

April 2006

NOAA NATIONAL DATA CENTERS FREE DATA DISTRIBUTION POLICY

Data may be offered at no cost to customers for the following reasons:

1. Any NOAA office (NESDIS approval required for order cost >\$2500).
2. U. S. Congress, Executive Office of the President, Office of Secretary of Commerce.
3. Federal Emergency Management Agency and National Transportation Safety Board investigating national disasters.
4. Federal Agency (FBI, Federal Marshal, etc.) investigation of violation of laws, regulations, etc.
5. Defense of the U. S. Government, or Government prosecution of federal crimes (U.S. Attorneys, etc).
6. Assist agency education (school packets to assist teachers and students) and marketing efforts (agency attendance at conferences, meetings, etc.).
7. Valid data exchange agreements.
8. Valid World Meteorological Organization (WMO) data exchange agreements (WDC-A determines eligibility).
9. Replacement data to correct agency order error, or legitimate customer service complaint.
10. School packets and access to NNDC World Wide Web data provided to teachers and students to achieve agency education goals.
11. Online data are FREE of charge for all gov, edu, k12, and mil domains.

Additional Information: The DOC/NNDC is required by Public Law 100-685 (Title IV, Section 409) to assess fees, based on fair market value, to recover all monies expended by the U. S. Government to provide the data. Therefore, any charges assessed to customers are only for cost recovery in providing the data (eg, online system maintenance and support), and are not charges for the actual data. For example, customers are not paying for the cost of climate observations, archival, and quality control.

Regarding the Freedom of Information Act (FOIA) – although FOIA guarantees the *access* to data (*not that the data will be provided at no cost*), U.S. government regulations have determined climate data are in the public domain and therefore not subject to FOIA regulations. Therefore, NCDC provides full and open access to data, and only applies cost recovery (charges, exempting #11 above) for datasets and products where cost recovery is required for data servicing.