

**AMENDMENT TO H.R. 1163, AS REPORTED**  
**OFFERED BY MR. GARCÍA OF ILLINOIS**

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 RESTAURANT AND FOOD IN-  
7           DUSTRY WORKERS.—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 was a restaurant or  
5           food industry worker in 2020 or 2021.”;

In section 2(a)(2)(D), as redesignated, strike “sub-  
paragraph (A)” and insert “paragraph (4)(A), as redesign-  
ated 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:

6           (A) in subparagraph (2), by striking “In”  
7           and inserting “Subject to paragraph (3), in”;  
8           (B) by redesignating paragraphs (3) and  
9           (4) as paragraphs (4) and (5), respectively;  
10          (C) by inserting the following:  
11          “(3) WAIVER FOR RESTAURANT AND FOOD IN-  
12          DUSTRY WORKERS.—In the case of individuals who  
13          have received amounts of Federal Pandemic Unem-

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

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

11              “(B) such individual was a restaurant or  
12              food industry worker in 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:

13              (6) WAIVER FOR RESTAURANT AND FOOD IN-  
14              DUSTRY WORKERS.—

15              (A) IN GENERAL.—In the case of individ-  
16              uals who have received applicable Federal un-  
17              employment payments to which they were not

1 entitled, the State may not require such individ-  
2 uals to repay such amounts to the State agency  
3 if—

4 (i) the State agency determines that  
5 the payment of such amounts was without  
6 fault on the part of any such individual,  
7 and

8 (ii) such individual was a restaurant  
9 or food industry worker in 2020 or 2021.

10 (B) APPLICABLE FEDERAL UNEMPLOY-  
11 MENT PAYMENTS.—In this paragraph, the term  
12 “applicable Federal unemployment payments”  
13 means—

14 (i) amounts of sharable extended com-  
15 pensation and sharable regular compensa-  
16 tion from a State to which paragraph (4)  
17 applies for weeks of unemployment de-  
18 scribed in such paragraph; and

19 (ii) amounts of regular compensation  
20 from a State described in paragraph (5)  
21 for the first week of regular unemployment  
22 for which the State received full Federal  
23 funding under the agreement described in  
24 such paragraph.

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