

Chairman, such members, in their capacity as military advisers, shall provide advice to the President, the National Security Council, or the Secretary of Defense on a particular matter when the President, the National Security Council, or the Secretary requests such advice.

§ [142] 152. Chairman

(a)(1) The Chairman of the Joint Chiefs of Staff shall be appointed by the President, by and with the advice and consent of the Senate, from the officers of the regular components of the armed forces. He serves at the pleasure of the President for a term of two [years, and may] years and, subject to paragraph (3), may be reappointed in the same manner for [one additional term] two additional terms. However, in time of war declared by Congress there is no limit on the number of reappointments.

(2) Notwithstanding paragraph (1), the term of a Chairman shall end not later than six months after the accession to office of a new President. The requirement of the preceding sentence does not apply in the case of a Chairman appointed or reappointed during the first six months of the term of a new President. As used in this paragraph, the term "new President" shall not include a President who is elected to a second consecutive term.

(3) An officer may not serve as Chairman or Vice Chairman of the Joint Chiefs of Staff if the total combined period of service of such officer in both such positions exceeds six years. The President may extend the combined period of service for such officer to eight years if he determines such action is necessary in the national interest. The limitations of this paragraph do not apply in time of war declared by Congress.

(b) In addition to his other duties as a member of the Joint Chiefs of Staff, the Chairman shall, subject to the [authority and direction] authority, direction, and control of the President and the Secretary of Defense—

(1) preside over the Joint Chiefs of Staff; and

(2) provide agenda for the meetings of the Joint Chiefs of Staff (including any subject for the agenda recommended by the Joint Chiefs of Staff), assist them in carrying on their business as promptly as practicable, and determine when issues under consideration shall be [decided; and] decided.

[(3) inform the Secretary of Defense, and, when the President or the Secretary of Defense considers it appropriate, the President, of those issues upon which the Joint Chiefs of Staff have not agreed.]

(c) [While holding office, the Chairman] *The Chairman, while so serving, holds the grade of general or, in the case of an officer of the Navy, admiral and outranks all other officers of the armed forces. However, he may not exercise military command over the Joint Chiefs of Staff or any of the armed forces.*

(d) *Subject to the authority, direction, and control of the President and the Secretary of Defense, the Chairman of the Joint Chiefs of Staff shall—*

(1) *prepare strategic plans to provide for the strategic direction of the armed forces, including plans which conform with resource levels projected by the Secretary of Defense;*