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JUL 12 1968

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ANALYSIS BRANCH
DATE: July 9, 1968

FROM : AmEmbassy RIO DE JANEIRO

SUBJECT : Draft Law which will create the Brazilian Commission of
Space Activities (CNAE)

REF :

Attached for the information of the Department and NASA is the translation of a policy paper recently approved by the Brazilian National Research Council (CNPq) concerning the organizational status of the Brazilian Space Commission (CNAE). The paper is reasonably self-explanatory and, if acted upon favorably by the Government, will confer a somewhat more autonomous status on CNAE, which will, however, remain an organ of the CNPq.

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Enclosure:

Translation, as stated

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TRANSLATION

Draft Law approved by the Deliberative Council of the National Research Council during a meeting held at São José dos Campos on March 25, 1968, which creates the National Commission of Space Activities:

I make it known that the National Congress decrees and I approve the following law:

Article 1. The National Commission of Space Activities (CNAE) is hereby created. It will replace the organization group of the National Commission of Space Activities (GOCNAE), created by Decree No. 51.133 of August 3, 1961 and will operate at São José dos Campos, State of São Paulo.

Sole paragraph. The organization created by this law will be linked (vinculado) to the National Research Council.

Article 2. It is the purpose of the CNAE to study and propose general and sectorial programs, specific projects related to the peaceful use of space resulting from Government policy and the carrying out of activities related to the Brazilian space program as well as the direct or indirect promotion of understanding with national, foreign or international scientific organizations in matters related to its activities.

Sole paragraph. Military activities are excluded from the activities of the CNAE.

Article 3. The CNAE will have the following basic structure:

- I - Superior Council.
- II - General Direction.
- III - Scientific Direction.
- IV - Administrative Direction.

Article 4. The Superior Council will be composed of the following members:

- I - President.
- II - Director General of the CNAE.
- III - Scientific Director of the CNAE.
- IV - Representative of the General Office of the National Security Council.
- V - Representative of the Ministry of Foreign Affairs.
- VI - Representative of the Ministry of Communications.
- VII - Representative of the National Research Council.

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VIII - Representative of the Ministry of Education and Culture.

IX - Representative of the Ministry of the Interior.

§ 1. The President of the Superior Council will be named by the President of the Republic from among capable and well known scientists on recommendation of the President of the National Research Council.

§ 2. The Director General and the Scientific Director are native members.

§ 3. The other members of the Superior Council of the CNAE will be named by the President of the Republic on recommendation of the organizations which they represent.

Article 5. The Superior Council of the CNAE, within the national policy of scientific and technological development of the Government, will be responsible for the formulation of the general program of activities and the final evaluation of the results through study and approval of budgets and programs, as well as the rendering of accounts and presentation of annual reports.

Article 6. The General Direction, carried out by a Director General to be named by the President of the Republic on recommendation of the National Research Council and selected from among scientists of recognized experience in the field of space science, will be responsible for directing the activities of the CNAE.

Sole paragraph. The Director General will be responsible for representing the CNAE.

Article 7. The Scientific Direction, to be carried out by a Scientific Director and designated by the Director General of the Commission from among scientists of recognized capability and experience in the field of space activities, will be responsible for proposing and carrying out the program of technical and scientific activities of the CNAE.

Article 8. The Administrative Direction, to be carried out by an Administrative Director and designated by the Director General of the Commission from among people of recognized administrative experience, will be responsible for the coordination and execution of the administrative activities of the CNAE.

Article 9. So that its objectives may be attained, the CNAE may award fellowships and research grants as well as promote the creation and organization of laboratories, specialized courses and post-graduate courses.

Article 10. The CNAE may request assistance from any national public organization or private institution.

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Article 11. In carrying out its specific work, the CNAE will have administrative, scientific and financial autonomy.

Article 12. Funds for the maintenance and development of services and performance of activities of the Commission will originate from:

- I - Constant appropriations from the budget of the National Research Council.
- II - Special credits provided by law.
- III - Subventions.
- IV - Donations, legacies or other financial aid, with or without a specific objective, which the CNAE may receive from national, foreign or international physical persons or legal entities.
- V - Income from services rendered by the CNAE or eventual income of any other nature.

§ 1. The budgetary proposal of the CNAE will be annually submitted to the competent organization through the National Research Council.

§ 2. The accounts resulting from the utilization of financial funds allotted to the CNAE will be submitted to the National Research Council every fiscal year.

§ 3. The exemptions, prerogatives and privileges set forth in Articles 36, 37 and 38 of Law No. 4.533 of December 8, 1964 will be extended to the CNAE as an autonomous organization linked (vinculado) to the National Research Council.

Article 13. The personnel hired by the CNAE to work in approved programs will be subject to the system and provisions of the Labor Legislation.

§ 1. The Director General of the CNAE will be responsible for hiring, designating, dismissing, establishing and granting privileges to the personnel of the Commission.

§ 2. Salaries and financial privileges for the technical and scientific personnel of the CNAE will be excluded from the salary limits established in Article 35 of Decree-Law No. 81 of December 21, 1966.

§ 3. The CNAE may hire public servants, military or civilians under contract and conditions of this article. While the contract is in force, however, their binding to the public service will be suspended, except for the period of time to be counted for the purposes of their promotion, retirement and availability.

§ 4. The military, designated to or hired by the CNAE to carry out technical-scientific work, will be considered in service of a military nature for the purpose described in Article 11, item d, of Law No. 4.328 of April 30, 1965.

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§ 5. So that the specific activities of the CNAE may be carried out, national or foreign specialists may be hired for a determined period of time.

Article 14. The Director General and the Scientific and Administrative Directors will monthly receive the remuneration established by the National Research Council which must be compatible with the table of salaries of the CNAE.

Sole paragraph. The Director General of CNAE will be replaced by the Scientific Director during his absence and impediment.

Article 15. The organization and operating regulations of the CNAE and its sectors will be set forth in the internal regulation to be issued by the National Research Council on recommendation of the Superior Council of the CNAE.

Article 16. All properties and real estate, including installations, which on the date of this law are being used exclusively by the GOCNAE in accordance with legal provisions and related provisions established by the CNPq or by the GOCNAE, will become property of the CNPq under the jurisdiction of the CNAE.

Article 17. Budgetary funds allotted in the present budget to the GOCNAE as well as all its rights, liabilities, debts and financial obligations will automatically be transferred to the CNAE.

Article 18. Until the members of the Superior Council and the Director General of the CNAE have not been named by the President of the Republic, their respective duties will be carried out by the directors of the GOCNAE.

Article 19. This law will go into force on the date of its publication.

Article 20. All provisions to the contrary are hereby revoked.

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