

Employing Maritime Security Response Teams as the Nation's Maritime Crisis Response Force

by Christjan C. Gaudio

The U.S. Coast Guard is recognized worldwide for our ability to perform diverse maritime missions over vast geographic areas. Our value to the Nation resides in our enduring commitment to protect those on the sea, to protect the United States from threats delivered by the sea, and to protect the sea itself. As a military, law enforcement, regulatory, and humanitarian Service, the Coast Guard relies upon an array of unique authorities and partnerships to enhance our capability and capacity throughout the maritime domain.¹

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

The September 11, 2001, terrorist attacks highlighted a future operating environment the U.S. was unprepared for—one in which non-state actors hid among the legitimate populations of nation states and emerged to attack a target before fading back into the populace. This new environment required a different response by the government—one that presented a unified front, with close interagency coordination and the integration of law enforcement and Department of Defense (DoD) authorities and jurisdictions to adequately protect U.S. territory. With the creation of the cabinet-level Department of Homeland Security (DHS), the Coast Guard, specifically, saw an increase in missions related to law enforcement because its unique authority and jurisdiction allowed the department to extend U.S. borders out to 200 miles offshore and in some cases beyond. One issue with this expansion was that of control and response. How can the Coast Guard respond to known threats that far offshore in a timely manner and with the special capabilities needed to seize control of a ship with suspected threats aboard? The answer, in part, is the Maritime Security Response Team (MSRT) created in 2004 to meet the threats posed by this domain and to augment security for the three National Special Security Events scheduled that year.² From this initial operating capacity achieved in 2004, the MSRT grew into an assault force capable of operating alongside Naval

Lieutenant Commander Christjan Gaudio is a Joint Strategic Planner in the Coast Guard's Office of Counterterrorism and Defense Operations Policy, and a 2018 U.S. Army Command and General Staff College Art of War Scholar with a Master of Military Art and Science degree.

Special Warfare and Special Forces in support of national tasking.³

The establishment of United States Northern Command (USNORTHCOM) in 2002 created a geographic combatant commander with responsibility for the homeland, Canada, Mexico, and the associated offshore areas. It did so without resourcing it similarly to other geographic combatant commands. The *Posse Comitatus* Act, along with additional policies governing the deployment of military forces within the U.S., hinders the allotting of forces to the USNORTHCOM Commander. The Coast Guard is uniquely positioned to fulfill some of the force allocation needs and capability gaps of USNORTHCOM. The MSRT can fulfill the role and responsibilities of a Maritime Crisis Response Force within USNORTHCOM and provide domestic law enforcement capabilities that DoD forces are restricted from having by Congress. Threats related to weapons of mass destruction and attacks on maritime commerce require a “unique response that combines the capabilities of both law enforcement agencies and a... special missions team.”⁴ Designating a Maritime Crisis Response Force for USNORTHCOM provides economy of force to the Nation by allocating a trained and equipped initial response to a known or perceived threat.

Figure 1 (see page 36) documents the term Combatant Commander Crisis Response Force within unclassified Army Doctrine and identifies the six existing teams. Each team aligns with a geographic combatant commander under his or her regionally-aligned Special Forces Group headquarters. USNORTHCOM is missing, as the restrictions of the *Posse Comitatus* Act prevent DoD forces operating domestically in a law enforcement capacity.

This article examines the requirement to designate the Coast Guard’s MSRT as the Maritime Crisis Response Force for USNORTHCOM to provide a law enforcement response to domestic maritime incidents and

give the National Command Authority options for multiple domestic threats while supporting special missions units.

Attacks within the last five years in Belgium, Denmark, and France potentially indicate that the current global trend of terrorist attacks will likely continue into the near future. Geographic combatant commanders have Army Special Forces Combatant Commander Crisis Response Forces identified to respond during periods of heightened tension to both known and suspected threats. USNORTHCOM is the lone exception. This geographic combatant commander should have a similar capability to respond to domestic incidents offshore and on land. The Department of Justice has responsibility for responding to domestic terrorist incidents on land through, among other resources, the Federal Bureau of Investigation’s Hostage Rescue Team.⁵ Based on current authorities and jurisdiction, the maritime response capability should reside

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within the Coast Guard and the DHS. The Coast Guard’s MSRT is currently trained and capable of meeting the mission requirements and demands of a Maritime Crisis Response Force for USNORTHCOM. Officially designating the units as the Maritime Crisis Response Force for USNORTHCOM mirrors capabilities inherent in other geographic combatant commands and enables both USNORTHCOM and the DHS to meet their mandate of responding to domestic threats to the homeland as it relates to threats from the sea.

The new operating environment in which the U.S. found itself following the attacks on September 11, 2001, facilitated changes within the federal government to meet the

<p align="center">Special Warfare</p> <p>Units capable of long-duration operations in denied areas designed to train, advise, and assist host nations in conducting special operations, and to build the indigenous warfighting capability.</p>	<p align="center">Surgical Strike</p> <p>Units trained and equipped to provide a primarily unilateral, scalable, direct action capability that is skilled in hostage rescue, kill/capture operations against designated targets, and other specialized tasks.</p>
<p>Army special operations forces units are not mutually exclusive with respect to special warfare and surgical strike. Darker gradient depicts stronger operational focus.</p>	
 <p>1st, 3d, 5th, 7th, 10th, 19th, 20th Special Forces Groups (Airborne)</p>	
	<p>C1/1, B2/3, A1/5, C3/7, C1/10, C2/10 Combatant Commander Crisis Response Force</p>
	 <p>Special Mission Units (Airborne)</p>
	 <p>75th Ranger Regiment (Airborne)</p>
 <p>95th Civil Affairs Brigade (Airborne)</p>	
 <p>4th, 8th Military Information Support Operations Groups (Airborne)</p>	
	 <p>160th Special Operations Aviation Regiment</p>
 <p>528th Sustainment Brigade (Special Operations) (Airborne)</p>	

Figure 1: U.S. Army Commander’s In-Extremis Force Relationship to Special Warfare and Surgical Strike Missions
Source: U.S. Department of the Army, Army Doctrine Publication 3-05, Special Operations, Government Printing Office, Washington, D.C., 2018, p. 19.

challenges posed by international terrorism. These changes led to the establishment of the DHS, the standing up of USNORTHCOM, and the development of the Coast Guard’s MSRT. The concept development and experimentation of the MSRT by the Coast Guard led to the service’s development of advanced interdiction capabilities that enabled the Coast Guard, through the MSRT, to project law enforcement power and authority seaward to seize control of a ship with suspected threats embarked aboard two hundred miles offshore.

According to *The National Strategy for Maritime Security*:

The United States must build rapid-reaction forces to support first responders with capabilities to respond to WMD and other terrorist incidents that occur in the maritime domain. These response forces will blend the expertise and resources of the public and private sectors. They will be organized, trained, equipped, and exercised to operate in contaminated environments and manage the consequences of WMD incidents.

Specifically, they will develop and deploy capabilities to detect and identify harmful chemical and biological agents, as well as conduct casualty extraction and mass decontamination in the maritime environment.⁶

This capabilities-based assessment forms the next logical step in the development of the Coast Guard's MSRT and USNORTHCOM. The opportunity to refine coordination and interoperability between domestic law enforcement and USNORTHCOM is one that should not be overlooked and cannot be overstated. U.S. domestic law enforcement is complicated. Overlapping jurisdictions, specialties, and interests create both a creative and collaborative environment. The U.S. does not have the same level of interoperability domestically as the DoD during operations overseas. Specifically, there is not a joint force system in place that aligns the different agencies within the DHS in the same manner as it does within the DoD. The exception is the Coast Guard, which follows DoD Joint Doctrine and is a member of the Joint Force while operating within the DHS. Both the DHS and USNORTHCOM work collaboratively with federal, state, and local law enforcement agencies to respond to domestic incidents. Transnational organized crime is a growing threat that is international in nature, thrives in ungoverned spaces, and has the capacity to overwhelm local law enforcement agencies.⁷ One of the largest and most remote areas to police is the extensive offshore territorial, contiguous and exclusive economic zones. These areas constitute a well-used avenue of approach for trade, smuggling, and attack (see Figure 2, page 39). To meet these challenges a more coordinated effort is needed between USNORTHCOM and the DHS.

The future joint operating environment is contentious. Conflict is inevitable and is interwoven into the fabric of human history. "One cannot rule out the possibility that U.S. military

forces will be engaged in persistent conflict over the next quarter century. In the next twenty-five years, there will continue to be those who will hijack and exploit Islam and other beliefs for their own extremist ends."⁸ The nation's enemies work to identify existing frictions within the U.S. domestic defensive construct and exploit these seams to weaken the country internally, using its own processes against it.⁹ U.S. forces will continue to work in an "environment where struggle predominates."¹⁰ The world is only getting more complicated. Transnational organized crime and international terrorism will continue to threaten the U.S. as will the rise of near-peer adversaries.

The DoD cannot bear the burden for meeting

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these challenges alone. The organization must continue its focus external to the domestic U.S. and prepare itself to meet growing international near-peer threats. The *U.S. Army Operating Concept: Win in a Complex World 2020-2040* outlines the Department of the Army's, and by extension the DoD's, acknowledgement that wars in the future will comprise the full range of military operations, from near-peer conflict to stability operations.¹¹ It is an attempt to outline a way ahead that creates a land component capable of operating across the full spectrum of operations and do everything equally well. It can be taken as an indication of the DoD's recognition of the threats currently in place across the globe. Despite its title, the DoD is an offensively-motivated entity, whose job is to keep the fight away from the homeland and prosecute its missions worldwide, which poses an issue for USNORTHCOM which, as a DoD entity, is the only geographic combatant

command responsible for domestic territory and responding to threats in the homeland. Due to Congressional limits on DoD forces, USNORTHCOM is without operational assets capable of performing in a law enforcement capacity.

In addition to the threat posed by global competitors, transnational organized crime complicates the future of the U.S., as it furthers crime and instability domestically, regionally, and globally. Transnational organized crime is “deeply rooted in the preconditions for terrorism and insurgency and the thirst for power and wealth, as well as in the policies of nations that make it profitable.”¹² It is a destabilizing influence that contributes to declining and failing states and challenges the Westphalian system of nations constricted by international laws and agreements.¹³ Transnational organized crime keeps “states weak and incapable of effective partnership” while enabling the growth of large international organizations with the capital and capabilities inherent in nation states.¹⁴ People, weapons, drugs, and contraband continue to be the largest moneymakers worldwide for transnational criminal organizations, earning them billions in profit while undermining domestic governance, economies, trade, transportation, and transactional systems.¹⁵

Even with the need to focus on near-peer and transnational organized threats, there remains the threat of domestic and international terrorism. Terrorists have “idealistic motives” and ideals do not die easily.¹⁶ The *Joint Operating Environment 2008* anticipates the global war on terrorism extending into the 2030s due to the terrorist organization’s embracing of the internet to recruit and train volunteers to continue the fight.¹⁷ While Al Qaeda and the Islamic State are weakened, it is shortsighted to think that other organizations, with similar goals, will not fill the void, focused on supplanting the primacy of the U.S. These non-state actors are a continued threat that may potentially harness weapons of

mass destruction to meet their organizational goals.¹⁸

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

A Maritime Crisis Response Force provides USNORTHCOM with the ability to respond to threats to the homeland originating in the littorals. U.S. Army Special Forces are regionally aligned and provide crisis response forces to each geographic combatant command with the exception of USNORTHCOM.¹⁹ The *Posse Comitatus* Act limits the missions that the DoD can support domestically.²⁰ As an organization, the DoD is focused on projecting power overseas in support of U.S. national interests, relying on domestic law enforcement agencies comprised of federal, state, and local municipalities to secure the homeland using each organization’s law enforcement authorities. The issue is one of authority and jurisdiction, which Congress can change. It begs the question should an exception be made to the practice that enables the DoD to fill the requirement of a domestic-based and focused Maritime Commander’s In-Extremis Force?²¹

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

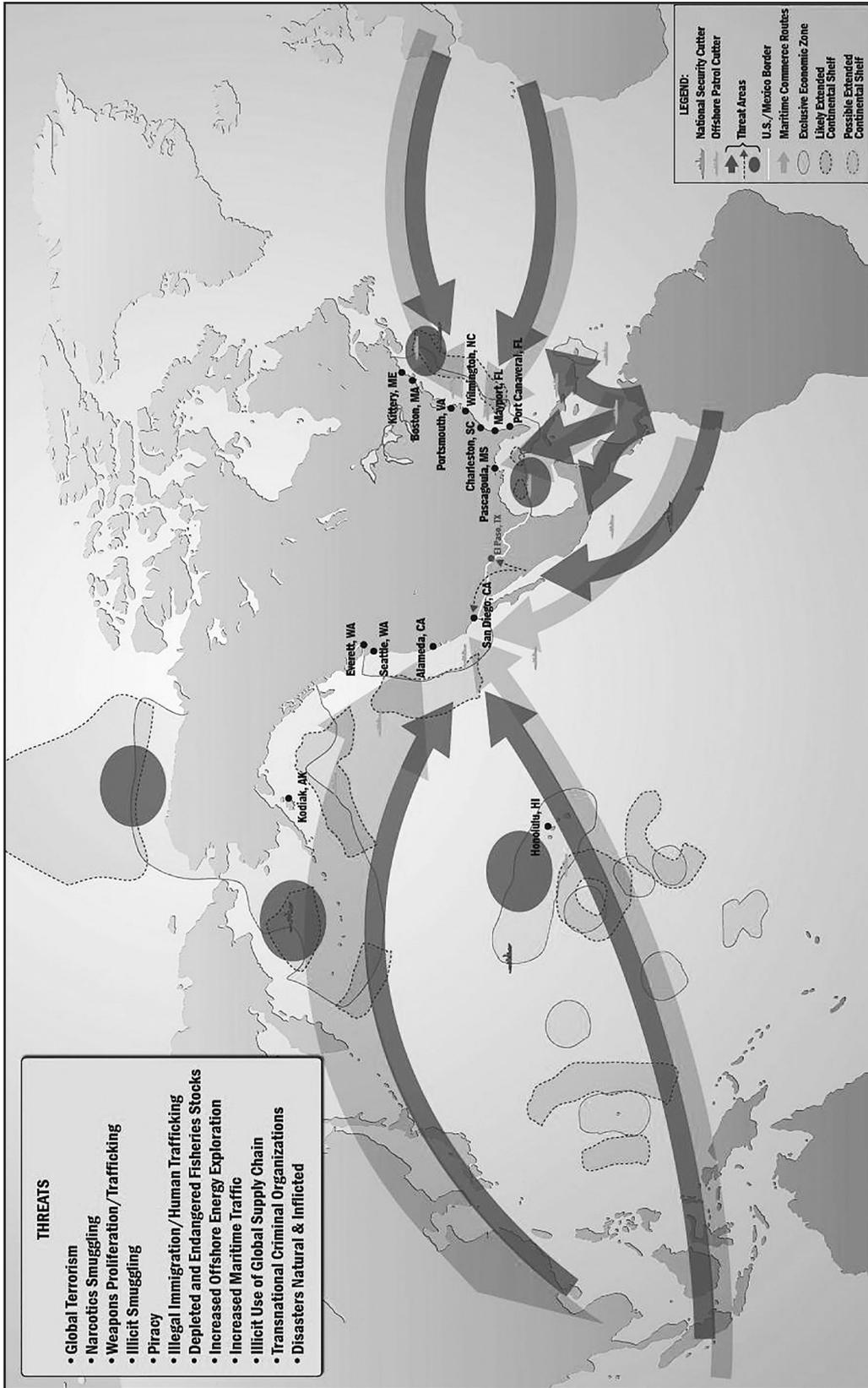


Figure 2: Threat Areas
 Source: U.S. Coast Guard, Coast Guard Publication 3-0, Operations, Government Printing Office, Washington, D.C., 2012, p. 14.
 Note: This image shows what the United States Coast Guard identifies as threat areas.

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

USNORTHCOM's ability as a geographic combatant command to synchronize DoD support with domestic agencies is a strength. However, it is time to take the next logical step...

Much like an American football team has players that specialize in offense or defense, U.S. military and federal agencies should do likewise. The scramble to respond to the attacks of September 11, 2001, saw many federal agencies and services stepping on one another. While this has lessened over the past seventeen years, there continues to be a lot of overlap. The DoD has a role to play in securing the homeland. USNORTHCOM provides a link to training, logistics, and support that was crucial to the domestic responses to Hurricane's Katrina and Rita, as well as to domestic law enforcement missions related to national security special events, such as the Democratic and Republican National Conventions, Presidential Inaugurations, the World Series, and the Super Bowl.²² USNORTHCOM's ability as a geographic combatant command to synchronize DoD support with domestic agencies is a strength. However, it is time to take the next logical step and provide that commander with units that can respond to the information and intelligence available to the DoD while operating domestically. Special Operations Command, like the rest of the DoD, should maintain its focus

and span of control on the external threats to the U.S. The rise of a Chinese blue water navy, a nuclear North Korea, a growingly aggressive Iran, and continued international terrorism means that the DoD has plenty on its plate without having to pick up domestic mission sets.

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

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

The United States Coast Guard has the law enforcement authorities to police the homeland and provide the maritime domain awareness necessary to deter, prevent, and respond to national threats in the littorals. In the era of globalized economies, the littorals have become a crucial part of a nation's sovereignty, with agents of the government having the requirement to ensure unrestricted and unimpeded commerce encompassing nearly 90 percent of world trade adjacent to a shoreline area where the majority of a nation's population resides.²³ The risk associated with attacks occurring in this littoral environment is speculative and estimates range in scale from doomsday-like prophecies to

minor interruptions in the global supply chain. USNORTHCOM's responsibility to synchronize a national response in this area currently competes with the DHS's responsibility to do the same.²⁴

The Coast Guard is a uniquely positioned resource in the coordinated fight against TOC [transnational organized crime] networks in the Western Hemisphere. Leveraging a broad array of authorities and capabilities across diverse maritime missions coupled with a persistent at sea presence, the Coast Guard is a versatile and critical resource in our Nation's larger battle against TOC networks. The Coast Guard also maintains unique capabilities and authorities to engage TOC networks in areas where they are not only unchallenged by other partners, but where they are also most vulnerable to disruption.²⁵

Following a tested and proven model of Coast Guard Law Enforcement Detachments working for both the Coast Guard, an agency within the DHS, and the DoD, it is possible to create a pathway whereby USNORTHCOM's synchronization skills work collaboratively with Coast Guard assets to provide a comprehensive defense of the nation.²⁶

The *Quadrennial Homeland Security Review* outlined the continuing concern with weapons of mass destruction and focused specifically on nuclear terrorism which "would cause severe loss of life, illness, and injury; present challenges to our economy and our free and open society; and damage the national psyche."²⁷ The current responsibility to respond to these incidents resides with the National Command Authority, and there is not an organization designated to bridge the local police response and more capable special missions units. USNORTHCOM needs a dedicated capability to tie local law enforcement response into the larger, national-level response. It needs a force capable of providing a short-

notice, on-scene assessment of the situation in a maritime environment, capable of securing the scene for the arrival of additional assets, while fulfilling the role of an immediate response in periods of extremism.

The Coast Guard holds unique authorities and jurisdictions that make it the ideal service to provide a maritime crisis response force to USNORTHCOM. The Coast Guard can project power in territorial waters, the contiguous zone, and the exclusive economic zone outwards of two hundred nautical miles from the shore of the U.S. In some cases, such as when conducting counter-narcotics operations, the Coast Guard can assert

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jurisdiction even farther, making it a unique military service that can establish jurisdiction on the high seas and act in a law enforcement capacity worldwide.²⁸ Title 14, United States Code, Section 89, states that "the Coast Guard may make inquiries, examinations, inspections, searches, seizures, and arrests upon the high sea and waters over which the United States has jurisdiction, for the prevention, detection, and suppression of violations of laws of the United States."²⁹ This robust authority gives the Coast Guard the status of a law enforcement agency in addition to its role as a military service and establishes jurisdiction over vessels entering and exiting the homeland. It gives the Service broad authorities to use in defense of the U.S. maritime littorals. In patrolling the world maritime commons, it is the only military service with the capacity and capability to operate side by side with law enforcement agencies domestically.

In addition to the authority and jurisdiction, a Maritime Combatant Command Crisis

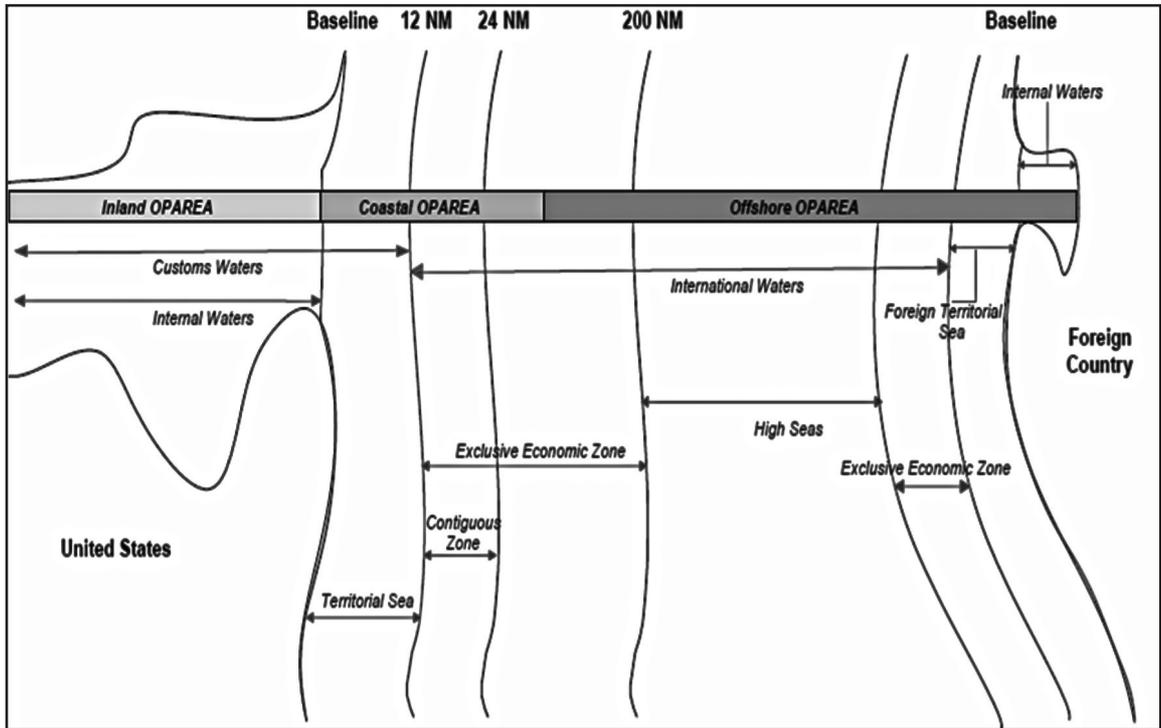


Figure 3: Maritime Jurisdictional Zones
 Source: U.S. Coast Guard, *Coast Guard Publication 3, Operations*,
 Government Printing Office, Washington, D.C., 2012, p. 10.

Response Force must be certified, on-call, trained, staffed, and equipped to deploy and respond in response to identified or perceived homeland security threats.³⁰ “For protection and deterrence to be successful, maritime security forces must be visible, well-trained, well-equipped, mobile, adaptive, and capable of generating effective presence quickly, randomly, and unpredictably.”³¹ The Coast Guard is an existing and known entity within the federal government that can provide the capabilities necessary to fulfill a role as USNORTHCOM’s Maritime Crisis Response Force. Municipal, state, and federal law enforcement teams “train to handle limited situations with a relatively low threat level.”³² The Coast Guard, as a military service, has the capability to field well-trained military units capable of operating in a law enforcement capacity and able to employ the transportation, manpower, and assets inherent to the federal government.

The Coast Guard is poised and focused on operations in the Western Hemisphere.³³ Its efforts complement the DoD’s offensive operations with homeland-oriented defensive ones. The Coast Guard is positioned and capable now to work collaboratively with USNORTHCOM and bring its unique law enforcement authorities to the fight by providing necessary protections to the U.S. The Coast Guard is the correct agency to provide USNORTHCOM with the ability to “identify and interdict unlawful acquisition and movement of chemical, biological, radiological, and nuclear precursors and materials; and (detect), locate, and prevent the hostile use of chemical, biological, radiological, and nuclear materials and weapons” in the maritime domain and in doing so meet its charter to protect and serve the nation.³⁴

The Coast Guard holds unique authorities that can enable a domestically focused Maritime Crisis Response Force. Inherent in the Coast

Guard's MSRT is a capability that could fulfill the role. Should the MSRT be the Maritime Crisis Response Force for USNORTHCOM?

The threats posed by transnational criminal organizations and terrorists are not anticipated to dissipate. It is the normal environment in which the Nation must carry on in the post 9/11 world. A comprehensive defense that begins two hundred miles offshore is possible with implementation of interoperability practices between the DHS and USNORTHCOM. One way to do this is to designate a DHS asset as USNORTHCOM's Maritime Crisis Response Force. The Coast Guard's MSRTs are uniquely qualified, equipped, and trained to provide domestic law enforcement capability to the USNORTHCOM Commander and provide the geographic combatant command with response options during high-risk, domestic incidents.

The Coast Guard is both a military service and a federal law enforcement agency. It combines the discipline and focus of a military tradition with domestic law enforcement authorities and has historically bridged the gap between domestic law enforcement and the U.S. military. Department of Defense Directive 5100.01, *Functions of the Department of Defense and Its Major Components*, acknowledges that the Coast Guard is "a unique Military Service" that "shall develop concepts, doctrine, tactics, techniques, and procedures and organize, train, equip, and provide forces to...conduct maritime homeland security and counterterrorism operations."³⁵ The service's Tactical Law Enforcement Teams deploy Law Enforcement Detachments in support of combating transnational organized crime missions along the Caribbean and Eastern Pacific drug trafficking corridors. When deployed, these small teams operate under the United States Southern Command geographic combatant commander and transfer their tactical control to the Coast Guard when operating in a law enforcement capacity. Domestically this model could work for USNORTHCOM,

whereby the MSRT functions in the capacity of a Maritime Crisis Response Force and responds to domestic threats as an agent of both the Coast Guard and USNORTHCOM.

The MSRT is uniquely suited to fulfilling the role of a domestic Maritime Crisis Response Force. The unit "is a ready assault force whose members are trained in maritime security, law enforcement boarding procedures, force protection and environmental hazard response within a tactical law enforcement operation."³⁶ USNORTHCOM's leveraging of these abilities increases the security of the Nation by providing a response capability to the geographic combatant commander, who, in turn, forms a close working relationship with the Coast Guard's operational commanders and intelligence programs and through them a closer relationship to the DHS. Over its 227 years, the Coast Guard has accrued many law enforcement authorities, only some of which are currently leveraged. Its ability to operate in domestic littorals, develop information on shipments moving through the exclusive economic zone, contiguous zone, and territorial seas and to project law enforcement authority throughout provides a capability that is not mirrored within the DoD.³⁷

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With the development of MSRT Chesapeake in 2004, the Coast Guard enhanced its traditional role by developing a unit trained for advanced interdiction missions.³⁸ This unit trained rigorously to meet the demands of this specific mission set and aligned with the Coast Guard's obligation to "provide forces to [geographic combatant commanders] to perform activities for which those forces are uniquely suited."³⁹ The

MSRT as an adaptive force package is comprised of members from the direct action section, the precision marksman observer team, and the chemical, biological, radiological, nuclear, high yield explosive team with small boat delivery teams.⁴⁰ In the case of domestic threats related to maritime infrastructure and weapons of mass destruction, the geographic combatant command is USNORTHCOM. The Coast Guard's law enforcement authorities give the MSRT the unique capabilities that differentiates it from similar DoD special operations forces. "The MSRT, appropriately called a ready assault force, conducts maritime threat response unilaterally or as part of an interagency adaptive force package. The teams are capable of interdicting, boarding, and verifying threats, and when required, engaging in offensive operations against a hostile threat."⁴¹ The ability to operate domestically within the constraints imposed by Congress in the *Posse Comitatus* Act make it an ideal force to "identify, deter, mitigate, and counter threats to maritime commerce."⁴²

The Coast Guard's martial history and military traditions enable it to integrate closely with USNORTHCOM in a way that civilian law enforcement agencies cannot.

The Coast Guard's martial history and military traditions enable it to integrate closely with USNORTHCOM in a way that civilian law enforcement agencies cannot. Following the 9/11 attacks, the Coast Guard received additional authorities as the Federal Maritime Security Coordinator, which increased the role of Captains of the Port, making the Coast Guard "responsible for coordinating all maritime security planning and operations in the nation's ports and waterways, including efforts to prevent terrorist attacks and to respond as necessary to

mitigate the consequences of an attack, should one occur."⁴³ By designating the Coast Guard's MSRT as the USNORTHCOM Maritime Crisis Response Force, the interoperability between the DHS (the department responsible for the Coast Guard) and USNORTHCOM increases, and the interdependent nodes between USNORTHCOM's synchronization responsibilities and domestic law enforcement agencies is strengthened. These efficiencies streamline the national response to a domestic threat providing better protections to the American people.

The nexus between criminal and terrorist networks is significant and evolving, and the threat to our nation's security demands that we collectively explore regional whole-of-government approaches and determine the potential . . . roles for countering and diminishing these violent destabilizing networks.⁴⁴ – Rear Admiral Kerry Metz

A complementary, domestic-focused force is needed to provide the USNORTHCOM Commander with response options. The solution exists and can be implicated through the drafting and implementation of policy between the Coast Guard and USNORTHCOM. Maritime Security Response Teams exist and are suitable for the mission sets expected of a domestically-focused Maritime Crisis Response Force.⁴⁵ Designating them as USNORTHCOM's Maritime Crisis Response Force puts the units on parity with other geographic combatant commander's crisis response forces and provides USNORTHCOM and its component Special Operations Command North a specialized team capable of conducting domestic maritime operations offshore.⁴⁶

The Coast Guard is a service that is thoroughly trained and motivated to respond to short notice threats in the U.S. Its members operate intuitively, arriving on scene, assessing the situation, and then acting in accordance with the commander's knowledge and experience.

This cultural experience, combined with the service's unique law enforcement authorities, make Coast Guard forces ideal force multipliers to the USNORTHCOM Commander.

Designating the MSRT as USNORTHCOM's Maritime Crisis Response Force formalizes relationships and practices that the public believes already exists. As currently structured, the DoD is not able to fulfill the mission sets required of a domestic-focused crisis response force for the maritime environments covered by USNORTHCOM without a change in laws and legal authorities associated with the *Posse Comitatus* Act.⁴⁷ To operate domestically in a law enforcement capacity requires Congressional legislation to give specific units the statutory authorities necessary to operate within U.S. borders. The Coast Guard's MSRTs are currently trained, equipped, and on call to serve in the capacity of a Maritime Crisis Response Force. They require no change in statutory authority and only lack a formal designation and endorsement of that capacity as well as a defined way in which they may be called upon in time of need. The Coast Guard's law enforcement authorities make it the ideal choice to operate in the nation's littorals and provides a law enforcement and military capacity to USNORTHCOM and the DHS. This choice enhances the fight against transnational organized crime, while freeing up DoD special operations forces to operate offensively against terrorism and transnational organized crime overseas. Taken collectively and collaboratively, the DHS and the DoD complement one another, just as the offensive and defensive players complement a football team. Formally designating USNORTHCOM's Maritime Crisis Response Force improves the nation's response to maritime incidents, which enhances national resiliency against external threats and more efficiently protects the American people. **IAJ**

NOTES

1 U.S. Coast Guard, *United States Coast Guard Western Hemisphere Strategy*, Government Printing Office, Washington, D.C., 2014, p. 5.

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

3 Lieutenant David Allan Adams Jr., "Coast Guard Is More Than Cutters," *Naval Institute Proceedings*, August 2017, p. 23.

4 Adams, p. 24.

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

6 Office of the President of the United States, *National Strategy for Maritime Security*, Washington, D.C., p. 24.

7 William Presson, "Enhancing Security-Projecting Civil Authority into America's Uncontrolled Spaces," Master's thesis, U.S. Army Command and General Staff College, Fort Leavenworth, KS, 2012, p. 27.

- 8 U.S. Joint Forces Command, *The Joint Operating Environment, The Joint Force in a Contested and Disordered World*, July 14, 2016, p. 3.
- 9 The concept of friction is one specifically relating to the theories of Clausewitz and can be found in chapter seven of *On War*. Carl von Clausewitz, *On War*, translated and edited by Michael Howard and Peter Paret, Princeton University Press, Princeton, NJ, 1976, p. 121.
- 10 U.S. Joint Forces Command, p. 5.
- 11 U.S. Department of the Army, Training and Doctrine Command Pamphlet 525-3-1, *The U.S. Army Operating Concept: Win in a Complex World 2020-2040*, October 31, 2014.
- 12 William Mendel and Peter McCabe, *SOF Role in Combating Transnational Organized Crime*, Joint Special Operations University Press, MacDill Air Force Base, FL, 2016, p. 2.
- 13 Ibid., p. 14.
- 14 Ibid., p. 175.
- 15 Russell D. Howard and Colleen Traugher, *The Nexus of Extremism and Trafficking: Scourge of the World or So Much Hype?* Joint Special Operations University Press, MacDill Air Force Base, FL, 2013, p. 1.
- 16 Ibid., p. 2.
- 17 U.S. Joint Forces Command, p. 36.
- 18 Ibid., p. 37.
- 19 Reference Figure 1 and U.S. Department of the Army, Field Manual 3-05, *Army Special Operations*, Government Printing Office, Washington, D.C., 2014, pp. 4–6.
- 20 U.S. Coast Guard Academy, *Maritime Law Enforcement: Cases and Materials*, 3rd ed., McGraw-Hill Primus Custom Publishing, Boston, MA, 2001, p. 125–126. Perhaps looking at an “either or” model is incorrect; rather, should MSRTs be added to the Combatant Commander Crisis Response Force and special mission units inventory to enable USNORTHCOM to respond to threats within the littorals and simultaneously strike multiple suspect vessels in response to perceived threats to the nation?
- 22 This observation has been made by the author, who was present as a Coast Guard responder in New Orleans for Hurricanes Katrina and Rita and is supported by Jetta DiscoSmall, “MSRT: Coast Guard’s Specialized Force to be Reckoned With,” Defense Visual Information Distribution Service, April 21, 2014, p. 2, <<https://www.dvidshub.net/news/printable/126886>>, accessed on February 23, 2018.
- 23 U.S. Department of the Navy, *A Cooperative Strategy for 21st Century Seapower*, p. vi.
- 24 The same can be said for both the littorals as well as on land. NORTHCOM’s and DHS’s charters currently make the organizations competitors. A way needs to be developed to synchronize an interoperable and mutually supporting response in the littorals.
- 25 U.S. Coast Guard, *United States Coast Guard Western Hemisphere Strategy*, p. 31.
- 26 The effectiveness of this model is the opinion of the author who had to shift tactical control between DoD entities and DHS entities to act in a law enforcement capacity during combating transnational organized crime patrols in the Caribbean Sea and Eastern Pacific Oceans.
- 27 U.S. Department of Homeland Security, *The 2014 Quadrennial Homeland Security Review*, p. 62.

- 28 Refer to Figure 3 for a visual aid regarding Coast Guard authority and jurisdiction.
- 29 U.S. Coast Guard Academy, *Maritime Law Enforcement*, p. 16.
- 30 Matthew D. Bartels, “U.S. Northern Command Counterterrorism Response Force Requirement,” Master’s thesis, U.S. Army Command and General Staff College, 2016, pp. 46–48.
- 31 Office of the President of the United States, *National Strategy for Maritime Security*, p. 22.
- 32 Christopher Whitcomb, *Cold Zero: Inside the FBI Hostage Rescue Team*, Little Brown and Company, Boston, MA, 2001, p. 163.
- 33 U.S. Coast Guard, *United States Coast Guard Western Hemisphere Strategy*.
- 34 U.S. Department of Homeland Security, *The 2014 Quadrennial Homeland Security Review*, p. 76.
- 35 U.S. Department of Defense, Department of Defense Directive 5100.01, *Functions of the Department of Defense and Its Major Components*, pp. 32–33.
- 36 GoCoastGuard.com, “Neutralizing the Threat,” p. 2. <<https://www.gocoastguard.com/about-the-coast-guard/experience-the-coast-guard/neutralizing-the-threatp>>, accessed on February 23, 2018.
- 37 U.S. Coast Guard, *The US Coast Guard Strategy for Maritime Safety, Security, and Stewardship*, p. 12.
- 38 U.S. Coast Guard, *United States Coast Guard Western Hemisphere Strategy*, pp. 40–41.
- 39 U.S. Department of Defense, Joint Publication 1, *Doctrine for the Armed Forces of the United States*, Government Printing Office, Washington, D.C., 2013, p. II-7.
- 40 DiscoSmall, p. 1.
- 41 Ibid., pp. 1–2.
- 42 U.S. Coast Guard, *United States Coast Guard Western Hemisphere Strategy*, p. 43; U.S. Department of Defense, Joint Publication 1, *Doctrine for the Armed Forces of the United States*, p. II-7.
- 43 Captain of the Port, the Coast Guard officer in charge of enforcement within a major U.S. port city, the position normally aligns with a Coast Guard Sector Commander. U.S. Coast Guard, *The U.S. Coast Guard Strategy for Maritime Safety, Security, and Stewardship*, p. 12.
- 44 Mendel and McCabe, p. vii.
- 45 Capabilities outlined in the articles “Coast Guard Shows Off for Homeland Security Secretary”; “MSRT: Coast Guard’s Specialized Force to Be Reckoned With”; and “Neutralizing the Threat.”
- 46 The author believes that formally designating this relationship will also facilitate cross training between the Army Special Forces Crisis Response Forces and the Coast Guard’s MSRTs, as well as increase the logistic, transportation, and training options for the Maritime Security Response Teams.
- 47 Howard and Traugher.