

	Percent
Others (including non-profit organizations) with credit available elsewhere	7.125
<i>For economic injury:</i>	
Businesses and small agricultural cooperatives without credit available elsewhere	4.000

The number assigned to this disaster for physical damage is 281508 and for economic injury the numbers are 866400 for Georgia, 866700 for North Carolina, 866600 for South Carolina and 866500 for Tennessee.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: October 24, 1995.

Bernard Kulik,

Associate Administrator for Disaster Assistance.

[FR Doc. 95-26970 Filed 10-30-95; 8:45 am]

BILLING CODE 8025-01-P

SOCIAL SECURITY ADMINISTRATION

Social Security Ruling (SSR) 95-5p. Titles II and XVI: Considering Allegations of Pain and Other Symptoms in Residual Functional Capacity and Individualized Functional Assessments and Explaining Conclusions Reached

AGENCY: Social Security Administration.

ACTION: Notice of Social Security ruling.

SUMMARY: In accordance with 20 CFR 422.406(b)(1), the Commissioner of Social Security gives notice of Social Security Ruling 95-5p. This Policy Interpretation Ruling restates and clarifies that our longstanding policies of considering allegations of pain in assessing residual functional capacity (RFC) and of requiring explanations of the conclusions reached about pain, apply to the evaluation of all symptoms, not just pain. The Ruling also restates and clarifies that these policies apply to the preparation of the individualized functional assessment in the evaluation of disability for individuals under age 18 claiming benefits under Title XVI (Supplemental Security Income for the Aged, Blind, and Disabled) of the Social Security Act (the Act) as well as to the assessment of RFC for other persons claiming benefits based on disability under Title II (Federal Old-Age, Survivors, and Disability Insurance Benefits) or title XVI of the Act, and that an explanation of the functional impact of symptoms, such as pain, when applicable, is required.

This Ruling supersedes SSR 88-13 (C.E. 1988, p. 90) and SSR 90-1p (C.E.

1990-1991, p. 67), both entitled "Titles II and XVI: Evaluation of Pain and Other Symptoms."

EFFECTIVE DATE: October 31, 1995.

FOR FURTHER INFORMATION CONTACT: Joanne K. Castello, Division of Regulations and Rulings, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235, (410) 965-1711.

SUPPLEMENTARY INFORMATION: Although we are not required to do so pursuant to 5 U.S.C. 552(a)(1) and (a)(2), we are publishing this Social Security Ruling in accordance with 20 CFR 422.406(b)(1).

Social Security Rulings make available to the public precedential decisions relating to the Federal old-age, survivors, disability, supplemental security income, and black lung benefits programs. Social Security Rulings may be based on case decisions made at all administrative levels of adjudication, Federal court decisions, Commissioner's decisions, opinions of the Office of the General Counsel, and other policy interpretations of the law and regulations.

Although Social Security Rulings do not have the force and effect of the law or regulations, they are binding on all components of the Social Security Administration, in accordance with 20 CFR 422.406(b)(1), and are to be relied upon as precedents in adjudicating other cases.

If this Social Security Ruling is later superseded, modified, or rescinded, we will publish a notice in the Federal Register to that effect.

(Catalog of Federal Domestic Assistance, Program Nos. 96.001 Social Security—Disability Insurance; 96.002 Social Security—Retirement Insurance; 96.004 Social Security—Survivors Insurance; 96.005 Special Benefits for Disabled Coal Miners; 96.006 Supplemental Security Income)

Dated: October 23, 1995.

Shirley S. Chater,

Commissioner of Social Security.

Policy Interpretation Ruling—Titles II and XVI: Considering Allegations of Pain and Other Symptoms in Residual Functional Capacity and Individualized Functional Assessments and Explaining Conclusions Reached

This Ruling supersedes SSR 88-13 (C.E. 1988, p. 90) and SSR 90-1p (C.E. 1990-1991, p. 67), both entitled "Titles II and XVI: Evaluation of Pain and Other Symptoms."

Purpose: To restate and clarify that the longstanding policies of the Social Security Administration (SSA) of considering allegations of pain in assessing residual functional capacity

(RFC), and of requiring explanations of the conclusions reached about pain, apply to the evaluation of all symptoms, not just pain; that they apply to the preparation of the individualized functional assessment (IFA) in the evaluation of disability for individuals under age 18 claiming benefits under title XVI of the Social Security Act (the Act) as well as to the assessment of RFC for other persons claiming benefits based on disability under title II or title XVI of the Act; and that an explanation of the functional impact of symptoms, such as pain, when applicable, is required.

Citations (Authority): Sections 216(i), 223(d), and 1614(a) of the Social Security Act, as amended; Regulations No. 4, sections 404.1508, 404.1528, 404.1529, and 404.1545; and Regulations No. 16, sections 416.908, 416.924(b), 416.924d, 416.928, 416.929, and 416.945.

Pertinent History: On November 14, 1991, we published final regulations regarding the evaluation of symptoms, including pain, for all disability claims under titles II and XVI (56 FR 57928). These regulations codified the policy interpretations set out in SSR 88-13 and SSR 90-1p, making it unnecessary to retain the statements of policy interpretations in these Rulings. We are publishing this Ruling, which supersedes SSR 88-13 and SSR 90-1p, to replace the section of these earlier Rulings that is entitled "Importance of Considering Allegations of Pain in Assessing RFC and Explaining Conclusions Reached," which provides procedures which we determined were not appropriate for inclusion in the regulations (see 56 FR 57934).

Policy Interpretation: Symptoms, such as pain, fatigue, shortness of breath, weakness, or nervousness, are the individual's own description of the effects of a physical or mental impairment(s). Under title XVI, in the case of an individual under age 18 who is unable to adequately describe his or her symptoms, the description of the symptom(s) given by the person who is most familiar with the individual, such as a parent, other relative, or guardian, will be accepted as a statement of the individual's symptoms.

Because symptoms sometimes suggest a greater severity of impairment than can be shown by objective medical evidence alone, careful consideration must be given to any available information about symptoms.

The RFC assessment or, in the case of an individual under age 18 claiming benefits based on disability under title XVI, the IFA, must describe the relationship between the medically

determinable impairment(s) and the conclusions regarding functioning which have been derived from the evidence, and must include a discussion of why reported daily activity limitations or restrictions are or are not reasonably consistent with the medical and other evidence.

In instances in which the adjudicator has observed the individual, the adjudicator is not free to accept or reject that individual's complaints solely on the basis of such personal observations. Rather, in all cases in which pain or other symptoms are alleged, the determination or decision rationale must contain a thorough discussion and analysis of the objective medical and the other evidence, including the individual's complaints of pain or other symptoms and the adjudicator's personal observations. The rationale must include a resolution of any inconsistencies in the evidence as a whole and set forth a logical explanation of the individual's ability to work or, in the case of an individual under age 18 claiming benefits based on disability under title XVI, the individual's ability to function independently, appropriately, and effectively in an age-appropriate manner.

EFFECTIVE DATE: The policy interpretation and procedures explained herein are effective October 31, 1995.

CROSS-REFERENCES: Program Operations Manual System, sections DI 24515.061, DI 24515.062, DI 24515.064, DI 25225.001 and DI 26516.015.

[FR Doc. 95-26930 Filed 10-30-95; 8:45 am]

BILLING CODE 4190-29-P

DEPARTMENT OF STATE

[PN 2276]

International Joint Commission; Notice of Public Hearing; Public Comment Invited on Canada-United States Air Quality Agreement

The International Joint Commission will hold public hearings on the Canada-United States Air Quality Agreement and its implementation.

Ottawa, Ontario

Tuesday, November 28th, 1995

Sessions begin at 9:00 a.m. and 2:00 p.m., Ottawa Congress Centre, Congress Hall G, 55 Colonel By Drive

Washington, DC

Tuesday, December 5, 1995

Sessions begin at 09:00 a.m. and 2:00 p.m., International Joint Commission, 1250 23rd Street, NW., Suite 100.

The Agreement on Air Quality was signed by both countries on March 13, 1991 to establish an effective way to address shared concerns about transboundary air pollution. With these hearings, the International Joint Commission invites public comment on progress made by Canada and the United States in reducing transboundary air pollution under the 1991 Agreement on Air Quality.

Interested persons may express their views orally or in writing. Hearing participants are requested to inform the Commission Secretaries of their intention to appear and provide a text of their remarks if possible. Alternatively, written submissions will be accepted until December 5th, 1995.

Please address enquiries and correspondence to one of the addresses below:

Secretary, United States Section,
International Joint Commission, 1250
23rd Street NW., Washington, DC
20440, Telephone: (202) 736-9000,
Fax: (202) 736-9015, Email:
bevacquaf@ijc.achilles.net

Secretary, Canadian Section,
International Joint Commission, 100
Metcalf Street, Ottawa, ON K1P5M1,
Telephone: (613) 995-2984, Fax: (613)
993-5583, Email:
terrienm@ijc.achilles.net.

Dated: October 23, 1995.

David A. LaRoche,

Secretary, United States Section.

[FR Doc. 95-26931 Filed 10-30-95; 8:45 am]

BILLING CODE 4710-14-M

DEPARTMENT OF TRANSPORTATION

Aviation Proceedings; Agreements Filed During the Week Ending October 20, 1995

The following Agreements were filed with the Department of Transportation under the provisions of 49 U.S.C 412 and 414. Answers may be filed within 21 days of date of filing.

Docket Number: OST-95-747

Date filed: October 19, 1995

Parties: Members of the International Air Transport Association

Subject: TC2 Reso/P 1804 dated

September 19, 1995; Europe-Middle East Resolutions r-1 to r-29; Intended effective date: April 1, 1996

Docket Number: OST-95-748

Date filed: October 19, 1995

Parties: Members of the International Air Transport Association

Subject: TC3 Reso/P 0645 dated October 17, 1995; TC3 Expedited Resos (exc. US Territories) r-1 to r-39; Intended effective date: Expedited November 30/December 1, 1995

Docket Number: OST-95-749

Date filed: October 19, 1995

Parties: Members of the International Air Transport Association

Subject: TC23 Reso/P 0709 dated September 19, 1995; Europe-South Asian Subcontinent Resos r-1 to r-16; Intended effective date: January 1, 1996

Docket Number: OST-95-750

Date filed: October 19, 1995

Parties: Members of the International Air Transport Association

Subject: TC3 Reso/P 0646 dated October 17, 1995; Expedited TC3 Resos involving U.S. Territories 002bb (r-1) & 002cc (r-2); Intended effective date: expedited November 30, 1995

Paulette V. Twine,

Chief Documentary Services Division.

[FR Doc. 95-26934 Filed 10-30-95; 8:45 am]

BILLING CODE 4910-62-P

Office of the Secretary

Applications of LorAir, Ltd., for Certificate Authority

AGENCY: Department of Transportation.

ACTION: Notice of order to show cause (Order 95-10-35) Dockets OST-95-290 and OST-95-702.

SUMMARY: The Department of Transportation is directing all interested persons to show cause why it should not issue an order finding LorAir, Ltd., fit, willing, and able, and awarding it certificates of public convenience and necessity to engage in interstate and foreign charter air transportation of persons, property, and mail.

DATES: Persons wishing to file objections should do so no later than November 15, 1995.

ADDRESSES: Objections and answers to objections should be filed in Dockets OST-95-290 and OST-95-702 and addressed to the Documentary Services Division (C-55, Room PL-401), U.S. Department of Transportation, 400 Seventh Street, S.W., Washington, D.C. 20590 and should be served upon the parties listed in Attachment A to the order.

FOR FURTHER INFORMATION CONTACT: Ms. Carol A. Woods, Air Carrier Fitness Division (X-56, Room 6401), U.S. Department of Transportation, 400 Seventh Street, S.W., Washington, D.C. 20590, (202) 366-2340.