

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 1163
OFFERED BY M . _____**

In section 3(a)(2), strike “(f)(3)” each place it appears and insert “(f)”.

In section 3(a)(2), redesignate subparagraphs (A) and (B) as subparagraphs (D) and (E), respectively, and insert the following:

1 (A) in subparagraph (2), by striking “In”
2 and inserting “Subject to paragraph (3), in”;

3 (B) by redesignating paragraphs (3) and
4 (4) as paragraphs (4) and (5), respectively;

5 (C) by inserting the following:

6 “(3) WAIVER FOR SOCIAL SECURITY BENE-
7 FICIARIES.—In the case of individuals who have re-
8 ceived amounts of Federal Pandemic Unemployment
9 Compensation or Mixed Earner Unemployment
10 Compensation under this section to which they were
11 not entitled, the State may not require such individ-
12 uals to repay the amounts of such pandemic unem-
13 ployment assistance to the State agency if—

1 “(A) the State agency determines that the
2 payment of such Federal Pandemic Unemploy-
3 ment Compensation or Mixed Earner Unem-
4 ployment Compensation was without fault on
5 the part of any such individual, and

6 “(B) such individual is a worker age 60 or
7 older who is receiving benefits under title II of
8 the Social Security Act.”;

In section 3(a)(2)(D), as redesignated, strike “sub-
paragraph (A)” and insert “paragraph (4)(A), as redesi-
gnated by subparagraph (B) of this paragraph,”.

In section 3(a)(2)(E), as redesignated, by inserting
“after paragraph (4)(B), as redesignated by subpara-
graph (B) of this paragraph,” after “at the end”.

In section 3(a)(3), strike “(e)(3)” each place it ap-
pears and insert “(e)”.

In section 3(a)(3), redesignate subparagraphs (A)
and (B) as subparagraphs (D) and (E), respectively, and
insert the following:

9 (A) in subparagraph (2), by striking “In”
10 and inserting “Subject to paragraph (3), in”;

11 (B) by redesignating paragraphs (3) and
12 (4) as paragraphs (4) and (5), respectively;

13 (C) by inserting the following:

1 “(3) WAIVER FOR SOCIAL SECURITY BENE-
2 FICIARIES.—In the case of individuals who have re-
3 ceived amounts of Federal Pandemic Unemployment
4 Compensation or Mixed Earner Unemployment
5 Compensation under this section to which they were
6 not entitled, the State may not require such individ-
7 uals to repay the amounts of such pandemic unem-
8 ployment assistance to the State agency if—

9 “(A) the State agency determines that the
10 payment of such Federal Pandemic Unemploy-
11 ment Compensation or Mixed Earner Unem-
12 ployment Compensation was without fault on
13 the part of any such individual, and

14 “(B) such individual is a worker age 60 or
15 older who is receiving benefits under title II of
16 the Social Security Act.”;

In section 3(a)(3)(D), as redesignated, strike “sub-
paragraph (A)” and insert “paragraph (4)(A), as redesign-
ated by subparagraph (B) of this paragraph,”.

In section 3(a)(3)(E), as redesignated, by inserting
“after paragraph (4)(B), as redesignated by subpara-
graph (B) of this paragraph,” after “at the end”.

At the end of section 3(a) add the following:

1 (6) WAIVER FOR SOCIAL SECURITY BENE-
2 FICIARIES.—

3 (A) IN GENERAL.—In the case of individ-
4 uals who have received applicable Federal un-
5 employment payments to which they were not
6 entitled, the State may not require such individ-
7 uals to repay such amounts to the State agency
8 if—

9 (i) the State agency determines that
10 the payment of such amounts was without
11 fault on the part of any such individual,
12 and

13 (ii) such individual is a worker age 60
14 or older who is receiving benefits under
15 title II of the Social Security Act.

16 (B) APPLICABLE FEDERAL UNEMPLOY-
17 MENT PAYMENTS.—In this paragraph, the term
18 “applicable Federal unemployment payments”
19 means—

20 (i) amounts of sharable extended com-
21 pensation and sharable regular compensa-
22 tion from a State to which paragraph (4)
23 applies for weeks of unemployment de-
24 scribed in such paragraph; and

1 (ii) amounts of regular compensation
2 from a State described in paragraph (5)
3 for the first week of regular unemployment
4 for which the State received full Federal
5 funding under the agreement described in
6 such paragraph.

