

104TH CONGRESS
1ST SESSION

S. 1030

Entitled the “Federal Prohibition of Female Genital Mutilation Act of 1995”.

IN THE SENATE OF THE UNITED STATES

JULY 13 (legislative day, JULY 10), 1995

Mr. REID (for himself, Mr. SIMPSON, Mr. WELLSTONE, and Ms. MOSELEY-BRAUN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

Entitled the “Federal Prohibition of Female Genital Mutilation Act of 1995”.

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”.

6 **SEC. 2. TITLE 18 AMENDMENT.**

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

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

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

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

10 “(1) necessary to the health of the person on
11 whom it is performed, and is performed by a person
12 licensed in the place of its performance as a medical
13 practitioner; or

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

20 “(c) In applying subsection (b)(1), no account shall
21 be taken of the effect on the person on whom the operation
22 is to be performed of any belief on the part of that or
23 any other person that the operation is required as a mat-
24 ter of custom or ritual.

25 “(d) Whoever knowingly denies to any person medical
26 care or services or otherwise discriminates against any

1 person in the provision of medical care or services, be-
 2 cause—

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

5 “(2) that person has requested that female cir-
 6 cumcision, excision, or infibulation be performed on
 7 any person;

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

10 (b) CLERICAL AMENDMENT.—The table of sections
 11 at the beginning of chapter 7 of title 18, United States
 12 Code, is amended by adding at the end the following new
 13 item:

“116. Female genital mutilation.”.

14 **SEC. 3. INFORMATION AND EDUCATION REGARDING FE-**
 15 **MALE GENITAL MUTILATION.**

16 (a) IN GENERAL.—The Secretary of Health and
 17 Human Services shall carry out the following activities:

18 (1) Compile data on the number of females liv-
 19 ing in the United States who have been subjected to
 20 female genital mutilation (whether in the United
 21 States or in their countries of origin), including a
 22 specification of the number of girls under the age of
 23 18 who have been subjected to such mutilation.

24 (2) Identify communities in the United States
 25 that practice female genital mutilation, and design

1 and carry out outreach activities to educate individ-
2 uals in the communities on the physical and psycho-
3 logical health effects of such practice. Such outreach
4 activities shall be designed and implemented in col-
5 laboration with representatives of the ethnic groups
6 practicing such mutilation and with representatives
7 of organizations with expertise in preventing such
8 practice.

9 (3) Develop recommendations for the education
10 of students of schools of medicine and osteopathic
11 medicine regarding female genital mutilation and
12 complications arising from such mutilation. Such
13 recommendations shall be disseminated to such
14 schools.

15 (b) DEFINITION.—For purposes of this section, the
16 term “female genital mutilation” means the removal or
17 infibulation (or both) of the whole or part of the clitoris,
18 the labia minor, or the labia major.

19 **SEC. 4. EFFECTIVE DATES.**

20 Section 3 of this Act shall take effect immediately,
21 and the Secretary of Health and Human Services shall
22 commence carrying it out not later than 90 days after the
23 date of the enactment of this Act. Section 2 of this Act

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1 shall take effect 180 days after the date of the enactment
2 of this Act.

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