

**UNITED STATES DEPARTMENT OF COMMERCE
NATIONAL TECHNICAL INFORMATION SERVICE
NATIONAL TECHNICAL INFORMATION SERVICE ADVISORY BOARD**

CHARTER

- 1. Committee's Official Designation.** National Technical Information Service (NTIS) Advisory Board (NTIS Advisory Board or Board).
- 2. Authority.** The Secretary of Commerce (Secretary), pursuant to Section 212(c) of the National Technical Information Act of 1988 (15 U.S.C. § 3704b(c)), established the NTIS Advisory Board, in accordance with the Federal Advisory Committee Act, as amended (FACA), 5 U.S.C. § 1001 *et seq.*
- 3. Objectives and Scope of Activities.** The NTIS Advisory Board shall review and make recommendations to improve NTIS programs, operations, and general policies in support of NTIS's mission to advance Federal data priorities, promote economic growth, and enable operational excellence by providing innovative data services to Federal agencies through joint venture partnerships with the private sector.
- 4. Description of Duties.** The Board shall act in the public interest to:
 - a. Provide advice on the optimal data services business and operating model to best implement NTIS's joint venture authority.
 - b. Provide advice on the means, including infrastructure and process improvements, to make Federal data easier to find, access, use, analyze, and combine.
 - c. Assess progress in evolving NTIS programs toward a focus on Federal data priorities.
 - d. Assess the use of merit-based criteria and processes to plan, conduct, and oversee programs and projects, including the selection of joint venture partners.
 - e. Assess policies in connection with fees and charges for NTIS services in order for the agency to operate on a substantially self-sustaining basis, as required by law.
 - f. Assess organizational capabilities required to carry out NTIS's mission, including capabilities in data science and for operational management of its project portfolio.

The Board shall function solely as an advisory body, in accordance with the provisions of the FACA.

- 5. Agency or Official to Whom the Committee Reports.** The Board shall report to the Secretary of Commerce and to the Under Secretary of Commerce for Standards and Technology through the Director of NTIS.
- 6. Support.** NTIS will provide all necessary support for the Board's activities.
- 7. Estimated Annual Operating Costs and Staff Years.** The annual cost of operating the NTIS Advisory Board in 2022 was estimated at \$45,000 due to only virtual sessions, which included 0.6 FTE for staff support. NTIS may have both virtual and non-virtual sessions during 2023 and estimates the annual operating costs at \$55,000, which includes 0.6 FTE for staff support, supplies, travel, and per diem. Consideration for the meeting format will be determined, in part, by costs, availability, and safety of the attendees.

Members of the Board shall not be compensated for their service, but will, upon request, be allowed travel and per diem expenses as authorized by 5 U.S.C. § 5701 et seq.

- 8. Designated Federal Officer.** The NTIS Director will designate a Designated Federal Officer (DFO) and an Alternate DFO from among the employees of the National Technical Information Service.

The DFO or the Alternate DFO will: prepare and approve all meeting agendas; attend all Board and subcommittee meetings; adjourn any meeting when the DFO determines adjournment to be in the public interest; and chair meetings if directed to do so by the Secretary, the Under Secretary of Commerce for Standards and Technology, or the NTIS Director.

- 9. Estimated Number and Frequency of Meetings.** The Board shall meet at the call of the Secretary or the Secretary's designee, but not less often than once every six months.

- 10. Duration.** Continuing.

- 11. Termination.** This charter will terminate two years from the date of its filing with the standing committees of the U.S. Senate and House of Representatives having legislative jurisdiction of the agency unless earlier terminated or renewed by proper authority.

12. Membership and Designation.

- a. The NTIS Advisory Board shall be composed of a Chairperson and four other members appointed by the Secretary. In the event of a vacancy in the Chairperson position, the NTIS Director may designate a member to serve as acting Chairperson until a Chairperson is appointed by the Secretary.
- b. Members shall be selected solely on the basis of established records of distinguished service and objectivity; shall have recognized expertise in data collection, compilation, analysis, use, and dissemination, as well as data science, information technology, cybersecurity, and privacy. Members will be selected from the business, academic, non-profit, and state and local government communities. Reasonable efforts will be made to ensure members represent the entire spectrum of Federal data interests including demographic, economic, trade, health, scientific, patent, environmental, geospatial, cybersecurity, and transactional data. No Federal Government employee shall serve as a member of the Board.
- c. The term of office of each member of the Board generally shall be three years, except that vacancy appointments shall be for the remainder of the unexpired term of the vacancy. All members serve at the pleasure of the Secretary.
- d. Any person who has completed two consecutive full terms of service on the Board shall be ineligible for appointment for a third term during the one-year period following the expiration of the second term.

- e. Members shall serve as Special Government Employees (SGEs) as that term is defined in 18 U.S.C. § 202 and are subject to conflict of interest laws and regulations, including (but not limited to) the obligation to annually file a New Entrant Confidential Financial Disclosure Report (OGE Form 450) and complete ethics training. Members will be individually advised of the capacity in which they will serve through their appointment letters.
- f. Members shall not reference or otherwise utilize their membership on the Board in connection with public statements made in their personal capacities without a disclaimer that the views expressed are their own and do not represent the views of the Board, the National Technical Information Service, the Department of Commerce, or the U.S. Government.

13. Subcommittees. NTIS may establish such subcommittees of its members as may be necessary, pursuant to the provisions of FACA, the FACA implementing regulations, and applicable Department of Commerce guidance. Subcommittees will report to the NTIS Advisory Board and may not provide advice or work products directly to the Department of Commerce or NTIS.

14. Recordkeeping. The records of the NTIS Advisory Board, formally and informally established subcommittees, or other subgroups of the Board, will be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. Subject to the Freedom of Information Act, 5 U.S.C. § 552, records presented to or prepared for or by the Board are available for public inspection.

15. Filing Date.

STEPHEN
KUNZE

Digitally signed by
STEPHEN KUNZE
Date: 2023.06.29 16:04:04 -04'00' /for

Acting Chief Financial Officer and
Assistant Secretary for Administration

Date

7/2/2023
Filing Date