

(D) uses information obtained from the system in any way that is inconsistent with the purposes of this Act.

**(3) Limitation on release of Internet identifiers**  
**(A) No public release**

Neither the Attorney General nor a social networking website approved to use the system may release to the public any list of the Internet identifiers of sex offenders contained in the system.

**(B) Additional limitations**

The Attorney General shall limit the release of information obtained through the use of the system established under subsection (a) by social networking websites approved to use such system.

**(C) Strict adherence to limitation**

The use of the system established under subsection (a) by a social networking website shall be conditioned on the website's agreement to observe the limitations required under this paragraph.

**(D) Rule of construction**

This subsection shall not be construed to limit the authority of the Attorney General under any other provision of law to conduct or to allow searches or checks against sex offender registration information.

**(4) Payment of fee**

A social networking website approved to use the system shall pay any fee established by the Attorney General for use of the system.

**(5) Limitation on liability**

**(A) In general**

A civil claim against a social networking website, including any director, officer, employee, parent, contractor, or agent of that social networking website, arising from the use by such website of the National Sex Offender Registry, may not be brought in any Federal or State court.

**(B) Intentional, reckless, or other misconduct**

Subparagraph (A) does not apply to a claim if the social networking website, or a director, officer, employee, parent, contractor, or agent of that social networking website—

- (i) engaged in intentional misconduct; or
- (ii) acted, or failed to act—
  - (I) with actual malice;
  - (II) with reckless disregard to a substantial risk of causing injury without legal justification; or
  - (III) for a purpose unrelated to the performance of any responsibility or function described in paragraph (3).

**(C) Minimizing access**

A social networking website shall minimize the number of employees that are provided access to the Internet identifiers for which a match has been found through the system.

**(6) Rule of construction**

Nothing in this section shall be construed to require any Internet website, including a so-

cial networking website, to use the system, and no Federal or State liability, or any other actionable adverse consequence, shall be imposed on such website based on its decision not to do so.

(Pub. L. 110-400, §3, Oct. 13, 2008, 122 Stat. 4225.)

REFERENCES IN TEXT

This Act, referred to in subsec. (c)(2)(D), is Pub. L. 110-400, Oct. 13, 2008, 122 Stat. 4224, known as the Keeping the Internet Devoid of Sexual Predators Act of 2008, and also known as the KIDS Act of 2008, which enacted this section and section 16915b of this title, amended section 16981 of this title, and enacted provisions set out as notes under sections 16901 and 16981 of this title. For complete classification of this Act to the Code, see Short Title of 2008 Amendment note set out under section 16901 of this title and Tables.

CODIFICATION

Section was enacted as part of the Keeping the Internet Devoid of Sexual Predators Act of 2008, also known as the KIDS Act of 2008, and not as part of the Sex Offender Registration and Notification Act which comprises this subchapter, or as part of the Adam Walsh Child Protection and Safety Act of 2006 which comprises this chapter.

**§ 16916. Periodic in person verification**

A sex offender shall appear in person, allow the jurisdiction to take a current photograph, and verify the information in each registry in which that offender is required to be registered not less frequently than—

- (1) each year, if the offender is a tier I sex offender;
- (2) every 6 months, if the offender is a tier II sex offender; and
- (3) every 3 months, if the offender is a tier III sex offender.

(Pub. L. 109-248, title I, §116, July 27, 2006, 120 Stat. 595.)

**§ 16917. Duty to notify sex offenders of registration requirements and to register**

**(a) In general**

An appropriate official shall, shortly before release of the sex offender from custody, or, if the sex offender is not in custody, immediately after the sentencing of the sex offender, for the offense giving rise to the duty to register—

- (1) inform the sex offender of the duties of a sex offender under this subchapter and explain those duties;
- (2) require the sex offender to read and sign a form stating that the duty to register has been explained and that the sex offender understands the registration requirement; and
- (3) ensure that the sex offender is registered.

**(b) Notification of sex offenders who cannot comply with subsection (a)**

The Attorney General shall prescribe rules for the notification of sex offenders who cannot be registered in accordance with subsection (a).

(Pub. L. 109-248, title I, §117, July 27, 2006, 120 Stat. 595.)

REFERENCES IN TEXT

This subchapter, referred to in subsec. (a)(1), was in the original "this title", meaning title I of Pub. L.