

Public Law 109–437
109th Congress

An Act

Dec. 20, 2006
[S. 1998]

To amend title 18, United States Code, to enhance protections relating to the reputation and meaning of the Medal of Honor and other military decorations and awards, and for other purposes.

Stolen Valor Act
of 2005.
18 USC 1 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Stolen Valor Act of 2005”.

18 USC 704 note.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Fraudulent claims surrounding the receipt of the Medal of Honor, the distinguished-service cross, the Navy cross, the Air Force cross, the Purple Heart, and other decorations and medals awarded by the President or the Armed Forces of the United States damage the reputation and meaning of such decorations and medals.

(2) Federal law enforcement officers have limited ability to prosecute fraudulent claims of receipt of military decorations and medals.

(3) Legislative action is necessary to permit law enforcement officers to protect the reputation and meaning of military decorations and medals.

SEC. 3. ENHANCED PROTECTION OF MEANING OF MILITARY DECORATIONS AND MEDALS.

(a) **EXPANSION OF GENERAL CRIMINAL OFFENSE.**—Subsection (a) of section 704 of title 18, United States Code, is amended by striking “manufactures, or sells” and inserting “purchases, attempts to purchase, solicits for purchase, mails, ships, imports, exports, produces blank certificates of receipt for, manufactures, sells, attempts to sell, advertises for sale, trades, barter, or exchanges for anything of value”.

(b) **ESTABLISHMENT OF CRIMINAL OFFENSE RELATING TO FALSE CLAIMS ABOUT RECEIPT OF DECORATIONS AND MEDALS.**—Such section 704 is further amended—

(1) by redesignating subsection (b) as subsection (c);

(2) by inserting after subsection (a) the following:

“(b) **FALSE CLAIMS ABOUT RECEIPT OF MILITARY DECORATIONS OR MEDALS.**—Whoever falsely represents himself or herself, verbally or in writing, to have been awarded any decoration or medal authorized by Congress for the Armed Forces of the United States, any of the service medals or badges awarded to the members of such forces, the ribbon, button, or rosette of any such badge, decoration,

or medal, or any colorable imitation of such item shall be fined under this title, imprisoned not more than six months, or both.”; and

(3) in paragraph (1) of subsection (c), as redesignated by paragraph (1) of this subsection, by inserting “or (b)” after “subsection (a)”.

(c) ENHANCED PENALTY FOR OFFENSES INVOLVING CERTAIN OTHER MEDALS.—Such section 704 is further amended by adding at the end the following:

“(d) ENHANCED PENALTY FOR OFFENSES INVOLVING CERTAIN OTHER MEDALS.—If a decoration or medal involved in an offense described in subsection (a) or (b) is a distinguished-service cross awarded under section 3742 of title 10, a Navy cross awarded under section 6242 of title 10, an Air Force cross awarded under section 8742 of section 10, a silver star awarded under section 3746, 6244, or 8746 of title 10, a Purple Heart awarded under section 1129 of title 10, or any replacement or duplicate medal for such medal as authorized by law, in lieu of the punishment provided in the applicable subsection, the offender shall be fined under this title, imprisoned not more than 1 year, or both.”.

(d) CONFORMING AMENDMENTS.—Subsection (c) of such section 704, as so redesignated, is further amended—

(1) by inserting “ENHANCED PENALTY FOR OFFENSES INVOLVING” before “CONGRESSIONAL MEDAL OF HONOR”; and

(2) by striking paragraph (2) and inserting the following:

“(2) CONGRESSIONAL MEDAL OF HONOR DEFINED.—In this subsection, the term ‘Congressional Medal of Honor’ means—

“(A) a medal of honor awarded under section 3741, 6241, or 8741 of title 10 or section 491 of title 14;

“(B) a duplicate medal of honor issued under section 3754, 6256, or 8754 of title 10 or section 504 of title 14; or

“(C) a replacement of a medal of honor provided under section 3747, 6253, or 8747 of title 10 or section 501 of title 14.”.

Approved December 20, 2006.

LEGISLATIVE HISTORY—S. 1998:

CONGRESSIONAL RECORD, Vol. 152 (2006):

Sept. 7, considered and passed Senate.

Dec. 6, considered and passed House.