

White Paper

Special Action Teams

Countering State-Sponsored Criminality in Strategic Competition and Irregular Warfare / Gray Zones

The PRC, Russia, and other threat actors are overwhelming the U.S. and partner nation's rule of law structures with state-sponsored criminality and political corruption to achieve their foreign policy goals.

The DOD could help counter state-sponsored criminality and strategic corruption by supplementing the lead agencies with Guard and Reserve members with investigative and law enforcement experience. For example, having Title 32 members supplement and expand the DOJ's national rapid response strike forces to help investigate and prosecute international RICO, corruption, and fraud cases.

Additionally, DOD Title 10 and the NG State Sponsorship Program could assist partner-nation law enforcement with monitoring and reporting on state-sponsored criminal activity, and assist with investigations and prosecutions to disrupt threat-actor criminal network infiltration, malign influence operations, and related illicit financial flows.

Often, a Theater Combatant Command's law enforcement liaisons understand the risks to U.S. Territories and partner nations' rule of law systems but lack the resources, capabilities, and capacities to supplement the lead agencies and partner nations with security, criminal investigations, and prosecutions to stop threat actor criminal network operations.

Creating 'Special Action Teams' would fill the gap by recruiting National Guard and Service Reserve members with specific skills and can support short-term or long-term missions. Currently, the Guard and Reserves have former members of Congress and executive branch appointees, superior court and lower district court federal judges and staff, district attorneys, prosecutors, supervisory special agents and special agents from multiple U.S. Departments, financial analysts, criminal investigators, linguists, and others who could supplement the U.S. and partner nation investigations and prosecutions.

The process could start with the Theater Combatant Command law enforcement liaison assessing that a threat actor is using criminality and strategic corruption to degrade a U.S. territory or partner nation. The liaison works with leaders of those nations and territories to discuss the needs and partnership opportunities. The liaison then coordinates with the Office of the Undersecretary of Defense for Counter Narcotics and Global Threats and the command's Guard/Service Reserve element to advertise and recruit servicemembers with the appropriate authorities and specific skills needed to support short-term and long-term missions. The team is assembled at the location and briefed by the lead, who assigns the missions and monitors, assesses, and reports on results. Eventually, after multiple missions, law enforcement liaisons can select the best-performing Guard and Reserve members to help design, recruit, and lead future special action team missions.

In summary, Guard and Reserve volunteers with investigative and law enforcement experience could help theater commanders expand law enforcement support to U.S. territories and partner nations. Bolstering monitoring, investigations, indictments, and prosecutions would reduce or counter state-sponsored criminality and corruption in gray-zone warfare while reinforcing the rule of law and blocking adversary entry points in strategic competition.