

104TH CONGRESS
2D SESSION

H. R. 3300

To amend title 10, United States Code, to prohibit the Department of Defense from selling, renting, or otherwise providing sexually explicit material to any individual.

IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 1996

Mr. SMITH of New Jersey (for himself, Mr. BARTLETT of Maryland, and Mr. DORNAN of California) introduced the following bill; which was referred to the Committee on National Security

A BILL

To amend title 10, United States Code, to prohibit the Department of Defense from selling, renting, or otherwise providing sexually explicit material to any individual.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Military Honor and
5 Decency Act of 1996”.

1 **SEC. 2. PROHIBITION OF SALE OR RENTAL OF SEXUALLY**
2 **EXPLICIT MATERIAL.**

3 (a) IN GENERAL.—(1) Chapter 147 of title 10, Unit-
4 ed States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 2490b. Sale or rental of sexually explicit material**
7 **prohibited**

8 “(a) PROHIBITION OF SALE OR RENTAL.—The Sec-
9 retary of Defense may not permit the sale or rental of
10 sexually explicit material on property under the jurisdic-
11 tion of the Department of Defense.

12 “(b) PROHIBITION OF OFFICIALLY PROVIDED SEXU-
13 ALLY EXPLICIT MATERIAL.—A member of the Armed
14 Forces or a civilian employee of the Department of De-
15 fense acting in an official capacity may not provide sexu-
16 ally explicit material to another person.

17 “(c) REGULATIONS.—The Secretary of Defense shall
18 prescribe regulations to implement this section.

19 “(d) DEFINITIONS.—In this section:

20 “(1) The term ‘sexually explicit material’ means
21 an audio recording, a film or video recording, or a
22 periodical, produced in any medium, the dominant
23 theme of which depicts or describes nudity, including
24 sexual or excretory activities or organs, in a lasciv-
25 ious way.

1 “(2) The term ‘property under the jurisdiction
2 of the Department of Defense’ includes com-
3 missaries, all facilities operated by the Army and Air
4 Force Exchange Service, the Navy Exchange Service
5 Command, the Navy Resale and Services Support
6 Office, Marine Corps exchanges, and ship stores.”.

7 (2) The table of sections at the beginning of chapter
8 147 of title 10, United States Code, is amended by adding
9 at the end the following new item:

“2490b. Sale or rental of sexually explicit material prohibited.”.

10 (b) **EFFECTIVE DATE.**—Subsection (a) of section
11 2490b of title 10, United States Code, as added by sub-
12 section (a) of this Act, shall take effect 90 days after the
13 date of the enactment of this Act.

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