

**PRESIDENTIAL COMM. NO. 7399**  
**FSM CONGRESS**

**Public Law No. 7-119**

AN ACT

To further amend title 53 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 5-120 and 6-111, by further amending section 806, as amended by Public Law No. 5-120, to allow a surviving spouse to receive social security benefits based on his or her own employment coverage if it pays more than survivors' benefits, and that this amount plus any children's survivors' benefits may exceed the amount of the deceased's retirement benefits, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1 Section 1. Section 806 of title 53 of the Code of the Federated  
2 States of Micronesia, as amended by Public Law No. 5-120, is hereby  
3 further amended to read as follows:

4 "Section 806. Amount of survivor insurance benefits.

5 (1) The surviving spouse of a fully insured worker  
6 eligible in accordance with section 802 shall be paid a  
7 monthly benefit or disability in an amount equal to sixty  
8 percent of the retirement or disability insurance benefit  
9 calculated for the deceased spouse at the date of death.

10 (2) Each eligible child of an insured worker shall be  
11 entitled to a monthly benefit of fifteen percent of the  
12 retirement insurance benefit calculated for the deceased  
13 parent at the date of death.

14 (3) If the spouse of the deceased insured worker is  
15 eligible for retirement or disability benefits based  
16 on his or her own employment coverage, and is also eligible  
17 for survivors' benefits, the spouse shall receive whatever  
18 benefit pays the largest monthly payment.

19 (4) The total survivors' benefit paid to the spouse  
20 and children may not exceed the retirement benefit  
21 calculated for the decedent as of the date of death,  
22 except that if the surviving spouse receives benefits



1 based on his or her own employment coverage, that amount  
 2 plus the survivors' benefits for the children may exceed the  
 3 amount of the deceased's retirement benefit. In no event  
 4 shall the amount paid be less than the minimum established  
 5 by the Social Security Administration, as set out in section  
 6 804 of title 53 of the Code of the Federated States of  
 7 Micronesia."

8 Section 2. This act shall become law upon approval by the  
 9 President of the Federated States of Micronesia or upon its becoming  
 10 law without such approval.

11  
 12 *[Signature]*, 1992  
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 14 *[Signature]*  
 15 Bailey Olter  
 16 President  
 17 Federated States of Micronesia  
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