

1 the amounts of such pandemic unemployment assist-
2 ance to the State agency, except that the State
3 agency may waive such repayment if it determines
4 that—

5 “(A) the payment of such pandemic unem-
6 ployment assistance was without fault on the
7 part of any such individual; and

8 “(B) such repayment would be contrary to
9 equity and good conscience.”.

10 (e) HOLD HARMLESS FOR PROPER ADMINISTRA-
11 TION.—In the case of an individual who is eligible to re-
12 ceive pandemic unemployment assistance under section
13 2102 the CARES Act (15 U.S.C. 9021) as of the day be-
14 fore the date of enactment of this Act and on the date
15 of enactment of this Act becomes eligible for pandemic
16 emergency unemployment compensation under section
17 2107 of the CARES Act (15 U.S.C. 9025) by reason of
18 the amendments made by section 206(b) of this subtitle,
19 any payment of pandemic unemployment assistance under
20 such section 2102 made after the date of enactment of
21 this Act to such individual during an appropriate period
22 of time, as determined by the Secretary of Labor, that
23 should have been made under such section 2107 shall not
24 be considered to be an overpayment of assistance under
25 such section 2102, except that an individual may not re-