



U.S. TRANSPORTATION COMMAND

	<u>POINTS OF CONTACT</u>
USTRANSCOM TCJ5-I	(618) 220-4948
NDTA	(301) 423-3335
MARAD	(202) 366-5400

**VISA EXECUTIVE WORKING GROUP (EWG)  
MEETING MINUTES  
5 April 2022**

**NOTICE**

The Executive Working Group (EWG) was organized by the National Defense Transportation Association (NDTA) Sealift Committee in March 1995 and consists primarily of representatives from the Department of Defense (DoD), the Department of Transportation (DOT) and the transportation industry. The purpose of the EWG is to study transportation issues of interest to government and industry and report the status of these issues to the NDTA membership. The EWG is a forum for the exchange of information. DoD officials participating in the EWG may not transfer any authority or responsibility for government decisions to industry or to the industry members of the EWG. The EWG is a discussion body used to strengthen the strategic relationship between DoD, DoT, and industry. It is not to obtain advice from individual attendees and not for the purpose of utilizing the group to obtain consensus advice or recommendations. The EWG is not a forum to be used for contract negotiations or contract discussions between carriers and the DoD. Such negotiations and discussions will be in accordance with applicable DoD contracting policies and procedures. By making the minutes of EWG meetings available electronically, DoD, DOT, and the NDTA promote other forums for the exchange of information. DoD invites interested parties to comment on issues considered at EWG meetings, to provide additional information, or to request further information. The EWG, however, is not a decision-making forum. EWG discussions cannot and do not obligate the Government contractually or otherwise or set formal policy. A list of meeting participants is enclosed at the end of this document.

**MEMBERS**


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<u>Organization</u>	<u>Telephone</u>
American President Lines, Ltd	(202) 496-2484
American Roll-On Roll-Off Carrier, LLC	(201) 571-0484
Crowley Maritime Corporation	(305) 470-4098
Hapag-Lloyd USA, LLC	(813) 276-4698
Liberty Global Logistics LLC	(516) 488-8800
Maersk Line, Limited	(703) 351-0124
Matson Navigation Company, Inc.	(415) 957-4200
Overseas Shipholding Group Inc.	(813) 209-0600
Pasha Hawaii Transport Lines, LLC	(415) 927-6400
Schuyler Line Navigation Company, LLC	(410) 216-9281
Seafarers International Union	(301) 899-0675
TOTE, Inc.	(704) 246-8839
US Ocean, LLC (Patriot Shipping)	(281) 885-3500
Waterman Steamship Corp./Waterman Transport, Inc.	(251) 243-9812

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## MEETING SUMMARY

### 1. Opening Remarks

- a. Meeting opened with remarks by VADM Mewbourne (TCDC).
  - (1) Welcomed everyone after having three hybrid EWG's during the COVID pandemic.
  - (2) TCDC verbally recognized and congratulated Mike Garvin on his retirement from Matson Navigation Co., and for his service and long-standing participation in the VISA EWG.
  - (3) Sean Moroney and Jeff Dixon were also recognized as new additions to the group.
- b. Kevin Tokarski – Maritime Administration (MARAD)
  - (1) Welcomed everyone and reiterated TCDC's comments on Mike Garvin's service.
  - (2) Highlighted the continued strong relationship between USTRANSCOM and MARAD.
- c. A listing of attendees is located at Attachment 1.

### 2. Presentations

- a. CLASSIFIED Briefings
  - (1) Intelligence update was provided by TCJ2 and focused on an update of the Feb 15 Industry Meeting presentation. An unclassified summary of the briefing is at Attachment 2.
  - (2) TCJ3 gave a current operations update focusing on Ukraine and Russia.
  - (3) TCAC provided an overview of USTRANSCOM intra-heater tanker requirements.
- b. Vessel Selection and Workload Forecast
  - (1) 24/7 Vessel Selection Trends/Process Update – Brandon Snyder (TCJ38)
    - (a) Working to refine the sealift sourcing process.
    - (b) Single ownership of the entire sealift sourcing process is now under TCJ38.
    - (c) Control of the cargo requirement is reviewed to reflect reality before it is sent to industry.
    - (d) ICODES is the USTRANSCOM program used to provide multi-modal load planning. Discussion identified a need to identify inconsistencies between ICODES and commercial loading planning software to improve load planning efficiency.
    - (e) TCJ38 is working with TCJA to review what information is/is not Controlled Unclassified Information (CUI) and can be shared with industry.



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- (f) USTRANSCOM is not going to share internal processes.
- (g) Military Sealift Command (MSC) recommended getting more ships certified to transport V-22's.
- (2) U.S. Army Equipment Growth Considerations – Curt Zargan (TCAC)
  - (a) Presentation showed the growth in weight/square feet of an Armored Brigade Combat Team (ABCT) from a Heavy Brigade Combat Team (HBCT) structure in 2012 to the current ABCT.
  - (b) Projection included updated weights/square foot requirements of the M1A2 Sep V3, Joint Light Tactical Vehicle (JLTV) and the replacement of the M113 Armored Personnel Carrier with the Armored Multi-Purpose Vehicle (AMPV).
- (3) Workload Forecast – Bruce Busler (TCAC)
  - (a) FY22 decreases reflect completion of realignment/reduction of forces in USCENTCOM.
  - (b) Workload peaked in 2020 and has declined since.
  - (c) 85% of unit and containerized cargo goes via liner; 15% of cargo goes on whole ship charters.
  - (d) Slight uptick in whole vessel charters due to operational requirements.
  - (e) Containerized cargo to support forward deployed forces is stable.
- c. Legislative Affairs Update – Doug Hall (TCCC-LA).
  - (1) This year is a mid-term election year.
  - (2) 30 House Democrats are not seeking reelection/retiring; 15 Republicans are not seeking reelection/retiring.
  - (3) Historically, Congress tends to flip parties in the first mid-term election of an incumbent president's term.
  - (4) Razor-thin margins in the current Congress make it even more likely that the Congress will flip leadership.
  - (5) Strong support for all maritime priorities from Members from our HASC/SASC hearings last week.
  - (6) There is support for the removal of the "link to new construction" requirement from previous NDAA's for the sealift recap program.
- d. Cyber Outlook – Tina Nastase (National Security Agency (NSA) LNO)
  - (1) Highlighted various programs to protect and defend the Defense Industrial Base (DIB).
  - (2) Focus on adversary intent; notify commercial partners and offer products and services to DIB partners.
  - (3) NSA offers systems to help protect infrastructure (nsa.gov).



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- e. International Maritime Organization (IMO) Air Emission Reduction Measures
- (1) U.S. Coast Guard is the lead for U.S.A maritime interests at the IMO.
  - (2) IMO is the first international organization to adopt industry wide regulations to reduce emissions.
  - (3) IMO goal is to reduce emissions 50% by 2025 compared to 2008.
  - (4) New regulations are effective starting Jan 2023.
  - (5) Vessels will need to meet standards in one of three ways:
    - (a) Convert to alternative fuels.
    - (b) Install alternative devices to reduce emissions.
    - (c) Reduce speeds.
- f. Maritime Sector Updates
- (1) Multi-purpose – Will Terrill (US Ocean, LLC)
    - (a) Sector benefitted from high demand in the container sector.
    - (b) Container sector is the leading indicator of the MPP sector where the bulk market was previously the leading indicator.
    - (c) New build books are low at 3% of fleet. For comparison, the new built books were 25% of the fleet in 2009.
    - (d) Renewable energy and infrastructure cargo are good for the sector.
    - (e) Oil & gas sector is starting to ramp up but has a longer lead time.
    - (f) COVID still a risk for sector. MPP vessels do not operate in liner service but operate worldwide and are subject to a patchwork of regulations.
    - (g) Fuel prices are impacting all sectors.
    - (h) MPP vessels are exempted from the new 2023 IMO emissions standards.
    - (i) Sector is slower to develop due to uniqueness of round-the-world trade and availability of alternative fuels.
  - (2) Container – David Zimmermann (Hapag-Lloyd USA, LLC)
    - (a) Supply chain works, but system is stressed. Volume was up 6% last year and is predicted to rise another 3% this year.
    - (b) Financial health of container sector is better than it has been in 30 years and allows investment in vessels and infrastructure.
    - (c) Container capacity worldwide was up 4% last year and 3.5 % this year. Based on new build books, vessel capacity will be up 20% once new builds come online in 2024-2025.
    - (d) Poor reliability – less than 50% reliability for on-time delivery in the container sector. Congestion and delays equate to a 20% reduction in vessel capacity.



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- (e) Sector will not see relief from congestion prior to Q4FY22.
  - (f) July to October is peak season for container sector.
  - (g) Watching International Longshore and Warehouse Union (ILWU) negotiations.
  - (h) Cargo migrating from U.S. West Coast (USWC) to U.S. East Coast (USEC). Asia to USWC dropped from 75% to 58% with most cargo shifting to southeast East Coast where U.S. flag has priority.
  - (i) Sector sees two options to meet IMO standards:
    - 1) Convert to LNG fuel
    - 2) Reduce speed
  - (j) Ukraine and Russia conflict impacts about 2-3% of global container trade. Hapag-Lloyd has ~100,000 containers frustrated due to conflict.
- (3) Roll-on Roll-off (RO/RO) Sector
- (a) RO/RO sector dynamics are fast moving and changing daily.
  - (b) Shortage of global tonnage with a 15-20 % increase in demand by 2024.
  - (c) Global newbuilds will lag demand.
  - (d) Aging global RO/RO fleet will have lower efficiency and increase scrap rate once new IMO standards take effect.
  - (e) Costs have increased fourfold in the last 12-16 months.
  - (f) Operating expenses are rising faster than DoD contract terms and conditions allow, making commercial cargo more attractive than DoD cargo.
  - (g) Recent activation of five Ready Reserve Force (RRF) vessels is putting pressure on an already challenged labor pool and causing concern for MSC.
  - (h) Advance notice of RO/RO cargo opportunities allows companies to better position vessels to support requirements.
  - (i) Preference cargo pool is not growing.
  - (j) Inflation is growing faster than the Maritime Security Program (MSP) payment increases.
  - (k) Challenges with rising bunker fuel costs. Bunker recover fees are not covering costs.
  - (l) IMO emissions impact on RO/RO sector
    - 1) Average age of international RO/RO fleet is 13 years; U.S. flag fleet is 17 years old.
    - 2) Older, less fuel efficient, vessels are more negatively impacted by IMO regulations.



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- 3) Older vessels may need to slow 10-30%, resulting in longer voyages, resulting in less capacity to meet demand.
- 4) Slower speeds will make it harder to meet SDDC required delivery date (RDD) demands.

(4) Jones Act/Domestic Sector

- (a) Ocean rates will start to increase to compensate for fuel costs. Fuel surcharge is up around 47%.
- (b) 2022 volumes slightly better than 2021.
- (c) Possible post-Asia shutdown may produce another eastbound surge to USWC ports.
- (d) Jones Act vessels committed to continuing on-time service independent of the impact of fuel prices. Domestic shipping remains ~90% on time delivery.
- (e) Consumer market in the domestic trade is different than international. Hawaii, Puerto Rico, Alaska, and Guam rely on shipping to maintain stock on shelves.
- (f) Jones Act vessels are switching to LNG vice slowing down. Slowing down is not a viable option in the Jones Act trade.
- (g) Jones Act company investment:
  - 1) Matson Navigation, Co. is investing more than \$200 million to convert four vessels to dual fuel by adding LNG tanks and converting one ship to LNG.
  - 2) Pasha Hawaii Holdings LLC is building two LNG-powered containerships for the Hawaii trade, converting one vessel to LNG, and making over \$25 million in investments at the Port of Long Beach and Kapalama Container Terminal.

(5) Labor – Augie Tellez (Seafarers International Union)

- (a) Manpower process is adjusting to address attrition. Unions aim for 2 mariners per billet, currently at 1.5 mariners per billet.
- (b) COVID skewed the process as mariners chose to leave the industry due to lock downs, cancelled leave, extended at-sea time, delayed crew changes, and restriction of movements.
- (c) Mariners preferred to stay home, collect unemployment and, in some cases, an additional \$600 a week from states.
- (d) Hot job market ashore was an attractive alternative to at-sea jobs.
- (e) USCG National Maritime Center (NMC) processing of mariner documents and credentials was shut down which delayed renewal and upgrading of credentials.
- (f) USCG NMC extended mariner credentials 8 months to compensate for the 60-day delay in processing documents and credentials.

g. MARAD Update - Kevin Tokarski



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- (1) Only five of seventeen political positions at DoT requiring Senate confirmation have been filled.
  - (2) War Risk Insurance (WRI)
    - (a) Most WRI has been cancelled or has astronomical prices.
    - (b) U.S. flag vessels can obtain WRI through MARAD.
    - (c) Without WRI, owners will not allow vessels in restricted waters.
  - (3) Tanker Security Program (TSP)
    - (a) Funded in the 2022 Omnibus for \$60 million.
    - (b) MARAD needs to get rulemaking in place to implement program. Interim Final Regulation (IFR) being drafted by MARAD.
    - (c) Application for program and vessels selection targeted by end of the year.
    - (d) Voluntary Tanker Agreement (VTA) with Department of Justice (DOJ) to make Determinations and Findings under Defense Production Act 1950 that the program is required to support national defense. Expected to clear DOJ in mid-April.
  - (4) Every Mariner Builds a Respectful Culture (EMBARC)
    - (a) Goal to improve safety and wellbeing onboard U.S. flag vessels.
    - (b) Making part of Safety Management System (SMS).
    - (c) Congress drafting legislation to tie EMBARC compliance to receiving MSP payments. Carrier must have EMBARC in place to receive stipend.
  - (5) Ready Reserve Force (RRF) Recapitalization
    - (a) Purchased first two vessels with preference given to former MSP vessels.
    - (b) Vessel Acquisition Manager (VAM) – current contract only good for up to seven vessels.
  - (6) MARAD areas of focus:
    - (a) RRF recapitalization
    - (b) Management of MSP, Cable Security Fleet, and TSP
3. Open Discussion – Around the Room.
- a. TCAQ – Nick Weiss
    - (1) Trucking costs/availability/DoD priority - USTRANSCOM did an out-of-cycle rate refresh for CONUS line haul rates effective 15 Feb 22 to help with carrier costs and securing trucks for DoD cargo movements. Initial 6-week SDDC analysis shows less cargo rolls and more timely deliveries.
    - (2) Fuel costs - USC-9 Option Year 3 Bunker Adjustment Factor (BAF) baseline will remain the same as OY2. We recognize that BAF is not designed for volatile



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markets; so, we are not going to accomplish the annual re-baseline due to the current unstable and high market prices. This should minimize carrier rate setting risks as well as save carrier backend costs when the market stabilizes.

- (3) Required Delivery Date (RDD) concerns – USC-9 redeveloped based on real world events, will look at this again in the future.
  - (4) USC-9 changed from a Base+2 to a Base +4-year contract – In doing so, we agreed to an Industry Day at the halfway point to discuss existing contract terms and conditions as well as begin posturing for USC-10 requirement changes. The Industry Day is planned for this Fall, and we are looking at dates to be coordinated around the NDTA-USTRANSCOM Fall Meeting (17-20 Oct) to limit AO travel.
- b. National Defense Transportation Association (NDTA) – Craig Hymes
- (1) NDTA Transportation Advisory Board (TAB) scheduled for 13-14 April in Ponte Vedra, FL.
  - (2) Surface Projection Force Conference scheduled for 17-20 May 2022 at Christopher Newport University, Newport News, VA.
- c. As this was TCDC's last VISA EWG, Augie Tellez, SIU, thanked him for continuing the relationships and open lines of communication with industry
4. Task Review
- a. Outstanding Tasks
- (1) Port Infrastructure Vulnerability Assessments – Closed. Facilitated carrier access to nearby secure government facility.
  - (2) Review of secure communications with carriers – Closed. Facilitated carrier access to nearby secure government facility.
  - (3) Facility Security Clearances (FCL) - Closed. Identified obstacles to organizations obtaining an FCL. New follow-on task added below.
  - (4) Include Tanker POL (petroleum, oil and liquids) requirements in cargo forecast – Closed. Added POL as part of the workload forecast provided by TCAC.
  - (5) Assess impacts of new IMO carbon emission reductions on industry – Closed. USCG provided briefing on future IMO carbon emission regulations. New follow-on task added below.
  - (6) Cybersecurity Maturity Model Certification (CMMC) – Closed. Beginning 1 Oct 2025, USTC will apply CMMC to contracts.
  - (7) Refine and publish the VISA Activation Guide. (OPR: TCJ5-I; COR – TCJ-6) – Open
- b. New Tasks
- (1) Facility Security Clearances (FCL). (OPR: TCAQ; OCR's: TCAC, TCJ5-I). USTRANSCOM conduct internal review requirements and application of FCL's for VISA carriers – Open.





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- (2) IMO Air Emission Reduction. (OPR: TCJ-5; OCR's: MARAD & Industry). Assess impacts of new IMO carbon emission reductions on DoD and commercial industry during contingencies or national emergencies. – Open.
  - (3) V-22 Certified Vessels. (OPR: TCJ5-IS; OCR's: MSC, MARAD & Industry). Increase the number of eligible commercial and organic vessels certified by NAVAIR to transport V-22 aircraft – Open.
  - (4) ICODES and Stow Planning. (OPR: TCJ38). Understand the differences between ICODES and commercial stow planning software and identify a way forward to better align systems to reduce stow planning inconsistencies – Open.
5. Closing Comments
    - a. Kevin Tokarski and VADM Mewbourne provided brief closing remarks.
  6. Meeting adjourned.
  7. Updates and corrections - Please use the USTRANSCOM TCJ5-I point of contact listed for updates or corrections to these minutes.



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**Attachment 1**Meeting Participants**USTRANSCOM**

VADM Dee Mewbourne	TCDC
MG John Sullivan	TCJ5J4
MG Corey Martin	TCJ3
Ken Brennan	TCAQ
Bruce Busler	TCAC
BG Michelle Hayworth	TCJ6
CAPT Jamie Frasier-Loria	TCJ2
COL Steven Putthoff	TCJ3-DM
COL Michelle Quitgua	TCJA
Kevin Reszka	TCJ8-D
Curt Zargan	TCAC/TEA
Jeff Paxson	TCJ2
Doug Hall	TCCC-LA
Al Lopez	TCJ5-I
Nick Weiss	TCAQ-I
Robert Bowers	TCJA
CDR Mark Lindsey	TCJA
Tim Boemecke	TCJ5-IS
JoAnn Sukas	TCJ5-G
Tim Grout	TCJ5-IS

**SDDC**

COL Joe Morrow	SDDC DCO
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**MSC**

Chris Thayer	MSC
Sean Kerr	MSC Det.

**USCG**

Benjamin Hawkins	
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**NSA**

Tina Nastase	NSA LNO
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**NDTA**

Craig Hymes	Sr. VP Operations
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**DoT/Maritime Administration**

Kevin Tokarski	Assoc. Administrator, Strategic Sealift
John Reardon	LNO to USTRANSCOM

**Industry**

Ameed Micko	Director Gov't Services, American Roll-on Roll-off Carrier
Missy Donnelly	Sr. VP, Pasha Hawaii
Jeff Dixon	President, TOTE Services LLC
Mike Garvin	Director Gov't Services, Matson Navigation Co., Inc.
Paul Giovino	Chief Compliance Officer, Maersk Line, Ltd.
Lars Magnusson	Sr. Director, Military and Gov't Trades, American President Lines
Sean Maroney	Director Gov't Services, Matson Navigation Co., Inc.
David Minetti	President, Liberty Global Logistics
Kris Rogers	Director Expeditionary Logistics Gov't Services, Crowley Logistics
Augie Tellez	Exec VP, Seafarers International Union
Will Terrill	President & CEO, US Ocean
David Zimmerman	President, Hapag-Lloyd USA



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## Attachment 2

### USTRANSCOM J2 Briefing outline/notes for the VISA EWG: (05 April 2022)

#### Current situation

There are indications Russia is withdrawing forces from North-Central Ukraine, apparently abandoning their objective of capturing the Ukrainian capital of Kyiv. We believe the Russians will use this withdrawal to concentrate their combat efforts on the Donbas region of Ukraine. On the Ukrainian side, we see Ukraine continues to resist Russian occupation forces using small-unit tactics. The Ukrainians are also attempting to protect civilian infrastructure, defend the Donbas region, and to prevent further loss of territory to Russia.

We believe much of the failure of Russia's execution of their further invasion of Ukraine falls primarily to faulty planning assumptions, most notably the failure to accurately predict the Ukrainian will to fight. Additional Russian planning decisions flowed from these faulty planning assumptions and have hampered their efforts including, inadequate logistics support (fuel, food, ammo), poor morale, and failure to follow doctrine (fight in mass, solid command and control, gain air superiority, utilize speed in operations).

#### Way Ahead

Putin needs a "victory" out of Ukraine before he can seriously consider ceasing military operations in Ukraine. What that "victory" looks like is unknown however it is likely considerably less than the objectives of the initial Russian operations that began on 24 February. Putin has two main options for military options moving forward. He could renew the attempt to capture Kyiv and replace the Zelenskyy-led Ukrainian government, but this option appears to be out of reach. Given Russia's initial losses, it appears more likely that Russia will pursue the lesser goal of consolidating the gains achieved in Eastern Ukraine in the Donbas and along the land corridor that the Russians have established linking the Donbas to Crimea.

As we evaluate ongoing negotiations between Russia and Ukraine, negotiating positions are firming up. The Ukrainian government will be reluctant to cede any additional territory beyond what Russia has already seized. While they have signaled that they are willing to accept future neutrality and take NATO membership off the table, they insist on their need for 3rd party security guarantees in the future. The Russians will insist that the Crimean Peninsula belongs to Russia, that the "People's Republics" they have created in Donbas must be independent or possibly part of Russia, and they will likely seek to keep the land corridor between Donbas and Crimea.

Despite the significant gulf between the two sides' negotiating positions, there are significant pressures on both sides that could result in a softening of Russian and Ukrainian demands. For Russia, economic sanctions have significantly raised the cost of the military action for Moscow. In addition, while Russian media has minimized the issue of casualties from the Russian public, maintaining that information blackout will be difficult. News of significant Russian losses in Ukraine and a downturn in public support for the military operation could push Moscow toward a more accommodating negotiating position. Finally, the costs of continuing combat operations (financial, materiel, and personnel costs) will also likely force Moscow toward a negotiated settlement.

While the Ukrainians have executed an impressive defense against the Russian operation, shortages in fuel, military equipment, and ammunition will likely pressure Kyiv to accept some Russian negotiating positions. While Western support for Ukraine in the provision of both lethal and non-lethal aid has likely been key to their defensive success, it is unclear whether Western assistance can be enough to sustain the Ukrainian military in a longer-term scenario. Additionally, Russian military attacks on Ukrainian civilian infrastructure population centers combined with the future cost of rebuilding are additional pressures that will entice the Ukrainian government to come to an agreement with Russia.