

104TH CONGRESS
1ST SESSION

H. R. 941

To amend title 18, United States Code, to carry out certain obligations of the United States under the International Covenant on Civil and Political Rights by prohibiting the practice of female circumcision, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 1995

Mrs. SCHROEDER (for herself, Miss COLLINS of Michigan, Mrs. MORELLA, and Ms. RIVERS) introduced the following bill; which was referred to the Committee on the Judiciary and, in addition, to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 18, United States Code, to carry out certain obligations of the United States under the International Covenant on Civil and Political Rights by prohibiting the practice of female circumcision, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Prohibition
5 of Female Genital Mutilation Act of 1995”.

1 **SEC. 2. TITLE 18 AMENDMENT.**

2 (a) IN GENERAL.—Chapter 7 of title 18, United
3 States Code, is amended by adding at the end the follow-
4 ing new section:

5 **“§ 116. Female genital mutilation**

6 “(a) Except as provided in subsection (b), whoever
7 knowingly circumcises, excises, or infibulates the whole or
8 any part of the labia majora or labia minora or clitoris
9 of another person who has not attained the age of 18 years
10 shall be fined under this title or imprisoned not more than
11 5 years, or both.

12 “(b) A surgical operation is not a violation of this
13 section if the operation is—

14 “(1) necessary to the health of the person on
15 whom it is performed, and is performed by a person
16 licensed in the place of its performance as a medical
17 practitioner; or

18 “(2) performed on a person in labor or who has
19 just given birth and is performed for medical pur-
20 poses connected with that labor or birth by a person
21 licensed in the place it is performed as a medical
22 practitioner, midwife, or person in training to be-
23 come such a practitioner or midwife.

24 “(c) In applying subsection (b)(1), no account shall
25 be taken of the effect on the person on whom the operation
26 is to be performed of any belief on the part of that or

1 any other person that the operation is required as a mat-
 2 ter of custom or ritual.

3 “(d) Whoever knowingly denies to any person medical
 4 care or services or otherwise discriminates against any
 5 person in the provision of medical care or services, be-
 6 cause—

7 “(1) that person has undergone female cir-
 8 cumcision, excision, or infibulation; or

9 “(2) that person has requested that female cir-
 10 cumcision, excision, or infibulation be performed on
 11 any person;

12 shall be fined under this title or imprisoned not more than
 13 one year, or both.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
 15 at the beginning of chapter 7 of title 18, United States
 16 Code, is amended by adding at the end the following new
 17 item:

“116. Female genital mutilation.”.

18 **SEC. 3. INFORMATION AND EDUCATION REGARDING FE-**
 19 **MALE GENITAL MUTILATION.**

20 (a) IN GENERAL.—The Secretary of Health and
 21 Human Services shall do the following:

22 (1) Compile data on the number of females liv-
 23 ing in the United States who have been subjected to
 24 female genital mutilation (whether in the United
 25 States or in their countries of origin), including a

1 specification of the number of girls under the age of
2 18 who have been subjected to such mutilation.

3 (2) Identify communities in the United States
4 that practice female genital mutilation, and design
5 and carry out outreach activities to educate individ-
6 uals in the communities on the physical and psycho-
7 logical health effects of such practice. Such outreach
8 activities shall be designed and implemented in col-
9 laboration with representatives of the ethnic groups
10 practicing such mutilation and with representatives
11 of organizations with expertise in preventing such
12 practice.

13 (3) Develop recommendations for the education
14 of students of schools of medicine and osteopathic
15 medicine regarding female genital mutilation and
16 complications arising from such mutilation. Such
17 recommendations shall be disseminated to such
18 schools.

19 (b) DEFINITION.—For purposes of this section, the
20 term “female genital mutilation” means the removal or
21 infibulation (or both) of the whole or part of the clitoris,
22 the labia minor, or the labia major.

23 **SEC. 4. EFFECTIVE DATES.**

24 Section 3 of this Act shall take effect immediately,
25 and the Secretary of Health and Human Services shall

1 commence carrying it out not later than 90 days after the
2 date of the enactment of this Act. Section 2 of this Act
3 shall take effect 180 days after the date of the enactment
4 of this Act.

