

EDITORIAL

Lying on military service an affront Lost in the kerfuffle over the Supreme Court's decision on President Obama's controversial health care plan is one the nine justices made on the Stolen Valor Act.

On Thursday, the high court struck down the federal law that prohibits a person from falsely claiming he or she has been awarded a military honor.

The case involved a California man who said at a public meeting in 2007 that he was a retired Marine, had been wounded several times and was the recipient of the Medal of Honor -- the highest military decoration awarded by the U.S. government.

None of it was true, however.

The man pleaded guilty to violating the Stolen Valor Act. The man appealed, claiming his statements were protected by the First Amendment right to free speech.

In defending the act, the Obama administration countered that military awards "serve as public symbols of honor and prestige, conveying the nation's gratitude for acts of valor and sacrifice."

The administration also said decorations "foster morale ... and esprit de corps within the military."

But in a 6-3 decision, the justices said lying about medals and military service, while "contemptible" and worthy of public outrage and ridicule, is

protected speech. Rep. Duncan Hunter (R-Alpine), a former Marine, expressed disappointment in the high court's ruling and suggested that Congress look for another way to deter people from lying about having received medals for bravery.

Remarks by Justice Anthony M. Kennedy, who wrote the majority opinion, indicate the high court may be amenable to rewriting the law in such a way that it passes constitutional muster.

Said Kennedy, the man's lies "were but a pathetic attempt to gain respect that eluded him. The statements do not seem to have been made to secure employment or financial benefits or admission to privileges reserved for those who had earned the medal."

The comment should renew interest in the Congress in proposed legislation by Rep. Joe Heck (R-Nevada). He would make it a crime to seek a benefit by lying about military service.

Such legislation is necessary, particularly in the post 9/11 world, when regard for military service is high and more people seemingly are willing to take unfair advantage. When people falsely pass themselves off as military heroes, it's an affront, not only to those who truly deserve the recognition, but for all Americans.

A revised Stolen Valor Act should be a priority in Congress.

The justices said lying about medals or decorations, while "contemptible," is protected speech.