

(Pub. L. 109–162, title III, §304, Jan. 5, 2006, 119 Stat. 3013; Pub. L. 109–271, §§1(c)(1), 4(b), (d), Aug. 12, 2006, 120 Stat. 750, 758; Pub. L. 113–4, title III, §303, Mar. 7, 2013, 127 Stat. 87.)

## REFERENCES IN TEXT

This part, referred to in subsec. (d)(4)(D), appearing in the original is unidentifiable because title III of Pub. L. 109–162 does not contain parts.

## CODIFICATION

Section is comprised of section 304 of Pub. L. 109–162. Subsec. (f) of section 304 of Pub. L. 109–162 repealed section 1152 of Title 20, Education.

Section was enacted as part of the Violence Against Women and Department of Justice Reauthorization Act of 2005, and not as part of the Violent Crime Control and Law Enforcement Act of 1994 which enacted this chapter.

## AMENDMENTS

2013—Subsec. (a)(1). Pub. L. 113–4, §303(1)(A), substituted “stalking on campuses,” for “stalking on campuses, and” and “crimes on” for “crimes against women on” and inserted “, and to develop and strengthen prevention education and awareness programs” before period at end.

Subsec. (a)(2). Pub. L. 113–4, §303(1)(B), substituted “\$300,000” for “\$500,000”.

Subsec. (b)(2). Pub. L. 113–4, §303(2)(A), inserted “, strengthen,” after “To develop” and “including the use of technology to commit these crimes,” after “sexual assault and stalking,”.

Subsec. (b)(4). Pub. L. 113–4, §303(2)(B), inserted “and population specific services” after “strengthen victim services programs” and “, regardless of whether the services are provided by the institution or in coordination with community victim service providers” before period at end, and substituted “victim service providers” for “entities carrying out nonprofit and other victim services programs, including domestic violence, dating violence, sexual assault, and stalking victim services programs”.

Subsec. (b)(9), (10). Pub. L. 113–4, §303(2)(C), added pars. (9) and (10).

Subsec. (c)(2)(B). Pub. L. 113–4, §303(3)(A)(i), substituted “victim service providers” for “any non-profit, nongovernmental entities carrying out other victim services programs”.

Subsec. (c)(2)(D) to (G). Pub. L. 113–4, §303(3)(A)(ii), (iii), added subpar. (D) and redesignated former subpars. (D) to (F) as (E) to (G), respectively.

Subsec. (c)(3). Pub. L. 113–4, §303(3)(B), substituted “2014 through 2018” for “2007 through 2011”.

Subsec. (d)(3), (4). Pub. L. 113–4, §303(4), added par. (3) and redesignated former par. (3) as (4).

Subsec. (e). Pub. L. 113–4, §303(5), substituted “there is authorized to be appropriated \$12,000,000 for each of fiscal years 2014 through 2018.” for “there are authorized to be appropriated \$12,000,000 for fiscal year 2007 and \$15,000,000 for each of fiscal years 2008 through 2011.”

2006—Subsec. (b)(2). Pub. L. 109–271, §4(b), inserted first sentence and struck out former first sentence which read as follows: “To train campus administrators, campus security personnel, and personnel serving on campus disciplinary or judicial boards to develop and implement campus policies, protocols, and services that more effectively identify and respond to the crimes of domestic violence, dating violence, sexual assault, and stalking.”

Subsec. (d)(2)(A). Pub. L. 109–271, §4(d), struck out “biennial” before “performance report”.

Subsec. (g). Pub. L. 109–271, §1(c)(1), added subsec. (g).

## EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 113–4 not effective until the beginning of the fiscal year following Mar. 7, 2013, see

section 4 of Pub. L. 113–4, set out as a note under section 2261 of Title 18, Crimes and Criminal Procedure.

## EFFECTIVE DATE

Section not effective until the beginning of fiscal year 2007, see section 4 of Pub. L. 109–162, set out as an Effective Date of 2006 Amendment note under section 3793 of this title.

**§ 14045c. Repealed. Pub. L. 113–4, title IV, § 402(b)(2), Mar. 7, 2013, 127 Stat. 95**

Section, Pub. L. 109–162, title IV, §403, Jan. 5, 2006, 119 Stat. 3023, related to public awareness campaign.

## EFFECTIVE DATE OF REPEAL

Repeal not effective until the beginning of the fiscal year following Mar. 7, 2013, see section 4 of Pub. L. 113–4, set out as an Effective Date of 2013 Amendment note under section 2261 of Title 18, Crimes and Criminal Procedure.

**§ 14045d. Consultation**

**(a) In general**

The Attorney General shall conduct annual consultations with Indian tribal governments concerning the Federal administration of tribal funds and programs established under this Act, the Violence Against Women Act of 1994 (title IV of Public Law 103–322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), and the Violence Against Women Reauthorization Act of 2013.

**(b) Recommendations**

During consultations under subsection (a), the Secretary of Health and Human Services, the Secretary of the Interior, and the Attorney General shall solicit recommendations from Indian tribes concerning—

- (1) administering tribal funds and programs;
- (2) enhancing the safety of Indian women from domestic violence, dating violence, sexual assault, stalking, and sex trafficking; and
- (3) strengthening the Federal response to such violent crimes.

**(c) Annual report**

The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

- (1) contains the recommendations made under subsection (b) by Indian tribes during the year covered by the report;
- (2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year; and
- (3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b).

**(d) Notice**

Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.

(Pub. L. 109–162, title IX, §903, Jan. 5, 2006, 119 Stat. 3078; Pub. L. 113–4, title IX, §903, Mar. 7, 2013, 127 Stat. 120.)

## REFERENCES IN TEXT

This Act, referred to in subsec. (a), is Pub. L. 109-162, Jan. 5, 2006, 119 Stat. 2960, known as the Violence Against Women and Department of Justice Reauthorization Act of 2005. For complete classification of this Act to the Code, see Short Title of 2006 Amendment note set out under section 13701 of this title and Tables.

The Violence Against Women Act of 1994, referred to in subsec. (a), is title IV of Pub. L. 103-322, Sept. 13, 1994, 108 Stat. 1902, as amended. For complete classification of this Act to the Code, see Short Title note set out under section 13701 of this title and Tables.

The Violence Against Women Act of 2000, referred to in subsec. (a), is div. B of Pub. L. 106-386, Oct. 28, 2000, 114 Stat. 1491, as amended. For complete classification of this Act to the Code, see Short Title of 2000 Amendments note set out under section 13701 of this title and Tables.

The Violence Against Women Reauthorization Act of 2013, referred to in subsec. (a), is Pub. L. 113-4, Mar. 7, 2013, 127 Stat. 54. For complete classification of this Act to the Code, see Short Title of 2013 Amendment note set out under section 13701 of this title and Tables.

## CODIFICATION

Section was enacted as part of the Violence Against Women and Department of Justice Reauthorization Act of 2005, and not as part of the Violent Crime Control and Law Enforcement Act of 1994 which enacted this chapter.

## AMENDMENTS

2013—Subsec. (a). Pub. L. 113-4, §903(1), substituted “, the Violence Against Women Act of 2000” for “and the Violence Against Women Act of 2000” and inserted “, and the Violence Against Women Reauthorization Act of 2013” before period at end.

Subsec. (b). Pub. L. 113-4, §903(2)(A), substituted “Secretary of Health and Human Services, the Secretary of the Interior,” for “Secretary of the Department of Health and Human Services” in introductory provisions.

Subsec. (b)(2). Pub. L. 113-4, §903(2)(B), substituted “stalking, and sex trafficking” for “and stalking”.

Subsecs. (c), (d). Pub. L. 113-4, §903(3), added subsecs. (c) and (d).

## SUBCHAPTER IV—DRUG CONTROL

**§ 14051. Increased penalties for drug-dealing in “drug-free” zones**

Pursuant to its authority under section 994 of title 28, the United States Sentencing Commission shall amend its sentencing guidelines to provide an appropriate enhancement for a defendant convicted of violating section 860 of title 21.

(Pub. L. 103-322, title IX, §90102, Sept. 13, 1994, 108 Stat. 1987.)

## CODIFICATION

Section is comprised of section 90102 of Pub. L. 103-322 which is also listed in a table relating to sentencing guidelines set out under section 994 of Title 28, Judiciary and Judicial Procedure.

**§ 14052. Enhanced penalties for illegal drug use in Federal prisons and for smuggling drugs into Federal prisons****(a) Declaration of policy**

It is the policy of the Federal Government that the use or distribution of illegal drugs in the Nation’s Federal prisons will not be tolerated and that such crimes shall be prosecuted to the fullest extent of the law.

**(b) Sentencing guidelines**

Pursuant to its authority under section 994 of title 28, the United States Sentencing Commission shall amend its sentencing guidelines to appropriately enhance the penalty for a person convicted of an offense—

(1) under section 844 of title 21 involving simple possession of a controlled substance within a Federal prison or other Federal detention facility; or

(2) under section 841(b) of title 21 involving the smuggling of a controlled substance into a Federal prison or other Federal detention facility or the distribution or intended distribution of a controlled substance within a Federal prison or other Federal detention facility.

**(c) No probation**

Notwithstanding any other law, the court shall not sentence a person convicted of an offense described in subsection (b) to probation.

(Pub. L. 103-322, title IX, §90103, Sept. 13, 1994, 108 Stat. 1987.)

## CODIFICATION

Section is comprised of section 90103 of Pub. L. 103-322. Subsec. (b) of section 90103 of Pub. L. 103-322 is also listed in a table relating to sentencing guidelines set out under section 994 of Title 28, Judiciary and Judicial Procedure.

**§ 14053. Violent crime and drug emergency areas****(a) Definitions**

In this section—

“major violent crime or drug-related emergency” means an occasion or instance in which violent crime, drug smuggling, drug trafficking, or drug abuse violence reaches such levels, as determined by the President, that Federal assistance is needed to supplement State and local efforts and capabilities to save lives, and to protect property and public health and safety.

“State” means a State, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands.

**(b) Declaration of violent crime and drug emergency areas**

If a major violent crime or drug-related emergency exists throughout a State or a part of a State, the President may declare the State or part of a State to be a violent crime or drug emergency area and may take appropriate actions authorized by this section.

**(c) Procedure****(1) In general**

A request for a declaration designating an area to be a violent crime or drug emergency area shall be made, in writing, by the chief executive officer of a State or local government, respectively (or in the case of the District of Columbia, the mayor), and shall be forwarded to the Attorney General in such form as the Attorney General may by regulation require. One or more cities, counties, States, or the District of Columbia may submit a joint request for designation as a major violent crime or drug emergency area under this subsection.