

119TH CONGRESS  
1ST SESSION

# H. R. 3492

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## AN ACT

To amend section 116 of title 18, United States Code, with respect to genital and bodily mutilation and chemical castration of minors.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Protect Children’s In-  
3 nocence Act”.

4 **SEC. 2. GENITAL AND BODILY MUTILATION OF A MINOR;**  
5 **CHEMICAL CASTRATION OF A MINOR.**

6 (a) IN GENERAL.—Section 116 of title 18, United  
7 States Code, is amended to read as follows:

8 **“§ 116. Genital and bodily mutilation of a minor;**  
9 **chemical castration of a minor**

10 “(a) GENITAL OR BODILY MUTILATION.—Except as  
11 provided in subsection (g), whoever, in any circumstance  
12 described in subsection (d), knowingly performs, or at-  
13 tempts to perform, genital or bodily mutilation on another  
14 person who is a minor, shall be fined under this title, im-  
15 prisoned not more than 10 years, or both.

16 “(b) CHEMICAL CASTRATION OF A MINOR.—Except  
17 as provided in subsection (g), whoever, in any cir-  
18 cumstance described in subsection (d), knowingly chemi-  
19 cally castrates a minor shall be fined under this title, im-  
20 prisoned not more than 10 years, or both.

21 “(c) CERTAIN OFFENSE RELATED TO FEMALE GEN-  
22 ITAL MUTILATION.—Except as provided in subsection (g),  
23 whoever, in any circumstance described in subsection (d),  
24 knowingly—

25 “(1) facilitates or consents to female genital  
26 mutilation of a minor; or

1           “(2) transports a minor for the purpose of the  
2           performance of female genital mutilation on such  
3           minor,  
4           shall be fined under this title, imprisoned not more than  
5           10 years, or both.

6           “(d) CIRCUMSTANCES DESCRIBED.—For the pur-  
7           poses of subsections (a) and (b), the circumstances de-  
8           scribed in this subsection are that—

9           “(1) the defendant or victim traveled in inter-  
10          state or foreign commerce, or traveled using a  
11          means, channel, facility, or instrumentality of inter-  
12          state or foreign commerce, in furtherance of or in  
13          connection with the conduct described in subsection  
14          (a) or (b);

15          “(2) the defendant used a means, channel, fa-  
16          cility, or instrumentality of interstate or foreign  
17          commerce in furtherance of or in connection with  
18          the conduct described in subsection (a) or (b);

19          “(3) any payment of any kind was made, di-  
20          rectly or indirectly, in furtherance of or in connec-  
21          tion with the conduct described in subsection (a) or  
22          (b) using any means, channel, facility, or instrumen-  
23          tality of interstate or foreign commerce or in or af-  
24          fecting interstate or foreign commerce;

1           “(4) the defendant transmitted in interstate or  
2       foreign commerce any communication relating to or  
3       in furtherance of the conduct described in subsection  
4       (a) or (b) using any means, channel, facility, or in-  
5       strumentality of interstate or foreign commerce or in  
6       or affecting interstate or foreign commerce by any  
7       means or in manner, including by computer, mail,  
8       wire, or electromagnetic transmission;

9           “(5) any instrument, item, substance, or other  
10      object that has traveled in interstate or foreign com-  
11      merce was used to perform the conduct described in  
12      subsection (a) or (b);

13          “(6) the conduct described in subsection (a) or  
14      (b) occurred within the special maritime and terri-  
15      torial jurisdiction of the United States, or any terri-  
16      tory or possession of the United States; or

17          “(7) the conduct described in subsection (a) or  
18      (b) otherwise occurred in or affected interstate or  
19      foreign commerce.

20          “(e) PROHIBITION ON CERTAIN DEFENSE.—It shall  
21      not be a defense to a prosecution under subsection (a) that  
22      female genital mutilation is required as a matter of reli-  
23      gion, custom, tradition, ritual, or standard practice.

24          “(f) PROHIBITION ON PROSECUTION OF VICTIM.—  
25      No person who is chemically castrated or on whom genital

1 or bodily mutilation is performed may be arrested or pros-  
2 ecuted for an offense under this section.

3 “(g) EXCEPTIONS.—

4 “(1) PROCEDURES.—

5 “(A) IN GENERAL.—Genital or bodily mu-  
6 tilation or chemical castration is not a violation  
7 of this section if such genital or bodily mutila-  
8 tion or chemical castration is—

9 “(i) necessary to the health of the  
10 minor on whom it is conducted, and is con-  
11 ducted by a person licensed in the place of  
12 such conduct as a medical practitioner; or

13 “(ii) in the case of female genital mu-  
14 tilation, performed on a minor in labor or  
15 who has just given birth and is performed  
16 for medical purposes connected with that  
17 labor or birth by a person licensed in the  
18 place it is performed as a medical practi-  
19 tioner, midwife, or person in training to  
20 become such a practitioner or midwife.

21 “(B) HEALTH OF A MINOR.—For the pur-  
22 poses of subparagraph (A), the health of a  
23 minor does not include—

24 “(i) mental, behavioral, or emotional  
25 distress; or

1                   “(ii) a mental, behavioral, or emo-  
2                   tional disorder.

3                   “(2) EXEMPTION.—Genital or bodily mutilation  
4                   or chemical castration is not a violation of this sec-  
5                   tion if such genital or bodily mutilation or chemical  
6                   castration is conducted with respect to any of the  
7                   following individuals:

8                   “(A) An individual with both ovarian and  
9                   testicular tissue.

10                  “(B) An individual with respect to whom a  
11                  physician has determined through genetic or  
12                  biochemical testing that the individual does not  
13                  have normal sex chromosome structure, sex  
14                  steroid hormone production, or sex steroid hor-  
15                  mone action.

16                  “(C) An individual experiencing infection,  
17                  disease, injury, or disorder caused or exacer-  
18                  bated by a previous genital or bodily mutilation  
19                  procedure or chemical castration.

20                  “(D) An individual suffering from a phys-  
21                  ical disorder, physical injury, or physical illness  
22                  that would, as certified by a physician, place  
23                  the individual in imminent danger of impair-  
24                  ment of a major bodily function unless the pro-  
25                  cedure is performed.

1           “(E) An individual diagnosed with pre-  
 2           cocious puberty, to the extent such genital or  
 3           bodily mutilation or chemical castration is for  
 4           the purpose of normalizing puberty.

5           “(h) DEFINITIONS.—In this section:

6           “(1) GENITAL OR BODILY MUTILATION.—The  
 7           term ‘genital or bodily mutilation’ means, with re-  
 8           spect to an individual, any of the following:

9           “(A) Female genital mutilation.

10          “(B) Any surgery performed for the pur-  
 11          pose of changing the body of such individual to  
 12          correspond to a sex that differs from their bio-  
 13          logical sex, including—

14               “(i) castration;

15               “(ii) orchiectomy;

16               “(iii) scrotoplasty;

17               “(iv) vasectomy;

18               “(v) hysterectomy;

19               “(vi) oophorectomy;

20               “(vii) ovariectomy;

21               “(viii) metoidioplasty;

22               “(ix) penectomy;

23               “(x) phalloplasty;

24               “(xi) vaginoplasty;

25               “(xii) vaginectomy;

1 “(xiii) vulvoplasty;  
2 “(xiv) reduction thyrochondroplasty;  
3 “(xv) chondrolaryngoplasty; and  
4 “(xvi) mastectomy.

5 “(C) Any plastic surgery that feminizes or  
6 masculinizes the facial or other physiological  
7 features for the purposes described in subpara-  
8 graph (B).

9 “(D) Any placement of chest implants to  
10 create feminine breasts for the purposes de-  
11 scribed in subparagraph (B).

12 “(E) Any placement of fat or artificial im-  
13 plants in the gluteal region for the purposes de-  
14 scribed in subparagraph (B).

15 “(F) Any surgery to reconstruct the fixed  
16 part of the urethra, whether or not such sur-  
17 gery includes a metoidioplasty or a phalloplasty,  
18 for the purposes described in subparagraph (B).

19 “(2) CHEMICAL CASTRATION.— The term  
20 ‘chemical castration’ means administering, sup-  
21 plying, prescribing, dispensing, distributing, or oth-  
22 erwise conveying to an individual medications for the  
23 purposes described in paragraph (1)(B), including—



1           “(A) gonadotropin-releasing hormone  
2           (GnRH) analogues or other puberty-blocking  
3           drugs to stop or delay normal puberty;

4           “(B) testosterone or other androgens to bi-  
5           ological females at doses that are  
6           supraphysiologic to the female sex; and

7           “(C) estrogen to biological males at doses  
8           that are supraphysiologic to the male sex.

9           “(3) BIOLOGICAL SEX.—The term ‘biological  
10          sex’ means, with respect to a person, the classifica-  
11          tion of the person as male or female at birth.

12          “(4) FEMALE GENITAL MUTILATION.—The  
13          term ‘female genital mutilation’ means any proce-  
14          dure performed for non-medical reasons that in-  
15          volves partial or total removal of, or other injury to,  
16          the external female genitalia, and includes—

17               “(A) a clitoridectomy or the partial or total  
18               removal of the clitoris or the prepuce or clitoral  
19               hood;

20               “(B) excision or the partial or total re-  
21               moval (with or without excision of the clitoris)  
22               of the labia minora or the labia majora, or  
23               both;

1           “(C) infibulation or the narrowing of the  
2           vaginal opening (with or without excision of the  
3           clitoris); or

4           “(D) other procedures that are harmful to  
5           the external female genitalia, including prick-  
6           ing, incising, scraping, or cauterizing the gen-  
7           ital area.

8           “(5) MINOR.—The term ‘minor’ means any per-  
9           son under the age of eighteen years.

10          “(6) MALE.—The term ‘male’ means a person  
11          who naturally has, had, will have, or would have, but  
12          for a congenital anomaly, historical accident, or in-  
13          tentional or unintentional disruption, the reproduc-  
14          tive system that at some point produces, transports,  
15          and utilizes sperm for fertilization.

16          “(7) FEMALE.—The term ‘female’ means a per-  
17          son who naturally has, had, will have, or would have,  
18          but for a congenital anomaly, historical accident, or  
19          intentional or unintentional disruption, the reproduc-  
20          tive system that at some point produces, transports,  
21          and utilizes eggs for fertilization.”.

22          (b) CLERICAL AMENDMENT.—The table of sections  
23          for chapter 7 of title 18, United States Code, is amended  
24          by striking the item related to section 116 and inserting  
25          the following:

“116. Genital and bodily mutilation of a minor; chemical castration of a minor.”.

Passed the House of Representatives December 17,  
2025.

Attest:

*Clerk.*

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