

**Supplementary Statements  
by  
Individual Commissioners**

**Supplemental Statement by  
Samuel B. Horovitz**

Our Commissioners' mandates and recommendations, when adopted by Congress, will correct the main defects in our workmen's compensation acts.

But it should be the *present* Congress (to which we were asked to report), and not a future one in 1975, which should enact the bill necessary to make the corrections. A 1975 Congress may not have the same interest and may be too late.

The one important backward step recommended by a majority of our Commission is to take away, by offset, the widow's and orphan's rights to workmen's compensation payments when they receive Social Security owed because of lifetime *payments* by the deceased husband (50 percent paid by husband). Every Workmen's Compensation Act today takes away her *common law* rights to sue a negligent employer. This is constitutional so long as she receives *workmen's compensation payments* as a *quid pro quo*. But a complete offset of *workmen's compensation* payments gives her nothing, and in most cases will throw the family on welfare. This is unjust as well as unconstitutional, in my opinion. Congress has never before so punished the widow and young children; and a bill is coming up in Congress to abolish the unfair offset even for the *husband* during his lifetime. (Senate No. 1781, 91st Congress, 1st Session).

**Reservations on Major Issues by  
James R. O'Brien and Michael R. Peevey**

This report clearly reveals the glaring deficiencies and inequities now existing in state workmen's compensation programs throughout the Nation. Benefit levels are inadequate; many millions of workers remain uncovered; administration is often poor; and broad occupational disease coverage is often lacking. In short, the Nation's workmen's compensation system is in a crisis and fundamental remedial action is required.

The report supports this view and makes recommendations for positive change. We concur with the mandates and recommendations in the report with but few exceptions.

We cannot agree, however, with the conclusion that the States should be given more time to improve their laws. They have had 60 years to act and, as the report indicates, far too often the States' legislatures have demonstrated they are unable or unwilling to do so.

The Commission majority recognized this, but failed to draw the only logical and rational conclusion: the Congress should act now, not sometime after July 1, 1975, if certain mandates remain unmet. All the reasons for Congressional action after July 1, 1975, exist today. The passage of at least three more years will not change them.

The Administration should support, and the Congress should enact without delay, the series of specific "mandates" enumerated in Chapter 7. This list should be expanded to include benefit increases in the permanent partial area equal to those suggested in death cases, temporary total disability, and permanent total disability cases. We feel a Federal statute setting forth numerous minimum standards each State must meet should be enacted now.

We disagree with the recommendation that the Old Age, Survivors, Disability and Health Insurance program should continue to offset or reduce disability benefit payments of an individual who is simultaneously receiving disability benefits and workmen's compensation benefits.

The Nation's social security program should provide the basic protection against loss of income due to disabling illness or injury, and it is improper to reduce these benefits because disability benefits are payable under other programs. Social Security offset provisions, such as those recommended in this report are inconsistent with the basic social security principle that recognizes benefits as a right based upon wage-related tax payments. If problems of overlapping benefits should arise, it is appropriate that the States meet the problem through the administration and adjustment of State workmen's compensation laws.

This report fails to recommend any extension of financial assistance to the States to help them implement the Commission's recommendations. We feel the Congress should provide some financial assistance, if only for a limited period of time, to every State in order to expedite the

implementation of the mandates and recommendations contained in the Report.

We regret the basic enforcement method recommended by the Commission requires a return of the workmen's compensation system to the court procedures abandoned as unsatisfactory in the early years of this century. Injured workers and their families should be entitled to the full protection of workmen's compensation as a matter of right, and the program should be administered in a fashion to

assure the recommended Federal mandates contained in this report are provided without any need of court action by injured workers.

Further, we do not believe a new, successor commission is needed. If such a commission does come into existence, however, we believe it should be authorized by the Congress and have the responsibility of reporting annually to the Congress and the general public on its activities.

## **Appendix A**

## **Glossary**

- accident:** an unplanned and unexpected event, or an event attended with unexpected results.
- adequate:** delivering sufficient benefits and services to meet the objectives of the program (see equitable).
- agency (workmen's compensation agency):** the governmental unit administering the workmen's compensation program in a jurisdiction; includes boards, commissions, and departments, but not the courts.
- disability:** loss of actual earnings or of earning capability as a consequence of impairment (see impairment).
- disease:** damage to the body resulting from a cause other than an injury (see injury).
- equitable:** delivering benefits and services fairly as judged by the program's consistency in providing equal benefits or services to workers in identical circumstances and its rationality in providing benefits and services in proportion to the impairment or disability for those with different degrees of loss. Equitable compensation is not necessarily adequate (see adequate).
- experience rating:** see merit-rating.
- FECA:** Federal Employees' Compensation Act, the statute for the workmen's compensation program applicable to Federal employees.
- FELA:** the Federal Employers' Liability Act, which gives railroad workers engaged in interstate commerce an action in negligence against their employer in the event of a work-related injury or disease.
- impairment:** an anatomic or functional abnormality or loss (see disability; permanent impairment; temporary impairment).
- injury:** damage to the body resulting from an acute traumatic episode (see disease).
- Jones Act:** a section of the Merchant Marine Act which extends the provisions of the Federal Employers' Liability Act to seamen.
- jurisdiction:** includes the 50 States, the six other "States" as defined by the Occupational Safety and Health Act of 1970, and the two Federal programs (FECA and LHWCA) (see State).
- LHWCA:** the Longshoremen's and Harbor Workers' Compensation Act, which is the Federally administered workmen's compensation program for employees working on navigable waters, excluding the master or crew of a vessel.
- manual rating:** see merit-rating.
- merit-rating:** the method used to determine workmen's compensation insurance rates, consisting of three elements. *Manual or class rating* establishes rates in each State for various occupational or industry classifications, based on the loss experience of the classifications. *Experience rating* modifies the manual rate on the basis of the individual employer's previous loss experience relative to the average employer in his class and of the statistical reliability of that experience. *Retrospective rating* is a form of experience rating under which an employer pays a premium which varies with his own loss experience during the policy period.
- Model Act:** the suggested "Workmen's Compensation and Rehabilitation Law" published by the Council of State Governments.
- OASDHI:** see Social Security.
- offset:** the crediting of benefits payable under one program with the benefits paid under another program, e.g., when workmen's compensation offsets Social Security payments, workmen's compensation benefits are reduced.
- permanent impairment:** anatomic or functional abnormality or loss after maximum medical rehabilitation has been achieved; must be declared stable or nonprogressive by the physician at the time of evaluation (see temporary impairment).
- retroactive period:** specified number of days of disability before benefits are paid for time lost during waiting period (see waiting period).
- retrospective rating:** see merit-rating.
- second-injury fund:** see subsequent-injury fund.
- Social Security:** Old Age, Survivors, Disability, and Health Insurance program of the Social Security Administration.
- State:** as defined by the Occupational Safety and Health Act, State includes a State of the United States plus six other areas: the District of Columbia, Puerto Rico, Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands. In our tables, the six are referred to as "Other 'States'" (see jurisdiction).
- subsequent-injury fund:** a special fund which assumes all or part of the liability for benefits provided to a worker because of the combined effect of a work-related impairment with a preexisting condition.
- temporary impairment:** any anatomic or functional abnormality or loss before maximum medical rehabilitation (see permanent impairment).
- wage loss:** actual loss of wages or loss of wage-earning capacity.
- waiting period:** specified number of days of disability before cash benefit payments begin (see retroactive period).
- work-related:** having a causal relationship to the conditions of employment; in workmen's compensation, the usual legal test for "work-related" is "arising out of and in the course of employment."

Append x B

**The Cost of Adopting  
the Recommendations of the  
National Commission on  
State Workmen's  
Compensation Laws**

The estimated costs of adopting certain of the recommendations of the National Commission on State Workmen's Compensation Laws are summarized in Chapter 3 (Section F, especially Tables 3.12 and 3.13) and in Chapter 7 (especially Tables 7.2 and 7.3). This appendix contains a brief explanation of the procedures used to derive the estimates and estimates of the costs for individual States. More detailed explanations of the procedures used to derive these estimates will be published as part of the *Supplemental Studies* for the National Commission on State Workmen's Compensation Laws.

### Derivation of Table B.1

Table B.1 contains the estimates by the National Council on Compensation Insurance of costs of incorporating the recommendations of the National Commission on State Workmen's Compensation Laws into the laws in effect on January 1, 1972, in each of the 50 States and the District of Columbia. For ratemaking purposes, the National Council provides actuarial assistance to private insurance carriers for their operations in most States. The National Council

has developed a procedure which it uses to evaluate the cost consequences of a workmen's compensation law amendment. This amendment evaluation procedure is important because the insurance companies must somehow determine the insurance rates for policies dealing with the future—and obviously there is no appropriate actual experience upon which to predicate future losses when the law has just been amended.

The National Council's method of predicting the effect of a law amendment takes the distribution of workmen's compensation injuries found in an extensive review of actual cases and determines the cost of benefits associated with these typical injuries under the old and new laws. If the required benefits associated with the new law cost 10 percent more than under the old law, then the projected insurance rates are adjusted accordingly.

Table B.1 presents the National Council's estimates of incorporating our recommendations into the January 1, 1972, law present in each State. For example, if all of our Chapter 3 benefit recommendations for 1973 were incorporated into the 1972 Alabama law, insurance rates would increase 48.2 percent.

The recommendations used to calculate the estimates for Table B.1 are:

### Recommendations used to calculate estimates for Table B.1

	Column 1	Column 2	Column 3	Column 4
<b>Temporary total benefits</b>				
R3.5 waiting period, 3 days retroactive period, 14 days	✓	✓		
R3.7 weekly benefit: 2/3 of worker's gross weekly wage	✓	✓	✓	✓
R3.8 maximum weekly benefit 2/3 of State average wage	✓	*	✓	*
R3.17 no limit on total amount or duration of benefits	✓	✓	✓	✓
<b>Permanent total benefits</b>				
R3.11 for workers meeting test of permanent total disability	✓	✓	✓	✓
R3.12 weekly benefit 2/3 of worker's gross weekly wage	✓	✓	✓	✓
R3.15 maximum weekly benefit 2/3 of State average wage	✓	*	✓	*

**Recommendations used to calculate estimates for Table B.1, Continued**

	Column 1	Column 2	Column 3	Column 4
R3.17 no limit on total amount or duration of benefits	✓	✓	✓	✓
R3.14 increase in benefits as State average weekly wage increases	✓	✓		
<b>Death benefits</b>				
R3.21 weekly benefit, 2/3 of worker's gross weekly wage	✓	✓	✓	✓
R3.23 maximum weekly benefit, 2/3 of State average wage	✓	*	✓	*
R3.26 minimum weekly benefit, half of State average wage	✓	✓		
R3.25 benefits paid to widow or widower for life or until remarriage and to children as specified	✓	✓	✓	✓
R3.22 increase in benefits as State average weekly wage increases	✓	✓		
R3.27 death benefits reduced by amount received from Social Security	✓	✓		
<b>Disease coverage</b>				
R2.13 full coverage	✓	✓	✓	✓
<b>Medical care</b>				
R4.2 no statutory limits of time or total dollar amount	✓	✓	✓	✓

\* Maximum weekly benefits are 100 percent of State average weekly wage (R3.8, R3.15, R3.23).

For columns 1 and 2, if the January 1, 1972, State law had a waiting period of less than 3 days or a retroactive period of less than 14 days, these shorter periods were used by the National Council in estimating the costs of our recommendations. For columns 3 and 4, if the January 1, 1972, State law provided for automatic increases in permanent total or death benefits as the State average weekly wage increases, the National Council assumed these provisions remained in effect when the costs of our essential recommendations were estimated. (Four States—Connecticut, Idaho, Maine and West Virginia—now provide for automatic adjustments in permanent total or death benefits or both types of benefits as the average weekly wage in the State changes.) For all other instances where the State law as of January 1, 1972, had a provision that was more generous

than our recommendations, such as a maximum weekly benefit that exceeds 66 2/3 percent of the State's average weekly wage, it was assumed that our recommendation superseded the actual State provision. The National Council estimates to be published in the *Supplemental Studies* will include the costs of adopting our recommendations on the assumption that all provisions of present law that are more generous than our recommendations are retained. For about 10 States, this assumption will increase somewhat the estimated costs of adopting our recommendations.

**Derivation of Table B.2**

Table B.2 contains the estimates by the staff of the National Commission on State

**TABLE B.1. Estimated increase or decrease in cost, expressed as a percentage of current costs, of incorporating the recommendations of the National Commission on State Workmen's Compensation Laws into State laws in effect January 1, 1972**

Jurisdictions	All recommendations		Essential recommendations	
	(1) With 1973 maximum weekly benefits	(2) With 1975 maximum weekly benefits	(3) With 1973 maximum weekly benefits	(4) With 1975 maximum weekly benefits
Alabama	48.2	64.2	37.8	48.6
Alaska	64.7	80.0	35.8	44.5
Arizona	1.8	7.1	-1.5*	2.4
Arkansas	19.1	30.1	13.6	21.3
California	22.1	30.2	13.6	19.2
Colorado	36.9	50.5	25.6	34.6
Connecticut	24.6	33.5	-0.4*	4.5
Delaware	38.4	51.9	28.4	37.1
Florida	32.7	43.5	24.0	32.0
Georgia	51.4	67.0	39.5	49.9
Hawaii	8.8	16.9	3.2	9.1
Idaho	11.5	20.9	8.3	15.2
Illinois	21.1	26.3	10.1	17.3
Indiana	37.3	50.3	26.4	35.3
Iowa	36.4	48.7	27.7	36.0
Kansas	47.2	61.1	38.4	48.6
Kentucky	46.5	62.0	31.2	42.3
Louisiana	64.9	80.4	48.9	60.1
Maine	-9.8	-2.4	0.5	7.7
Maryland	18.6	27.6	13.5	20.7
Massachusetts	8.8	17.9	4.2	11.3
Michigan	24.3	34.8	17.1	25.1
Minnesota	21.4	32.3	14.7	22.7
Mississippi	48.3	63.8	40.7	51.2
Missouri	40.0	52.0	33.6	42.6
Montana	58.9	81.7	49.1	62.4
Nebraska	20.6	33.2	11.7	19.9
Nevada	17.9	25.4	2.4	10.0
New Hampshire	7.2	16.8	2.8	10.3
New Jersey	11.1	32.0	3.6	20.6
New Mexico	47.2	62.2	32.5	42.0
New York	19.7	28.2	12.3	18.6
North Carolina	30.0	42.0	27.9	36.8
North Dakota	34.5	51.6	28.4	39.1
Ohio	54.1	72.0	14.9	25.7
Oklahoma	53.3	67.8	42.8	53.1

TABLE B.1. Continued

Jurisdictions	All recommendations		Essential recommendations	
	(1) With 1973 maximum weekly benefits	(2) With 1975 maximum weekly benefits	(3) With 1973 maximum weekly benefits	(4) With 1975 maximum weekly benefits
Oregon	25.7	36.7	11.7	19.2
Pennsylvania	44.0	60.4	27.4	37.8
Rhode Island	10.1	16.7	6.3	11.8
South Carolina	33.2	45.1	26.6	35.2
South Dakota	33.3	48.5	27.4	38.1
Tennessee	30.7	42.5	23.4	31.8
Texas	50.0	64.8	38.3	48.9
Utah	42.2	56.8	31.4	40.3
Vermont	19.8	28.6	13.7	20.0
Virginia	35.5	48.1	24.0	32.4
Washington	22.6	33.1	-0.4*	6.5
West Virginia	21.0	35.6	16.4	27.9
Wisconsin	12.9	21.3	8.5	14.8
Wyoming	60.0	80.8	49.4	61.9
D.C.	24.0	34.2	17.8	25.0

\* Negative values were entered in calculations where present State benefits exceeded those recommended.

Source. National Council on Compensation Insurance.

Workmen's Compensation Laws of the proportion of payroll devoted to workmen's compensation premiums by employers in a representative sample of insurance classifications. The estimates, available for 41 States and the District of Columbia, are for the actual cost as of January 1, 1972 and the projected cost if the 1973 and 1975 recommendations of the National Commission on State Workmen's Compensation Laws are adopted. Column 2 of Table B.2 was derived by increasing the amount shown in Column 1 of Table B.2 by the figure shown in Column 1 of Table B.1. For example, the average employer in Alabama in our sample devoted .479 percent of payroll to workmen's compensation premiums as of January 1, 1972, and if all our 1973 benefit recommendations are adopted, the percentage of payroll would be .710 (.479 times 1.482).

The figures in Column 1 of Table B.2 were derived by calculating a weighted average of the manual rates in effect on January 1, 1972, for 45 insurance classifications, and then

adjusting the average of the manual rates for the effect of premium discounts, experience- and retrospective-rating, and participating insurance. The 45 insurance classifications are used with only minor variations in all States permitting private insurance carriers, and account for about 57 percent of all insurance premiums in States served by the National Council on Compensation Insurance. In recent years, the impact of experience rating and the other factors which modify the manual premiums in National Council States is to make the net cost of workmen's compensation insurance to policyholders about 82 percent of manual premiums. For States with exclusive State funds, insurance classifications were selected that are comparable to the 45 insurance classifications used in the States served by the private carriers, and adjustments were made for the impact of experience rating on manual rates. The details of the estimation procedures used to develop Column 1 of Table B.2 will be published in the *Supplemental Studies* for the National Commission on State Workmen's Compensation Laws.

**TABLE B.2. Estimates of the percentage of payroll devoted to workmen's compensation premiums by employers in a representative sample of insurance classifications**

Jurisdictions*	(1) Actual percentage in 1972	Estimated percentage			
		All recommendations adopted		Essential recommendations adopted	
		(2) 1973 maximums	(3) 1975 maximums	(4) 1973 maximums	(5) 1975 maximums
Alabama	.479	.710	.787	.660	.712
Alaska	.832	1.370	1.498	1.130	1.202
Arizona	1.385	1.410	1.483	1.364	1.418
Arkansas	.915	1.090	1.190	1.039	1.110
California	1.102	1.346	1.435	1.252	1.314
Colorado	.649	.888	.977	.815	.874
Connecticut	.697	.868	.930	.694	.728
Delaware	.578	.800	.878	.742	.792
Georgia	.501	.759	.837	.699	.751
Hawaii	.960	1.044	1.122	.991	1.047
Idaho	.865	.964	1.046	.937	.996
Illinois	.657	.796	.830	.723	.771
Indiana	.385	.529	.579	.487	.521
Iowa	.451	.615	.671	.576	.613
Kansas	.575	.846	.926	.796	.854
Kentucky	.668	.979	1.082	.876	.951
Maine	.520	.469	.508	.523	.560
Maryland	.816	.968	1.041	.926	.985
Massachusetts	1.106	1.203	1.304	1.152	1.231
Michigan	.914	1.136	1.232	1.070	1.143
Minnesota	.854	1.035	1.130	.980	1.048
Mississippi	.751	1.114	1.230	1.057	1.136
Montana	.948	1.506	1.723	1.413	1.540
Nebraska	.529	.638	.705	.591	.634
New Hampshire	.534	.572	.624	.549	.589
New Jersey	1.224	1.360	1.616	1.268	1.476
New Mexico	.787	1.158	1.277	1.043	1.118
New York	.864	1.034	1.108	.970	1.025
North Carolina	.420	.546	.596	.537	.575
Ohio	.855	1.346	1.522	1.017	1.112
Oregon	1.491	1.874	2.038	1.665	1.777
Pennsylvania	.387	.557	.621	.493	.533
Rhode Island	.767	.844	.895	.815	.858
South Carolina	.609	.811	.884	.771	.823
South Dakota	.511	.681	.758	.651	.706
Tennessee	.664	.868	.946	.819	.875
Utah	.503	.715	.789	.661	.706

TABLE B.2. Continued

Jurisdictions*	Actual percentage in 1972	Estimated percentage			
		All recommendations adopted		Essential recommendations adopted	
		1973 maximums	1975 maximums	1973 maximums	1975 maximums
Vermont	.514	.616	.661	.584	.617
Virginia	.391	.530	.579	.485	.518
West Virginia	.428	.518	.580	.498	.547
Wisconsin	.505	.570	.613	.548	.580
D.C.	.737	.914	.989	.868	.921

\* Data were not available for the unlisted jurisdictions.

Source. Staff of the National Commission on State Workmen's Compensation Laws.

## **Appendix C**

# **Section 27 of the Occupational Safety and Health Act of 1970**

# An Act

84 STAT. 1590

To assure safe and healthful working conditions for working men and women; by authorizing enforcement of the standards developed under the Act; by assisting and encouraging the States in their efforts to assure safe and healthful working conditions; by providing for research, information, education, and training in the field of occupational safety and health; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Occupational Safety and Health Act of 1970".

Occupational  
Safety and  
Health Act of  
1970

## NATIONAL COMMISSION ON STATE WORKMEN'S COMPENSATION LAWS

SEC. 27. (a) (1) The Congress hereby finds and declares that--

(A) the vast majority of American workers, and their families, are dependent on workmen's compensation for their basic economic security in the event such workers suffer disabling injury or death in the course of their employment; and that the full protection of American workers from job-related injury or death requires an adequate, prompt, and equitable system of workmen's compensation as well as an effective program of occupational health and safety regulation; and

(B) in recent years serious questions have been raised concerning the fairness and adequacy of present workmen's compensation laws in the light of the growth of the economy, the changing nature of the labor force, increases in medical knowledge, changes in the hazards associated with various types of employment, new technology creating new risks to health and safety, and increases in the general level of wages and the cost of living.

(2) The purpose of this section is to authorize an effective study and objective evaluation of State workmen's compensation laws in order to determine if such laws provide an adequate, prompt, and equitable system of compensation for injury or death arising out of or in the course of employment.

(b) There is hereby established a National Commission on State Workmen's Compensation Laws. Establishment

(c) (1) The Workmen's Compensation Commission shall be composed of fifteen members to be appointed by the President from among members of State workmen's compensation boards, representatives of insurance carriers, business, labor, members of the medical profession having experience in industrial medicine or in workmen's compensation cases, educators having special expertise in the field of workmen's compensation, and representatives of the general public. The Secretary, the Secretary of Commerce, and the Secretary of Health, Education, and Welfare shall be ex officio members of the Workmen's Compensation Commission: Membership

(2) Any vacancy in the Workmen's Compensation Commission shall not affect its powers.

(3) The President shall designate one of the members to serve as Chairman and one to serve as Vice Chairman of the Workmen's Compensation Commission.

(4) Eight members of the Workmen's Compensation Commission shall constitute a quorum. Quorum

(d) (1) The Workmen's Compensation Commission shall undertake a comprehensive study and evaluation of State workmen's compensation laws in order to determine if such laws provide an adequate, prompt, and equitable system of compensation. Such study and evaluation shall include, without being limited to, the following subjects: (A) the amount and duration of permanent and temporary disability benefits and the criteria for determining the maximum limitations thereon, (B) the amount and duration of medical benefits and provisions insuring adequate medical care and free choice of physician, (C) the extent of coverage of workers, including exemptions based on numbers or type of employment, (D) standards for determining which injuries or diseases should be deemed compensable, (E) rehabilitation, (F) coverage under second or subsequent injury funds, (G) time limits on filing claims, (H) waiting periods, (I) compulsory or elective coverage, (J) administration, (K) legal expenses, (L) the feasibility and desirability of a uniform system of reporting information concerning job-related injuries and diseases and the operation of workmen's compensation laws, (M) the resolution of conflict of laws, extraterritoriality and similar problems arising from claims with multistate aspects, (N) the extent to which private insurance carriers are excluded from supplying workmen's compensation coverage and the desirability of such exclusionary practices, to the extent they are found to exist, (O) the relationship between workmen's compensation on the one hand, and old-age, disability, and survivors insurance and other types of insurance, public or private, on the other hand, (P) methods of implementing the recommendations of the Commission. Study

(2) The Workmen's Compensation Commission shall transmit to the President and to the Congress not later than July 31, 1972, a final report containing a detailed statement of the findings and conclusions of the Commission, together with such recommendations as it deems advisable. Report to President and Congress

(e) (1) The Workmen's Compensation Commission or, on the authorization of the Workmen's Compensation Commission, any subcommittee or members thereof, may, for the purpose of carrying out the provisions of this title, hold such hearings, take such testimony, and sit and act at such times and places as the Workmen's Compensation Commission deems advisable. Any member authorized by the Workmen's Compensation Commission may administer oaths or affirmations to witnesses appearing before the Workmen's Compensation Commission or any subcommittee or members thereof. Hearings

(2) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Workmen's Compensation Commission, upon request made by the Chairman or Vice Chairman, such information as the Workmen's Compensation Commission deems necessary to carry out its functions under this section.

(f) Subject to such rules and regulations as may be adopted by the Workmen's Compensation Commission, the Chairman shall have the power to—

(1) appoint and fix the compensation of an executive director, and such additional staff personnel as he deems necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but at rates not in excess of the maximum rate for GS-18 of the General Schedule under section 5332 of such title, and

80 Stat. 378.  
5 USC 101.

5 USC 5101  
5331

Ante, p. 198.

(2) procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code.

(g) The Workmen's Compensation Commission is authorized to enter into contracts with Federal or State agencies, private firms, institutions, and individuals for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

80 Stat. 416.  
Contract  
authorization.

(h) Members of the Workmen's Compensation Commission shall receive compensation for each day they are engaged in the performance of their duties as members of the Workmen's Compensation Commission at the daily rate prescribed for GS-18 under section 5332 of title 5, United States Code, and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Workmen's Compensation Commission.

Compensation  
travel ex-  
penses.

(i) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

Appropriation.

(j) On the ninetieth day after the date of submission of its final report to the President, the Workmen's Compensation Commission shall cease to exist.

Termination.