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COSSA Washington Update

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FY 2009 SPENDING BILLS MOVE THROUGH COMMITTEES; FACE UNCERTAIN FUTURE AFTER BLOW-UP IN HOUSE

On June 25, after successfully completing action on three FY 2009 spending bills, including the Commerce, Justice, Science bill, the House Appropriations Committee Chairman, Rep. David Obey (D-WI), announced that the House would spend July completing floor action on as many of the twelve funding bills as possible.

A day later, these plans may have come crashing down. The Republicans in the House have been searching for a vehicle to force a vote on the Administration's proposal to remove the ban on offshore drilling for oil and natural gas. The Democrats would like to continue to delay such a vote. With the Committee about to tackle the FY 2009 funding bills for Labor, Health and Human Services, and Education and Agriculture, Committee Ranking Member Rep. Jerry Lewis (R-CA) offered an amendment to bring up the Interior funding bill instead, which would have opened the door for the proposal to remove the ban. Obey and the Democrats became furious and adjourned the session. Obey was later quoted as declaring "I think we probably had our last meeting of the year, and this [appropriations bills] will go on a continuing resolution." Other members of Congress and observers expect that cooler heads will prevail after time off for the

Independence Day recess, but for the moment the process in the House is stalled at five bills completed at the full committee level.

The Senate is still making progress on its spending bills. With three bills already through the Appropriations Committee, Chairman Sen. Robert Byrd (D-WV) has set a goal of having all twelve bills through the panel by the end of July. Senate Majority Whip Richard Durbin (D-IL) announced that the full Senate will tackle the Defense Department spending bill in July. He also said that it may be the only one of the FY 2009 appropriations bills to receive full Senate consideration.

In the meantime, the FY 2008 War Funding Supplemental Appropriations bill finally cleared the Senate on June 26 and is on its way to the President who signed it on June 30th. The final version, in addition to funds for the Iraq and Afghanistan wars for FY 2008 and FY 2009 and a new GI Bill for veterans' education, included \$210 million for the Census Bureau, \$150 million for the National Institutes of Health, and \$62.5 million for the National Science Foundation. Of the \$62.5 million, \$5 million goes for the ESPCOR program, \$17.5 million for the rest of the research directorates, and \$40 million for education programs, mostly for Robert Noyce scholarships.

NSF RECEIVES ADMINISTRATION'S PROPOSED INCREASE; HOUSE MOVES FUNDS FROM RESEARCH TO EDUCATION; SUPPORTS SBE

The House and Senate Appropriations Committee recommended the Administration's requested level of \$6.854 billion for the FY 2009 budget for the National Science Foundation (NSF) [*This corrects the story in the June 16, 2008 Update, which misreported the Senate numbers because of the rounding Congress does when it first reports its decisions*]. The increase is \$789.1 million or 13 percent over the FY 2008 regular appropriations level (NSF received \$62.5 million in the War Supplemental bill.)

The House and Senate had some differences within the accounts. The Senate provided the requested level of \$5.594 billion for the Research and Related Activities (R&RA) account, which includes funding for the research directorates including the one for the Social, Behavioral and Economic Sciences (SBE). This is \$772.5 million above FY 2008 enacted appropriations. The House however, shifted \$49.9 million from the R&RA request to the Education and Human Resources directorate (EHR). Thus, the House level for R&RA is \$5.544 billion, still a \$722.7 million boost over FY 2008 enacted appropriations.

For EHR, the House Committee recommended \$840.3 million, \$114.6 million over the FY 2008 enacted level. This allowed it to pump up the Robert Noyce Scholarship program by \$35 million over the request to a total of \$50 million for FY 2009. It also reduced the request for Graduate Research Fellowships by \$10 million, because, as the Committee explained, the request exceeded the authorized level by the \$10 million. The Senate funded EHR at the requested level of \$790.4 million, \$64.8 million above FY 2008.

The House Committee also included preliminary report language under a heading called *Investments in all Science Disciplines*. The language reads as follows:

"The budget proposes an 8.5 percent increase for the social, behavioral and economic sciences directorate compared to increases of 20 percent for the mathematical and physical sciences, engineering, and computer sciences directorates. While the American Competitiveness Initiative - this Administration's agenda - identifies measurable increases for these particular sciences, the America COMPETES Act - a statute in law - includes language that the Director shall give priority in the allocation of Foundation resources to research activities that can be expected to make contributions in physical or natural science, technology, engineering, social sciences, or mathematics, or that enhance competitiveness, innovation, safety, and security in the United States.

The Committee notes that *Rising Above the Gathering Storm* states that there should not be a "disinvestment in such important fields as the life and social sciences." The research portfolio of the social and behavioral sciences is as varied as the physical and natural sciences, focusing on such areas as climate change, risk assessment, economic and political laboratories, virtual centers and learning languages. Further, if part of keeping American competitive in the 21st century involves, as Thomas Friedman points out in *The World is Flat*, the innumerable individual and societal choices that are made with regard to where people study, work and live, their economic decisions, their educational progress and the influences of culture, the key to American competitiveness is understanding individual and societal behavior. Accordingly, the Committee believes that the proposed increases across the science directorates are inconsistent with prior direction of Congress and others' findings, and therefore, directs the Foundation to provide a more balanced allocation of its resources across the science directorates in its fiscal year 2009 program." This language adopts many of the arguments made in COSSA's testimony to the Subcommittee.

NIH GETS INCREASE; APPROPRIATORS RESPOND TO 'CRISIS'

On June 26, the Senate Appropriations Committee approved its FY 2009 Labor, Health and Human Services (HHS), and Education appropriations bill. The measure provides \$30.255 billion for the National Institutes of Health (NIH), an increase of \$1.025 billion or 3.5 percent more than the FY 2008 appropriated level and the President's FY 2009 budget request. This bill is the largest of the non-defense appropriations bills, made up of more than 300 programs, spanning three Federal departments and numerous related agencies.

On the other side of the Capitol, an attempt by the full House Appropriations Committee to mark-up to its version of the bill was abruptly halted and adjourned as a result of efforts by Republicans to force consideration of the Interior Appropriations bill. Earlier in the month, on June 19, the House Labor-HHS Appropriations Subcommittee approved a budget of \$30.38 billion, an increase of \$1.15 billion, and 3.5 percent more than the FY 2008 enacted level and the President's budget request, and \$125 million more than the Senate bill.

In the report accompanying its version of the bill, Senate appropriators highlighted that it "has sounded the alarm for more Federal biomedical research funding for several years, and the situation is now at a crisis point. Since the end of the 5-year doubling effort, in fiscal year 2003, funding for [NIH] has declined, in real terms, by 12.3 percent." The Senate appropriation for the NIH would allow the agency to keep up with the biomedical inflation rate (3.5 percent) "for the first time in six years." It would also allow the NIH to "increase the estimated number of new, competing research projects grants to 10,741 - the most ever at NIH."

The Committee also noted that the "Bush budget also proposes eliminating all funding for the National Children's Study (NCS), for which Congress has already appropriated approximately \$212.3 million" since FY 2004. For the NCS, the Committee recommended funding of \$192.3 million, an increase of \$81.4 million more than the FY 2008 funding level of \$110.9 million, to ensure that the study's implementation stays on track.

Also included in the recommendation for NIH is \$300 million for transfer to the Global Fund to Fight AIDS, Tuberculosis and Malaria, compared to the FY 2008 transfer of \$294.8 million.

For the **NIH Common Fund** the bill provides \$568.1 million. The FY 2008 funding level was \$495.6 million, and the President's budget request is \$533.9 million. The Committee stressed that its intention is that "much of the increase will be used to support new investigators and high risk/high reward research." The panel applauded NIH for creating sources of funding that are dedicated specifically to research that is relatively risky but could lead to significant advances. The Director's Pioneer Awards are cited as an example, and received \$45 million, a \$9 million increase above the FY 2008 funding level. The Committee also included "up to \$50 million for Transformative Research Project Grants, a new program that will provide grants for potentially transformative investigator-initiated projects." For the New Innovator Award, the Senate bill provided \$108 million, an increase of \$51.6 million above the FY 2008 funding level. NIH is encouraged to continue its commitment "to maintaining the pipeline of new and early-stage investigators, who tend to fare more poorly during tight financial times than their veteran counterparts." The Committee was pleased to see that in FY 2007, the agency set a policy to support its five-year historical average of first-time and early-stage investigators at approximately 1,500, and exceeded its target. NIH is encouraged to continue these efforts and to "seek to support 1,750 new investigators" in FY 2009.

Regarding social and behavioral science research, the Committee urged the **Office of Behavioral and Social Sciences Research (OBSSR)** "to continue to build and collaborate with Institutes and Centers in support of basic behavioral and social science research, including Roadmap proposals and workshops." Noting OBSSR's lack of grant-making authority, the Committee continued to urge "focused scientific leadership for basic behavioral and social science research in an Institute that does have such authority." Meanwhile, the Committee is pleased that OBSSR continues to provide leadership in support of this effort by coordinating targeted efforts among institutes. OBSSR is also encouraged to maintain "its important role in spurring new, innovative behavioral research on health disparities by coordinating work among several Institutes and Centers."

The House Bill

Although the full Appropriations Committee was stymied in its attempt to report out its version of the bill, the report, which reflected actions by the House Labor, HHS, Education Appropriations Subcommittee, shared the Senate appraisal of the impact on research as a result of the NIH budget and lamented the fact that between 2003 and 2006, the annual number of new and competing research grants supported by the NIH "declined by more 1,200 grants." In FY 2008, there was a reduction of 552 new research grants. "This year, the Administration propose[d] to freeze NH and perpetuate this reduction in new grants. Even more disturbing, a freeze equates to the possible loss of 6,000 research scientists from the biomedical enterprise as funds available for each grant shrinks in face of higher costs." It noted that the "sizeable

investment the Committee makes in NIH biomedical research for FY 2009 - the largest in six years," will allow the agency to increase the number of new and competing research grants to increase just a bit more than what the Senate appropriations would to 10,812. The Subcommittee also provided a two percent increase in the average cost of new and continuing research grants, which have been frozen in three of the past four years.

The Subcommittee funded the NIH Common Fund as a set-aside within the Office of the Director at the funding level of \$544.1 million, which meets the statutory minimum requirement.

The Subcommittee also "reaffirm[ed] its strong support for the National Children's Study" and provides \$192.3 million for "this critical investment, which the Administration proposes to terminate." The Committee noted that "it would not normally identify funding in bill language for a specific research effort, but feels an exception is necessary in this case because the Administration has resisted supporting the study." Referencing the National Academy of Sciences (NAS) review of the NCS research plan (see related story in this issue and Update, [June 2, 2008](#)), the Subcommittee requested a "report from the NCS by October 1, 2008 describing the changes that will be made in the study to implement the NAS recommendations, including any value engineering that can be accomplished to free up needed resources to support these improvements."

Noting that it believes it is "critical to nurture the next generation of innovators to spur the next generation of medical advances, like the Senate, the House funded a number of programs targeted to first-time and high risk, high return investigators. The Subcommittee also provided a one-percent increase for research training stipends, which have been frozen for two years. Sharing its concern "about the pipeline for new investigators and the prospect of researchers becoming so discouraged by repeated rejection of their applications that they leave the field, the Subcommittee provided: \$491.25 million for the Director's Bridge awards, \$71 million through all the institutes and centers for the Pathways to Independence programs, \$80 million through the Common Fund for the New Innovator Award. For the Director's Pioneer Awards, the Subcommittee provided \$36.2 million within the Common Fund.

Regarding basic behavioral research, the Committee noted that it is pleased with the comprehensive report NIH submitted in response to the Committee's request in 2007 for the Office of Portfolio Analysis and Strategic Initiatives (OPASI) to review the NIH basic behavioral research portfolio. "The Committee believes that NIH must ensure that the research opportunities identified benefit from robust resources. The Committee is concerned that this effort may suffer in the interregnum between directors of OBSSR and urged the Director of DPCPSI [the Division of Program Coordination, Planning, and Strategic Initiatives] to make strengthening basic behavioral research one of the Division's performance benchmarks. The creation of DPCPSI creates a logical central headquarters for stewardship of basic behavioral science research, of which NIH should make maximum use. The Subcommittee requested that NIH describe its plan to pursue this research in a report due March 1, 2009."

The Subcommittee also noted its belief that the "Bridging the Sciences" demonstration program fulfills a need not met elsewhere in the Federal government by supporting research at the interface between the biological, behavioral, and social sciences with the physical, chemical, mathematical, and computational sciences. It encouraged the NIH director to give high priority to developing a demonstration program and to collaborate with the Department of Energy, the National Science Foundation, and other agencies.

The Subcommittee acknowledged that the NIH recently completed review of the peer review process and noted its interest in "the results of that study." It also noted that "allegations remain in some quarters that the process continues to favor established researchers over young investigators and that gender and institutional bias may be present." The Subcommittee requested a report from NIH within six months of passage of the appropriations bill analyzing the merits and shortcomings of a double-blind review process as way to overcome any age, gender or institutional bias that may exist in the traditional peer review system. The analysis should include review of the scientific research that has been published on these possible biases in peer review."

NCHS and AHRO

Both the House and Senate panels provided the National Center for Health Statistics (NCHS) \$124.7 million, matching the Administration's request, which was \$11.6 million above the FY 2008 appropriation. Additional funds will support 12-month reporting of birth and death data from the states and maintain full field operations of the National Health and Nutrition Examination Survey (NHANES) and enable the National Health Interview Survey (NHIS) to return to its designed sample size of 100,000, providing improved estimates for smaller population sizes. The House also asked NCHS in the NHIS to provide information for special populations, such as Lesbian, Gay, Bi-sexual, and Transgender people. The House also wants NCHS to disaggregate its survey responses to include data for Asian Americans, Native Americans, and Pacific Islanders.

The House panel provided \$375 million for the Agency for Healthcare Research and Quality (AHRQ), \$40.4 million above the FY 2008 level and \$49.3 million above the Administration's request. The Senate Committee mark was \$334.6 million, same as FY 2008. Both House and Senate committee reports direct AHRQ to reinvest in investigator initiated research), with the House providing \$13 million and the Senate providing \$6 million. The Medical Expenditures Survey received \$55.3 million from both Committees. House and Senate reports also include language expressing concerns about the decline in the number of, and funding for, training grants for new researchers.

CENSUS GETS EXTRA FUNDING FROM SENATE, BUT NOT FROM HOUSE

House Commerce, Justice, Science Appropriations Subcommittee Chairman Alan Mollohan (D-WV) was still fuming at the mismanagement at the Census Bureau at the full committee markup on June 25 (see Update, [June 16](#)). Therefore, the House Committee provided the Census with the FY 2009 requested amount of \$2.605 billion and continued to ignore the Administration's amended request for an additional \$546 million. The Senate Committee however, provided the Census with \$3.151 billion, which is \$546 million above the original request.

Both the House and Senate panels recommended the \$35.9 million boost to the Bureau's Salaries and Expenses account, bringing its FY 2009 total to \$238.7 million. Both Committees also included funding for the continuation of the Survey of Income and Program Participation (SIPP). The Senate allocated \$46.4 million and the House allotted \$45.7 million, which both reports suggest would allow SIPP to conduct a full sample of 45,000 households in September 2008. Both Committees also included the \$8.1 million increase requested for improved measurement of the service sector.

For the Decennial, the Senate provided the additional funding requested by the Administration, but rejected the proposed offsets of cuts to other Department of Commerce programs since, as the report indicated, these programs "already gave at the office" in FY 2008. The total for the Periodic Censuses and Programs account from the Senate is \$2.913 billion. The Senate report reiterated the demand in the War Supplemental bill for the Census Bureau to develop and inform the Committee about milestones associated the decennial count.

The House report expressed concern with not only the Field Data Collection Automation Contract Replan - ditching the handheld computers for paper in the Non-response Follow-up - but also the Bureau's plans for partnerships, language assistance programs, data on small populations groups, as well as the Census in the Schools program and adult education materials for the decennial.

The House Committee also punished the Economics and Statistics Administration (ESA) by reducing its budget for administration by \$1.5 million "given the ESA's limited and ineffective oversight of the Census Bureau." The Bureau of Economic Analysis would receive its requested increase of \$5.7 million to \$86.9 million for FY 2009 from the both the House and Senate Committees.

HOUSE BUMPS UP NCVS, SENATE CUTS SOCIAL SCIENCE FROM NIJ

With the House and Senate Committees again rejecting the Administration's reorganization and reduction in the justice assistance programs and increasing the major State and local law enforcement programs, the National Institute of Justice (NIJ) and Bureau of Justice Statistics (BJS) are often overlooked.

This year, however, the House Committee provided increases for NIJ, from \$37 million in FY 2008 to \$45 million in FY 2009, with additional funds from the Office of Violence Against Women (OVAW) account (\$2 million) and the Byrne Justice Assistance Grants (\$5 million). BJS also gets a boost, from 34.8 million in FY 2008 to \$50 million in FY 2009. The Committee also directed BJS to increase its spending on the National Crime Victimization Survey (NCVS) to \$26 million. Calling NCVS a "critical resource to improve understanding of the costs and context of crime victimization in the United States," the Committee cited the National Research Council's (NRC) recent report, *Surveying Victims: Options for Conducting the National Crime Victimization Survey*. The Committee urged the implementation of the reports' recommendations including the development of sub-national victimization surveys.

The report also mentioned the NRC's committee examining the NIJ "and looks forward to the panel's recommendations to improve effectiveness." The Committee expressed its "deep concern" about fairness and objectivity in awarding grants, particularly at the Office of Juvenile Justice and Delinquency Prevention (see story below), and about transparency in research funding decisions in the Office of Justice Programs. It directed the Department to provide a detailed report and spend plan on all NIJ and BJS research activities for FY 2009.

On the Senate side, the Committee funds NIJ also at \$45 million, with an additional \$1.8 million from OVAW and \$5 million from Byrne, but provided no funds for social science research. BJS would receive \$40 million. There is no mention of NCVS or either NRC study. The report expressed concern about sole-source contracts at NIJ, particularly in the area of terrorism prevention. The Senate Committee report directs the Attorney General to provide to the Senate Committee a plan to implement a process to openly and competitively bid studies, describes the criteria for making awards, and includes an oversight process to ensure fairness. The Committee also wants NIJ to “establish criteria for NIJ seminars and the selection of those speakers and invitees to these seminars.”

HOUSE AND SENATE DIFFER ON INTERNATIONAL EDUCATION, GRADUATE EDUCATION AND RESEARCH AND STATISTICS

The House Appropriations Committee Chairman Rep. David Obey (D-WI) has been a long time champion of Title VI international education and foreign language programs. Thus, the FY 2009 spending bill that came out of the Labor, HHS, Education Subcommittee included an increase for these activities to \$118.8 million, an almost \$10 million boost over FY 2008. The Subcommittee noted that it “placed a high priority on the Title VI programs, which serve national needs in foreign language training and area studies.” All three areas - Domestic Programs (\$102.3 million), Fulbright-Hays Overseas Programs (\$14.7 million), and the Institute for International Public Policy (\$1.8 million) - received increases. The Senate Subcommittee, chaired by Sen. Tom Harkin (D-IA), had other priorities and simply funded the programs at last year’s level of \$108.9 million.

Another area Obey has been interested in for a long time has been education statistics. The House Subcommittee funded this account at the Administration request level of \$104.6 million, a \$16.1 million boost over FY 2008. The Senate Committee again provided the FY 2008 level of \$88.4 million. On the other hand, the Senate agreed with the Administration and more than doubled the funding to \$100 million for the development of Statewide Data Systems to track individual student achievement data. The House only provided \$65 million for this purpose.

The Senate was a little more generous than the House on the basic research, development and dissemination account, \$167.5 million vs. \$159.7 million, last year’s figure. The Senate however, included report language calling for the National Board of Education Sciences to “convene a blue-ribbon panel of leading experts in rigorous, randomized evaluations to assess the What Works Clearinghouse.” The Senate wants to know “if the Clearinghouse’s evidence review process and reports are scientifically valid - that is, provide accurate information about the strength of evidence of meaningful effects on important educational outcomes.” Both the House and Senate allocated \$138.8 million for assessment, the same as the Administration’s request.

The House gave the Javits Fellowship program to support graduate students in the social sciences, humanities and arts a slight boost to \$9.8 million, while the Senate continued last year’s funding level of \$9.5 million. The Senate continued funding for the Thurgood Marshall Legal Educational Opportunity Program at \$2.9 million, same as last year, while the House gave the program a small increase to \$3 million.

The Fund for the Improvement of Postsecondary Education (FIPSE), whose account has included a significant number of directed spending projects, will have them again in FY 2009. The House Committee appropriated \$112.7 million, with \$51.3 for special projects and \$10 million to encourage colleges to support a textbook rental program. The Senate allocation was \$63.4 million, also with a significant number of earmarks.

AMERICAN TIME USE SURVEY SURVIVES

Both the House and Senate Appropriators have rejected the Administration’s attempt to end the American Time Use Survey (ATUS) conducted by the Bureau of Labor Statistics (BLS). The ATUS is an annual household survey designed to measure how people divide their time among life’s activities. It provides researchers and the public with information that provides a better understanding of how American families allocate their time between employment, caregiving, household chores, and leisure. It has an impact on such policies as child care tax credits, welfare benefits, and education subsidies.

The House Subcommittee provided BLS with \$596.1 million for FY 2009, while the Senate Committee recommended \$598.3 million. Both were significantly over the FY 2009 level of \$544.8 million, and slightly above the \$592.8 million requested by the Administration. Both the House and Senate suggested that the increase should help continue funding for the ATUS. COSSA joined many social scientists in contacting Congress in support of maintaining the survey.

HOMELAND SECURITY: HOUSE PANEL MORE GENEROUS THAN SENATE FOR HUMAN FACTORS AND UNIVERSITY PROGRAMS

The Department of Homeland Security (DHS) had its appropriation bill approved by the respective House and Senate Appropriations Committee on June 19 and June 24. The House provided the Administration's request for the Human Factors division, \$12.5 million for FY 2009, while the Senate allocated \$8 million. The FY 2008 appropriation was \$14.2 million, but included a one-time earmark of \$7.5 million to RTI International.

The University Programs account, which funds the Centers for Excellence as well as undergraduate scholarship and graduate fellowship programs, received \$51.2 million from the House and \$43.8 million from the Senate, the same as the Administration request. The FY 2008 level was \$49.3 million. The House report chided DHS for not requesting sufficient funding "to support the research missions of its Centers of Excellence." The report noted that in each of the last two years, the budget either proposed reductions in funding for previously established Centers to establish new Centers and/or reductions to overall program funding. According to the Committee, "this seriously undermines the ability of the Centers to contribute to the research mission of the Department and the protection of the homeland." The Committee provided the Centers \$36.7 million, \$4.5 million above the budget request.

The Senate panel asked DHS' Science and Technology directorate to submit a report to the Committee "on the process used for identifying the specific areas of focus for such centers as well as a State-by-State breakdown of institutions participating in each of the existing centers." It requested this report because of "various concerns that have been raised over the years with respect to the DHS Centers of Excellence awards."

HEAD OF OJJDP FACES CONGRESSIONAL SCRUTINY OVER GRANT MAKING DECISIONS

Over the years, Congress has held hearings regarding the discretionary power of agency heads to overrule the recommendations of reviewers and program staff in awarding grants. The latest episode occurred on June 19 before the House Oversight and Government Reform Committee, chaired by Rep. Henry Waxman (D-CA). Standing accused of ignoring peer review and playing favorites in awarding grants was the administrator of the Office of Juvenile Justice and Delinquency Prevention (OJJDP), Robert Flores.

Waxman noted: "There is no question that Mr. Flores had discretion to award grants. He is entitled to use his experience and judgment in determining which grant applications to fund. But he has an obligation to make these decisions based on merit, facts, and fairness. And the reasoning for his decisions must be transparent and available to the public." The Chairman, citing a Committee investigation that interviewed a number of OJJDP career staff as well as grant applicants, concluded that the process the agency used to make awards from a solicitation in May 2007 was "neither fair nor transparent."

According to the Committee investigation, over 100 applicants applied for the grants and an outside peer review team evaluated the proposals and ranked them. In making the awards, the Committee discovered that Flores approved grants to ten applicants. He passed over the top six ranked applications and chose only five of the top 18. Five of the applicants he selected, which collectively received 55 percent of the grant funding, had been listed as "not recommended" by the career staff.

The Committee also cited Flores' boss at the time, then-Assistant Attorney General for the Office of Justice Programs, Regina Schofield, as saying with regard to this solicitation "I am for candor and clarity, especially when dealing with the people's money. And that did not happen. And I am upset that it did not happen."

The Justice Research and Statistics Association (a COSSA member), had the top score from the reviewers, but did not receive a grant. What also provoked the Committee were some of the grant recipients: The Best Friends Foundation (ranked 53rd), an abstinence-only education organization founded by Elayne Bennett, wife of former Reagan and Bush Administration official William Bennett; the World Golf Foundation (ranked 47th and the focus of an ABC News Report on this issue), whose honorary chairman is former President George H.W. Bush; and Urban Strategies LLC, (ranked 44th), but headed by a former official in the White House Office for Faith Initiatives. The Committee also suggested that these grants resulted from Flores' prior relationships with these organizations, thus accusing him of favoritism.

Flores defended his actions and in his testimony to the Committee expressed his position on the role of peer review in these award decisions: "I believe that peer review only evaluates the competence of the organization to do the work—not whether the work should be done or whether a grant should be awarded. The peer review process cannot be used to determine the value of one grant against another because the panels do not see all of the applications, are unaware of what else may be proposed, and what other programs of a similar nature have already been or may be funded. Simply put, the peer reviewers lack the information necessary to make judgments." He added: "Peer review scores were meant to be advisory only."

The Committee's Ranking Republican, Rep. Tom Davis (R-VA) suggested Flores did not break any laws and had the authority to make these decisions. He claimed that the Democrats on the panel were making a big deal out of what were essentially differences of opinion.

As noted earlier, Congressional concern about decision-making on awarding grants is not new. In the early and mid-1980s, the late Rep. Ted Weiss (D-NY), chaired a Subcommittee that held numerous hearings regarding the actions of Dorcas Hardy, then head of the Office of Human Development Services in the Department of Health and Human Services. Weiss accused Hardy of overriding peer review recommendations and bypassing peer review altogether in awarding grants for her agency's rather small research program. Eventually, the investigation petered out and Hardy went on to head the Social Security Administration during the last three years of the Reagan administration.

Also, during this time period the then-head of OJJDP, Alfred Regnery, created an outcry in the Congress by providing a \$734,000 noncompetitive grant for researcher Judith Reisman to study whether a link exists between pornography and juvenile crime.

So far, Flores' actions have led to a criminal investigation by federal prosecutors and a provision in the House Commerce, Justice, Science Appropriations bill, added by Appropriations Committee Chairman Rep. David Obey (D-WI), that all grants and contracts awarded by the Department of Justice must use a peer review process and those recommendations must be followed.

NATIONAL CHILDREN'S STUDY RESPONDS TO THE NAS PANEL REVIEW

The National Children's Study (NCS) recently released its response to the May 22, 2008, review of the study by a National Academy of Sciences (NAS) Panel. Responding to the advice from the Panel, NCS described how those recommendations, "when relevant," will be incorporated into the Study's protocol. The Academies conclude that the Study "offers an excellent opportunity to examine the effects of environmental influences on child health and development, as well as to explore the complex interactions between genes and environments," (See Update, [June 2, 2008](#)).

The NCS emphasized in its response that the "NAS panel reviewed the broad, higher-level Research Plan, and not the data collection instruments and other detailed information that form the Vanguard Pilot protocol submitted" to the Office of Management and Budget (OMB). It is also stressed that the "Research Plan outlines the rationale, design, and methodological approaches that form the longitudinal framework of the NCS; the Vanguard Pilot submission consists of information specifically related to the initial data collection during the first three years of the pilot phase" of the longitudinal study.

The response acknowledges the recognition by the NAS Panel of the difficulties of conducting a large nationally representative sample "in a country that lacks a comprehensive national health database," and at the same time "operate within strict budgetary limits." The response further acknowledges that despite these challenges, many of the recommendations offered by the Panel "may help the Study achieve its optimum potential." Some of the recommendations were already being implemented while others "will not be possible without additional resources."

The NCS noted that "in concurrent with release of the NAS review, the NCS was beginning to revitalize the scientific working groups that contributed to the development of the Research Plan and the initial data collection protocol." These groups will include scientists from the Program Office, Coordinating Center, and the Study Centers. The NAS review will be used to determine the direction and focus of these groups, including:

Health Disparities Actions

- Re-establish Health Disparities Working Group to focus and refine health disparities assessments, as highlighted in the Children's Health Act
- Ensure enhancement of data collection pertinent to use of, barriers to, and beliefs about health services and behaviors

- Extensive demographic, exposure, and outcome data included in protocol will enable analysis of causes and mediators of health disparities

Frequency of Data Collection Actions

- Continue pursuit of remote, self-collected and other low-burden data collection methods as interval collections between scheduled home, clinic, and phone contacts
- Continue development of possible electronic Personal Health Record suitable for use among NCS Participants
- Continue tracking of electronic medical record progress for potential incorporation into routine data collection

Conceptual Model Actions

- Re-establishment of a Working Group on Child Development will help ensure the protocol elements currently under review allow for appropriate incorporation of the life course model of health and disease following the *Children's Health, The Nation's Wealth* model reference in the NAS review
- Continue ongoing efforts to both conceptualize and then operationalize assessments of "health potential"
- Ensure development of future data collection protocols continue to adhere to this approach and to more clearly express that in future study design documents

Necessity for Adequate Pilot Study Actions

- The necessity of an adequate Pilot phase is fully recognized and is the basis for this OMB submission
- The start of Wave 1 fieldwork has already been delayed by six months. All necessary steps will be taken to ensure the adequate Pilot Study, including additional delay of main study protocol at the Vanguard and Wave 1 study sites.
- Use studies under the proposed Generic Clearance to test approaches to community engagement, data collection methodologies, etc.

Neurodevelopment, Behavior, and Child Health and Development Actions

- Refinement of conceptual model(s) for assessment of neurobehavior and development by the newly formed Working Groups comprising of members of the Study Centers, Program Office and Coordinating Center
- Re-examination of specific measures included in the early data collection protocol to ensure they conform to the models and address concerns raised in the review
- Conduct formative developmental studies to develop shortened versions of existing instruments for later in childhood and utilize those versions, where psychometrically sound, to minimize burden and allow enhancements of under-represented domains

Obesity and Growth Actions

- Ensure collection of relevant contextual data is included in protocols beyond 18 months
- Undertake small studies to assess various methods of parental and child diet
- Continue evaluation of methods to assess obesity as the NCS children age

Demographic Measures Actions

- Include current battery of demographic data including nativity and language. "Legal status" will not be included due to the serious impact on participation and cooperation

Physical Measure Actions

- Continued development and testing of integrated physical and social observational instrument by Vanguard Centers
- Establishment of Study center Working Teams to assure appropriate longitudinal assessment of household and neighborhood factor

Psychosocial Exposure Actions

- With the Psychosocial Working Group, re-evaluate psychosocial exposure measures within the NCS study framework and considering the conceptual models specified earlier in the document
-

Sampling Design Actions

- Use extension of enrollment period to assure recruitment targets are met
- Close evaluation of household enrollment throughout Vanguard Pilot phase to enable necessary changes to procedures both during that phase and for the main study design
- Field test the alternative listing approaches described in the Research Plan during the initial Vanguard Pilot phase to determine adequacy for main study
- Continue to allow Center input into definition of secondary sampling strata to allow considerations of exposures of local importance

Data Collection Actions

- Ensure strong central oversight of de-centralized data collection activities by the NCS Program Office and Coordinating Center
- Use initial Vanguard Pilot phase to evaluate policies and procedures for monitoring of household recruitment and early retention
- Use Vanguard Pilot to evaluate quality assurance practices and modify as needed
- Encourage ongoing methods development studies under umbrella of OMB Generic Clearance package, to the extent funding permits

For more information on the NCS see www.nationalchildrensstudy.gov.

HAS NCLB MADE A DIFFERENCE? ARE ADVANCED STUDENTS LEFT BEHIND? SOME RESEARCH RESULTS

Last week, the Fordham Institute released two separate reports entitled *High Achieving Students in the Era of NCLB*. The first report by Tom Loveless, Director of the Brookings Institution's Brown Center on Education Policy, focuses on National Assessment Educational Progress (NAEP) data. The NAEP data show that from 2000-2007, the scores of the top 90th percentile of students essentially held steady in reading and math, while the scores for the bottom 10th percentile rose by 18 points on the 4th grade reading test and 13 points in 8th grade math.

The second report by Steve Farkas and Ann Duffett of FDR Group, examines the results of a nationwide survey of 900 teachers. Sixty-three percent of the teachers surveyed said that in their schools academically-struggling students got more overall attention than average or advanced students. And seventy-three percent agreed with the survey statement "too often, the brightest students are bored and under-challenged."

Recently, concerns have been raised about how high achieving students may be affected by accountability systems, both before and after NCLB. Tom Loveless said he started the research seeking to answer the question is there a "Robin Hood effect from NCLB?" And while the data shows there is no "Robin Hood" effect taking place, the growth at the 90th percentile is much slower than at the 10th percentile. A general trend of slow progress that had not changed in 20 years for the bottom 10th percentile has experienced marked change since 2000. The achievement gap is narrowing because the gains of low achievers are outstripping those of high achieving students by a factor of two or even three to one.

Ross Wiener of the Education Trust believes that it is counterproductive to have this debate, to pit one side, low achievers against the other side, high achievers. To move forward as a country he believes we need to focus on increasing achievement across the board. "We don't need to decide if we are going to focus on one group over the other. We need to focus on growth at all ends of the spectrum."

According to the teachers' survey conducted most of them feel as if their school has no plan to deal with advanced students. Loveless believes that policymakers should promote the continued progress of high achieving students by creating incentives for schools to boost more students into the upper levels of achievement. He thinks it would be a mistake to allow the narrowing of the achievement gap to overshadow the performance trends of high achievers. The nation should have a strong interest in fostering the kind of growth seen among the low achievers in high achievers. Present accountability systems were created to try to improve the education of low performing students; Loveless thinks that the next generation of accountability systems should build on the accomplishments of higher scores for low achieving students to help all students, including high achievers.

To view the reports go to the Fordham Institute's website
http://www.edexcellence.net/doc/20080618_high_achievers.pdf

Another report released on student achievement was more positive. According to *Has Student Achievement Increased Since 2002?: State Test Score Trends Through 2006-07*, released on June 24, by the Center for Education Policy (CEP), student scores on state tests of reading and math have risen since 2002. The report analyzes state test data from all 50 states as well as data through 2007 on the National Assessment Educational Progress (NAEP).

Since 2002, reading and math scores on state tests have gone up in most states. In elementary and middle school the trends in mathematics is overwhelmingly positive, however, the gains are smaller in high school. The CEP report found that among the states with sufficient data, 21 made moderate to large gains in math at the elementary level, while 22 states showed gains in middle school, and 12 in high school. In reading, the number of states showing gains in achievement since 2002 outnumbered those showing declines at all three grade levels; 17 states had moderate to large gains in elementary, 14 states in middle schools, and eight states showed those gains in high school.

In general the results show an overall upward trend in reading and math on both state tests and NAEP, though the gains on NAEP tended to be smaller than the gains in state tests. The report also shows that the achievement gap has narrowed since 2002, particularly for black and low income students. However, NAEP tended to show larger gaps between different demographic and economic groups than the state tests. But for blacks and low income students, far more states showed gaps narrowing than widening at all grade levels analyzed for both reading and math.

Since NCLB's implementation in 2002, various interconnected policies and programs have been implemented to raise achievement levels at the district, state and Federal level. Because NCLB has not happened in a vacuum it is impossible to isolate the effects of NCLB from other measures being taken. The report concludes that it is impossible to determine a causal connection between NCLB and the recent gains in academic achievement.

To view the full report go to the Center for Education Policy's website

http://www.cepd.org/index.cfm?fuseaction=document_ext.showDocumentByID&nodeID=1&DocumentID=241

AHRQ INTENDS TO FUND HEALTH INFORMATION TECHNOLOGY RESEARCH

The Agency for Healthcare Research and Quality's (AHRQ) Center for Primary Care, Prevention, and Clinical Partnerships has announced its intention to publish Research Demonstration Grants (R18), Exploratory Developmental Grants (R21), and Small Research Grants (R03) Funding Opportunity Announcements (FOAs) to fund health information technology (IT) research.

The Research Demonstration Grants FOA will support work that rigorously studies the leveraging of health IT implementation to improve the quality, safety, effectiveness and efficiency of health care in ambulatory settings and to support transitions in care between ambulatory settings or ambulatory and non-ambulatory settings.

The Exploratory Developmental Grants FOA will support health IT exploratory and developmental research projects. These R21 health IT research grants will support the conduct of pilot or feasibility studies that are needed to inform future health IT implementation efforts which may include but are not limited to the conduct of a health IT Research Demonstration FOA Grant (R18).

The Small Research Grants FOA will support small research grants that can be carried out in a limited period of time. These R03 health IT research grants will support the conduct of small, self-contained health IT research projects; economic analyses of health IT implementation; and, secondary data analyses of health IT research.

The FOAs are expected to be published by the end of August, 2008 (details on application receipt dates can be found at: <http://grants.nih.gov/grants/guide/notice-files/NOT-OD-07-001.html>). The agency emphasizes that until the FOAs are published, it cannot provide additional information on their contents. General comments regarding AHRQ's health IT program, however, can be directed to: Angela Lavanderos: (301) 427-1505 or Angela.Lavanderos@ahrq.hhs.gov

UNESCO SEEKS PAPERS FOR SEMINAR ON SHARING RESEARCH AGENDAS

The UNESCO Global Research Seminar, Sharing Research Agendas on Knowledge Systems, will take place in Paris on November 28-30, 2008. UNESCO seeks research summaries (2 to 3 pages maximum) from possible participants. The summaries are due September 20, 2008 to grs@unesco.org

The seminar objectives are to map ongoing research knowledge in all regions; identify research gaps and priorities; define new research agendas; and network research organizations and researchers.

Key research areas of interest for the seminar are:

- Research Governance and Policies including informal structures;
- Human Resources - professions, status, salaries, brain drain;
- Funding - public or private, national or international, emerging trends;
- Research Output - postgraduate research, publications, papers, citations, patents, quality;
- Cooperation and Agreements - the impact of bilateral scientific agreements, regional agreements, and international agencies operating in a country; and
- Tensions, Dynamics, and Challenges - the social applications of science, the ethics and values of science, the contract between science and the state, legitimacy, credibility, trust, accountability, the usefulness of science, innovative arrangements to ensure access to research in particular socio/economic contexts.

Successful authors will be notified by October 15, 2008. Some funding may be available for participants in the conference. For more information: http://portal.unesco.org/education/en/ev.php-URL_ID=56555&URL_DO=DO_TOPIC&URL_SECTION=201.html

LIBRARY OF CONGRESS SEEKS NOMINATIONS FOR KLUGE PRIZE FOR STUDY OF HUMANITY

Librarian of Congress James H. Billington will award the fourth John W. Kluge Prize for lifetime achievement in the study of humanity on December 10, 2008. The Library is accepting nominations for the prize until July 15.

The \$1 million Kluge Prize recognizes and promotes the study of the wide range of scholarly disciplines not covered by the Nobel prizes, including history, philosophy, politics, anthropology, sociology, religion, criticism in the arts and humanities, and linguistics.

Previous Kluge Prize winners, awarded in 2003, 2004 and 2006, are:

- John Hope Franklin (2006): A leading scholar who opened up the now-burgeoning field of African-American history as a key area in the study of American history. Drawing upon a variety of primary-source materials, his varied writings have advanced the discussion of the African-American experience in broader society.
- Yu Ying-shih (2006): Described by his peers as “the greatest Chinese intellectual historian of our generation.” His impact on the study of Chinese history, thought and culture has reached across many disciplines, time periods and issues, and he has examined in a profound way major questions and deeper truths about human nature.
- Jaroslav Pelikan (2004): The first scholar of Christianity to fully integrate the Eastern and Orthodox traditions into the study of the history of Christian doctrine. He is the author of one of the most comprehensive studies in the past century of the history of any major religion.
- Paul Ricoeur (2004): A philosopher who brought critical depth to the perspectives of an unprecedented number of major thinkers of the modern era. He has consistently focused on fundamental aspects of humanity, such as notions of “self,” memory and responsibility.
- Leszek Kolakowski (2003): A scholar of philosophy who wrote one of the most profound and influential critiques of Marxism. He had enormous influence in Poland’s Solidarity movement and on moving Eastern Europe beyond the influence of communism.

Further information about the Kluge Prize and former Prize recipients is available at www.loc.gov/loc/kluge/prize/.

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