

109TH CONGRESS
2^D SESSION

H. R. 5057

AN ACT

To authorize the Marion Park Project, a committee of the Palmetto Conservation Foundation, to establish a commemorative work on Federal land in the District of Columbia, and its environs to honor Brigadier General Francis Marion.

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1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. COMMEMORATIVE WORK TO HONOR BRIGA-**
4 **DIER GENERAL FRANCIS MARION AND HIS**
5 **FAMILY.**

6 (a) FINDINGS.—The Congress finds that:

7 (1) Francis Marion was born in 1732 in St.
8 John’s Parish, Berkeley County, South Carolina. He
9 married Mary Esther Videau on April 20th, 1786.
10 Francis and Mary Esther Marion had no children,
11 but raised a son of a relative as their own, and gave
12 the child Francis Marion’s name.

13 (2) Brigadier General Marion commanded the
14 Williamsburg Militia Revolutionary force in South
15 Carolina and was instrumental in delaying the ad-
16 vance of British forces by leading his troops in dis-
17 rupting supply lines.

18 (3) Brigadier General Marion’s tactics, which
19 were unheard of in rules of warfare at the time, in-
20 cluded lightning raids on British convoys, after
21 which he and his forces would retreat into the
22 swamps to avoid capture. British Lieutenant Colonel
23 Tarleton stated that “as for this damned old swamp
24 fox, the devil himself could not catch him”. Thus,
25 the legend of the “Swamp Fox” was born.

1 (4) His victory at the Battle of Eutaw Springs
2 in September of 1781 was officially recognized by
3 Congress.

4 (5) Brigadier General Marion's troops are be-
5 lieved to be the first racially integrated force fight-
6 ing for the United States, as his band was a mix of
7 Whites, Blacks, both free and slave, and Native
8 Americans.

9 (6) As a statesman, he represented his parish
10 in the South Carolina senate as well as his State at
11 the Constitutional Convention.

12 (7) Although the Congress has authorized the
13 establishment of commemorative works on Federal
14 lands in the District of Columbia honoring such cele-
15 brated Americans as George Washington, Thomas
16 Jefferson, and Abraham Lincoln, the National Cap-
17 ital has no comparable memorial to Brigadier Gen-
18 eral Francis Marion for his bravery and leadership
19 during the Revolutionary War, without which the
20 United States would not exist.

21 (8) Brigadier General Marion's legacy must live
22 on. At present, and since 1878, United States Res-
23 ervation 18 has been officially referred to as Marion
24 Park. Located between 4th and 6th Streets, S.E., at
25 the intersection of E Street and South Carolina Ave-

1 nue, S.E., in Washington, DC, the park lacks a for-
2 mal commemoration to this South Carolina hero who
3 was important to the initiation of the Nation's herit-
4 age.

5 (9) The time has come to correct this oversight
6 so that future generations of Americans will know
7 and understand the preeminent historical and last-
8 ing significance to the Nation of Brigadier General
9 Marion's contributions. Such a South Carolina hero
10 deserves to be given the proper recognition.

11 (b) AUTHORITY TO ESTABLISH COMMEMORATIVE
12 WORK.—The Marion Park Project, a committee of the
13 Palmetto Conservation Foundation, may establish a com-
14 memorative work on Federal land in the District of Co-
15 lumbia and its environs to honor Brigadier General
16 Francis Marion and his service.

17 (c) COMPLIANCE WITH STANDARDS FOR COMMEMO-
18 RATIVE WORKS.—The commemorative work authorized by
19 subsection (b) shall be established in accordance with
20 chapter 89 of title 40, United States Code (commonly
21 known as the Commemorative Works Act).

22 (d) USE OF FEDERAL FUNDS PROHIBITED.—Fed-
23 eral funds may not be used to pay any expense of the es-
24 tablishment of the commemorative work authorized by
25 subsection (b). The Marion Park Project, a committee of

1 the Palmetto Conservation Foundation, shall be solely re-
2 sponsible for acceptance of contributions for, and payment
3 of the expenses of, the establishment of that commemora-
4 tive work.

5 (e) DEPOSIT OF EXCESS FUNDS.—If, upon payment
6 of all expenses of the establishment of the commemorative
7 work authorized by subsection (b) (including the mainte-
8 nance and preservation amount provided for in section
9 8906(b) of title 40, United States Code), or upon expira-
10 tion of the authority for the commemorative work under
11 chapter 89 of title 40, United States Code, there remains
12 a balance of funds received for the establishment of that
13 commemorative work, the Marion Park Project, a com-
14 mittee of the Palmetto Conservation Foundation, shall
15 transmit the amount of the balance to the Secretary of
16 the Treasury for deposit in the account provided for in
17 section 8906(b)(1) of such title.

18 (f) DEFINITIONS.—For the purposes of this section,
19 the terms “commemorative work” and “the District of Co-

1 lumbia and its environs” have the meanings given to such
2 terms in section 8902(a) of title 40, United States Code.

Passed the House of Representatives July 24, 2006.

Attest:

Clerk.