

requirements regarding registration set forth in 49 U.S.C. 44101(a), and further prescribed in regulation at 14 CFR part 47.

Historically, the FAA, through the exercise of its discretion, has not enforced the statutory requirements for aircraft registration in 49 U.S.C. 44101 for model aircraft. As evidenced by the recent reports of unsafe UAS operations, the lack of awareness of operators regarding what must be done to operate UAS safely in the NAS, and the lack of identification of UAS and their operators pose significant challenges in ensuring accountability for responsible use. Without increased awareness and knowledge of the statutory and regulatory requirements for safe operation, the risk of unsafe UAS operations will only rise. Aircraft identification and marking will assist the Department in identifying owners of UAS that are operated in an unsafe manner, so we may continue to educate these users, and when appropriate, take enforcement action.

Requiring registration of all UAS, including those operated for hobby or recreation, embraces and applies the Academy of Model Aeronautics' (AMA)'s policy of identification to UAS operators who may not be modelers registered with the AMA. Additionally, it would ensure consistency with other UAS operations currently required to be registered, such as public aircraft, those operated under exemptions, and certificated aircraft, as well as those operations contemplated in the small UAS NPRM.

Based on the Department's experience in registering small UAS authorized by exemptions granted under the authority of section 333 of the FAA Modernization and Reform Act of 2012, and the comments received on the proposed registration requirements in the small UAS NPRM, it is apparent that the current paper-based system for aircraft registration is too burdensome for small UAS, to include model aircraft. To facilitate compliance with the statutory obligation for registration, the DOT is currently evaluating options for a streamlined, electronic-based registration system for small UAS. The Department has convened a UAS registration task force, under the FAA's authority in 49 U.S.C. 106(p)(5) to designate aviation rulemaking committees. This task force will provide recommendations on the type of registration platform needed to accommodate small UAS, as well as the information that will need to be provided to register these aircraft. The UAS registration task force also will explore and provide recommendations

on whether it is appropriate for the FAA to continue to exercise discretion with respect to requiring registration of certain UAS based on their weight and performance capabilities. The task force will meet and provide its recommendations to the Department by November 20, 2015. To facilitate the task force's work, we are requesting information and data from the public in the following areas:

1. What methods are available for identifying individual products? Does every UAS sold have an individual serial number? Is there another method for identifying individual products sold without serial numbers or those built from kits?

2. At what point should registration occur (e.g. point-of-sale or prior-to-operation)? How should transfers of ownership be addressed in registration?

3. If registration occurs at point-of-sale, who should be responsible for submission of the data? What burdens would be placed on vendors of UAS if DOT required registration to occur at point-of-sale? What are the advantages of a point-of-sale approach relative to a prior-to-operation approach?

4. Consistent with past practice of discretion, should certain UAS be excluded from registration based on performance capabilities or other characteristics that could be associated with safety risk, such as weight, speed, altitude operating limitations, duration of flight? If so, please submit information or data to help support the suggestions, and whether any other criteria should be considered.

5. How should a registration process be designed to minimize burdens and best protect innovation and encourage growth in the UAS industry?

6. Should the registration be electronic or web-based? Are there existing tools that could support an electronic registration process?

7. What type of information should be collected during the registration process to positively identify the aircraft owner and aircraft?

8. How should the registration data be stored? Who should have access to the registration data? How should the data be used?

9. Should a registration fee be collected and if so, how will the registration fee be collected if registration occurs at point-of-sale? Are there payment services that can be leveraged to assist (e.g. PayPal)?

10. Are there additional means beyond aircraft registration to encourage accountability and responsible use of UAS?

Comments received by November 6, 2015 would be most helpful in assisting

the UAS registration task force in developing its recommendations. The comment period will remain open after this period and the Department will consider the comments received, in addition to the UAS registration task force's recommendations, in developing a stream-lined registration process for small UAS, including model aircraft.

Issued in Washington, DC, on October 19, 2015.

**Anthony R. Foxx,**

*Secretary of Transportation.*

**Michael P. Huerta,**

*Administrator of the Federal Aviation Administration.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 15 CFR Part 950

[Docket No: 150202106-5879-02]

RIN 0648-BE86

#### 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 a new schedule of fees for the sale of its data, information, and related products and services to users. NESDIS is revising the fee schedule that has been in effect since 2013 to ensure that the fees accurately reflect the costs of providing access to the environmental data, information, and related products and services. NESDIS is authorized under 15 U.S.C. 1534 to assess fees, up to fair market value, for access to environmental data, information, and products derived from, collected, and/or archived by NOAA. Other than depreciation, costs to upgrade computer hardware and software systems will not be included in the fees charged to users. NESDIS is updating its schedule of fees for access to NOAA Environmental Data, Information, and Related Products and Services as costs of providing access have changed since 2013.

**DATES:** *Effective date:* November 23, 2015.

**FOR FURTHER INFORMATION CONTACT:**

James Lewis (301) 713-7073.

**SUPPLEMENTARY INFORMATION:****Background**

NESDIS operates NOAA's National Center for Environmental Information (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.

NESDIS maintains some 1,300 databases containing over 2,400 environmental variables at NCEI and seven World Data Centers. These centers respond to over 2,000,000 requests for these data and products annually from over 70 countries. This collection of environmental data and products is growing rapidly, both in size and sophistication, and as a result the associated costs have increased.

Users have the ability to access the data offline, online and through the NESDIS *e-Commerce System (NeS) online store*. Our ability to provide data, information, products and services depends on user fees.

**New Fee Schedule**

In this final rule, NESDIS establishes a new schedule of fees for the sale of its data, information, and related products and services to users. NESDIS is revising the fee schedule that has been in effect since 2013 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 November 23, 2015. The schedule applies to the listed services provided by NESDIS on or after this date, except for products and services covered by a subscription agreement in effect as of this date that extends beyond this date. 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 the 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 to be not significant for purposes of 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 is limited only to the assessment of fees, per 15 U.S.C. 1534, that accurately reflect the costs of providing access to publicly available

environmental data, information, and related products. 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. Accordingly, no Regulatory Flexibility Analysis is required and none has been prepared.

**List of Subjects in 15 CFR Part 950**

Organization and functions  
(Government agencies).

**Cherish Johnson,**

Chief, Financial Officer (CFO/CAO).

For the reasons set forth above, 15 CFR part 950 is amended 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. Appendix A to Part 950 is revised 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	Current fee	New fee
NOAA National Center for Environmental Information:		
Department of Commerce Certification .....	\$86.00	\$16.00
General Certification .....	72.00	92.00
Paper Copy .....	2.00	3.00
Data Poster .....	18.00	18.00
Shipping Service .....	4.00	8.00
Rush Order Fee .....	60.00	60.00
Super Rush Order Fee .....	100.00	100.00
Foreign Handling Fee .....	67.00	43.00
NEXRAD Doppler Radar Color Prints .....	14.00	21.00
Paper Copy from Electronic Media .....	6.00	8.00
Offline In-Situ Digital Data .....	124.00	175.00
Microfilm Copy (roll to paper) per frame from existing film .....	14.00	20.00
Satellite Image Product .....	73.00	92.00
Offline Satellite, Radar, and Model Digital Data (average unit size is 1 terabyte) .....	615.00	753.00
Conventional CD-ROM/DVD .....	60.00	110.00
Specialized CD-ROM/DVD .....	131.00	208.00
CD-ROM/DVD Copy, Offline .....	30.00	43.00
CD-ROM/DVD Copy, Online Store .....	15.00	16.00
Facsimile Service .....	78.00	89.00
Order Handling .....	8.00	11.00
Non-Digital Order Consultation .....	6.00	10.00
Digital Order Consultation .....	18.00	28.00
Non-Serial Publications .....	27.00	32.00
Non-Standard Data; Select/Copy to CD, DVD or Electronic Transfer, Specialized, Offline .....	59.00	77.00
Digital and Non-Digital Off-the-Shelf Products, Online .....	9.00	13.00
Digital and Non-Digital Off-the-Shelf Products, Offline .....	11.00	17.00
Order Consultation Fee .....	2.00	4.00
Handling and Packing Fee .....	8.00	12.00
World Ocean Database-World Ocean Atlas 2009 DVDs .....	15.00	*
Mini Poster .....	1.00	2.00

Name of product/data/publication/information/service	Current fee	New fee
Icosahedron Globe .....	1.00	1.00
Convert Data to Standard Image .....	6.00	8.00
Single Orbit OLS & Subset .....	18.00	19.00
Single Orbit OLS & Subset, Additional Orbits .....	5.00	6.00
Geolocated Data .....	47.00	50.00
Subset of Pre-existing Geolocated Data .....	28.00	32.00
Global Nighttime Lights Annual Composite from One Satellite .....	74,032.00	74,924.00
Most Recent DMSP-OLS Thermal Band/Cloud Cover Mosaics from Multiple Satellites .....	259.00	*
Daily or Nightly Global Mosaics (visible & thermal band, single spectral band or environmental data) .....	241.00	332.00
Global Nighttime Lights Lunar Cycle .....	6,531.00	8,259.00
Radiance Calibrated Global DMSP-OLS Nighttime Lights Annual Composite from One Satellite .....	82,075.00	*
Research Data Series CD-ROM/DVD .....	25.00	25.00
Custom Analog Plotter Prints .....	60.00	*
NOS Bathymetric Maps and Miscellaneous Archived Publication Inventory .....	7.00	8.00
Global Annual Composite of Nighttime Lights in Monthly Increments From One Satellite .....	8,305.00	10,794.00
High Definition Geomagnetic Model .....	20,060.00	20,262.00
Provision of Global Nighttime VIIRS day/night band data in geotiff format .....	.....	55,727.00
Provision of Global Nighttime VIIRS day/night band data in HDF5 Format .....	.....	27,888.00
Provision of regional data from the VIIRS instrument on a daily basis .....	.....	14,306.00

\* Reflects a product no longer offered.

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 100

[Docket Number USCG-2015-0820]

RIN 1625-AA08

### Special Local Regulation for Battle of Hampton; Hampton River, Hampton, VA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a special local regulation on the navigable waters of Hampton River, in the vicinity of the Crowne Plaza Hampton Marina in Hampton, Virginia. This regulated area will restrict vessel movement in the specified area during the revolutionary sea battle re-enactment Battle of Hampton. This action is necessary to provide for the safety of life and property on the surrounding navigable waters during the re-enactment.

**DATES:** This rule is effective from 1 p.m. on October 24 through 1:30 p.m. on October 25, 2015. This rule will only be enforced from 1:00 p.m. to 1:30 p.m. each day.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG-2015-0820 in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rule.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email LCDR Barbara Wilk, Waterways Management Division Chief, Sector Hampton Roads, Coast Guard; 757-668-5580, email [HamptonRoadsWaterway@uscg.mil](mailto:HamptonRoadsWaterway@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

CFR Code of Federal Regulations  
DHS Department of Homeland Security  
E.O. Executive order  
FR Federal Register  
NPRM Notice of proposed rulemaking  
Pub. L. Public Law  
§ Section  
U.S.C. United States Code

##### II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are "impracticable, unnecessary, or contrary to the public interest." Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule due to the short time period between event planners notifying the Coast Guard of details concerning the event, on August 15, 2015, and publication of this special local regulation. As such, it is impracticable for the Coast Guard to provide a full comment period due to lack of time. Furthermore, delaying the effective date of this special local regulation would be contrary to the

public interest as immediate action is needed to ensure the safety of the event participants, patrol vessels, spectator craft and other vessels transiting the event area. The Coast Guard will provide advance notifications to users of the affected waterway via marine information broadcasts, local notice to mariners. This same location is used for an annually occurring marine event, Blackbeard Festival, that is regulated under 33 CFR 100.501, Table to § 100.501, section (c) line 1, and includes sea battle re-enactments and fireworks. The organizers wanted to hold an additional revolutionary sea battle re-enactment closer to the anniversary date of the actual historical battle in Hampton, VA. This event will become an annual marine event and will be scheduled to occur on the second to last weekend in October.

We are issuing this rule, and under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making it effective less than 30 days after publication in the **Federal Register**. Due to the need for immediate action, the restriction on vessel traffic is necessary to protect life, property, and the environment; therefore, a 30-day notice is impracticable. Delaying the effective date would be contrary to the special local regulation intended objectives of protecting persons and vessels, and enhancing public and maritime safety.

##### III. Legal Authority and Need for Rule

On October 24 and October 25, 2015, the Hampton History Museum and City of Hampton Parks and Recreation will sponsor the "Battle of Hampton" on the waters of the Hampton River in Hampton, VA. The event will consist of approximately four time-period vessels carrying out a revolutionary sea battle