

Union Calendar No. 334

109TH CONGRESS
2^D SESSION

H. R. 5057

[Report No. 109–582]

To authorize the Marion Park Project and 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.

IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 2006

Mr. WILSON of South Carolina (for himself, Mr. CLYBURN, Mr. BROWN of South Carolina, Mr. INGLIS of South Carolina, Mr. SPRATT, and Mr. BARRETT of South Carolina) introduced the following bill; which was referred to the Committee on Resources

JULY 20, 2006

Additional sponsor: Mr. FORTUÑO

JULY 20, 2006

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on March 30, 2006]

A BILL

To authorize the Marion Park Project and 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.

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 BRIGADIER**
 4 **GENERAL FRANCIS MARION AND HIS FAMILY.**

5 (a) *FINDINGS.—The Congress finds that:*

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

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

17 (3) *Brigadier General Marion’s tactics, which*
 18 *were unheard of in rules of warfare at the time, in-*
 19 *cluded lightning raids on British convoys, after which*
 20 *he and his forces would retreat into the swamps to*
 21 *avoid capture. British Lieutenant Colonel Tarleton*
 22 *stated that “as for this damned old swamp fox, the*
 23 *devil himself could not catch him”. Thus, the legend*
 24 *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 fighting*
6 *for the United States, as his band was a mix of*
7 *Whites, Blacks, both free and slave, and Native Amer-*
8 *icans.*

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

12 (7) *Although the Congress has authorized the es-*
13 *tablishment of commemorative works on Federal*
14 *lands in the District of Columbia honoring such cele-*
15 *brated Americans as George Washington, Thomas Jef-*
16 *erson, and Abraham Lincoln, the National Capital*
17 *has no comparable memorial to Brigadier General*
18 *Francis Marion for his bravery and leadership during*
19 *the Revolutionary War, without which the United*
20 *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 lasting*
 8 *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 Pal-*
 13 *metto Conservation Foundation, may establish a commemo-*
 14 *rative work on Federal land in the District of Columbia*
 15 *and its environs to honor Brigadier General Francis Mar-*
 16 *ion and his service.*

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

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

1 *Conservation Foundation, shall be solely responsible for ac-*
 2 *ceptance of contributions for, and payment of the expenses*
 3 *of, the establishment of that commemorative work.*

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

17 *(f) DEFINITIONS.—For the purposes of this section, the*
 18 *terms “commemorative work” and “the District of Colum-*
 19 *bia and its environs” have the meanings given to such terms*
 20 *in section 8902(a) of title 40, United States Code.*

Amend the title so as to read: “A bill 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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