

18 U.S. Code § 116 - Female genital mutilation

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(a) Except as provided in subsection (b), whoever, in any circumstance described in subsection (d), knowingly—

(1)

performs, attempts to perform, or conspires to perform [female genital mutilation](#) on another person who has not attained the age of 18 years;

(2)

being the parent, guardian, or caretaker of a person who has not attained the age of 18 years facilitates or consents to the [female genital mutilation](#) of such person; or

(3)

transports a person who has not attained the age of 18 years for the purpose of the performance of [female genital mutilation](#) on such person, shall be fined under this title, imprisoned not more than 10 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)

It shall not be a defense to a prosecution under this section that [female genital mutilation](#) is required as a matter of religion, custom, tradition, ritual, or standard practice.

(d) For the purposes of subsection (a), the circumstances described in this subsection are that—

(1)

the defendant or victim traveled in interstate or foreign commerce, or traveled using a means, channel, facility, or instrumentality of interstate or foreign commerce, in furtherance of or in connection with the conduct described in subsection (a);

(2)

the defendant used a means, channel, facility, or instrumentality of interstate or foreign commerce in furtherance of or in connection with the conduct described in subsection (a);

(3)

any payment of any kind was made, directly or indirectly, in furtherance of or in connection with the conduct described in subsection (a) using any means, channel, facility, or instrumentality of interstate or foreign commerce or in or affecting interstate or foreign commerce;

(4)

the defendant transmitted in interstate or foreign commerce any communication relating to or in furtherance of the conduct described in subsection (a) using any means, channel, facility, or instrumentality of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means or in manner, including by computer, mail, wire, or electromagnetic transmission;

(5)

any instrument, item, substance, or other object that has traveled in interstate or foreign commerce was used to perform the conduct described in subsection (a);

(6)

the conduct described in subsection (a) occurred within the special maritime and territorial jurisdiction of the United States, or any territory or possession of the United States; or

(7)

the conduct described in subsection (a) otherwise occurred in or affected interstate or foreign commerce.

(e) For purposes of this section, the term “[female genital mutilation](#)” means any procedure performed for non-medical reasons that involves partial or total removal of, or other injury to, the external female genitalia, and includes—

(1)

a clitoridectomy or the partial or total removal of the clitoris or the prepuce or clitoral hood;

(2)

excision or the partial or total removal (with or without excision of the clitoris) of the labia minora or the labia majora, or both;

(3)

infibulation or the narrowing of the vaginal opening (with or without excision of the clitoris); or

(4)

other procedures that are harmful to the external female genitalia, including pricking, incising, scraping, or cauterizing the genital area.

(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](#); [Pub. L. 116–309, § 3](#), Jan. 5, 2021, [134 Stat. 4923](#).)