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CONSORTIUM OF SOCIAL SCIENCE ASSOCIATIONS

# COSSA WASHINGTON UPDATE

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## OMB PROPOSES CURBS ON POLITICAL ADVOCACY -- AND THE FIRST AMENDMENT

The Office of Management and Budget (OMB) has proposed major revisions in its regulations governing political activities by grantees and contractors in the non-profit sector. Although the stated intent of the revisions is to ensure that federal tax dollars are not used for the support of political advocacy, the proposals would effectively prohibit non-profit federal grantees and contractors and their employees from any kind of political advocacy, defining political advocacy so broadly as to include any attempt to influence a government decision at any level of the government.

The proposed regulations, a revision of OMB Circular A-122, apply only to non-profit organizations that receive federal grants and contracts. OMB has prepared additional regulations, however, to apply to civilian and defense contractors. The proposals were published in the Federal Register; interested parties are invited to submit comments on the proposed revisions to OMB by March 9.

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Under the proposed revisions, all non-profit federal grantees and contractors would be denied funds for the costs of "political advocacy" activities. At present, the only restrictions on such activities by grantees and contractors are those explicitly legislated by Congress. The OMB regulations would go far beyond current legislation in these restrictions.

The problem posed by the A-122 revisions is not that they would prohibit political advocacy with federal funds. There is no question that political activities should be completely separated from work done in fulfillment of federal obligations. The danger in the OMB revisions is that the OMB definition of "political advocacy" is so broad as to threaten First Amendment rights of grantees and contractors. Moreover, the regulations would sharply restrict the non-federally funded activities of grantees and contractors and prohibit the use of equipment purchased even in part with federal funding for this broad spectrum of activities.

Under the proposed regulations, political advocacy would include direct and grass-roots lobbying and participation in election activities. In addition, however, it would also include attempts to influence governmental decisions "through communications with any member or employee of a legislative body, or with any government official or employee who may participate in the decision-making process." Government decisions are defined as "any rulemakings, guidelines, policy statements or other administrative decisions of general applicability and future effect; or any licensing, grant, ratemaking, formal adjudication or informal adjudication, other than actions or decisions related to the administration of the specific grant, contract, or agreement involved."

In effect, once these revisions are put into effect, federal grantees or contractors could not comment on future proposed amendments to Circular A-122. Moreover, because the regulations prohibit political advocacy activities at the federal, state, and local levels, grantees and contractors would be equally prohibited from communicating with the local school board or with a Member of Congress on any matter of general policy. The rules would also prohibit contributing money or services to an organization that has political advocacy as a substantial purpose or spends \$100,000 or more per year in connection with political advocacy.

OMB has indicated that the regulations are intended to curtail the use of federal funds for direct use in advocacy and for overhead costs of non-profit organizations that engage in the wide range of activities it has defined as "political advocacy." In the past, federal grantees and contractors could use equipment, staff, and building facilities for political advocacy even if they were purchased in part with federal funds if grantees took care to pay the full cost of the other activities with nonfederal funds.

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Under the proposed revisions to Circular A-122, however, no building or office in which more than 5 percent of the space is occupied by political advocacy activities can be supported at all with federal funds. Similarly, any equipment such as typewriters, word processors, or copying machines used even in part for political advocacy will be disallowed from federal grants and contracts, as will expenses incurred in attending meetings and conferences devoted in any part to political advocacy. Salaries of individual employees, if they are "induced" to do any political advocacy other than activities that are both ministerial and non-material, are also disallowed under the proposed regulations. It is unclear how "induced" will be defined, but the regulations would, for example, prohibit a secretary from typing or copying a letter to a public official if the individual's salary were paid in any part with federal funds or the equipment were purchased with federal support. In short, expenses for clearly separable activities on the same equipment or individual employee cannot be allocated at different times to both grant or contract activities and to "political advocacy."

It is unlikely that COSSA will be directly affected by the proposed revisions to Circular A-122. Although a non-profit 501(c)(6) organization with a substantial political advocacy purpose, COSSA has not and will not accept federal funds or other kinds of federal support. However, COSSA Members, Affiliates, and Contributors will, if the regulations go into effect on March 9 as scheduled, have to be careful not to use any equipment purchased after that date with federal funds or employ staff paid in any part with federal funds for COSSA contributions or COSSA related activities.

The amendments to Circular A-122 apply to non-profit organizations or institutions that are federal grantees and contractors and to their employees. The restrictions should in no way affect the political rights of individuals on their own time who are acting as individuals or as members of organizations contributing to COSSA.

The Legislation and National Security Subcommittee of the House Government Operations Committee will hold a hearing on the proposed revisions to Circular A-122 on March 1. The Senate Governmental Affairs Committee will hold hearings on March 7 and the Subcommittee on Civil and Constitutional Rights of the House Judiciary will announce hearings next week.

Comments on the proposed regulations should be sent to the Financial Management Division, Office of Management and Budget, Washington, D.C. 20503 by March 9. To obtain a copy of the revisions, call the COSSA office (202/234-5703).

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SCIENCE EDUCATION BILL ON FAST TRACK IN HOUSE

The House of Representatives may consider H.R. 1310, the Emergency Mathematics and Science Education Bill, as early as March 3. The bill, which would provide \$425 million in funding to bolster the nation's supply of mathematics and science teachers, was approved by the Science and Technology Committee on February 23. It had already received approval from the Education and Labor Committee. H.R. 1310 is one of more than a dozen different bills introduced in the 98th Congress to improve mathematics and science education.

Psychologists and education researchers have worked actively to improve math and science teaching by strengthening educational research and development through additional research funds for the National Institute of Education. Testifying before the Education and Labor Committee, Dr. James G. Greeno, University of Pittsburgh, emphasized the need for research that clarifies issues associated with learning in mathematics and science:

Educational research has made important progress in identifying successful teaching practices, effective school characteristics, and student learning....There is significant need for further work in these areas. For example, recent research on how children approach math and science problems is ripe for development into improved diagnosis and instruction.

Dr. Greeno is President of the Federation of Behavioral, Psychological and Cognitive Sciences.

However, social and behavioral scientists also have reservations about the narrow focus of much of the proposed legislation. At a meeting of educational representatives from COSSA's Member organizations, there was general agreement that although the effort to improve secondary school education in mathematics and science was to be applauded, its exclusive focus on mathematics and science education was obscuring a larger issue -- the need to improve the quality of secondary school education in general. In many schools the social studies curriculum, through which students receive their introduction to the social sciences, has been diluted. Broad reform of secondary school education is needed along with the current emphasis on science and math education.

FOR YOUR INFORMATION...RESEARCH BUDGETS

Both the Washington Post and the New York Times have recently published articles on the administration's research budgets for FY 1984. The Times singled out the social science budgets for particular attention. Copies of the articles are enclosed as Attachments 2 and 3.

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HOUSE HOLDS HEARINGS ON NSF

The House Science and Technology Committee held oversight hearings on the National Science Foundation (NSF) on Wednesday, February 23, 1983. The hearings were intended to provide the full committee with an opportunity to hear the new Director of the Foundation, Dr. Edward Knapp, discuss his plans for NSF. Although the hearings were not focused on funding for FY 1984, Committee Chairman Don Fuqua (D-FL) referred to the budget in his introductory remarks. Mr. Fuqua said that although he agrees in principle with the administration's policy of selectively targeting scientific areas with the greatest potential, "I am concerned that they appear to be understating the contribution of the behavioral, social, and information sciences to the effective utilization of those new technologies for the public good."

In the questioning that followed Dr. Knapp's testimony, Representative Doug Walgren (D-PA) specifically asked the Director about the FY 1984 budget levels for social and behavioral science research, pointing out that restoration of these budgets was of particular interest to members of the Science and Technology Committee. Dr. Knapp said that the social and behavioral science programs will share in the budget increases requested for FY 1984, but that they will not increase to the same extent as the other programs in the Foundation. He added that the social and behavioral sciences are not experiencing the same instrumentation needs as the other sciences. Mr. Walgren concluded his questions about the social and behavioral science budgets by saying that the issue would be discussed in greater detail at the NSF authorization hearings which the Subcommittee on Science, Research, and Technology will hold later in the week.

GEORGE BROWN SUPPORTS SOCIAL SCIENCES IN NEW LEGISLATION

On February 3, 1983, the Economically Strategic Industrial Research and Development Act was introduced in the House of Representatives by Representative George Brown (D-CA) and in the Senate by Senator Paul Tsongas (D-MA). The purpose of the bill is to promote technological innovations that will stimulate the economy. In describing the legislation, Mr. Brown noted that an essential requirement for technological innovation is an expansion of our scientific knowledge. "This will," he said, "require broad support on a wide range of scientific fronts, including the physical, biological, and social sciences....Recent cutbacks, for apparently ideological reasons, in funding for the social sciences may very well prove to be an expensive and shortsighted decision over the long run. The best approach is to encourage excellence in all areas of science." The full text of Mr. Brown's remarks is available in the Congressional Record or through the COSSA office (202/234-5703).

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LATE NEWS: WALGREN ASKS NSF FOR REPORT ON THE SOCIAL SCIENCES

At today's (February 25) authorization hearings on the National Science Foundation (NSF) budget for FY 1984, Representative Doug Walgren (D-PA), Chairman of the House Subcommittee on Science, Research, and Technology, asked NSF officials to submit a report on the relative needs for instrumentation in the social, physical, and biological sciences. Mr. Walgren requested that the report show not only how instrumentation needs differ but also how they are related to the budget levels requested for each of these areas in the FY 1984 budget submission. In requesting the report, Mr. Walgren said that Congress needs to assess how the underlying intellectual needs -- not only the instrumentation needs -- of each scientific area are being met. He requested that the report be completed in time to insert it into the hearing record.

The Subcommittee Chairman discussed levels of support for the Foundation's social and behavioral science programs with the Chairman of the National Science Board, Dr. Lewis M. Branscomb. In his testimony, Dr. Branscomb noted that some scientific fields had recently been neglected and need rebuilding. He included within this group "selected areas in the social sciences, identified in the Board's Policy statement last year." Mr. Walgren then questioned Dr. Branscomb closely about what he meant by relative neglect and how Members of Congress could assess whether the social sciences are receiving the level of support they need for this "rebuilding." His request for a report on instrumentation needs and underlying levels of support followed Dr. Branscomb's statement that relative differences in social and physical science budgets this year are related to the lower instrumentation needs of the social sciences.

BRITISH PRESS REPORTS ON RESEARCH SLOWDOWN AT NIJ

The current issue of Nature, a science and science policy journal published in the United Kingdom, carries an article about the Reagan administration's selection of a Director and an advisory board for the National Institute of Justice (NIJ) with no experience in research. The Nature article reports that although the government is well into the second quarter of fiscal year 1983, NIJ has not yet spent its FY 1982 research funds, in large part because the Director, Mr. James "Chips" Stewart, has not approved the grant applications. The article is reprinted as Attachment 1.

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SOURCES OF RESEARCH SUPPORT: DEPARTMENT OF HEALTH & HUMAN SERVICES (HHS)

COSSA provides this information as a service and encourages readers to contact the agency rather than COSSA for more information.

Health Care Financing Administration (HCFA)

FY 1983 Budget: \$30 million. The administration has proposed level funding for HCFA for FY 1984.

Program Areas: The following topics would be of interest to social and behavioral scientists: development of systems to promote availability of kidneys for patients with end stage renal disease; research and demonstrations to develop and/or test alternative payment systems for hospital outpatient services; studies of the extent to which preventive services reduce the overall cost of health care, particularly for children; research and demonstrations on providing incentives to beneficiaries to be informed purchasers of health care services; and projects that explore the extent of the variation and reasons for different patterns of health care services utilization. A fuller description of HCFA's research priorities can be found in the Federal Register, September 16, 1982, pp. 41090-41094.

Disciplines Supported: economics, statistics, health administration.

Funding Mechanisms: Grants and contracts are used in equal measure. Grant applications are processed twice a year, with award announcements made 5 to 6 months after the closing date. The next closing date is May 2, 1983, for FY 1983 grants. Most grants range from \$25,000 to \$250,000 per year.

Restrictions on Awards: Projects are funded for one year at a time although if the award is originally granted as a multiple year project, funding may continue on a non-competing basis if money is available.

Review Processes Employed: Independent review is conducted by a panel of not less than three experts from HHS and the private sector.

Contact Person: Bryan R. Luce, Director  
Office of Research and Demonstrations  
Health Care Financing Administration  
HHS Building, Room 4222  
330 Independent Avenue, SW  
Washington, D.C. 20201

US criminology

## **Chips has job, agenda follows**

*Washington*

IN a classic movie, actor Jimmy Stewart played a supposed bumpkin thrust into the Washington scene. Now, in real life, one James Stewart, who likes to be called "Chips", a former chief of detectives for the city of Oakland, California, has been appointed by President Reagan to head the National Institute of Justice — the Justice Department's research agency that hands out approximately \$15 million a year for social science research in criminology and related fields.

University social scientists are described as "outraged" by the appointment of "Chips", who impresses them as well intentioned but not knowledgeable about criminal justice research. The institute, formerly part of the Law Enforcement Assistance Administration (LEAA), became a separate agency when LEAA was dismantled in 1980. Since its foundation in 1968, it has come to be a useful source of funds for the social sciences, especially when the National Science Foundation's social science budget declined to \$37 million per year.

Social scientists are even more concerned about the 17 new appointees to the institute's advisory board. They include two present or former policemen, a

security guard from Las Vegas, three judges, two lawyers, two state legislators, a politician who is running the transition team of the new governor of California, a hotel executive from Pennsylvania and an advertising executive for Procter and Gamble. There is one academic in the new group, a law professor at the University of South Carolina.

The board has met four times, in Washington DC, New Orleans, Memphis and Atlanta, but has not put forward a programme for the current fiscal year. The aim of these hearings is to listen to practitioners so that the institute's research can be made more useful. The board has also expressed an interest in passing on individual grant applications — something research agency advisory boards rarely do.

Recipients of the institute's funds have also discovered that since becoming acting director last August (he was confirmed in December), Stewart has passed very few grant applications, with the result that the institute is now behind in its programme for fiscal years 1982 and 1983. The institute will, however, be able to spend the fiscal 1982 money once Stewart decides how it should be allocated.

In the movie, Jimmy Stewart triumphed in his Senate job and ended by doing a lot for the folks back home. Social science researchers, however, are still waiting to see what their James Stewart does for which of them.

**Deborah Shapley**



## INSIDE: THE SCIENCE AGENCIES

At a time when most of the federal government is frozen in place, the government's only pure science agency, the National Science Foundation, has some of the biggest proposed increases in President Reagan's fiscal 1984 budget request.

The proposed increase for the agency is about 18 percent above the agency's fiscal 1983 appropriation; funding for certain parts of the agency would increase as much as 60 percent over this year's budget.

The new budget reverses the cuts of earlier years, and completes the transformation of the NSF to an agency reflecting the Reagan administration's goals. It would heap extra money onto the areas most closely related to industry and defense, chiefly physics, mathematics and engineering.

But it would let several of the social sciences lose even more ground to inflation following research cutbacks in the past two budgets. And the administration has not replaced the tens of millions of dollars cut from science education programs in the earlier Reagan budgets.

NSF sources said part of the deal to gain major increases for the agency in austere times was an arrangement in which the agency's top managers would be replaced with people who better reflected the administration's point of view.

That purge occurred shortly after Edward A. Knapp stepped in as the agency's new director. It was made clear to the deputy director and the four assistant directors that they would have to leave.

Knapp says the idea to clear out all the agency's top management—a move unprecedented in the history of the relatively non-political agency—was his as much as the White House's.

So far, no replacements have been selected. The procedure for appointment begins when the National Science Board, the

NSF's policy arm, submits a list of acceptable candidates to the White House—a list that still is being prepared. Then the White House, in consultation with Knapp, will choose the final nominees from the list—or elsewhere. The whole process is expected to take months.

The biggest boost in the \$1.3 billion agency budget would come in funds for new scientific instruments. NSF estimates the amount authorized will jump from \$67.9 million to \$180.2 million.

The move comes after years of panicked warnings from scientists that aging instruments are hurting both research and science education. However, two years ago, the Reagan administration erased from the budget a science instrumentation program



GEORGE A. KEYWORTH  
... credited with NSF budget rise

proposed by President Carter's science adviser, Frank Press.

Program by program, one of the biggest increases—21.5 percent—would come in the mathematical and physical sciences. The biggest chunk of that increase would come in industry-oriented "materials research."

The physics component of the budget would increase by 21 per-

cent—and this doesn't include the additional big increases in the Energy Department budget to build the huge particle-accelerating machines at Stanford University and the federal government's Fermilab in Illinois. The substantial new funds to construct the big machines of physics may help the United States leapfrog past the Europeans, who have taken an undisputed lead in high-energy physics after 40 years of domination by the United States.

The budget would give an even larger percentage increase to engineering, a field beyond the original mission of the NSF—to encourage pure, not applied, science.

The NSF fared better than any other science agency in the 1984 budget, and administration officials are giving the credit to the increasingly persuasive George A. Keyworth, the former weapons physicist who is the president's science adviser.

The \$4 billion budget of the National Institutes of Health would virtually hold steady, with an increase of less than 4 percent. The National Institutes of Mental Health would continue to be redefined—from an agency handling social, behavioral and biological research to one concerned with research that is more strictly biological.

At the Energy Department, general science programs supporting basic physics would get a hefty 16 percent increase, while the administration would continue to reduce funding for research into alternative energy sources.

—Philip J. Hilts

THE NEW YORK TIMES, SUNDAY, FEBRUARY 13, 1983

## Social Sciences Escape Washington Hit List

**W**HEN the Reagan Administration released its first budget two years ago, researchers in the social and behavioral sciences felt a particularly heavy crunch. But outcry from scientists and opposition in Congress have helped to renew some of the most severely affected categories. Indeed, the Administration's proposals for 1984 "suggest that social and behavioral science budgets may no longer be receiving special attention, for better or worse," said Roberta Balstad Miller, the consortium's executive director.

Her organization's study of the new budget reveals no clear patterns, though a few peaks and valleys stand

out. Research funds at the National Institute on Alcoholism and Alcohol Abuse would increase 38 percent. Those at the Office of Adolescent Pregnancy Programs would rise 20 percent. Both of these areas reflect well-publicized concerns of the Reagan Administration. At the Office of Human Development Services, however, deep cuts are proposed in several areas not known for Reagan emphasis, among them a 69 percent decrease in Head Start R & D (though research at the Department of Labor's employment and training administration gets a 57 percent boost). The budget for policy development and research at the Department of Housing and Urban Development

would fall by 21 percent. Social research at universities funded by the Department of Transportation would decrease 52 percent.

The National Science Foundation enjoys across-the-board increases this time around, with social and behavioral programs going up by 12 percent. The biggest winners are economics at 28 percent and something called "decision and management science" at 25 percent. The National Endowment for the Humanities continues to get short shrift, with a 14 percent cut proposed. The reduction for 1984 would leave the endowment's funding at only 75 percent of its 1981 level, excluding inflation, according to the consortium's analysis.