

113TH CONGRESS
2D SESSION

H. R. 4382

To streamline the collection and distribution of government information.

IN THE HOUSE OF REPRESENTATIVES

APRIL 2, 2014

Mr. BRIDENSTINE (for himself and Mr. CUELLAR) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

A BILL

To streamline the collection and distribution of government information.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 Congress finds the following:

5 (1) The National Technical Information Service
6 (referred to in this Act as “NTIS”), the National
7 Archives and Records Administration, the Govern-
8 ment Accountability Office (referred to in this sec-
9 tion as “GAO”), and the Library of Congress all col-
10 lect, categorize, and distribute government informa-
11 tion.

1 (2) NTIS was established in 1950, more than
2 40 years before the creation of the Internet.

3 (3) NTIS is tasked with collecting and distrib-
4 uting government-funded scientific, technical, engi-
5 neering, and business-related information and re-
6 ports.

7 (4) GAO found that NTIS sold only 8 percent
8 of the 2,500,000 reports in its collection between
9 1995 and 2000.

10 (5) A November 2012 GAO review of NTIS
11 made the following conclusions:

12 (A) “Of the reports added to NTIS’s re-
13 pository during fiscal years 1990 through 2011,
14 GAO estimates that approximately 74 percent
15 were readily available from other public
16 sources.”.

17 (B) “These reports were often available ei-
18 ther from the issuing organization’s website, the
19 Federal Internet portal (<http://www.USA.gov>)
20 or from another source located through a web
21 search.”.

22 (C) “The source that most often had the
23 report [GAO] was searching for was another
24 website located through [http://](http://www.Google.com)
25 www.Google.com.”.

1 (D) “95 percent of the reports available
2 from sources other than NTIS were available
3 free of charge.”.

4 (6) No Federal agency should use taxpayer dol-
5 lars to purchase a report from the National Tech-
6 nical Information Service that is available through
7 the Internet for free.

8 (7) As far back as 1999, Secretary of Com-
9 merce William Daley—

10 (A) admitted that the National Technical
11 Information Service would eventually outlive its
12 usefulness and be unable to sustain its revenue-
13 losing profit model;

14 (B) explained that “declining sales reve-
15 nues soon would not be sufficient to recover all
16 of NTIS’ operating costs”; and

17 (C) attributed this “decline to other agen-
18 cies’ practice of making their research results
19 available to the public for free through the
20 Web”.

21 (8) According to the November 2012 GAO re-
22 port—

23 (A) “NTIS product expenditures exceeded
24 revenues for 10 out of the past 11 fiscal
25 years.”;

1 (B) “The agency lost, on average, about
2 \$1.3 million over the last 11 years on its prod-
3 ucts.”; and

4 (C) “The decline in revenue for its prod-
5 ucts continues to call into question whether
6 NTIS’s basic statutory function of acting as a
7 self-financing repository and disseminator of
8 scientific and technical information is still via-
9 ble.”.

10 (9) NTIS has compensated for its lost revenue
11 by charging other Federal agencies for various serv-
12 ices that are not associated with NTIS’s primary
13 mission.

14 (10) Future technological advances will ensure
15 that the services offered by NTIS are even more su-
16 perfluous for essential government functions than
17 they are today.

18 **SEC. 2. NATIONAL TECHNICAL INFORMATION SERVICE.**

19 (a) REPEAL.—Effective on the date that is 1 year
20 after the date of the enactment of this Act, the National
21 Technical Information Act of 1988 (subtitle B of title II
22 of Public Law 100–519; 15 U.S.C. 3704b) is repealed.

23 (b) TRANSFER OF CRITICAL FUNCTIONS.—

24 (1) CONSULTATION REQUIREMENT.—The Sec-
25 retary of Commerce, the Archivist of the United

1 States, the Comptroller General of the United
2 States, and the Commissioner of Social Security
3 shall consult with the Director of the Office of Man-
4 agement and Budget to determine if any function of
5 the National Technical Information Service is crit-
6 ical to the economy of the United States.

7 (2) GAO CERTIFICATION.—The Comptroller
8 General shall determine which of the critical func-
9 tions identified pursuant to paragraph (1) are not
10 being carried out by any other agency or instrumen-
11 tality of the Federal Government.

12 (3) TRANSFERS AUTHORIZED.—Before the ef-
13 fective date set forth in subsection (a), the Secretary
14 of Commerce may transfer the responsibility for any
15 critical function of NTIS (as identified under para-
16 graph (1)) that is not otherwise being carried out
17 (as determined under paragraph (2)) to another of-
18 fice within the Department of Commerce.

19 (c) ABOLITION OF FUNCTIONS.—Except for the func-
20 tions transferred pursuant to subsection (b), all functions
21 of the National Technical Information Service immediately
22 before the repeal date described in subsection (a) are abol-
23 ished on such repeal date.

1 **SEC. 3. SECRETARY OF COMMERCE CERTIFICATION.**

2 Before the effective date set forth in section 2(a), the
3 Secretary of Commerce shall submit a written certification
4 to the Committee on Finance of the Senate and the Com-
5 mittee on Energy and Commerce of the House of Rep-
6 resentatives that all of the operations of the National
7 Technical Information Service have been terminated.

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