

TELEGRAM

INCOMING

Foreign Service of the
United States of America~~DEF~~

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Control:

FROM: BRASILIA 1854 FEB 2

Recd FEB 3, 1968

~~XXXXXXXXXXXXXXXXXXXX~~

ACTION DEPT INFO RIO RECIFE SAO PAULO

9AM

SUBJ: POSSIBLE FURTHER INSTITUTIONALIZATION OF NATIONAL
SECURITY CONCEPT

1. ~~110~~ EXPANDED NATIONAL SECURITY CONCEPT MAY BE FURTHER
INSTITUTIONALIZED IF APPROVAL IS GIVEN TO PROPOSED LAW
THAT FEB 2 PRESS STATES WAS PRESENTED TO COSTA E SILVA
BY MIN JUSTICE GAMA E SILVA. PROPOSED LAW SAID TO LIST
THOSE MUNICIPALITIES OF INTEREST TO NATIONAL SECURITY AND
WHOSE MAYORS--INSTEAD OF BEING ELECTED GCA WOULD BE APPOINTED
BY STATE GOVERNORS WITH PRIOR PRESIDENTIAL APPROVAL. LAW
WOULD PROVIDE ENABLING LEGISLATION FOR ARTICLE 83 PARA
V AND ARTICLE 16 PARA 1 LETTER B OFF 1967 CONSTITUTION.

POST ROUTING

2. FEB 2 JORNALUDO BRASIL REPORTS THAT PROPOSED LAW
CONTAINS LIST--DRAWN UP BY ARMED FORCES MINISTER'S MIN
INTERIOR, AND CHIEFS OF STAFF OXXARMED FORCES--OF 234
MUNICIPALITIES OF INTEREST TO NATIONAL SECURITY. AMONG
MUNICIPALITIES LISTED ARE: SANTOS AND CAMPINAS IN SAO
PAULO; PETROPOLIS AND VOLTA REDONDA IN RIO DE JANEIRO;
JUIZ DE FORA IN MINAS GERAIS; AND SANTA MARIA AND RIO
GRANDE IN RIO GRANDE DO SUL.

3. NOT KNOWN WHEN OR IN WHAT FORM MEASURE WILL BE SENT
TO CONGRESS. LIKELY TO BE ISSUE RENDER TERMS ARTICLE 58
OF CONSTITUTION WHICH PERMITS ISSUANCE PRESIDENTIAL
DECREE LAWS ON MATTERS OF NATIONAL SECURITY. THESE
DECREE-LAWS MAY BE ACCEPTED OR REJECTED BY CONGRESS, BUT
NOT AMENDED.

4. MOST RECENT DECREE-LAW ON VTHIS NATURE--CONCERNING
NATIONAL SECURITY COUNCIL (BRASILIA A-139)--APPROVED BY
LARGE MARGINS IN CHAMBER OF DEPUTIES CONSTITUTION AND O
JUSTICE AND NATIONAL SECURITY COMMITTEES. ALTHOUGH MORE
CRITICAL DEBATE ON ISSUE EXPECTED, EASY CHAMBER PASSAGE
SEEMS ASSURED WHEN MEASURE BROUGHT TO VOTE IN PLENARY--
PERHAPS NEXT WEEK. ARENA APPEARS STANDING SOLIDLY
BEHIND DECREE-LAW AND ARMY CONGRESSIONAL LIAISON
OFFICER'S FEARS OF ARENA DEFECTIONS--VOICED TO EMBOFF

	Actn	Inf	Init
FO		✓	
DPO		✓	
POL	✓		RMW
POL/R			
ECON			
CONS			
ADMIN			
USAID			
USIS			
PC			
RF		✓	
FILE			

Action taken:

NOTED RMW
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PAGE TWO

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JAN 25--APPEAR UNFOUNDED.

5. COMMENT: TOO EARLY MAKE DEFINITIVE ANALYSIS SINCE PROPOSAL'S TEXT NOT PUBLISHED AND IT STILL SUBJECT TO CHANGE BY PRESIDENT. HOWEVER, SOME ENABLING LEGISLATION NECESSARY ON THIS SUBJECT TO DEFINE CONSTITUTIONAL PROVISION. MAYORS OF STATE CAPITALS NOW APPOINTED BY VIRTUE ART 16 PARA 1, LETTER A OF CONSTITUTION IF CITIES LISTED BY PRESS ARE INDEED DECLARED TO BE OF INTEREST TO NATIONAL SECURITY, EFFECT WILL BE TO REMOVE MAYORALTIES OF MANY OF NATION'S SECOND LINE CITIES FROM DIRECT ELECTION PROCESS. EXEMPT TUTHILL

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