

10-248.

THE PROVISIONS OF THIS COMPACT SHALL BE SEVERABLE, AND IF ANY PHRASE, CLAUSE, SENTENCE, OR PROVISION OF THIS COMPACT IS DECLARED TO BE CONTRARY TO THE CONSTITUTION OF ANY PARTICIPATING STATE, OR TO THE CONSTITUTION OF THE UNITED STATES, OR THE APPLICABILITY THEREOF TO ANY GOVERNMENT, AGENCY, PERSON, OR CIRCUMSTANCE IS HELD INVALID, THE VALIDITY OF THE REMAINDER OF THIS COMPACT AND THE APPLICABILITY THEREOF TO ANY GOVERNMENT, AGENCY, PERSON, OR CIRCUMSTANCE SHALL NOT BE AFFECTED THEREBY. IF A PORTION OF THIS COMPACT IS HELD CONTRARY TO THE CONSTITUTION OF ANY PARTY STATE, ALL OTHER PORTIONS OF THIS COMPACT SHALL REMAIN IN FULL FORCE AND EFFECT AS TO THE REMAINING PARTY STATES AND IN FULL FORCE AND EFFECT AS TO THE PARTY STATE AFFECTED, AS TO ALL OTHER PROVISIONS.

10-249.

(A) THE COUNCIL SHALL:

(1) HAVE INITIAL AUTHORITY TO MAKE DETERMINATIONS WITH RESPECT TO ANY DISPUTE REGARDING:

(I) INTERPRETATION OF THIS COMPACT;

(II) ANY RULE OR STANDARD ESTABLISHED BY THE COUNCIL PURSUANT TO SECTION 10-244 OF THIS SUBTITLE; AND

(III) ANY DISPUTE OR CONTROVERSY BETWEEN ANY PARTIES TO THIS COMPACT; AND

(2) HOLD A HEARING CONCERNING ANY DISPUTE DESCRIBED IN PARAGRAPH (1) AT A REGULARLY SCHEDULED MEETING OF THE COUNCIL AND ONLY RENDER A DECISION BASED UPON A MAJORITY VOTE OF THE MEMBERS OF THE COUNCIL. SUCH DECISION SHALL BE PUBLISHED PURSUANT TO THE REQUIREMENTS OF SECTION 10-244(E) OF THIS SUBTITLE.

(B) THE FBI SHALL EXERCISE IMMEDIATE AND NECESSARY ACTION TO PRESERVE THE INTEGRITY OF THE III SYSTEM, MAINTAIN SYSTEM POLICY AND STANDARDS, PROTECT THE ACCURACY AND PRIVACY OF RECORDS, AND TO PREVENT ABUSES, UNTIL THE COUNCIL HOLDS A HEARING ON SUCH MATTERS.

(C) THE FBI OR A PARTY STATE MAY APPEAL ANY DECISION OF THE COUNCIL TO THE ATTORNEY GENERAL, AND THEREAFTER MAY FILE SUIT IN THE APPROPRIATE DISTRICT COURT OF THE UNITED STATES, WHICH SHALL HAVE ORIGINAL JURISDICTION OF ALL CASES OR CONTROVERSIES ARISING UNDER THIS COMPACT. ANY SUIT ARISING UNDER THIS COMPACT AND INITIATED IN A STATE COURT SHALL BE REMOVED TO THE APPROPRIATE DISTRICT COURT OF THE UNITED STATES IN THE MANNER PROVIDED BY SECTION 1446 OF TITLE 28, OR OTHER STATUTORY AUTHORITY.