

1 “(ii) if a higher level appeal is allowed
2 by the State, the higher level appeal shall
3 be carried out by the applicability entity
4 within the State; and

5 “(iii) appeals described in clauses (i)
6 and (ii) shall be conducted in the same
7 manner and to the same extent as appeals
8 of regular unemployment compensation are
9 conducted under the unemployment com-
10 pensation law of Hawaii.”.

11 (2) EFFECTIVE DATE.—The amendment made
12 by paragraph (1) shall take effect as if enacted as
13 part of division A of the CARES Act (Public Law
14 116–136), except that any decision issued on appeal
15 or review before the date of enactment of this Act
16 shall not be affected by the amendment made by
17 paragraph (1).

18 (d) WAIVER AUTHORITY FOR CERTAIN OVERPAY-
19 MENTS OF PANDEMIC UNEMPLOYMENT ASSISTANCE.—
20 Section 2102(d) of the CARES Act (15 U.S.C. 9021(d))
21 is amended by adding at the end the following:

22 “(4) WAIVER AUTHORITY.—In the case of indi-
23 viduals who have received amounts of pandemic un-
24 employment assistance to which they were not enti-
25 tled, the State shall require such individuals to repay