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(Original Signature of Member)

118TH CONGRESS  
2D SESSION

**H. R. 8792**

To establish a flower ordering program for gravesites under the purview  
of the American Battle Monuments Commission.

\_\_\_\_\_  
IN THE HOUSE OF REPRESENTATIVES

Mr. ZINKE introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_  
\_\_\_\_\_

**A BILL**

To establish a flower ordering program for gravesites under  
the purview of the American Battle Monuments Commission.

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 “Flowers for Fallen He-  
5       roes Act of 2024”.

6       **SEC. 2. AMENDMENTS TO AMERICAN BATTLE MONUMENTS**

7                       **COMMISSION AUTHORITIES.**

8       Section 2103 of title 36, United States Code, is  
9       amended—

1 (1) in subsection (a)—

2 (A) in paragraph (4), by striking the  
3 “and” at the end;

4 (B) in paragraph (5), by striking the pe-  
5 riod and inserting “; and”; and

6 (C) by adding at the end the following:

7 “(6) not later than 1 year after the date of the  
8 enactment of the Flowers for Fallen Heroes Act of  
9 2024, establish a modern and secure program and  
10 payment system for members of the public to order  
11 floral arrangements for gravesites under the Com-  
12 mission’s purview, without excess administrative fees  
13 or markup.”;

14 (2) in subsection (c), by inserting “, marketing  
15 professionals,” after “architects”; and

16 (3) by adding at the end the following:

17 “(1) AUTHORITY OF COMMISSION TO ACCEPT CER-  
18 TAIN TYPES OF PAYMENTS.—

19 “(1) AUTHORITY TO ACCEPT CREDIT CARD PAY-  
20 MENTS AND ELECTRONIC FUNDS TRANSFERS.—

21 “(A) IN GENERAL.—The Commission may  
22 accept payment of fees related to activities de-  
23 scribed in subsection (a)(6) by credit card or  
24 electronic funds transfer.

1                   “(B) USE OF VENDORS AND THIRD-PARTY  
2 PROVIDERS.—

3                   “(i) IN GENERAL.—The Commission  
4                   may contract with third-party providers,  
5                   including insured depository institutions  
6                   and card issuers (as such terms are de-  
7                   fined in the Truth in Lending Act), for  
8                   purposes of accepting payments by credit  
9                   card or by electronic funds transfer mak-  
10                  ing every effort to find the best value third  
11                  party vendor.

12                  “(ii) PAYMENT OF FEES.—If a third-  
13                  party vendor with which the Commission  
14                  contracts requires a fee in connection with  
15                  the processing of credit payments or elec-  
16                  tronic funds transfers, the person who is  
17                  making such payment or transfer shall pay  
18                  such fee, not the Commission.

19                  “(C) COMPLETION OF PAYMENT.—If a  
20                  person elects to make a payment to the Com-  
21                  mission by a method authorized under subpara-  
22                  graph (A), the payment shall not be deemed to  
23                  be made until the Commission receives the  
24                  funds.

1           “(2) LIABILITY FOR NONPAYMENT.—If a pay-  
2           ment by credit card, debit card, or charge card, so  
3           received is not duly paid, or is paid and subsequently  
4           charged back to the Commission, the person by  
5           whom such method of payment has been tendered  
6           shall remain liable for the payment, to the same ex-  
7           tent as if such method of payment had not been ten-  
8           dered.

9           “(3) ELECTRONIC FUNDS TRANSFER DE-  
10          FINED.—In this section, the term ‘electronic funds  
11          transfer’—

12                 “(A) means a transfer of funds, other than  
13                 a transaction by check, draft, or similar paper  
14                 instrument, that is initiated through an elec-  
15                 tronic terminal, personal device, or computer  
16                 for the purpose of ordering, instructing, or au-  
17                 thorizing a financial institution to debit or cred-  
18                 it an account; and

19                 “(B) includes point of sale transfers, auto-  
20                 mated teller machine transfers, direct deposit or  
21                 withdrawal of funds, transfers initiated by per-  
22                 sonal device, and transfers resulting from debit  
23                 card transactions.

24          “(m) CREDITING OF FUNDS.—Any fees or reim-  
25          bursements received by the Commission for services pro-

1 vided under this section shall be credited to the appropria-  
2 tion or fund used for paying the service costs and shall  
3 remain available for obligation until expended.”.

4 **SEC. 3. REPORT ON IMPLEMENTATION AND ADHERENCE**  
5 **TO CONGRESSIONAL INTENT.**

6 (a) ANNUAL REPORT TO CONGRESS.—Not later than  
7 1 year after the date of enactment of this Act, and annu-  
8 ally thereafter, the American Battle Monuments Commis-  
9 sion (referred to in this section as the “Commission”)  
10 shall submit a report on implementation and performance  
11 related to the amendments made by this Act to—

12 (1) the Committee on Veterans’ Affairs and the  
13 Subcommittee on Military Construction, Veterans  
14 Affairs, and Related Agencies of the Committee on  
15 Appropriations of the House of Representatives; and

16 (2) the Committee on Veterans’ Affairs and the  
17 Subcommittee on Military Construction, Veterans  
18 Affairs, and Related Agencies of the Committee on  
19 Appropriations of the Senate.

20 (b) CONTENTS OF ANNUAL REPORT.—Each report  
21 to Congress required under subsection (a) shall include  
22 progress summaries of activities related to—

23 (1) section 2103(a)(6) of title 36, United States  
24 Code, including—

25 (A) data on flower orders;

1 (B) the Commission's active management  
2 of a flower program including receiving and  
3 processing the order, placing the floral tribute,  
4 providing via email a digital photo of the deco-  
5 rated gravesite to the requestor, and status of  
6 ordering systems;

7 (C) efforts to ensure easy, cost-effective ac-  
8 cess for members of the public who would like  
9 to participate in the flower program;

10 (D) creative marketing of the flower pro-  
11 gram to include public service advertising and  
12 public-private partnerships; and

13 (E) the vetting process for florists involved  
14 with the flower program; and

15 (2) promotion of the Commission's activities  
16 pursuant to section 2102(a) of title 36, United  
17 States Code.

18 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated to the Com-  
20 mission such sums as necessary, as determined by the  
21 Commission, to provide the services described in section  
22 2103(a)(6) of title 36, United States Code.