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
4 SECTION 1. SHORT TITLE.
5 This Act may be cited as the “Federal Prohibition
6 of Female Genital Mutilation Act of 1995”.

SEC. 2. TITLE 18 AMENDMENT.

(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:
§ 116. Female genital mutilation

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

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

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

(2) performed on a person in labor or who has just given birth and is performed for medical purposes connected with that labor or birth by a person licensed in the place it is performed as a medical practitioner, midwife, or person in training to become such a practitioner or midwife.

(c) In applying subsection (b)(1), no account shall be taken of the effect on the person on whom the operation is to be performed of any belief on the part of that or any other person that the operation is required as a matter of custom or ritual.

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

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

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

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

(b) Clerical Amendment.—The table of sections
at the beginning of chapter 7 of title 18, United States
Code, is amended by adding at the end the following new
item:

“116. Female genital mutilation.”.

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

(a) In General.—The Secretary of Health and
Human Services shall carry out the following activities:

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

(2) Identify communities in the United States
that practice female genital mutilation, and design
and carry out outreach activities to educate individuals in the communities on the physical and psychological health effects of such practice. Such outreach activities shall be designed and implemented in collaboration with representatives of the ethnic groups practicing such mutilation and with representatives of organizations with expertise in preventing such practice.

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

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

SEC. 4. EFFECTIVE DATES.

Section 3 of this Act shall take effect immediately, and the Secretary of Health and Human Services shall commence carrying it out not later than 90 days after the date of the enactment of this Act. Section 2 of this Act
shall take effect 180 days after the date of the enactment of this Act.