



March 5, 2007

H.R. 497 - Brigadier General Francis Marion Memorial Act of 2007

Floor Situation

H.R. 497 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Joe Wilson (R-SC) on January 16, 2007. The bill has not been considered by any committee in the 110th Congress.

H.R. 497 is expected to be considered on the floor on March 5, 2007.

**Note: In the 109th Congress, Rep. Wilson (SC) introduced similar legislation, H.R. 5057, which passed the House of Representatives by voice vote on July 24, 2006. The Senate received the bill but no action was taken.*

Summary

- H.R. 497 allows The Marion Park Project (a committee of the Palmetto Conservation Foundation) to establish a commemorative work on Federal land in the District of Columbia to honor Brigadier General Francis Marion.

**Note: The term “commemorative work” is defined in Title 40 USC 8902(a) as “any statue, monument, sculpture, memorial, plaque, inscription, or other structure or landscape feature, including a garden or memorial grove, designed to perpetuate in a permanent manner the memory of an individual, group, event or other significant element of American history, except that the term does not include any such item which is located within the interior of a structure or a structure which is primarily used for other purposes.”*

- The commemorative work must be done in accordance with the Commemorative Works Act.

**Note: The Commemorative Works Act encourages and sets guidelines for the establishment of commemorative works in the District of Columbia, while preserving the integrity of the comprehensive design of the L'Enfant and McMillan plans for the Nation's Capital*

- This legislation prohibits federal funding for the commemorative work and requires The Marion Park Project to be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of that commemorative work.

Background

United States Reservation 18, located in the District of Columbia, is named after Brigadier General Francis Marion. Congressional Authorization is needed to erect a monument if it is to be placed on Federal land.

The Marion Park Project Committee was created for the purpose of placing a monument of Brigadier General Marion in Marion Park.

Brigadier General Marion commanded the Williamsburg Militia Revolutionary force in South Carolina and was instrumental in delaying the advance of British forces by leading his troops in disrupting supply lines. Brigadier General Marion's tactics, which were unheard of in rules of warfare at the time, included lightning raids on British convoys, after which he and his forces would retreat into the swamps to avoid capture. British Lieutenant Colonel Tarleton stated that 'as for this damned old swamp fox, the devil himself could not catch him.' Thus, the legend of the 'Swamp Fox' was born.

Since 1878, United States Reservation 18 has been officially referred to as Marion Park, which is located between 4th and 6th Streets, at the intersection of E Street and South Carolina Avenue, S.E., in Washington, DC.

Cost

H.R. 497 has not been scored by the Congressional Budget Office.

**Note: Similar legislation introduced in the 109th Congress, (H.R. 5057), was estimated by CBO to have no significant impact on the federal budget, revenues, or direct spending.*

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