

115TH CONGRESS
1ST SESSION

H. R. 909

To protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2017

Ms. CLARK of Massachusetts (for herself, Ms. ROS-LEHTINEN, Mr. DENHAM, Mrs. MIMI WALTERS of California, Mr. NOLAN, Mr. COHEN, Mr. NADLER, Mr. LARSEN of Washington, Mr. CÁRDENAS, Ms. ROYBAL-ALLARD, Mr. KEATING, Ms. JACKSON LEE, Mr. FOSTER, Ms. WASSERMAN SCHULTZ, Mr. SMITH of Washington, Mrs. LAWRENCE, Ms. SPEIER, Mrs. WATSON COLEMAN, Ms. SLAUGHTER, Mr. CARTWRIGHT, Ms. SINEMA, Ms. DELBENE, Mr. LYNCH, Ms. MCCOLLUM, Mr. ENGEL, Mr. CONNOLLY, Mrs. NAPOLITANO, Mr. DELANEY, Mr. GENE GREEN of Texas, Mr. YODER, Mr. CONYERS, Mr. CROWLEY, Ms. DELAURO, Ms. TSONGAS, Ms. TITUS, Mr. SCHIFF, Ms. NORTON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PETERS, Mr. TONKO, Mr. MEEHAN, Mr. VEASEY, Mr. SWALWELL of California, Mr. MOULTON, Mr. CUMMINGS, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. PINGREE, Mr. BLUMENAUER, Mr. SEAN PATRICK MALONEY of New York, Mr. LANGEVIN, Ms. JENKINS of Kansas, Mr. YARMUTH, Mr. LEWIS of Georgia, Mr. BUCHANAN, Ms. BROWNLEY of California, Mrs. CAROLYN B. MALONEY of New York, Mr. KILMER, Mr. NORCROSS, Ms. WILSON of Florida, Mr. DEUTCH, Mr. RUPPERSBERGER, Mr. ZELDIN, Mr. JOHNSON of Georgia, Mr. MCGOVERN, Mr. GUTIÉRREZ, Mr. BARLETTA, Mrs. COMSTOCK, Ms. KAPTUR, Mr. RODNEY DAVIS of Illinois, Ms. SÁNCHEZ, Miss RICE of New York, Ms. KELLY of Illinois, Mr. POCAN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. DIAZ-BALART, Mr. DENT, Ms. SHEA-PORTER, Mr. O'ROURKE, Mr. KHANNA, Mr. FASO, Mr. WALZ, Mr. POLIS, Mr. GRIJALVA, Mr. KILDEE, Mr. SCHRADER, Mrs. DAVIS of California, Ms. LEE, Mr. CICILLINE, Mr. ELLISON, Mr. RYAN of Ohio, Ms. BONAMICI, Ms. JUDY CHU of California, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CURBELO of Florida, Mr. JONES, Mr. COFFMAN, Mr. LOEBSACK, Mr. COSTA, Mr. CAPUANO, Ms. JAYAPAL, Mr. GARAMENDI, Ms. LOFGREN, Mr. KENNEDY, Mr. PAYNE, Ms. CASTOR of Florida, Mr. DEFazio, Mr. KING of New York, Mr. SIRES, Mr. TED LIEU of California, Mr. GONZALEZ of Texas, Mr. QUIGLEY, Mr. MEEKS, Mr. CALVERT, Mr. POLIQUIN, Ms. ESTY, Mr. WELCH, Mr. MCNERNEY, Mr. TAKANO, Mr.

BRADY of Pennsylvania, Mr. SARBANES, Mr. LIPINSKI, Mr. SCOTT of Virginia, Mr. SOTO, Mrs. BUSTOS, Mrs. DINGELL, Ms. STEFANIK, Mrs. WAGNER, Mr. PALLONE, Mr. CLAY, Mr. COSTELLO of Pennsylvania, Mr. PERRY, Mr. STIVERS, Ms. BORDALLO, Mr. AGUILAR, Ms. VELÁZQUEZ, Ms. MOORE, Mr. MCCAUL, Mr. HIGGINS of New York, Mr. SERRANO, Mr. HASTINGS, Mr. HECK, Mr. RUSH, Mr. GALLEGGO, Mr. CARBAJAL, Mr. SMITH of New Jersey, Ms. SCHAKOWSKY, Ms. KUSTER of New Hampshire, Mr. PERLMUTTER, Mr. FITZPATRICK, Mr. LOBIONDO, Mr. MARINO, Mr. JOYCE of Ohio, Mr. SABLAN, Ms. FRANKEL of Florida, Ms. HANABUSA, Mr. RICHMOND, Mr. PRICE of North Carolina, Mr. THOMPSON of California, Mr. BEYER, Mrs. TORRES, Mr. GAETZ, Mr. CHABOT, Ms. MCSALLY, Mr. SHERMAN, Mr. LOWENTHAL, Mr. DONOVAN, Ms. DEGETTE, Mr. COURTNEY, Mr. CLEAVER, Mr. RASKIN, Mr. JEFFRIES, Ms. MATSUI, Mrs. LOWEY, Mr. O'HALLERAN, Ms. MENG, Mr. BISHOP of Michigan, Ms. BASS, Mr. KATKO, Mr. NEAL, Mr. PAULSEN, and Mr. HUFFMAN) 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 victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

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 2017”.

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)—

8 (A) by inserting after “to a person” the
9 following: “or a pet”; and

10 (B) by striking “or (iii)” and inserting
11 “(iii), or (iv)”.

12 (b) INTERSTATE VIOLATION OF PROTECTION
13 ORDER.—Section 2262 of title 18, United States Code,
14 is amended—

15 (1) in subsection (a)—

16 (A) in paragraph (1), by inserting after
17 “another person” the following: “or the pet of
18 that person”; and

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

22 (2) in subsection (b)(5), by inserting after “in
23 any other case,” the following: “including any case
24 in which the offense is committed against a pet,”.

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

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

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

8 (3) by inserting after subparagraph (E) the fol-
 9 lowing:

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

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

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

19 **SEC. 3. EMERGENCY AND TRANSITIONAL PET SHELTER**
 20 **AND HOUSING ASSISTANCE GRANT PRO-**
 21 **GRAM.**

22 (a) IN GENERAL.—The Secretary of Agriculture
 23 (hereinafter in this section referred to as the “Secretary”),
 24 acting in consultation with the Office of the Violence
 25 Against Women of the Department of Justice, the Sec-

1 retary of Housing and Urban Development, and the Sec-
2 retary of Health and Human Services, shall award grants
3 under this section to eligible entities to carry out programs
4 to provide the assistance described in subsection (c) with
5 respect to victims of domestic violence, dating violence,
6 sexual assault, or stalking and the pets of such victims.

7 (b) APPLICATION.—

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

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

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

19 (C) a certification that the entity, before
20 engaging with any individual domestic violence
21 victim, will disclose to the victim any mandatory
22 duty of the entity to report instances of abuse
23 and neglect (including instances of abuse and
24 neglect of pets).

1 (2) ADDITIONAL REQUIREMENTS.—In addition
2 to the requirements of paragraph (1), each applica-
3 tion submitted by an eligible entity under that para-
4 graph shall—

5 (A) not include proposals for any activities
6 that may compromise the safety of a domestic
7 violence victim, including—

8 (i) background checks of domestic vio-
9 lence victims; or

10 (ii) clinical evaluations to determine
11 the eligibility of such a victim for support
12 services;

13 (B) not include proposals that would re-
14 quire mandatory services for victims or that a
15 victim obtain a protective order in order to re-
16 ceive proposed services; and

17 (C) reflect the eligible entity’s under-
18 standing of the dynamics of domestic violence,
19 dating violence, sexual assault, or stalking.

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

22 (A) domestic violence victims to participate
23 in the criminal justice system in order to re-
24 ceive services; or

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

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

5 (1) emergency and transitional shelter and
6 housing assistance for domestic violence victims with
7 pets, including assistance with respect to any con-
8 struction or operating expenses of newly developed
9 or existing emergency and transitional pet shelter
10 and housing (regardless of whether such shelter and
11 housing is co-located at a victim service provider or
12 within the community);

13 (2) short-term shelter and housing assistance
14 for domestic violence victims with pets, including as-
15 sistance with respect to expenses incurred for the
16 temporary shelter, housing, boarding, or fostering of
17 the pets of domestic violence victims and other ex-
18 penses that are incidental to securing the safety of
19 such a pet during the sheltering, housing, or reloca-
20 tion of such victims;

21 (3) support services designed to enable a do-
22 mestic violence victim who is fleeing a situation of
23 domestic violence, dating violence, sexual assault, or
24 stalking to—

25 (A) locate and secure—

1 (i) safe housing with the victim's pet;

2 or

3 (ii) safe accommodations for the vic-

4 tim's pet; or

5 (B) provide the victim with pet-related

6 services, such as pet transportation, pet care

7 services, and other assistance; or

8 (4) for the training of relevant stakeholders

9 on—

10 (A) the link between domestic violence,

11 dating violence, sexual assault, or stalking and

12 the abuse and neglect of pets;

13 (B) the needs of domestic violence victims;

14 (C) best practices for providing support

15 services to such victims;

16 (D) best practices for providing such vic-

17 tims with referrals to victims' services; and

18 (E) the importance of confidentiality.

19 (d) GRANT CONDITIONS.—An eligible entity that re-

20 ceives a grant under this section shall, as a condition of

21 such receipt, agree—

22 (1) to be bound by the nondisclosure of con-

23 fidential information requirements of section

24 40002(b)(2) of the Violence Against Women Act of

25 1994 (42 U.S.C. 13925(b)(2)); and

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

7 (e) DURATION OF ASSISTANCE PROVIDED TO VIC-
8 TIMS.—

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

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

19 (A) has made a good faith effort to acquire
20 permanent housing for the victim’s pet during
21 that 24-month period; and

22 (B) has been unable to acquire such per-
23 manent housing within that period.

24 (f) REPORT TO THE SECRETARY.—Not later than 1
25 year after the date on which an eligible entity receives a

1 grant under this section and each year thereafter, the enti-
2 ty shall submit to the Secretary a report that contains,
3 with respect to assistance provided by the entity to domes-
4 tic violence victims with pets using grant funds received
5 under this section, information on—

6 (1) the number of domestic violence victims
7 with pets provided such assistance; and

8 (2) the purpose, amount, type of, and duration
9 of such assistance.

10 (g) REPORT TO CONGRESS.—

11 (1) REPORTING REQUIREMENT.—Not later than
12 November 1 of each even-numbered fiscal year, the
13 Secretary shall submit to the Committee on Agri-
14 culture of the House of Representatives and the
15 Committee on Agriculture, Nutrition, and Forestry
16 of the Senate a report that contains a compilation
17 of the information contained in the reports sub-
18 mitted under subsection (f).

19 (2) AVAILABILITY OF REPORT.—The Secretary
20 shall transmit a copy of the report submitted under
21 paragraph (1) to—

22 (A) the Office on Violence Against Women
23 of the Department of Justice;

1 (B) the Office of Community Planning and
2 Development of the Department of Housing
3 and Urban Development; and

4 (C) the Administration for Children and
5 Families of the Department of Health and
6 Human Services.

7 (h) AUTHORIZATION OF APPROPRIATIONS.—

8 (1) IN GENERAL.—There are authorized to be
9 appropriated to carry out this section \$3,000,000 for
10 each of fiscal years 2017 through 2021.

11 (2) LIMITATION.—Of the amount made avail-
12 able under paragraph (1) in any fiscal year, not
13 more than 5 percent may be used for evaluation,
14 monitoring, salaries, and administrative expenses.

15 (i) DEFINITIONS.—In this section:

16 (1) DOMESTIC VIOLENCE VICTIM DEFINED.—
17 The term “domestic violence victim” means a victim
18 of domestic violence, dating violence, sexual assault,
19 or stalking.

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

22 (A) a State;

23 (B) a unit of local government;

24 (C) an Indian tribe; or

1 (D) any other organization that has a doc-
2 umented history of effective work concerning
3 domestic violence, dating violence, sexual as-
4 sault, or stalking (as determined by the Sec-
5 retary), including—

6 (i) a domestic violence and sexual as-
7 sault victim service provider;

8 (ii) a domestic violence and sexual as-
9 sault coalition;

10 (iii) a community-based and culturally
11 specific organization;

12 (iv) any other nonprofit, nongovern-
13 mental organization; and

14 (v) any organization that works di-
15 rectly with pets and collaborates with any
16 organization referred to in clauses (i)
17 through (iv), including—

18 (I) an animal shelter; and

19 (II) an animal welfare organiza-
20 tion.

21 (3) PET.—The term “pet” means a domes-
22 ticated animal, such as a dog, cat, bird, rodent, fish,
23 turtle, horse, or other animal that is kept for pleas-
24 ure rather than for commercial purposes.

1 (4) OTHER TERMS.—Except as otherwise pro-
2 vided in this subsection, terms used in this section
3 shall have the meaning given such terms in section
4 40002(a) of the Violence Against Women Act of
5 1994 (42 U.S.C. 13925(a)).

6 **SEC. 4. SENSE OF CONGRESS.**

7 It is the sense of Congress that States should encour-
8 age the inclusion of protections against violent or threat-
9 ening acts against the pet of a person in domestic violence
10 protection orders.

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