

TITLE 18 - CRIMES AND CRIMINAL PROCEDURE**PART I - CRIMES****CHAPTER 110 - SEXUAL EXPLOITATION AND OTHER ABUSE OF CHILDREN****§ 2260. Production of sexually explicit depictions of a minor for importation into the United States**

(a) **Use of Minor.**— A person who, outside the United States, employs, uses, persuades, induces, entices, or coerces any minor to engage in, or who has a minor assist any other person to engage in, or who transports any minor with the intent that the minor engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct, intending that the visual depiction will be imported or transmitted into the United States or into waters within 12 miles of the coast of the United States, shall be punished as provided in subsection (c).

(b) **Use of Visual Depiction.**— A person who, outside the United States, knowingly receives, transports, ships, distributes, sells, or possesses with intent to transport, ship, sell, or distribute any visual depiction of a minor engaging in sexually explicit conduct (if the production of the visual depiction involved the use of a minor engaging in sexually explicit conduct), intending that the visual depiction will be imported into the United States or into waters within a distance of 12 miles of the coast of the United States, shall be punished as provided in subsection (c).

(c) Penalties.—

(1) A person who violates subsection (a), or attempts or conspires to do so, shall be subject to the penalties provided in subsection (e) of section 2251 for a violation of that section, including the penalties provided for such a violation by a person with a prior conviction or convictions as described in that subsection.

(2) A person who violates subsection (b), or attempts or conspires to do so, shall be subject to the penalties provided in subsection (b)(1) of section 2252 for a violation of paragraph (1), (2), or (3) of subsection (a) of that section, including the penalties provided for such a violation by a person with a prior conviction or convictions as described in subsection (b)(1) of section 2252.

(Added Pub. L. 103–322, title XVI, § 160001(a), Sept. 13, 1994, 108 Stat. 2036, § 2258; renumbered § 2260, Pub. L. 104–294, title VI, § 601(i)(1), Oct. 11, 1996, 110 Stat. 3501; amended Pub. L. 109–248, title II, § 206(b)(5), July 27, 2006, 120 Stat. 614; Pub. L. 110–401, title III, § 303, Oct. 13, 2008, 122 Stat. 4242.)

Amendments

2008—Subsec. (a). Pub. L. 110–401 inserted “or for the purpose of transmitting a live visual depiction of such conduct” after “for the purpose of producing any visual depiction of such conduct” and “or transmitted” after “imported”.

2006—Subsec. (c). Pub. L. 109–248 amended subsec. (c) generally. Prior to amendment, text read as follows: “A person who violates subsection (a) or (b), or conspires or attempts to do so—

“(1) shall be fined under this title, imprisoned not more than 10 years, or both; and

“(2) if the person has a prior conviction under this chapter or chapter 109A, shall be fined under this title, imprisoned not more than 20 years, or both.”

1996—Pub. L. 104–294 renumbered section 2258, relating to production of sexually explicit depictions of minor, as this section.