

§2G2.4

a minor to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting live any visual depiction of such conduct.

- (B) **Definition.**—“*Sexually explicit conduct*” has the meaning given that term in 18 U.S.C. § 2256(2).
8. **Cases Involving Adapted or Modified Depictions.**—If the offense involved material that is an adapted or modified depiction of an identifiable minor (*e.g.*, a case in which the defendant is convicted under 18 U.S.C. § 2252A(a)(7)), the term “material involving the sexual exploitation of a minor” includes such material.

Background: Section 401(i)(1)(C) of Public Law 108–21 directly amended subsection (b) to add subdivision (7), effective April 30, 2003.

<i>Historical Note</i>	Effective November 1, 1987. Amended effective June 15, 1988 (amendment 31); November 1, 1990 (amendment 325); November 1, 1991 (amendment 372); November 27, 1991 (amendment 435); November 1, 1996 (amendment 537); November 1, 1997 (amendment 575); November 1, 2000 (amendment 592); November 1, 2001 (amendment 617); April 30, 2003 (amendment 649); November 1, 2003 (amendment 661); November 1, 2004 (amendment 664); November 1, 2009 (amendments 733 and 736); November 1, 2016 (amendment 801); November 1, 2025 (amendment 836).
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§2G2.3. Selling or Buying of Children for Use in the Production of Pornography

- (a) Base Offense Level: 38

Commentary

Statutory Provision: 18 U.S.C. § 2251A.

Background: The statutory minimum sentence for a defendant convicted under 18 U.S.C. § 2251A is thirty years imprisonment.

<i>Historical Note</i>	Effective November 1, 1989 (amendment 162). Amended effective November 1, 2009 (amendment 736).
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§2G2.4. [Deleted]

<i>Historical Note</i>	Section 2G2.4 (Possession of Materials Depicting a Minor Engaged in Sexually Explicit Conduct), effective November 1, 1991 (amendment 372), and amended effective November 27, 1991 (amendment 436), November 1, 1996 (amendment 537), November 1, 2000 (amendment 592), and April 30, 2003 (amendment 649), was deleted by consolidation with §2G2.2 effective November 1, 2004 (amendment 664).
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