To amend title 10, United States Code, to close loopholes in the prohibition on the sale or rental of sexually explicit material on military installations.

IN THE HOUSE OF REPRESENTATIVES

Mr. BROWN of Georgia introduced the following bill; which was referred to the Committee on __________

A BILL

To amend title 10, United States Code, to close loopholes in the prohibition on the sale or rental of sexually explicit material on military installations.

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

SECTION 1. CLARIFICATION OF PROHIBITION ON SALE OR RENTAL OF SEXUALLY EXPLICIT MATERIAL ON MILITARY INSTALLATIONS.

Section 2495b of title 10, United States Code, is amended—
(1) by redesignating subsections (c) and (d) as (d) and (e), respectively;

(2) by inserting after subsection (b) the following new subsection:

“(c) ANNUAL REVIEW OF MATERIALS.—At least annually, the Secretary of Defense shall review material that is not deemed to be sexually explicit to determine if such material should be deemed sexually explicit and thus prohibited by this section.”;

(3) in subsection (e) (as redesignated)—

(A) by amending paragraph (1) to read as follows:

“(1) The term ‘sexually explicit material’ means—

“(A) an audio recording, a film or video recording, or a print publication with visual depictions, produced in any medium, a principal theme of which depicts or describes nudity or sexual or excretory activities in a lascivious way; or

“(B) if the print publication is a periodical, it regularly features or gives prominence to nudity or sexual or excretory activities.”; and

(B) by adding at the end the following new paragraphs:
“(3) The term ‘principal theme’ means a theme that is primary in importance, influence, attraction, or degree but not necessarily dominant relative to other themes in the material.

“(4) The term ‘lascivious’ means lewd or indecent and intended, designed, or given to elicit a sexual response.

“(5) The term ‘nudity’ means human genitals, pubic area, anus, anal cleft, or any part of the female breast below a horizontal line across the top of the areola with less than an opaque covering but does not include the exposure of the cleavage of the female breast exhibited by a dress, blouse, bathing suit, or other apparel.”.