

SUPPLEMENTARY INFORMATION:

Background

The ADA authorizes the Department of Justice (Department), upon application by a State or local government, to certify that a State or local law that establishes accessibility requirements meets or exceeds the maximum requirements of title III of the ADA for new construction and alterations. 42 U.S.C. 12188(b)(1)(A)(ii); 28 C.F.R. 36.601 *et seq.* Final certification constitutes rebuttable evidence, in any ADA enforcement action, that a building constructed or altered in accordance with the certified code complies with the new construction and alterations requirements of title III of the ADA.

By letter dated January 27, 1992, the Washington State Building Code Council (Council), requested certification by the Attorney General that the Washington State Regulations for Barrier Free Design (code) meets or exceeds the new construction and alterations requirements of title III of the ADA.

On May 20, 1993, after consulting with the Architectural and Transportation Barriers Compliance Board (Access Board), the Department provided technical assistance to the Council identifying issues that needed to be addressed before certification could be considered.

On August 20, 1993, the Council made a supplemental submission, providing its 1992 amendments to the code, newly-issued interpretations of the code, and comments responding to the Department's preliminary response. By letter dated March 23, 1994, the Council provided further supplementation of its submission.

On July 22, 1994, the Department responded to the supplemental submissions. On November 17, 1994, the Council adopted amendments to the code addressing the remaining issues raised by the Department. By letter dated November 28, 1994, the Council submitted those amendments as a supplement to its certification request.

The Department has analyzed the Washington code, as adopted on November 8, 1991, and amended on November 13, 1992, and November 17, 1994, and has preliminarily determined that it meets or exceeds the new construction and alterations requirements of title III of the ADA. By letter dated December 6, 1994, the Department notified the Council of its preliminary determination of equivalency.

Effect of Certification

The certification determination will be limited to the version of the Washington code, including the amendments and interpretations, that has been submitted to the Department. The certification will not apply to amendments or interpretations that have not been submitted and reviewed by the Department.

The certification will not apply to any elements or features not addressed in the Washington code, which are advisory only. Finally, the certification will not apply to waivers granted under the Washington code by local building officials. Therefore, if a builder receives a waiver, modification, variance, or other exemption from the requirements of the Washington code for any element of construction or alterations, the certification determination will not constitute evidence of ADA compliance with respect to that element.

Comments and Hearings

On January 12, 1995 the Department published a notice in the **Federal Register** announcing that it had preliminarily determined that the Washington code meets or exceeds the new construction and alterations requirements of title III of the ADA. The Department also noted that it intended to issue final certification of the Washington code and requested written comments on the preliminary determination and the proposed final certification. Finally, the Department noted that it intended to hold informal hearings in Washington, D.C. and Seattle, Washington.

The purpose of the informal hearings is to provide an opportunity for interested persons, including individuals with disabilities, to express their views with respect to the preliminary determination of equivalency of the Washington code. Interested parties who wish to testify at a hearing should contact Tito Mercado at (202) 307-0663 (Voice/TDD). This is not a toll-free number.

The meeting sites will be accessible to individuals with disabilities. Individuals who require sign language interpreters or other auxiliary aids should contact Tito Mercado at (202) 307-0663 (Voice/TDD). This is not a toll-free number.

Dated: January 5, 1995.

Kerry Alan Scanlon,

Acting Assistant Attorney General for Civil Rights.

[FR Doc. 95-743 Filed 1-11-95; 8:45 am]

BILLING CODE 4410-01-M

DEPARTMENT OF LABOR**Office of the Secretary**

**Bureau of International Labor Affairs;
U.S. National Administrative Office;
North American Agreement on Labor
Cooperation; Hearings on
Submissions #940003 and #940004**

AGENCY: Office of the Secretary, Labor.

ACTION: Notice of hearings.

SUMMARY: The purpose of this notice is to announce hearings, open to the public, on Submissions #940003 and #940004.

Submission #940003, filed with the U.S. National Administrative Office (NAO) by the International Labor Rights Education and Research Fund, the Asociacion Nacional de Abogados Democraticos (National Association of Democratic Lawyers), the Coalition for Justice in the Maquiladoras, and the American Friends Service Committee, involves labor law matters in Mexico and was accepted for review by the NAO on October 13, 1994. Notice of acceptance for review was published in the **Federal Register** on October 20, 1994. Submission #940004, filed by the United Electrical, Radio and Machine Workers of America, also involves labor law matters in Mexico and was accepted for review on November 4, 1994. Notice of acceptance for review was published in the **Federal Register** on November 10, 1994.

Article 16(e) of the North American Agreement on Labor Cooperation (NAALC) provides for the review of labor law matters in Canada and Mexico by the NAO in accordance with U.S. domestic procedures. Revised procedural guidelines pertaining to the submission, review, and reporting process utilized by the Office were published in the **Federal Register** on April 7, 1994. The guidelines provide for a hearing as part of the review.

DATES: The hearing on Submission #940003 will be held on February 13, 1995, commencing at 9: A.M. The hearing on Submission #940004 will be held immediately following the hearing on Submission #940003, continuing, if necessary, on February 14.

Persons wishing to provide information or present their views on matters related to the review of

Submission #940003 or #940004 may do so by filing written statements or briefs with the NAO, which must be received by February 1. Persons desiring to present oral testimony at a hearing must submit a request in writing at the time the written statement or brief is filed. Separate documents should be filed for each submission for which information is provided or permission to testify is sought.

ADDRESSES: The hearings will be held in San Antonio, Texas, at a location to be announced. Written statements or briefs and requests to present oral testimony may be mailed or hand delivered to the U.S. National Administrative Office, Department of Labor, 200 Constitution Avenue, N.W., Room C-4327, Washington, DC 20210.

FOR FURTHER INFORMATION CONTACT: Irasema T. Garza, Secretary, U.S. National Administrative Office, Department of Labor, 200 Constitution Avenue, N.W., Room C-4327, Washington, DC 20210. Telephone: (202) 501-6653 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION:

I. Nature and Conduct of Hearings

As set out in the notices published in the **Federal Register** on October 20 and November 10, 1994, the objective of the NAO's review of the submissions is to gather information to assist it to better understand and publicly report on the Government of Mexico's promotion of compliance with, and effective enforcement of, its labor law through appropriate government action, as set out in Article 3 of the NAALC, and on related matters.

The hearings will be conducted by the Secretary of the NAO or the Secretary's designee. They will be open to the public. All proceedings will be conducted in English, with simultaneous translation provided. The public file for each submission, including written statements, briefs, and requests to present oral testimony, will be made a part of the appropriate hearing record. The public files will also be available for inspection at the NAO prior to the hearings.

The hearings will be transcribed. A transcript of the proceedings will be made available for inspection, as provided for in Section E of the procedural guidelines, or may be purchased from the reporting company.

Disabled persons should contact the Secretary of the NAO no later than January 30, 1995 if special accommodations are needed.

II. Written Statements or Briefs and Requests To Present Oral Testimony

Written statements or briefs shall provide a discussion of the information presented or position taken and shall be legibly typed or printed. Requests to present oral testimony shall include the name, address, and telephone number of the witness, the organization represented, if any, and any other information pertinent to the request. Five copies of a statement or brief and a single copy of a request to present oral testimony shall be submitted to the NAO at the time of filing. Separate documents should be filed for each submission for which information is provided or permission to testify is sought.

No request to present oral testimony will be considered unless accompanied by a written statement or brief. A request to present oral testimony may be denied if the written statement or brief suggests that the information sought to be provided is unrelated to the review of the submission or for other appropriate reasons. The NAO will notify each requester of the disposition of the request to present oral testimony.

In presenting testimony, the witness should summarize the written statement or brief, may supplement the written statement or brief with relevant information, and should be prepared to answer questions from the Secretary of the NAO or the Secretary's designee. Oral testimony will ordinarily be limited to a ten minute presentation, not including the time for questions. Persons desiring more than ten minutes for their presentation should so state in the request, setting out reasons why additional time is necessary.

The requirements relating to the submission of written statements or briefs and requests to present oral testimony may be waived by the Secretary of the NAO for reasons of equity and the public interest.

Signed at Washington, DC, on January 9, 1995.

Irasema T. Garza,

Secretary, U.S. National Administrative Office.

[FR Doc. 95-816 Filed 1-11-95; 8:45 am]

BILLING CODE 4510-28-M

Employment and Training Administration

Investigations Regarding Certifications of Eligibility To Apply for NAFTA Transitional Adjustment Assistance

Petitions for transitional adjustment assistance under the North American Free Trade Agreement-Transitional Adjustment Assistance Implementation Act (P.L. 103-182), hereinafter called (NAFTA-TAA), have been filed with State Governors under Section 250(a) of Subchapter D, Chapter 2, Title II, of the Trade Act of 1974, as amended, are identified in the Appendix to this Notice. Upon notice from a Governor that a NAFTA-TAA petition has been received, the Director of the Office of Trade Adjustment Assistance (OTAA), Employment and Training Administration (ETA), Department of Labor (DOL), announces the filing of the petition and takes actions pursuant to paragraphs (c) and (e) of Section 250 of the Trade Act.

The purpose of the Governor's actions and the Labor Department's investigations are to determine whether the workers separated from employment after December 8, 1993 (date of enactment of P.L. 103-182) are eligible to apply for NAFTA-TAA under Subchapter D of the Trade Act because of increased imports from or the shift in production to Mexico or Canada.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing with the Director of OTAA at the U.S. Department of Labor (DOL) in Washington, D.C., provided such request is filed in writing with the Director of OTAA not later than January 23, 1995.

Also, interested persons are invited to submit written comments regarding the subject matter of the petitions to the Director of OTAA at the address shown below not later than January 23, 1995.

Petitions filed with the Governors are available for inspection at the Office of the Director, OTAA, ETA, DOL, Room C-4318, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC, this 3rd day of January, 1995.

Victor J. Trunzo,

Program Manager, Policy & Reemployment Services, Office of Trade Adjustment Assistance.