

113TH CONGRESS
2D SESSION

H. R. 5267

To protect the pets of victims of domestic violence, sexual assault, stalking,
and dating violence.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2014

Ms. CLARK of Massachusetts (for herself and Ms. ROS-LEHTINEN) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To protect the pets of victims of domestic violence, sexual
assault, stalking, and dating violence.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Pet and Women Safety
5 Act of 2014”.

6 **SEC. 2. PET INVOLVEMENT IN CRIMES RELATED TO DO-**
7 **MESTIC VIOLENCE AND STALKING.**

8 (a) INTERSTATE STALKING.—Section 2261A of title
9 18, United States Code, is amended—

1 (1) in paragraph (1)(A)—

2 (A) in clause (ii), by striking “or” at the
3 end; and

4 (B) by inserting after clause (iii) the fol-
5 lowing:

6 “(iv) the pet of that person; or”; and

7 (2) in paragraph (2)(A), by striking “or (iii)”
8 and inserting “(iii), or (iv)”.

9 (b) INTERSTATE VIOLATION OF PROTECTION
10 ORDER.—Section 2262 of title 18, United States Code,
11 is amended—

12 (1) in subsection (a)—

13 (A) in paragraph (1), by inserting after
14 “another person” the following: “or the pet of
15 that person”; and

16 (B) in paragraph (2), by inserting after
17 “proximity to, another person” the following
18 “or the pet of that person”; and

19 (2) in subsection (b)(5), by inserting after “in
20 any other case,” the following: “including any case
21 where the offense is committed against a pet,”.

22 (c) RESTITUTION TO INCLUDE VETERINARY SERV-
23 ICES.—Section 2264 of title 18, United States Code, is
24 amended in subsection (b)(3)—

1 (1) by redesignating subparagraph (F) as sub-
2 paragraph (G);

3 (2) in subparagraph (E), by striking “and” at
4 the end; and

5 (3) by inserting after subparagraph (E) the fol-
6 lowing:

7 “(F) veterinary services relating to phys-
8 ical care for the victim’s pet; and”.

9 (d) PET DEFINED.—Section 2266 of title 18, United
10 States Code, is amended by inserting after paragraph (10)
11 the following:

12 “(11) PET.—The term ‘pet’ means a domes-
13 ticated animal, such as a dog, cat, bird, rodent, fish,
14 turtle, horse, or other animal that is kept for pleas-
15 ure rather than for commercial purposes.”.

16 **SEC. 3. EMERGENCY AND TRANSITIONAL PET SHELTER**
17 **AND HOUSING ASSISTANCE GRANT PRO-**
18 **GRAM.**

19 (a) IN GENERAL.—The Secretary of Agriculture, act-
20 ing in consultation with the Director of the Violence
21 Against Women Office of the Department of Justice, the
22 Secretary of Housing and Urban Development, and the
23 Secretary of Health and Human Services, shall award
24 grants under this section to eligible entities to carry out
25 programs to provide the assistance described in subsection

1 (c) with respect to victims of domestic violence, dating vio-
2 lence, sexual assault, or stalking and the pets of such vic-
3 tims.

4 (b) APPLICATION.—

5 (1) IN GENERAL.—An eligible entity seeking a
6 grant under this section shall submit an application
7 to the Secretary at such time, in such manner, and
8 containing such information as the Secretary may
9 reasonably require, including—

10 (A) a description of the activities for which
11 a grant under this section is sought;

12 (B) such assurances as the Secretary de-
13 termines to be necessary to ensure compliance
14 by the entity with the requirements of this sec-
15 tion; and

16 (C) a certification that the entity, before
17 engaging with any individual domestic violence
18 victim, will disclose to such victim any manda-
19 tory duty of the entity to report instances of
20 abuse and neglect (including instances of abuse
21 and neglect of pets).

22 (2) ADDITIONAL REQUIREMENTS.—In addition
23 to the requirements of paragraph (1), each applica-
24 tion submitted by an eligible entity under such para-
25 graph shall—

1 (A) not include proposals for any activities
2 that may compromise the safety of a domestic
3 violence victim, including—

4 (i) background checks of domestic vio-
5 lence victims; or

6 (ii) clinical evaluations to determine
7 the eligibility of such a victim for support
8 services;

9 (B) not include proposals that would re-
10 quire mandatory services for victims or that a
11 victim obtain a protective order in order to re-
12 ceive proposed services; and

13 (C) reflect the eligible entity's under-
14 standing of the dynamics of domestic violence,
15 dating violence, sexual assault, or stalking.

16 (3) RULES OF CONSTRUCTION.—Nothing in
17 this subsection shall be construed to require—

18 (A) domestic violence victims to participate
19 in the criminal justice system in order to re-
20 ceive services; or

21 (B) eligible entities receiving a grant under
22 this section to breach client confidentiality.

23 (c) USE OF FUNDS.—Grants awarded under this sec-
24 tion may only be used for programs that provide—

1 (1) emergency and transitional pet shelter and
2 housing assistance, including assistance with respect
3 to any construction or operating expenses of newly
4 developed or existing emergency and transitional pet
5 shelter and housing (regardless of whether such
6 shelter and housing is co-located at a victim service
7 provider or within the community);

8 (2) short-term pet shelter and housing assist-
9 ance, including assistance with respect to expenses
10 incurred for the temporary shelter, housing, board-
11 ing, or fostering of the pets of domestic violence vic-
12 tims and other expenses that are incidental to secur-
13 ing the safety of such a pet during the sheltering,
14 housing, or relocation of such victims;

15 (3) support services designed to enable a do-
16 mestic violence victim who is fleeing a situation of
17 domestic violence, dating violence, sexual assault, or
18 stalking to—

19 (A) locate and secure safe housing with
20 their pet or safe accommodation for their pet;
21 or

22 (B) provide the victim with pet-related
23 services, such as pet transportation, pet care
24 services, and other assistance; or

1 (4) for the training of relevant stakeholders
2 on—

3 (A) the link between domestic violence,
4 dating violence, sexual assault, or stalking and
5 the abuse and neglect of pets;

6 (B) the needs of domestic violence victims;

7 (C) best practices for providing support
8 services to such victims;

9 (D) best practices for providing such vic-
10 tims with referrals to victims' services; and

11 (E) the importance of confidentiality.

12 (d) GRANT CONDITIONS.—An eligible entity that re-
13 ceives a grant under this section shall, as a condition on
14 such receipt, agree—

15 (1) to be bound by the nondisclosure of con-
16 fidential information requirements of section
17 40002(b)(2) of the Violence Against Women Act of
18 1994 (42 U.S.C. 13925(b)(2)); and

19 (2) that the entity shall not condition the re-
20 ceipt of support, housing, or other benefits provided
21 pursuant to this section on the participation of do-
22 mestic violence victims in any or all of the support
23 services offered to such victims through a program
24 carried out by the entity using grant funds.

1 (e) DURATION OF ASSISTANCE PROVIDED TO VIC-
2 TIMS.—

3 (1) IN GENERAL.—Subject to paragraph (2),
4 assistance provided with respect to a pet of a domes-
5 tic violence victim using grant funds awarded under
6 this section shall be provided for a period of not
7 more than 24 months.

8 (2) EXTENSION.—An eligible entity that re-
9 ceives a grant under this section may extend the 24-
10 month period referred to in paragraph (1) for a pe-
11 riod of not more than 6 months in the case of a do-
12 mestic violence victim who—

13 (A) has made a good faith effort to acquire
14 permanent housing for their pet during such
15 24-month period; and

16 (B) has been unable to acquire such per-
17 manent housing within such period.

18 (f) REPORT TO THE SECRETARY.—Not later than
19 one year after the date on which an eligible entity receives
20 a grant under this section and each year thereafter, such
21 entity shall submit to the Secretary of Agriculture a re-
22 port. Such report shall contain, with respect to assistance
23 provided by such entity with respect to pets of domestic
24 violence victims using grant funds received under this sec-
25 tion, information on—

1 (1) the number of pets provided such assist-
2 ance; and

3 (2) the purpose, amount, type of, and duration
4 of such assistance.

5 (g) REPORT TO CONGRESS.—

6 (1) REPORTING REQUIREMENT.—Not later than
7 November 1 of each even-numbered fiscal year, the
8 Secretary of Agriculture shall submit to the Com-
9 mittee on Agriculture of the House of Representa-
10 tives and the Committee on Agriculture, Nutrition,
11 and Forestry of the Senate a report that contains a
12 compilation of the information contained in the re-
13 port submitted under subsection (f).

14 (2) AVAILABILITY OF REPORT.—The Secretary
15 of Agriculture shall transmit a copy of the report
16 submitted under paragraph (1) to—

17 (A) the Office on Violence Against Women
18 of the Department of Justice;

19 (B) the Office of Community Planning and
20 Development at the United States Department
21 of Housing and Urban Development; and

22 (C) the Administration for Children and
23 Families at the United States Department of
24 Health and Human Services.

25 (h) AUTHORIZATION OF APPROPRIATIONS.—

1 (1) IN GENERAL.—There are authorized to be
2 appropriated to carry out this section \$3,000,000 for
3 each of fiscal years 2015 through 2019.

4 (2) LIMITATION.—Of the amount made avail-
5 able under paragraph (1) in any fiscal year, not
6 more than 5 percent may be used for evaluation,
7 monitoring, technical assistance, salaries, and ad-
8 ministrative expenses.

9 (i) DEFINITIONS.—In this section:

10 (1) DOMESTIC VIOLENCE VICTIM DEFINED.—
11 The term “domestic violence victim” means a victim
12 of domestic violence, dating violence, sexual assault,
13 or stalking.

14 (2) ELIGIBLE ENTITY.—The term “eligible enti-
15 ty” means—

16 (A) a State;

17 (B) a general unit of local government;

18 (C) an Indian tribe; or

19 (D) any other organization that has a doc-
20 umented history of effective work concerning
21 domestic violence, dating violence, sexual as-
22 sault, or stalking (as determined by the Sec-
23 retary), including—

24 (i) a domestic violence and sexual as-
25 sault victim service provider;

- 1 (ii) a domestic violence and sexual as-
- 2 sault coalition;
- 3 (iii) a community-based and culturally
- 4 specific organization;
- 5 (iv) any other nonprofit, nongovern-
- 6 mental organization; or
- 7 (v) any organization that works di-
- 8 rectly with pets and collaborates with any
- 9 organization referred to in clauses (i)
- 10 through (iv), including—
- 11 (I) an animal shelter; or
- 12 (II) an animal welfare organiza-
- 13 tion.

14 **SEC. 4. SENSE OF CONGRESS.**

15 It is the sense of Congress that States should encour-

16 age the inclusion of protections against violent or threat-

17 ening acts against the pet of the person in domestic vio-

18 lence protection orders.

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