

employees, to claim wage loss or medical treatment resulting from a recurrence of a work-related injury while Federally employed. The form is required of the public, and thus subject to the Paperwork Reduction Act of 1995, in cases where the claimant has left Federal employment at the time of a claimed recurrence. The information is necessary to ensure accurate benefit payments.

## II. Current Actions

The Department of Labor seeks the extension of approval to collect this information in order to determine whether a claimant has suffered a recurrence of disability related to an accepted injury, and, if so, the amount of benefits payable.

*Type of Review:* Extension.

*Agency:* Employment Standards Administration.

*Title:* Notice of Recurrence of Disability and Claim for continuation Pay/Compensation.

*OMB Number:* 1215-0167.

*Agency Number:* CA-2a.

*Affected Public:* Individuals or households.

*Total Respondents:* 550.

*Frequency:* As needed.

*Total Responses:* 550.

*Average Time per Response:* 30 minutes.

*Estimated Total Burden Hours:* 275.

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintenance):* \$198.00.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: March 16, 1999.

**Eleanor Smith,**

*Deputy Director, Office of Management, Administration and Planning Employment Standards Administration.*

[FR Doc. 99-6860 Filed 3-19-99; 8:45 am]

BILLING CODE 4510-27-P

## DEPARTMENT OF LABOR

### Wage and Hour Division

[Administrative Order No. 664]

### Special Industry Committee for All Industries in American Samoa; Appointment; Convention; Hearing

1. Pursuant to sections 5 and 6(a)(3) of the Fair Labor Standards Act (FLSA) of 1938, as amended (29 U.S.C. 205, 206(a)(3)), and Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p.

1004) and 29 CFR Part 511, I hereby appoint special Industry Committee No. 23 for American Samoa.

2. Pursuant to sections 5, 6(a)(3) and 8 of FLSA, as amended (29 U.S.C. 205, 206(a)(3), and 208), reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and 29 CFR Part 511, I hereby:

(a) Convene the above-appointed industry committee;

(b) Refer to the industry committee the question of the minimum rate or rates for all industries in American Samoa to be paid under section 6(a)(3) of the FLSA, as amended; and,

(c) Give notice of the hearing to be held by the committee at the time and place indicated.

The industry committee shall investigate conditions in such industries, and the committee, or any authorized subcommittee thereof, shall hear such witnesses and receive such evidence as may be necessary or appropriate to enable the committee to perform its duties and functions under the FLSA.

The committee shall meet in executive session to commence its investigation at 9:00 a.m. and begin its public hearing at 11:00 a.m. on June 7, 1999, in Pago Pago, American Samoa.

3. The rate or rates recommended by the committee shall not exceed the rate prescribed by section 6(a) or 6(b) of the FLSA, as amended by the Fair Labor Standards Amendments of 1996, of \$5.15 an hour effective September 1, 1997.

The committee shall recommend to the Administrator of the Wage and Hour Division of the Department of Labor the highest minimum rate or rates of wages for such industries that it determines, having due regard to economic and competitive conditions, will not substantially curtail employment in such industries, and will not give any industry in American Samoa a competitive advantage over any industry in the United States outside of American Samoa.

4. Where the committee finds that a higher minimum wage may be determined for employees engaged in certain activities or in the manufacture of certain products in the industry than may be determined for other employees in the industry, the committee shall recommend such reasonable classifications within the industry as it determines to be necessary for the purpose of fixing for each classification the highest minimum wage rate that can be determined for it under the principles set forth herein and in 29 CFR Part 511.10, that will not substantially curtail employment in such classification and will not give a

competitive advantage to any group in the industry. No classification shall be made, however, and no minimum wage rate shall be fixed solely on a regional basis or on the basis of age or sex. In determining whether there should be classifications within an industry, in making such classifications, and in determining the minimum wage rates for such classifications, the committee shall consider, among other relevant factors, the following:

(a) Competitive conditions as affected by transportation, living, and production costs;

(b) Wages established for work of like or comparable character by collective labor agreements negotiated between employers and employees by representatives of their own choosing; and

(c) Wages paid for work of like or comparable character by employers who voluntarily maintain minimum wage standards in the industry.

5. Prior to the hearing, the Administrator of the Wage and Hour Division, U.S. Department of Labor, shall prepare an economic report containing the information that has been assembled pertinent to the matters referred to the committee. Copies of this report may be obtained at the Office of the Governor, Pago Pago, American Samoa, and the National Office of the Wage and Hour Division, U.S. Department of Labor, Washington, DC 20210. Upon request, the Wage and Hour Division will mail copies to interested persons who make written request to the Wage and Hour Division. To facilitate mailing, such persons should make advance written request to the Wage and Hour Division. The committee will take official notice of the facts stated in this report. Parties, however, shall be afforded an opportunity to refute such facts by evidence received at the hearing.

6. The provisions of Title 29, Code of Federal Regulations, Part 511, will govern the procedure of this industry committee. Copies of this part of the regulations will be available at the Office of the Governor, Pago Pago, American Samoa, and at the National Office of the Wage and Hour Division. The proceedings will be conducted in English but in the event a witness should wish to testify in Samoan, an interpreter will be provided. As a prerequisite to participation as a party, interested persons shall file six copies of a pre-hearing statement at the aforementioned Office of the Governor of American Samoa and six copies at the National Office of the Wage and Hour Division, U.S. Department of Labor, Washington, DC 20210. Each pre-

hearing statement shall contain the data specified in 29 CFR 511.8 of the regulations and shall be filed not later than May 15, 1999. If such statements are sent by airmail between American Samoa and the mainland, such filing shall be deemed timely if postmarked within the time provided.

Signed at Washington, DC this 16th day of March 1999.

**Alexis M. Herman,**

*Secretary of Labor.*

[FR Doc. 99-6861 Filed 3-19-99; 8:45 am]

BILLING CODE 4510-27-P

---

## OFFICE OF MANAGEMENT AND BUDGET

### Office of Federal Procurement Policy

#### Test Plan of Nuclear Regulatory Commission Pursuant to the Federal Acquisition Streamlining Act of 1994

**AGENCY:** Office of Federal Procurement Policy (OFPP), OMB.

**ACTION:** Notice of test plan submitted by the Nuclear Regulatory Commission (NRC) under the authority of section 5061 of the Federal Acquisition Streamlining Act of 1994 (FASA).

**SUMMARY:** Section 5061 of FASA allows the Administrator of OFPP to test alternative and innovative procurement procedures at up to six agencies. The total estimated life cycle cost for each test may not exceed \$100,000,000. NRC has submitted a plan pursuant to section 5061 to test a focused source selection procedure. The test entails a phased process beginning with a streamlined procedure for identifying the most competitive sources, followed by a proposal development and evaluation effort involving the three most promising sources. NRC's test further involves an intense negotiation process where efforts to reach agreement are prioritized based on the strength of the offerors' proposals.

Widespread public notice will be provided to announce each acquisition conducted pursuant to this test. All interested parties will be permitted to participate in the initial phase of any such acquisition. Each contract awarded pursuant to this test will not exceed \$5 million in total value.

**EFFECTIVE DATE:** The test will begin on December 17, 1999.

**FOR FURTHER INFORMATION CONTACT:** Ms. Susan Hopkins, Contract Policy Analyst, Division of Contracts and Property Management, U.S. Nuclear Regulatory Commission, Mail Stop T712, Washington, DC 20555; E-Mail:

sbh@nrc.gov; Telephone: 301-415-6514.

**SUPPLEMENTARY INFORMATION:** OFPP has authority under FASA section 5061 to conduct additional test programs. Agencies interested in participating in a test program should contact Mr. Nathan Tash, Deputy Associate Administrator for Procurement Innovation, Office of Federal Procurement Policy, 725 17th Street, NW, Washington, DC 20503; E-Mail: ntash@omb.eop.gov; Telephone: 202-395-6167.

Dated: March 15, 1999.

**Deidre A. Lee,**

*Administrator.*

Attachment

#### U.S. Nuclear Regulatory Commission Innovation Test Plan for Focused Source Selection Procedures (Federal Acquisition Streamlining Act Section 5061)

##### *I. Summary of the Test*

The Nuclear Regulatory Commission (NRC) proposes to test a focused source selection procedure under the FASA test authority. The procedure has three primary components. The first component entails a streamlined process for obtaining comments through the Internet on draft statements of work and identifying the most promising interested sources. The second involves a proposal development and evaluation effort involving the three most highly rated sources. The third component involves an intense negotiation process where the focus is prioritized based on the ranking of the offerors. The efficiency of many of these processes will be further enhanced through the use of electronic commerce (EC).

For selected acquisitions, NRC will solicit capability statements from all interested sources and then request full proposals only from the three sources rated most highly based on the capability statements. NRC will employ the Internet to issue notices, draft statements of work (SOW) and requests for proposals, as well as to receive responses from offerors that can provide such electronically. NRC will negotiate solely with the highest ranked offeror and will conduct negotiations with the second ranked offeror only if agreement cannot be reached with the highest ranked offeror. Similarly, negotiations with the third ranked offeror will take place only if agreement cannot be reached with either of the two higher ranked offerors. To maintain competitive pressure, NRC would reserve the right to reopen negotiations with any of the three offerors after

having tried to negotiate a contract with each of them.

By initiating competitions without the submission of formal proposals, NRC believes it will be able to reduce the burden (both on the government and interested sources) typically associated with initially determining which sources are the most competitive. Because the down select would be mandatory, NRC believes this initial screening process will be more effective than the advisory, multi-step process currently authorized by FAR Part 15. NRC further believes that the three sources selected to compete further will have a strong incentive to perform "due diligence" to learn about agency needs, to develop more innovative high value solutions that can better fit with those needs, and to offer stronger proposals.

NRC appreciates the benefits of competition generated by simultaneous negotiations among the most highly rated offerors. At the same time, NRC believes it may also be possible to obtain good deals more efficiently and effectively by prioritizing the focus of its negotiation efforts based on the ranking of these offerors. In most cases, NRC anticipates that it will be able to reach agreement with the top ranked offeror without having to undertake further effort. The test will offer NRC an opportunity to examine if and when negotiating in a successive (versus simultaneous) manner may result in an effective use of those resources dedicated to contract negotiations.

##### *II. Scope of the Test*

The Division of Contracts and Property Management, Headquarters, NRC will use focused source selection techniques to procure goods and services, in the NRC's administrative program area. NRC decided to focus on the administrative program area because NRC has not had the same level of success applying existing streamlining measures to administrative service requirements as it has to other program areas.

NRC will review procurement plans for Fiscal Year 2000 to determine which procurements may be candidates for use of the innovation. Among the considerations NRC will use in selecting procurements for the test, NRC will consider the complexity of procurements and whether they involve high proposal preparation cost that discourage capable sources from participating. A project team of procurement policy and operations staff from the Division of Contracts and Property Management (DCPM), including those who participated in the development of the innovation, will