

## GPO Comments on 9/30/99 Draft DOC NTIS Bill

The National Technical Information Service (NTIS) provides fee-based dissemination (1 million items per year) of scientific and technical information (STI) collected from executive agencies and other sources. The draft bill would transfer the NTIS collection of approximately 3 million STI titles to the Library of Congress (LC). However, in its 9/14/99 testimony before the House Technology Subcommittee, LC said, "such NTIS functions as high volume document distribution, brokering information databases to the information industry, and publication (print or electronic) of information products of executive agencies, are beyond the Library's mandate" (emphasis added).

LC is a Federal depository library. If the NTIS collection were transferred to GPO, LC would receive copies of the documents it wants for its STI collection from GPO.

The NTIS collection represents the single largest known aggregation of fugitive documents in the Federal Government-documents that have escaped inclusion in the depository library program. The transfer of the NTIS collection to LC would not address the fugitive document problem, because LC has no means or requirement to make this information available to depository libraries.

The draft bill will actually make the fugitive document problem worse. It does not require Federal STI to be made available to the depository library program. It simply pays lip service to the program by requiring notification to depository libraries. With no provision for no-fee access to Federal STI through depository libraries, this requirement will be virtually meaningless. There needs to be a stipulation for no-fee access to STI on agency web sites by depository libraries.

Regardless of the final disposition of the NTIS collection and services, the draft bill will harm the depository library program by requiring that all Federal agencies put all their STI online. This will negatively impact a significant amount of STI now provided to the depository library program in paper or microfiche by several agencies, such as USGS, Smithsonian, NASA, NIST, Army Corps of Engineers, NOAA, Transportation, Bureau of Land Management, National Institute of Environmental Health, the Reclamation Bureau, other agencies.

The draft bill provides an unprecedented authorization for agencies to charge user fees for their STI. In addition to promoting confusion among the public, it will not be cost effective for each agency to devise mechanisms to charge. It will also result in inequities or differences in service with some agencies free, some charging minimal amounts, and others charging maximum amounts. It may cost more to collect fees than is generated if the fees really are only the incremental cost of dissemination. Monitoring pricing will be necessary to ensure that agencies are not using this to raise revenue to offset the cost of the product.

Other concerns:

Sec.2(2): Providing public access "well into the future" does not satisfy the requirement for permanent public access, which is needed in an increasingly electronic information environment.

Sec.2(3): Should refer to STI that is funded as well as produced by the agencies.

Sec.2(7): The meaning and intent of this section is not clear. What does "an obligation that extends equally to the agencies" mean in the context of guaranteeing ongoing public access to STI? Do agencies share this responsibility with NARA, LC, depository libraries, or someone else? Does this section establish a new requirement on agencies? If so, how is it to be enforced? Is this creating different requirements for STI than agencies have for other agency information?

Sec.2(8): At this date, the Commerce Department's own studies show that most of the public does not have access to online technology. Requiring agencies to utilize online technology only to disseminate information products may disenfranchise many people. In addition, a significant percentage of STI is not in electronic formats, so this requirement would have a significant financial burden on agencies.

Sec.3(e): The qualifier "intended by the Federal agency for public dissemination" must be deleted as potentially restrictive to much STI, including contractor reports. This is not the formulation for the depository library program, which includes all information having "public interest or educational value" [44 U.S.C. 1902]. The definition in the draft bill also seems to exclude online databases. Is the reference to "computer software, etc." a holdover from the NTIS mission to market and license Government software and R&D?

Sec.102(a): This only transfers the STI collection and database to LC. What happens to NTIS's personnel, equipment, and facilities, or FedWorld databases and web sites hosted on behalf of agencies? This question is also raised by section 103.

Sec.102(b): This implies that LC may want to change to MARC, Anglo-American Cataloging Rules and LC subject headings - dropping COSATI.

Sec.201(a): What does this mean for LC? Do they have to digitize the retrospective collection and put it online on the Internet? Will they be required to keep the entire NTIS collection as opposed to their present practice of selectively choosing what to retain? What type of availability will be provided: free access, a sales program, or what? And in what formats?

Sec.201(b): How does this requirement that agencies provide STI to LC in a compatible electronic format "to the extent possible" correlate with the requirement in section 301 that agencies make their STI available online for not less than 3 years?

Sec.301: Will this require executive agencies to digitize all contractor reports or other STI currently in hardcopy? Will they be given appropriations for this massive conversion program? Not all agencies have site-specific online dissemination capabilities.

Conclusion: The draft bill should align the NTIS services with GPO to make the full NTIS collection available for free public access through depository libraries for the first time. Alignment with GPO, the Government's largest provider of similar sales distribution services, would also take advantage of possible economies of scale and eliminate duplication of effort in the public sale

of STI documents. GPO's cataloging and indexing responsibilities are suited to the cataloging and indexing of STI, and GPO Access has already proven to be a popular online site for public access to STI at no charge via the Internet.