The American Legion

OFFICE OF THE
NATIONAL COMMANDER

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March 20, 2013

Honorable Joe Heck
U.S. House of Representatives
132 Cannon House Office Building
Washington, DC 20515

Dear Representative Heck:

On behalf of the 2.4 million members of The American Legion, I write to support H.R. 258, the *Stolen Valor Act of 2013* which amends title 18, United States Code, with respect to fraudulent representations about having received military decorations or medals.

The American Legion was disheartened by the Supreme Court's decision in *Alvarez*, believing as Justice Alito did in his dissent that "The Stolen Valor Act is a narrow law enacted to address an important problem, and it presents no threat to freedom of expression." The concurrence to that plurality decision left open the possibility that a "more finely tailored statute might, as other kinds of statutes prohibiting false factual statements have done, insist upon a showing that the false statement caused specific harm or at least was material, or focus its coverage on lies most likely to be harmful or on contexts where such lies are most likely to cause harm" (Breyer, J. *concurrence*). The American Legion passed Resolution No. 283: Amend Stolen Valor Act to support new legislation that will meet the concerns expressed by the Supreme Court.

The American Legion believes H.R. 258 rightfully targets those who seek to gain tangible benefits and, with the addition of the definition of 'combat badge' should be sufficient to pass court review.

We thank you and your colleagues for your work on the behalf of the men and women in uniform and for your attention to this important matter.

Sincerely,

James E. "Jim" Koutz

JAMES E. 'JIM' KOUTZ
National Commander