

any opinion in disagreement with military advice of the Chairman or of the Joint Chiefs of Staff.

§ 142. 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 be reappointed in the same manner for one additional term. However, in time of war declared by Congress there is no limit on the number of reappointments.

(2) *Except as provided in paragraph (3), the Chairman serves for a term of four years.*

(3) *In the event of the death, retirement, resignation, or reassignment of the officer serving as Chairman before the end of the term for which the officer was appointed, an officer appointed to fill the vacancy shall serve as Chairman only for the remainder of the original term.*

(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 of the President and the Secretary of Defense—

(1) preside over the Joint Chiefs of Staff;

(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

(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] *of the military advice of the Joint Chiefs of Staff as a body on those matters with respect to which such advice is requested by the President or the Secretary of Defense (including advice on those matters on which the members of the Joint Chiefs of Staff have not agreed).*

(c)(1) While holding office, the Chairman 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.

(2) *The President or Secretary of Defense may direct that the national military chain of command runs to the commanders of the unified and specified combatant commands through the Chairman.*

§ 142a. Deputy Chairman

(a)(1) *There is a Deputy Chairman of the Joint Chiefs of Staff. The Deputy Chairman 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.*

(2) *The Chairman and Deputy Chairman may not be members of the same armed force. However, the Secretary of Defense may waive the limitation in the preceding sentence for a limited period of time.*

(3) *The Deputy Chairman serves at the pleasure of the President for a term of four years and may be reappointed in the same manner for one additional term. However, in time of war declared by Congress there is no limit on the number of reappointments.*