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INCOMING TELEGRAM Department of State

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SECRET APRIL 22.

SUBJECT: ELECTORAL DOMICILE

1. OPPOSITION MDB INTRODUCED APRIL 20 IN CHAMBER DEPUTIES BILL TO AMEND CONSTITUTIONAL PROVISION MODIFIED BY INSTITUTIONAL ACT NO. 3, THAT ANY CANDIDATE MUST BE REGISTERED VOTER IN DISTRICT FOR AT LEAST TWO YEARS. MDB PROPOSAL WOULD REDUCE REQUIREMENT FOR ANY PUBLIC OFFICIAL -- IN PARTICULAR, MILITARY OFFICERS -- TO ONE YEAR ACTUAL RESIDENCE. BILL CO-SIGNED BY 108 DEPUTIES. AFTER OFFICIAL PUBLICATION, BILL WILL GO TO SPECIAL COMMITTEE COMPOSED OF TEN ARENA AND FIVE MDB MEMBERS, WHICH MUST REPORT BACK TO CHAMBER WITHIN 25 DAYS.

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2. IN PRESS INTERVIEW PREVIOUS DAY, PRESIDENT CASTELO BRANCO EXPRESSED DOUBT THAT ANY CONSTITUTIONAL AMENDMENT COULD ALTER A PROVISION OF IA-3 (RIOTEL 2398). (IN MARCH 22 PRESS CONFERENCE PRESIDENT HAD DECLARED GOVT'S CONSIDERED JUDGMENT THAT PRES- ENTATION SUCH AMENDMENT TO CONGRESS WAS "INADVISABLE," -- IN EFFECT SIGNIFYING HIS OPPOSITION TO IT.) ARENA LEADERSHIP REPORTEDLY WILL CONSULT ON "JURIDICAL" QUESTION NOW RAISED BY PRESIDENT BEFORE TAKING POSITION ON MDB PROPOSAL. MDB LEADER IN CHAMBER, IN REPLY TO PRESIDENT, POINTED OUT THAT IA-1 WAS ALTERED BY CONSTITUTIONAL AMENDMENT WHEN PRESIDENT'S OWN TERM EXTENDED.

3. COMMENT. (A) PRIMARY EFFECT AND INTENT OF TRADITIONAL ELECTORAL-DOMICILE REQUIREMENT HAS BEEN PREVENT LOCAL MILITARY CHIEFS FROM USING POSITION AS SPRINGBOARD TO ELECTIVE OFFICE. PRINCIPAL INTENT OF PROPOSED AMENDMENT IS SERVE SHORT-TERM PURPOSE, BUT IF PASSED AND KEPT ON BOOKS, WOULD ALSO HAVE LONG-TERM IMPLICATIONS FOR MILITARY-POLITICAL RELATIONS.

(B) ELECTORAL DOMICILE ISSUE IS POLITICAL HOT POTATO BECAUSE

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-2- 214, April 22, From Brasilia

IT AFFECTS MOST DIRECTLY POLITICAL FUTURE OF GENERAL AMAURY KRUEL, COMMANDER SECOND ARMY BASED IN SAO PAULO, WHO NEEDS

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AMENDMENT IN ORDER BE ELECTED GOVERNOR THAT STATE IN SEPTEMBER
INDIRECT ELECTION. COMMANDER THIRD ARMY IN RIO GRANDE DO SUL,
GEN JUSTINO ALVES BASTOS, IN SIMILAR POSITION.

(C) CAS RELIABLY INFORMED (HBB-677) THAT WARMIN COSTA E SILVA
HAS EXPRESSED HIS PREFERENCE THAT KRUEL BE NEXT GOVERNOR SAO
PAULO AND THAT WARMIN HAD NO OBJECTION TO PROPOSED CONSTITUTIONAL
AMENDMENT. PRESIDENT IN MEANTIME APPEARS TO HAVE RETREATED
SOMEWHAT FROM STRONG POSITION TAKEN MARCH 22. TALK OF
"JURIDICAL" ISSUE NOTWITHSTANDING, WILL BE IMPORTANT OBSERVE
FATE OF ELECTORAL DOMICILE BILL IN CONGRESS AS ONE INDICATOR
OF CURRENT CIVILIAN-MILITARY BALANCE WITHIN ARENA.

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