

This amendment would require states to waive overpayments of pandemic unemployment benefits made to workers who are below the median national income and were without fault in the overpayment.

**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 LOW-INCOME WORKERS.—In  
7                   the case of individuals who have received amounts of  
8                   Federal Pandemic Unemployment Compensation or  
9                   Mixed Earner Unemployment Compensation under  
10                  this section to which they were not entitled, the  
11                  State may not require such individuals to repay the  
12                  amounts of such pandemic unemployment assistance  
13                  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 with in-  
7           come below the national median income for the  
8           most recent year available.”;

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 LOW-INCOME WORKERS.—In  
2           the case of individuals who have received amounts of  
3           Federal Pandemic Unemployment Compensation or  
4           Mixed Earner Unemployment Compensation under  
5           this section to which they were not entitled, the  
6           State may not require such individuals to repay the  
7           amounts of such pandemic unemployment assistance  
8           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 with in-  
15                  come below the national median income for the  
16                  most recent year available.”;

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:

17                   (6) WAIVER FOR LOW-INCOME WORKERS.—

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

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

11 (ii) such individual is a worker with  
12 income below the national median income  
13 for the most recent year available.

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

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

23 (ii) amounts of regular compensation  
24 from a State described in paragraph (5)  
25 for the first week of regular unemployment

1                   for which the State received full Federal  
2                   funding under the agreement described in  
3                   such paragraph.

