

# UNCLASSIFIED CHAIRMAN OF THE JOINT CHIEFS OF STAFF INSTRUCTION

J-7 DISTRIBUTION: A, C CJCSI 4600.02D 4 October 2022

#### EXERCISE-RELATED CONSTRUCTION PROGRAM MANAGEMENT

#### References:

See Enclosure D

- 1. <u>Purpose</u>. This instruction outlines procedures for managing the Exercise-Related Construction (ERC) program.
- 2. <u>Superseded/Cancellation</u>. Chairman of the Joint Chiefs of Staff Instruction (CJCSI) 4600.02C, "Exercise-Related Construction Program Management," 22 April 2020 is superseded.
- 3. <u>Applicability</u>. This instruction applies to the Joint Staff, Combatant Commands (CCMDs), and Military Services.
- 4. <u>Policy</u>. It is Department of Defense (DoD) policy to manage and ensure the timely execution of the ERC program in full accordance with all applicable statutes and DoD directives, instructions, and guidelines. Two line items fund the ERC program: Unspecified Minor Military Construction (UMMC) and Planning and Design (P&D), authorized and appropriated by public law for any exercise-related requirements that become specified during a five-year active funds window. The program appropriation request falls under the DoD-wide, unspecified worldwide locations, unspecified minor construction heading and is allocated to the Joint Chiefs of Staff within the Joint Training, Exercise and Evaluation Program (JTEEP).
- 5. <u>Responsibilities</u>. See Enclosure A.
- 6. Summary of Changes. This instruction has been modified to:
  - a. Specify that ERC funding is part of the J-7-managed JTEEP.

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- b. Include responsibilities of the Office of the Chairman of the Joint Chiefs of Staff Legislative Affairs (OCJCS/LA) to meet congressional notification requirements.
- c. Change the allocation of P&D funds from the Office of the Secretary of Defense (OSD) to the Joint Staff to occur on an annual basis.
  - d. Remove outdated program management procedures and timelines.
  - e. Include audit readiness requirements and references.
- 7. Releasability. UNRESTRICTED. This directive is approved for public release; distribution is unlimited on non-secure internet protocol router (NIPR) network. DoD Components (to include the CCMDs), other Federal agencies, and the public, may obtain copies of this directive through the Internet from the Chairman of the Joint Chiefs of Staff Directives Electronic Library at <a href="http://www.jcs.mil/library">http://www.jcs.mil/library</a>. Joint Staff activities may also obtain access via the secure internet protocol router (SIPR) network Directives Electronic Library web site.
- 8. Effective Date. This INSTRUCTION is effective upon receipt.

For the Chairman of the Joint Chiefs of Staff:

GEORGE M. WIKOFF, RADM, USN

Vice Director, Joint Staff

#### **Enclosures**

- A Responsibilities
- B Program Management
- C Operational Control Letter Template
- D References
- GL Glossary

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#### **ENCLOSURE A**

#### RESPONSIBILITIES

1. <u>Chairman of the Joint Chiefs of Staff</u>. The CJCS is responsible for approving projects, providing allocated funds, and notifying Congress of ERC projects (reference a).

## 2. Joint Staff Director for Joint Force Development, J-7

- a. Manages the ERC program for the CJCS. In the absence of the DJ-7, the Joint Staff Vice Director for Joint Force Development (VDJ-7) has approval and notification authority. Either the DJ-7 or VDJ-7 also approve criteria for scoring and prioritizing projects as detailed in Enclosure B.
- b. Designates the Joint Staff J-7 ERC Program Manager (PM) with the responsibility to implement and execute daily program management activities in accordance with this instruction, and with the authority to implement and execute additional processes and procedures when deemed necessary to improve financial oversight and program performance and to maintain audit readiness at all times.
- c. Ensures funds are used only for requirements that comply with the definitions, restrictions, and thresholds provided under reference b.
- d. Prepares and coordinates congressional notification reports with the Joint Staff Directorate for Logistics, J-4, OCJCS/Legal Counsel (LC), and OCJCS/LA for projects that meet notification criteria provided under section 2805(b) or 2807(c) of reference b and ensures notification reports are submitted to Congress in a timely manner.
- e. Directs use of the Overseas Humanitarian Assistance Shared Information System (OHASIS), the current system of record for the ERC program.
- f. Ensures nominated ERC projects support joint exercises that are eligible for JTEEP funding (reference c).
- g. Facilitates ERC Working Groups chaired by the Joint Staff J-7 ERC PM as needed.
- h. Tracks ERC project execution in comparison to planned spending to ensure Military Construction (MILCON) execution milestones are met.

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- i. Tracks ERC Status of Funds (SOF) (allocations, commitments, obligations, and disbursements) to ensure MILCON obligation benchmarks are met.
- j. Issues Authority to Advertise (ATA) contracts for approved projects with allocated funding. Service Components must advertise within 60 days after receiving notice of the Joint Staff's ATA from the Geographic Combatant Command (GCC).
- k. Coordinates with OCJCS/LC to validate compliance with the operational control (OPCON) requirement in section 2801(c)(4) of reference b. Ensures GCCs use the OPCON letter template provided in Enclosure C.
- 1. Allocates construction funds to the GCCs for approved projects that meet the following criteria:
- (1) The project is expected to award (for contracts) or begin procurement (for troop labor) within the next 60 days (as documented in OHASIS).
- (2) The requesting GCCs complies with the most recent monthly construction and financial reporting requirements.
- m. Aligns fiscal year (FY) funding (within the active five-year window of appropriation), funding accounts, and projects to optimize acquisition effectiveness and financial execution efficiency.
- n. Ensures audit readiness for the ERC program is maintained at all times at the Joint Staff level as well as at the GCC level by ensuring compliance with records management and financial management requirements.

## 3. Joint Staff Director for Logistics, J-4

- a. Provides engineering expertise to assist Joint Staff J-7 in ensuring funds are used only for requirements that comply with definitions, requirements, restrictions, and thresholds provided under reference b.
  - b. Supports ERC Working Groups chaired by Joint Staff J-7.

#### 4. Joint Staff Comptroller

a. Supports the Joint Staff J-7 ERC PM in daily financial management of the ERC program.

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- b. Ensures the Joint Staff J-7 ERC PM has proper training to execute budget transfers in the Joint Staff accounting system. After OSD sub-allocates funds to the Joint Staff, the funds will be loaded into the Joint Staff J-7 JTEEP accounts so the Joint Staff J-7 ERC PM can manage the funds.
- c. Provides financial management support to the Joint Staff J-7 ERC PM to ensure updates on allocations, commitments, obligations, and disbursements are entered into the Joint Staff accounting system.
- d. Withdraws, at the request of the Joint Staff J-7 ERC PM, previously sub-allocated unexpended project and P&D funds to use for other ERC requirements.
- 5. Office of the Chairman of the Joint Chiefs of Staff Legal Counsel
  - a. Reviews all ERC project nominations for legal sufficiency.
- b. Provides legal counsel support on ERC related matters when requested by Joint Staff J-7.
- 6. Office of the Chairman of the Joint Chiefs of Staff Legislative Affairs
  - a. Supports Joint Staff J-7 to prepare congressional notification reports.
- b. Submits notification reports to the appropriate congressional committees.

#### 7. Geographic Combatant Commands

- a. GCCs have oversight responsibility for project planning, programming, design, execution, and cost accounting, as well as responsibility for coordination with U.S. embassies, host nations (HNs), construction agents, and military components.
  - b. GCCs nominate ERC projects in accordance with the guidelines below:
    - (1) The project complies with reference b.
- (2) The main purpose of the project is not to establish a new posture location in support of a permanent U.S. presence.
  - (3) The project does not represent a foreign assistance program.

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- (4) The project supports one or multiple joint exercises and future iterations.
- (5) If the project is located outside the United States (including U.S. territories and possessions), the CCMD must provide written approval for the project from the Chief of Mission (COM), Deputy Chief of Mission (DCOM), or other Department of State (DOS) official in the applicable U.S. embassy confirming the project is consistent with U.S. policy. A valid and date-stamped COM, DCOM, or DOS official signed concurrence letter with a U.S. Embassy letterhead must be provided to the Joint Staff J-7 ERC PM and uploaded as an attachment to the respective project in OHASIS.
- c. GCCs will ensure compliance with Enclosure B by either accomplishing or directing accomplishment and reviewing of monthly inputs within OHASIS.

## d. For Projects Using Contracts

- (1) Prior to advertising a contract, GCCs will request ATA for the project from the Joint Staff J-7 ERC PM. ATA is requested after the project is approved for funding, all required documentation (i.e., operational control, U.S. Embassy concurrence) is in place and uploaded in OHASIS, and all congressional notification and waiting period requirements are met. After the Joint Staff J-7 ERC PM confirms all requirements are met and required documentation is uploaded in OHASIS, ATA is provided in writing to the requesting GCC.
- (2) For projects using contracts, GCCs will request allocation of project funding when bid selection is complete by requesting the amount of the selected bid. Joint Staff J-7 will then allocate the funding to the GCCs in the Joint Staff accounting system.
- e. GCCs will, upon completion of a project, notify the Joint Staff J-7 ERC PM of project completion details and submit all required project closeout data in OHASIS. If excess funds are available, the GCC can request authorization from the Joint Staff J-7 ERC PM to use funds for other approved projects or immediately make the funds available for withdrawal by the Joint Staff.
- f. GCCs are responsible for ensuring audit readiness for the ERC program is maintained at all times at the headquarters level as well as subordinate components by ensuring compliance with records management and financial management requirements.

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## 8. Functional Combatant Commands

- a. Functional Combatant Commands (FCCs) will not directly manage ERC projects.
- b. FCCs will support GCC ERC programs within each GCC's area of responsibility.
- c. FCCs will support FCC theater-level functional organizations in accordance with the guidelines below:
- (1) FCCs will assist theater-level functional organizations with preparation of ERC project nomination submissions.
- (2) FCCs will advocate to the GCCs for theater-level functional organizations' projects on the GCC project nomination list.
- (3) FCCs will assist theater-level functional organizations with project execution as required.

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#### ENCLOSURE B

#### PROGRAM MANAGEMENT

## 1. Project Nomination and Approval (Annual)

## a. Joint Staff Program Alignment with DoD Priorities

- (1) Projects are approved on an annual basis. Project prioritization is based on DJ-7– or VDJ-7–approved scoring criteria. The criteria are reviewed and approved on an annual basis and may change as DoD priorities change. The scoring criteria will aim to ensure projects support the *National Defense Strategy* priorities, the *National Military Strategy*, and the *Joint Strategic Campaign Plan*.
- (2) The Joint Staff ERC PM will obtain annual DJ-7 or VDJ-7 approval of scoring criteria for the next nomination cycle in July and ensure the most recently approved criteria are uploaded to the OHASIS project management database for project scoring and prioritization in the next nomination cycle.

#### b. GCC Project Nomination

- (1) The Joint Staff J-7 ERC PM will issue to the GCCs on an annual basis detailed project nomination instructions, templates, and a Plan of Actions and Milestones (POA&M) for projects to be nominated and approved by DJ-7 or VDJ-7 for the next FY. The instructions will be issued after DJ-7 or VDJ-7 approve the project scoring criteria for the next FY, and the criteria are uploaded to OHASIS.
- (2) Specific dates and milestones for the next FY project nomination cycle will be provided by the Joint Staff J-7 ERC PM in the POA&M for the next FY with the issuance of the annual project nomination instructions.
- (3) GCCs will formally nominate their slate of projects for the next FY by submitting a General Officer/Flag Officer/Senior Executive Service-level staff signed nomination letter to Joint Staff J-7. The letter must confirm all nominated projects support joint exercises, have been entered into OHASIS, and are concurred by the GCC O-6/GS-15-level Command Engineer, the GCC legal counsel, and the GCC O-6/GS-15-level Joint Exercises lead (usually the GCC J7/J37). The template for the nomination letter will be provided by the Joint Staff J-7 ERC PM with the issuance of the annual project nomination instructions.

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- (4) GCCs may nominate projects with planning and design completed and planned execution in the next FY (current FY+1) to receive construction funds as well as projects with planned execution in future FYs to receive P&D funds.
- (5) In OHASIS, in order for a project to be nominated and considered by the Joint Staff for approval, GCCs must complete all project data fields in OHASIS as the system is used as an automated tool to create the required DD Form 1391. GCCs must account for all ERC line item costs attributed to each construction project in Block 8 of the DD Form 1391. Each project in OHASIS must have uploaded as an attachment a properly programmed, OHASIS generated, O-6/GS-15-level Command Engineer signed DD Form 1391.
- (6) GCCs will assess and assign scores for each nominated project based on the most recent DJ-7 or VDJ-7 approved scoring criteria.
- (7) Further specific data entry requirements for OHASIS will be provided by the Joint Staff J-7 ERC PM with the issuance of the annual project nomination instructions.

## c. Joint Staff Project Review

- (1) GCC nominated and scored projects will be reviewed by Joint Staff J-7, Joint Staff J-4, and OCJCS/LC to determine ERC project eligibility by ensuring all legal, policy, and technical/engineering requirements are met, all applicable restrictions are adhered to, and the GCC assigned scores comply with Joint Staff-provided scoring requirements and are justified.
- (2) During this process, nominated projects not meeting requirements can be determined as ineligible and disqualified by the Joint Staff J-7 ERC PM or can be cancelled or deferred by the nominating GCC.

#### d. Joint Staff Project Prioritization

(1) Prioritized Project List. Nominated projects determined to meet ERC project eligibility requirements will be ranked by the Joint Staff J-7 ERC PM based on total score assigned to each project. The ranking of the projects establishes the FY Prioritized Project List (PPL). The PPL will include two funding cutlines (one for ERC funds and one for P&D funds). The Joint Staff J-7 ERC PM will identify both funding cutlines based on the expected program budget for the next FY (ERC and P&D funding levels for the next FY).

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- (2) <u>ERC Funding Cutline</u>. The project scoring criteria will ensure projects with P&D completed are ranked as high priority and are considered and approved to receive construction funds.
- (3) <u>P&D Funding Cutline</u>. All nominated projects requiring P&D funds will be considered for P&D funds. If the expected P&D funding level for the next FY exceeds the P&D cost of all nominated projects on the PPL, then P&D funds will be provided for the respective projects at the levels listed on the approved PPL.

## e. Joint Staff Project Approval

- (1) DJ-7 or VDJ-7 approve projects, type(s) of funding for each project, and funding levels for each project as listed on the PPL. The Joint Staff J-7 ERC PM will inform the GCCs when the PPL is approved.
- (2) The Joint Staff J-7 ERC PM will inform the GCCs which projects on the PPL are subject to congressional notification, by when notification and waiting period requirements are expected to be met, and when the GCCs may request ERC and/or P&D funds.

## f. Joint Staff Congressional Notification

- (1) After PPL approval, the Joint Staff J-7 ERC PM will staff required congressional notifications to meet requirements in sections 2805 and 2807 of reference b, and requirements in accordance with the current FY National Defense Authorization Act and/or Military Construction Authorization Act. The Joint Staff J-7 ERC PM will inform the GCCs when notification and waiting period requirements are complete.
- (2) Contract award and troop labor material procurement cannot begin until 14 days after congressional notification is made. The Joint Staff J-7 ERC PM will inform the GCCs when the 14-day waiting period is complete and the GCCs may request funds, pending funding availability.

## 2. ERC Working Groups (Quarterly)

- a. Joint Staff J-7 will plan to host ERC Working Groups (ERCWGs) quarterly or as needed.
  - b. In general, ERCWG objectives include:
    - (1) Review program execution and status of all funded projects.

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Enclosure B

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- (2) Review milestones and status of the next project nomination cycle.
- 3. Project Management Reporting Requirements (Monthly)
- a. OHASIS is the authoritative project records and financial data repository for the ERC program and must be maintained for audit readiness at all times (reference d).
- b. All projects approved and not yet complete require recurring monthly review and updates in OHASIS to document status of planning, design, construction, and SOF. The Joint Staff J-7 ERC PM has the authority to modify reporting requirements and deadlines.
- c. The minimum monthly reporting requirements are depicted in Figures 1 and 2.
- (1) Figure 1. OHASIS Funding Section, with minimum reporting requirements shown. GCC ERC PMs will ensure documenting project funding immediately upon allocation/receipt, commitment, obligation, and disbursement. They will use this data to reconcile project funding execution on a monthly with the GCC comptrollers, and provide required financial reports to the Joint Staff J-7 ERC PM as requested.

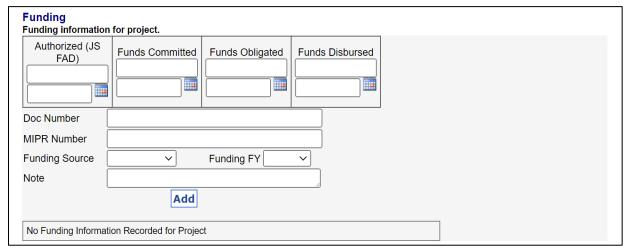


Figure 1. OHASIS Funding Section

(2) <u>Figure 2</u>. OHASIS Construction Management Section, with mandatory minimum reporting requirements shown in orange.

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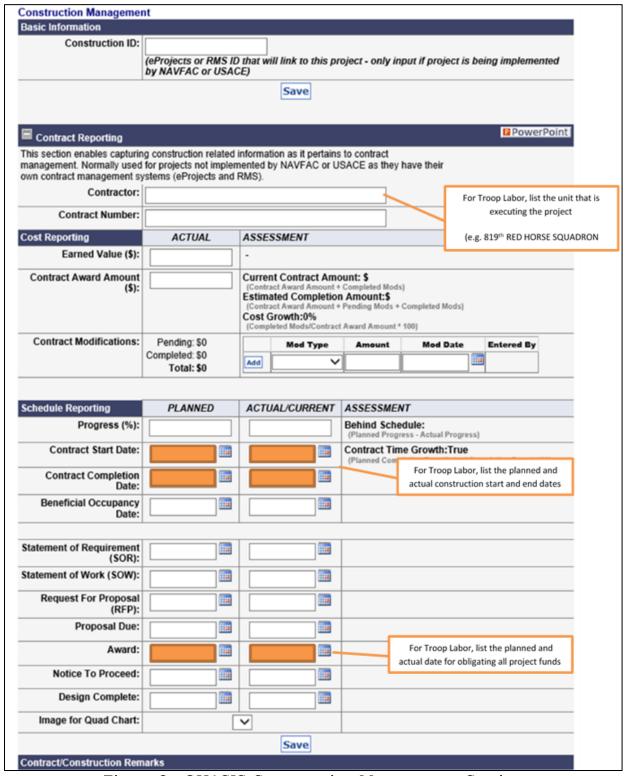


Figure 2. OHASIS Construction Management Section

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## 4. Project Management (Daily)

## a. Project Funding

- (1) The Joint Staff J-7 ERC PM has authority to fund projects out of priority order based on exercise timing to ensure mission success. GCCs may request funding when bid selection is complete, firm costs are established, and the contract is ready to award (for contracts), or when firm material procurement costs are determined (for troop construction material acquisition).
- (2) The Joint Staff J-7 ERC PM has authority to fund projects out of priority order based on financial execution (obligation rates and expenditure) of the GCCs to ensure program success.
- (3) The Joint Staff J-7 ERC PM has authority to withdraw any funds from a GCC that have not been obligated within the first three FYs (of the five total) of that FY appropriation.
- b. <u>Project Location Changes</u>. If required by the HN, exercise related circumstances, or other extenuating circumstances, GCCs are authorized to change the project location as long as the project remains within the same country, the Joint Staff-approved project details and cost remain the same, and the HN operational control requirements are met. For project location changes that meet these requirements, GCCs must notify the Joint Staff J-7 ERC PM of such changes and ensure the project details in OHASIS are revised accordingly and substantiating documentation is uploaded as attachments in OHASIS. For project location changes that do not meet these requirements, the project needs to be re-nominated for approval by the Joint Staff.
- c. <u>Project Cost Increases</u>. GCCs must inform the Joint Staff J-7 ERC PM of cost increases above the Joint Staff-approved project cost. For any cost increase exceeding 125 percent of the Joint Staff approved amount, the Joint Staff J-7 ERC PM may request a general officer/flag officer (GO/FO) letter explaining and justifying the increase. For all cost increases, GCCs must consider the maximum project cost authorized under section 2805 of reference b, and determine if the cost increase is subject to congressional notification and inform the Joint Staff J-7 ERC PM if a congressional notification requirement under sections 2805 or 2807 of reference b is triggered.
- d. <u>Project Cancellations</u>. GCCs must inform the Joint Staff J-7 ERC PM if a project is deferred or cancelled (no longer needed). The Joint Staff J-7 ERC PM may request a cancellation letter from the GCC signed by a GO/FO.

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e. <u>Project Completion</u>. GCCs must inform the Joint Staff J-7 ERC PM when a project is complete, perform OHASIS close-out procedures including financial reconciliation, and coordinate with the Joint Staff J-7 ERC PM for authorization to use unobligated funds for other Joint Staff approved project(s) or to coordinate immediate return of the excess funds.

## 5. Proper Use of ERC and Other Funds

- a. ERC projects are governed by the statutory cost limitation provided in section 2805 of reference b.
- b. UMMC appropriations and P&D appropriations are used for the ERC program. UMMC funds (referred to as ERC funds) and P&D funds are both MILCON funds.
- c. Use of operation and maintenance funds is also authorized under section 2805 of reference b, but may not be combined with use of UMMC funds for the same construction project to circumvent the project cost threshold provided in section 2805 of reference b.

## 6. Audit Readiness

- a. The Joint Staff J-7 ERC PM and GCC ERC PMs are responsible for implementing internal controls and maintaining audit readiness of records and financial statements at all times (references e–m).
- b. The Joint Staff J-7 ERC PM and GCC ERC PMs will account for use and SOF (allocations/receipts, commitments, obligations, and disbursements) for MILCON funds for a 10-year window.
- (1) FY 1–5 MILCON funds are "current/active" funds and are available for obligation.
- (2) FY 6–10 MILCON funds are "expired" and are no longer available for obligation, but still available for disbursement, and potential obligation under "bona-fide" rule.
- (3) Determination if expired funds may be obligated under the "bona fide" rule require review and concurrence by both GCC Legal Counsel and OCJCS/LC.

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#### ENCLOSURE C

#### OPERATIONAL CONTROL LETTER TEMPLATE

REPLY TO ATTENTION OF Ministry of Defence Curl Thompson Building Belmopan City, Belize, Central America Phone (501) XXX-XXXX Fax (501) XXX-XXXX

	12 Nov 2014
No	

SCO Office Symbol

Letter of Acknowledgement

The purpose of this letter is to authorize the U.S. Department of Defense to implement exercise-related construction (ERC) projects at Belize military installations at Price Barracks (SC 14-XX Barracks Renovation, Price Barracks) and Camp Belisario (SC 14-XX Barracks Renovation, Camp Belisario). We grant the U.S. Department of Defense operational control of the immediate area upon which these facilities are to be constructed as well as the constructed facilities. This operational control will be temporary, starting no more than thirty (30) days prior to the start of construction or exercise period, will last throughout the construction/renovation and during the exercise, and will terminate no later than thirty (30) days after the conclusion of the construction or exercise period, whichever is later.

Sincerely,

Official Designee from Host Nation

Sign

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#### ENCLOSURE D

#### REFERENCES

- a. DoDD 4270.5, "Military Construction," paragraph 5.4., 12 February 2005 (incorporating Change 1, 31 August 2018)
- b. Title 10, U.S. Code, chapter 169, subchapter I, section 2801, "Scope of chapter; definitions"; section 2802, "Military construction projects"; section 2805, "Unspecified Minor Construction"; and section 2807, "Architectural and engineering services and construction design"
- c. CJCSM 3500.03 Series, "Joint Training Manual for the Armed Forces of the United States"
- d. Title 10, U.S. Code, chapter 169, subchapter III, section 2851, "Supervision of military construction projects"
- e. DoDI 5010.40 Series, "Enterprise Risk Management Program and Managers' Internal Control Program Procedures"
- f. DoD 7000.14-R, "Financial Management Regulation (FMR)"
- g. DoD 7000.14-R, Volume (Vol) 1, "General Financial Management Information, Systems, and Requirements"
- h. DoD 7000.14-R, Vol 3, Chapter (Chap) 17, "Accounting Requirements for Military Construction Projects"
- i. DoD 7000.14-R, Vol 4, Chap 19, "Managerial Cost Accounting"
- j. DoD 7000.14-R, Vol 6b, "Form and Content of the Department of Defense Audited Financial Statements"
- k. DoD 7000.14-R, Vol 14, "Administrative Control of Funds and Antideficiency Act Violations"
- 1. OMB Circular No. A-136, "Financial Reporting Requirements," 10 August 2021
- m. GAO Green Book, "Standards for Internal Control in the Federal Government"

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#### **GLOSSARY**

#### ABBREVIATIONS AND ACRONYMS

ATA Authority to Advertise

CCMD Combatant Command

COM Chief of Mission

CJCS Chairman of the Joint Chiefs of Staff

CJCSI Chairman of the Joint Chiefs of Staff Instruction

DCOM Deputy Chief of Mission

DJ-4 Director for Logistics, Joint Staff

DJ-7 Director for Joint Force Development, Joint Staff

DoD Department of Defense DOS Department of State

ERC Exercise Related Construction

ERC WG Exercise-Related Construction Working Group

FCC Functional Combatant Command

FY fiscal year

GCC Geographic Combatant Command

HN host nation

JTEEP Joint Training, Exercise and Evaluation Program

MILCON Military Construction

NIPR non-secure internet protocol router

OCJCS/LA Office of the Chairman of the Joint Chiefs of Staff

Legislative Affairs

OCJCS/LC Office of the Chairman of the Joint Chiefs of Staff Legal

Counsel

OHASIS Overseas Humanitarian Assistance Shared

Information System

OPCON operational control

OSD Office of the Secretary of Defense

P&D Planning and Design

GL-1

Glossary

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PMProgram Manager

Plan of Actions and Milestones POA&M

Prioritized Project List PPL

secure internet protocol router Status of Funds **SIPR** 

SOF

**UMMC** Unspecified Minor Military Construction

Vice Director for Joint Force Development, Joint Staff VDJ-7