

**AMENDMENT TO H.R. 1163, AS REPORTED
OFFERED BY MR. EVANS OF PENNSYLVANIA**

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

In section 2(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 SMALL BUSINESS OWNERS
7 AND EMPLOYEES.—In the case of individuals who
8 have received amounts of Federal Pandemic Unem-
9 ployment Compensation or Mixed Earner Unemploy-
10 ment Compensation under this section to which they
11 were not entitled, the State may not require such in-
12 dividuals to repay the amounts of such pandemic un-
13 employment assistance to the State agency if—

14 “(A) the State agency determines that the
15 payment of such Federal Pandemic Unemploy-

1 ment Compensation or Mixed Earner Unem-
2 ployment Compensation was without fault on
3 the part of any such individual, and

4 “(B) such individual is a worker who was
5 an owner or employee of a small business in
6 2020 or 2021.”;

In section 2(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 2(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 2(a)(3), strike “(e)(3)” each place it ap-
pears and insert “(e)”.

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

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

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

11 (C) by inserting the following:

12 “(3) WAIVER FOR SMALL BUSINESS OWNERS
13 AND EMPLOYEES.—In the case of individuals who

1 have received amounts of Federal Pandemic Unem-
2 ployment Compensation or Mixed Earner Unemploy-
3 ment Compensation under this section to which they
4 were not entitled, the State may not require such in-
5 dividuals to repay the amounts of such pandemic un-
6 employment assistance to the State agency if—

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

12 “(B) such individual is a worker who was
13 an owner or employee of a small business in
14 2020 or 2021.”;

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

In section 2(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 2(a) add the following:

15 (6) WAIVER FOR SMALL BUSINESS OWNERS
16 AND EMPLOYEES.—

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 who
12 was an owner or employee of a small busi-
13 ness in 2020 or 2021.

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.

