



DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

15 CFR Part 950

[Docket No: 260223-0053]

RIN 0648-BN98

Schedule of Fees for Access to NOAA Environmental Data, Information, and Related Products and Services

AGENCY: National Environmental Satellite, Data and Information Service (NESDIS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Final rule.

SUMMARY: In this final rule, NESDIS establishes an updated schedule of fees for special access to NOAA data, information, and related products and services. NOAA continues to make its environmental data available to the public without any fee in most instances consistent with Foundations for Evidence-Based Policymaking Act of 2018 (44 U.S.C. 3501 *et seq.*). NOAA disseminates this data without any fee primarily via NOAA's National Centers for Environmental Information's (NCEI) Archive, Comprehensive Large Array-Data Stewardship System (CLASS), and partners such as the NOAA Open Data Dissemination Program. NESDIS is revising the fee schedule that has been in effect since 2023 to ensure that the fees accurately reflect the costs of providing access to the environmental data, information, and related products and services.

DATES: Effective [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Kasandra Harley, (301) 713-7153

SUPPLEMENTARY INFORMATION:

Background

NESDIS operates NOAA's NCEI. Through NCEI, NESDIS provides and ensures timely access to global environmental data from satellites and other sources, provides information services, and develops science products. NOAA makes these resources available at no fee and under an open license, consistent with the Foundations for Evidence-Based Policymaking Act (44 U.S.C. 3501 *et seq.*).

NESDIS maintains some 1,300 databases containing over 2,400 environmental variables at NCEI and 7 World Data Centers. These centers respond to over 2,000,000 requests for these data and products annually from over 70 countries, the vast majority of which are fulfilled at no fee to the requestor via NOAA CLASS. Other users can access NOAA environmental data online using the NOAA OneStop. This collection of environmental data and products is growing rapidly, both in size and sophistication, and as a result the associated costs have increased.

If the freely available services are unable to meet users' needs, users have the ability to access the special data products described in the table below offline, online, and through the NESDIS e-Commerce System (NeS) online store. NOAA's ability to provide these special data, information, products, and services depends on user fees.

New Fee Schedule

NESDIS is authorized under 15 U.S.C. 1534 to assess fees, up to fair market value, depending upon the user and intended use, for access to environmental data, information, and products derived from, collected, and/or archived by NOAA. In this final rule, NESDIS establishes a new schedule of fees for access to these special data, information, and related products and services. NESDIS is revising the fee schedule that has been in effect since 2023 to ensure that the fees accurately reflect the costs of providing access to the environmental data, information, and related products and services. The new fee schedule lists both the current fee charged for each item and the new fee to be charged to users that will take effect beginning [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. The schedule applies to the listed services provided by NESDIS on or after

[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER], except for products and services covered by a subscription agreement in effect as of [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER] that extends beyond [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. In those cases, the increased fees will apply upon renewal of the subscription agreement or at the earliest amendment date provided by the agreement.

NESDIS will continue to review these user fees periodically and will revise such fees as necessary. Any future changes in the user fees and their effective date will be announced through notice in the **Federal Register**.

Classification

This rule has been determined not to be significant for purposes of Executive Order (E.O.) 12866. This proposed rule is not an E.O. 14192 regulatory action because this rule is not significant under E.O. 12866.

The provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking and the opportunity for public participation are inapplicable because this rule falls within the public property exception of subparagraph (a)(2) of section 553, as it relates only to the assessment of fees, as authorized by 15 U.S.C. 1534. Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this rule. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule under 5 U.S.C. 553 or by any other law, the requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable.

This proposed rule contains no information collection requirements under the Paperwork Reduction Act of 1995.

List of Subjects in 15 CFR Part 950

Organization and functions (Government agencies).

David Holst

Chief Financial Officer,

National Environmental Satellite, Data and Information Service.

For the reasons set forth above, NESDIS amends 15 CFR part 950 as follows:

PART 950 – ENVIRONMENTAL DATA AND INFORMATION

1. The authority citation for part 950 continues to read as follows:

Authority: (5 U.S.C. 552, 553). Reorganization Plan No. 4 of 1970.

2. Revise Appendix A to part 950 to read as follows:

Appendix A to Part 950 – Schedule of User Fees for Access to NOAA Environmental Data

Name of product/data/publication/information/service		
NOAA National Center for Environmental Information	Current fee	New fee
Department of Commerce Certification	\$168.00	\$170.00
General Certification	146.00	148.00
Paper Copy	11.00	11.00
Data Poster	15.00	25.00
Shipping Service	12.00	12.00
Rush order fee	73.00	73.00
Super Rush Order Fee	124.00	124.00
Foreign Handling Fee	55.00	54.00

NEXRAD Doppler radar Color Prints	29.00	30.00
Paper Copy from Electronic Media	11.00	12.00
Offline In-Situ Digital Data	125.00	122.00
Satellite Image Product	82.00	85.00
Offline Satellite, Radar, and Model Digital Data (average unit size is 1 terabyte)	612.00	*
Conventional CD-ROM/DVD	104.00	107.00
Specialized CD-ROM/DVD	226.00	217.00
CD-ROM/DVD Copy, Offline	84.00	83.00
CD-ROM/DVD Copy, Online Store	39.00	36.00
Order Handling/Quality Check	26.00	22.00
Non-Digital Order Consultation	14.00	8.00
Digital Order Consultation	34.00	24.00
Single Orbit OLS & Subset	20.00	*
Single Orbit OLS & Subset, Additional Orbits	7.00	*
Global Nighttime Lights Monthly Composite— one satellite	9,988.00	*
High Definition Geomagnetic Model	26,714.00	29,539.00
High Definition Geomagnetic Model—Real Time (HDGM-RT)	34,793.00	38,405.00
Expedited Shipping Service	29.00	29.00

* Indicates a product is no longer offered due to lack of public interest.