

# COSSA WASHINGTON UPDATE

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## **SOCIAL SCIENCE TRIUMPHS IN CONGRESS AFTER SETBACK ON AMERICAN TEENAGE STUDY** JA

On July 19, Secretary of Health and Human Services, Dr. Louis Sullivan, announced that he was "temporarily blocking" the American Teenage Study, a five-year, \$18 million, national survey of American teenage life, including sexual behavior, sponsored by the National Institute of Child Health and Human Development (NICHD). Four days later, Sullivan went further to say he was "cancelling" the study, because, according to an official statement from the department, he was "concerned by the possible inadvertent message this survey could send that would distract from the potential scientific benefits and be counterproductive to his commitment to better communicate the message against casual sex." The Secretary's announcement set off a flurry of press accounts that placed the controversial "sex survey"--and the decision to cancel it--at the center of national attention.

Sullivan's action came in response to pressure from groups such as the Family Research Council, headed by Gary Bauer, former domestic policy adviser to President Reagan, and individuals, most significantly Representative William Dannemeyer (R-CA), who has consistently opposed federal funding for national surveys of sexual behavior. In a letter to House colleagues, Dannemeyer listed questions about specific sexual practices (such as oral and anal sex) which he claimed (in some cases erroneously) were part of the survey and asserted that no decent parent would allow their child to answer. This letter apparently contributed to Sullivan's decision.

While the Secretary's action was applauded by Rep. Dannemeyer, it was denounced by other members of Congress and the scientific, public health, and education communities, who claimed it represented the triumph of politics over science. Rep. Henry Waxman (D-CA), who chairs the Health and Environment subcommittee which authorizes NIH, said, "this isn't the first time he's [Sullivan] let right-wing extremists overwhelm public health considerations." Howard J. Silver, Executive Director of COSSA, was quoted in the Washington Post as

saying the cancellation was "an affront to the guiding principles of scientific integrity and free inquiry."

### **Significance of the Teen Study**

The American Teenage Study (ATS), was designed by Ronald Rindfuss and Richard Udry, social scientists at the University of North Carolina, Chapel Hill, in cooperation with NICHD. The study is intended to provide information about factors that influence risk behaviors of U.S. adolescents, especially those related to teenage pregnancy and sexually transmitted diseases (STD), including AIDS. ATS would involve 24,000 youths in grade 7 through 11, and would require parental consent for participation. Individual youth only would be asked explicit questions about sexual behavior if they acknowledge in previous questions that they already engage in sexual activity. The section on sexual behavior constitutes only about 10 percent of the entire survey, which focuses on the role of the family, school, peer group, and religion in the formation of values that affect behavioral choices.

Advocates of the ATS, including COSSA, argued that this survey would provide important, national data on the incidence, prevalence, and factors affecting risk behavior among youth--data that are vital to designing effective and appropriate prevention strategies for public health problems such as teen pregnancy and STDs. They argued that although we have some epidemiologic data about what youth are doing, we really don't know why they are doing it. This is the value of the ATS, they said.

### **INSIDE UPDATE...**

- More Appropriations News
- Senate Committee Examines First Amendment Implications of Rust Decision
- Sources of Research Support: National Institute of Alcohol Abuse and Alcoholism

### Violation of Scientific Integrity

In addition to concern that vital public health information would be sacrificed by cancelling the ATS, proponents of the study expressed outrage that a peer-reviewed and approved grant could be rescinded without any scientific grounds. Not only had the ATS been approved by NIH, but partial funding for the first year of the study had been released in May, 1991 after the new Director of NIH, Bernadine Healy, and the Assistant Secretary for Health, James O. Mason gave their approval.

Indeed, one of the most embarrassing moments for the administration came with the revelation that in a recent interview with the Boston Globe, Healy cited NIH approval of the ATS as evidence that the agency's research agenda would not be politicized. She is quoted as saying: "That's a wonderful study. I knew that it might be controversial and I reviewed it personally. I read the whole thing myself and I think that it's an excellent study."

### Congress Reacts

The cancellation of the ATS provoked a lively debate on the House floor on June 26, when Representative Dannemeyer introduced an amendment to the NIH Reauthorization bill (H.R. 2507) that would prohibit the Secretary of HHS from conducting or supporting "any national survey of human sexual behavior."

In response, Representatives Waxman, Roy Rowland (D-GA), and David Price (D-NC) introduced a substitute amendment that would allow the NIH to conduct or support surveys of human sexual

behavior if they meet the approval of local ethics and peer review boards, have the recommendation of the appropriate institute director(s), and are determined to be related to public health, reproductive health, or "other conditions of health."

Four House members, led by Dannemeyer, spoke in favor of Dannemeyer's amendment and against the Waxman substitute. Their arguments stressed the sensitive nature of questions about sexual behavior and the appropriateness of asking such questions of youth, and concern that this study was all part of a "liberal", homosexual plot. Dannemeyer challenged his colleague, Rep. Waxman, to identify some place in the U.S. Constitution that "authorizes the Government of the United States to engage in sexual surveys."

Robert Dornan (R-CA) argued that the decline of the Judeo-Christian ethic is responsible for the increase in teenage pregnancies and STDs, and that a study isn't needed to understand this. The problem, said Dornan, is that "the words 'sin' and 'evil' are not in the vocabulary of the liberal philosophers that have wreaked such havoc upon the social sciences." Further support for the Dannemeyer amendment came from Reps. Dan Burton (R-IN) and Randy Cunningham (R-CA).

### The Danger of the Dannemeyer Amendment

Beginning arguments against the Dannemeyer amendment, Waxman noted that it would preclude "all research on all sexual behavior, permanently," including 20 major health studies currently funded by the federal government, including the National Survey of Family Growth, the National Longitudinal Survey of Youth, and the National Health and Nutrition Examination Survey. When Dannemeyer tried to distinguish these studies from those covered by his amendment by arguing that his amendment only meant to include those surveys that were solely and explicitly about sex, he was accused by Waxman of not understanding his own amendment.

Waxman was joined by 11 other members who spoke out in support of the ATS, decried the Secretary's action, and opposed the Dannemeyer amendment on the grounds that it would "promote ignorance" over the public health. Rep. Rowland, a physician by training, harkened back to Dannemeyer's question about a Constitutional directive to conduct studies of sexual behavior by reading from the Preamble to the Constitution that mentions providing for "the general welfare." Said Rowland, "We are promoting the general welfare by

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looking after the public health problems that we have in this country."

### Survey Research Defended

Also emphasizing the public health imperatives that justify studies like the ATS, Rep. Jim McDermott (D-WA), a child psychiatrist by training, asserted: "Children may be embarrassed by such discussion--but they will not die from embarrassment. They can die from AIDS. They can suffer permanent health effects from sexually transmitted diseases. And they can suffer a lifetime from premature parenthood." Furthermore, he said, "If we want to promote responsible behavior, we must understand better what influences are at work and how decisionmaking occurs. Survey research is essential to that understanding."

Rep. Sherwood L. Boehlert (R-NY) went further to defend the motives of the ATS researchers: "I am afraid that this amendment's sponsors have treated this survey exactly as they would not want to have teenagers treat sex," he said. "They have made the survey seem like a prurient activity. It is not."

This sentiment was echoed by Rep. Bill Green (R-NY), who said: "to imply, as some who oppose the surveys have done, that the NIH is engaging in some sort of spendthrift, voyeuristic mission into the bedrooms of the American public, is not only a gross distortion of what they are attempting to do but is an insult to the scientific judgment and integrity of the NIH." Other members who spoke about the scientific merits and public health applications of the ATS and other surveys of human sexual behavior were Nancy Pelosi (D-CA), Pat Schroeder (D-CO), Connie Morella (R-MD), Nancy Johnson (R-CT), George Miller (D-CA), and Mel Levine (D-CA).

One of the most memorable moments of the debate came when Miller questioned Dannemeyer's aversion to surveys of human sexual behavior, saying: "I do not know what concerns the gentleman from California [Dannemeyer]. We ought to do a survey to find out what disturbs him so much about sex. That is the survey we ought to do."

Final arguments in opposition to the Dannemeyer amendment and in favor of the Waxman substitute were made by Rep. David Price (D-NC), a political scientist whose Congressional district includes Chapel Hill, who labeled the amendment and the Secretary's action "the clearest

example I can think of politics threatening the peer review process." He went on to caution members against succumbing to fear about the effects on their next campaign of supporting the teen study, saying, "If we pass the Dannemeyer amendment, we will be selling out the health and well-being and in some cases the lives of our young people for the sake of our own short-term political comfort. That is not the sort of moral trade-off I am prepared to make."

When the vote was taken, the Waxman substitute handily won 283 to 137, with 13 not voting.

### Other Provision for Research on Adolescents

In a separate, but related action on the NIH reauthorization bill, the House voted to accept an amendment by Pat Schroeder (D-CO) to direct the Secretary of HHS to conduct a prospective, national study of adolescent health, as recently recommended by the Office of Technology Assessment's report, Adolescent Health (April 1991).

Opponents to Schroeder's amendment, including Dannemeyer and Dornan, expressed concern that the broad definition of adolescent health in this study would open the door for sex surveys like the ATS. Nevertheless, the amendment passed, 271 to 142, with 20 not voting.

### Social Science Community Plays Role

The depth of support for social science research displayed on the House floor and responsible for the votes on both amendments was a result of an active grassroots lobbying campaign spearheaded by COSSA, the American Psychological Association, and the Alan Guttmacher Institute. A number of scientific societies rallied their membership to make important calls to House members and urge them to oppose the Dannemeyer amendment and support the Waxman substitute. These societies include the American Sociological Association, Population Association of America, Society for Research on Adolescence, Society for the Scientific Study of Sex, Association of Schools of Public Health, American Academy of Pediatrics, American Medical Association, and American Association of University Professors.

### Senate Action

Although the issue of continued federal support for research on human sexual behavior has been settled for the time being in the House, there is every indication that it will come up again in the

Senate. Rumors abound that Senator Jesse Helms (R-NC) plans to introduce an amendment to the Labor, Health and Human Services, Education, and Related Agencies Appropriations Bill (H.R. 2707) when it comes to the Senate floor, probably after the August recess. It appears that the amendment will take a different form from Dannemeyer's; instead of eliminating all federal funding for sex surveys, it would transfer the funds for the ATS and SHARP (the adult survey) from NICHD's budget to the Adolescent Family Life Act program (AFLA) in HHS. AFLA is the major federal program that addresses teenage pregnancy and solely supports abstinence-only research projects.

In anticipation of this event, COSSA, APA, and AGI are continuing their grassroots campaign, with the cooperation of the organizations mentioned above, to educate Senators about the implication of this potential amendment for meritorious research on human sexual behavior, and to urge opposition to it (See "Action Alert" below).

#### The Future of the ATS

As for the ATS specifically, the Secretary of HHS has stated that he has canceled the study. But it has become evident in Washington that the Department does not exactly know how to do this; apparently there is no precedent. So far, no official written communication has been sent from the Department to either NICHD or the researchers at the University of North Carolina. Some are questioning whether the Secretary's action is legal. At this point, the future of the ATS is uncertain, as all parties contemplate their options.

### COSSA ACTION ALERT

COSSA urges all interested persons to do three things: 1) write to Secretary Sullivan condemning his action on the ATS and its implication for social science research on public health issues; 2) write to the House members mentioned above and thank them for supporting social science research during the House debate; and 3) write, telegram, and call your Senators urging opposition to any attempt to eliminate or transfer federal funds for national surveys of human sexual behavior at NICHD or elsewhere. For more information, contact COSSA.

## COMMERCE, JUSTICE, STATE APPROPRIATIONS PASSES SENATE HS

On July 31, the Senate passed the Commerce, Justice, State, and the Judiciary and Related Agencies Appropriations bill. The measure includes funding for a number of agencies important to social and behavioral science research.

**Census Bureau** - For salaries and expenses that fund the on-going statistical collections the Senate provided almost \$128 million, close to \$5 million above the House figure, and \$16.7 million above the FY 91 appropriation.

The report of the appropriations subcommittee, chaired by Sen. Ernest Hollings (D-SC), did not, as the House did, direct the Bureau to spend funds for a National Academy of Sciences study of the decennial census.

The Senate reduced the amount for Periodic Censuses and Programs by \$27.3 million below the House figure. This reduction could seriously hamper product development and distribution of the results of the 1990 Census, including the production of cross-tabulated data products for long-form questions. It could also reduce research and evaluation necessary to improve the quality and coverage of the 2000 census.

In colloquy on the Senate floor during consideration of the bill, Sen. Paul Sarbanes (D-MD) and Sen. Herb Kohl (D-WI) asked that full funding be restored to complete the analysis of the 1990 Census. Sen. Hollings (D-SC), agreed "to make an effort to restore funds to this account," (in conference) if the Census Bureau did not have sufficient funds from a carryover account to complete the 1990 Census.

The Senate also agreed to a Kohl amendment that would have the Subcommittee on Government Information and Regulation (which Kohl chairs) "report to the Senate on the use of the post- enumeration survey of the 1990 census for purposes other than political apportionment and shall recommend such changes as necessary." This was a substitute for a Hollings amendment which required adjusting the Census for political apportionment, thus overturning Commerce Secretary Mosbacher's decision (see Update July 22, 1991).

**Economic and Statistical Analysis** - The Senate provided close to \$42 million, \$3 million above the House allocation, and \$4.8 million above last year's

appropriation. Unlike the House, the Senate specifically included \$3.8 million for the Boskin initiative to improve economic statistics.

**Bureau of Justice Statistics, National Institute of Justice** - The Senate provided less funding for BJS (\$22.1 million vs. 22.7 million), but more funding for NIJ (\$23.9 million vs. \$23.6 million). The Senate's generosity toward NIJ and its stinginess toward BJS worked out so that each agency received from the Senate for FY 1992 the same appropriation it received last year.

**Office of Juvenile Justice and Delinquency Prevention** - Like the House, the Senate clearly rejected the administration's attempt to severely reduce funding for OJJDP to \$7.5 million. The Senate appropriated \$72.4 million for programs of OJJDP, close to the House figure of \$74.4 million.

The report contained language expressing support for the "5 year effort of the program of research on the causes and correlates of delinquency being conducted at the Universities of Pittsburgh and Colorado, and the State University of New York at Albany." The Committee expects OJJDP to fund this important research through FY 1992 which "will permit the centers the time necessary to obtain support through other sources in fiscal year 1993."

The Committee also recommended no less than \$2 million for the Consortium on Children, Families and the Law "to continue its independent and collaborative research on social, psychological, educational, economic, and legal issues affecting children and families."

**United States Information Agency** - The Senate provided \$186.2 million for the educational and cultural exchange activities of USIA. This is \$8.2 million above the House, and \$23 million above the FY 1991 level. Most of the difference between the two bodies was accounted for by a major increase given the Fulbright program by the Senate, with expected enhancements in programs for the Middle East and Eastern Europe.

The Committee was disappointed that USIA "has not implemented a program to bring teachers from Eastern Europe to the U.S. to view first-hand American educational and governmental systems." The Committee also strongly endorsed the "concept of distributing throughout the Soviet Union and Eastern Europe books and periodicals on democracy, market economics, law, political

### Michigan State Signs on as COSSA Contributor

COSSA is pleased to announce that Michigan State University has joined the Consortium as a Contributor.

processes, management and related fields." International Literary Centre, Ltd. was provided \$1.25 million for this work.

### SENATE PASSES AGRICULTURE BILL WITH FUNDING FOR MARKETS, TRADE AND POLICY RESEARCH *HS*

On July 30, the Senate passed the Agriculture, Rural Development and Related Agencies Appropriations bill. The bill included \$102 million for the competitive grants program of the Cooperative State Research Service, a slight \$3 million increase from the House allocation (see Update July 8, 1991).

Within the \$102 million, the Senate provided \$4 million to fund research on Markets, Trade and Policy (MTP), the major part of the social science agenda of the National Research Initiative (NRI). Since the House also gave MTP \$4 million, it is clear that this part of the NRI will receive funding for the first time.

The report to accompany the bill prepared by the Agriculture, Rural Development and Related Agencies Appropriations Subcommittee, chaired by Sen. Quentin Burdick (D-ND), specifically mentions MTP and notes that "additional attention should be given to research involving technology assessment and marketing opportunities for agricultural commodities grown using sustainable and alternative agricultural practices."

In addition, the Senate provided \$168.8 million for Hatch Act programs, the same as the House, and almost \$62 million for Special Grants, \$3.7 million more than the House. Special grants funded by the Senate, but not by the House, include \$750,000 for rural development institutes in Arkansas, Missouri and Nebraska, and \$75,000 for a Center for Rural Studies at the University of Vermont. Differences between the House and Senate on special grants will be worked out in a conference committee.

The Economic Research Service received \$56.2 million, \$2.9 million less than the House, and only \$1.8 million above last year. The Committee did not recommend including the \$3.7 million requested for a pesticide data collection program.

## SENATE PANEL EXAMINES FIRST AMENDMENT IMPLICATIONS OF THE RUST DECISION JA

The implications for First Amendment rights of the recent Supreme Court decision in Rust v. Sullivan were examined on July 31 at a hearing of the Senate Subcommittee on the Constitution, chaired by Paul Simon (D-IL). In the Rust case, the court upheld administration regulations prohibiting abortion counseling and referral in federally funded family planning programs. Opponents of the decision have argued that the prohibition, by disallowing certain communication between a physician and a patient, constitutes speech restriction and, therefore, violates the First Amendment.

Since the Rust decision was announced in May, members of the arts, education, research, and library communities have expressed concern that the principle of the decision-- when government funds, government gets to determine appropriate content-- might be applied much more broadly (See Update, June 24, 1991). The Simon hearing was held to address this concern.

In his opening statement, Simon asked, "How far can the government go? Can the government force libraries which receive federal funds to take certain books off their shelves? If universities receive federal funds, can the government determine their curricula?" Calling for the overturn of the Rust decision, he said, "The implications of the stone dropped in the lake sends ripples far beyond the abortion issue."

The hearing's first witness was Leslie H. Southwick, Deputy Assistant Attorney General, who represented the Department of Justice. Southwick reiterated the administration's position, confirmed in the Rust decision, that government can condition the receipt of funds on its determination of the public good. "In a sense," he said, "when the government funds a certain view, the government itself is speaking. It therefore may constitutionally determine what is to be said."

Subsequent witnesses reacted to these words, which were repeated again and again throughout the hearing. Lee Bollinger, Dean of the University of Michigan Law School, called Southwick's statement "out of line with First Amendment principles." He said that the particular danger of Rust is that it "forbids any discussion of a specific idea," thereby threatening freedom to exchange information with whomever one wishes. Echoing this sentiment, Floyd Abrams, notable New York attorney, said that the Rust decision makes clear that "the price tag on the receipt of federal money is the forfeiture of First Amendment rights."

Two witnesses suggested that efforts were already underway within the administration to broaden the application of the Rust decision. Judith Krug, director of the American Library Association's Office for Intellectual Freedom, reported that in a case involving regulations for the certification of films as "educational" for export purposes, the U.S. government is using the Rust decision to argue that it is permissible for the government "to attach ideological strings to the granting of a certificate attesting to the educational value of films."

James Fitzpatrick, an attorney with Arnold & Porter, a Washington law firm that represents many arts and humanities groups, also reported rumors that the Department of Justice is pressuring the National Endowment for the Arts (NEA) to use the Rust decision in litigation brought by artists who claim they have been denied funding on political grounds, and to argue that its statutory authority allows it to restrict content for ideological reasons.

Senator Simon closed the hearing with an anecdote from an earlier episode in American history when the infamous Senator Joseph McCarthy effectively banned books at a local library because of their supposedly "communist" content. "It's one thing when a noisy Senator makes a scene," concluded Simon, "it's another thing when the Supreme Court launches an attack on the fundamental right of free speech."

### Editor's Note

With Congress adjourned until early September, COSSA will cease publication of Update until after Labor Day. Our next issue will be published on September 9.

**SOURCES OF RESEARCH SUPPORT**  
**National Institute on Alcohol Abuse and Alcoholism** *Kc*

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.

**Office for Substance Abuse Prevention**

The primary purpose of this Request for Applications (RFA) is to encourage and facilitate alcohol abuse prevention research focused on African Americans, Hispanic Americans, American Indians, Alaskan Natives, and Asian/Pacific Americans. The Research envisioned will develop and test prevention strategies that are effective for these minority populations that are at elevated risks for specific types of alcohol problems and have diverse and distinctive sociocultural characteristics that must be considered in the development and implementation of prevention activities.

This RFA calls for diverse prevention and pre-intervention studies directed specifically to ethnic minority populations. Prevention research investigates ways of reducing the adverse personal and social consequences of alcohol abuse guided by the public health model that views alcohol-related problems as arising through a complex of individual, interpersonal, and social factors.

**Application Procedure:** Applicants must use the grant application form PHS 398 (revised 10/88). This form may be obtained by contacting: National Clearinghouse for Alcohol and Drug Information, P.O. Box 2345, Rockville, Maryland 20852, (202) 468-2600.

**Restrictions on Awards:** For projects involving clinical research, the National Institute on Alcohol Abuse and Alcoholism (NIAAA) requires applicants to give special attention to the inclusion of women in study populations. If women are not included in the study population for clinical studies, a specific justification for this exclusion must be provided. Applications without such documentation will not be accepted for review.

**Funding Mechanism:** Applicants may submit research project grants (ROIs) requesting up to four years of support. Applications in response to this RFA will compete for \$800,000 in new grant money that is expected to be made available for this purpose in fiscal year 1992. It is anticipated that three to five projects will be supported.

**Review Process:** Applications submitted in response to this RFA will be assigned to an Initial Review Group (IRG) in accordance with established Public Health Service Referral Guidelines. The IRG, consisting primarily of non-Federal scientific and technical experts, will review applications for scientific and technical merit. Applications will receive a second level review by the National Advisory Council on Alcohol Abuse and Alcoholism and the Advisory Committee on Substance Abuse Prevention, where reviews may be based on policy considerations as well as scientific merit considerations. Only applications recommended for approval by these advisory bodies may be considered for funding.

**Deadlines:** Date for receipt of this application is November 15, 1991.

**Contact:** For the complete RFA and pre-application consultation, contact: Elsie Taylor or Susan E. Martin, Prevention Research Branch, Division of Clinical and Prevention Research, NIAAA, 5600 Fishers Lane, Room 13C-23, Rockville, MD 20857, (301) 443-1677.

For fiscal and administrative matters, contact: Elsie Fleming, Chief, Management Review and Assistance Section, Grants Management Branch, NIAAA, Parklawn Building, Room 16-86, 5600 Fishers Lane, Rockville, MD 20857, (301) 443-4703.

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