

[Finance Docket No. 32675]

**Hartwell Railroad Company—
Acquisition and Operation
Exemption—Line of Norfolk Southern
Railway Company**

Hartwell Railroad Company (HRC), a noncarrier, has filed a notice of exemption to acquire and operate approximately 48.3-miles of rail line, the Toccoa Line, owned by Norfolk Southern Railway Company.² The line extends from milepost P 0.5, near Toccoa, to milepost P 48.80, near Elberton, in Elbert, Franklin, Hart, and Stephens Counties, GA. The proposed transaction is to be consummated after the effective date of the notice of exemption and will result in HRC becoming a class III carrier.³

Any comments must be filed with the Commission and served on: William A. Mullins, Troutman Sanders, 601 Pennsylvania Ave., N.W., Washington, DC 20004.

This notice is filed under 49 CFR 1150.31. If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

Decided: March 24, 1995.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

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DEPARTMENT OF JUSTICE

**Office of Juvenile Justice and
Delinquency Prevention**

[OJP (OJJDP) No. 1047]

ZRIN: 1121-ZA10

**Program Announcement,
“Nonparticipating State Program,
Wyoming”**

AGENCY: Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

² In a concurrently filed notice of exemption, Great Walton Railroad Company, Inc. d/b/a Hartwell Railroad Company—Trackage Rights Exemption—Hartwell Railroad Company, Finance Docket No. 32676, HRC agrees to grant local and overhead trackage rights over the Toccoa Line to Great Walton Railroad Company, Inc., an unaffiliated carrier, because HRC assertedly will not be prepared to provide immediate service to the line's shippers.

³ Under 49 CFR 1150.32(b), the notice of exemption is effective 7 days after it is filed. The notice was filed on March 15, 1995.

ACTION: Notice of program announcement.

SUMMARY: Notice is hereby given that the Office of Juvenile Justice and Delinquency Prevention (OJJDP), pursuant to the provisions of section 223(d) of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. 5601 *et seq.*, (hereinafter the JJDP Act), is issuing a program announcement and solicitation for applications from local public and private nonprofit agencies in the State of Wyoming. The State is not eligible to receive its fiscal years 1993 and 1994 Formula Grants Program allocations under Part B of Title II of the JJDP Act. Eligible applicants for this competitive program are limited to local public and private nonprofit agencies providing services or currently operating in the State. Such agencies are eligible to receive funds to be expended over a two year period. Multiple grants will be made available in amounts ranging from \$100,000 to \$471,829 per applicant of a total of \$943,658 in fiscal year 1993 and 1994 Formula Grant funds that have been reallocated for award under this nonparticipating state program.

DATES: Applications under this program are due May 1, 1995.

ADDRESSES: State Relations and Assistance Division, Office of Juvenile Justice and Delinquency Prevention, United States Department of Justice, 633 Indiana Avenue NW., Washington, DC 20531.

FOR FURTHER INFORMATION CONTACT: For further information contact Mark A. Roscoe, State Representative, State Relations and Assistance Division, Office of Juvenile Justice and Delinquency Prevention, 633 Indiana Avenue, NW., Washington, DC 20531, (202) 307-5924.

SUPPLEMENTARY INFORMATION:

I. Introduction and Background

A. Legislation

Pursuant to section 223(d) of the JJDP Act, the OJJDP Administrator must endeavor to make the Formula Grants Program fund allotment, under section 222(a) of the JJDP Act, to a State which is ineligible to participate in the Formula Grants Program available to local public and private nonprofit agencies within the nonparticipating State. The funds may be used solely for the purpose(s) of achieving compliance with the following JJDP Act core State plan requirements:

1. Section 223(a)(12)(A), which provides that juveniles shall not be placed in secure detention or correctional facilities if (1) they are

charged with or have committed offenses that would not be criminal if committed by an adult, (2) they are charged with or have committed offenses which do not constitute violations of valid court orders or Federal or State law prohibiting the possession of a handgun, or (3) they are non-offenders such as dependent or neglected children;

2. Section 223(a)(13), which provides that juveniles alleged or found to be delinquent, status offenders, and non-offenders shall not be detained or confined in any institution in which they have contact with adults convicted of a crime or awaiting trial on criminal charges;

3. Section 223(a)(14), which provides that no juvenile shall be detained or confined in any jail or lockup for adults, except criminal-type juvenile offenders awaiting an initial court appearance pursuant to an enforceable State law requiring such appearance within 24 hours after being taken into custody (excluding weekends and holidays) provided that such exceptions are limited to areas which:

- Are outside a Metropolitan Statistical Area,
- Have no existing acceptable alternative placements available,
- Provide for the sight and sound separation of juveniles and incarcerated adults; and

4. Section 223(a)(23), which provides that States must address efforts to reduce the proportion of juveniles detained or confined in secure facilities who are members of a minority group if such proportion exceeds the proportion such groups represent in the general population.

B. Definitions of Terms

1. *Adult jail.* A locked facility administered, by State, county, or local law enforcement and public or private correctional agencies. The purpose of such facility is to detain adults charged with violating criminal law pending trial. Facilities used to hold convicted adult criminal offenders, usually sentenced for less than one year, are also considered adult jails.

2. *Adult lockup.* Similar to an adult jail except that an adult lockup is generally a municipal or police facility of a temporary nature which does not hold persons after they have been formally charged.

3. *Criminal-type offender.* A juvenile offender who has been adjudicated for conduct which would, under the law of the jurisdiction in which the offense was committed, be a crime if committed by an adult.