

Experts urge Congress to reject bill that incorrectly conflates FGM and gender-affirming care

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EINPresswire.com/ -- Advocates are calling on US lawmakers to reject [H.R. 3492](#), a federal bill that seeks to amend current law on female genital mutilation (FGM) by adding gender-affirming care to its definition. This bill has drawn sharp criticism from medical, legal, and human rights experts who argue it misuses FGM legislation, restricts access to necessary healthcare for transgender youth, and diverts focus from addressing actual cases of FGM.



With Congress back after the summer recess, lawmakers are preparing to revisit the widely criticized bill, H.R. 3492, which seeks to amend the US federal law that outlaws FGM by expanding the scope of the STOP FGM Act to prohibit and criminalize gender-affirming care for persons under the age of 18.

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Equality Now

Medical, legal, and human rights experts warn that the bill is medically inaccurate, legally flawed, and politically motivated, emphasizing that it would erode essential protections for FGM survivors while using anti-FGM legislation to unjustly criminalize the provision of healthcare for transgender youth. This is a dangerous attempt to co-opt laws designed to combat gender-based violence and repurpose them as tools to restrict the rights of LGBTQ+ communities, particularly trans youth.

With a congressional vote expected soon, advocates are urging lawmakers to reject this deeply

misleading bill and instead focus on upholding survivor-centered protections and evidence-based medical care.

The proposed amendment follows a troubling pattern of recent federal and state-level attacks on bodily autonomy and civil rights, including a January 2025 Executive Order that labeled gender-affirming care as "mutilation" and a subsequent directive from US Attorney General Pam Bondi to prosecute providers of gender-affirming care under anti-FGM statutes.

This harmful and legally unsound conflation has been echoed at the state level. Earlier this year, a proposed anti-FGM bill in Connecticut sparked controversy after legislators and witnesses inaccurately misrepresented gender-affirming care as FGM during hearings. The bill failed to advance, leaving girls in the state without specific legal protection against FGM.

WHAT IS FGM?

Female genital mutilation involves the partial or complete removal of external female genitalia for non-medical reasons. The practice has no health benefits and can cause serious immediate and long-term physical, sexual, and psychological harms, including chronic infections, infertility, complications during childbirth, and even death.

A 2025 report by Equality Now, the U.S. End FGM/C Network, and the End FGM European Network collated evidence of FGM in 94 countries. In the US, over 500,000 women and girls are at risk of or have undergone FGM, which is recognized as a human rights violation under international law.

Under the STOP FGM Act, it is a federal crime to perform FGM in the US. or transport a girl abroad for the purpose of undergoing FGM. The Act explicitly excludes surgical procedures necessary for a person's health and performed by a licensed medical professional. This reflects long-standing legal distinctions between harmful, non-consensual practices like FGM and legitimate medical care. The US Tax Court has also affirmed that gender-affirming treatment qualifies as healthcare.

WHAT IS GENDER-AFFIRMING CARE?

Gender-affirming care includes a range of social, emotional, and medical support to help people live in a way that matches their gender identity. This care assists individuals experiencing gender dysphoria, a medically recognised condition where a person feels distress because their gender identity differs from the sex they were assigned at birth.

Gender-affirming care is guided by doctors and mental health professionals and is based on well-established medical standards. Research has shown that this type of intervention significantly improves mental health and reduces risks of depression, self-harm, and suicide, making it a critical healthcare service.

Clinical guidance in the World Professional Association for Transgender Health's (WPATH) Standards of Care emphasizes the importance of informed consent in gender-affirming care, ensuring that patients fully understand and agree to treatment.

WHY CONFLATING FGM AND GENDER-AFFIRMING CARE IS DANGEROUS

By wrongfully equating FGM with gender-affirming care, H.R. 3492 misrepresents both. If passed, it would undermine current legal protections for FGM survivors and shift focus away from protecting women and girls at risk, while simultaneously restricting access to essential healthcare for transgender youth. This conflation poses a number of serious risks:

Undermining anti-FGM laws: These laws were created to prevent gender-based violence. Using them to target gender-affirming care distorts their original purpose, weakens their enforcement, and places restrictions on consensual, medically necessary care.

Threatening transgender rights: Criminalizing gender-affirming care jeopardizes the health and safety of trans youth, who already face high rates of bullying, discrimination, and suicide, and threatens to prosecute the medical professionals who provide this care.

Violating constitutional protections: Interpreting existing FGM statutes to criminalize gender-affirming care expands the scope of criminal law in a way that raises serious due process concerns and risks unconstitutional enforcement.

According to the American Civil Liberties Union, 25 US states have enacted bans on gender-affirming care for transgender youth, including prohibiting hormone therapy and puberty-suppressant medications, impacting more than 100,000 transgender minors. H.R. 3492 would extend those restrictions nationwide.

LEGAL AND HUMAN RIGHTS STANDARDS ARE CLEAR

International human rights bodies have consistently called on governments to both prevent FGM and ensure that transgender individuals have access to safe, affirming medical care. In its 2023 recommendation to the US, the U.N. Human Rights Committee urged the US to fully implement its anti-FGM commitments, while also expressing concern about the increasing criminalization of gender-affirming treatment.

Despite these international calls, the US has increasingly withdrawn from international mechanisms. Most recently, the country announced that it will not participate in the Universal Periodic Review (UPR) process, a critical mechanism for accountability on human rights obligations. Ahead of this withdrawal, Equality Now and partners submitted evidence during the UPR pre-session, highlighting [gaps in US protections against FGM](#).

In an effort to defend international human rights protections, over 90 organizations from across the US and globally have signed an open letter urging Congress to reject Bill H.R. 3492 and uphold the integrity of a law originally intended to protect girls from violence. This campaign is being led by the Americas Alliance to End FGM/C, Equality Now, the Global Platform for Action to End FGM/C, and the U.S. End FGM/C Network.

PROTECTION FOR ALL ENTAILS LEGAL AND MEDICAL ACCURACY

US laws against FGM are designed to prohibit this specific form of harm affecting women and girls. Expanding these laws to include gender-affirming care would significantly alter their original intent, introducing legal uncertainty and potentially undermining protections for FGM survivors.

Experts warn that conflating these distinct issues would conflict with established medical standards and human rights obligations. Clear, narrowly tailored legal definitions are essential to uphold both effective public health policy and the integrity of laws meant to protect against FGM.

Advocates are also concerned about the ripple effects such legislation may trigger globally. At a time of mounting backlash against gender equality and LGBTQ+ rights, redefining FGM law in this way risks undermining decades of progress, not just in the United States but across the world. It is critical that FGM legislation remains focused on non-consensual, harmful practices and not be used to target medically recognized forms of care.

Equality Now is a worldwide human rights organization dedicated to securing the legal and systemic change needed to end discrimination against all women and girls. Since its inception in 1992, it has played a role in reforming 120 discriminatory laws globally, positively impacting the lives of hundreds of millions of women and girls, their communities and nations, both now and for generations to come.

Working with partners at national, regional and global levels, Equality Now draws on deep legal expertise and a diverse range of social, political and cultural perspectives to continue to lead the way in steering, shaping and driving the change needed to achieve enduring gender equality, to the benefit of all.

For more information on female genital mutilation, check out the 2025 report by Equality Now, the U.S. End FGM/C Network, and the End FGM European Network, 'The Time Is Now: End Female Genital Mutilation/Cutting, An Urgent Need for a Global Response – Five Year Update.' <https://equalitynow.org/news/press-releases/new-report-finds-female-genital-mutilation-cutting-in-94-countries/>

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