

118TH CONGRESS  
2D SESSION

# H. R. 7361

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

---

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2024

Mr. ZINKE (for himself, Mr. THOMPSON of California, Mr. VALADAO, Mr. DAVIS of North Carolina, Mr. WALTZ, Mr. BISHOP of Georgia, Mr. KELLY of Mississippi, Mr. CUELLAR, Mrs. BICE, Ms. NORTON, Mr. FLEISCHMANN, Mr. MCCORMICK, Mrs. MILLER-MEEKS, Mr. BACON, Mr. GUEST, Mr. BAIRD, Mr. HIGGINS of Louisiana, Mr. NEHLS, Mr. VAN DREW, Mr. NEWHOUSE, Mr. CISCOMANI, Mr. ARMSTRONG, Mrs. CHAVEZ-DEREMER, Mr. MOONEY, Mr. DUNN of Florida, Mr. BARR, Mr. JACKSON of Texas, Mr. VAN ORDEN, Ms. MACE, Mr. EZELL, Mr. SELF, Mr. MILLS, Mr. EDWARDS, Mr. RUTHERFORD, Mr. CALVERT, Mr. KELLY of Pennsylvania, Mr. CLYDE, Mrs. KIGGANS of Virginia, Mr. KEAN of New Jersey, Mr. STAUBER, Mr. MOOLENAAR, and Mr. LAWLER) introduced the following bill; which was referred to the Committee on Veterans' Affairs

---

## 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”.

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

2 **COMMISSION AUTHORITIES.**

3 Section 2103 of title 36, United States Code, is  
4 amended—

5 (1) in subsection (a)—

6 (A) by striking “American Battle Monu-  
7 ments Commission may” and inserting “Amer-  
8 ican Battle Monuments Commission shall”;

9 (B) in paragraph (4), by striking the  
10 “and” at the end;

11 (C) in paragraph (5), by striking the pe-  
12 riod and inserting a semicolon; and

13 (D) by adding at the end the following:

14 “(6) not later than 1 year after the date of the  
15 enactment of the Flowers for Fallen Heroes Act of  
16 2024, establish—

17 “(A) a program and payment system for  
18 members of the public to order floral arrange-  
19 ments for gravesites under the Commission’s  
20 purview, with orders executed by third-party re-  
21 gional florists chosen by the Commission, with-  
22 out excess administrative fees or markup; and

23 “(B) a user-friendly website and telephone  
24 ordering system for the program and payment  
25 system described in subparagraph (A).”;

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

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

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

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

8           “(A) IN GENERAL.—The Commission shall  
9 accept payment of fees related to activities de-  
10 scribed in subsection (a)(6) by credit card or  
11 electronic funds transfer.

12           “(B) USE OF VENDORS AND THIRD-PARTY  
13 PROVIDERS.—

14           “(i) IN GENERAL.—The Commission  
15 shall—

16           “(I) contract with third-party  
17 providers, including insured depository  
18 institutions and card issuers (as such  
19 terms are defined in the Truth in  
20 Lending Act), for purposes of accept-  
21 ing payments by credit card or by  
22 electronic funds transfer; and

23           “(II) make every effort, when  
24 contracting with third-party vendors

1                   under clause (i), to find the lowest  
2                   cost third-party vendor.

3                   “(ii) PAYMENT OF FEES.—If a third-  
4                   party vendor with which the Commission  
5                   contracts requires a fee in connection with  
6                   the processing of credit payments or elec-  
7                   tronic funds transfers, the person who is  
8                   making such payment or transfer shall pay  
9                   such fee, not the Commission.

10                  “(C) COMPLETION OF PAYMENT.—If a  
11                  person elects to make a payment to the Com-  
12                  mission by a method authorized under subpara-  
13                  graph (A), the payment shall not be deemed to  
14                  be made until the Commission receives the  
15                  funds.

16                  “(2) LIABILITY FOR NONPAYMENT.—If a pay-  
17                  ment by credit card, debit card, or charge card, so  
18                  received is not duly paid, or is paid and subsequently  
19                  charged back to the Commission, the person by  
20                  whom such method of payment has been tendered  
21                  shall remain liable for the payment, to the same ex-  
22                  tent as if such method of payment had not been ten-  
23                  dered.

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

4                   “(A) means a transfer of funds, other than  
5                   a transaction by check, draft, or similar paper  
6                   instrument, that is initiated through an elec-  
7                   tronic terminal, telephone, or computer or mag-  
8                   netic tape for the purpose of ordering, instruct-  
9                   ing, or authorizing a financial institution to  
10                  debit or credit an account; and

11                  “(B) includes point of sale transfers, auto-  
12                  mated teller machine transfers, direct deposit or  
13                  withdrawal of funds, transfers initiated by tele-  
14                  phone, and transfers resulting from debit card  
15                  transactions.”.

16 **SEC. 3. REPORT ON IMPLEMENTATION AND ADHERENCE**  
17 **TO CONGRESSIONAL INTENT.**

18           (a) ANNUAL REPORT TO CONGRESS.—Not later than  
19 1 year after the date of enactment of this Act, and annu-  
20 ally thereafter, the American Battle Monuments Commis-  
21 sion (referred to in this section as the “Commission”)  
22 shall submit a report on implementation and performance  
23 related to the amendments made by this Act to—

24                   (1) the Committee on Veterans’ Affairs and the  
25                   Subcommittee on Military Construction, Veterans

1 Affairs, and Related Agencies of the Committee on  
2 Appropriations of the House of Representatives; and  
3 (2) the Committee on Veterans' Affairs and the  
4 Subcommittee on Military Construction, Veterans  
5 Affairs, and Related Agencies of the Committee on  
6 Appropriations of the Senate.

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

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

12 (A) data on flower orders;

13 (B) the Commission's active management  
14 of a flower program including receiving and  
15 processing the order, placing the floral tribute  
16 with an appropriate note of dedication, pro-  
17 viding a picture of the decorated gravesite to  
18 the requestor, status of telephone, website or-  
19 dering systems, and dedicated information tech-  
20 nology solutions;

21 (C) engagement with florists local to ceme-  
22 teries under the Commission's jurisdiction;

23 (D) efforts to ensure easy, low-cost access  
24 for members of the public who would like to  
25 participate in the flower program;

1           (E) creative marketing of the flower pro-  
2           gram to include public service advertising and  
3           public-private partnerships; and

4           (F) the vetting process for florists involved  
5           with the flower program; and

6           (2) promotion of the Commission's activities  
7           pursuant to section 2102(a) of title 36, United  
8           States Code.

○