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The Senate recedes.

#### SEC. 214. TRANSITION

##### *Assignment of Forces to Combatant Commands*

The House amendment contained a provision (section 106(b)) that would require the assignment of forces to combatant commands, as provided in section 162 of title 10 (as added by section 101 of the House amendment), to take effect at the end of the 90-day period beginning on the date of enactment.

The Senate amendment contained no similar provision.  
The Senate recedes.

##### *Waiver of Qualifications for Assignment as Combatant Commander*

As part of the action of the conference committee on section 164(a) of title 10 (as added by section 211 of the conference substitute amendment), the conferees agreed to authorize the President to waive the qualifications for assignment as a combatant commander during a transition period before full application of the requirements of section 164(a). Under section 214(b) of the conference substitute amendment, the President would be authorized to waive:

(1) for a 2-year period after enactment, the requirement that a combatant commander have the joint specialty;

(2) for a 4-year period after enactment, the requirement that a combatant commander have served in a joint duty assignment for 3 years if the commander has served in such an assignment for not less than 2 years; and

(3) for a 4-year period after enactment, the requirement that a combatant commander have served in a joint duty assignment as a general or flag officer if the commander served as a general or flag officer in an assignment that was considered a joint duty assignment or a joint equivalent assignment under regulations in effect at the time the assignment began.

Although section 164(a)(2) of title 10 (as added by section 211 of the conference substitute amendment) provides the President with authority to waive the requirements for assignment as a combatant commander, the conferees agreed to provide a specific waiver for a limited transition period so that the exercise of a Presidential waiver, as would be required in the immediate future, would not become standard practice. After the transition period, the conferees expect the President to exercise his permanent waiver authority only in a very limited number of cases and only for officers of exceptional talent who may fail to meet the specified criteria.

##### *Selection and Suspension from Duty of Subordinate Officers*

The House amendment contained a provision (section 106(d)) that would require the provisions of section 166 of title 10 (as added by section 101 of the House amendment) relating to the selection and tenure of officers subordinate to a combatant commander to take effect at the end of the 90-day period beginning on the date of enactment.

The Senate amendment contained no similar provision.