

119TH CONGRESS
1ST SESSION

H. R. 3492

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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