

**FOR FURTHER INFORMATION CONTACT:** Eric Bash, FTC/H-200 Washington, DC 20580. (202) 326-2892.

**SUPPLEMENTARY INFORMATION:** On Thursday, June 2, 1994, there was published in the *Federal Register*, 59 FR 28535, a proposed consent agreement with analysis in the Matter of Quick Weight Loss Centers, Inc., et al. (Texas), for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of the order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45, 52)

Donald S. Clark,

Secretary.

[FR Doc. 94-22122 Filed 9-7-94; 8:45 am]

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Eric Bash, FTC/H-200, Washington, DC 20580. (202) 326-2892.

**SUPPLEMENTARY INFORMATION:** On Thursday, June 2, 1994, there was published in the *Federal Register*, 59 FR 28535, a proposed consent agreement with analysis in the Matter of Quick Weight Loss Centers, Inc., et al. (Georgia), for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of the order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45, 52)

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three alternatives including: (1) construction of the FB-CT on the same site as the Proposed Action with 6th Avenue remaining open to vehicular traffic; (2) construction of the FB-CT on an alternate site within the CBA; and (3) no action or continued use of the existing FB-CT and lease space.

**Public Involvement:** The DEIS, prepared by GSA addressing this action, is on file and may be obtained from: Mr. Alan R. Campbell, U.S. General Services Administration, Planning Staff (9PL), 525 Market Street, San Francisco, CA 94105-2799, Telephone: (415) 744-5252. A limited number of copies of the DEIS are available to fill single copy requests. Loan copies of the DEIS are available for review at the City of Phoenix Central Library and at the GSA Field Office, 200 North 1st Avenue, Phoenix, Arizona.

A public hearing is scheduled to provide the community with an opportunity to submit comments on the DEIS. The meeting will be held Thursday, October 13, 1994 from 4 p.m. to 7 p.m., at the Phoenix City Council Chambers, 200 West Jefferson Street, Phoenix, Arizona. In addition, written comments on the DEIS can be submitted until October 21, 1994 to the address listed above.

Dated: August 29, 1994.

Aki K. Nakao,

Acting Regional Administrator (9A).

[FR Doc. 94-22046 Filed 9-7-94; 8:45 am]

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## GENERAL SERVICES ADMINISTRATION

### Public Buildings Service; Phoenix Federal Building-United States Courthouse; Notice of Availability Draft Environmental Impact Statement

**ACTION:** Pursuant to the Council on Environmental Quality Regulations (40 Code of Federal Regulations 1500-1508) implementing procedural provisions of the National Environmental Policy Act (NEPA), the U.S. General Services Administration (GSA) hereby gives notice that a DEIS for the construction of a new FB-CT within the City of Phoenix, Arizona has been prepared and filed with the United States Environmental Protection Agency (EPA). The proposed project would include the construction of a new FB-CT with approximately 515,010 gross square feet (GSF) of building space and 360 onsite parking spaces. The preferred site encompasses approximately 4.5 acres and is located within the city's redevelopment area known as the Government Mall. The site is bound by Washington Street to the north, 4th Avenue to the east; Jefferson Street to the south and 6th Avenue to the west. Under the Proposed Action, 5th and 6th Avenues would be closed to vehicular traffic.

**Alternatives:** In addition to the Proposed Action, the DEIS examined

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Social Security Administration

#### Privacy Act of 1974; System of Records

**AGENCY:** Social Security Administration (SSA), Department of Health and Human Services (HHS).

**ACTION:** New Routine Use, Altered System of Records, and Minor Revisions.

**SUMMARY:** In accordance with the Privacy Act (5 U.S.C. 552a(e)(4) and (11)), we are issuing public notice of our intent to:

(1) Establish a new routine use applicable to the majority of SSA's systems of records. The proposed routine use would provide for disclosure from the systems to student volunteers and participants in certain programs (non-Federal workers) when SSA is authorized by Federal law to use their services and they need the

[Dkt. C-3518]

### Quick Weight Loss Centers, Inc., et al. (Georgia); Prohibited Trade Practices, and Affirmative Corrective Actions

**AGENCY:** Federal Trade Commission.

**ACTION:** Consent order.

**SUMMARY:** In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order prohibits, among other things, the Georgia commercial diet program company and its officer from misrepresenting the performance or safety of any diet program they offer in the future, and requires the respondents to possess competent and reliable scientific evidence to substantiate any future claims they make about weight loss, weight loss maintenance, or rate of weight loss; to make a number of disclosures regarding maintenance success claims; and to disclose all mandatory fees.

**DATES:** Complaint and Order issued August 11, 1994.<sup>1</sup>

**FOR FURTHER INFORMATION CONTACT:**

Reference Branch, H-130, 6th Street & Pennsylvania Avenue, NW., Washington, DC 20580.

<sup>1</sup> Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H-130, 6th Street & Pennsylvania Avenue, NW., Washington, DC 20580.

information to perform functions for SSA.

(2) Alter the system of records entitled *Personal Identification Number File (PINFile) HHS/SSA/OPIR, 09-60-0214*. The proposed alteration will expand the categories of individuals covered by the system to include non-Federal workers who perform functions for SSA.

(3) Make minor revisions to the notice of the PINFile system of records to make it accurate and up to date.

We invite public comment on this publication.

**DATES:** We filed a report of an altered system of records with the Chairman, Committee on Government Operations of the House of Representatives, and the Chairman, Committee on Governmental Affairs of the Senate, and the Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget on September 1, 1994. The alteration and routine use will become effective as proposed, without further notice October 18, 1994, unless we receive comments on or before that date that would result in a contrary determination.

**ADDRESSES:** Interested individuals may comment on this publication by writing to the SSA Privacy Officer, Social Security Administration, Room 3-D-1 Operations Building, 6401 Security Boulevard, Baltimore, Maryland 21235. All comments received will be available for public inspection at that address.

**FOR FURTHER INFORMATION CONTACT:** Mrs. Alicia Matthews, Social Insurance Specialist, Confidentiality and Disclosure Branch, Division of Technical Documents and Privacy, Office of Regulations, Office of Policy, Social Security Administration, 3-D-1 Operations Building, 6401 Security Boulevard, Baltimore, Maryland 21235, telephone 410-965-1723.

#### SUPPLEMENTARY INFORMATION:

##### I. Discussion of Proposed Routine Use

###### A. Background

Under certain Federal statutes, SSA is authorized to use the services of volunteers and participants in certain educational, training, employment and community service programs. Examples of such statutes and programs are: 5 U.S.C. 3111 regarding student volunteers; 42 U.S.C. 2753 regarding the College Work Study Program; 42 U.S.C. 682(f) regarding the Community Work Experience Program. These individuals are not compensated as Federal employees for their work, but some receive compensation from other organizations under government grant and assistance programs.

In the course of their training and work experience at the SSA worksite under the supervision of SSA staff, these non-Federal workers may perform many of the same duties performed by current SSA employees. Some of these duties cannot be performed unless the workers have access to, and can retrieve, personally identifiable information from SSA systems of records. These non-Federal workers are required to comply with the same confidentiality requirements and disclosure restrictions as SSA employees.

###### B. Disclosures to Non-Federal Workers

The non-Federal workers described in paragraph I.A. above function as Agency staff under Agency supervision, and we believe that they may be deemed to have the same status under the Privacy Act as HHS employees for purposes of disclosing to them, pursuant to 5 U.S.C. 552a(b)(1), information which they need to know in order to discharge their assigned duties. However, since their status under that statutory provision is not entirely clear, we propose to establish the new routine use to ensure that these non-Federal workers have sufficient access to information in appropriate systems of records to perform their assigned functions. The proposed routine use will permit disclosure:

*To student volunteers and other workers, who technically do not have the status of Federal employees, when they are performing work for SSA as authorized by law, and they need access to personally identifiable information in SSA records in order to perform their assigned Agency functions.*

We are not republishing in their entirety the notices of the systems of records to which we are adding the new routine use statement because of the large number of those systems of records and the costs of republishing the individual notices of each one. Instead, we are republishing only the identification number and the name of each such system, and the volume, page number, and date of the **Federal Register** issue in which the system notice was last published, either in a composite listing of systems of records or as an individual system's notice.

The following systems were last published at 52 FR 12084, April 14, 1987, in a composite listing which added a routine use:

09-60-0001—Commissioner's Correspondence File, HHS/SSA/OC;  
09-60-0002—Automated Document Control and Retrieval System, HHS/SSA/OGA;  
09-60-0003—Attorney Fee File, HHS/SSA/OHA;  
09-60-0004—Working File of the Appeals Council, HHS/SSA/OHA;

09-60-0005—Administrative Law Judge Working File on Claimant Cases, HHS/SSA/OHA;  
09-60-0006—Storage of Hearings Records: Tape Cassettes and Audiograph Discs, HHS/SSA/OHA;  
09-60-0008—Administrative Law Judge Docket of Claimant Cases, HHS/SSA/OHA;  
09-60-0009—Hearings and Appeals Case Control System, HHS/SSA/OHA;  
09-60-0012—Listing of Alphabetical Name File (Folder) of Vocational Experts and Medical Advisors, HHS/SSA/OHA;  
09-60-0013—Records of Usage of Medical Advisors and Vocational Experts, HHS/SSA/OHA;  
09-60-0014—Curriculum Vitae and Professional Qualifications of Medical Advisors and Résumés of Vocational Experts, HHS/SSA/OHA;  
09-60-0017—Personnel Research and Merit Promotion Test Records, HHS/SSA/OM;  
09-60-0031—Employee Production and Accuracy Records, HHS/SSA/OM;  
09-60-0032—Employee Indebtedness Counseling System, HHS/SSA/OM;  
09-60-0037—General Criminal Investigations Files, HHS/SSA/OM;  
09-60-0038—Employee Building Pass Files, HHS/SSA/OM;  
09-60-0040—Quality Review System, HHS/SSA/OPIR;  
09-60-0042—Quality Review Case Files, HHS/SSA/OPIR;  
09-60-0044—Disability Determination Service Processing File, HHS/SSA/OD;  
09-60-0050—Completed Determination Record—Continuing Disability Determinations, HHS/SSA/OP;  
09-60-0063—Resource Accounting System, HHS/SSA/OSR;  
09-60-0066—Claims Development Record, HHS/SSA/RO;  
09-60-0077—Congressional Inquiry File, HHS/SSA/RO;  
09-60-0078—Public Inquiry Correspondence File, HHS/SSA/RO;  
09-60-0094—Recovery of Overpayments, Accounting and Reporting, HHS/SSA/OSR;  
09-60-0095—Health Insurance Overpayment Ledger Cards, HHS/SSA/OSR;  
09-60-0110—Supplemental Security Income File of Refunds, HHS/SSA/OSR;  
09-60-0111—Double Check Negotiation (DCN) File (SSI), HHS/SSA/OSR;  
09-60-0118—Non-Contributory Military Service Reimbursement System, HHS/SSA/OACT;  
09-60-0184—Hearing Office Master Docket of Claimant Cases, HHS/SSA/OHA;  
09-60-0186—SSA Litigation Tracking System, HHS/SSA/ODCP;  
09-60-0210—Record of Individuals Authorized Entry to Secured Automated Data Processing Areas, HHS/SSA/OS;  
09-60-0212—Supplemental Security Income Quality Initial Claims Review Process System, HHS/SSA/OPIR;  
09-60-0213—Quality Review of Hearings/Appellate Process, HHS/SSA/OHA; and  
09-60-0220—Kentucky Birth Records System, HHS/SSA/DO(KY).

The following systems were published as an individual notice:

- 09-60-0045—Black Lung Payment System, HHS/SSA/OSR (53 FR 18166, May 20, 1988);
- 09-60-0046—Disability Determination Service Consultant's File, HHS/SSA/OD (57 FR 27855, July 24, 1987);
- 09-60-0057—Quality Evaluation Data Records, HHS/SSA/OPIR (54 FR 25690, June 19, 1989);
- 09-60-0058—Master Files of Social Security Number (SSN) Holders and SSN Applications, HHS/SSA/OSR (59 FR 37252, July 21, 1994);
- 09-60-0059—Earnings Recording and Self-Employment Income System, HHS/SSA/OSR (58 FR 48525, September 16, 1993);
- 09-60-0089—Claims Folders System, HHS/SSA/OP (58 FR 35025, June 30, 1993);
- 09-60-0090—Master Beneficiary Record, HHS/SSA/OSR (58 FR 35025, June 30, 1993);
- 09-60-0103—Supplemental Security Income Record, HHS/SSA/OSR (58 FR 35025, June 30, 1993);
- 09-60-0218—Disability Insurance and Supplemental Security Income Demonstration Projects and Experiments System, HHS/SSA/OP (57 FR 60531, December 21, 1992);
- 09-60-0221—Vocational Rehabilitation Reimbursement Case Processing System, HHS/SSA/OD (58 FR 52782, October 12, 1993);
- 09-60-0222—Master Representative Payee File, HHS/SSA/ORSI (57 FR 41147, September 9, 1992); and
- 09-60-0223—Telephone Call Receipt System, HHS/SSA/DCO (57 FR 29879, July 7, 1992).

#### *C. Compatibility of Proposed Routine Use*

We are proposing the changes discussed above in accordance with the Privacy Act (5 U.S.C. 552a (a)(7), (b)(3), and (e)(11)) and our disclosure regulation (20 CFR part 401).

The Privacy Act permits us to disclose information about individuals without their consent for a routine use, i.e., where the information will be used for a purpose that is compatible with the purpose for which we collected the information. By regulation, we have determined that disclosures that are necessary to administer SSA programs are compatible with the purposes for which we collect information (20 CFR 401.310(c)). In order to perform their assigned duties which assist SSA in the administration of the Social Security Act, non-Federal workers may need to have access to information on individuals maintained in the systems of records listed above. The purposes of their use of such information are identical to the purposes for which SSA collects the information and, thus, meet the criteria for the establishment of a

routine use under the Privacy Act and the regulation.

#### *D. Effect of the Proposal on Individual Rights*

As discussed above, the proposed new routine use will permit SSA to disclose information, as necessary, to non-Federal workers whose services SSA is authorized by Federal law to use in performing its functions. Access to this information will be given to these workers only to perform their assigned duties. Also, as a part of their orientation, these individuals will be told of their responsibility to maintain the confidentiality of SSA records and of the criminal penalties for unauthorized access to, use of, and disclosure of SSA records. Thus, we do not anticipate that the disclosures to these non-Federal workers will have any unwarranted effect on the privacy or other rights of individuals.

#### **II. Alteration to the PINFile System**

##### *A. Proposed Expansion of the Categories of Individuals Covered by the PINFile System of Records*

Before an individual is granted direct terminal access to SSA data bases, as a security safeguard, SSA assigns the individual a personal identification number (PIN). Identifying information about each individual who is assigned a PIN, including the PIN itself, is maintained in the PINFile system of records. The system currently covers SSA employees, some employees of the State Disability Determination Services, some Health Care Financing Administration employees, carriers and intermediaries, certain employees of HHS and employees of other Federal government agencies who have been granted direct terminal access to SSA's data bases.

SSA proposes to alter the categories of individuals covered by the PINFile system of records to include student volunteers and other non-Federal workers, described in I.A. above, to whom SSA decides to grant direct terminal access to its data bases. This alteration will allow SSA to issue PINS to those non-Federal workers and to maintain information about them in the PINFile system of records.

##### *B. Effect of the Proposed Alteration on the Rights of Individuals*

Information in the PINFile system of records will be used only for the purpose of determining which individuals are authorized to have direct terminal access to SSA data bases.

Only SSA security officers (regional, local, component and systems) and

managers with security responsibilities will have access to data in the PINFile. Any other individual will have access only to such information in the PINFile that is retrieved by his or her personal identifier. SSA will assign command codes, numbers, and profiles to each security officer and manager with security responsibilities. Since the PINFile complies with the requirements of the Privacy Act, we anticipate no unwarranted effect on the privacy or other personal or property rights of individuals.

#### **III. Minor Revisions to the PINFile System of Records**

We have made a number of editorial and general housekeeping changes to the notice of the PINFile system to make it accurate and up to date. These changes are reflected in the notice following this preamble.

Dated: August 22, 1994.

Shirley S. Chater,  
Commissioner of Social Security.

**09-60-0214**

#### **SYSTEM NAME:**

Personal Identification Number File (PINFile) HHS/SSA/OPIR.

#### **SECURITY CLASSIFICATION:**

None.

#### **SYSTEM LOCATION:**

Social Security Administration, Office of System Operations, 6401 Security Boulevard, Baltimore, MD 21235.

#### **CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Social Security Administration (SSA) employees, student volunteers and other non-Federal workers, some employees of the State Disability Determination Services, some employees of the Health Care Financing Administration and its carriers and intermediaries, certain employees of the Department of Health and Human Services (HHS); and employees of other Federal government agencies who have been granted direct terminal access to SSA's data bases.

#### **CATEGORIES OF RECORDS IN THE SYSTEM:**

Timekeeper number, name of employee, job title, Social Security number (SSN), personal identification numbers (PIN) and passwords for validation purposes, office code, branch code, division, department, facilities available and access profile information.

#### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Section 205(a) of the Social Security Act and 5 U.S.C. 552a(e)(10).

**PURPOSE(S):**

The PINFile is used to limit access to computer-based SSA information resources to specific individuals and to specific transactions. Its purpose is to minimize the risk of unauthorized access to SSA's files of personal data.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

Disclosure may be made for routine uses as indicated below:

1. Information may be disclosed to a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. Information may be disclosed to the Department of Justice, a court or other tribunal, or another party before such tribunal when:

(a) SSA, any component thereof, or  
(b) Any SSA employee in his/her official capacity; or

(c) Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components,

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the court or other tribunal, or other party before such court or tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were collected.

3. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its programs. We contemplate disclosing information under this routine use only in situations in which SSA may enter a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under these routine uses unless disclosure is permitted by the IRC.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM:****STORAGE:**

SSA maintains records in the PINFile on magnetic disk as part of the data communications system. The disk file is written to tape daily for backup purposes.

**RETRIEVABILITY:**

SSA retrieves records individually from the PINFile by name, SSN, PIN, and, as members of a group, by office code, branch code, division, department, facilities and access profile.

**SAFEGUARDS:**

Steps to minimize the unauthorized use of the PINFile include: (1) Limiting access to data on file to SSA regional, local, component and systems security officers, and managers with security responsibilities and (2) monitoring additions, deletions, and changes to the PINFile through daily reports.

**RETENTION AND DISPOSAL:**

Disk files are permanent; the magnetic tape backup file is maintained for 7 operational days and then erased.

**SYSTEM MANAGER(S) AND ADDRESS:**

SSA Systems Security Officer, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235.

**NOTIFICATION PROCEDURE:**

An individual can determine if this system contains a record pertaining to him or her by contacting the system manager at the address shown above. An individual requesting notification must furnish a minimum of his/her name; SSN, date of birth and address in order to establish identity, plus any additional verification of identity requested. (Furnishing the SSN is voluntary, but it will make searching for an individual's record easier and avoid delay.) An individual requesting notification of records in person need furnish only a document he/she would normally carry on his/her person (e.g., a credit card, driver's license, or voter registration card). These procedures are in accordance with HHS Regulations 45 CFR part 5b.

**RECORD ACCESS PROCEDURES:**

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with HHS Regulations 45 CFR part 5b.

**CONTESTING RECORD PROCEDURES:**

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification showing how the record is incomplete, untimely, inaccurate or irrelevant. These procedures are in accordance with HHS Regulations 45 CFR part 5b.

**RECORD SOURCE CATEGORIES:**

SSA obtains information in the PINFile from the individuals, their supervisors, and from SSA time and attendance files.

**SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE PRIVACY ACT:**

None.

[FR Doc. 94-22106 Filed 9-7-94; 8:45 am]

BILLING CODE 4190-29-M

**DEPARTMENT OF THE INTERIOR****Office of the Secretary**

**AGENCY:** Department of the Interior, Office of the Secretary.

**ACTION:** Exxon Valdez Oil Spill Public Advisory Group Extension of Nomination Solicitation.

**SUMMARY:** The Exxon Valdez Spill Trustee Council is extending the time period for soliciting nominations for the Public Advisory Group, especially for persons representing the following interest groups: aquaculture, commercial tourism, and subsistence. The Public Advisory Group advises the Trustee Council on decisions related to the planning, evaluation, and conduct of injury assessment and restoration activities using funds obtained for purposes of restoration as part of the civil settlement pursuant to the T/V Exxon Valdez Spill oil spill of 1989. Public Advisory Group members will be selected to serve a two-year term beginning after October 1994.

**DATES:** All nominations should be received on or before October 31, 1994.

**ADDRESSES:** Nominations should be sent to the Exxon Valdez Spill Trustee Council, 645 G Street, Anchorage, Alaska 99501.

**FOR FURTHER INFORMATION CONTACT:** Douglas Mutter, Designated Federal Officer, Department of the Interior, Office of Environmental Policy and Compliance, 1689 "C" Street, Suite 119, Anchorage, Alaska, (907) 271-5011 or L.J. Evans, Exxon Valdez Oil Spill Restoration Office, 645 G Street, Anchorage, Alaska, (907) 278-8012. A copy of the charter for the Public Advisory Group is available upon request.

**SUPPLEMENTARY INFORMATION:** The Public Advisory Group was created by Paragraph V.A.4 of the Memorandum of Agreement and Consent Decree entered into by the United States of America and the State of Alaska on August 27, 1991 and approved by the United States District Court for the District of Alaska in settlement of *United States of*