

Dated: February 24, 1995.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 95-5232 Filed 3-2-95; 8:45 am]

BILLING CODE 4140-01-M

### Division of Research Grants; Closed Meetings

Pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following Division of Research Grants Special Emphasis Panel (SEP) meetings:

*Purpose/Agenda:* To review individual grant applications.

*Name of SEP:* Multidisciplinary Sciences.

*Date:* March 20, 1995.

*Time:* 1:00 p.m.

*Place:* NIH, Westwood Building, Room 2A07B, Telephone Conference.

*Contact Person:* Dr. Nada Vydelingum, Scientific Review Administrator, 5333 Westbard Ave., Room 2A07B, Bethesda, MD 20892, (301) 594-7350.

*Name of SEP:* Behavioral and Neurosciences.

*Date:* March 24, 1995.

*Time:* 9:00 a.m.

*Place:* Ramada Inn, Rockville, MD.

*Contact Person:* Dr. Luigi Giacometti, Scientific Review Administrator, 5333 Westbard Ave., Room 325B, Bethesda, MD 20892, (301) 594-7132.

*Name of SEP:* Biological and Physiological Sciences.

*Date:* March 28-29, 1995.

*Time:* 9:00 a.m.

*Place:* Georgetown Holiday Inn, Washington, DC.

*Contact Person:* Dr. Cheryl Corsaro, Scientific Review Administrator, 5333 Westbard Ave., Room 425A, Bethesda, MD 20892, (301) 594-7336.

The meetings will be closed in accordance with the provisions set forth in secs. 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. Applications and/or proposals and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the application and/or proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

This notice is being published less than 15 days prior to the meeting due to the urgent need to meet timing limitations imposed by the grant review cycle.

(Catalog of Federal Domestic Assistance Program Nos. 93.306, 93.333, 93.337, 93.393-93.396, 93.837-93.844, 93.846-93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: February 24, 1995.

Susan K. Feldman,

Committee Management Officer, NIH.

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### Social Security Administration

#### Rescission of Social Security Acquiescence Ruling 87-1(6)

**AGENCY:** Social Security Administration, HHS.

**ACTION:** Notice of Rescission of Social Security Acquiescence Ruling 87-1(6)—*Webb v. Richardson*, 472 F.2d 529 (6th Cir. 1972).

**SUMMARY:** In accordance with 20 CFR 404.985(e) and 422.406(b)(2), the Commissioner of Social Security gives notice of the rescission of Social Security Acquiescence Ruling 87-1(6).

**EFFECTIVE DATE:** March 3, 1995.

**FOR FURTHER INFORMATION CONTACT:**

Gary Sargent, Litigation Staff, Social Security Administration, 6401 Security Blvd., Baltimore, MD 21235, (410) 965-1695.

**SUPPLEMENTARY INFORMATION:** A Social Security Acquiescence Ruling explains how we will apply a holding in a decision of a United States Court of Appeals that we determine conflicts with our interpretation of a provision of the Social Security Act or regulations when the Government has decided not to seek further review of the case or is unsuccessful on further review.

As provided by 20 CFR 404.985(e)(2), a Social Security Acquiescence Ruling may be rescinded as obsolete if a circuit court overrules or limits itself on an issue that was the basis of an Acquiescence Ruling.

On January 6, 1987, we issued Acquiescence Ruling 87-1(6) to reflect the holding in *Webb v. Richardson*, 472 F.2d 529 (6th Cir. 1972), that the tribunal that ultimately allows an individual's retirement, survivor's or disability insurance (title II) claim may approve an attorney's fee covering services provided during the entire appeal process (at both the administrative level of review and before the Federal courts) and that such approved fee is limited to 25 percent of the past-due benefits.

On September 14, 1994, the United States Court of Appeals for the Sixth Circuit issued a judgment in *Horenstein v. Secretary of Health and Human Services*, 35 F.3d 261 (6th Cir. 1994) (en banc), in which it overruled *Webb* and joined seven other circuit courts by holding that a tribunal may award attorneys' fees only for the services performed before the tribunal. The Sixth Circuit also held that only fee awards for services performed in Federal courts, not awards for services performed before the Secretary, are limited to 25 percent of past-due benefits. The Sixth Circuit recognized that section 206(b)(1)

of the Social Security Act (the Act) establishes a separate standard for awarding attorneys' fees for services performed in cases before the Federal courts and that those fees may not exceed 25 percent of the total past-due benefits. The Sixth Circuit also recognized that Congress made specific provision under section 206(a)(1) of the Act for awarding reasonable attorneys' fees for services performed before the Secretary at the administrative level, and that these fees are not limited by past-due benefits. Furthermore, the circuit court found that in cases involving court remands the court will set attorneys' fees, limited to 25 percent of past-due benefits, for services performed before it and that the Secretary will separately set reasonable attorneys' fees for the services performed at the administrative level.

Because the Sixth Circuit's judgment in *Horenstein* overruled the holding in *Webb* that resulted in our issuance of Acquiescence Ruling 87-1(6), we are rescinding that Acquiescence Ruling.

(Catalog of Federal Domestic Assistance Programs Nos. 93.802 Social Security—Disability Insurance; 93.803 Social Security—Retirement Insurance; 93.805 Social Security—Survivors Insurance; 93.806 Social Security—Benefits for Disabled Coal Miners.)

Dated: December 28, 1994.

Shirley S. Chater,

Commissioner of Social Security.

[FR Doc. 95-5241 Filed 3-2-95; 8:45 am]

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### Substance Abuse and Mental Health Services Administration

#### Current List of Laboratories Which Meet Minimum Standards To Engage in Urine Drug Testing for Federal Agencies and Laboratories That Have Withdrawn From the Program

**AGENCY:** Substance Abuse and Mental Health Services Administration, HHS (Formerly: National Institute on Drug Abuse, ADAMHA, HHS).

**ACTION:** Notice.

**SUMMARY:** The Department of Health and Human Services notifies Federal agencies of the laboratories currently certified to meet standards of Subpart C of Mandatory Guidelines for Federal Workplace Drug Testing Programs (59 FR 29916, 29925). A similar notice listing all currently certified laboratories will be published during the first week of each month, and updated to include laboratories which subsequently apply for and complete the certification process. If any listed laboratory's certification is totally suspended or