

IN THE SUPREME COURT OF THE UNITED STATES

No. 22-96

FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR
PUERTO RICO, PETITIONER

v.

CENTRO DE PERIODISMO INVESTIGATIVO, INC.

ON WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

MOTION OF THE UNITED STATES FOR LEAVE TO
PARTICIPATE IN ORAL ARGUMENT AS AMICUS CURIAE,
FOR ENLARGEMENT OF TIME FOR ORAL ARGUMENT,
AND FOR DIVIDED ARGUMENT

Pursuant to Rule 28 of the Rules of this Court, the Solicitor General, on behalf of the United States, respectfully moves that the United States be granted leave to participate in the oral argument in this case as amicus curiae, that the time for oral argument be enlarged to 70 minutes, and that the time be allotted as follows: 20 minutes for petitioner, 15 minutes for the United States, and 35 minutes for respondent. Petitioner and respondent both consent to this motion.

This case presents the question whether Section 106(a) of the Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA), 48 U.S.C. 2126(a), abrogates the sovereign immunity of the Financial Oversight and Management Board for Puerto Rico. The United States has filed a brief as amicus curiae supporting vacatur, arguing that Puerto Rico and the Board are entitled to sovereign immunity, that PROMESA does not abrogate that immunity, and that the case should be remanded for further proceedings.

The United States has a substantial interest in the resolution of the question presented. The case implicates important questions regarding the existence and extent of Puerto Rico's sovereign immunity and may affect federal legislation and policies related to Puerto Rico. It also implicates more general principles concerning the abrogation of sovereign immunity that are relevant to the United States as sovereign and to other governments that may be sued in United States courts.

The United States has presented argument as amicus curiae in previous cases concerning Puerto Rico's sovereign status and congressional abrogation of sovereign immunity. See, e.g., Puerto Rico v. Sanchez Valle, 579 U.S. 59 (2016) (No. 15-108); Michigan v. Bay Mills Indian Community, 572 U.S. 782 (2014) (No. 12-515); Kimel v. Florida Bd. Of Regents, 528 U.S. 62 (2000) (Nos. 98-791, 98-796); Seminole Tribe of Fla. v. Florida, 517 U.S. 44 (1996) (No. 94-12). The United States' participation in oral argument

could materially assist the Court in its consideration of this case.

Respectfully submitted.

ELIZABETH B. PRELOGAR
Solicitor General
Counsel of Record

NOVEMBER 2022