

foreclosure against a debtor only as a last resort; and, second, the debtor has up to 90 days to reorganize under Chapter 11.

Mr. Speaker, I urge my colleagues to support H.R. 764. While I feel that we should eliminate the arbitrary ceiling on single-asset bankruptcies, this bill moves us in the right direction by making it harder for individuals to game the system.

Mr. GEKAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank our colleague, the gentleman from Michigan, for adding to the impetus of this legislation, and I thank the gentleman from Michigan and the gentleman from New York [Mr. NADLER] for their cooperation.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore [Mr. CALVERT]. The question is on the motion offered by the gentleman from Pennsylvania [Mr. GEKAS] that the House suspend the rules and pass the bill, H.R. 764, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### TECHNICAL CORRECTIONS TO SECTION 10 OF TITLE 9, UNITED STATES CODE

Mr. GEKAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2440) to make technical amendments to section 10 of title 9, United States Code.

The Clerk read as follows:

H.R. 2440

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.*

#### SECTION 1. VACATION OF AWARDS.

Section 10 of title 9, United States Code, is amended—

(1) by indenting the margin of paragraphs (1) through (4) of subsection (a) 2 ems;

(2) by striking "Where" in such paragraphs and inserting "where";

(3) by striking the period at the end of paragraphs (1), (2), and (3) of subsection (a) and inserting a semicolon and by adding "or" at the end of paragraph (3);

(4) by redesignating subsection (b) as subsection (c); and

(5) in paragraph (5), by striking "Where an award" and inserting "If an award", by inserting a comma after "expired", and by redesignating the paragraph as subsection (b).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania [Mr. GEKAS] and the gentleman from New York [Mr. NADLER] each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. GEKAS].

GENERAL LEAVE

Mr. GEKAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GEKAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a momentous piece of legislation. I hope the Speaker pays close attention to the content of our presentation.

This bill is sponsored by myself and the gentleman from New York [Mr. NADLER], and there is no controversy associated with it except what I am going to make of it. But, Mr. Speaker, H.R. 2440 is truly a technical corrections bill, which the gentleman from New York and I have introduced, with the agreement of the Office of Law Revision Counsel.

Section 10 of title 9, United States Code, has a typographical flaw which has evaded detection ever since its original enactment. That section enumerates the grounds for vacating an arbitrator's award with each new ground beginning with the word "where." The fifth ground, however, is obviously not a ground for vacating an award but, rather, the beginning of a new sentence.

The error was called to our attention by a law clerk for a justice of the State of New York Supreme Court, the Appellate Division, Mr. Peter Brokowski by name, who had occasion to refer to the statute. This, of course, is in itself heartening as an example of observant and conscientious citizens participating in and having an effect on their government. We want the record to show how much we worked on this piece of legislation. I urge adoption of the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

(Mr. NADLER asked and was given permission to revise and extend his remarks.)

Mr. NADLER. Mr. Speaker, this bill, as the distinguished chairman said, is a momentous piece of legislation. We refer to it as the comma bill. It clears up the language in title 9 of the U.S. Code without making any substantive changes.

Section 10(a) of the Code sets out four cases under which a court may vacate an arbitrator's award after application of one of the parties. However, section 10(a) contains what appears to be a fifth case in which an award may be vacated. In fact, it is clear from the context that section 10(a)(5) is intended to set out the circumstances under which the court may direct a rehearing by the arbitrators, and not a vacating of the arbitrator's award. It should therefore be placed into a separate subsection. The bill does this and clarifies the law, so I support this bill.

I would only add that the chairman referred to the law clerk who brought it to our attention. He is the law clerk of the Appellate Division justice, the Honorable Richard Wallach, who is a constituent and longtime friend and associate of mine. I am glad that his office was on the ball and brought this to our attention.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GEKAS. Mr. Speaker, I regret that we have no more speakers on this subject, since I wanted a full debate, but I have no further requests for time, so I reluctantly yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. GEKAS] that the House suspend the rules and pass the bill, H.R. 2440.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### GRANTING CONSENT OF CONGRESS TO THE CHICKASAW TRAIL ECONOMIC DEVELOPMENT COMPACT

Mr. GEKAS. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 95) granting the consent of Congress to the Chickasaw Trail Economic Development Compact.

The Clerk read as follows:

H.J. RES. 95

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* The Congress consents to the Chickasaw Trail Economic Development Compact entered into by the State of Tennessee and the State of Mississippi. The compact is substantially as follows:

#### CHICKASAW TRAIL ECONOMIC DEVELOPMENT COMPACT

Article I. The purpose of this compact is to promote the development of an undeveloped rural area of Marshall County, Mississippi, and Fayette County, Tennessee (hereinafter referred to as "Chickasaw Trail Economic Development Area"), and to create a development authority which incorporates public and private partnerships to facilitate the economic growth of such areas by providing developed sites for the location and construction of manufacturing plants, distribution facilities, research facilities, regional and national offices with supportive services, and facilities, and to establish a joint interstate authority to assist in these efforts.

Article II. This compact shall become effective immediately whenever the states of Tennessee and Mississippi have ratified it and Congress has given consent thereto.

Article III. The states which are parties to this compact (hereinafter referred to as "party states") do hereby establish and create a joint agency which shall be known as the Chickasaw Trail Economic Development Authority (hereinafter referred to as the "Authority"). The membership of the Authority shall consist of an appointee of the Governor of each party state, each state's chief economic development official or his/her representative, appointee of each of the member counties board of supervisors/county legislative body, selected from nominees from the county's industrial development board, and an appointee of the property owners' group. The appointive members of the authority shall serve for terms of four (4) years. Vacancies on the Authority shall be filled by appointment by the Governor or the appropriate appointing authority for the unexpired part of the term. The members of the Authority shall serve without compensation or reimbursement of expenses. The

members of the Authority shall hold regular quarterly meetings and such special meetings as its business may require. They shall choose annually a chairman and vice-chairman from among their members, and the chairmanship shall rotate each year between the party states. The secretary of the Authority (hereinafter provided for) shall notify each member in writing of all meetings of the Authority in such a manner and under such rules and regulations as the Authority may prescribe. The Authority shall adopt rules and regulations for the transaction of its business; and the secretary shall keep a record of all its business, and shall furnish a copy thereof to each member of the Authority. It shall be the duty of the Authority in general, to promote, encourage and coordinate the efforts of the party states to secure the development of the Chickasaw Trail Economic Development Authority. Toward this end, the authority shall have power to hold hearings; to conduct studies and surveys of all problems, benefits and other matters associated with the development of the Chickasaw Trail Economic Development area and to make reports thereon; to acquire, by gift or otherwise, and hold and dispose of such money and property as may be provided for the proper performance of their functions; to cooperate with other public or private groups, whether local, state, regional or national, having an interest in economic development; to formulate and execute plans and policies for emphasizing the purpose of this compact before the Congress of the United States and other appropriate officers and agencies of the United States and the respective states; and the exercise of such other powers as may be appropriate to enable it to accomplish its functions and duties in connection with the development of the Chickasaw Trail Economic Development Area and to carry out the purposes of this compact.

Article IV. The Authority shall appoint a secretary, who shall be a person familiar with the nature, procedures and significance of economic development and the informational, educational and publicity methods of stimulating general interest in such developments, and who shall be the compact administrator. His/her term of office shall be at the pleasure of the Authority. He/she shall maintain custody of the Authority's books, records and papers, which he/she shall keep at the office of the Authority, and he/she shall perform all functions and duties, and exercise all powers and authorities, that may be delegated to him/her by the Authority.

Article V. Nothing in this compact shall be construed to conflict with any existing statute, or to limit the powers of any party or state or to repeal or prevent legislation, or to authorize or permit curtailment or diminution of any other economic development project, or to affect existing or future cooperative arrangements or relationships between any federal agency and a party state.

Article VI. This compact shall continue in force and remain binding upon each party state until the Legislature or Governor of each or either state takes action to withdraw therefrom; provided that such withdrawal shall not become effective until six (6) months after the date of the action taken. Notice of such action shall be given by the Secretary of State of the party state which takes such action.

In witness whereof, I, Kirk Fordice, have subscribed my signature and caused the Great Seal of the State of Mississippi to be affixed this 9th day of May, 1997.

In witness whereof, I, Don Sundquist, have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 9th day of April, 1997.

#### SEC. 2. INCONSISTENCY OF LANGUAGE.

The validity of the compact consented to by this Act shall not be affected by any in-

substantial difference in its form or language as adopted by the States.

#### SEC. 3. RIGHT TO ALTER, AMEND, OR REPEAL.

The right to alter, amend, or repeal this joint resolution is hereby expressly reserved.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania [Mr. GEKAS] and the gentleman from New York [Mr. NADLER] each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. GEKAS].

#### GENERAL LEAVE

Mr. GEKAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the joint resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GEKAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge my colleagues to join me in approving this resolution, House Joint Resolution 95, giving the consent of Congress to the Chickasaw Trail Economic Development Compact entered into between the State of Tennessee and the State of Mississippi.

As everyone knows by now, the United States Constitution provides that no two States or no number of States may enter into any agreements among themselves without the consent of Congress. That is a constitutional mandate that we have observed faithfully throughout the years. Thus, the Subcommittee on Commercial and Administrative Law of the Committee on the Judiciary, which I chair, has jurisdiction and is happy to announce that this particular proposed compact has its full approval.

Mr. Speaker, the facts are that in 1992 the Marshall County, Mississippi, Industrial Development Authority recognized the need to develop a large regional industrial park in the northern part of the county. The idea of a two-State industrial park materialized when a large tract of relatively uninhabited land owned by only a few individuals was identified on both sides of the Mississippi-Tennessee border. Located adjacent to the Memphis metropolitan area, this region is traversed by three major thoroughfares.

Verbal agreement of the landowners to participate in a public-private partnership and the support of local and State officials for the concept helped to promote the project, which was endorsed in 1995 by our former colleague, now Tennessee Governor Don Sundquist, and Mississippi Governor Kirk Fordice.

In 1996, the Tennessee and Mississippi State legislatures passed enabling legislation creating the Chickasaw Trail Economic Development Compact, subject to congressional approval, and they set up a board of directors for its development.

The industrial park envisioned by the compact is located adjacent to the metropolitan Memphis area, which is

in need of available land for future industrial growth. The rural nature of the tract plus its current and planned accessibility make it advantageous for a planned park providing jobs for residents of both States.

Once again, I urge my colleagues to consent to this compact by suspending the rules and passing House Joint Resolution 95.

Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

(Mr. NADLER asked and was given permission to revise and extend his remarks.)

Mr. NADLER. Mr. Speaker, this bill gives the consent of Congress to the compact between the States of Mississippi and Tennessee to establish the Chickasaw Trail Economic Development Agency.

The compact establishes an economic development authority to determine the feasibility of establishing an industrial park in Fayette County, Tennessee, and Marshall County, Mississippi, and to assist in public-private partnerships to promote economic development in that bi-State area.

The legislation simply restates the compact, provides that the validity of the compact will not be affected by any insubstantial differences in its formal language as adopted by the two States, and reserves to Congress the right to alter, amend, or appeal the joint resolution giving consent to the compact.

Mr. Speaker, the congressional delegations of the two States support this bill, as do the two legislatures and both Governors. The subcommittee and committee unanimously reported the bill. I urge its adoption.

Mr. Speaker, I reserve the balance of my time.

Mr. GEKAS. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee [Mr. BRYANT].

Mr. BRYANT. Mr. Speaker, I want to thank the chairman of our subcommittee, the distinguished gentleman from Pennsylvania [Mr. GEKAS], and also the distinguished ranking member of our subcommittee, the gentleman from New York [Mr. NADLER], whom I also want to commend for his correct pronunciation of all of these words. Very good.

Mr. Speaker, at the request, as has been said, of our former colleague and the very distinguished Governor of Tennessee, Don Sundquist, and also the very distinguished Governor of the State of Mississippi, Kirk Fordice, I, along with the gentleman from Mississippi, Mr. ROGER WICKER, introduced House Joint Resolution 95, which would give congressional consent to an interstate compact establishing the Chickasaw Trail Economic Development Authority.

Under this compact, the Chickasaw Authority would conduct a study to determine the feasibility of establishing an industrial park which would lie both in Fayette County, Tennessee, and

Marshall County, Mississippi. Should the authority issue a favorable report, the States would then negotiate a new compact implementing the details needed to establish a 4,000 to 5,000-acre industrial park. These large tracts of land would come complete with utilities and infrastructure needed to attract and support the more sophisticated high-technology industry for which the two States already compete.

There are many potential benefits to this effort. It is hoped that by disposing of the incentive wars between the States, both Tennessee and Mississippi can capitalize on the advantages of the region that lie on both sides of their border and attract new employment and investment opportunities.

The proposed project will help develop the educational and economic opportunities needed to improve the quality of life of the people living in this area, while at the same time fulfilling the industrial growth needs of the city of Memphis and Shelby County.

Mr. Speaker, this project is non-controversial and represents an innovative approach to the mutual benefit of the two counties and the two States. It has been cosponsored by the entire Tennessee and Mississippi delegations and has passed out of the Committee on the Judiciary by voice vote. Again, I would encourage my colleagues in the House to support its passage.

Mr. GEKAS. Mr. Speaker, I yield 4 minutes to the gentleman from Mississippi [Mr. WICKER].

Mr. WICKER. Mr. Speaker, I thank the chairman for yielding me the time.

Mr. Speaker, I rise in support of this resolution to prove the Chickasaw Trail Economic Development Compact. I want to thank the gentleman from Pennsylvania [Mr. GEKAS] and the gentleman from New York [Mr. NADLER], the ranking member, for acting on this resolution and for allowing it to come before the House so quickly. I also want to thank my good friend, the gentleman from Tennessee [Mr. BRYANT], and the majority leader for their help.

Mr. Speaker, this may seem like a simple and straightforward bill, and it is, but the Chickasaw Trail Economic Development Compact is a very important local initiative between Marshall County, Mississippi, and Fayette County, Tennessee.

According to statistics, Marshall County, Mississippi, is economically disadvantaged, without the resources and infrastructure necessary to compete and to attract business and industry. But the people of Marshall County have viewed their present circumstances as a challenge and an opportunity. They put their heads together and came up with a long-term economic development plan to attract jobs and ensure a bright future for the next generation. Included in this vision for the future has been the development of a large industrial park in northern Marshall County, adjacent to the Tennessee line.

At the same time, Mr. Speaker, in an effort to improve the regional economy

in Tennessee, the Memphis Area Chamber of Commerce organized the Mid South Common Market, which includes the States of Tennessee and Mississippi and numerous counties around the city of Memphis.

□ 2200

As a result of cooperation and consultation between economic development leaders in these two States, the idea of a regional industrial park was born. The innovative project would be a 4,000- to 5,000-acre industrial park located in both Marshall County, Mississippi, and Fayette County, Tennessee.

Mr. Speaker, I am excited about this project because it will enhance the economy of our region and improve the lives of my constituents who live in Marshall County and the surrounding area. I urge its adoption. I think it is an example of the American can-do attitude.

Mr. GEKAS. Mr. Speaker, I yield back the balance of my time.

Mr. NADLER. Mr. Speaker, in that case, I have no further speakers. I urge the adoption of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. GEKAS] that the House suspend the rules and pass the joint resolution, House Joint Resolution 95.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

A motion to reconsider was laid on the table.

GRANTING CONSENT AND APPROVAL OF CONGRESS FOR STATE OF MARYLAND, COMMONWEALTH OF VIRGINIA, AND DISTRICT OF COLUMBIA TO AMEND WASHINGTON METROPOLITAN AREA TRANSIT REGULATION COMPACT

Mr. GEKAS. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 96) granting the consent and approval of Congress for the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to amend the Washington Metropolitan Area Transit Regulation Compact.

The Clerk read as follows:

H.J. RES. 96

Whereas the State of Maryland, the Commonwealth of Virginia, and the District of Columbia have adopted amendments to the Washington Metropolitan Area Transit Regulation Compact relating to public hearing requirements and empowering transit police officers to carry weapons issued by WMATA while in an off-duty status, consistent with limitations imposed by the applicable political subdivision; and

Whereas the Congress has reviewed such amendments and is willing to consent to such amendments: Now therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in*

*Congress assembled*, That consent of Congress is hereby given to the amendments of the State of Maryland (Chapter 489, 1996 Laws of the Maryland General Assembly and Chapter 91 and 699, 1997 Laws of the Maryland General Assembly), the amendments of the Commonwealth of Virginia (Chapter 150, 1995 Acts of Assembly of Virginia), and the amendments of the District of Columbia (D.C. Law 11-443) to sections 62 and 76 of title III of the Washington Metropolitan Area Transit Regulation Compact. Such amendments are as follows:

(1) Section 62(a) is amended to read as follows:

“(a) The Board shall not raise any fare or rate, nor implement a major service reduction, except after holding a public hearing with respect thereto.”.

(2) Section 62(c) is amended to read as follows:

“(c) The Board shall give at least fifteen days' notice for all public hearings. The notice shall be given by publication in a newspaper of daily circulation throughout the Transit Zone and such notice shall be published once a week for two successive weeks. The notice period shall start with the first day of publication. Notices of public hearings shall be posted in accordance with regulations promulgated by the Board.”.

(3) Section 76(b) is amended to read as follows:

“(b) A member of the Metro Transit Police shall have the same powers, including the power of arrest, and shall be subject to the same limitations, including regulatory limitations, in the performance of his duties as a member of the duly constituted police force of the political subdivision in which the Metro Transit Police member is engaged in the performance of his duties. A member of the Metro Transit Police is authorized to carry and use only such weapons, including handguns, as are issued by the Authority. A member of the Metro Transit Police is subject to such additional limitations in the use of weapons as are imposed on the duly constituted police force for the political subdivision in which he is engaged in the performance of his duties.”.

(4) Section 76(e) is amended to read as follows:

“(e) The Authority shall have the power to adopt rules and regulations for the safe, convenient, and orderly use of the transit facilities owned, controlled, or operated by the Authority, including the payment and the manner of the payment of fares or charges therefor, the protection of the transit facilities, the control of traffic and parking upon the transit facilities, and the safety and protection of the riding public. In the event that any such rules and regulations contravene the laws, ordinances, rules, or regulations of a signatory or any political subdivision thereof which are existing or subsequently enacted, these laws, ordinances, rules, or regulations of the signatory or the political subdivision shall apply and the conflicting rule or regulation, or portion thereof, of the Authority shall be void within the jurisdiction of that signatory or political subdivision. In all other respects, the rules and regulations of the Authority shall be uniform throughout the Transit Zone. The rules or regulations established under this subsection shall be adopted by the Board following public hearings held in accordance with section 62(c) and (d) of this Compact. The final regulation shall be published in a newspaper of general circulation within the Zone at least 15 days before its effective date. Any person violating any rule or regulation of the Authority shall be subject to arrest and, upon conviction by a court of competent jurisdiction, shall pay a fine of not more than two hundred fifty dollars (\$250) and costs. Criminal violations of any rule or regulation of