

Energy and Natural Resources of the Senate describing—

(1) the conditions which led to the level of debt, which should be analyzed, per capita and based upon overall economic activity;

(2) how actions of the territorial government improved or impaired the territory's financial conditions; and

(3) recommendations on non-fiscal actions, or policies that would not imperil America's homeland and national security, that could be taken by Congress or the Administration to avert future indebtedness of territories, while respecting sovereignty and constitutional parameters.

(Pub. L. 114-187, title IV, § 410, June 30, 2016, 130 Stat. 594.)

### § 2198. Report on territorial debt

#### (a) Report required

Not later than one year after June 30, 2016, and thereafter not less than once every two years, the Comptroller General of the United States shall submit to Congress a report on the public debt of each territory, including—

(1) the historical levels of each territory's public debt, current amount and composition of each territory's public debt, and future projections of each territory's public debt;

(2) the historical levels of each territory's revenue, current amount and composition of each territory's revenue, and future projections of each territory's revenue;

(3) the drivers and composition of each territory's public debt;

(4) the effect of Federal laws, mandates, rules, and regulations on each territory's public debt; and

(5) the ability of each territory to repay its<sup>1</sup> public debt.

#### (b) Materials

The government of each territory shall make available to the Comptroller General of the United States all materials necessary to carry out this section.

(Pub. L. 114-187, title IV, § 411, June 30, 2016, 130 Stat. 594.)

### § 2199. Expansion of HUBZones in Puerto Rico

#### (a) Omitted

#### (b) Improving oversight

##### (1) Guidance

Not later than 270 days after June 30, 2016, the Administrator of the Small Business Administration shall develop and implement criteria and guidance on using a risk-based approach to requesting and verifying information from entities applying to be designated or recertified as qualified HUBZone small business concerns (as defined in section 632(p)(5) of title 15).

##### (2) Assessment

Not later 1 year after the date on which the criteria and guidance described in paragraph

(1) is implemented, the Comptroller General of the United States shall begin an assessment of such criteria and guidance. Not later than 6 months after beginning such an assessment, the Comptroller General shall submit a report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives that includes—

(A) an assessment of the criteria and guidance issued by the Administrator of the Small Business Administration in accordance with paragraph (1);

(B) an assessment of the implementation of the criteria and guidance issued by issued by<sup>1</sup> the Administrator of the Small Business Administration in accordance with paragraph (1);

(C) an assessment as to whether these measures have successfully ensured that only qualified HUBZone small business concerns are participating in the HUBZone program under section 657a of title 15;

(D) an assessment as to whether the reforms made by the criteria and guidance implemented under paragraph (1) have resulted in job creation in the Commonwealth of Puerto Rico; and

(E) recommendations on how to improve controls in the HUBZone program.

(Pub. L. 114-187, title IV, § 412, June 30, 2016, 130 Stat. 595.)

#### CODIFICATION

Section is comprised of section 412 of Pub. L. 114-187. Subsec. (a)(1) of section 412 of Pub. L. 114-187 amended section 632 of Title 15, Commerce and Trade. Subsec. (a)(2) of section 412 of Pub. L. 114-187 enacted provisions set out as a note under section 632 of Title 15.

### § 2200. Determination on debt

Nothing in this chapter shall be interpreted to restrict—

(1) the ability of the Puerto Rico Commission for the Comprehensive Audit of the Public Credit to file its reports; or

(2) the review and consideration of the Puerto Rico Commission's findings by Puerto Rico's government or an Oversight Board for Puerto Rico established under section 2121 of this title.

(Pub. L. 114-187, title IV, § 413, June 30, 2016, 130 Stat. 596.)

#### REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this Act", meaning Pub. L. 114-187, June 30, 2016, 130 Stat. 549, known as the Puerto Rico Oversight, Management, and Economic Stability Act and also as PROMESA, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 2101 of this title and Tables.

#### SUBCHAPTER V—PUERTO RICO INFRASTRUCTURE REVITALIZATION

### § 2211. Definitions

In this subchapter:

<sup>1</sup> So in original. Probably should be "its".

<sup>1</sup> So in original.

**(1) Act 76**

The term “Act 76” means Puerto Rico Act 76–2000 (3 L.P.R.A. 1931 et seq.), approved on May 5, 2000, as amended.

**(2) Critical Project**

The term “Critical Project” means a project identified under the provisions of this subchapter and intimately related to addressing an emergency whose approval, consideration, permitting, and implementation shall be expedited and streamlined according to the statutory process provided by Act 76, or otherwise adopted pursuant to this subchapter.

**(3) Energy Commission of Puerto Rico**

The term “Energy Commission of Puerto Rico” means the Puerto Rico Energy Commission as established by Subtitle B of Puerto Rico Act 57–2014.

**(4) Energy Projects**

The term “Energy Projects” means those projects addressing the generation, distribution, or transmission of energy.

**(5) Emergency**

The term “emergency” means any event or grave problem of deterioration in the physical infrastructure for the rendering of essential services to the people, or that endangers the life, public health, or safety of the population or of a sensitive ecosystem, or as otherwise defined by section 1 of Act 76 (3 L.P.R.A. 1931). This shall include problems in the physical infrastructure for energy, water, sewer, solid waste, highways or roads, ports, telecommunications, and other similar infrastructure.

**(6) Environmental Quality Board**

The term “Environmental Quality Board” means the Puerto Rico Environmental Quality Board, a board within the executive branch of the Government of Puerto Rico as established by section 7 of Puerto Rico Act 416–2004 (12 L.P.R.A. 8002a).

**(7) Expedited Permitting Process**

The term “Expedited Permitting Process” means a Puerto Rico Agency’s alternate procedures, conditions, and terms mirroring those established under Act 76 (3 L.P.R.A. 1932) and pursuant to this subchapter shall not apply to any Federal law, statute, or requirement.

**(8) Governor**

The term “Governor” means the Governor of Puerto Rico.

**(9) Interagency Environmental Subcommittee**

The term “Interagency Environmental Subcommittee” means the Interagency Subcommittee on Expedited Environmental Regulations as further described by section 2214 of this title.

**(10) Legislature**

The term “Legislature” means the Legislature of Puerto Rico.

**(11) Planning Board**

The term “Planning Board” means the Puerto Rico Planning Board, a board within the executive branch of the Government of Puerto

Rico established by Puerto Rico Act 75–1975 (23 L.P.R.A. 62 et seq.).

**(12) Project Sponsor**

The term “Project Sponsor” means a Puerto Rico Agency or private party proposing the development of an existing, ongoing, or new infrastructure project or Energy Project.

**(13) Puerto Rico Agency or Agencies**

The terms “Puerto Rico Agency” or “Puerto Rico Agencies” means any board, body, board of examiners, public corporation, commission, independent office, division, administration, bureau, department, authority, official, person, entity, municipality, or any instrumentality of Puerto Rico, or an administrative body authorized by law to perform duties of regulating, investigating, or that may issue a decision, or with the power to issue licenses, certificates, permits, concessions, accreditations, privileges, franchises, except the Senate and the House of Representatives of the Legislature and the judicial branch.

**(14) Puerto Rico Electric Power Authority**

The term “Puerto Rico Electric Power Authority” means the Puerto Rico Electric Power Authority established by Puerto Rico Act 83–1941.

(Pub. L. 114–187, title V, §501, June 30, 2016, 130 Stat. 596.)

**§ 2212. Position of Revitalization Coordinator****(a) Establishment**

There is established, under the Oversight Board, the position of the Revitalization Coordinator.

**(b) Appointment****(1) In general**

The Revitalization Coordinator shall be appointed by the Governor as follows:

(A) Prior to the appointment of the Revitalization Coordinator and within 60 days of the appointment of the full membership of the Oversight Board, the Oversight Board shall submit to the Governor no less than three nominees for appointment.

(B) In consultation with the Oversight Board, not later than 10 days after receiving the nominations under subparagraph (A), the Governor shall appoint one of the nominees as the Revitalization Coordinator. Such appointment shall be effective immediately.

(C) If the Governor fails to select a Revitalization Coordinator, the Oversight Board shall, by majority vote, appoint a Revitalization Coordinator from the list of nominees provided under paragraph (A).

**(2) Qualifications**

In selecting nominees under paragraph (1)(A), the Oversight Board shall only nominate persons who—

(A) have substantial knowledge and expertise in the planning, predevelopment, financing, development, operations, engineering, or market participation of infrastructure projects, provided that stronger consideration may be given to candidates who have