

119TH CONGRESS  
1ST SESSION

# H. R. 3297

To define “obscenity” for purposes of the Communications Act of 1934,  
and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

MAY 8, 2025

Mrs. MILLER of Illinois introduced the following bill; which was referred to  
the Committee on Energy and Commerce

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## A BILL

To define “obscenity” for purposes of the Communications  
Act of 1934, and for other purposes.

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 “Interstate Obscenity  
5 Definition Act”.

6 **SEC. 2. DEFINING OBSCENITY.**

7 (a) DEFINITION.—

8 (1) IN GENERAL.—Section 3 of the Commu-  
9 nications Act of 1934 (47 U.S.C. 153) is amended—

1           (A) by redesignating paragraphs (38)  
2 through (59) as paragraphs (39) through (60),  
3 respectively; and

4           (B) by inserting after paragraph (37) the  
5 following:

6           “(38) OBSCENE; OBSCENITY.—

7           “(A) IN GENERAL.—The term ‘obscene’ or  
8 ‘obscenity’, when used in a manner or context  
9 that explicitly refers to, or could apply to, a pic-  
10 ture, image, graphic image file, film, videotape,  
11 or other visual depiction, includes a picture,  
12 image, graphic image file, film, videotape, or  
13 other visual depiction that—

14           “(i) taken as a whole, appeals to the  
15 prurient interest in nudity, sex, or excre-  
16 tion;

17           “(ii) depicts, describes, or represents,  
18 an actual or simulated sexual act or sexual  
19 contact, actual or simulated normal or per-  
20 verted sexual acts, or lewd exhibition of the  
21 genitals, with the objective intent to  
22 arouse, titillate, or gratify the sexual de-  
23 sires of a person; and

1                   “(iii) taken as a whole, lacks serious  
2                   literary, artistic, political, or scientific  
3                   value.

4                   “(B) SEXUAL ACT; SEXUAL CONTACT.—  
5                   For purposes of subparagraph (A), the terms  
6                   ‘sexual act’ and ‘sexual contact’ have the mean-  
7                   ings given those terms in section 2246 of title  
8                   18, United States Code.”.

9                   (2) TECHNICAL AND CONFORMING AMEND-  
10                  MENT.—Section 271(c)(1)(A) of the Communica-  
11                  tions Act of 1934 (47 U.S.C. 271(c)(1)(A)) is  
12                  amended by striking “section 3(47)(A)” and insert-  
13                  ing “section 3(55)(A)”.

14                  (b) OBSCENE OR HARASSING TELEPHONE CALLS IN  
15                  THE DISTRICT OF COLUMBIA OR IN INTERSTATE OR FOR-  
16                  EIGN COMMUNICATIONS.—Section 223(a)(1)(A) of the  
17                  Communications Act of 1934 (47 U.S.C. 223(a)(1)(A)) is  
18                  amended, in the undesignated matter following clause (ii),  
19                  by striking “, with intent to abuse, threaten, or harass  
20                  another person”.

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