

# COSSA WASHINGTON UPDATE

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## ADVOCATES OF SEXUAL BEHAVIOR RESEARCH ACHIEVE VICTORY IN SENATE *JA*

On April 2, by an overwhelming vote of 87-10, the Senate passed the NIH Reauthorization bill (H.R. 2507) which included provisions allowing federally funded surveys of human sexual behavior. This vote follows a similar victory in the House last July (See Update, August 5, 1991).

The NIH Reauthorization bill had received a great deal of attention because, among other things, it included provisions to lift the moratorium on federally funded fetal tissue transplantation research. These provisions were originally embodied in the Research Freedom Act (S. 1902) which was eventually rolled into the NIH bill. While some of the provisions focused specifically on fetal tissue research, others addressed more generally any area of research for which funding had been withheld from an NIH grant after it had been peer reviewed and approved. This included surveys of sexual behavior.

In particular, the NIH bill included a section that would have required that the American Teenage Study (ATS) and the Survey of Health and AIDS Risk Prevalence (SHARP) either be funded upon resubmission to NICHD or be reevaluated by an Ethics Advisory Board (EAB) established by the Secretary of HHS for the purpose of determining whether the surveys were fundable on "ethical" grounds.

When debate on the NIH bill began on Tuesday, March 31, it focused on the fetal tissue research issue. The most significant moment came when an amendment introduced by Sen. Orrin Hatch (R-UT), which would have allowed research using tissue only from ectopic pregnancies and miscarriages (tissue whose viability is hotly debated), failed by a 77-22 vote.

When the Senate returned to the bill on Thursday, April 2, the focus shifted to the provision specific to sexual behavior research (Sec. 1010, formerly Sec. 206). Although there were other contentious issues in the bill, including women's

health research, contraception and infertility research centers, and AIDS programs, the Senators had reached consensus on them and agreed to confine floor debate to fetal tissue and sexual behavior research.

The floor fight on this issue was an exercise in parliamentary mastery. Taking into account the complex rules of Senate procedure as well as the politics of this issue, advocates of sexual behavior research took the upper hand. Anticipating an amendment from Sen. Jesse Helms (R-NC) to strike Sec. 1010, Sen. Paul Simon (D-IL) introduced a "preemptive" amendment to add on to the bill language that states that surveys of sexual behavior could be conducted or supported by NIH so long as they have the approval of local institutional review boards, normal peer review systems at NIH, and the Director of the appropriate institute, and are determined to have some application to public health. This is virtually the same language included in the House bill by the Waxman amendment (See Update, August 5, 1991). Simon's amendment was co-sponsored by Senators Edward Kennedy (D-MA) and James Jeffords (R-VT).

Immediately thereafter, Helms introduced the expected amendment, which not only struck Sec. 1010, but replaced it with language that forever

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prohibited funding ATS or SHARP. That put Senators in the position of being able to vote both for federally funded sexual behavior research in the future, and against the two particular surveys whose questions had been publicized in such a way as to make many Senators personally uncomfortable.

#### Surveys Claimed to be Prurient

In the debate over the two amendments that ensued, only Helms spoke in favor of his amendment. As in the past, he referred to certain questions in the ATS about homosexual practices that he claimed were prurient in nature. He also derided the surveys and the researchers who designed them, and claimed that their real purpose was ". . . not to stop the spread of AIDS. The real purpose is to compile supposedly scientific and Government-sanctioned statistics supporting ultra-liberal arguments that homosexuality is normal behavior." Furthermore, he asserted, "the results of the sex surveys will be used . . . to legitimize the very behavior that accounts for the overwhelming majority of AIDS cases in this country."

Speaking in opposition to the Helms amendment and in favor of the Simon amendment, Jeffords described the difficulty in addressing prevention of risky behavior among young people in the absence of behavioral data. "The only solution," he said, "is to confront them with firm, indisputable, indeed sometimes shocking evidence. And such evidence can only be rooted in the irrefutable statistical reports that emerge from broad-based carefully organized, scientific studies."

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Jeffords also defended the integrity of social surveys, noting that "[s]urveys do not give messages about moral or ethical values; they are designed to measure behavior and attitudes. We ask questions about crime in public surveys but these surveys are not alleged to promote crime."

Sharing this position, Kennedy derided the Helms amendment, saying it "would politicize the scientific process and undermine our ability to deal with urgent health and social problems, and in so doing, may actually cost us American lives." Additionally, he said, "[t]here is a long-standing tradition of Members on both sides of the aisle standing on this floor to defend the NIH and the peer review process from political whim. We should continue that tradition today and reaffirm our commitment to sound science and the integrity of the NIH."

Simon, supporting his own amendment, stated that Helms was "dead wrong on this one. When I say dead wrong, I think there are lives at stake here. We are not going to protect ourselves through ignorance."

Others who spoke in favor of the Simon amendment were David Durenberger (R-MN) and Herbert Kohl (D-WI). Durenberger noted the importance of sexual behavior research in addressing the spread of AIDS, saying, "We cannot afford to ignore this problem and cannot ignore the fundamental fact that most cases of AIDS are contracted through sexual contact. One way of attacking this disease is to understand behaviors that contribute to the risk of pregnancy and sexually transmitted diseases."

Kohl defended the ability of NIH to determine what was appropriate science to fund. "There is one fundamental question at issue here," he said. "Do we believe that our scientific research is best determined by scientists or by political leaders? I believe it is best determined by scientists." Arguing against the politicization of research, he continued, "Intellectual freedom is one of the fundamental values upon which our country was founded, and when threatened has always prevailed."

When debate finished, back-to-back votes were taken on the two amendments, followed by a third vote on the overall bill. In the end, the Simon amendment passed by a vote of 57 to 40; the Helms amendment also passed, by a vote of 51 to 46; and the bill passed 87 to 10.



### Advocates Claim Victory

While this may seem to be a confused outcome, advocates view it as a real victory. Although the Helms amendment passed, effectively eliminating funding for the ATS and SHARP, the Simon amendment added language to the bill that stated it was Congress's intent that from now on, subject to formal scientific and ethical review, sexual behavior research would be considered an appropriate area for NIH to fund. In combination with the general research freedom provision in the bill, this ensures that the Secretary may not arbitrarily withhold funding from peer reviewed and approved grants, and thereby protects future research from the kind of politicization experienced by ATS and SHARP.

Furthermore, the vote itself was meaningful. Winning the Simon amendment by 17 votes and losing the Helms amendment by only 5 votes was a tremendous turnaround from the appropriations fight last September in which Helms obtained a two-to-one vote in favor of transferring funding from ATS and SHARP to the Adolescent Family Life program instead (See Update, September 23, 1991).

Above all, the final vote for passage of the bill was well beyond the two-thirds necessary to override an expected veto by President Bush (who objects to fetal tissue research, sexual behavior research, and numerous other provisions in the bill), and underscores the earlier success of the House bill. The Senate and House versions of the NIH bill will now be reconciled in conference committee. The resulting bill just might be the one that finally upsets the President's unbroken record of 27 vetoes without an override.

### CONGRESS REFUSES TO TEAR DOWN THE WALLS *KS*

Attempts by some members of Congress to eliminate the current division of discretionary spending into three categories (defense, international, and domestic), and allow funds slated for defense to be spent on domestic programs in FY 1993, were decisively defeated last week. This refusal to "tear down the walls" will make it very difficult to enact significant increases for domestic spending initiatives, including science and education.

Legislation sponsored by Rep. John Conyers (D-MI) in the House and Sen. James Sasser (D-TN) in

the Senate became the vehicle for revising the Budget Enforcement Act of 1990 (BEA) which established the limitations by the three categories of spending. Conyers, Sasser and their supporters argued that given the ending of the Cold War leading to proposed reductions in defense spending, the savings -- the so-called "peace dividend" -- should be shifted to fund increases in domestic programs. This could not be done without changing the BEA.

Proponents also argued that without breaching the walls, it would be very difficult to fund certain programs: Sen. Barbara Mikulski (D-MD) mentioned the space station, Sen. Sasser noted proposed increases for the National Institutes of Health.

Opponents, argued that the "peace dividend" should be used for deficit reduction. Others argued for a tax cut. They also asserted that without maintaining the walls, the discipline imposed by the BEA would fall by the wayside. Sen. Sam Nunn (D-GA) noted: "These walls were designed to help us control spending and help us reduce the deficit." The administration also weighed in against the legislation. A number of Senators cited the speech given by Sen. Warren Rudman (R-NH) announcing his retirement in which he argued the deficit must be brought under control and that dealing with entitlements, rather than violating the BEA, was the way to achieve it.

In the end, the Senate by a vote of 50-48 refused to cut off debate and proceed to consider the bill. In the House, the bill was defeated 187-238.

### OERI: HOUSE PANEL PASSES BILL, ACADEMY STUDY EVALUATES AGENCY *MB*

On April 2 the House Education and Labor Subcommittee on Select Education, chaired by Rep. Major Owens (D-NY) approved legislation, H.R. 4014, reauthorizing the Office of Educational Research and Improvement (OERI) at the Department of Education. The bill, sponsored by Owens, would create a 20-member advisory board to shape OERI's research priorities and would structure the office's research according to an institute framework shaped by perceived research and dissemination needs. (For more detailed information, see UPDATE, March 23, 1992)



While subcommittee Republicans expressed concerns about the specifics of the advisory board, they voted in favor of the bill, stating that they were confident that refinements could be made to the legislation before it reaches the full Education and Labor committee. An amendment offered by Rep. Pat Williams (D-MT) requiring that at least 25 percent of funds authorized for regional educational labs be set aside for rural education issues was unanimously approved.

#### Academy Recommends Changes at OERI

A new report by the National Research Council of the National Academy of Sciences evaluates OERI and makes several specific recommendations to improve the quality of the federal effort in education research. The report, *Research and Education Reform: Roles for the Office of Educational Research and Improvement*, is the product of a multidisciplinary panel of 15 scientists and education experts, chaired by Richard Atkinson, Chancellor of the University of California, San Diego, and cites both external and internal difficulties affecting OERI.

The external difficulties which the report says OERI has little or no control over are controversies and lack of consensus regarding education policy which hinder federal research priorities, attempts to make OERI serve political aims, the agency having minimal discretion over new initiatives, and insufficient funding. According to the report, the research budgets of OERI and its predecessor agency, the National Institute of Education, experienced an 82 percent decrease (in constant dollars) between 1973 and 1989. Much of this, the report says, has come at the expense of field-initiated research. According to the study, only 2 percent of OERI's budget supports this research, while the comparable percentages the National Institutes of Health (NIH) and the National Science Foundation (NSF) are 56 and 94 percent, respectively. According to the report, basic research receives only 5 percent of the OERI research budget; that figure is 60 percent at NIH and 94 percent at NSF.

Internally, the study concludes, OERI is faced with a weak advisory council and high turnover in senior positions. According to the panel, "There is limited coordination among the various offices in OERI and the institutions that it funds. Few efforts are undertaken to synthesize and publicize what the agency has learned and accomplished. Quality control is uneven, and the agency rarely attempts to

### SABBATICAL OPPORTUNITY FOR CHILD AND FAMILY STUDIES mb

Child Trends, with support from the William and Flora Hewlett Foundation, has established a Washington-based program to increase the interaction between scholars and federal policymakers in areas related to children, youth, and families.

Researchers may pursue their own project or assist with an ongoing project at Child Trends. Arrangements will be made for the scholar to attend meetings and conferences relating to federal policy in these areas. Child Trends is a non-profit, non-partisan research organization specializing in population studies and child and family research.

For more information, contact Dr. Brett Brown, Child Trends, 2100 M Street, NW, Washington, D.C. 20037, phone: (202) 223-6288.

resolve debates on important issues of education research."

#### Three Sets of Recommendations

The NAS study panel makes three sets of recommendations. To strengthen the governance of OERI, it recommends: establishing a policy board to set OERI's research agenda, appointing the OERI director to serve a 6-year term, and requiring OERI to support a balanced research agenda, including expanded support for field-initiated studies. To restructure OERI to achieve better focus, the panel suggests: creation of directorates targeting specific problem areas, the establishment of a directorate to coordinate reform assistance efforts, and a considerable expansion of the National Center for Educational Statistics. In the area of OERI's operations, the report recommends: giving the agency independent grant and contract-making authority, expanding peer-review procedures, and recruiting high-quality personnel, particularly minorities, to the field of education research.

The report estimates the cost of its recommendations to be \$267 million annually after a six-year phase-in period. While noting the high price tag of its findings, the panel concluded, "If the increased resources are not provided, we recommend



that the mission of OERI be substantially narrowed. It is currently trying to do far more than can be done well with the available funding and staffing."

## WHITE HOUSE GROUP TO STUDY HEALTH OF UNIVERSITIES *HS*

The President's Council of Scientific Advisers on Science and Technology (PCAST) will take a comprehensive look at the "interface between U.S. universities and the federal government," presidential science adviser Allan Bromley announced at the April 2 PCAST meeting. PCAST is a twelve member panel of presidentially appointed scientists, engineers, business people, and university presidents, established to provide outside advice to the White House. The panel's report is expected in December 1992.

The renewed examination comes six years after a 1986 report by the White House Science Council's Panel on the Health of U.S. Colleges and Universities, chaired by David Packard, Chairman of the Board of Hewlett-Packard, and vice-chaired by Bromley, who was then professor of physics at Yale. (The results of this study became known as the Packard-Bromley report.) The new panel will also be chaired by Packard and vice-chaired by Harold Shapiro, President of Princeton University. Pierre Perrolle, Assistant Director for the social sciences at the Office of Science and Technology Policy (OSTP), will serve as Executive Secretary to the panel.

In announcing the new study, Bromley noted that the environment for universities "has changed dramatically" in recent years. The panel will focus on "science and technology" in its appropriate context within the comprehensive structure of the university. Because of the extensive nature of the review, it is expected that such topics as university financing, facilities' needs, faculty structure, and indirect costs, will be addressed. Bromley noted that it is "absolutely essential" not to "take for granted" the continuation of the preeminence of the U.S. university system.

In addition to the PCAST study, the Federal Coordinating Council on Science, Engineering and Technology (FCCSET) will establish an ad-hoc committee to provide a complementary study "from the inside" of government. David Kearns, Undersecretary of the Department of Education and former CEO of Xerox, will chair the FCCSET panel. Bernadine Healy, Director of the National

Institutes of Health, and Walter Massey, Director of the National Science Foundation, will serve as vice-chairs.

Six years ago the Packard-Bromley report recommended: substantial increases in support for university based research; a stable research environment; restoration of the university infrastructure; development of more multidisciplinary science and technology centers; elimination of the micromanagement of university research; controls on indirect costs; greater cooperation between university and industrial based research; increased involvement of state governments in research support; and merit based scholarships and fellowships to attract the best students into science and engineering. Some of these recommendations have been implemented in the ensuing six years, while others have fallen by the wayside due to budget constraints.

### Earlier Study Ignores Social Science

The Packard-Bromley report largely ignored the social and behavioral sciences. Bromley, in congressional testimony, has frequently spoken of the importance of the economic and social consequences of science. It is strongly hoped that the new panel will work from Bromley's statements of the past few years and not repeat the glaring omission of the Packard-Bromley report of 1986.

## REAUTHORIZATION OF PEACE INSTITUTE PRAISED BY HOUSE PANEL *MS*

Legislation to reauthorize the United States Institute of Peace (USIP) was given a warm reception at a March 25 hearing of the House Education and Labor Subcommittee on Labor-Management Relations, chaired by Rep. Pat Williams (D-MT).

The USIP was created by an act of Congress in 1984 as an independent, federal institute to provide basic and applied research and education and training programs in areas of international peace studies and conflict resolution. The legislation provided statutory insulation of USIP from partisan political pressures. The reauthorization bill, H.R. 4443, continues this insulation as it reauthorizes USIP through Fiscal Year 1997. The authorization is \$15 million for FY 1993 and "such sums as may be necessary" for the subsequent years. The bill also establishes the Spark M. Matsunaga Scholars



Program, allows USIP to enter into contracts with foreign nationals, and receive gifts and contributions for program-related hospitality functions. In January, the Senate incorporated similar provisions in S. 1150, the Higher Education Act.

Appearing before the House panel, USIP President Ambassador Samuel W. Lewis praised H.R. 4443 and outlined for the committee the activities, accomplishments, and future challenges of the Institute. Lewis said that despite the end of the Cold War, "the list of conflicts in desperate need of successful mediation and resolution seems longer than ever." Given the perceived reluctance of the American public to support large foreign aid programs, Lewis said that the USIP can help provide "enlightened, creative diplomacy for mobilizing multilateral responses to crises." Elspeth Rostow, professor of government, University of Texas and Chairman of the Board at USIP, told the panel that USIP helps "bridge the wide gap between foreign policy scholars and foreign policy practitioners - between thinkers and doers. As one who hails from an academic world, I can say that this bridge is badly needed by those on both sides of the chasm."

USIP officials received generally warm praise from the congressmen in attendance. While Rep. Major Owens (D-NY) expressed his support for the USIP's progress, he remarked that the USIP Board of Directors, most of whom appeared before the committee, gave the appearance of "a white, elitist, academically oriented agency" and urged USIP to focus more on Third World and ethnic conflicts and to give minorities greater representation on the Board. Owens added that he would like to see USIP become more active and work to expand its influence among policymakers. He said he is considering offering an amendment to H.R. 4443 to require USIP to submit a report outlining future plans for growth and what he termed "building on the credibility USIP has already achieved." Lewis responded to Owens that he would be "delighted to see more ethnic variety" on USIP's boards and staff and in its research and training priorities. He noted that the USIP Board of Directors is appointed by the president. Rostow commented that while USIP is limited by legislation in becoming more active in the policymaking process, it does extensive outreach to both experts and practitioners.

COSSA has written to relevant Members of Congress on this issue, urging reauthorization of USIP and praising the statutory insulation that is continued by H.R. 4443.

## REPORT URGES ACTION ON HEALTH CARE DATA SYSTEM MB

A recent report by the National Research Council (NRC) of the National Academy of Sciences recommends the creation of a coordinated and integrated system of health care data collection activities. The report evaluates the National Center for Health Statistics' (NCHS) efforts to restructure its existing surveys of health care providers in an attempt to provide a more complete picture of health care in America.

The NRC report, *Toward a National Health Care Survey: A Data System for the 21st Century*, lauds the aims of the NCHS plan, saying that the nation's health care statistical systems have not kept pace with the dramatic changes in the nation's health care system in the past two decades. However, the NRC study concludes that "... the plan in its present stage of development does not provide the capacity to address important questions about the interrelationships between the health status of individuals and the patterns and cost of health care services they receive from a range of health care providers over time...."

The NRC recommends that NCHS replace its current method of collecting information based primarily on a single health care incident by coordinating and integrating data about people and their episodes of illness over time. The NRC report suggests linking this to costs and patient outcomes in an attempt to better collect information on access, quality, costs, effectiveness, and outcomes of health care.

For more information on the NRC report, please contact the National Academy of Sciences at (202) 334-2133.



**SOURCES OF RESEARCH SUPPORT:  
NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM *ke***

COSSA provides this information as a service and encourages readers to contact the agency for further information or application materials. Additional application guidelines and restrictions may apply.

**Division of Clinical and Prevention Research**

The National Institute on Alcohol Abuse and Alcoholism (NIAAA) wishes to encourage new and creative research on the development and testing of strategies to prevent alcohol abuse among youth including children, adolescents, and young adults.

**Application Procedure:** Applicants are to use the grant application form PHS 398 (rev. 9/91). Application kits containing the necessary forms and instructions may be obtained from: National Clearinghouse for Alcohol and Drug Information, P.O. Box 2345, Rockville, MD, 20852, (301) 468-2600. The signed original and five permanent, legible copies of the completed application must be submitted to: Division of Research Grants, National Institutes of Health (NIH), Westwood Building, Room 240, Bethesda, MD 20892.

**Eligibility Requirements:** Applications may be submitted by domestic and foreign non-profit and for-profit organizations, public and private, such as universities, colleges, hospitals, laboratories, units of state or local governments, and eligible agencies of the federal government. Women and minority investigators are encouraged to apply.

**Funding Mechanism:** Applications recommended by a national advisory council will be considered for funding on the basis of overall scientific and technical merit of the research as determined by peer review, program needs and balance, and availability of funding.

**Review Process:** Applications received under this announcement will be assigned to an Initial Review Group (IRG) in accordance with established PHS Referral Guidelines. The IRG, consisting primarily of non-Federal scientific and technical experts, will review the applications for scientific and technical merit. Notification of the review recommendations will be sent to the applicant after the initial review. Applications will receive a second-level review by an appropriate national advisory council. Only applications recommended by the Council may be considered for funding.

**Deadlines:** This is an ongoing area of interest for NIAAA, which will continue to accept applications for research in this area.

**Contact:** For pre-application consultation contact: Gail Boyd, Ph.D., Program Director for Prevention Research on Youth, Prevention Research Branch, Division of Clinical and Prevention Research, NIAAA, 5600 Fishers Lane, Room 13C-23, Rockville, MD 20857, telephone: (301)443-1677.

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