CONTRACTED LOGISTICS SOLUTIONS ON DEPLOYED OPERATIONS

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EXERCISE SOLO FLIGHT – EXERCICE SOLO FLIGHT

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Introduction

From the recent speech from the Throne, the Governor General has declared: “to keep Canadians safe and be ready to respond when needed, the Government will launch an open and transparent process to review existing defence capabilities, and will invest in building a leaner, more agile, better-equipped military.”¹ The actual interpretation of what truly constitutes a “leaner” military is being debated in the Department of National Defence (DND) and this may facilitate several possibilities which could support the current government’s vision.

Given the relative unknown of future operations, and while the most recent defence review has just begun, the Canadian Armed Forces (CAF) has an opportunity to examine areas in which both cost and personnel savings could potentially be achieved. Long struggling with manning caps on Tables of Organization and Equipment (TO&E’s) and the highly criticized size of sustainment enablers, the CAF should consider the use of more robust contracted logistics solutions in conjunction with other sustainment enablers on future operational environments. The potential for reduction in number of support personnel and reduced costs are enticing to many within the department. However, contracted solutions do not come without risk and should be examined carefully. The practice of deployed contracting for operations can be difficult, unclear and multifaceted which may be further exacerbated by the CAF’s broad operational demands and bureaucratic pressures. This paper will explore whether or not the CAF should use more contracted logistics in the operational environment, by first describing the current context of contracted logistics support on Canadian expeditionary operations, primarily using the Canadian Contractor Augmentation Program (CANCAP) as an illustrative example. Secondly, it will then

describing the concerns associated with their employment and will finally outline potential alternatives to be considered in conjunction with the CAF’s current approach. In order to support the Canadian government’s vision of a leaner, more agile military, the CAF must task tailor its institutional approach and ensure that it does not become overly reliant on contracted logistics solutions. The reality is that contracted support is not going to be eliminated from our sustainment construct, but the CAF must be prepared with additional tools to meet the ever changing dynamics of expeditionary and domestic operations.

**Current Context: Military versus Contracted Logistics Support**

Militaries around the world, including the CAF, have always relied on the private sector and contracting mechanisms to augment military initiatives both at home and abroad. The overall goals of these contracts have sought out marketplace efficiencies and are generally aimed at reducing total costs. However, as Dr. Spearin describes during the recent war in Afghanistan, contracting became essential due to the requirements of operational demands. Decisions were made surrounding what would constitute the best value for money and how contracting could compensate for CAF limitations.² Beginning in the 1990’s, in terms of logistics and support contracting, the CAF began to accept more risk and started to become heavily reliant on logistical and support contractors. This was first evident in 2000 through the trial Contractor Support Program (CSP) in the Balkans and then eventually developed into the CANCAP in 2002 in Afghanistan. Subsequently, this massive contract was renegotiated in 2013 and is now known as CANCAP II, managed and sourced through SNC-Lavalin-PAE.³ CANCAP II is a prearranged, long term contract, worth up to a maximum of $425 million, which lets the CAF

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“call up” over twenty support services such as administration and management, food services, transportation, waste management and vehicle maintenance on an as required basis.  

Public Works and Government Services Canada (PWGSC), now known as Public Services and Procurement, describes this contract as follows: “The Government of Canada identified a requirement for the services of a company to provide the Canadian Forces (CF) with operational flexibility through a contractor augmentation capability in support of deployed operations abroad.”

The birth and development of CANCAP is largely modeled after the American construct for the Logistics Civil Augmentation Program (LOGCAP), held by the civilian firm of Kellogg, Brown and Root (KBR). This US contract was first put into service in 1989 and was designed to provide base camp operations and maintenance, fuel distribution, water production, transportation, laundry and power supply on deployed operations.

The United Kingdom and Australia have also followed suit and developed similar programs.

David Perry believes that the defence spending cuts brought about by the Liberal government of the 1990’s forced a greater shift towards private-sector delivery of defence capabilities. Operating under the belief that the private-sector could provide more cost effective services, the CAF researched alternative service delivery methods that were not directly tied to war-fighting. Anything that was deemed not directly tied to war-fighting was considered an option for potential privatization.

Contracted logistics solutions also offer an enticing alternative to “free up” military personnel so that their military skills could be best employed in positions other than support functions. In the 2006 evaluation of the CANCAP program conducted by the

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4Spearin, Canada and Contracted War…527.
5PWGSC, “Canadian Forces Contractor…
Chief of Review Services (CRS), it was noted that CANCAP had successfully reduced about 1300 military support positions in Bosnia and Kabul between 2003 and 2005. However, while this seems like a relatively large number for the CAF, the report also cautions that these personnel savings cannot be assumed to be a one-for-one CAF personnel savings. The CRS notes that support personnel were still required to deploy for operational reasons and that CANCAP was not able to easily find suitable replacements for all of the required support functions. As a result of these personnel savings, the CRS also noted that there were some unintended negative consequences with more contracted logistics support. These included dissatisfaction among CAF members who were not able to deploy with their units and the missed opportunities for military members to further develop skills garnered on deployments. 

Critical of the increase in the use of contracted solutions on operations, one CAF Warrant Officer was quoted in the CRS report as saying, “CANCAP have displaced military personnel from their managerial and service delivery role…left to observe civilian contractors perform the work we are trained for and enjoy doing.”

In addition to the obvious desire for cost savings, the CAF has looked to contracted logistics solutions to remedy deficiencies with both equipment and personnel. For example, the CAF routinely contracts strategic lift in the form of air and sea lift. As well, Canada relies on contractors to alleviate the burden of a higher operational tempo. In theory, the pressure on support trades that may have been downsized in the 1990’s could be reduced by contracted solutions, allowing military support trades to focus solely on support to war fighting. The US also supports this principle in an effort to reduce to their tooth-to-tail ratio. Tooth-to-tail ratio is the popular term used to describe the number of soldiers in a military organization employed in

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10Ibid.
11Perry, The Privatization of…690.
combat duties versus the number employed in non-combat roles. In an effort to reduce the tooth to tail ratio, the premise remains that if contractors are able take over more routine support tasks, fewer fighting personnel are bogged down by the demands of regular maintenance tasks, freeing up more soldiers for combat. This leads to potential increased flexibility for a Commander on operations. The use of civilian firms is seen as a force multiplier and increases the rapidity of deployment without the requirement to build up support capability.

In conjunction with the increase in logistics support, the CAF is also contending with the reality of in service support contracts of our more technologically advanced equipment. Often, sophisticated or rare equipment (e.g. combat aircraft, certain military vehicles or UAVs), or some of their components will be maintained by the original manufacturer. In an effort to usher these new technologies into a theatre of operations quickly, there will often be little to no time to train military members on maintenance procedures. With the deployment of these types of specialized equipment, there is an increased probability that some contractors will be deployed in a maintenance function.

In contrast to the rules and regulations under which the military employs its personnel, the regulations surrounding contractors, particularly with respect to the establishment of pay and benefits and the hiring and firing of workers, generally leads to more flexibility for the military. For example, contractors are not mandated to make long term employment commitments to their employees, so they are better suited to “surge” in workers for a short term demand and have the ability to downsize as required. They also are not bound by legislative manning caps, can dictate

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extended deployments, and arrive trained for their positions.\textsuperscript{16} The allure of these advantages only serves to enhance to the draw of contracting logistics capabilities in a theatre of operations.

While the role of contracted logistics solutions in a theatre of operations appears to be on the rise, the context, strategic aims, and the threat level of the mission must also be considered. For example, CANCAP II has restrictions surrounding the risk level in which it will deploy. Ideally, it would be deployed in a fairly permissive environment, and likely not in a Rotation 0 context. In theory, CSS soldiers would be the first ones deployed to provide initial sustainment in a new threat environment, and as the theatre of operations mature and the potential threat level subsides, this is the proper time to determine which CSS functions can be handed over to a contractor.\textsuperscript{17} In the case of a counter-insurgency like Afghanistan, combat service support (CSS) soldiers had to brave the same combat conditions as the manoeuvre elements. Routine resupply tasks came under similar threats as those engaged in combat tasks, hence the origins of the Combat Logistics Patrols (CLP). In some instances, the CAF relied on local civilian contractors to move commodities as they were less recognized as a threat by insurgents but these methods could be both unreliable and unpredictable.\textsuperscript{18}

Despite the caveats placed on civilian contractors and the risk level associated with deployments, there has been a shift in the willingness of some contractors to accept additional risk. This was evidenced early on in Canada’s first mission in Afghanistan. The CAF lacked the capacity to build Camp Julien in Kabul in the timeframe dictated by the government, so contractors were deployed before the bulk of soldiers arrived in theatre for Operation


\textsuperscript{17}J.C.F. Mackay, “Is there a role for civilian contractors on Canadian Forces Deployed Operations?” (Canadian Forces Command and Staff College New Horizons paper, Canadian Forces College, 2003), 9.

A senior military planner was quoted in saying “due to the non-availability of Combat Service Support personnel, the choices were either not to go or risk manage CANCAP.” This example demonstrates the willingness of DND, and more specifically the CAF, to accept risk when employing contracted solutions in order to meet specific mission timelines dictated by the government. When faced with the difficult choice to either meet the timeline, or not to deploy, DND will arguably find a work around solution, even if it does not meet the intent of original policy.

The US has also found greater public support for the use of contractors in a climate of casualty aversion. American political leaders have grown fearful of incurring military casualties overseas. In an effort the decrease public scrutiny over the legitimacy of an intervention or the death of its soldiers, it is felt to be more publically acceptable to incur loses of contractors, as they may often be foreign nationals. In Afghanistan, the use of local Afghan personnel helped CAF and US Forces connect with its citizens but also likely came at a lower cost when compared with foreign contractors. The NATO and US policies encouraged the use of locally engaged employees in the hopes that salaries would help stimulate the economy and less locals would be tempted to join the insurgency. What some Canadians may not appreciate though, is that the use of private contractors can create a shift in the operational focus of the CAF, placing greater emphasis on offensive operations. This carries the risk of potentially increasing the divide between what the taxpayers envision the CAF should be doing and the reality of what Canadian soldiers are actually doing in a theatre of operations. Dr. Spearin cautions that this shift has the

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19 Perry, The privatization of…694.
20 Perry, Contractors in Kandahar…17.
22 Spearin, Canada and contracted war…534.
potential to start changing the military’s organizational culture, which the public may not be prepared to accept or support publically funding. 23

**Risks and Concerns**

It is apparent that contracted logistics solutions are vital to CAF expeditionary operations, but these do not come without a list of concerns and risks that require mitigation. Some of these concerns include skill fade or degradation of military skills amongst military members and contractors who are not bound by the same obligations and authorities as military personnel. These concerns are also impacted by the limited guidance, established doctrine and training on the use of civilian contractors in theatre, and the implications of blurring the line between respecting the law of armed conflict (LOAC) and unlawful civilian participation in hostilities.

There are numerous long-term consequences for any military if they rely too much on the privatization of contracted support. The US General Accounting Office (GAO) has criticized their armed forces for allowing military commanders to often rely on the assumption that they could easily replace one contractor with another one or easily add more military members to missions, essentially failing to put proper back up plans into place.24 However, what is more striking is the unspoken entrenched assumption that the role of contractors on deployed operations will continue to grow. The US Armed Forces have begun to eliminate entire military career paths by downloading their responsibilities to the private sector.25 This shift has not gone unnoticed. General McChrystal, during his tenure as the top US and NATO Commander in Afghanistan expressed concern over the military’s increasing dependence on contractors stating “I think we’ve gone too far. I think that the use of contractors was done with good intentions so

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24Krishnan, *War as Business*…137.

that we could limit the number of military…[however] we have created in ourselves a dependency…that I think is greater than it ought to be.”

In face of the last White Paper which was focused on turning the CAF into a more focused and capable fighting force, some believe that by replacing logisticians domestically and pouring more positions into the combat arms, we have done ourselves a disservice, whether on an expeditionary deployment or domestically. A real risk exists in that the CAF has created a shortage of positions where CSS soldiers can learn their trades, and that the skill and experience of these soldiers has subsequently decreased. This creates a difficult situation where potentially the only person with relevant deployed CSS experience is the civilian contractor. In light of the current government’s vision for a “leaner more agile force”, many within the CSS community fear this will again become the reality for logisticians.

While the CAF is concerned about skill fade specifically in reference to CSS soldiers, it is further compounded by the limited amount of training given to Canadian contracting officers, and the limited number of personnel who possess contracting experience to manage operational contracts. The CAF has only begun to offer a course at the Canadian Forces Logistics Training Centre (CFLTC) at Canadian Forces Base (CFB) Borden in the last three years on operational deployed contracting for logistics officers and senior non-commissioned members with a logistics background. Until recently, the expertise only resided in Canadian Joint Operations Command’s (CJOC) J4 Contracts section and Assistant Deputy Minister (Materiel) (ADM(Mat)). In order for military members to garner contracting expertise, they were required


28Speech from the Throne…

to learn through on-the-job experience, supported by the federal public service purchasing group (PG) procurement expertise. Challenges with the lack of training are relevant in the CRS’s review of CANCAP, noting that managing contracts requires doctrine, skills and resources. The importance of preparing military members to work with and manage this immense contract was understood, but was difficult due to the high DND/CAF turnover of personnel and the limited training given to those placed in a management role. Many CAF members who deployed into theatre and were tasked to the Contracts Management Cell (CMC) came without any previous contracting experience or the skills required to manage or oversee quality assurance.\textsuperscript{30}

In concert with a lack of training, Canadian sustainment doctrine has been slow to adapt to the realities of deployed contracting. CAF sustainment doctrine has generally been focused on linear battlefield, which does not suit a noncontiguous battlespace. The doctrine assumes military organizations will remain ground based and in a relatively safe state of security.\textsuperscript{31} The US has much more developed doctrine surrounding operational contracting support, publishing Joint Publication 4-10 on the subject in 2014. This comprehensive document spans roles and responsibilities, contract support integration, contracting support and contractor management. It is a detailed reference outlining the key concepts for how American military commanders and their staffs must be familiar with how to plan for and integrate operational contract support (OCS) during military operations.\textsuperscript{32} There is a requirement to develop new CSS doctrine and to formally include contractor support into the CAF operational planning process (OPP). Doctrine must be able to incorporate new tactics, techniques and procedures for the employment of contractors regardless

\textsuperscript{30}National Defence. Evaluation of CANACAP…7.
\textsuperscript{31}Matsalla, Practical Sustainment… 61.
of the type of conflict. The CANCAP review has highlighted the lack of an overarching Canadian policy and doctrine on the employment of contractors during operations, and since this capability will endure on future operations, it is imperative these institutional guidance frameworks continue to be developed.

The roles contractors play in theatre continues to evolve as well. In the past, in-theatre employment of civilians was further away from the actual conflict. However, as missions and mandates have evolved, and war has shifted away from linear battlefields, contractors can be found performing roles in much closer proximity to combat. This places both militaries and civilian contractors at risk of crossing the line between lawful noncombatants and unlawful direct participation in hostilities under LOAC. The legal status of contractors has become increasingly complex. Contractors who carry out functions that can be closely related to military activities, such as logistics support to forward deployed troops, repairing weapons systems, or operating drones, could potentially be deemed as taking an active part in hostilities. However, as most do not meet the definition of a combatant, such as wearing a uniform, being fully integrated into the armed forces or carrying a weapon, they would be classified as a civilian. Given the nature of their employment in service to the military, it is often not clear where they would fall under LOAC and thus increases their risk of legal prosecution for participating in hostilities. The implications of a Commander asking a civilian contractor to do a particular job may be placing them in a precarious position and essentially asking them to give up their protected status under LOAC.

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33 MacKay, Is there a role...19.  
34 Perry, The Privitization...700.  
36 Fontaine, Contracting in Conflicts...28.  
Commanders must also consider the ramifications of command and control of civilian contractors. Contracted personnel are not the same as military members. They are not under the direct control or subordinate to a Task Force Commander, and are only governed by the terms of their contract. Contracted employees cannot be ordered to do additional work and will generally only carry out tasks specifically outlined in the scope of their contract. They have the right to refuse what they consider working in a dangerous situation and missions run the risk of losing a core support competency in theatre should they refuse to work or provide an essential service.\textsuperscript{38}

The aforementioned risks and concerns do not constitute an exhaustive list. As with any conflict, there remain numerous unknowns, and dealing with civilian contractors is much in the same. It is imperative that the CAF closely examine these concerns and risks before making key decisions on manning and forming the TO&E’s for subsequent operations. Contracted logistics support in a deployed theatre can certainly enhance combat power, but without the proper doctrinal framework and the expertise of trained military staff, there are bound to be additional complications. In the event the CAF does envision future contracted logistics solutions, this must be incorporated into OPP very early in the planning cycle and not as an “add on” capability. The implications of not considering the big picture could place both the military Commander and CAF members at significant risk.

\textbf{Potential Solutions}

In the advent of budget restrictions and the government’s desire to seek efficiencies, the reality is that contracted logistics solutions on deployed operations are destined to remain a CAF enabler. Despite the limitations of manning caps and non-permissive threat environments, there are additional potential recommendations that the CAF could examine to further mitigate risk to a Commander and maintain operational flexibility.

\textsuperscript{38}Blizzard, Increasing reliance…10.
1) **Sponsored Reserve Program:** The sponsored reserve concept originated from a British study entitled “Regular/Reserve Forces Mix Study” in 1992. This study looked at the possibility of using civilians with special reserve status to fill in the gaps of operational support functions. This was further developed in 1996 to the Sponsored Reserve Act, which then mandated that all defence contractors employ a designated number of employees who would participate on operations as reserve force members. This concept hands back quite a bit of control to Military Commanders. Sponsored reservists are deployed in the same manner as regular force members and are endorsed by the Military Chain of Command as a suitable candidate for a requisite mission. While deployed, the Military Chain of Command retains control over the sponsored reservist and assumes responsibility for their work and services provided. The sponsored reservist signs an agreement to accept certain risks for deployment and military training, and essentially becomes a member of the armed forces for the duration of their negotiated employment. This program could potentially offer more flexibility to the CAF as it has broader “call-up” powers than the traditional reserve force member. This program is also specifically aimed at the augmentation of CSS units and allows the Commander to pick and choose the skill sets they require for a specific mission. The sponsored reserve has the potential to be attractive to industry as it establishes a longer term partnership with DND and opens up the potential for future support contracts. The employment of these sponsored reserve members would be dependent on a Task Force’s managed readiness plan and how their role may fit into it, combined with how quickly the contractor is able to respond to the request for personnel.

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39 Blizzard, Contractors on the Battlefield…11.
2) **Enhanced Use of Reserves:** The US has examined the possibility of establishing a contingency contracting reserve corps. This would essentially create a labour pool of personnel, targeted at those who may already be working within federal procurement. Similar to the idea of a sponsored reserve, it would have voluntary membership, seeking out people who are willing to deploy within the country or on expeditionary operations. The Corps could potentially be used as a surge capability when required. This organization could bridge the capability gap in regular force units and establish contracting mechanisms in a new theatre of operation.\(^{42}\)

In the short term, it would be beneficial for the CAF to grow more reserve logistics officers and give them training billets on the deployed operational contracting course at CFLTC and establish reserve positions in CJOC J4 Contracts. This officially accredited expertise is just beginning to be grown internal to CAF, but it would serve both Regular Force and Reserve Force Units to expand the training audience. The ability to establish deployed contracts quickly and in accordance with Treasury Board regulations is a skillset that needs to be grown from within. By developing this expertise in the Reserve Force, and targeting those with civilian expertise, reserve Service Battalions could potentially become a key force multiplier lessening the requirement for more civilian positions.

Consequently though, the deployment of reservists remains voluntary, and Canada is unlikely to mandate reserve force members to commit to reliable involvement on international operations. These members increasingly make vital individual commitments to deployments, but the reality of a fully manned reserve CSS unit is likely untenable.\(^{43}\).

3) **Further developed strategic procurement for deployed operations:** Without the requirement to change the existing force structures of civilian companies or the reserve force,

\(^{42}\)Fontaine, Contracting in Conflicts…34.  
\(^{43}\)Perry, The privatization…696.
considerable gains on deployed contracting stand to be made within already established DND structures. In keeping with the Royal Canadian Navy’s (RCN’s) tradition of having pre-negotiated logistics support in ports worldwide, the other elements are slowly realizing both the value and flexibility that Forward Logistics Sites (FLS) type contacts offer. In the past, FLS contracts mostly focused on stores and administration, but have evolved to include everything the RCN may require from logistics, to diplomatic clearances, to administrating engineering repairs.\footnote{Mark Watson, "Assistance From Ashore: The Evolution Of Naval Logistics Sites From The Korean War To Operation ‘Apollo’." \textit{Canadian Military Journal} 5, no. 2 (Summer 2003): 54.} Recent work within ADM(Mat), Directorate of Major Procurement (D Maj Proc), and CJOC J4 Contracts has seen the first successful awarding of a Deployed Logistics Support Service Standing Offer Agreement (DLSS SOA). This is the first logistics standing offer of its kind designed to support all CAF services for operational support in Jamaica, the Caribbean and Central America encompassing both logistics services and real life support.\footnote{PWGSC, “Deployed Logistics Support Services- Jamaica, Caribbean and Central America (W8484-158341/A)”, last accessed 02 May 2016. \url{https://buyandsell.gc.ca/procurement-data/tender-notice/PW-PWB-020-3734}.}

The successful awarding of this DLSS SOA gives way for CAF members to continue working closely with ADM(Mat) and Public Services and Procurement to expand the areas of the globe for which we can employ these types of logistics solutions. In conjunction with our growing network of operational support hubs, these types of agreements can be put in place and help facilitate operational support as they are negotiated on a call-up basis. DLSS SOA’s do not require large scale mobilization of civilian contractors, and have pre-negotiated costs which allow the CAF to better anticipate the required funding of operational support. By stepping outside of the box of how the CAF has traditionally thought about existing support mechanisms, this type of SOA could serve well for both routine domestic deployments and un-forecasted expeditionary operations.
As long as the CAF continues to participate in expeditionary operations, the need for operational support will exist. There are continuous opportunities for improvement in order to streamline deployed contracting and help mitigate risk to our military personnel. However, this requires taking a further in depth look at our existing frameworks and policies in order to determine where efficiencies can be made while still preserving the effectiveness of our forces.

**Conclusion**

The Canadian Armed Forces participation on expeditionary operations is a key pillar of our defence mandate. Historically, the deployment of civilian contracted logistics solutions has been critical to the success of the CAF’s ability to support its soldiers in theatre and meet the mission requirements as dictated by the Federal Government. However, contracted logistics solutions do not come without additional risk and consequences that any operational planner must take into consideration. Deployed contracting is complex and multifaceted, and often influenced by governmental restrictions such as limited manning and operational funding. As evidenced with CANCAP II, private civilian companies are prepared offer to an extensive amount of support services to DND, and their roles have greatly expanded even since the advent of the Afghanistan mission.

Given the unknown locations and constructs of future missions, it is imperative that the CAF maintain its flexibility and operational readiness. In order to increase both of these essential requirements, a thorough examination of how the Canadian military conducts operational level sustainment planning is required. The doctrinal idea that all battlespaces will be linear also needs to be reexamined as existing sustainment models no longer suit this notion. The Logistics Branch also needs to ensure it grows future contracting expertise by expanding training opportunities at CFLTC and through requisite job experience. CSS trades need to work collectively to revamp
their current doctrine and ensure the right frameworks are available for those creating or managing support contracts and civilian contractors.

Novel approaches to contracted logistics solutions exist, but require further examination by operational and strategic level planners. The sponsored reserve, the increased use of the reserve force, and the expansion of DLSS SOA’s are only a few of the potential options available to the CAF. The use of contractors in a theatre of operations for both real-life support and in-service support, allows greater flexibility within a task force, and permits the focus to remain on combat tasks. Contracted support is able to overcome the restrictions of tightly controlled TO&E’s and can garner cost savings, but the allure of these two things should not overshadow the true support requirements of the mission. The risks and consequences must be carefully weighed during the initial stages of the operational planning process, and the decision of whether it is a military member or a contractor who provides deployed logistics support should not be made lightly.
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