

by minimizing the adverse effects of human disturbance to wild and captive bighorn sheep, through the proposed actions referenced in EA-660-03-08. These actions include BLM and City commitments: (1) To block human access to the old "Shirley" road on their lands through a combination of signage, fencing and physical barriers, including deconstructing and recontouring the road sufficient to discourage access and reinforce the closure along the saddle immediately south of the BLM property line that leads to an overlook on BLM lands of the Bighorn Institute's sheep pens, and (2) to employ a progressive management strategy to prevent hiking off the designated trail system and towards or overlooking captive sheep in the Bighorn Institute pens, including signage, stricter enforcement and penalties when legally feasible, physical barriers and fencing at strategic locations. The BLM issued a Decision Record to implement the proposed action, including the Terms and Conditions of the Biological Opinion, on March 7, 2003. The City issued an ordinance (Ordinance No. 1034) and a resolution (Resolution No. 03-12), approving construction of a new trail and closing portions of City lands between the National Monument Visitor Center and the ridge overlooking the Bighorn Institute, on January 23, 2003 (mitigation measures B-5 and B-6).

II. Closure

In compliance with 43 CFR 8364.1(c), notice is hereby given that BLM is closing portions of public lands in the Santa Rosa and San Jacinto Mountains National Monument. The public lands hereby closed are those lands within the north 1/2 of the north 1/2 of Section 7, Township 6 South, Range 6 East, San Bernardino Meridian (SBM). These restrictions will be in effect year-round from December 4, 2003 until rescinded by the authorized officer. The order to close these lands is needed to protect the resources of the public lands and to minimize conflicts among various uses of the public lands.

BLM finds good cause to publish this closure notice effective the date of publication and without providing for public comment due to the immediate need to protect the Peninsular Range bighorn sheep from the stress that is likely to be caused by recreational use of land overlooking their captive breeding pens. A 30-day public comment on the subject of this action began on December 30, 2002, through publication of an environmental assessment (*Homme-Adams and Visitor Center Trail Loops*, EA-660-03-08). A Biological Opinion issued by the U.S.

Fish and Wildlife Service on February 13, 2003 (FWS-ERIV-3354.1) supported BLM's proposed action as a reasonable and prudent measure to minimize the adverse effects of human disturbance to wild and captive bighorn sheep. All public comments received were considered prior to BLM's issuance of its Decision Record (DR) on March 7, 2003. BLM provided the public notification of this DR and the procedures for appeals through a news release issued March 11, 2003. No appeals were filed. Furthermore, the public was fully involved in the development of the joint plan. Also, the regulations on Closures and Restrictions at 43 CFR 8364.1 do not require publication of a request for comments.

The BLM lands covered by this closure order cannot be accessed except by crossing closed City lands. In compliance with the proposed action described in *Homme-Adams and Visitor Center Trail Loops*, EA-660-03-08, the Biological Opinion (FWS-ERIV-3354.1) dated February 13, 2003, and the City of Palm Desert ordinance, BLM hereby closes the described public lands to recreational and casual use. Any person who fails to comply with this order may be subject to the penalties provided in CFR 8360.0-7.

III. Exceptions

The following are exempt from this order: (1) fire, emergency, or law enforcement personnel when engaged in emergency or patrol activities; and (2) persons or uses expressly authorized by BLM.

Dated: October 30, 2003.

Linda Hansen,

California Desert District Manager.

[FR Doc. 03-30156 Filed 12-3-03; 8:45 am]

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DEPARTMENT OF THE INTERIOR

National Park Service

30-Day Federal Register Notice of Submission of Network to Freedom Application Package to Office of Management and Budget; Opportunity for Public Comment

AGENCY: Department of the Interior, National Park Service, National Underground Railroad Network to Freedom Program.

ACTION: Notice and request for comments.

SUMMARY: Under the provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. 3507) and 5 CFR part 1320, Reporting and Recordkeeping

Requirements, the National Park Service (NPS) invites comments on a submitted request to the Office of Management and Budget (OMB) to approve an extension of a currently approved information collection clearance (OMB 1024-0232). Comments are invited on (1) the need for the information including whether the information has practical utility; (2) the accuracy of this reporting burden estimate; (3) ways to enhance the quality, utility, and clarity of the information to be collected on respondents, including the use of automated collection techniques or other forms of information technology. This program will measure performance in meeting goals as required by the 1995 Government Performance and Results Act.

Public Law 105-203 authorizes the NPS to develop and administer the National Underground Railroad Network to Freedom (Network), a nationwide collection of governmental and nongovernmental sites, facilities, and programs associated with the historic Underground Railroad movement. The NPS has developed the application process through which associated elements can be included in the Network. The information collected will: (a) Verify associations to the Underground Railroad, (b) Measure minimum levels of standards for inclusion in the Network, and (c) Identify general needs for technical assistance.

The purpose of the proposed ICR is to evaluate sites, facilities, and programs that are applying for inclusion in the National Underground Railroad Network to Freedom. The information will be used by the NPS to determine if candidates seeking inclusion in the Network meet the minimum criteria. There were no public comments received as a result of publishing in the **Federal Register** a 60-day notice of intention to request clearance of information collection for this survey.

DATES: Public Comments on the proposed ICR will be accepted on or before January 5, 2004, to be assured of consideration. The Office of Management and Budget (OMB) has up to 60 days to approve or disapprove the information collection but may respond after 30 days. Therefore to ensure maximum consideration, OMB should receive comments 30 days from the date of publication in the **Federal Register**.

ADDRESSES: You may submit comments directly to Ms. Ruth Solomon, Desk Officer for the Department of the Interior (OMB 0124-0232), Office of Information and Regulatory Affairs, OMB, by fax at 202-395-6566 or by

electronic mail at aira_docket@omb.eop.gov. Mail or hand carry a copy of your comments to Dianne Miller, National Coordinator, National Underground Railroad Network to Freedom Program, National Park Service, Midwest Regional Office, 1709 Jackson Street, Omaha, Nebraska, 68102. If you wish to send a copy of your comments by electronic mail, you may send them to diane_miller@nps.gov. All comments will become a matter of public record.

FOR FURTHER INFORMATION OR A COPY OF THE STUDY PACKAGE SUBMITTED FOR OMB REVIEW, CONTACT: Diane Miller, 402-221-3749 or James Hill, 402-221-3413 at National Park Service, 1709 Jackson Street, Omaha, Nebraska 68102.

SUPPLEMENTARY INFORMATION:

Title: NPS National Underground Railroad Network to Freedom Application.

Bureau Form Number: n/a.

OMB Number: 1024-0232.

Expiration Date: 11/30/2003.

Type of request: Extension of a currently approved information collection.

Description of need: The NPS has identified guidelines and criteria for associated elements to qualify for the Network. The application form documents sites, programs, and facilities and demonstrates that they meet the criteria established for inclusion. The documentation will be incorporated into a database that will be available to the general public for information purposes. The proposed information to be collected regarding these sites, facilities, and programs is not available from existing records, sources, or observations.

Automated data collection: Respondents must verify associations and characteristics through descriptive texts that are the result of historical research. Evaluations are based on subjective analysis of the information provided, which often includes copies of rare documents and photographs. Much of the information is submitted in electronic format, but at the present time, there is capacity to gather all of the required information electronically.

Description of respondents: The affected publics are state, tribal, and local governments, federal agencies, businesses, non-profit organizations, and individuals throughout the United States. Nominations to the Network are voluntary.

Estimated average number of respondents: 80.

Estimated average number of responses: 80.

Estimated average burden hours per response: 15.

Estimated frequency of response:

Once per respondent.

Estimated annual reporting burden: 1200 hours.

Dated: October 24, 2003.

Leonard E. Stowe,

Acting, NPS Information Collection Clearance Officer, Washington Administrative Program Center.

[FR Doc. 03-30149 Filed 12-3-03; 8:45 am]

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POSTAL SERVICE

Board of Governors;

Sunshine Act Meeting

Dates and Times: Monday, December 8, 2003, at 1 p.m.; Tuesday, December 9, 2003, at 8:30 a.m.

Place: Washington, DC, at U.S. Postal Service Headquarters, 475 L'Enfant Plaza, SW., in the Benjamin Franklin Room.

Status: December 8-1:00 p.m. (Closed); December 9-8:30 a.m. (Open).

Matters to be Considered:

Monday, December 8-1 p.m. (Closed)

1. Audit and Finance Committee Report and Review of Year-End Financial Statements.

2. Financial Update.

3. Strategic Planning.

4. Personnel Matters and Compensation Issues.

Tuesday, December 9-8:30 a.m. (Open)

1. Minutes of the Previous Meeting, November 3-4, 2003.

2. Remarks of the Postmaster General and CEO.

3. Committee Reports.

4. Fiscal Year 2003 Audited Financial Statements.

5. Postal Service Fiscal Year 2003 Annual Report.

6. Final Fiscal Year 2005 Appropriation Request.

7. Tentative Agenda for the January 5-6, 2004, meeting in Washington, DC.

FOR FURTHER INFORMATION CONTACT: William T. Johnstone, Secretary of the Board, U.S. Postal Service, 475 L'Enfant Plaza SW., Washington, DC. 20260-1000. Telephone (202) 268-4800.

William T. Johnstone,
Secretary.

[FR Doc. 03-30210 Filed 12-1-03; 4:40 pm]

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SECURITIES AND EXCHANGE COMMISSION

[File No. 22-28712]

Application and Opportunity for Hearing: Hard Rock Hotel, Inc.

November 26, 2003.

The Securities and Exchange Commission gives notice that Hard Rock Hotel, Inc. has filed an application under section 304(d) of the Trust Indenture Act of 1939. Hard Rock Hotel asks the Commission to exempt from the certificate or opinion delivery requirements of section 314(d) of the 1939 Act certain provisions of an indenture dated May 30, 2003, as supplemental by indentures dated November 20, 2003, and November 24, 2003, between Hard Rock Hotel and U.S. Bank National Association, as trustee. The indenture relates to 8 $\frac{7}{8}$ % Second Lien Notes due 2013.

Section 304(d) of the 1939 Act, in part, authorizes the Commission to exempt conditionally or unconditionally any indenture from one or more provisions of the 1939 Act. The Commission may provide an exemption under section 304(d) if it finds that the exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the 1939 Act.

Section 314(d) requires the obligor to furnish to the indenture trustee certificates or opinions of fair value from an engineer, appraiser or other expert upon any release of collateral from the lien of the indenture. The engineer, appraiser or other expert must opine that the proposed release will not impair the security under the indenture in contravention of the provisions of the indenture. The application requests an exemption from section 314(d) for specified collateral that are made in Hard Rock Hotel's ordinary course of business.

In its application, Hard Rock Hotel alleges that:

1. The indenture permits Hard Rock Hotel to dispose of collateral in the ordinary course of its business;

2. Hard Rock Hotel will deliver to the trustee annual financial statements audited by certified independent accountants; and

3. Hard Rock Hotel will deliver to the trustee a semi-annual certificate stating that all dispositions of collateral during the relevant six-month period occurred in Hard Rock Hotel's ordinary course of business and that all of the proceeds were used as permitted by the indenture.