

HOUSE SPENDING PANEL GIVES NSF STEP TOWARD DOUBLING AS CONGRESS LEAVES WASHINGTON TO CAMPAIGN

As the new Fiscal Year began and a second Continuing Resolution became necessary to keep the government operating, the House decided to move through committee some of the appropriations bills that remained undone. On October 7, the House VA, HUD, Independent Agencies Appropriations Subcommittee, chaired by Rep. James Walsh (R-NY), marked up its FY 2003 spending bill. With bipartisan support, the panel provided the National Science Foundation (NSF) significant increases that would start it down the doubling path favored by its supporters inside and outside the Congress. The Subcommittee's decision was ratified by the full Appropriations Committee on October 9.

The Subcommittee allocated \$5.423 billion to NSF, a \$614 million or 12.8 percent increase over last year's appropriation, and slightly more than the Senate committee's 11.8 percent boost. (See *Update*, August 5, 2002). The Administration requested a 5 percent increase. The Subcommittee's report indicated strong support for the multi-year buildup of NSF's budget, but also expressed concern about "the Agency's organizational, programmatic, and personnel structures." It therefore provided \$1 million to the National Academy of Public Administration to conduct a study that would examine: NSF's organizational and program structure; the balance between field-driven and NSF-driven science priority setting; the role of the National Science Board; and NSF's personnel policies, including the use of rotators as program officers. The Subcommittee, as its Senate counterpart had already done, rejected the transfer of three programs from the Department of Commerce and the Environmental Protection Agency to NSF, as had been proposed by the Administration.

For the Research and Related Activities account, the Subcommittee provided \$4.15 billion, an increase of \$551.6 million or 15.3 percent above last year's appropriated level. The Senate Committee

allocated \$4.131 billion. The Social, Behavioral and Economic Sciences Directorate received \$195.6 million, the 16 percent increase requested by the Administration and provided by the Senate panel. The Subcommittee included a \$1 million increase for the Children's Research Initiative to "allow NSF to emphasize ongoing research related to enhancing literacy and improving math and science skills." The House panel also funded the new multidisciplinary Science of Learning Centers NSF requested in its budget proposal.

The Subcommittee provided the Education and Human Resources Directorate \$910.6 million, a 4.1 percent increase over last year. The Senate allocated \$947.7 million. The Math Science Partnership program received \$160 million, below the President's \$200 million request, but more than the Senate committee's \$120 million. Like the Senate, the House boosted funding for programs to aid minorities and those institutions of higher education that they attend. Unlike the Senate, the House did not increase the proposed boost in graduate student fellowship stipends from \$21,500 to \$25,000. The Senate panel provided enough funding to raise them to \$30,000.

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The legislation now joins the other domestic appropriations spending bills queued up behind the Labor, HHS, Education funding legislation on the schedule for House floor action. Since some House Republicans forced the leadership to bring the Labor bill to the floor before any other domestic appropriations bill, and since no agreement has been reached to get the Labor bill passed, it is stuck, blocking the other non-defense funding bills in the process.

Another Continuing Resolution was passed on October 16 and signed by the President on October 18 that will keep the government running until November 22. The Congress is now out of session, save for possible pro-forma meetings, until a post-election lame-duck session either in mid-November or December, the details of which remain unclear.

ZERHOUNI APPEARS AT APPROPRIATIONS HEARING: ASSURES MEMBERS 'RESOURCES ARE WELL SPENT'

On October 9, newly-appointed National Institutes of Health (NIH) Director Elias Zerhouni made his first appearance before the House Appropriations Subcommittee on Labor, Health and Human Services, and Education. The hearing was designed to allow Zerhouni to answer "some of the

questions that the [Subcommittee] and NIH's many stakeholders have posed," according to the Director. The question of what has NIH done with the increased resources provided by the Congress in the campaign to double the Agency's budget over a five-year period has been a recurring one by members of Congress and the public.

Zerhouni assured the Subcommittee that "resources invested in NIH are well spent." He explained, however, that it often difficult, "in the short term, to precisely identify the return on investment in research because of the long horizon from a laboratory discovery to the application of new treatment to a patient."

He observed that one way to answer this question is to "compare the current burden of illness to what the burden might have been if the nation failed to invest public funds in medical research." According to Zerhouni, if there had not been an investment in HIV/AIDS research and trends that began in the 1980s had been allowed to continue, "Our hospitals would be literally filled with HIV/AIDS patients." The death rate from HIV/AIDS, he continued, "would be five times higher."

He cited coronary heart disease as another area of progress. Zerhouni remarked that in 2000 alone, there were 815,000 fewer deaths than "there would have been if medical care had not advanced since 1975." Similarly, he noted, in 2002 alone, there will be almost 250,000 fewer deaths from stroke than there would have been if there had been no investment in NIH.

"As we look to the future, it is important to remind ourselves that the general health of the population is improving and disability is declining," Zerhouni informed the Subcommittee. Even though progress has been made, he continued, "new threats are emerging such as West Nile virus and rising rates of obesity, diabetes, and Alzheimer's disease."

But What Has NIH Done About The Impact Of Lifestyle On Health?

Several of the Subcommittee members challenged the Director regarding NIH-supported research designed to facilitate the adoption of healthier lifestyles by the public. Zerhouni explained that the NIH supports research on

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The Consortium of Social Science Associations (COSSA), an advocacy organization for federal support for the social and behavioral sciences, was founded in 1981 and stands alone in Washington in representing the full range of social and behavioral sciences.

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behavior change but acknowledged that the NIH was “clearly challenged” in the need to support additional research that examines the “impact of behavior on long-term health.” This research, he observed, has the potential “make the biggest impact.” He further asserted that prevention through knowledge is important and that more research is needed on what measures individuals can take to lower their risk for certain diseases.

Subcommittee members also expressed their concerns that despite the increased resources to NIH incidences of diabetes, obesity, and Alzheimer’s disease are on the rise. Particularly, Rep. John Peterson (R-PA) voiced his distress and belief that Americans are “not a healthier society than we were five, or even 10 years ago.” “Obesity is rampant,” especially in the very young, lamented Peterson. He also voiced his concern that the NIH is “so successful” when it comes to pharmaceuticals that America had “regressed in healthy lifestyle.” Behavior has more to do with our health than anything, he said. Prescription drug successes have raised the level of expectations of the public that pharmaceuticals can fix everything. Changes in lifestyle should be able to resolve these problems, said Peterson.

Zerhouni responded by noting that this is “the number one priority for NIH . . . a priority that we cannot ignore.” There is a need to “fight and change the “miracle pill notion” that individuals have that leads them to believe they can live like they want, Zerhouni told the Committee. He further called for “the need to address the mistranslation of knowledge.”

Rep. Don Sherwood (R-PA) echoed Peterson’s concerns and noted that what “worries” him is that NIH does all this wonderful research but he is not sure the medical model allows for the information to be practiced with patients in time. He questioned NIH’s role in improving the medical model. Zerhouni responded that “there will need to be a rethinking of the problem.”

Rep. Roger Wicker (R-MS) associated himself with Peterson’s remarks and inquired as to whether the NIH Director had had conversations with Secretary of Education Rod Paige about the increasing incidence of obesity in adolescents. Middle school children are “grossly overweight,” said Wicker. This cannot be a good thing, he

continued. Zerhouni answered that he had not specifically talked about the issue of obesity with Paige, but they have conversed about how to translate information to children.

Impact of a Long-Term CR on NIH

Members expressed their concern regarding the impact a long-term continuing resolution (CR) designed to keep the government running without actually passing the individual appropriations bills would have on NIH.

Zerhouni explained that the Agency would not be impacted too severely by a CR that ended in December. But if a CR lasted any longer, NIH would indeed experience repercussions from such a move. According to the Director, the Institutes would be forced to reduce the number of new and continuing, competitively awarded grants.

UPDATE ON LEGISLATION

OERI Reauthorization Passes, Bill Set for President’s Signature

On October 16, the House passed H.R. 3801, the reauthorization bill for the Office of Education Research and Improvement (OERI). The move followed Senate passage, which had come a day earlier.

As noted previously, the final text of the legislation was being hashed out by House and Senate staff members. (See *Update*, October 7, 2002). The key sticking points were resolved in the following fashion:

- The National Assessment Governing Board will continue to control the release of National Assessment of Educational Progress data;
- The number of comprehensive local centers authorized to provide technical assistance, facilitate communication between education experts and practitioners, and carry out research corresponding with the educational needs of the region was set at 20;
- The topics to be investigated by the National Research Centers was set in the bill – the

Administration had wanted flexibility to select these;

- The topics covered by the Educational Resources Information Center Clearinghouses will be continued as part of OERI's information dissemination efforts. It's unclear whether the actual Clearinghouses will be maintained, restructured, or moved.

The bill has been cleared for the White House and will be signed by the President.

NSF Authorization Stuck in Senate; Passage Could Come in Lamé-Duck Session

The NSF reauthorization (H.R. 4664, S. 2817), which would double the Agency's budget by Fiscal Year 2007 (see *Update*, September 23, 2002), seemed likely to pass both Houses of Congress before last week's adjournment, but the optimism waned as the bill was put on hold in the Senate.

House and Senate conferees had come to an agreement on the legislation and there is widespread bipartisan backing of the measure, the hold notwithstanding. According to House Science Committee sources, the hold was placed by a Senate Republican, likely on behalf of the Administration and the Office of Management and Budget (OMB).

There is hope in both chambers that any problems can be resolved in the coming weeks and that the bill will pass during the lame-duck session.

House Government Reform Committee Reports Statistical Sharing and PRA Bills, Outlook on Both Uncertain

At an October 9 markup, the House Government Reform Committee (Chairman Dan Burton, R-IN) favorably reported two bills of interest to social scientists:

H.R. 5215, the Statistical Efficiency Act of 2002, would allow the Bureau of Economic Analysis, the Census Bureau, and the Bureau of Labor Statistics to share data, easing restrictions currently in place. It would also ensure the protection of confidential information controlled by those agencies by setting limitations on the

disclosure of data. (See *Update*, September 23, 2002).

There is bipartisan support for the bill, which originated in the Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations, chaired by political scientist Rep. Steve Horn (R-CA). The measure is currently held up by a dispute between the Congressional Budget Office (CBO) and the Census Bureau. The CBO would like access to certain Census data, but the Bureau objects on the grounds of separation of the legislative and executive branches. It's not clear what will happen to the bill as a result.

H.R. 4187, the Presidential Records Act (PRA) Amendments of 2002, would rework procedures for public access to presidential records and revoke Executive Order 13233. The Order, signed by President Bush last November, created provisions allowing a former president to block the release of requested documents without claiming executive privilege. H.R. 4187, which also emerged from Rep. Horn's Subcommittee, was introduced in April (See *Update*, April 15, 2002) but stalled due to Administration objections and the Committee's need to focus on homeland security issues.

At the markup on the 9th, several members of the Committee spoke in favor of the bill, including Chairman Burton, Ranking Member Henry Waxman (D-CA), Horn, Rep. Jan Schakowsky (D-IL and the Ranking Member of Horn's Subcommittee), and Rep. Doug Ose (R-CA). Despite this strong bipartisan support, the bill stands little chance of passage this year. Supporters of the legislation, including COSSA, hope to revisit the issue next year. That process could be complicated by Horn's retirement from Congress at the end of this session.

Congress Finally Reaches Agreement on Election Reform; Bush Supports Bill

On October 16, the Senate passed H.R. 3295, the Martin Luther King, Jr. Equal Protection of Voting Rights Act of 2002, by a vote of 92-2. The House passed the legislation the week before.

The bill authorizes \$3.86 billion in Federal funding over the next four years so that the states can upgrade their voting equipment, improve election administration and poll-worker training, and

revamp the manners by which voters register and cast ballots.

Following Senate passage, the President released a statement commending Congress for their work on the bill and noting that the legislation is “consistent with the principles outlined by the bipartisan Ford-Carter Commission. . .” The statement also indicated that Mr. Bush will sign the bill into law.

For more information on the Ford-Carter Commission, see *Update*, August 13, 2001. COSSA held a seminar on election reform last year; to request a transcript of the session, please e-mail coffa@coffa.org.

IOM RELEASES REPORT CALLING FOR ‘A SYSTEM APPROACH TO PROTECTING RESEARCH PARTICIPANTS’

On October 3, after 18 months of deliberations, the Institute of Medicine’s (IOM) Committee on Assessing the System for Protecting Human Research Participants (Chaired by Daniel Federman, Harvard University) released its final report, *Responsible Research: A System Approach to Protecting Research Participants*, calling for greater Federal regulation. Echoing the former National Bioethics Commission, the Committee emphasized that adequate protection of research participants “requires that all human research be subject to a Human Research Participant Protection Program (HRPPP) under Federal oversight.” (See *Update*, September 24, 2001). This Federal protections requirement should be extended to include every research project that involves human participants, regardless of funding source or research source, advises the Committee.

The report’s recommendations are organized around a three-part strategy to ensure the protection of all research participants. These include refocusing the mission of Institutional Review Boards (IRBs) on the thorough ethical review and oversight of research protocols; recognizing research participant contributions and integrating them into the system; and maintaining high standards for and continuing review of HRPPP performance.

The participant protection program proposed by the committee is a system of interdependent elements linked through explicit responsibilities for

human subjects protection. The Committee emphasized that IRBs must return to “the focused role they were originally intended to serve.” It called on Congress to establish an independent, multidisciplinary, nonpartisan advisory body. The Committee also noted that the recently disbanded National Human Research Protections Advisory Committee, created by the U.S. Department of Health and Human Services, has provided “expert advice to Federal agencies on issues of participant protections.” (See *Update*, September 23, 2002).

In addition, the Committee suggested that leaders of public and private research organizations should establish a culture of research excellence that is pervasive and that includes clear lines of authority and responsibility for participant protection. It was also suggested that IRBs be renamed Research Ethics Review Boards.

While not specifically addressing the concerns of the social and behavioral science community, the report acknowledges issues pertaining to these disciplines. Appendix B of the report is a letter written by Cora Marrett, Chair of the Panel on IRBs, Surveys, and Social Science Research. (See *Update*, July 2, 2001). “The letter is written to provide input to” the Federman Committee for use in its final report. Marrett’s letter “comments on issues of human participant protection in research in the domain of the social, behavioral, and economic sciences (SBES) and outside the domain of biomedical research.”

Marrett’s letter primarily addresses field, laboratory, and archival research conducted by typical SBES methods as mail, telephone, and in-person surveys, structured interviews, participant observation, laboratory research, and other methods that ordinarily pose low risk to participants.

The letter provides the Panel’s initial recommendations on four topics: 1) Protection of confidentiality of information obtained from human research participants; 2) Requirements for informed consent, particularly for advance written consent; 3) Procedures for determination of exempt research and for expedited review of low-risk research; and 4) System-level issues, such as training of researchers and accreditation.

A final report from the Panel is expected later this fall and “will discuss in more detail issues of

defining risk and other aspects of ethical review of SBES research for a broad audience of IRBs, researchers, and relevant agencies.” Marrett notes that the Panel looks “forward to developing a full agenda for research and practice to improve the operation of the IRB system for social, behavioral, and economic science research.”

Kennedy Introduces Bill

A day after the release of the IOM report, Senator Edward Kennedy (D-MA) introduced S. 3060, legislation that among other things would expand protections to include all research involving human participants. (See *Update*, April 29, 2002). It further codifies the Department of Health and Human Services Office for Human Research Protections. S. 3060 stipulates a six-year term limit for the director and limits the director's service to two terms total. The bill has been referred to the Committee on Health, Education, Labor, and Pensions. The Senate, however, is not expected to consider this legislation in the 107th Congress. Senator Bill Frist (R-TN) has also indicated that he plans to introduce legislation pertaining to this issue in the next Congress. Reps. Diana DeGette (D-CO) and Jim Greenwood (R-PA) introduced their version of this legislation earlier this year.

OHRP Director To Return To Harvard

On October 16, the Department of Health and Human Services (HHS) Office of Human Research Protections (OHRP) Director Greg Koski announced that he will return to Harvard University at the end of November.

Koski, appointed by former-HHS Secretary Donna Shalala, became the first Director of OHRP in June 2000. (See *Update*, September 25, 2000). In a letter to current-Secretary Tommy Thompson announcing his resignation, Koski notes that the “past two years have been eventful ones, marked by many challenges and changes. Through collaborative efforts of committed colleagues throughout the Department. . . significant progress has been realized.”

He also referred to the IOM's report, which was commissioned by the Department two years ago. The study, Koski observed, makes recommendations based upon a comprehensive assessment of the current status of our system for human subject

protection. In addition, he noted that “it is immediately evident that much remains to be done.” He concluded the letter by noting that the report “lays out an ambitious agenda for continuing reform.”

BUSH ANNOUNCES INTENT TO NOMINATE EIGHT INDIVIDUALS TO THE NATIONAL SCIENCE BOARD

On October 17, President Bush announced his intention to nominate the following individuals to the National Science Board (NSB): **Ray M. Bowen**, engineer and former President of Texas A&M University; **Jo Anne Vasquez**, a former science teacher and faculty member at Arizona State University; **Steven C. Beering**, a Professor of Medicinal Chemistry and Molecular Pharmacology and President Emeritus at Purdue University; **Barry C. Barish**, Linde Professor of Physics at the California Institute of Technology;

Daniel E. Hastings, Professor of Engineering Systems and Director of the Technology & Policy Program at the Massachusetts Institute of Technology; **Kenneth M. Ford**, Director of the Institute for Human and Machine Cognition at the University of West Florida; **Delores M. Etter**, Professor of Electrical Engineering at the United States Naval Academy; and **Douglas D. Randall**, Professor of Biochemistry and Director of the Interdisciplinary Program on Plant Biochemistry-Physiology at the University of Missouri.

The individuals will have to be formally nominated and confirmed by the Senate before entering into six-year terms. The full NSB consists of 24 members, with staggered terms of service.

FINDINGS RELATE TEEN SEXUAL ACTIVITY TO RELATIONSHIP WITH MOTHER

The rate of sexual relationships involving adolescents and children has been rapidly growing for several years, an alarming trend noted in recent results from the National Longitudinal Study of Adolescent Health (Add Health). According to the findings, adolescents' desire to engage in sexual intercourse depends on multiple factors. One of the various reasons teenagers, and even some children, decide to engage in sexual intercourse is they have a

misconstrued perception of sex because of the lack of communication between teenager and parent. According to Sarah Brown, Director of the National Campaign to Prevent Teen Pregnancy, “the research released today goes a long way to explaining exactly how parents can help shape their children’s decisions about sex.” Research has indicated that an adolescent’s decision to engage in sex can be highly affected by the relationship and closeness with his or her mother.

Robert W. Blum, Director of the University of Minnesota’s Center for Adolescent Health and Development and one of the many researchers analyzing the Add Health data, noted that “teenagers are less likely to start having sex when their mothers are involved in their lives, have a close relationship with them, and successfully communicate their values on sex to them . . .” These conclusions were drawn from the most recent wave of data on eighth and ninth graders in the United States as part of the ongoing National Longitudinal Study. The research found that some teenagers who knew their mothers were opposed to them engaging in sexual intercourse chose not to engage in such activity. Thirty percent of girls and 45 percent of boys, however, ignore their parents’ advice and have sex even though they acknowledge their parents’ desire for them to practice abstinence. “At the same time, when teens report that they are having sex, only 51 percent of their mothers think they are,” according to the study. These findings indicate that some parents have a distorted reality of their children’s sexual behavior.

Closeness to Mother

The survey also assessed whether adolescents’ closeness to their mother delayed sexual intercourse. The study defined closeness as “how close teens feel to their mothers, how much they feel mother cares about them, how warm and loving mother is, how good communication is with their mother, and how satisfied teens feel with their relationship with their mother.” The research further finds that mother-child connectedness delays the first sexual intercourse among 8th and 9th grade boys and girls. As teenagers get older, however, the level of connectedness with mother may diminish because of socio-environmental and personal factors, the researchers explained.

Ultimately, teenagers decide when they want to engage in sexual intercourse, but this study indicates

that older teenage boys who maintain a strong relationship and closeness with their mother generally delay their first sexual experience. Conversely, these results were not evident in older teenage girls. The study found that mothers are more predisposed to talk to their sons about sex because they accept the idea of their sons engaging in sexual intercourse. However, mothers are ambivalent about talking to their daughters about sex because they fear it will indicate tacit approval of the girl engaging in intercourse. The findings stressed that both boys and girls need to be educated about love, relationships, and most importantly, sex by their parents and not their peers. For additional information about the Add Health study, please visit <http://www.cpc.unc.edu/projects/addhealth>.

ACADEMY REPORT DECRIES FEDERAL USE OF POLYGRAPH TESTING

On October 8 the National Academies’ National Research Council (NRC) released a report, entitled *The Polygraph and Lie Detection*, that questions the accuracy of government polygraph testing conducted to screen prospective or current employees for national security purposes. The report was compiled by the NRC’s Committee to Review the Scientific Evidence on the Polygraph, which is chaired by Carnegie Mellon University Statistician Stephen E. Fienberg.

The U.S. Department of Energy, which uses polygraph testing to monitor employees who hold sensitive positions at national energy laboratories and other important facilities, commissioned the study. The report concludes that “the polygraph’s accuracy is not good enough for security screening for two reasons:” 1) Lie detector tests are much more effective when used in the investigation of specific crimes. 2) Screening of a large set of employees produces a high number of false guilty results. Fienberg noted that “National security is too important to be left to such a blunt instrument. The polygraph’s serious limitations in employee security screening underscore the need to look more broadly for effective, alternative methods.”

The full text of the report can be accessed on the web at: <http://books.nap.edu/books/0309084369/html/index.html>. Copies can also be purchased from the National Academy Press.