

DEPARTMENT OF JUSTICE**Office of Justice Programs****[OMB Number 1121-NEW]****Bureau of Justice Statistics; Agency Information Collection Activities: Proposed Collection; Comments Requested**

ACTION: 60-Day notice of information collection under review: Survey of State Court Criminal Appeals, 2010.

The Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, will be submitting the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for "sixty days" until April 1, 2011. This process is conducted in accordance with 5 CFR 1320.10.

If you have additional comments, especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact: Thomas H. Cohen, (202) 514-8344, Bureau of Justice Statistics, Office of Justice Programs, Department of Justice, 810 Seventh Street, NW., Washington, DC 20531 or Thomas.H.Cohen@usdoj.gov.

To ensure that comments on the information collection are received, OMB recommends that written comments be faxed to the Office of Information and Regulatory Affairs, OMB, *Attn:* DOJ Desk Officer, *Fax:* 202 395-7285, or e-mailed to oir_submission@omb.eop.gov. All comments should be identified with the OMB control number [1121-0234]. Also include the DOJ docket number found in brackets in the heading of this document.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information,

- including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information

(1) *Type of information collection:* New data collection, Survey of State Court Criminal Appeals (SSCCA), 2010.

(2) *The title of the form/collection:* Survey of State Court Criminal Appeals or SSCCA, 2010.

(3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* The form labels are SSCCA-IAC and SSCCA-COLR, Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice.

(4) *Affected Public Who Will Be Asked or Required to Respond, as well as a Brief Abstract:* State intermediate appellate courts and state courts of last resort. Abstract: The 2010 SSCCA will focus on criminal cases disposed in a national sample of state intermediate appellate courts and courts of last resort and will aim to obtain information on certain key case characteristics of these appeals. Some of the information collected will include the types of criminal cases appealed to state intermediate appellate courts and courts of last resort, the legal issues raised on appeal, the impact of the appellate process on trial court outcomes, the extent that appellate claims are decided on the merits, and case processing time for criminal appeals. The 2010 SSCCA will also attempt to examine all death penalty cases decided on appeal in 2010 as well as cases that were adjudicated in both intermediate appellate courts and courts of last resort. All data collected will be accurate as of December 2010.

(5) *An Estimate of the Total Number of Respondents and the Amount of Time Estimated for an Average Respondent to Respond:* The Survey of State Court Criminal Appeals (SSCCA) will collect data on a national sample of approximately 5,000 criminal appeals concluded in all of the nation's 143 intermediate appellate courts and courts of last resort in 2010. The burden hour computation involves both sample list generation and case level data collection. Each of the nation's 143 intermediate appellate courts and courts

of last resort will be asked to generate a sample of all their direct criminal appeals disposed in 2010 from which a national sample can be drawn for the SSCCA. It is estimated that it should take 3 hours for each of the nation's 143 appellate courts to generate an appropriate sample list. The burden hour component regarding case level data collection involves copying the necessary appellate court documentation from three major sources for submission to the data collection agent including (1) The submitted legal briefs, (2) the opinions produced by the courts, and (3) the docketing information. Assuming 35 appeals per court (5,000 appeals/143 courts = 35 appeals) and 10 minutes to copy each legal brief or opinion, the burden hours to copy these paper documents for each court should be about 6 hours for the legal briefs and 6 hours for the opinions (35 appeals * .17 hours per opinion/brief = 6 hours). In addition to providing copies of legal briefs and opinions, it is estimated that each appellate court will require 3 hours to provide the necessary docketing information.

(6) *An Estimate of the Total Public Burden (in hours) Associated with the collection:* The estimated public burden associated with this collection is 1,224 hours. The burden hour computation is calculated by identifying those appellate courts that have limited online accessibility necessitating the submission of legal briefs, docketing materials, or court opinions for coding by the data collection agent. No burden hours are associated with collecting data from appellate courts with complete internet accessibility because all their data can be obtained online. It is estimated that a total of 795 hours will be needed for the appellate courts with limited internet accessibility to provide the documentation in the form of mailed legal briefs/opinions or docket extracts to complete the SSCCA data collection. The 795 number is calculated by first computing the total burden hours appellate courts need to provide copies of submitted legal briefs (90 courts * 6 hours per court to provide copies of submitted legal briefs = 540 hours); and secondly, by computing the total burden hours for providing data extracts of docketing information (57 courts * 3 hours per court to provide extracts of docketing information = 171 hours); and thirdly, by computing the total burden hours for providing copies of court opinions (14 courts * 6 hours per court to provide copies of court opinions = 84 hours). Hence, 540 hours for providing copies of submitted briefs + 171 hours for providing data extracts of docketing

information + 84 hours for providing copies of court opinions = 795 hours. When the burden hours for sample list generation are added, the total burden hours for the SSCCA project sums to 1,224 hours (795 hours to provide necessary case documentation + 429 hours for sample list generation = 1,224 hours).

If additional information is required contact: Mrs. Lynn Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street, NE., Suite 2E-502, Washington, DC 20530.

Dated: January 26, 2011.

Lynn Murray,

Department Clearance Officer, PRA, U.S. Department of Justice.

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BILLING CODE 4410-18-P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Gear Certification

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) hereby announces the submission of the Occupational Safety and Health Administration (OSHA) sponsored information collection request (ICR) titled, "Gear Certification," to the Office of Management and Budget (OMB) for review and approval for continued use in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35).

DATES: Submit comments on or before March 2, 2011.

ADDRESSES: A copy of this ICR, with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site, <http://www.reginfo.gov/public/do/PRAMain> or by contacting Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or sending an e-mail to DOL_PRA_PUBLIC@dol.gov.

Submit comments about this request to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Department of Labor, Occupational Safety and Health Administration (OSHA), Office of Management and Budget, Room 10235,

Washington, DC 20503, *Telephone:* 202-395-4816/*Fax:* 202-395-6881 (these are not toll-free numbers), *e-mail:* OIRA_submission@omb.eop.gov.

FOR FURTHER INFORMATION CONTACT: Contact Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or by e-mail at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: Form OSHA-70 is used by applicants seeking accreditation from the OSHA to be able to test or examine certain equipment and material handling devices as required under the OSHA maritime regulations, 29 CFR part 1917 (Marine Terminals) and 29 CFR part 1918 (Longshoring). The OSHA uses this information to accredit companies to inspect and provide certification for cranes, derricks, and accessory gear used in the longshoring, marine terminal, and shipyard industries. Certain types of vessel cargo gear and shore-based material handling devices used in maritime operations are required to have accredited companies conduct examinations.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is currently approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information if the collection of information does not display a currently valid OMB control number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under OMB Control Number 1218-0003. The current OMB approval is scheduled to expire on January 31, 2011; however, it should be noted that information collections submitted to the OMB receive a month-to-month extension while they undergo review. For additional information, see the related notice published in the **Federal Register** on November 5, 2010 (75 FR 68381).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within 30 days of publication of this notice in the **Federal Register**. In order to ensure appropriate consideration, comments should reference OMB Control Number 1218-0003. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: Occupational Safety and Health Administration (OSHA).

Title of Collection: Gear Certification.

OMB Control Number: 1218-0003.

Affected Public: Private sector—businesses or other for-profits.

Total Estimated Number of Respondents: 1,116.

Total Estimated Number of Responses: 6,466.

Total Estimated Annual Burden Hours: 190.

Total Estimated Annual Costs Burden: \$2,872,640.

Dated: January 25, 2011.

Michel Smyth,

Departmental Clearance Officer.

[FR Doc. 2011-1970 Filed 1-28-11; 8:45 am]

BILLING CODE 4510-26-P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Standard on Manlifts

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) hereby announces the submission of the Occupational Safety and Health Administration (OSHA) sponsored information collection request (ICR) titled, "Standard on Manlifts," to the Office of Management and Budget (OMB) for review and approval for continued use in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35).

DATES: Submit comments on or before March 2, 2011.