(A) the constitution of the Indian tribe or equivalent organic documents showing the structure of the tribal government and the placement and authority of the tribal court within that structure;

(B) written tribal laws or ordinances governing tribal court procedures and the regulation and enforcement of child abuse and neglect, domestic violence, drugs and alcohol, and related matters; and

(C) such other information as the Attorney General may, by public notice, require.

(c) PLANNING PHASE.—

(1) IN GENERAL.—Each participating Indian tribe shall complete a planning phase that includes—

(A) internal governmental and organizational planning;

(B) developing written tribal law or ordinances detailing the structure and procedures of the tribal court; and

(C) enforcement mechanisms.

(2) CERTIFICATION.—

(A) IN GENERAL.—Not later than 120 days after receiving an application under subsection (b), the Attorney General shall certify the completion of the planning phase under this section.

(B) TIMING.—The Attorney General may make a certification described in subparagraph (A) on the date on which the participating Indian tribe submits an application under subsection (b) if the Indian tribe demonstrates to the Attorney General that the Indian tribe has satisfied the requirements of the planning phase under paragraph (1).

(d) CONCURRENT JURISDICTION.—

(1) IN GENERAL.—Unless otherwise agreed to by the Indian tribe in an intergovernmental agreement, beginning 30 days after the date on which the certification described in subsection (c)(2) is made, the participating Indian tribe may exercise civil jurisdiction, concurrent with the State, in matters relating to child abuse and neglect, domestic violence, drug-related offenses, and alcohol-related offenses over—

(A) any member of, or person eligible for membership in, the Indian tribe; and

(B) any nonmember of the Indian tribe, if the nonmember resides or is located in the remote Alaska Native village in which the Indian tribe operates.

(2) SANCTIONS.—A participating Indian tribe exercising jurisdiction under paragraph (1) shall impose such civil sanctions as the tribal court has determined to be appropriate, consistent with title II of Public Law 90–284 (25 U.S.C. 1301 et seq.) (commonly known as the ''Indian Civil Rights Act of 1968'') and tribal law, including—

(A) restorative justice, including community or circle sentencing;

(B) community service;

(C) fines;

(D) forfeitures;

(E) commitments for treatment;

(F) restraining orders;

(G) emergency detentions; and

(H) any other remedies the tribal court determines are appropriate.

(3) INCARCERATION.—A person shall not be incarcerated by a participating Indian tribe exercising jurisdiction under paragraph (1) except pursuant to an intergovernmental agreement described in section 4(d).

(4) EMERGENCY CIRCUMSTANCES.—Nothing in this subsection prevents a participating Indian tribe exercising jurisdiction under paragraph (1) from—

(A) assuming protective custody of a member of the Indian tribe or otherwise taking action to prevent imminent harm to that member or others; and

(B) taking immediate, temporary protective measures to address a situation involving an imminent threat of harm to a member of the Indian tribe by a nonmember.

(e) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than May 1 of each year, the Attorney General shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a brief annual report that—

(A) details the activities carried out under the tribal law program; and

(B) includes an assessment and any recommendations of the Attorney General relating to the tribal law program.

(2) REQUIREMENTS.—Each report shall be prepared—

(A) in consultation with the government of each participating Indian tribe; and

(B) after the participating Indian tribe and the State have an opportunity to comment on the report.

SEC. 6. ADMINISTRATION.

(a) EFFECT OF ACT.—Nothing in this Act—

(1) limits, alters, or diminishes the civil or criminal jurisdiction of the State, any subdivision of the State, or the United States;

(2) limits or diminishes the jurisdiction of any Indian tribe in the State, including inherent and statutory authority of the Indian tribe over alcohol, and drug abuse, child protection, child custody, and domestic violence (as in effect on the day before the date of enactment of this Act);

(3) creates a territorial basis for the jurisdiction of any Indian tribe in the State (other than as provided in section 5) or otherwise establishes Indian country (as defined in section 1151 of title 18, United States Code) in any area of the State;

(4) confers any criminal jurisdiction on any Indian tribe in the State unless agreed to in an intergovernmental agreement described in section 4(d);

(5) diminishes the trust responsibility of the United States to Indian tribes in the State;

(6) abridges or diminishes the sovereign immunity of any Indian tribe in the State;

(7) alters the criminal or civil jurisdiction of the Metlakatla Indian Community within the Annette Islands Reserve (as in effect on the date before the date of enactment of this Act); or

(8) limits in any manner the eligibility of the State, any political subdivision of the State, or any Indian tribe in the State, for any other Federal assistance under any other law.

(b) NO LIABILITY FOR THE STATE OF ALASKA.—The State, including any political subdivision of the State, shall not be liable for any act or omission of a participating Indian tribe in carrying out this Act, including any act or omission of a participating Indian tribe undertaken pursuant to an intergovernmental agreement described in section 4(d).

(c) REGULATIONS.—The Attorney General shall promulgate such regulations as the Attorney General determines are necessary to carry out this Act.

(d) ELIGIBILITY FOR FEDERAL PROGRAMS.—

(1) IN GENERAL.—Participating Indian tribes shall be eligible for the same tribal court and law enforcement programs and level of funding from the Bureau of Indian Affairs as are available to other Indian tribes.

(2) APPLICABILITY IN THE STATE.—Nothing in this Act limits the application in the State of—

(A) the Tribal Law and Order Act of 2010 (Public Law 111–211; 124 Stat. 2261);

(B) the Violence Against Women Reauthorization Act of 2013 (Public law 113–4; 127 Stat. 54); or

(C) any amendments made by the Acts referred to in subparagraphs (A) and (B).

(e) FULL FAITH AND CREDIT.—

(1) IN GENERAL.—Each of the 50 States shall give full faith and credit to all official acts and decrees of the tribal court of a participating Indian tribe to the same extent and in the same manner as that State accords full faith and credit to the official acts and decrees of other States.

(2) OTHER LAWS.—Nothing in this subsection impairs the duty of the State to give full faith and credit under any other law.

SEC. 7. TECHNICAL ASSISTANCE.

(a) IN GENERAL.—The Attorney General may enter into contracts with Indian tribes in the State to provide—

(1) training and technical assistance on tribal court development to any Indian tribe in the State; and

(2) the training for proper transfer of evidence and information—

(A) between tribal and State law enforcement entities; and

(B) between State and tribal court systems.

(b) COOPERATION.—Indian tribes may cooperate with other entities for the provision of services under the contracts described in subsection (a).

SEC. 8. FUNDING.

The Attorney General shall use amounts made available to the Attorney General for the Office of Justice Programs to carry out this Act.

SEC. 9. REPEAL OF SPECIAL RULE FOR STATE OF ALASKA.

Section 910 of the Violence Against Women Reauthorization Act of 2013 (18 U.S.C. 2265 note; Public Law 113–4) is repealed.

Mr. BEGICH. I further ask unanimous consent that the committee-reported substitute amendment be withdrawn, the Begich substitute amendment, which is at the desk, be agreed to, the bill, as amended, be read a third time and passed, the title amendment, which is at the desk, be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported substitute amendment was withdrawn.

The amendment (No. 3981) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. REPEAL OF SPECIAL RULE FOR STATE OF ALASKA.

Section 910 of the Violence Against Women Reauthorization Act of 2013 (18 U.S.C. 2265 note; Public Law 113–4) is repealed.

The bill (S. 1474), as amended, was ordered to be engrossed for a third reading, was read the third time and passed.

The title amendment (No. 3982) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: ''A bill to amend the Violence Against Women Reauthorization Act of 2013 to repeal a special rule for the State of Alaska, and for other purposes.''.

The PRESIDING OFFICER. The Senator from Rhode Island.

SSCI STUDY OF THE CIA'S RETENTION AND INTERROGATION PROGRAM

Mr. WHITEHOUSE. Madam President, while Chairman FEINSTEIN and Chairman ROCKEFELLER are still here on the floor, may I just take a moment to thank them for the work they did on this report. I am very proud of the moral certainty of leadership that both Chairman ROCKEFELLER and Chairman FEINSTEIN showed.

It was, as they know better than I, through many troubles, toils, and

snares, that this report was able to be produced. I could not be happier that we made it public while Senator ROCKEFELLER remains a Member of this body and has the chance to participate in this.

I join Chairman FEINSTEIN in recognizing the exceptional work of the Intelligence Committee staff: David, Dan, Alissa—who is not with us any longer. I thank you for mentioning Andrew Grotto, who was my staff member, who worked on this report. I feel we have done a very good thing here. I appreciate very much in particular Senator MCCAIN coming forward. He brings a unique moral perspective and force to this conversation. He has wielded that moral perspective and force with great courage.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2 p.m.

Thereupon, the Senate, at 1:11 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

MORNING BUSINESS

The PRESIDING OFFICER. Who yields time?

If no one yields time, time will be equally charged to both sides.

The Senator from Georgia.

SSCI STUDY OF THE CIA'S DETENTION AND INTERROGATION PROGRAM

Mr. CHAMBLISS. Madam President, I rise today as the vice chairman of the Senate Select Committee on Intelligence to respond to the public release of the declassified version of the executive summary and findings and conclusions from the committee's study of the CIA's detention and interrogation program.

This is not a pleasant duty for me. During my 4 years as the vice chairman of the Intelligence Committee, I have enjoyed an excellent relationship with our chairman, Senator DIANNE FEINSTEIN. We have worked closely to conduct strong bipartisan oversight of the U.S. intelligence community, including the passage and enactment of significant national security legislation. However, this particular study has been one of the very, very few areas where we have never been able to see eye-to-eye.

Putting this report out today is going to have significant consequences. In addition to reopening a number of old wounds both domestically and internationally, it could be used to incite unrest and even attacks against our servicemembers, other personnel overseas, and our international partners. This report could also stoke additional mistreatment or death for American or other Western captives overseas. It will endanger CIA personnel, sources, and future intelligence operations. This report will damage our relationship with several significant international counterterrorism partners at a time when we can least afford it. Even worse, despite the fact that the administration and many in the majority are aware of these consequences, they have chosen to release the report today.

The United States today is faced with a wide array of security challenges across the globe, including in Afghanistan, Pakistan, Syria, Iraq, Yemen, north Africa, Somalia, Ukraine, and the list goes on. Instead of focusing on the problems right in front of us, the majority side of the Intelligence Committee has spent the last 5 years and over $40 million focused on a program that effectively ended over 8 years ago, while the world around us burns.

In March 2009, when the committee first undertook the study, I was the only member of the Intelligence Committee who voted against moving forward with it. I believed then, as I still do today, that vital committee and intelligence community resources would be squandered over a debate that Congress, the executive branch, and the Supreme Court had already settled. This issue has been investigated or reviewed extensively by the executive branch, including criminal investigations by the Department of Justice, the Senate Armed Services Committee, the International Committee of the Red Cross, as well as other entities.

Congress has passed two separate acts directly related to detention and interrogation issues—specifically, the Detainee Treatment Act of 2005 and the Military Commissions Act of 2006. The executive branch terminated the CIA program and directed that future interrogations be conducted in accordance with the U.S. Army Field Manual on Interrogation. Also, the Supreme Court decided Rasul v. Bush in 2004, Hamdi v. Rumsfeld in 2004, Hamdan v. Rumsfeld in 2006, as well as Boumediene v. Bush in 2008, all of which established that detainees were entitled to habeas corpus review and identified certain deficiencies in both the Detainee Treatment Act and the Military Commissions Act.

By the time I became the vice chairman, the minority had already withdrawn from active participation in the study as a result of Attorney General Holder's decision to reopen the criminal inquiry related to the interrogation of certain detainees in the CIA's detention program. This unfortunate decision deprived the committee of the ability to interview key witnesses who participated in the CIA program and essentially limited the committee's study to the review of a cold documentary record. Now, how can any credible investigation take place without interviewing witnesses? This is a 6,000-page report, and not one single witness was ever interviewed in this study being done. This is a poor excuse for the type of oversight the Congress should be conducting.

There is no doubt that the CIA's detention and interrogation program—which was hastily executed in the aftermath of the worst terrorist attack in our Nation's history—had flaws. The CIA has admitted as much in its June 27, 2013, response to the study. There is also no doubt that there were instances in which CIA interrogators exceeded their authorities and certain detainees may have suffered as a result. However, the executive summary and findings and conclusions released today contain a disturbing number of factual and analytical errors. These factual and analytical shortfalls ultimately led to an unacceptable number of incorrect claims and invalid conclusions that I cannot endorse.

The study essentially refuses to admit that CIA detainees—especially CIA detainees subjected to enhanced interrogation techniques—provided intelligence information which helped the U.S. Government and its allies to neutralize numerous terrorist threats. On its face, this refusal does not make sense given the vast amount of information gained from these interrogations, the thousands of intelligence reports that were generated as a result of them, the capture of additional terrorists, and the disruption of the plots those captured terrorists were planning.

Instead of acknowledging these realities, the study adopts an analytical approach designed to obscure the value of the intelligence obtained from the program. For example, the study falsely claims that the use of enhanced interrogation techniques played ''no role'' in the identification of Jose Padilla because Abu Zubaydah, a senior member of Al Qaeda with direct ties to Osama bin Laden, provided the information about Padilla during an interrogation by FBI agents who were ''exclusively'' using what is called ''rapport-building'' techniques against him more than 3 months prior to the CIA's ''use of DOJ-approved enhanced interrogation techniques.'' What the study ignores, however, is the fact that Abu Zubaydah's earlier interrogation in April of 2002 actually did involve the use of interrogation techniques that were later included in the list of enhanced interrogation techniques. Specifically, the facts demonstrate that Abu Zubaydah was subjected to ''around the clock'' interrogation that included more than 4 days of dietary manipulation, nudity, and more than 126 hours—which is about 5 days—of sleep deprivation during a 136-hour period by the time the FBI finished up the 8.5-hour interrogation shift in which Abu Zubaydah finally yielded the identification of Jose Padilla. So during a 5-day time period, Abu Zubaydah got less than 10 hours of sleep, yet the majority does not acknowledge that this was an enhanced interrogation. In light of these facts,