

expected to shed new light on Watkins contributions to art and scientific history.

*Discussion:* Example 3 addresses the issue of whether the Federal Council will indemnify an exhibition even where the U.S. objects outnumber the foreign works. In determining whether to indemnify the entire exhibition, the Federal Council will evaluate the exhibition as a whole and the relationship of the foreign loans to the educational, cultural, historical and scientific significance of the exhibition. In this example, the exhibition promises to make important contributions not only to the history of art but also to the history of science. While there is only a single foreign work of art, it is clearly an essential component of the exhibition as a whole. The case for indemnification of the entire exhibition is further strengthened by the fact that a foreign masterpiece, which is closely related to the preparatory drawings and anatomical illustrations and drawings owned by American institutions, will be made available to the American public. Thus, the mere fact that the U.S. loans outnumber the foreign works will not in itself disqualify the entire exhibition for indemnification.

[FR Doc. 95-16548 Filed 7-5-95; 8:45 am]

BILLING CODE 7536-01-M

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 2, 15

[DA 95-1415]

#### Request for Supplemental Comments

**AGENCY:** Federal Communications Commission.

**ACTION:** Supplemental proposed rule.

**SUMMARY:** The FCC has proposed, in ET Docket No. 94-124 (59 FR 61304, November 30, 1994), that certain frequency bands above 40 GHz be opened for commercial development and use. The Commission is seeking comments on the desirability and feasibility of harmonizing the FCC's proposal in ET Docket No. 94-124 and the European frequency allocation table. This action follows recent international meetings and is taken in order to obtain additional information for the record of ET Docket No. 94-124.

**DATES:** Comments may be filed on or before July 28, 1995. Replies may be filed on or before August 18, 1995.

**FOR FURTHER INFORMATION CONTACT:** Richard Engelman, Office of Engineering and Technology, (202) 776-1626.

**SUPPLEMENTARY INFORMATION:** A copy of the European frequency allocation table for frequencies above 40 GHz has been placed in the record of ET Docket No. 94-124. Copies of the information filed

in ET Docket No. 94-124 are available from the FCC's copy contractor: International Transcription Service, Inc., (202) 857-3800. Copies of ERC Report 25, which contains the complete European frequency allocation table from 960 MHz to 105 GHz, may be obtained from the ERC's permanent European Radiocommunications Office, Holsteinsgade 63, DK-2100 Copenhagen, Denmark (telephone +45 35 43 24 42, fax +45 35 43 35 14). In addition, comments on the European frequency allocation table may be filed with the European Radiocommunications Office. A copy of a presentation from the Japanese government also has been inserted in the record of ET Docket 94-124. Parties interested in the Japanese standards may contact RCR at Bansui Bldg., 1-5-16, Toranomon, Minato-ku, Tokyo 105, Japan (telephone +81 3 3592 1101, fax +81 3 3592 1103).

Federal Communications Commission.

**William F. Caton,**  
*Acting Secretary.*

[FR Doc. 95-16070 Filed 7-5-95; 8:45 am]

BILLING CODE 6712-01-M

### 47 CFR Parts 25 and 87

[IB Docket No. 95-91; GEN Docket No. 90-357; PP-24; PP-85; PP-87; FCC 95-229]

#### Digital Audio Radio Service in the 2310-2360 MHz Frequency Band

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Commission has proposed rules and policies to establish service and licensing rules for the Digital Audio Radio Service in the 2310-2360 MHz frequency bands. We request comment on issues that include how many licenses should be awarded; how much spectrum each licensee should be assigned; how licensees should be selected if mutually exclusive applications are filed; whether applications already pending before the Commission should receive special consideration; how those licensees should be classified; whether licensees should be permitted to use some of their spectrum for non-DARS services; how satellite DARS will impact terrestrial radio broadcasting; and what rules should govern the operation of DARS transmissions to ensure service to the public and to prevent interference to competitors and other services.

**DATES:** Comments are due by September 15, 1995; reply comments are due by October 13, 1995.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Rosalee Chiara, International Bureau, Satellite and Radiocommunication Division, Satellite Policy Branch, (202) 739-0730, or Ron Repasi, International Bureau, Satellite and Radiocommunication Division, Satellite Engineering Branch, (202) 739-0749.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Notice of Proposed Rule Making* in IB Docket No. 95-91; FCC 95-229, adopted June 14, 1995 and released June 15, 1995. The complete text of this Notice of Proposed Rule Making is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, N.W., Washington, D.C., and also may be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street, N.W., Suite 140, Washington, DC 20037.

#### Summary of Notice of Proposed Rule Making

In 1990, Satellite CD Radio (CD Radio) filed a Petition for Rulemaking to allocate spectrum for a Digital Audio Radio Service (DARS). In February 1992, the World Administrative Radio Conference (WARC 92) adopted international frequency allocations for satellite digital audio broadcasting. Domestic allocations were proposed in 1992 (see Notice of Proposed Rulemaking and Further Notice of Inquiry, 57 FR 57049 (Dec. 2, 1992)) and adopted in 1995 (see Amendment of the Commission's Rules with Regard to the Establishment and Regulation of New Digital Audio Radio Services, 60 FR 8309 (Feb. 14, 1995) (*Allocation Order*)).

In 1990, CD Radio filed an application to provide a digital audio radio service by satellite. Following the *Allocation NPRM*, the Commission established a December 15, 1992 cut-off date for applications proposing satellite DARS to be considered in conjunction with CD Radio's application. There remains a pool of four applicants consisting CD Radio, Primosphere Limited Partnership, Digital Satellite Broadcasting Corporation, and American Mobile Radio Corporation.

In the *Allocation Order*, we indicated that this rulemaking would be initiated to address the implementation of satellite DARS. We have, therefore, proposed rules and policies to establish service and licensing rules for the Digital Audio Radio Service in the 2310-2360 MHz frequency bands. We request comment on issues that include how many licenses should be awarded;