

(d) This section shall not interfere with the investigative authority of the United States Secret Service, as provided under sections 3056, 871, and 879 of this title.

(Added Pub. L. 98-473, title II, §1008(a), Oct. 12, 1984, 98 Stat. 2140; amended Pub. L. 99-646, §§37(a), 60, Nov. 10, 1986, 100 Stat. 3599, 3613; Pub. L. 100-690, title VI, §6487(f)[b], Nov. 18, 1988, 102 Stat. 4386; Pub. L. 101-647, title XXXV, §3508, Nov. 29, 1990, 104 Stat. 4922; Pub. L. 101-650, title III, §321, Dec. 1, 1990, 104 Stat. 5117; Pub. L. 103-322, title XXXIII, §§330016(2)(C), 330021(1), Sept. 13, 1994, 108 Stat. 2148, 2150; Pub. L. 104-132, title VII, §§723(a), 727(b), Apr. 24, 1996, 110 Stat. 1300, 1302; Pub. L. 107-273, div. B, title IV, §4002(b)(9), div. C, title I, §11008(c), Nov. 2, 2002, 116 Stat. 1808, 1818; Pub. L. 110-177, title II, §208(a), Jan. 7, 2008, 121 Stat. 2538.)

AMENDMENTS

2008—Subsec. (b)(1). Pub. L. 110-177 added par. (1) and struck out former par. (1) which read as follows: “An assault in violation of this section shall be punished as provided in section 111 of this title.”

2002—Subsec. (b)(2). Pub. L. 107-273, §4002(b)(9), substituted “or attempted kidnapping of, or a conspiracy to kidnap, a person” for “, attempted kidnapping, or conspiracy to kidnap of a person”.

Subsec. (b)(4). Pub. L. 107-273, §11008(c), substituted “10” for “five” and “6” for “three”.

1996—Subsec. (a)(1)(A). Pub. L. 104-132, §723(a)(1), inserted “or conspires” after “attempts”.

Subsec. (a)(2). Pub. L. 104-132, §727(b)(1), which directed insertion of “, or threatens to assault, kidnap, or murder, any person who formerly served as a person designated in paragraph (1), or” after “assaults, kidnaps, or murders, or attempts to kidnap or murder”, was executed by making the substitution after “assaults, kidnaps, or murders, or attempts or conspires to kidnap or murder” to reflect the probable intent of Congress and the amendment by Pub. L. 104-132, §723(a)(1). See below.

Pub. L. 104-132, §723(a)(1), inserted “or conspires” after “attempts”.

Subsec. (b)(2). Pub. L. 104-132, §723(a)(2), substituted “, attempted kidnapping, or conspiracy to kidnap” for “or attempted kidnapping” in two places.

Subsec. (b)(3). Pub. L. 104-132, §723(a)(3), substituted “, attempted murder, or conspiracy to murder” and “, 1113, and 1117” for “or attempted murder” and “and 1113”, respectively.

Subsec. (d). Pub. L. 104-132, §727(b)(2), added subsec. (d).

1994—Subsec. (b)(2). Pub. L. 103-322, §330021(1), substituted “kidnapping” for “kidnaping” in two places.

Subsec. (b)(4). Pub. L. 103-322, §330016(2)(C), substituted “fine under this title” for “fine of not more than \$5,000”.

1990—Subsec. (c)(4). Pub. L. 101-647 substituted “the Central” for “The Central”.

1988—Subsec. (a). Pub. L. 100-690 amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “Whoever assaults, kidnaps, or murders, or attempts to kidnap or murder, or threatens to assault, kidnap or murder a member of the immediate family of a United States official, a United States judge, a Federal law enforcement officer, or an official whose killing would be a crime under section 1114 of this title, or threatens to assault, kidnap, or murder, a United States official, a United States judge, a Federal law enforcement officer, or an official whose killing would be a crime under such section with intent to impede, intimidate, interfere with, or retaliate against such official, judge or law enforcement officer while engaged in or on account of the performance of official duties, shall be punished as provided in subsection (b).”

1986—Subsec. (a). Pub. L. 99-646, §60, substituted “section 1114 of this title, or threatens to assault, kidnap,

or murder, a United States official, a United States judge, a Federal law enforcement officer, or an official whose killing would be a crime under such section” for “18 U.S.C. 1114, as amended,” “while engaged,” for “while he is engaged”, and “official duties” for “his official duties”.

Subsec. (b)(2). Pub. L. 99-646, §37(a), inserted “for the kidnapping or attempted kidnapping of a person described in section 1201(a)(5) of this title”.

CHANGE OF NAME

Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the intelligence community deemed to be a reference to the Director of National Intelligence. Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the Central Intelligence Agency deemed to be a reference to the Director of the Central Intelligence Agency. See section 1081(a), (b) of Pub. L. 108-458, set out as a note under section 3001 of Title 50, War and National Defense.

“United States magistrate judge” substituted for “United States magistrate” in subsec. (c)(3) pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure.

TRANSFER OF FUNCTIONS

For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 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 person, or any other person, that the operation is required as a matter of custom or ritual.

(d) Whoever knowingly transports from the United States and its territories a person in foreign commerce for the purpose of conduct with regard to that person that would be a violation of subsection (a) if the conduct occurred within the United States, or attempts to do so, shall be fined under this title or imprisoned not more than 5 years, or both.

(Added Pub. L. 104-208, div. C, title VI, § 645(b)(1), Sept. 30, 1996, 110 Stat. 3009-709; amended Pub. L. 112-239, div. A, title X, § 1088, Jan. 2, 2013, 126 Stat. 1970.)

AMENDMENTS

2013—Subsec. (d). Pub. L. 112-239 added subsec. (d).

EFFECTIVE DATE

Pub. L. 104-208, div. C, title VI, § 645(c), Sept. 30, 1996, 110 Stat. 3009-709, provided that: “The amendments made by subsection (b) [enacting this section] shall take effect on the date that is 180 days after the date of the enactment of this Act [Sept. 30, 1996].”

CONGRESSIONAL FINDINGS

Pub. L. 104-208, div. C, title VI, § 645(a), Sept. 30, 1996, 110 Stat. 3009-708, provided that: “The Congress finds that—

“(1) the practice of female genital mutilation is carried out by members of certain cultural and religious groups within the United States;

“(2) the practice of female genital mutilation often results in the occurrence of physical and psychological health effects that harm the women involved;

“(3) such mutilation infringes upon the guarantees of rights secured by Federal and State law, both statutory and constitutional;

“(4) the unique circumstances surrounding the practice of female genital mutilation place it beyond the ability of any single State or local jurisdiction to control;

“(5) the practice of female genital mutilation can be prohibited without abridging the exercise of any rights guaranteed under the first amendment to the Constitution or under any other law; and

“(6) Congress has the affirmative power under section 8 of article I, the necessary and proper clause, section 5 of the fourteenth Amendment, as well as under the treaty clause, to the Constitution to enact such legislation.”

§ 117. Domestic assault by an habitual offender

(a) IN GENERAL.—Any person who commits a domestic assault within the special maritime and territorial jurisdiction of the United States or Indian country and who has a final conviction on at least 2 separate prior occasions in Federal, State, or Indian tribal court proceedings for offenses that would be, if subject to Federal jurisdiction—

(1) any assault, sexual abuse, or serious violent felony against a spouse or intimate partner, or against a child of or in the care of the person committing the domestic assault; or

(2) an offense under chapter 110A,

shall be fined under this title, imprisoned for a term of not more than 5 years, or both, except that if substantial bodily injury results from violation under this section, the offender shall be imprisoned for a term of not more than 10 years.

(b) DOMESTIC ASSAULT DEFINED.—In this section, the term “domestic assault” means an assault committed by a current or former spouse, parent, child, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, parent, child, or guardian, or by a person similarly situated to a spouse, parent, child, or guardian of the victim.

(Added Pub. L. 109-162, title IX, § 909, Jan. 5, 2006, 119 Stat. 3084; amended Pub. L. 113-104, § 3, May 20, 2014, 128 Stat. 1156.)

AMENDMENTS

2014—Subsec. (a)(1). Pub. L. 113-104 inserted “, or against a child of or in the care of the person committing the domestic assault” after “intimate partner”.

§ 118. Interference with certain protective functions

Any person who knowingly and willfully obstructs, resists, or interferes with a Federal law enforcement agent engaged, within the United States or the special maritime territorial jurisdiction of the United States, in the performance of the protective functions authorized under section 37 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709) or section 103 of the Diplomatic Security Act (22 U.S.C. 4802) shall be fined under this title, imprisoned not more than 1 year, or both.

(Added Pub. L. 109-472, § 4(a), Jan. 11, 2007, 120 Stat. 3555.)

§ 119. Protection of individuals performing certain official duties

(a) IN GENERAL.—Whoever knowingly makes restricted personal information about a covered person, or a member of the immediate family of that covered person, publicly available—

(1) with the intent to threaten, intimidate, or incite the commission of a crime of violence against that covered person, or a member of the immediate family of that covered person; or

(2) with the intent and knowledge that the restricted personal information will be used to threaten, intimidate, or facilitate the commission of a crime of violence against that covered person, or a member of the immediate family of that covered person,

shall be fined under this title, imprisoned not more than 5 years, or both.

(b) DEFINITIONS.—In this section—

(1) the term “restricted personal information” means, with respect to an individual, the Social Security number, the home address, home phone number, mobile phone number, personal email, or home fax number of, and identifiable to, that individual;

(2) the term “covered person” means—

(A) an individual designated in section 1114;

(B) a grand or petit juror, witness, or other officer in or of, any court of the United States, or an officer who may be, or was, serving at any examination or other proceeding before any United States magistrate judge or other committing magistrate;

(C) an informant or witness in a Federal criminal investigation or prosecution; or

(D) a State or local officer or employee whose restricted personal information is made publicly available because of the participation in, or assistance provided to, a Federal criminal investigation by that officer or employee;

(3) the term “crime of violence” has the meaning given the term in section 16; and

(4) the term “immediate family” has the meaning given the term in section 115(c)(2).

(Added Pub. L. 110-177, title II, § 202(a), Jan. 7, 2008, 121 Stat. 2536.)