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SENATE PASSES JUSTICE ASSISTANCE ACT: NIJ AND BJS REMAIN INDEPENDENT

On August 10, just before leaving town for the Republican Convention and Labor Day recess, the Senate passed by voice vote the Justice Assistance, Missing Children and Juvenile Justice Act of 1984 (H.R. 2175). This legislation abolishes the Office of Justice Assistance, Research and Statistics (OJARS) and creates an Office of Justice Assistance (OJA). The new office will include the Bureau of Justice Programs, which will make grants to state and local law enforcement agencies, the National Institute of Justice (NIJ), the Bureau of Justice Statistics (BJS), and the Office of Juvenile Justice and Delinquency Prevention (OJJDP). In addition, the bill reauthorizes NIJ, BJS and OJJDP for four years.

An amendment to the bill introduced by Senator Joseph Biden (D-DE) and accepted by the Senate preserves the structural independence of NIJ and BJS. Although the new OJA will be directed by an Assistant Attorney General, the Directors of NIJ and BJS will remain presidential appointees subject to Senate confirmation and they will continue to have the authority to make

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Dell H. Hymes, *President*

grants and contracts. An administration-backed proposal would have made these Directors appointees of the Attorney General and would have removed their grant and contract making authority and given it to the Assistant Attorney General of OJA.

Senator Biden, defending his amendment during the floor debate, noted the testimony of COSSA and other organizations strongly supporting the continued independence of NIJ and BJS. COSSA argued against subordinating the research activities of these two agencies to an Assistant Attorney General who would be responsible for the "action-oriented" programs of the Bureau of Justice Programs. Senator Charles Mathias (R-MD) also spoke about the importance of the independence issue. He cited Professor Charles Wellford, Director of the Institute of Criminal Justice at the University of Maryland, who testified for COSSA on this issue. It is clear that the lobbying efforts of social scientists helped to persuade Senators to support these provisions.

The House bill preserving the independence of NIJ and BJS was sponsored by Representative William Hughes (D-NJ) and passed in the fall of 1983. The House bill reauthorizing OJJDP (H.R. 4971) passed earlier this spring. A conference committee will be necessary when Congress returns in September to reconcile differences between the House and Senate on provisions concerning OJJDP. For example, the House abolishes the research function for the National Institute of Juvenile Justice and Delinquency Prevention and requires that grants and contracts awarded by OJJDP in the special emphasis program be chosen competitively. The Senate bill does not include either of these provisions.

HOUSE SUBCOMMITTEE EXAMINES TAX CREDIT FOR RESEARCH AND DEVELOPMENT

The Oversight Subcommittee of the House Ways and Means Committee held two days of hearings on August 2 and 3 to examine the impact of the provisions of the Economic Recovery Tax Act of 1981 (ERTA) that gave tax credits to corporations for increasing their research and development (R&D) expenditures and for donating scientific equipment to universities. The social sciences were specifically excluded from qualifying as research eligible for the tax credit and from use of the donated equipment since science was defined as "laboratory science." The goal of the tax credits was to stimulate corporate investment in R&D in developing new high technology products that would increase the economic competitiveness of the United States.

COSSA submitted testimony to the Subcommittee asking for inclusion of the social and behavioral sciences in any extension of the tax credits beyond its expiration date of December 1985. The testimony cited examples of social and behavioral science research that had contributed to technological and product innovation.

An extension of the tax credits that continued to exclude the social sciences passed as part of the Senate version of the deficit reduction package (H.R. 4170) earlier this year. Since the House did not extend the credits, the conference committee agreed to defer the issue.

Subcommittee Chairman Representative Charles Rangel (D-NY) remained skeptical about the value of the tax credits in general and suggested that Congress would be looking to raise revenue in 1985 rather than extending laws, such as the tax credit for R&D, that cost the treasury.

Copies of the COSSA testimony may be obtained by contacting the COSSA office.

U.S. DENIAL OF VISAS LIMITS SCIENTIFIC COMMUNICATION

Current U.S. policy on granting visas to foreign scholars limits international communication by excluding on ideological grounds scientists who desire to attend professional meetings or conferences, deliver lectures, or assume visiting professorships. Ideological exclusion is only one of a number of U.S. policies that limit intellectual exchange. The United States also impedes scholarly communication by denying passports to individuals on the grounds of their political beliefs, restricting travel by U.S. citizens to certain countries, and applying export control laws to teaching, research and publications.

Under the Immigration and Nationality Act of 1952, also known as the McCarran-Walter Act, the United States can deny visas to aliens who are or have been members of any communist or totalitarian political party or related organization, or who espouse communist or totalitarian ideas (Section 212(a)(28)). Since 1977, however, aliens denied visas under this provision have been able to request waivers in accordance with the McGovern Amendment to the Act, which requires the Secretary of State to recommend a waiver to the Attorney General, unless the Secretary of State proves to both Houses of Congress that admitting an alien would be contrary to U.S. security interests. In 1980, 28,175 of the 28,831 visas denied under Section 212(a)(28) were granted waivers under the McGovern Amendment; in 1983, 26,211 of 26,973 were granted waivers. Although waivers were granted in 98% of the cases of visa denials in the past four years, a significant number of visas -- 805 in FY 1976, 656 in FY 1980, and 762 in FY 1983 -- continue to be denied.

Although the McGovern Amendment ultimately provides waivers in the majority of visa denials, the necessity of appealing visa denials often creates difficulties for foreign scientists and the organizations in the U.S. that invite them to participate in their activities. Dr. Sylvia Berman, an Argentine psychologist currently living in exile in Mexico City, was initially denied a

visa to participate in a meeting of the American Public Health Association in 1978 because she was alleged to have previously expressed Marxist beliefs. She eventually received a waiver and her visa. Soviet scholars desiring to attend annual conventions of the International Studies Association (ISA) in the past few years have been consistently denied visas on political grounds. According to ISA Executive Director James A. Kuhlman, in order to obtain waivers in each case, the ISA was forced to demonstrate to the State Department that the meeting would be a purely scientific exchange. The Soviet scientists were eventually granted "restricted" visas. Using "restricted" visas enables the United States to control the activities of aliens by confining foreign visitors to one city and to attending only the specific event for which they were granted admission.

The U.S. government also uses Section 212(a)(27) to bar entrance to aliens on the grounds of their political or ideological beliefs. This provision denies visas to:

aliens who the consular officer or the Attorney General knows or has reason to believe seeks to enter the United States solely, principally, or incidentally to engage in activities which would be prejudicial to the public interest, or endanger the welfare, safety, or security of the United States.

Aliens denied visas under this provision cannot request waivers under the McGovern Amendment.

The Immigration and Naturalization Service (INS) and U.S. Consuls often neglect to inform applicants that there are problems with their visa applications until it is too late for them to appeal the decision in time to attend a conference or begin a university appointment. The INS and the State Department generally do not issue written statements of the reasons for denying visas at the time of the denial, and often refuse to supply this information to the applicant because it is classified for national security reasons. For example, in the case of Trevor Munroe, a faculty member in the Department of Government of the University of the West Indies, who was denied a visa on five separate occasions to attend scholarly conferences in the U.S. under Section 212(a)(28) because of his leadership of the Marxist Workers' Party of Jamaica, the State Department not only refused to grant Munroe a waiver but also stated that information supporting their finding him ineligible for a visa was classified and could not be disclosed.

The House Judiciary Subcommittee on Immigration, Refugees and International Law recently held hearings on legislation introduced by Rep. Barney Frank (D-MA) that would delete the provisions of the McCarran-Walter Act which allow for exclusion on political and ideological grounds and provide that individuals be denied visas only if their admission to the U.S. would be a threat to national security.

SCIENTIFIC LOBBYING GROUPS: AMERICAN PHYSICAL SOCIETY

The Update continues its series on the scientific and scholarly groups that are currently involved in advocacy and educational activities on behalf of research with a look at the American Physical Society (APS).

The APS was organized in 1899 for the purpose of advancing and diffusing knowledge about physics. It now has over 33,000 members with approximately 50% in academia, 25% in industry, and 25% in government. The main office of the Society is in New York City, but in January 1983 an Office of Public Affairs (OPA) was opened in Washington. Dr. Robert Park, Chairman of the Department of Physics at the University of Maryland, is the director of the Washington office. The main purpose of the OPA is to keep members of the Society informed about developments in Congress and the executive branch in order that individual physicists may lobby. The OPA maintains a low profile and generally will not testify on issues at hearings, unless requested by congressional committees.

The OPA's information function is carried out in a number of ways. The monthly magazine Physics Today includes a section on developments in the nation's capital. A newsletter with a limited circulation is published by the Washington office. Recently APS began an experimental electronic newsletter using computer networks to send information about public policy items to physicists.

Although APS spends very little time and effort seeking more research money from the federal government for physicists, the Society is very much interested in other issues affecting the scientific community. Chief among these in recent years has been the area of freedom of scientific communication. APS has closely monitored the reauthorization of the Export Administration Act and its restrictions on technology transfers as well as the National Security Decision Directive on prepublication review for government employees. APS is also interested in issues of peer review. The OPA is active in information exchange networks with other scientific educational and advocacy groups such as the American Association for the Advancement of Science (AAAS), American Chemical Society, and COSSA.

Although the Society rarely takes positions through formal resolutions, one such resolution led to an angry response from physicist George Keyworth II, the White House Science Advisor. In 1983, the APS Council adopted a resolution taking a position on nuclear arms reductions. Dr. Keyworth angrily rebuked the Society for "jumping into the political arena," breaking a long-standing tradition against such action. Park admitted that Keyworth's reaction against political involvement was not unique among physicists. He noted that it is still difficult to get many scientists involved in public policy, but keeping physicists informed about activities in Washington affecting them is vitally important.

SOCIAL AND BEHAVIORAL SCIENCE RESEARCH IN THE FEDERAL GOVERNMENT:
THE SOCIAL SECURITY ADMINISTRATION (SSA)

This is the third in a series of occasional articles which will examine intramural social and behavioral science research programs in federal departments and agencies.

The Office of Research, Statistics and International Policy (ORSIP) conducts most of the research within the Social Security Administration (SSA). Activities of ORSIP include policy studies mandated by Congress, economic research to aid in development of legislation, compilation of statistical data on the beneficiary population, maintenance and enhancement of data bases, and assistance to other SSA divisions in improving their services.

ORSIP is currently conducting a congressionally mandated study of the implications of raising the retirement age, and is contributing to studies of earnings sharing and of the Social Security Administration as an independent agency. The Office is also working on two demonstration projects authorized by the 1980 disability amendments on Supplemental Security Income (SSI) recipients, one dealing with the recovery of drug addicts and alcoholics and the other evaluating the effectiveness of transitional employment services for mentally retarded SSI recipients.

ORSIP is responsible for assessing the impact of the Social Security program on different types of beneficiaries and on the economy as a whole and also for analyzing the potential effects of proposed changes in the benefit or revenue structure. Studies of aspects of foreign social security programs complement these efforts. Some of the projects currently in progress include a comparison of the economic status of the elderly and nonelderly, research on the changing economic status of the aged over the past 20 years and how Social Security programs have affected those changes, modeling the effect of economic and demographic interactions on the long-term financing of the Social Security system, and developing models that simulate the economic effects on families of changes in the Social Security program. ORSIP also is concerned with the effects of specific program provisions, such as the delayed retirement credit, the public pension offset, and cost-of-living adjustments.

Much SSA program research and evaluation has been conducted in the respective program components since July 1983. At that time, the Family Assistance Studies, Retirement and Survivors Studies, Supplemental Security Studies, and Disability Studies were transferred out of what was then the Office of Research and Statistics (ORS). This resulted in a loss of 130 professional and support staff in ORS. Since that time, there has been an additional loss of 13% of the remaining staff through attrition. Social Security Administration officials say that the research capacity has stayed more or less constant despite the loss of personnel.

8/24/84

SOURCES OF RESEARCH SUPPORT: NATIONAL SCIENCE FOUNDATION

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

Ethics and Values in Science and Technology

The Ethics and Values in Science and Technology (EVIST) program is located in the Division of Research Initiation and Improvement of the Directorate for Scientific, Technological and International Affairs (STIA). EVIST supports research and related activities to improve the understanding of the ethical and value issues in contemporary science and technology. Projects often focus on the role of scientific and engineering research in areas of current social or professional concern. The aim is to clarify the ethical implications or value assumptions inherent in that role to help formulate sound policy. The program makes awards for collaborative research projects, individual professional development activities, and dissertation support.

FY 1985 Funds Available: Approximately \$1 million

Funding Mechanisms: Grants

Review Process: Preliminary proposals are reviewed by in-house staff; formal proposals by peer review panels.

Disciplines Funded: Projects in any field of the social or natural sciences, humanities, or multidisciplinary studies are eligible.

Restrictions on Awards: Awards for research projects are normally made for up to 2 1/2 years with a maximum budget of \$150,000. Awards for professional development activities carry a stipend of up to \$20,000 per year plus travel expenses and activity support costs for the host institution. Dissertation support is restricted to research related expenses.

Success Ratio: Approximately one-third of formal proposals are funded.

Deadlines: There are two rounds of competition. Deadlines for preliminary proposals are November 1 and May 1. Formal proposals are to be submitted by February 1 and August 1.

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