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A BILL FOR AN ACT

To amend section 801 of title 53 of the Code of the Federated States of Micronesia (Annotated), as amended, to require the FSM Social Security Administration to give individuals receiving benefit payments adequate time to submit any necessary proof of continued eligibility before suspending the eligibility of such individuals, and for other purposes.

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

1       Section 1. Section 801 of title 53 of the Code of the Federated  
2 States of Micronesia (Annotated), is hereby amended to read as follows:

3           "Section 801. Scope of coverage; Verification of employment;  
4           Old age benefits.

5           (1) All employees, wherever employed by an employer  
6           incorporated or doing business in the Federated States  
7           of Micronesia, shall be covered unless both the employer  
8           and the employee are currently subject to any other  
9           recognized Social Security System. The administrator of  
10          the Social Security System, or his designees, shall  
11          cause at least two unannounced employment site checks to  
12          be conducted upon every non-government employee actually  
13          engaged in an employer-employee relationship that will  
14          allow him to be covered and eligible for benefits under  
15          this subtitle. The two employment site checks shall be  
16          conducted within a month of each other and both shall be  
17          conducted within the first six months of the employee's  
18          first contribution payment to the Social Security

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1           System. For the purposes of this subtitle, any elected  
2           official in any Government unit or body in the Federated  
3           States of Micronesia is deemed to be an employee  
4           employed by a Federated States of Micronesia employer.  
5           The governmental unit or body to which such person is  
6           elected is subject to the provisions in this subtitle  
7           relating to the duty and obligations of the Federated  
8           States of Micronesia employer.

9           (2) Every person who:

10               (a) is fully insured;

11               (b) has attained age 60; and

12               (c) has filed a complete application with the  
13           Social Security Administrator for old age insurance shall  
14           be entitled to an old age insurance benefit subject to  
15           the earnings test as defined and applied in this  
16           subtitle.

17           (3) Old age insurance benefit payments shall be paid  
18           for each month commencing with the month for which both  
19           paragraphs (2)(a) and (2)(b) of this section are  
20           satisfied and shall end with the month preceding the  
21           month in which the applicant dies.

22           (4) Notwithstanding the provisions of subsections (2)  
23           and (3) of this section, retroactive payments shall be  
24           limited to the 12 months immediately preceding the month  
25           in which the individual entitled to benefits has

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1 submitted an application.

2 (5) In an application for benefits under this  
3 section, whether individually or as a dependent, the  
4 applicant has the burden to come forward with evidence  
5 and to take all steps necessary to file a completed  
6 application. The Social Security Administration has the  
7 right to deny an application for benefits solely on the  
8 basis of non-compliance with the application process, or  
9 the failure of the applicant to produce reasonably  
10 available documents or information.

11 (6) (a) When verifying the continued eligibility of  
12 an individual to receive benefit payments, the Social  
13 Security Administration shall not suspend benefit  
14 payments until the individual has been given adequate  
15 time to submit any documentation necessary to verify his  
16 or her continued eligibility. "Adequate time" shall  
17 mean a period of time, no less than one month,  
18 reasonably sufficient for an individual to acquire any  
19 necessary proof of his or her continued eligibility,  
20 complete any necessary documentation related to his or  
21 her continued eligibility, and return all such proof and  
22 documentation to the Social Security Administration.

23 (b) The provisions of paragraph (a) of this  
24 subsection shall not apply in cases in which the Social  
25 Security Administration possesses affirmative evidence

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1           indicating that an individual is not eligible for  
2           benefits.

3           Section 2. This act shall become law upon approval by the  
4 President of the Federated States of Micronesia or upon its  
5 becoming law without such approval.

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7 Date: 8/11/25

Introduced by: /s/ Perpetua S. Konman  
Perpetua S. Konman

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