, deployable TACLET command nodes, and participation in covert and clandestine activities. To support existing as well as emerging missions, the Coast Guard requires a baseline increase in law enforcement competency, a Coast Guard Special Operations Command, and standardized TOEs for TACLETs and LEDETs that emphasize scalability. Finally, the number one, immediate priority for the Coast Guard must be to fix its advanced tactical training systems. The Coast Guard could get by without changing TACLETs, LEDETs, and their supporting infrastructure, but it would thus fail to develop and contribute their full potential to the nation in its struggle to defeat radical Islamists, advance the cause of globalization, and integrate maritime Southeast Asia into the “Functioning Core.”

APPENDIX A. MARITIME SOUTHEAST ASIA

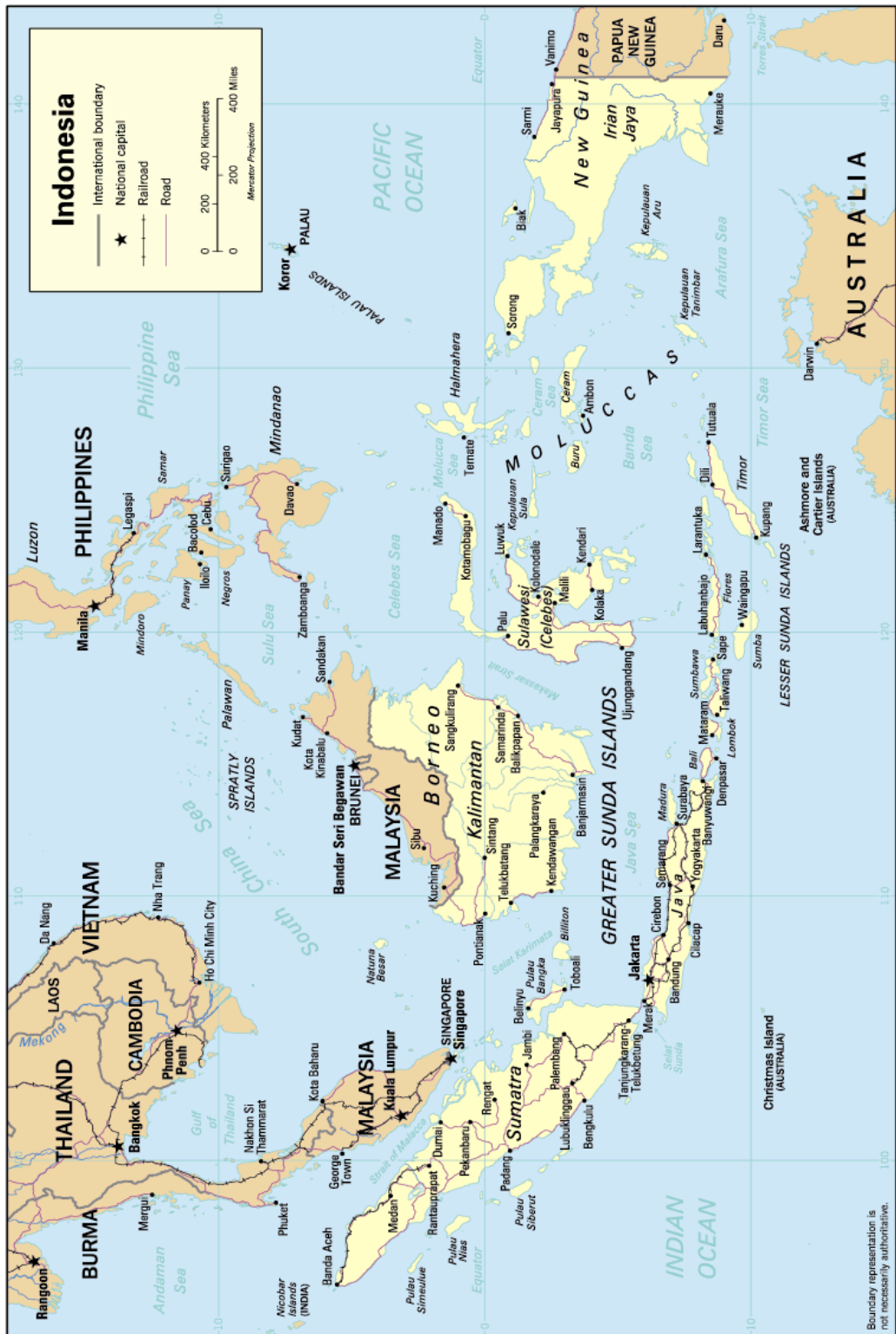


Figure 4. Indonesian territory dominates maritime Southeast Asia.
Source: *Digital Map Data*, Compact Disc, CGSC curriculum, 2005.

APPENDIX B. ACRONYMS

HRT	Hostage Rescue Team
LEDET	Law Enforcement Detachment
MSRT	Maritime Security Response Team
MSST	Maritime Safety and Security Team
NSSE	National Special Security Event
PSU	Port Security Unit
SOF	Special Operations Forces
SWAT	Special Weapons and Tactics
TACLET	Tactical Law Enforcement Team
TOE	Table of Organization and Equipment
USCENTCOM	United States Central Command
USPACOM	United States Pacific Command
USSOCOM	United States Special Operations Command
WMD	Weapons of Mass Destruction

APPENDIX C. GLOSSARY

Clandestine Operation. An operation sponsored or conducted by governmental departments or agencies in such a way as to assure secrecy or concealment. A clandestine operation differs from a covert operation in that emphasis is placed on concealment of the operation rather than on concealment of the identity of the sponsor. In special operations, an activity may be both covert and clandestine and may focus equally on operational considerations and intelligence-related activities. See also covert operation. (JP 3-05.1)

Coast Guard Special Purpose Forces. The author uses this term to describe collectively the Coast Guard EMSST/SRT, TACLETs, LEDETs, MSSTs, PSUs, ITD, SMTC, HITRON, and National Strike Force. Special purpose forces differ from Coast Guard multimission units in that they are organized, trained, and equipped to accomplish a much narrower mission set than Coast Guard cutters, boat stations and air stations, and most focus on the maritime security role.

Counterterrorism. Operations that include the offensive measures taken to prevent, deter, preempt, and respond to terrorism. Also called CT. (JP 1-02)

Covert Operation. An operation that is so planned and executed as to conceal the identity of or permit plausible denial by the sponsor. A covert operation differs from a clandestine operation in that emphasis is placed on concealment of identity of sponsor rather than on concealment of the operation. (JP 1-02)

Enhanced Maritime Safety And Security Team. Coast Guard EMSSTs support the Lead Federal Agency, Combatant Commander, or Coast Guard Incident Commander by providing a rapid-response, direct-action team for opposed boardings in ports and the maritime approaches. Also called EMSST, Maritime Security Response Team, or MSRT. (MSRT focus group)

Foreign Internal Defense. 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. Also called FID. (JP 3-05)

Homeland Defense. Protection of US sovereignty, territory, domestic population, and critical defense infrastructure against external threats and aggression. The Department of Defense is responsible for homeland defense. (*Strategy for Homeland Defense and Civil Support*)

Homeland Security. A concerted national effort to prevent terrorist attacks within the United States, reduce America's vulnerability to terrorism, and minimize the damage and recover from attacks that do occur. The Department of Homeland Security is the lead federal agency for homeland security. (*National Strategy for Homeland Security*)

Joint Worldwide Intelligence Communications System. The sensitive, compartmented information portion of the Defense Information Systems Network. It incorporates advanced networking technologies that permit point-to-point or multipoint information exchange involving voice, text, graphics, data, and video teleconferencing. Also called JWICS. (JP 1-02)

Law Enforcement Detachment. The Coast Guard officially established the LEDET program in 1982. The first LEDETs operated directly under Groups and Districts, where they served as law enforcement specialists, conducting training and local operations. In 1986, Public Law (P.L.) 99-570 specifically authorized the establishment of billets for active duty USCG personnel to carry out drug interdiction operations from naval surface vessels provided by DOD. Since Posse Comitatus strictly prohibits DOD personnel from directly engaging in law enforcement activities, LEDETs were tasked with operating aboard USN ships to investigate contacts and conduct boardings in accordance with USCG policy and directives. In accordance with P.L. 99-570, LEDETs were to deploy on U.S. Navy (USN) "ships of opportunity", transiting or operating in areas frequently used by illegal drug traffickers. In 1988, P.L. 100-456 made it a requirement that USCG law enforcement personnel be assigned to each appropriate USN surface vessel that transits a drug interdiction area. The 1989 National Defense Authorization Act designated the DOD as the lead agency of the Federal Government for the detection and monitoring of aerial and maritime trafficking of illegal drugs into the United States or any of its Commonwealths, Territories, or Possessions. In turn, the Coast Guard was designated the lead agency for the interdiction and apprehension of illegal drug traffickers on the high seas. In order to meet these statutory responsibilities, the DOD deploys surface assets to drug interdiction areas, making ships available for direct support of USCG law enforcement operations (G-OPL via www.uscg.mil). Coast Guard LEDETs are subordinate units of TACLETs. Standing LEDETs number seven to nine people, but ad hoc teams may be formed with two or more people. LEDETs also conduct maritime interdiction operations pursuant to UN resolutions, foreign internal defense, and any other mission that requires specialized maritime law enforcement skills. Also called LEDET.

Maritime Domain. All areas and things of, on, under, relating to, adjacent to, or bordering on a sea, ocean, or other navigable waterway, including all maritime related activities, infrastructure, people, cargo, and vessels and other conveyances. (NSPD-41/HSPD-13)

Maritime Domain Awareness. The effective understanding of anything associated with the global maritime domain that could impact the security, safety, economy, or environment of the United States. Also called MDA. (HSPD-13/NSPD-41)

Maritime Safety and Security Team. MSSTs were created in direct response to the terrorist attacks on Sept. 11, 2001, and are a part of the Department of Homeland Security's layered strategy directed at protecting our seaports and waterways. MSSTs provide waterborne and shoreside antiterrorism force protection for

strategic shipping, high interest vessels and critical infrastructure. MSSTs are a quick response force capable of rapid, nationwide deployment via air, ground, or sea transportation in response to changing threat conditions and evolving Maritime Homeland Security (MHS) mission requirements. Multi-mission capability facilitates augmentation for other selected Coast Guard missions. MSST personnel receive training in advanced boat tactics and antiterrorism force protection at the Special Missions Training Center located at Camp Lejeune, NC (www.uscg.mil).

National Special Security Event. A designated event that, by virtue of its political, economic, social, or religious significance, may be the target of terrorism or other criminal activity. (National Response Plan)

Naval Special Warfare. A designated naval warfare specialty that conducts operations in the coastal, riverine, and maritime environments. Naval special warfare emphasizes small, flexible, mobile units operating under, on, and from the sea. These operations are characterized by stealth, speed, and precise, violent application of force. Also called NSW. (JP 3-05)

Naval Special Warfare Forces. Those Active and Reserve Component Navy forces designated by the Secretary of Defense that are specifically organized, trained, and equipped to conduct and support special operations. Also called NSW forces or NAVSOF. (JP 3-05.2)

Special Forces. US Army forces organized, trained, and equipped to conduct special operations with an emphasis on unconventional warfare capabilities. Also called SF. (JP 1-02)

Special Mission Unit. A generic term to represent a group of operations and support personnel from designated organizations that is task-organized to perform highly classified activities. Also called SMU. (JP 3-05.1)

Special Operations. Operations conducted in hostile, denied, or politically sensitive environments to achieve military, diplomatic, informational, and/or economic objectives employing military capabilities for which there is no broad conventional force requirement. These operations often require covert, clandestine, or low visibility capabilities. Special operations are applicable across the range of military operations. They can be conducted independently or in conjunction with operations of conventional forces or other government agencies and may include operations through, with, or by indigenous or surrogate forces. Special operations differ from conventional operations in degree of physical and political risk, operational techniques, mode of employment, independence from friendly support, and dependence on detailed operational intelligence and indigenous assets. Also called SO. (JP 3-05)

Special Operations Command. A subordinate unified or other joint command established by a joint force commander to plan, coordinate, conduct, and support joint special operations within the joint force commander's assigned operational area. Also called SOC. See also special operations. (JP 3-05)

Special Operations Forces. Those Active and Reserve Component forces of the Military Services designated by the Secretary of Defense and specifically organized, trained, and equipped to conduct and support special operations. Also called SOF. (JP 1-02)

Tactical Law Enforcement Team (TACLET). Coast Guard TACLETs as organized today are the command and support elements responsible for six to nine standing LEDETs. TACLETs report to either the Atlantic or Pacific Area Commander (3-star).

Terrorism. The calculated use of unlawful violence or threat of unlawful violence to inculcate fear; intended to coerce or intimidate governments or societies in the pursuit of goals that are generally political, religious, or ideological. (JP 1-02)

Unconventional Warfare. A broad spectrum of military and paramilitary operations, normally of long duration, predominantly conducted through, with, or by indigenous or surrogate forces who are organized, trained, equipped, supported, and directed in varying degrees by an external source. It includes, but is not limited to, guerrilla warfare, subversion, sabotage, intelligence activities, and unconventional assisted recovery. Also called UW (JP 3-05).

Weapons of Mass Destruction. Weapons that are capable of a high order of destruction and/or of being used in such a manner as to destroy large numbers of people. Weapons of mass destruction can be high explosives or nuclear, biological, chemical, and radiological weapons, but exclude the means of transporting or propelling the weapon where such means is a separable and divisible part of the weapon. Also called WMD. (JP 1-02)

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