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**ENVELOPE**

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**HEADER**

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 Authority: EO 13526  
 DIA FOIA & Declassification Services Offices  
 Date: Oct 17, 2018

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 231214Z JUN 83  
 FM JCS WASHINGTON DC

INFO RUEADWD/CSA WASHINGTON DC  
 RUENAAA/CNO WASHINGTON DC  
 RUEAHQA/CSAF WASHINGTON DC  
 RUEADWD/PTC WASH DC  
 RUEAMCC/CMC CC WASHINGTON DC  
 RUEOFAA/JSOC FORT BRAGG NC  
 RUCJAAA/USCINCRD MACDILL AFB FL  
 RUCIFBA/MAC INTEL CEN SCOTT AFB IL//INW/INZ//  
 RUCJAAA/USCINCRD MACDILL AFB FL//RCJ2//  
 RUEBBJB/HQ AFOSI BOLLING AFB DC  
 RUDHAAB/CDRUSAITAC ARLINGTON HALL STATION VA  
 RUEOAYB/FSTC INTEL OPS CHARLOTTESVILLE VA  
 RUCDGDA/CDRMICOM REDSTONE ARS AL//DRSMI-YX//  
 RUEALGX/SAFE  
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231206Z JUN 83  
 FM AMEMBASSY BUENOS AIRES  
 TO RUEHC/SECSTATE WASHDC IMMEDIATE 7685  
 INFO RUESNA/AMEMBASSY SANTIAGO 6425

RUCBSAA/CINCLANT NORFOLK VA  
 RUEOEHA/USCINCSO QUARRY HTS PN  
 BT

**CONTROLS**

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BUENOS AIRES 04166

~~E.O. 12356 N/A~~

**BODY**

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TAGS PREL, PINS, AR

SUBJ MASSERA INDICTED; NEW DEVELOPMENT IN THE CAMBIASO-PEREIRA CASE; THE SUPREME COURT CLOSES THE CHACARITA INVESTIGATION

REF BUENOS AIRES 04129

1. FEDERAL JUDGE OSCAR SALVI ON JUNE 21 CONFIRMED THE ARREST OF FORMER NAVY COMMANDER EMILIO MASSERA IN A BILL OF PARTICULARS THAT ACCUSES THE FORMER JUNTA MEMBER OF LYING AND WITHHOLDING, DESTROYING OR COVERING UP EVIDENCE IN THE DISAPPEARANCE OF BUSINESSMAN FERNANDO BRANCA IN 1977. ALSO NAMED IN THE JUDGE'S DETAILED INDICTMENT AND PLACED IN CONDITIONS OF ARREST WERE MARTA RODRIGUEZ MCCORMACK, COMMON-LAW WIFE OF BRANCA, AND EDUARDO INVIERNO, A RETIRED NAVY CAPTAIN WHO CONDUCTED AN INVESTIGATION OF BRANCA'S DISAPPEARANCE UNDER MASSERA'S DIRECTION. RODRIGUEZ MCCORMACK WAS ACCUSED IN THE INDICTMENT OF LYING TO THE COURT AND INVIERNO WITH DESTROYING EVIDENCE, INCLUDING TAPE RECORDINGS OF CONVERSATIONS THAT HAD A DIRECT BEARING ON THE CASE.
2. SALVI ORDERED NAVY COMMANDER REUBEN FRANCO TO DETAIN MASSERA AT NAVY FACILITIES FROM WHICH HE MAY NOT BE TRANSFERRED WITHOUT THE COURT'S APPROVAL. SALVI HAD TRANSFERRED CUSTODY OF MASSERA TO FRANCO LAST WEEK ON MASSERA'S RETURN. MASSERA'S LAWYER SAID HE WILL ASK FOR MASSERA'S RELEASE BUT EXPECTS SALVI TO DENY THE REQUEST AND THE LAWYER WILL THEREFORE APPEAL TO THE NEXT HIGHER COURT.
3. MEANWHILE ANOTHER JUDGE, JUAN MARCHETTI, INVESTIGATING THE ALLEGED SHOOTOUT DEATHS OF OSVALDO CAMBIASO AND EDUARDO PEREIRA ROSSI MAY 14, ORDERED A RECONSTRUCTION OF THE EVENT AFTER STUDYING A SECOND AUTOPSY OF THE CORPSES. CARRIED OUT BY COURT-APPOINTED DOCTORS, THE NEW AUTOPSY INDICATED CAMBIASO HAD BEEN BEATEN AND SHOT AT CLOSE RANGE AND PEREIRA HAD BEEN BEATEN AND GIVEN ELECTRIC SHOCKS. THE FIRST AUTOPSY, PERFORMED BY POLICE FORENSICS, "INEXPLICABLY" OMITTED THESE FINDINGS, ACCORDING TO MARCHETTI.
4. ALSO ON JUNE 21, THE SUPREME COURT BY A SPLIT 3-2 DECISION ENDED THE INVESTIGATION INTO THE BURIAL IN CHACARITAS CEMETERY OF 106 PERSONS REPORTEDLY KILLED BY SECURITY FORCES BETWEEN 1976-78. THE COURT RULED IT HAD NOT FOUND IRREGULARITIES "SUSCEPTIBLE TO THE DISCIPLINARY AUTHORITY OF THE COURT," AND THAT THE MORGUE AND THE CEMETERY "HAD FOLLOWED" THE REGULAR PROCEDURES USED THROUGHOUT THE YEARS." THE CASE GREW OUT OF ALLEGATIONS BY HUMAN RIGHTS GROUPS THAT THE ARMED FORCES HAD DELIVERED THE BODIES FOR BURIAL AT THE CEMETERY WITHOUT INFORMING THE APPROPRIATE JUDICIAL AUTHORITIES. A LOWER

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COURT WILL CONTINUE INVESTIGATING ANOTHER ASPECT OF THE  
CASE INVOLVING POSSIBLE CRIMINAL RESPONSIBILITY OF  
FORENSIC PERSONNEL. SHLA UDEMAN

**ADMIN**

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