

Mr. SCOTT of Virginia: Mr. Speaker, I rise in support of H.R. 1775, the Stolen Valor Act. It has long been a tradition in the United States to recognize those in our armed services who stand out among their peers for service to our Nation by awarding them special military medals and declarations. Recipients of these special honors have often been wounded in the line of duty or have made the ultimate sacrifice.

Military medals and declarations constitute a tribute, as well as tangible manifestation of our Nation's deep and abiding recognition and appreciation to our service members.

There are, however, those who falsely claim to be recipients of these special honors. Such malicious actions denigrate the integrity of those honors to those who have legitimately received them.

In response, a law was enacted with the laudable purpose of ensuring the integrity of military honors by punishing those who make such false representations.

Unfortunately, the scope of the law was recently found by the Supreme Court to be unconstitutional as an abridgement of the First Amendment's right to free speech because the First Amendment even protects despicable speech.

Justice Kennedy, however, writing for the court set out certain guidelines that Congress could follow in remedying the statute's constitutional flaw. He wrote:

Where false claims are made to effect a fraud or secure moneys or other valuable considerations, say offers of employment, it is well-established that the government may restrict speech without affronting the First Amendment.

So, as reported by the Judiciary Committee, this bill adheres to this suggested construct by amending the current law to prohibit individuals from fraudulently representing themselves as recipients of these honors in order to obtain money, property, or other tangible benefits. This will actually cover most of the incidences of false claims.

As a result, this measure will, in full compliance with the Constitution, ensure that no one will financially benefit or receive other tangible rewards from falsely representing that they have been awarded these honors and this will cover all of the despicable cases of false claims that the Constitution will allow.

H.R. 1775 will protect the honor and integrity of our Nation's military medals and decorations as well as respect the rights accorded to Americans under the First Amendment.

Accordingly, Mr. Speaker, I urge my colleagues to support the legislation.

