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January 5, 2021

The Honorable Dane Eagle  
Executive Director  
Florida Department of Economic Opportunity  
107 E. Madison Street  
Tallahassee, FL 32399

Dear Mr. Eagle,

I write to respectfully direct your attention to Division N, Section 201(d) of the recently-enacted *Consolidated Appropriations Act, 2021*. This provision was drawn from H.R. 8812, the *Relief for Working Families Act of 2020*, bipartisan legislation I introduced with Congresswoman Jamie Herrera Beutler of Washington State on November 24, 2020.

Our provision fixes a flaw in federal law that has been causing economic hardship for Florida families.<sup>1</sup> The provision gives states a power they previously lacked, namely the authority to waive repayment of federal Pandemic Unemployment Assistance (PUA) benefits when the state mistakenly paid those benefits to an individual, if the state determines (1) the overpayment was not the fault of the individual, and (2) repayment would be contrary to “equity and good conscience.”

This is the same legal standard already used by the Florida Department of Economic Opportunity and unemployment agencies in every other state to waive repayment of regular state Unemployment Compensation (UC) benefits. The same standard was extended under the *CARES Act* to Federal Pandemic Unemployment Compensation (FPUC) and Pandemic Emergency Unemployment Compensation (PEUC). Accordingly, you should have no difficulty applying this standard in the PUA context.

I urge FLDEO to make full and fair use of this new authority in order to provide relief to faultless Floridians where repayment of PUA benefits would result in significant economic harm, especially in those cases where struggling recipients have already spent those benefits to purchase food, pay rent or mortgage, and meet other basic needs. Broad use of this authority is vital during the COVID-19 pandemic and accompanying economic crisis.

I also urge you to keep the public and press regularly informed about how many waivers have been granted pursuant to this new authority.

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<sup>1</sup> See, e.g., Scott Maxwell, “Yet Another Problem with Florida’s Unemployment System,” *Orlando Sentinel* (December 9, 2020), available [here](#).

Finally, I urge you to conduct an educational campaign to advise affected Florida residents about the availability of this waiver, so they can avail themselves of it as appropriate.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stephanie", with a long, sweeping horizontal stroke extending to the right.

Stephanie Murphy  
Member of Congress