

survey is designed to determine the extent to which police departments, specifically crime analysts, are using computerized crime mapping. Surveys will be mailed to a randomly select sample of police departments. The questionnaire will determine the level of crime mapping within departments, both in terms of hardware and software resources as well as the types of maps that are produced and how they are used. The information collected from this survey will be used to advise our newly established Crime Mapping Research Center.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 2,798 respondents at an average of 33 minutes per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 562 burden hours.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Suite 850, Washington Center, 1001 G Street, NW, Washington, DC 20530.

Dated: May 27, 1997.

**Robert B. Briggs,**

*Department Clearance Officer, United States Department of Justice.*

[FR Doc. 97-14235 Filed 5-30-97; 8:45 am]

BILLING CODE 4410-09-M

## DEPARTMENT OF JUSTICE

### Office of Justice Programs

[OJP(BJS)-1134]

RIN 1121-ZA80

### National Survey of Indigent Defense Systems

**AGENCY:** Office of Justice Programs, Bureau of Justice Statistics, Justice.

**ACTION:** Solicitation for award of cooperative agreement.

**SUMMARY:** The purpose of this notice is to announce a public solicitation for services of multi-stage sample design, survey development, data collection, data verification, coding and entry, and delivery of a final data set to BJS for a National Survey of Indigent Defense Systems.

**DATES:** Proposals must be postmarked on or before August 1, 1997.

**ADDRESSES:** Proposals should be mailed to: Application Coordinator, Bureau of Justice Statistics, Room 303, 633 Indiana Avenue, NW., Washington, DC 20531.

**FOR FURTHER INFORMATION CONTACT:** Steven K. Smith, Chief, Law Enforcement, Adjudication and Federal Statistics, Bureau of Justice Statistics, (202) 633-3046.

#### SUPPLEMENTARY INFORMATION:

##### Background

The National Survey of Indigent Defense Systems is a collaborative effort sponsored by the Bureau of Justice Statistics with funding from the Bureau of Justice Assistance, components of the Office of Justice Programs, U.S. Department of Justice. The study will develop, test, and implement a national-level data collection program to measure the way in which states and localities provide legal services for indigent criminal defendants, their caseloads, related costs, and policies and practices.

BJS is the lead agency for the study because of its prior experience in conducting a comprehensive study of indigent defense systems in 1982 and a smaller follow-up study in 1986. The results from these studies were reported in three BJS publications entitled, National Criminal Defense Systems Study: Final Report, Criminal Defense Systems and Criminal Defense for the Poor, 1986.

Court appointed legal representation plays a critical role in the Nation's criminal justice system. Limited information from various BJS statistical series shows that most criminal defendants rely on some form of publicly-provided defense counsel. In 1986, the latest year for which national level information is available, the states provided indigent defense services to approximately 4.4 million criminal defendants. No major data collection on criminal defense for indigent offenders has been undertaken since 1986.

Much has changed over the past decade as States and local defender systems are relying more on contact and private services. The National Survey of Indigent Defense Systems will provide a clearer understanding of the changing nature of public defender services in the United States.

##### Objectives

The purpose of this award is to develop, test, and implement a national-level data collection program to identify the number and characteristics of public indigent defense organizations and agencies and to measure the way in which states provide legal services for indigent criminal defendants, their caseloads, and policies and practices. The nationally representative sample of indigent defense providers will also be surveyed on types of offenses

represented, expenditures, funding sources, and related administrative issues. This project will provide a machine readable, public-use dataset which will be able to produce a comprehensive portrait of state and local efforts to meet the needs of indigent criminal defendants and their interaction with the other components of the criminal justice system.

##### Type of Assistance

Assistance will be made available under a cooperative agreement. The total amount to be awarded under this two year project is estimated to be \$850,000.

Awards will be made for a period of one year with supplemental funding for an additional one year conditional upon the quality of initial performance and products, adherence to project milestones, and completing this project of national interest in a timely fashion. Data collection agent will work closely with BJS staff in developing the overall research design, survey instrument and data collection phase of the project. The initial report for publication will be produced and published by BJS and no data will be released by the recipient of funds until BJS makes the data set available to the public.

##### Statutory Authority

The cooperative agreement to be awarded pursuant to this solicitation will be funded by the BJS consistent with its mandate as set forth in 42 U.S.C. 3732. Specifically, BJS is authorized by (42 U.S.C. 3732) to "collect and analyze statistical information concerning operations of the criminal justice system at the Federal, State, and Local levels".

##### Eligibility Requirements

Both profit-making and nonprofit organizations may apply for funds. Consistent with OJP fiscal requirements, no fees may be charged against the project by profit-making organizations.

##### Scope of Work

The object of this solicitation is to develop, test, and implement a comprehensive data collection program to measure state and local indigent defense services throughout the United States. Specifically, the recipient of funds will perform the following tasks:

1. Develop detailed research design for national-level data collection on indigent defense programs; this includes a detailed timetable for each task in the project. Data collection should begin within 180 days of project start date with completion within 12 months. After the BJS grant monitor has agreed

to the timetable, all work must be completed as scheduled.

2. Provide detailed description of how the data will be collected in state, county and other relevant offices with and without automated information systems, and how information pertaining to assigned counsel and contract programs will be collected. Determine the appropriate unit of analysis (state, county, individual program) for the survey or surveys. This includes the production of detailed profiles of how each of the 50 states and the District of Columbia delivers services to indigent criminal defendants and related activities.

3. Develop a comprehensive sampling frame that would include the names and addresses of organizations that provide indigent defense services or funding for those services, no matter what the nature of the delivery system. This includes organizations dealing with conflict cases whereby a defendant is represented by counsel outside the public defender's office because of conflicts of interest with staff.

4. Design a sample that can produce reliable and accurate national as well as state estimates of staff size and type, expenditures, budgets, workload and other related factors. Provide detailed documentation of sampling plan, including targeted CV for selected variables.

5. Develop questionnaire(s) and methodology for collecting information. The final survey instrument and methodology approved by BJS will include a detailed description of methods that will be used to collect data from initial non-respondents.

6. Develop new areas and expand existing areas in the questionnaire to collect information on how offices provide services related to juvenile issues, death penalty cases, domestic violence cases, family welfare cases, and cases processed in drug courts.

7. Mail surveys to appropriate parties. Follow-up by telephone with those not completing survey or to clarify responses. Electronically disseminate questionnaire to program offices with Internet capabilities.

8. Identify a coordinator in each State to assist in achieving an acceptable survey response rate and in compiling individual State information.

9. Verify reported information on selected subset of the completed surveys via telephone follow-up, code and enter data, apply appropriate weights for national and state level estimates, and create public-use data set.

10. Provide complete documentation on verification procedures and on producing final case weights. Provide

standard error table information for national and state level estimates.

Formulas for standard error calculations should reflect the sample design and must be fully documented.

11. Provide machine readable data set and documentation to BJS for archive at the Inter-university Consortium for Political and Social Research (ICPSR). The data sets will be delivered in format readable by SPSS and should include replicate weights for producing standard errors.

12. Provide comprehensive documentation for the entire project that will be archived at ICPSR. Applicants should use the documentation from the Civil Justice Survey of State Courts, 1992 as a model. This is available from BJS on a CD-ROM or can be accessed through the BJS homepage <http://www.ojp.usdoj.gov/bjs/>.

#### **Award Procedures**

Proposals should describe in appropriate detail the procedures to be undertaken in furtherance of the activities described under the Scope of Work. Information on staffing levels and qualifications should be included for each task and descriptions of experience relevant to the project should be included. Resumes of the proposed project director and key staff should be enclosed with the proposal.

Applications will be reviewed by BJS. Final authority to enter into a cooperative agreement is reserved for the Director, BJS, or his designee.

Applications will be evaluated on the overall extent to which they respond to the priorities and technical complexities of the scope of the work, conform to high standards of data collection, and appear to be fiscally feasible and efficient. Specifically, applicants will be evaluated on the basis of:

1. Documentation of applicant's ability to carry out the scope of the work described in this solicitation. Particular emphasis will be placed on the quality of the applicant's overall proposed research design to collect data on indigent defense systems and description of methods and procedures for collecting standardized data on staff size and type, expenditures, workload, types of cases represented, and other relevant factors from different indigent defense services, organization and agencies including statewide and county level systems, assigned counsel programs, and contract programs.

2. Knowledge of relevant criminal justice issues and prior research related to indigent defense services for both adults and juveniles. Knowledge of state- and county-based indigent services and operations. Applicants should be

familiar with the findings in the reports National Criminal Defense Systems Study: Final Report, NCJ-94702, Criminal Defense Systems, NCJ-94630, and Criminal Defense for the Poor, 1986, NCJ-112991. Copies of the three reports are available from the National Criminal Justice Reference Service, 1-800-732-3277. The application should include a summary of key findings from these reports and outline how the current study would gather the same or similar types of information for comparative purposes and address additional topics.

3. Demonstrated knowledge of the contemporary issues in indigent defense services and programs. Quality of proposal for collecting data on these issues, including those pertaining to juveniles cases, family matters, workload levels, quality of defense representation, and cases handled by speciality courts such as drug courts. Proposal will be evaluated on methods for measuring quality of representation of juvenile cases and death penalty cases (such as training and certification) and the kinds of defense services provided relating to domestic violence and family welfare matters.

4. Documented knowledge and experience related to multi-stage and multi-frame sampling design and questionnaire development.

5. Documented evidence of research expertise and experience in sample design, objective data gathering, data coding, entry and verification, and production of public-use data files. This includes availability of adequate computing environment and knowledge of standard social science data processing software. Demonstrated ability to produce SPSS readable data files for analysis and report production.

6. Availability of qualified professional, field and support staff, and suitable equipment for data gathering and processing. This includes expertise in multi-stage sampling, probability sampling techniques and standard error estimation from survey data.

7. Demonstrated fiscal, management and organizational capability and experience suitable for proving quality data within budget and time constraints.

8. Reasonableness of estimated costs for the total project and for individual cost categories.

#### **Application and Process**

An original and five (5) copies of a full proposal must be submitted with SF 424 (Rev. 1988), Application for Federal Assistance, as the cover sheet.

Proposals must be accompanied by SF 424A, Budget Information; OJP Form 4000/3 (Rev. 1-93), Program Narrative and Assurances; OJP Form 4061/6,

Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements; and OJP Form 7120-1 (Rev. 1-93), Accounting System and Financial Capability Questionnaire (to be submitted by applicants who have not previously received Federal funds from the Office of Justice Programs). If appropriate, applicants must complete and submit Standard Form LLL, Disclosure of Lobbying Activities. All applicants must sign Certified Assurances that they are in compliance with Federal laws and regulations which prohibit discrimination in any program or activity that received Federal funds. To obtain appropriate forms, contact Getha Hilario, BJS Management Assistant, at (202) 633-3031.

The application should cover a 2-year period with information provided for completion of the entire project. Proposals must include a program narrative, a detailed budget and budget narrative. The program narrative shall describe activities as stated in the scope of work and factors for evaluation. The detailed budget must provide costs including salaries of staff involved in the project and portion of the salaries to be paid from the award; fringe benefits paid to each staff person; travel costs; and supplies required to complete the project. The budget narrative closely follows the content of the detailed budget. The narrative should relate the items budgeted to the project activities and should provide a justification and explanation for the budgeted items. Refer to the aforementioned timetable when developing the program narrative and budget information.

Dated: May 23, 1997.

**Jan M. Chaiken,**

*Director, Bureau of Justice Statistics.*

[FR Doc. 97-14275 Filed 5-30-97; 8:45 am]

BILLING CODE 4410-18-P

## LIBRARY OF CONGRESS

### Copyright Office

[Docket No. 96-5 CARP DSTRA]

### Determination of Statutory License Rates and Terms for Certain Digital Subscription Transmissions of Sound Recordings

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Initiation of arbitration.

**SUMMARY:** The Librarian of Congress is announcing initiation of the 180-day arbitration period for determination of

statutory license rates and terms for certain digital subscription transmissions of sound recordings.

**EFFECTIVE DATE:** June 2, 1997.

**ADDRESSES:** All hearings and meetings for the section 114 statutory license proceeding shall take place in the James Madison Memorial Building, Room 414, First and Independence Avenue, S.E., Washington, D.C. 20540.

**FOR FURTHER INFORMATION CONTACT:** William Roberts, Senior Attorney, or Tanya Sandros, Attorney Advisor, P.O. Box 70977, Southwest Station, Washington, D.C. 20024. Telephone (202) 707-8380. Telefax (202) 707-8366.

#### SUPPLEMENTARY INFORMATION:

##### Background

This notice fulfills the requirement of 37 C.F.R. 251.64 and 17 U.S.C. 803(a)(1). Section 251.64 of the CARP rules, 37 C.F.R., provides that:

After the end of the 45-day precontroversy discovery period, and after the Librarian has ruled on all motions and objections filed under § 251.45, the Librarian will determine the sufficiency of the petition, including, where appropriate, whether one or more of the petitioners' interests are "significant." If the Librarian determines that a petition is significant, he or she will cause to be published in the **Federal Register** a declaration of a controversy accompanied by a notice of initiation of an arbitration proceeding.

On December 1, 1995, the Library of Congress published a notice, pursuant to 17 U.S.C. 114(f)(1), initiating a voluntary negotiation period for terms and rates for the 17 U.S.C. 114 statutory license. 60 FR 61655 (December 1, 1995). No voluntary agreements were reached.

On June 4, 1996, the Library received a petition from the Recording Industry Association of America ("RIAA"), in accordance with 17 U.S.C. 114(f)(2), to initiate an arbitration proceeding under chapter 8 of the Copyright Act for purposes of establishing the terms and rates of the section 114 license. RIAA asserted that it has a significant interest in such a proceeding because it is the principal trade association of the recording industry which creates, markets, and distributes approximately 90% of all legitimate sound recordings sold in the United States.

After the filing of this petition, the Library conducted a precontroversy discovery period under § 251.45 of the rules. See, 61 FR 40464 (August 2, 1996); Order in Docket No. 96-5 CARP DSTRA (September 18, 1996); Order in Docket No. 96-5 CARP DSTRA (November 27, 1996). The precontroversy discovery period is

complete, and the Librarian has ruled upon all § 251.45 motions and objections.

### Determination of Petitioner's Significant Interest in Proceeding

The Librarian has considered the petition of the RIAA and determines that RIAA has a significant interest in a CARP proceeding to establish the rates and terms of the section 114 license. RIAA is the principal trade association of the recording industry in the United States, and it is this industry that will collect royalties under the section 114 license. Further, the former Copyright Royalty Tribunal recognized that RIAA had a significant interest in copyright compulsory license rate proceedings affecting the recording industry. See, *Recording Industry Association of America v. Copyright Royalty Tribunal*, 662 F.2d 1 (D.C. Cir. 1981) (17 U.S.C. 115 license). Consequently, the Librarian determines that RIAA has a significant interest in this proceeding within the meaning of 17 U.S.C. 803(a)(1).

### Selection of Arbitrators

In accordance with § 251.6 of the CARP rules, the arbitrators have been selected for this proceeding. They are: The Honorable Lenore G. Ehrig (Chairperson)  
The Honorable Thomas A. Fortkort  
The Honorable Sharon T. Nelson

### Initiation of Proceeding

Pursuant to § 251.64 of the CARP rules, the Librarian is formally announcing the existence of a controversy as to the establishment of rates and terms for certain digital subscription transmissions, 17 U.S.C. 114(f)(2), and is initiating an arbitration proceeding under chapter 8 of title 17 to resolve the determination. The arbitration proceeding commences on June 2, 1997, and runs for a period of 180 days. The arbitrators shall file their written report with the Librarian by November 28, 1997, the end of the 180 day period, in accordance with § 251.53 of the rules.

A meeting between the participants in the rate adjustment proceeding and the arbitrators shall take place on Tuesday, June 3, 1997, at 1:30 p.m. at the Library of Congress, James Madison Building, LM 414, First and Independence Avenue, S.E., Washington, D.C., to discuss the hearing schedule, arbitrator billing and payment, and any other procedural matters. The meeting is open to the public. Copies of the hearing schedule, once finalized, will be available at the Copyright Office upon request.