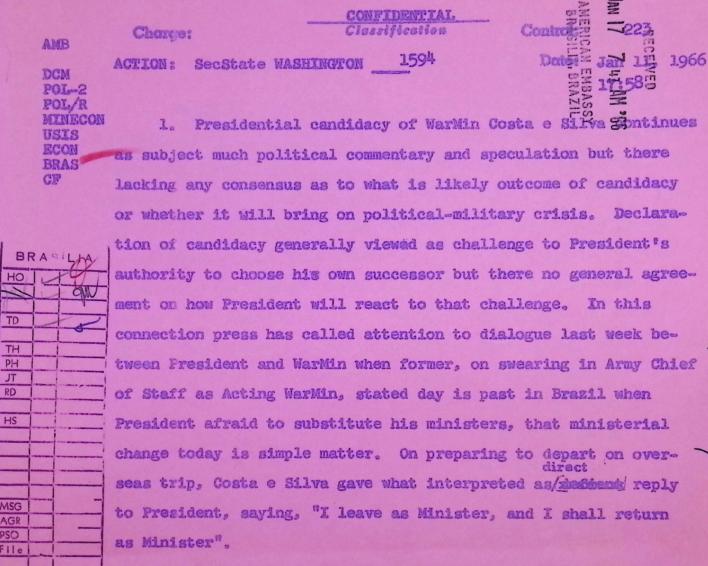
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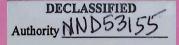
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ACTION TAKEN 2. Adding to his comments of last week, Justice Minister Juracy Magalhäes told press over weekend that contrary to some reports candidacy of WarMin had not confused government. He said if anybody confused it is opposition because it knows that nothing will throw Armed Forces off course.

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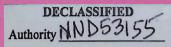
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3. There no firm indication at this point that Costa e Silva candidacy drawing substantial political support although one rumor has it that 163 federal deputies have endorsed his candidacy. MDB spokesmen reportedly have held open possibility of supporting Costa e Silva "under right circumstances" while most political figures identified with ARENA have voiced only qualified support. One exception has been Federal Deputy (and Army Colonel) Jose Costa Cavalcanti, brother of Lt. Col. Francisco Boaventura, who told Q Globo he fully intends to vote for Costa e Silva twice, once in ARENA nominating convention and once in Congress. Costa e Silva's own attitude toward need for greater political support may have been expressed in Jornal do Brasil report which had WarMin aide saying political base will be constructed at military garrisons.

4. <u>COMMENT: - Implied alternative for President in Costa e Silva's</u> announcement is either accept and endorse WarMin's candidacy or risk split in military that could undermine next government or even lead to complete recasting of election picture. Our own view is that and is not likely to. President does not have to accept this set of alternatives, /thatcake if / he decides Costa e Silva candidacy too inconsistent with long range can move goal of his own government he/hasspossible. Here and the set of alternative against

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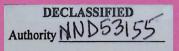
WarMin without undue risk to his own or successor government provided it is done with finesse.

5. One of key issues, if not principal one, is question of what ruling may be forthcoming on constitutional requirement for resigning appointive office six months before election. WarMin's supporters hope in view of Institutional Act No. 2 that this provision not applicable for indirect presidential election. If President so desires would have popular and Congressional backing to maintain requirement which would force WarMin to resign in April at which point Costa e Silva could be expected to lose considerable strength and power.

6. For time being President seems content to let stories emanate from sources near him to the effect that he does not oppose Costa e Silva candidacy and may even find in it is solution to country's problems. In fact, it is highly doubtful that he really wants Costa e Silva, who is favored by the hardline and lacks previous training and preparation which would fit him for the presidency, to succeed him. Nonetheless his best tactic at moment would be not to oppose it ostensively to avoid a premature crisis, leaving ample time to maneuver. As previously reported (Embtel 1564) President's

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maneuverability has been restricted to a degree but he is far from paralyzed in this respect.

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Move of Juracy Magalhães to Foreign Ministry against his 7. wishes at this point not entirely clear. Hope to have word on this soon but even if only because President could not find other suitable replacement for Leitão da Cunha, WarMin supporters, particularly army hardline, will find comfort in his removal. As Dept. will recall from previous telegrams during November-December crisis, Juracy plugged for stern measures against hardline and while he helped President carry out military changes which made possible safe passage through crisis of Negreo de Lima investiture, numerous measures he had recommended such as punishment and reassignment rebellious and free-wheeling hardline officers have been pigeonholed with obvious loss of face (privately if not publicly) for Juracy. Because Juracy has made numerous enemies in job, if President still has him in mind as possible successor, Foreign Ministry could be a useful post which if it would seriously restrict his political activities on other hand will remove him from over exposure and from post which in political set-up now prevailing in Brazil has inevitable erosive character for **REPRODUCTION FROM THIS COPY IS** incumbent. CONFIDENTIAL. PROHIBITED UNLESS "UNCLASSIFIED"

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9. Despite foregoing definitive evaluation Costa e Silva candidacy and position of Castello Branco relative thereto at this point premature since succession picture will come into clear focus only after extended series of ploys and maneuvers by all factions with some claim to voice in selection of next President.

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