
A BILL FOR AN ACT

To further amend title 53 of the Code of the Federated States of Micronesia, as amended, by amending section 806, to provide for increased benefits to surviving spouses, 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
2 Federated States of Micronesia, as amended by Public Law No. 2-74,
3 5-120, 7-119 and 14-37 is hereby further amended to read as
4 follows:

5 "Section 806. Amount of survivor insurance benefits.

6 (1) The surviving spouse of a fully insured worker
7 eligible in accordance with section 802 of this chapter
8 shall be paid a monthly benefit or disability in an
9 amount equal to 60 percent of the retirement or
10 disability insurance benefit calculated for the deceased
11 spouse at the date of death.

12 (2) Each eligible child of an insured worker shall be
13 entitled to a monthly benefit of 15 percent of the
14 retirement insurance benefit calculated for the deceased
15 parent at the date of death.

16 (3) If the spouse of the deceased insured worker is
17 eligible for retirement or disability benefits based on
18 his or her own employment coverage, and is also eligible
19 for survivors' benefits, the spouse shall receive their
20 retirement or disability benefits based on his or her

1 own employment coverage plus 50% of the retirement or
2 disability insurance benefit calculated for the deceased
3 spouse at the date of death. [~~whatever benefit pays the~~
4 ~~higher monthly payment.~~] In addition, the surviving
5 spouse shall be entitled to receive a lump sum equal to
6 four percent of the cumulative covered earnings upon
7 which the lower benefit is based, less the sum of all
8 benefits already received on the basis of those
9 cumulative covered earnings.

10 (4) The monthly benefit paid to the surviving
11 child(ren) shall be based on the higher of the two
12 benefits that have been earned by the deceased parents
13 if fully insured or currently insured. In addition, the
14 surviving child(ren) shall be entitled to receive a lump
15 sum equal to two percent of the other deceased parent's
16 cumulative covered earnings, less the sum of all
17 benefits, if any, received by the deceased parent.

18 (5) The total survivors' benefit paid to the spouse
19 and children may not exceed the retirement benefit
20 calculated for the decedent as of the date of death,
21 except that if the surviving spouse receives benefits
22 based on his or her own employment coverage, that amount
23 plus the survivors' benefits for the children may exceed
24 the amount of the deceased's retirement benefit. In no
25 event shall the amount paid be less than the minimum
26 established by the Social Security Administration, as

