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2. Accept the Data “as is.” **User** is solely responsible for any damage that may arise from its use of the Data. **User** agrees to hold the US Government (“USG”), the source of the Data, harmless and to indemnify the USG for all liabilities, demands, damages, expenses and losses arising out of its use for any purpose of the Data. Unless prohibited by law, **User** assumes all liability for claims for damages against it by third parties which may arise from the use, storage, or disposal of the Data, regardless of whether such liability is based on breach of contract, tort, strict liability, breach of warranties, infringement of intellectual property, failure of essential purpose or otherwise.

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