

**AMENDMENT TO H.R. 1163, AS REPORTED  
OFFERED BY MS. LEE 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 ESSENTIAL HEALTHCARE  
7 WORKERS.—(A) In the case of individuals who have  
8 received amounts of Federal Pandemic Unemploy-  
9 ment 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—

14 “(i) the State agency determines that  
15 the payment of such Federal Pandemic

1 Unemployment Compensation or Mixed  
2 Earner Unemployment Compensation was  
3 without fault on the part of any such indi-  
4 vidual, and

5 “(ii) such individual was working in  
6 health care (including as a provider or sup-  
7 port staff) in 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:

- 8 (A) in subparagraph (2), by striking “In”  
9 and inserting “Subject to paragraph (3), in”;  
10 (B) by redesignating paragraphs (3) and  
11 (4) as paragraphs (4) and (5), respectively;  
12 (C) by inserting the following:

1           “(3) WAIVER FOR ESSENTIAL HEALTHCARE  
2 WORKERS.—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 was working in health  
15 care (including as a provider or support staff)  
16 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:

1           (6) WAIVER FOR ESSENTIAL HEALTHCARE  
2 WORKERS.—

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 was working in  
14 health care (including as a provider or sup-  
15 port staff) in 2020 or 2021.

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.

