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# 18 U.S. Code § 2258B

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## Limited liability for the reporting, storage, and handling of certain visual depictions of apparent child pornography to the National Center for Missing & Exploited Children

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### **(a) In General.—**

Except as provided in subsection (b), a civil claim or criminal charge against a provider or domain name registrar, including any director, officer, employee, or agent of such provider or domain name registrar arising from the performance of the reporting or preservation responsibilities of such provider or domain name registrar under this section, section 2258A, or section 2258C may not be brought in any Federal or State court.

**(b) Intentional, Reckless, or Other Misconduct.—** Subsection (a) shall not apply to a claim or charge if the provider or domain name registrar, or a director, officer, employee, or agent of that provider or domain name registrar—

- (1) engaged in intentional misconduct; or
- (2) acted, or failed to act—
  - (A) with actual malice;
  - (B) with reckless disregard to a substantial risk of causing physical injury without legal justification; or
  - (C) for a purpose unrelated to the performance of any responsibility or function under sections <sup>[1]</sup> 2258A, 2258C, 2702, or 2703.

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