
U.S. House moves to criminalize consensual gender-affirming care, endorse nonconsensual intersex surgeries

Today, H.R. 3492, a Congressional bill criminalizing gender-affirming care while endorsing intersex genital mutilation, was approved by the House Judiciary Committee. The legislation would restrict lifesaving care for many trans adolescents by wrongly categorizing and criminalizing gender-affirming care under existing law that prohibits “female genital mutilation” (FGM). The bill simultaneously includes an exception for “genital or bodily mutilation” on children with intersex variations, supporting non-consensual surgeries that are actual cases of mutilation.

Marjorie Taylor Greene’s bill attempts to strip both transgender and intersex people of their freedom to make decisions about their own bodies.

H.R. 3492, like every state law banning gender-affirming care, carves out [an exception for non-consensual procedures on intersex children](#). These are the 2% of children born with innate variations in their sex characteristics. Infants and young children with intersex variations are frequently subjected to nonconsensual surgeries that aim to make their bodies conform to more stereotypical notions of their assigned sex, known as Intersex Genital Mutilation (IGM).

H.R. 3492 is the first piece of legislation to actually refer to these nonconsensual surgeries on intersex children as genital mutilation, while creating an exception to encourage this mutilation to continue.

Lawmakers attempting to ban life-saving gender-affirming care began including exceptions for IGM several years ago, using the pathologizing term “disorder of sex development” to refer to intersex variations. **H.R. 3492 takes a new approach.** It disingenuously includes gender-affirming care alongside FGM under a new category of “genital or bodily mutilation,” then stating that “it is not a violation” if “genital or bodily mutilation” is performed on a minor with an intersex variation. The bill would also ban gender-affirming hormone therapy and puberty-pausing medication, which the bill misleadingly refers to as “chemical castration of a minor.”

“Marjorie Taylor Greene would rather force a clitoral reduction on an intersex 6-month-old than allow a transgender adolescent to get a prescription for puberty-pausing medication. This is cruel, outlandish, and unacceptable, but is entirely on-brand for far-right policymakers who have proven their main priority is coercing people into conformity with narrow and regressive ideas of how people are allowed to live their lives,” said **Sylvan Fraser Anthony, interACT’s Legal and**



For Immediate Release: June 10, 2025

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Policy Director. “From the reproductive healthcare context to the freedom of trans and intersex people to live authentically, their playbook is taking away people’s autonomy over their own bodies and medical decisions, not “protecting” anyone.”

“This bill is a disturbing escalation in the ongoing war against bodily autonomy and the enforcement of rigid, binary gender stereotypes. It criminalizes care that trans youth, their families, doctors, and nearly every legitimate professional association agree is necessary, safe, and beneficial, while explicitly endorsing irreversible, non-consensual surgeries on intersex infants. H.R. 3492 is not about protecting children - it is about enforcing outdated ideas of sex and gender through coercion and violence. The hypocrisy is staggering and the harm is real,” said **Sinead Murano-Kinney, A4TE’s Health Policy Analyst.**

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