

109TH CONGRESS
2D SESSION

S. 2822

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 SENATE OF THE UNITED STATES

MAY 17, 2006

Mr. GRAHAM introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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. SHORT TITLE.**

4 This Act may be cited as the “Brigadier General
5 Francis Marion Memorial Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) Brigadier General Francis Marion—

2 (A) was born in 1732 in St. John's Parish,
3 Berkeley County, South Carolina; and

4 (B) married Mary Esther Videau on April
5 20, 1786;

6 (2) the Marions had no children, but raised as
7 their own child a son of a relative, who was given
8 Francis Marion's name;

9 (3) Marion commanded the Williamsburg Mili-
10 tia Revolutionary Force in South Carolina and was
11 instrumental in delaying the advance of British
12 forces by leading his troops in disrupting supply
13 lines;

14 (4) Marion's tactics, which were unheard of in
15 rules of warfare at the time, included lightning raids
16 on British convoys, after which Marion and his
17 forces would retreat into the swamps to avoid cap-
18 ture;

19 (5) the legend of "Swamp Fox" was born when
20 British Lieutenant Colonel Tarleton stated, in ref-
21 erence to Marion, that "as for this damned old
22 swamp fox, the devil himself could not catch him";

23 (6) Marion's victory at the Battle of Eutaw
24 Springs in September of 1781 was officially recog-
25 nized by Congress;

1 (7) Marion's troops, which were composed of
2 whites, blacks, both free and slave, and Native
3 Americans, are believed to be the first racially inte-
4 grated force fighting for the United States;

5 (8) as a statesman, Marion represented his par-
6 ish in the South Carolina senate and the State of
7 South Carolina at the Constitutional Convention;

8 (9) although Congress has authorized the estab-
9 lishment of commemorative works on Federal land
10 in the District of Columbia honoring such celebrated
11 Americans as George Washington, Thomas Jeffer-
12 son, and Abraham Lincoln, there is no comparable
13 memorial to Brigadier General Francis Marion com-
14 memorating Marion's bravery and leadership during
15 the Revolutionary War, without which the United
16 States would not exist;

17 (10) Brigadier General Marion's legacy must
18 live on;

19 (11) since 1878, United States Reservation 18
20 has been officially referred to as Marion Park;

21 (12) located between 4th and 6th Streets, S.E.,
22 at the intersection of E Street and South Carolina
23 Avenue, S.E., in Washington, DC, Marion Park
24 lacks a formal commemoration to this South Caro-

1 lina hero who was important to the initiation of the
2 heritage of the United States;

3 (13) the time has come to correct this oversight
4 so that future generations of Americans will know
5 and understand the preeminent historical and last-
6 ing significance to the Nation of Marion’s contribu-
7 tions; and

8 (14) Marion, a South Carolina hero, deserves to
9 be given proper recognition.

10 **SEC. 3. DEFINITIONS.**

11 In this Act:

12 (1) **COMMEMORATIVE WORK.**—The term “com-
13 memorative work” has the meaning given the term
14 in section 8902(a) of title 40, United States Code.

15 (2) **COMMITTEE.**—The term “Committee”
16 means the Committee of the Palmetto Conservation
17 Foundation.

18 (3) **THE DISTRICT OF COLUMBIA AND ITS ENVI-**
19 **RON.**—The term “the District of Columbia and its
20 environs” has the meaning given the term in section
21 8902(a) of title 40, United States Code.

22 (4) **PROJECT.**—The term “Project” means the
23 Marion Park Project.

1 **SEC. 4. COMMEMORATIVE WORK TO HONOR BRIGADIER**
2 **GENERAL FRANCIS MARION AND HIS FAMILY.**

3 (a) **AUTHORITY TO ESTABLISH COMMEMORATIVE**
4 **WORK.**—The Project and Committee may jointly establish
5 a commemorative work on Federal land in the District of
6 Columbia and its environs to honor the service of Briga-
7 dier General Francis Marion to the United States.

8 (b) **COMPLIANCE WITH STANDARDS FOR COMMEMO-**
9 **RATIVE WORKS.**—The commemorative work authorized
10 under subsection (a) shall be established in accordance
11 with chapter 89 of title 40, United States Code.

12 (c) **FUNDS FOR COMMEMORATIVE WORK.**—

13 (1) **IN GENERAL.**—The Project and Committee
14 shall be solely responsible for acceptance of contribu-
15 tions for, and payment of the expenses of, the estab-
16 lishment of the commemorative work authorized
17 under subsection (a).

18 (2) **USE OF FEDERAL FUNDS PROHIBITED.**—No
19 Federal funds shall be used to pay any expense of
20 the establishment of the commemorative work au-
21 thorized under subsection (a).

22 (3) **DEPOSIT OF EXCESS FUNDS.**—The Project
23 and the Committee shall transmit to the Secretary
24 of the Treasury for deposit in the account provided
25 for in section 8906(b)(1) of title 40, United States
26 Code—

1 (A) any funds that remain for the com-
2 memorative work authorized under subsection
3 (a) after payment of all expenses incurred in
4 the establishment of the commemorative work
5 (including payment of the amount for mainte-
6 nance and preservation required under section
7 8906(b) of that title); or

8 (B) any funds that remain for the com-
9 memorative work authorized under subsection
10 (a) on expiration of the authority for the com-
11 memorative work under section 8903(e) of that
12 title.

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