



Army mariners from 8th Theater Sustainment Command discharge vehicles via the causeway ferry as part of a Joint Logistics Over-the-Shore operation in Bowen, Australia. (Credit: MAJ Jonathon Daniell)

Practice Notes

Sustainment Is the New Black: Contested Logistics and the Provision of Legal Advice in an Era of Constant Competition

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You will not find it difficult to prove that battles, campaigns, and even wars have been won or lost primarily because of logistics. – General Dwight D. Eisenhower¹

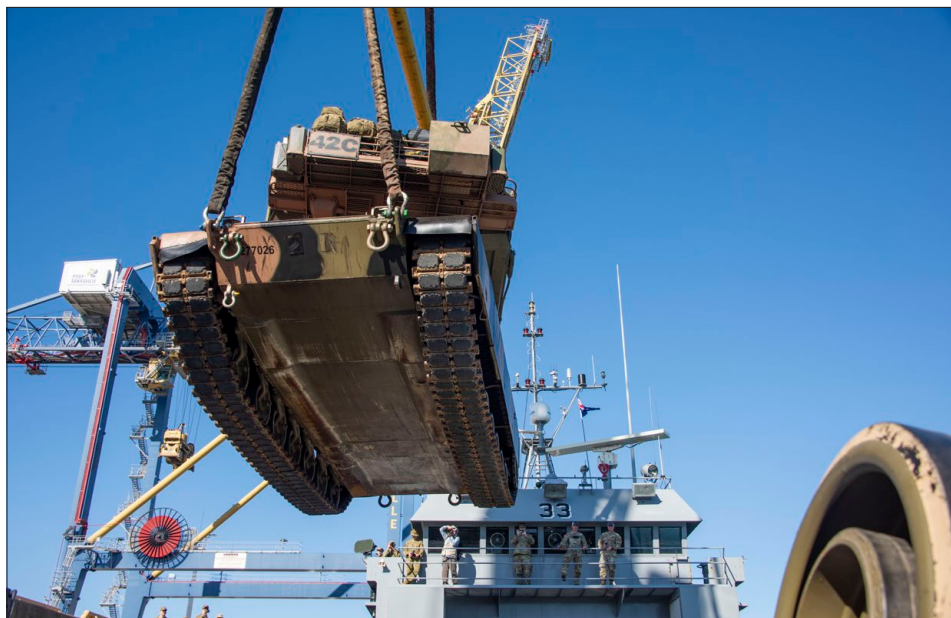
Logisticians have been variously described as individuals who are much in demand during war and operations, but who fade into obscurity during peacetime.² In our era of constant competition, this peacetime view of logistics is rapidly eroding; theater sustainment is increasingly under the strategic spotlight, working through, understanding, and strengthening interior lines to successfully set any given theater.³ Specifically, in the Indo-Pacific Command

(USINDOPACOM) theater of operations where the U.S. military rehearses and prepares for navigating an all-domain contested environment, the premiere theater logistics provider, the U.S. Army's 8th Theater Sustainment Command (8TSC), takes center stage in aligning U.S. efforts with allies⁴ to sustain and strengthen deterrence with the U.S. Department of Defense's pacing challenge.⁵

Discussions considering U.S. Army structure and the military approach to future warfare have identified perceived gaps in the U.S. ability to rapidly respond to large-scale combat operations (LSCO) after decades of fighting focused on counterinsurgency and counterterrorism.⁶ A central tenet of this ongoing conversation is the development of interior lines to extend operational endurance, provide options, and sustain LSCO.⁷ In the Indo-Pacific theater, the U.S. Army Pacific Command reinforces this conversation by rehearsing our ability to provide joint theater logistics to enable mission command, normalize activity, strengthen relations, and sustain operations.⁸ This emphasis has placed 8TSC front and center in major theater exercises throughout recent years, and it is expected to remain into the future. Theater sustainment supports strategic deterrence and directly manifests our preparedness to fight, our agility, and the strength of our partnerships.⁹ Legal advisors play a key role in this main effort and must be prepared to support at echelon.

Despite legal support to operations' doctrinal alignment to the sustainment warfighting function (Wff),¹⁰ a national security law (NSL) attorney would be forgiven if their NSL practice naturally focused on enabling five of the six Wffs¹¹—which relate to the four basic principles of the law of armed conflict¹²—without giving much consideration to how sustainment introduces nuanced legal considerations *at echelon* during operations. After all, in 1,254 pages, the *Department of Defense Law of War Manual* mentions “sustainment” only once.¹³ By extension, this same document mentions “logistic” a mere twenty-six times, where many such references relate to identifying lawful military objectives.¹⁴ This reality may leave the legal advisor to logistics organizations to ponder their operational value in the organization.

At first glance, many NSL-oriented legal issues involved in theater sustainment appear to be of a strategic nature: strengthening a forward posture via strengthening international agreements between governments. This work is normally reserved for the U.S. Department of State.¹⁵ It is a field of practice rarely addressed by the organic unit legal advisor, which potentially leaves theater logistics legal advisors at a loss. However, legal support to theater sustainment is not



5th Transportation Company, 8th Theater Sustainment Command, lowers an Australian tank onto a transportation ship during the Talisman Sabre 2025 exercise in Queensland, Australia. (Credit: SGT Sean McCallon)

exclusively reserved for formally advising at the strategic level. It is, likewise, not reserved for matters exclusively focused on military justice and administrative law.

As it pertains to strengthening relationships, military commanders at all echelons are often asked to meet with and host foreign dignitaries, participate in and host myriad ceremonies, identify gaps among extant agreements and plan around them, and expand U.S. military presence within the parameters of existing agreements, among many other examples. But working with and strengthening agreements through engagement is only a start. Legal advisors at all levels might be involved in all manner of issues that may have been previously unforeseen, or emergent in their uniqueness as the changing character of war evolves.¹⁶ This brief article starts with a broad overview of the sustainment Wff, explores some of the legal issues involved at echelon, provides commentary on lessons learned, and contemplates how legal advisors can position themselves to enable sustainment through a contested environment in the short term and beyond.

Sustainment is the enabler for all other Wffs.¹⁷ Sustainment carries oxygen to the other muscles of the warfighting effort through its four elements: logistics, financial management, personnel services, and health service support.¹⁸ These elements further

employ the principles of sustainment to maintain open avenues toward operational reach, freedom of action, and prolonged endurance.¹⁹ Improvisation, survivability, and anticipation are paramount in the future operating environment; a peer or near-peer threat will have more opportunities than previous opposition to disrupt and eliminate our sustainment efforts. As the battle space evolves, our lines of communication (LOCs) must be rigid enough to endure adversity, but flexible enough to bend with the flow of conflict. LOC redundancy is critical. Should protection efforts fail along one avenue of approach, a sustainment network must be resilient enough to maintain operational tempo and momentum. Anticipation is not limited to the expenditures of resources, however. It is directly tied to the hypothetical loss of assets and follow-on actions to continue the mission.

During the high-intensity all-domain battle space, sustainment will be the most important frontier of our fighting force and will drive critical and necessary adaptations.²⁰ Contested logistics requires commanders to not only be comfortable accepting increased risk in a highly dynamic environment with shifting operational needs but also versed in matters of area protection and offensive operations to protect and defend LOCs. See Figure 1 below.

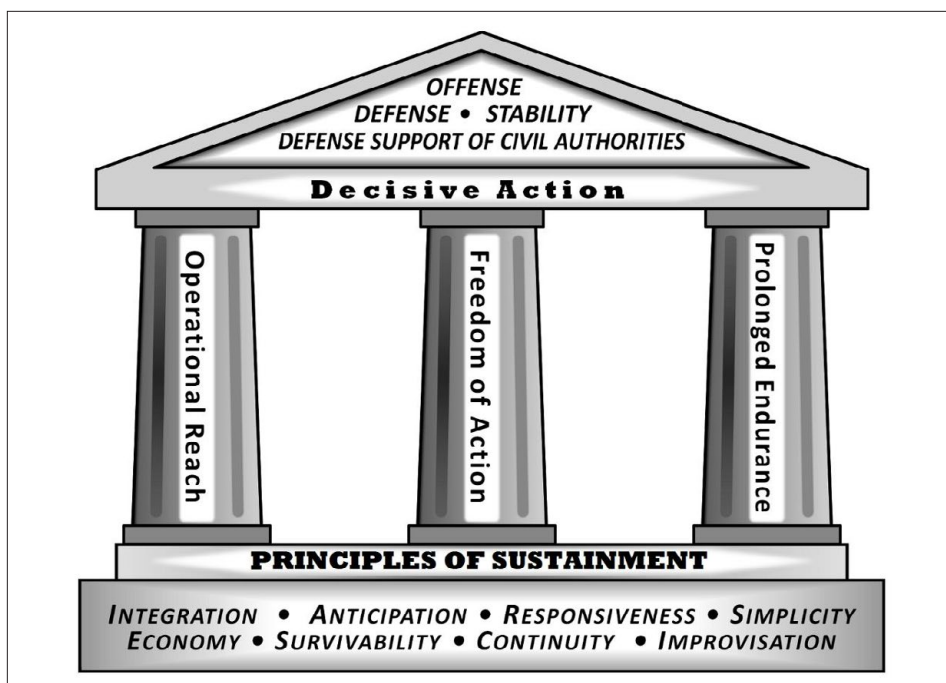


Figure 1. PRINCIPLES OF SUSTAINMENT. U.S. DEP'T OF ARMY, DOCTRINE PUB. 4-0, SUSTAINMENT fig. 1-1 (31 July 2019).

Considering the above, legal advisors to logistics organizations must be ready to respond to myriad legal issues promptly and accurately, at echelon, to enable operational endurance and support emerging operational needs. Legal subjects in the sustainment realm range dramatically, to include, for example, understanding and advising on the following: Navy-specific administrative messages (NAVADMIN) related to sovereign immunity (yes, the Army has boats); units on the ground executing funds for meal enhancements; Acquisition and Cross-Servicing Agreement (ACSA) authorities leveraged to provision needed materiel and maintain operational tempo;²¹ use of Official Representational Funds (ORF) to strengthen relations;²² biosecurity requirements to reduce friction in off-loading equipment and personnel during Reception, Staging, Onward Movement and Integration (RSOI) and Joint Logistics Over-the-Shore (JLOTS); and command structure to understand commander authorities in a combined and joint environment. Beginning to end, embedded legal personnel support the warfighting effort by enabling good order and discipline through military justice, ensuring readiness through legal services, advising commanders on potential claims issues, and even working with industry contacts to gain every

advantage possible.

Successfully sustaining the force in “battlefield next”²³ requires working with industry to identify and adopt emerging technologies that have the potential to strengthen operational endurance.²⁴ This objective poses a host of legal issues where lawyers are encouraged to be included far in advance of the decision-making process (i.e., during the development, testing, and implementation phases of the capability). Nevertheless, it is incumbent upon the lawyer on the ground to understand the legal consequences of either an overreliance on a capability or a disregard of them. In other words, although emerging technology and capabilities may make decision-making faster and thereby maximize momentum, one must ask: what is the legal effect of a “bad” decision or decisions with unintended adverse consequences?

Identifying and adopting emerging technology begins with discovery. Whether discovery occurs at an Association of the United States Army (AUSA) conference or a presentation in the command suite, our leaders need opportunities to determine what technology can meet the Army’s sustainment needs. The command’s servicing legal advisor should be one of the first touchpoints for these exchanges.

DoD policy states personnel can and should engage in communication with industry.²⁵ As Secretary of Defense Pete Hegseth recently emphasized, “Industrial base integration can improve military systems and the production of platforms and materiel, enabling us to bring in allied technology and expertise as well as allied production capacity.”²⁶ DoD policy also states such communications should take into consideration applicable ethics and procurement laws and regulations.²⁷ The legal advisor’s objective is to ensure leaders are empowered to engage with industry and maximize the intent of the engagement within the bounds of ethical standards.

Engaging with industry is not limited to meetings, however. If a product appears useful, it is in the command’s interest to *test* the product. From a fiscal standpoint, one significant distinction is whether a test is a *demonstration* or a *service*. There is a fine difference between demonstration and service; this is the territory through which the servicing legal advisor must wade.

Colloquially, a demonstration is the action of presenting a product or service to a potential customer, while services are value-added activities a company provides to its customers. In practice, parsing the two can be difficult. For example, is there a difference between a Raytheon contractor inputting simulated exercise data into their predictive logistics technology and Martin Defense Group providing instruction on operating unmanned amphibious vehicles to unit personnel? After all, both activities are an opportunity for the Army to test emerging technology. The distinction matters because while demonstrations are not prohibited by law or regulation, accepting volunteer services is a per se Anti-Deficiency Act (ADA) violation.²⁸

If the activity received is a service, it is ripe for dispute. The imminent issue is ensuring no party makes a claim against the Government for pay or benefits.²⁹ The future issue is establishing the terms and conditions related to modernizing logistics systems with industry. The solution is developing an agreement. Agreements may be as minimal as a gratuitous agreement or an exception to the ADA prohibition on volunteer services,³⁰ or as involved as the Army Futures Command’s holistic focus on contested logistics



A warrant officer inspects his vehicle during an offload for the Talisman Sabre 25 exercise at Port Darwin, Australia. (Credit: SGT Devin Davis)

through a Contested Logistics Cross-Functional Team.³¹ By the agreement's adoption stage, much of the unit legal advisors' roles conclude, as terms between the Government and industry develop through the U.S. Department of State. Nonetheless, whether these agreements lead to Federal Acquisition Regulation (FAR)-based contracts or Other Transaction Authority (OTA) agreements, a legal advisor's general familiarity with the stages of adopting emerging technology assists leaders' understanding of how engaging with industry supports contested logistics.³²

The above is but one example where legal advisors at the tactical level enable sustainment operations throughout the theater. Demonstrating proficiency in supporting rapidly evolving operational contracting requirements is another critical capability legal advisors must possess. Understanding ACSA authorities,³³ contracting authority and organizational dynamics, and fiscal law restrictions on a range of appropriated funds across Operation and Maintenance, Army (OMA) funds; Military Personnel, Army (MPA) funds; and ORF enables the legal advisor to quickly react to tactical operational needs and support unit-level OPTEMPO.³⁴ Legal advisors, unfortunately, are not an unlimited commodity and, therefore, cannot be everywhere all the time. Unauthorized commitments (UACs) may happen, but

preparing for UACs and potential ADA violations should not disrupt operational momentum.³⁵ In these instances, the legal advisor is a force multiplier in the effort to ratify UACs and correct ADA violations through a firm understanding of contract authority and fiscal law principles. Having developed critical relationships with the supporting contracting organizations, such legal advisors can extend their support well beyond their chain of command.³⁶

Likewise, advising on the meaning and authorities of extant agreements is a prerequisite for sustainment legal advisors and allows them to enable tactical momentum and avoid friction. This understanding comes up in many ways. For example, working through the rule of sovereign immunity while supporting a foreign nation's ability to impose biosecurity requirements allows the unit to download equipment efficiently and effectively support mission success. Additionally, understanding ACSAs and how they are leveraged to transfer logistics, support, supplies, and services (LSSS) enables rapid tactical resupply, reimbursement, and maintenance, which thereby facilitates freedom of movement and maximizes the commander's options.³⁷

Moreover, with an ever-increasing focus on dispersed command and control (C2), where C2 nodes make every effort to mask

their signature,³⁸ internal LOCs supporting operational endurance will be tested in new ways. Legal advisors to sustainment organizations will wrestle with this environment, where constantly contested internal LOCs risk exposing critical command nodes. In such an environment, matters of distinction and U.S. policy move to the forefront as the United States mitigates risk to civilian infrastructure and population centers.

Moving up echelons, sustainment legal advisors at the operational level must have a firm grasp of broader, theater-wide, sustainment challenges to effectively support the mission and the commander's requirements, which, in turn, extend operational endurance and reach. Advising on command structure and authorities informs and frames operational requirements.³⁹ These requirements drive sustainment, supported by the Joint Logistics Enterprise (JLENT). In other words, sustainment is critical to unified action, and it is achieved by closely coordinating and collaborating with other Services, allies, host nation forces, and other governmental organizations.⁴⁰

As part of joint interdependence, the Army plays a crucial role in opening and setting the theater, whereas naval forces provide critical capabilities to support JLOTS.⁴¹ Ideally, the unit, and by extension the Army, will have achieved integration to enable unified action.⁴² This operational legal competence informs how the Army contributes to the joint logistics structure to sustain the mission, especially where logistics is increasingly viewed through a joint and combined lens. Understanding matters of legal interoperability becomes critical in supporting operational momentum through mission-essential tasks such as JLOTS, and where the JLENT underwrites theater distribution and internal LOC development.⁴³

Overlaid upon theater sustainment and logistics distribution are matters of theater protection, such as defining military objectives;⁴⁴ taking precautions in the attack; countering theater anti-access/area denial to build and strengthen interior LOCs; providing sustainment support to detention operations; providing "non-lethal" protection such as information operations; and conducting cyber operations.⁴⁵ Operational legal advisors regularly consider these matters, which likely comprise more comfortable

territory as they relate to the mainstay wheelhouse of the four basic principles of the law of war. Although this article does not dive into these specific matters *per se*, it is nevertheless critical for future sustainers to understand that these matters are very much alive and must be handled effectively and competently while advising theater sustainment organizations.

Strategically, sustainment lawyers must be placed to help develop and strengthen international agreements that build upon a forward sustainment presence. A stronger forward sustainment presence sets the theater and demonstrates national resolve, enabling rapid reaction should competition prove ineffective. Increased access, basing, and overflight authorities potentially allow for Army pre-positioned stock expansion to demonstrate strategic theater commitment; put simply, sustainment *is* deterrence.⁴⁶ As Edmond Morris so astutely points out, “It is the *availability* of raw power, not the use of it, that makes for effective diplomacy.”⁴⁷

Additionally, maximizing integration via interagency, combined, and joint synchronization creates the best environment for posture development. Policy must inform authorities, which must enable interoperability. Legal interoperability is a sub-component of holistic interoperability. Failing to achieve integration damages the Army’s ability to organize and employ capabilities and methods across domains, environments, and functions to contest adversaries in competition below armed conflict.⁴⁸ Indo-Pacific sustainment is, by necessity, joint and ever increasingly combined. Sustainment lawyers, therefore, operate regularly in the strategic space to play a key role in enabling the Army’s ability to integrate by influencing policy on behalf of joint and combined integration.

As the former 8TSC Commander, Lieutenant General Jered Helwig, would regularly brief his staff, “In the Army, we’re either training or fighting; that’s our job.” The authors’ experience while training with the 8TSC has demonstrated that sustainment as a WfF must be a strategic focal point as the Army adapts to battlefield next. Put simply, LSCO requires redundancy and resiliency through sustainment. General George S. Patton famously said, “[T]he officer who doesn’t know his communications and supply as well as his tactics is totally useless.”⁴⁹ As

strategic focus is placed upon sustainment—where the legal issues are myriad, nuanced, and complex—competent and effective legal personnel must be actively and regularly positioned and resourced at echelon to enable mission success and avoid becoming General Patton’s “useless” officer. **TAL**

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Notes

1. I AIR FORCE LOGISTICS MGMT. AGENCY, QUOTES FOR THE AIR FORCE LOGISTICIAN 23 (James C. Rainey et al. eds., 2006).
2. See *id.* at 28. Rear Admiral Isaac Campbell Kidd famously said, “Logisticians are a sad, embittered race of people, very much in demand in war, who sink resentfully into obscurity in peace. They deal only with facts but must work for men who traffic in theories. They emerge during war because war is very much fact. They disappear in peace, because in peace, war is mostly theory. The people who trade in theories and who employ logisticians in war and ignore them in peace are generals.” *Id.*
3. See JOINT CHIEFS OF STAFF, JOINT CONCEPT FOR INTEGRATED CAMPAIGNING 2, 7–11 (2018) (explaining the concept of the competition continuum); see also Tom Harper & Jim Armstrong, *The Era of Constant Competition—Purposes and Principles*, WAR ROOM (July 29, 2021), <https://warroom.armywarcollege.edu/articles/purpose-principles> [<https://perma.cc/LAB8-FPM2>] (discussing the Competition Continuum).
4. See WHITE HOUSE, NATIONAL SECURITY STRATEGY OF THE UNITED STATES OF AMERICA 20 (2022) (explaining the national defense strategy regarding strengthening U.S. partnerships with their allies in the Indo-Pacific region to sustain a free and open regional order and deter attempts to resolve disputes by force); U.S. DEP’T OF DEF., 2022 NATIONAL DEFENSE

STRATEGY OF THE UNITED STATES OF AMERICA 14–15 (2022).

5. See WHITE HOUSE, *supra* note 4, at 23–25 (explaining why China presents the most consequential and systemic challenge to U.S. national security due to China’s coercive and increasingly aggressive endeavor to refashion the Indo-Pacific region and the international system to suit its interests).
6. See, e.g., Lieutenant General Charles Pede & Colonel Peter Hayden, *The Eighteenth Gap: Preserving the Commander’s Legal Maneuver Space on “Battlefield Next,”* MIL. REV., no. 2, 2021, at 6, 6–7.
7. See General Charles Flynn & Lieutenant Colonel Sharah Starr, *Interior Lines Will Make Land Power the Asymmetric Advantage in the Indo-Pacific*, DEF. ONE (Mar. 15, 2023), <https://www.defenseone.com/ideas/2023/03/interior-lines-will-make-land-power-asymmetric-advantage-indo-pacific/384002> [<https://perma.cc/G6AZ-SFCZ>].
8. *Id.*
9. See U.S. ARMY PAC. COMMAND, AMERICA’S THEATER ARMY FOR THE INDO-PACIFIC 6–10 (Sept. 2021).
10. U.S. DEP’T OF ARMY, DOCTRINE PUB. 4-0, SUSTAINMENT para. 1-71 (31 July 2019) [hereinafter ADP 4-0]. For the Army, sustainment is “[t]he provision of logistics, financial management, personnel services, and health service support necessary to maintain operations until successful mission completion.” *Id.* at Glossary-5. Legal support has a doctrinal role in each of these categories outlined in ADP 4-0. *Id.* paras. 1-71 to -73.
11. U.S. DEP’T OF ARMY, DOCTRINE PUB. 3-0, OPERATIONS paras. 5-11 to -18, 5-25 to -26 (31 July 2019) (describing the command and control, movement and maneuver, intelligence, fires, and protection warfighting functions).
12. OFF. OF GEN. COUNS., U.S. DEP’T OF DEF., DEPARTMENT OF DEFENSE LAW OF WAR MANUAL § 2.1.2.3 (12 June 2015) (C1, 31 July 2023) [hereinafter LAW OF WAR MANUAL] (describing military necessity, distinction, proportionality, and humanity).
13. *Id.* § 4.1.1.1.
14. See, e.g., *id.* §§ 5.6.8.3, 5.8.3 (mentioning logistics in the context of determining whether civilians are taking a direct part in hostilities; or whether certain equipment, locations, or lines of communication are targetable).
15. See 11 U.S. DEP’T OF STATE, FOREIGN AFFAIRS MANUAL LEGAL AND POLITICAL AFFAIRS § 724 (2006).
16. See Christopher Mewett, *Understanding War’s Enduring Nature Alongside Its Changing Character*, WAR ON THE ROCKS (Jan. 21, 2014), <https://warontherocks.com/2014/01/understanding-wars-enduring-nature-alongside-its-changing-character> [<https://perma.cc/L8YU-24RY>]; Zachery Tyson Brown, *Unmasking War’s Changing Character*, MOD. WAR INST. (Mar. 12, 2019), <https://mwi.westpoint.edu/unmasking-wars-changing-character> [<https://perma.cc/C4SN-XAYD>].
17. See ADP 4-0, *supra* note 10, para. 1-6.
18. See *id.* paras. 1-1 to -5.
19. See *id.* para. 3-4.
20. See OPERATIONS GRP., NAT’L TRAINING CTR., NO. 22-657, SUSTAINMENT IN SUPPORT OF LARGE SCALE COMBAT OPERATIONS, at ii–iii (2022).

21. See 10 U.S.C. §§ 2341–2350; see also CHAIRMAN, JOINT CHIEFS OF STAFF, INSTR. 2120.01D01E, ACQUISITION AND CROSS-SERVICING AGREEMENTS encl. A, para. 4.a (19 July 2024); see also U.S. DEP’T OF DEF., 7000.14-R, DoD FINANCIAL MANAGEMENT REGULATION, vol. 11A, ch. 08 (July 2022) [hereinafter DoD FMR].
22. See U.S. DEP’T OF DEF., INSTR. 7250.13, USE OF APPROPRIATED FUNDS FOR OFFICIAL REPRESENTATION PURPOSES para. 1.2(a) (22 May 2023) [hereinafter DoDI 7250.13]; see also U.S. DEP’T OF ARMY, REGUL. 37-47, OFFICIAL REPRESENTATION FUNDS OF THE SECRETARY OF THE ARMY para. 1-6 (17 Nov. 2023).
23. See Pede & Hayden, *supra* note 6, at 6–7 (describing “Battlefield Next” as the LSCO battlefield after years of sustained counterinsurgency and counterterrorism warfighting in Afghanistan and Iraq).
24. See Becca Wasser & Philip Sheers, *From Production Lines to Front Lines: Revitalizing the U.S. Defense Industrial Base for Future Great Power Conflict*, CTR. FOR NEW AMER. SEC. (Apr. 2025), <https://www.cnas.org/publications/reports/from-production-lines-to-front-lines> [<https://perma.cc/TN9B-XWJC>].
25. See U.S. DEP’T OF DEF., NATIONAL DEFENSE SCIENCE AND TECHNOLOGY STRATEGY 8–9 (2023); U.S. DEP’T OF DEF., NATIONAL DEFENSE INDUSTRIAL STRATEGY (2023).
26. U.S. Senate Armed Servs. Comm., Advance Policy Questions for Peter “Pete” B. Hegseth: Nominee to Serve as Secretary of Defense 13 (Jan. 6, 2025).
27. FAR 1.102-2(a)(4) (2025) (“Government acquisition personnel are permitted and encouraged to engage in responsible and constructive exchanges with industry . . . so long as those exchanges are consistent with existing laws and regulations, and do not promote an unfair competitive advantage to particular firms.”); see also Memorandum from Deputy Sec’y of Def. to Secretaries of the Military Departments et. al, subject: Engaging with Industry (2 Mar. 2018).
28. 31 U.S.C. § 1342 (“An officer or employee of the United States Government or of the District of Columbia government may not accept voluntary services for either government or employ personal services exceeding that authorized by law except for emergencies involving the safety of human life or the protection of property As used in this section, the term ‘emergencies involving the safety of human life or the protection of property’ does not include ongoing, regular functions of government the suspension of which would not imminently threaten the safety of human life or the protection of property.”).
29. See U.S. DEP’T OF DEF., INSTR. 1100.21, VOLUNTARY SERVICES IN THE DEPARTMENT OF DEFENSE (27 Mar. 2019) [hereinafter DoDI 1100.21]; U.S. DEP’T OF ARMY, REGUL. 608-1, ARMY COMMUNITY SERVICE para. 5-2 (19 Oct. 2017) [hereinafter AR 608-1]. The Army may only accept voluntary services for programs identified in 10 U.S.C. § 1588 and 5 U.S.C. § 3111, as implemented in DoDI 1100.21 and Section II of Chapter 5 of AR 608-1. Under limited circumstances, Army activities may accept “gratuitous” services from individuals provided they agree in writing to waive claims against the Government that may arise from the performance of their services. See AR 608-1, *supra*, para. 5-13.
30. See AR 608-1, *supra* note 29, para. 5-13.
31. See Amy Jones, *Army Futures Command’s Contested Logistics Cross-Functional Team: Transforming for Future Sustainment*, U.S. ARMY (Apr. 18, 2025), https://www.army.mil/article/284116/army_futures_commands_contested_logistics_cross_functional_team_transforming_for_future_sustainment [<https://perma.cc/7NV2-6VJU>].
32. See, e.g., Federal Grant and Cooperative Agreement Act of 1977, Pub. L. No. 95-224, 92 Stat. 3 (1978) (establishing the framework for how Federal agencies engage with other entities, including industry, when it comes to funding and resource allocation).
33. See 10 U.S.C. §§ 2341–2350; see also DEP’T OF DEF., DIR. 2010.09, ACQUISITION OF CROSS-SERVICING AGREEMENTS para. 4.1 (28 Apr. 2003) (C2, 31 Aug. 2018); DoD FMR 7000.14-R, *supra* note 21, vol. 11A, ch. 08 (July 2022).
34. See 10 U.S.C. § 2341; see also 31 U.S.C. § 1301(a). As a matter of law, use of ACSA authority requires that appropriations must be properly available as to purpose, time, and amount.
35. See, e.g., 31 U.S.C. §§ 1341–1342, 1517; see also DoD 7000.14-R, *supra* note 21, vol. 14, ch. 03 (Dec. 2024); FAR 1.602-3 (2025); AFARS 5101.602-3 (Mar. 17, 2025).
36. See U.S. DEP’T OF ARMY, TECHS. PUB. 4-71, CONTRACTING SUPPORT BRIGADE para. 1-7 (3 Oct. 2024). For example, 8TSC coordinates theater support contracting actions with the 413th Contracting Support Brigade (CSB). As a theater asset, a CSB executes theater support contracting actions primarily in support of Army forces, and joint forces when directed, and coordinates other contracting actions as directed by the supported commander. See Jack Lingle, *413th CSB Supports Operation Pathways*, U.S. ARMY (Mar. 22, 2024), https://www.army.mil/article/274760/413th_csb_supports_operation_pathways [<https://perma.cc/K4CD-GQZ6>].
37. See 10 U.S.C. § 2350 (defining “logistic support, supplies, and services”). Legal practitioners must review the country-specific ACSA to determine how this statutory definition is implemented within the agreement affecting the operation.
38. See Kimberly Underwood, *The Tipping Point for Army Distributed Command and Control*, THE CYBER EDGE: AFCEA (Aug. 1, 2023), <https://www.afcea.org/signal-media/cyber-edge/tipping-point-army-distributed-command-and-control> [<https://perma.cc/6V9P-X7HW>].
39. See U.S. DEP’T OF ARMY, FIELD MANUAL 6-0, COMMANDER AND STAFF ORGANIZATION AND OPERATIONS para. 2-144 (16 May 2022). For example, the staff judge advocate prepares Appendix 11 (Rules of Engagement) of Annex C (Operations). *Id.*
40. See ADP 4-0, *supra* note 10, para. 2-81.
41. See ADP 4-0, *supra* note 10, para. 2-17 (discussing how Naval forces provide logistical support capabilities for Army over-the-shore operations).
42. See U.S. DEP’T OF ARMY, REGUL. 34-1, INTEROPERABILITY para. 1-9 (9 Apr. 2020) [hereinafter AR 34-1] (discussing the Army requirement for interoperability). To achieve this objective, the regulation introduced standardized interoperability planning: Level 0 (Not Interoperable), Level 1 (Deconflicted), Level 2 (Compatible), Level 3 (Integrated). *Id.*
43. See CTR. FOR L. & MIL. OPERATIONS, THE JUDGE ADVOC. GEN.’S LEGAL CTR. & SCH., U.S. ARMY, BEST PRACTICES OF MULTINATIONAL LEGAL INTEROPERABILITY SMARTBOOK 3-30 to -33 (2024).
44. LAW OF WAR MANUAL, *supra* note 12, § 5.6.6.2 (“[T]he object’s effective contribution to the war-fighting or war-sustaining capability of an opposing force is sufficient. Although terms such as ‘war-fighting,’ ‘war-supporting,’ and ‘war sustaining’ are not explicitly reflected in the treaty definitions of military objective, the United States has interpreted the military objective definition to include these concepts.”).
45. LAW OF WAR MANUAL, *supra* note 12, § 16.3.1 (“[C]yber operations that cripple a military’s logistics systems, and thus its ability to conduct and sustain military operations, might also be considered a use of force under *jus ad bellum*.”).
46. Major General Jared Helwig, Commanding Gen., 8th Theater Sustainment Command, Command Address on Fort Shafter, Hawaii (Dec. 15, 2023) (speaking to 8TSC staff on the importance of the 8TSC mission and vision).
47. See EDMUND MORRIS, THE RISE OF THEODORE ROOSEVELT, at xvi (Mod. Libr. 2001) (1979). The author introduces Roosevelt’s famous aphorism “Speak Softly and Carry a Big Stick” in the context of describing the President’s diplomatic approach to avoiding armed conflict. *Id.*
48. AR 34-1, *supra* note 42, para. 1-10 (discussing how to achieve interoperability, including the Army’s ability to integrate).
49. See JOINT CHIEFS OF STAFF, JOINT PUB. 4-0, JOINT LOGISTICS at II-I (20 July 2023) (C1, 22 May 2025) (acknowledging the importance of an officer’s understanding of fundamental elements of logistics is incorporated in military doctrine).