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S 3779

APPROVED
SEP 10 1976

THE WHITE HOUSE

ACTION

WASHINGTON

Last Day: September 13

September 9, 1976

MEMORANDUM FOR:

THE PRESIDENT

FROM:

JIM CANNON *J.C. Cannon*

SUBJECT:

S. 3779 - For the relief of
Mrs. David C. Davis

Attached for your consideration is S. 3779, sponsored by Senator Thurmond.

The enrolled bill would authorize the burial of Mrs. David C. Davis next to her husband in Post Cemetery Number 2, Fort Jackson, South Carolina.

Mrs. Davis' husband died in 1940 and was buried in a cemetery just outside the boundary of Fort Jackson. When Fort Jackson expanded, the cemetery became part of the post and since neither Mr. or Mrs. Davis have served in the armed services, she would not be able to be buried with him.

Additional information is provided in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Counsel's Office (Lazarus) and I recommend approval of the enrolled bill.

RECOMMENDATION

That you sign S. 3779 at Tab B.



Thym Smith advised 9/10/76



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

SEP 3 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 3779 - For the relief
of Mrs. David C. Davis
Sponsor - Sen. Thurmond (R) South Carolina

Last Day for Action

September 13, 1976 - Monday

Purpose

Authorizes the burial of Mrs. David C. Davis next to her husband in Post Cemetery Number 2, Fort Jackson, South Carolina.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Army	No objection

Discussion

Mr. and Mrs. David C. Davis sold their home and land to the Army in 1917 when Fort Jackson was constructed. They settled just outside the Fort boundaries. Subsequently, Mr. Davis died and was buried in the nearby Beulah Church Cemetery. In 1940, Fort Jackson was expanded, forcing Mrs. Davis to move again and also encompassing the old Beulah Church Cemetery -- now Post Cemetery Number 2.

In Senate debate, Senator Thurmond pointed out that Mrs. Davis, now 84 years old, is apparently close to death due to complications from a recent fall and other health problems. She and her family are seeking permission for her to be buried next to her husband.



Since neither Mr. nor Mrs. Davis have served in the Armed Services, Section 281 of Title 24 precludes Mrs. Davis' burial in any national cemetery. The enrolled bill makes an exception to this law to authorize the burial of Mrs. Davis in the Post Cemetery next to her husband.

The Department of the Army, in the attached letter on the enrolled bill, expresses no objection to approval of S. 3779, and notes that the burial of Mrs. Davis in Post Cemetery Number 2, can be accommodated without difficulty or expense.

James M. Gray
Assistant Director for
Legislative Reference

Enclosure

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: September 7

Time: 515pm

FOR ACTION: Max Friedersdorf
Ken Lazarus

cc (for information): Jack Marsh
Jim Connor
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: September 8

Time: 500pm

SUBJECT:

S. 3779-for the relief of Mrs. David Davis

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

ACTION

Last Day: September 13

September 9, 1976

MEMORANDUM FOR: THE PRESIDENT
FROM: JIM CANNON
SUBJECT: S. 3779 - For the relief of
Mrs. David C. Davis

Attached for your consideration is S. 3779, sponsored by Senator Thurmond.

The enrolled bill would authorize the burial of Mrs. David C. Davis next to her husband in Post Cemetery Number 2, Fort Jackson, South Carolina.

Mrs. Davis' husband died in 1940 and was buried in a cemetery just outside the boundary of Fort Jackson. When Fort Jackson expanded, the cemetery became part of the post and since neither Mr. or Mrs. Davis have served in the armed services, she would not be able to be buried with him.

Additional information is provided in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Counsel's Office (Lazarus) and I recommend approval of the enrolled bill.

RECOMMENDATION

That you sign S. 3779 at Tab B.



DEPARTMENT OF THE ARMY

WASHINGTON, D.C. 20310

3 SEP 1976

Honorable James T. Lynn
Director, Office of Management
and Budget
Washington, DC 20403

Dear Mr. Lynn:

Reference is made to your request for the views of the Department of Defense on enrolled enactment S. 3779, 94th Congress, "For the relief of Mrs. David C. Davis." The Department of the Army has been assigned responsibility for expressing the views of the Department of Defense on this enrolled enactment.

The Department of the Army on behalf of the Department of Defense interposes no objection to the approval of the enrolled enactment.

The act provides that Mrs. David C. Davis may be buried next to her husband at Fort Jackson, South Carolina.

David C. Davis, Mrs. Davis' husband, died in 1940 and was buried in Beulah Church Cemetery, then just outside the boundary of Fort Jackson, South Carolina. When Fort Jackson was expanded the cemetery became part of the post and is now known unofficially as Post Cemetery Number 2. There is ample room in the cemetery for another grave. The cemetery is not in such a location that it would presently interfere with the mission of the post.

Approval of the enactment will cause no apparent increase in budgetary requirements of the Department of Defense.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jack E. Hobbs", is written over the typed name.

JACK E. HOBBS

ACTING ASSISTANT SECRETARY OF THE ARMY
(FINANCIAL MANAGEMENT)

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: September 7

Time: 515pm

FOR ACTION: Max Friedersdorf
Ken Lazarus

cc (for information): Jack Marsh
Jim Connor
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: September 8

Time: 500pm

SUBJECT:

S. 3779-for the relief of Mrs. David Davis

ACTION REQUESTED:

- | | |
|---|---|
| <input type="checkbox"/> For Necessary Action | <input type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply |
| <input checked="" type="checkbox"/> For Your Comments | <input type="checkbox"/> Draft Remarks |

REMARKS:

please return to judy johnston, ground floor west wing

approved
Kelly 9/8/76

PLEASE RETURN THIS COPY TO INTERNAL SECURITY.

If you have any questions or if you anticipate a delay in submitting the required material, please advise the Staff Secretary immediately.

John W. ...
...

THE WHITE HOUSE

WASHINGTON

September 9, 1976

MEMORANDUM FOR: JIM CAVANAUGH
FROM: MAX L. FRIEDERSDORF *M.L.F.*
SUBJECT: S.3779 - for the relief of Mrs. David Davis

The Office of Legislative Affairs concurs with the agencies that the subject bill be signed.

Attachments

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

SEP 3 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 3779 - For the relief
of Mrs. David C. Davis
Sponsor - Sen. Thurmond (R) South Carolina

Last Day for Action

September 13, 1976 - Monday

Purpose

Authorizes the burial of Mrs. David C. Davis next to her husband in Post Cemetery Number 2, Fort Jackson, South Carolina.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Army	No objection

Discussion

Mr. and Mrs. David C. Davis sold their home and land to the Army in 1917 when Fort Jackson was constructed. They settled just outside the Fort boundaries. Subsequently, Mr. Davis died and was buried in the nearby Beulah Church Cemetery. In 1940, Fort Jackson was expanded, forcing Mrs. Davis to move again and also encompassing the old Beulah Church Cemetery -- now Post Cemetery Number 2.

In Senate debate, Senator Thurmond pointed out that Mrs. Davis, now 84 years old, is apparently close to death due to complications from a recent fall and other health problems. She and her family are seeking permission for her to be buried next to her husband.

To: J. Johnston
9-7-76
5:00 p.m.

Since neither Mr. nor Mrs. Davis have served in the Armed Services, Section 281 of Title 24 precludes Mrs. Davis' burial in any national cemetery. The enrolled bill makes an exception to this law to authorize the burial of Mrs. Davis in the Post Cemetery next to her husband.

The Department of the Army, in the attached letter on the enrolled bill, expresses no objection to approval of S. 3779, and notes that the burial of Mrs. Davis in Post Cemetery Number 2, can be accommodated without difficulty or expense.

James M. Frey
Assistant Director for
Legislative Reference

Enclosure

S. 3779



Ninety-fourth Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the nineteenth day of January,
one thousand nine hundred and seventy-six*

An Act

For the relief of Mrs. David C. Davis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of an Act entitled "An Act to establish eligibility for burial in national cemeteries, and for other purposes", approved on May 14, 1948 (62 Stat. 234; 24 U.S.C. 281), Mrs. David C. Davis may be buried next to her husband in Post Cemetery Number 2, Fort Jackson, South Carolina.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*