

(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.)

### Editorial Notes

#### AMENDMENTS

2021—Subsec. (a). Pub. L. 116-309, §3(1), amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “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.”

Subsec. (c). Pub. L. 116-309, §3(2), amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: “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.”

Subsec. (d). Pub. L. 116-309, §3(3), (4), added subsec. (d) and struck out former subsec. (d), which read as follows: “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.”

Subsec. (e). Pub. L. 116-309, §3(4), added subsec. (e).

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

### Statutory Notes and Related Subsidiaries

#### 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 AND PURPOSE

Pub. L. 116-309, §2, Jan. 5, 2021, 134 Stat. 4922, provided that:

“The Congress finds the following:

“(1) Female genital mutilation is recognized internationally as a human rights violation and a form of child abuse, gender discrimination, and violence against women and girls. Female genital mutilation is a global problem whose eradication requires international cooperation and enforcement at the national level. The United States should demonstrate its commitment to the rights of women and girls by leading the way in the international community in banning this abhorrent practice.

“(2) Congress has previously prohibited the commission of female genital mutilation on minors. Female genital mutilation is a heinous practice that often inflicts excruciating pain on its victims and causes them to suffer grave physical and psychological harm.

“(3) Congress has the power under article I, section 8 of the Constitution to make all laws which shall be necessary and proper for carrying into execution treaties entered into by the United States.

“(4) Congress also has the power under the Commerce Clause to prohibit female genital mutilation.

An international market for the practice exists, and persons who perform female genital mutilation in other countries typically earn a living from doing so.

“(5) Those who perform this conduct often rely on a connection to interstate or foreign commerce, such as interstate or foreign travel, the transmission or receipt of communications in interstate or foreign commerce, the use of instruments traded in interstate or foreign commerce, or payments of any kind in furtherance of this conduct.

“(6) Amending the statute to specify a link to interstate or foreign commerce would confirm that Congress has the affirmative power to prohibit this conduct.”

#### SENSE OF THE CONGRESS

Pub. L. 116-309, §5, Jan. 5, 2021, 134 Stat. 4924, provided that: “It is the sense of the Congress that the United States District Court for the Eastern District of Michigan erred in invalidating the prior version of such section 116 [this section] (See *United States v. Nagarwala*, 350 F. Supp. 3d 613, 631 (E.D. Mich. 2018)). The commercial nature of female genital mutilation (hereinafter in this section referred to as ‘FGM’) is ‘self-evident,’ meaning that the ‘absence of particularized findings’ about the commercial nature of FGM in the predecessor statute did not ‘call into question Congress’s authority to legislate’ (*Gonzales v. Raich*, 545 U.S. 1, 21 (2005)). Nevertheless, the Congress has elected to amend the FGM statute to clarify the commercial nature of the conduct that this statute regulates. But, by doing so, Congress does not hereby ratify the district court’s erroneous interpretation in *Nagarwala*.”

#### 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.)

#### Editorial Notes

##### 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.)

## CHAPTER 9—BANKRUPTCY

### Sec.

151.	Definition.
152.	Concealment of assets; false oaths and claims; bribery.
153.	Embezzlement against estate.
154.	Adverse interest and conduct of officers.
155.	Fee agreements in cases under title 11 and receiverships.
156.	Knowing disregard of bankruptcy law or rule.
157.	Bankruptcy fraud.
158.	Designation of United States attorneys and agents of the Federal Bureau of Investigation to address abusive reaffirmations of debt and materially fraudulent statements in bankruptcy schedules.

#### Editorial Notes

##### AMENDMENTS

2005—Pub. L. 109–8, title II, §203(b)(2), Apr. 20, 2005, 119 Stat. 49, added item 158.

1994—Pub. L. 103–394, title III, §312(a)(2), Oct. 22, 1994, 108 Stat. 4140, substituted “against estate” for “by trustee or officer” in item 153 and added items 156 and 157.

1978—Pub. L. 95–598, title III, §314(b)(2), (d)(3), (e)(3), (f)(3), Nov. 6, 1978, 92 Stat. 2677, substituted in item 151 “Definition” for “Definitions”; struck from item 153 “, receiver” after “trustee” and from item 154 “referees and other” before “officers”; and substituted in item 155 “cases under title 11 and receiverships” for “bankruptcy proceedings”.

#### § 151. Definition

As used in this chapter, the term “debtor” means a debtor concerning whom a petition has been filed under title 11.

(June 25, 1948, ch. 645, 62 Stat. 689; Pub. L. 95–598, title III, §314(b)(1), Nov. 6, 1978, 92 Stat. 2676; Pub. L. 103–322, title XXXIII, §330008(5), Sept. 13, 1994, 108 Stat. 2143.)

#### HISTORICAL AND REVISION NOTES

Based on section 52(f) of title 11, U.S.C., 1940 ed., Bankruptcy (July 1, 1898, ch. 541, §29f as added June 22, 1938, ch. 575, §1, 52 Stat. 857).

Definition of “bankruptcy” was added to avoid repetitious references to said title 11.

Minor changes in phraseology was made.