

H.R. 6100, Strengthening the Opposition to Female Genital Mutilation Act of 2020

As ordered reported by the House Committee on the Judiciary on March 11, 2020

By Fiscal Year, Millions of Dollars	2020	2020-2025	2020-2030
Direct Spending (Outlays)	*	*	*
Revenues	*	*	*
Increase or Decrease (-) in the Deficit	*	*	*
Spending Subject to Appropriation (Outlays)	*	*	not estimated
Statutory pay-as-you-go procedures apply?	Yes	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2031?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

* = between -\$500,000 and \$500,000.

Under current law, carrying out female genital mutilation (FGM) on someone below the age of 18 is a crime, punishable by fine or imprisonment.¹ H.R. 6100 would expand the scope of punishable offenses related to FGM to include:

- Attempting or conspiring to perform FGM,
- Being the parent, guardian, or caretaker of a minor and facilitating or consenting to FGM of that minor, and
- Transporting a minor for the purpose of subjecting her to FGM.

H.R. 6100 also would prohibit, as a legal defense to prosecution for such crimes, the assertion by a defendant that FGM is required as a matter of religion, custom, tradition, or ritual.

Because H.R. 6100 would establish new federal crimes related to FGM, people who violate the bill's provisions could be subject to criminal fines, so the federal government might

1. See *United States v. Nagarwala et al.*, No. 17-CR-20274, Eastern District of Michigan (November 20, 2018), <https://go.usa.gov/xwMVC>. The U.S. District Court for the Eastern District of Michigan held the statute unconstitutional in 2018. The current bill would in part clarify the Constitutional basis for the statute.

collect additional fines under the legislation. Criminal fines are recorded as revenues, deposited in the Crime Victims Fund, and later spent without further appropriation. CBO expects any additional revenues and associated direct spending would not be significant because relatively few additional cases probably would be affected by the bill.

H.R. 6100 also would increase the maximum prison sentence for FGM offenses from 5 years to 10 years. As a result, new offenders could face longer prison sentences. CBO expects that any costs to the federal prison system resulting from longer sentences would be incurred after 2025.

H.R. 6100 also would require the Attorney General, in consultation with other federal agencies, to report annually to the Congress on the estimated number of women and girls at risk of or subjected to FGM each year and on actions taken by government agencies to combat the practice. CBO estimates that the cost to produce the report would not be significant.

The CBO staff contact for this estimate is Jon Sperl. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.