

REPRESENTATIVE GEORGE BROWN, CHAMPION OF SCIENCE, DIES. *HS*

The major champion of science in the U.S. Congress, Representative George Brown of California died on July 16th. At 79, Brown was the oldest member of the House of Representatives and had served in Congress since 1962, with two years off following an unsuccessful run for the Senate in 1970. An infection following heart valve replacement surgery led to his death.

Brown served as Chairman of the Science Committee from 1991-1995 and as its Ranking Democrat since the Republican takeover of the House. When he finally reached the chairmanship, he called it the "capstone of his career." A longtime supporter of science, he was the author of the Act that created the White House Office of Science and Technology in 1976, although in recent years he bemoaned the fact that the office had not lived up to his expectations. He also championed the Office of Technology Assessment, which Congress eliminated after the GOP takeover in 1994, a decision that Brown derided. More recently Brown sponsored legislation to repeal the Shelby amendment that would provide public access to scientific data under the Freedom of Information Act (see next story).

A physicist by training, Brown in recent years stressed the need for science to be relevant to the needs of society. He wrote in *Physics Today* in 1994 that: "We must have a research system that arches, bends and evolves with society's goals, . . . I consider it a moral imperative to enlist science and technology in a campaign for a more productive and humane society."

In seeking these goals for science, Brown argued that the social and behavioral sciences must play an important role. He was a strong supporter of the creation of the Social, Behavioral, and Economic Sciences Directorate at the National Science Foundation. In 1994, he told the Federation of American Societies of Experimental Biology: "Today our most serious problems are social problems for which there are no technical solutions,

only human solutions. More work in the social sciences is not a luxury, but a requirement . . . An enhanced social science knowledge base is required for insight and perspective on the accumulated social problems that have eroded American society." He added: "We tend to forget, however, that explorations into human behavior, learning, economics, and decision making provide fundamental understandings that contribute to the development of a more compassionate, cooperative, and balanced society."

Brown came to Congress in 1962 as an anti-war activist, and refused to vote for the defense budget five times in the 1960s. A strong environmentalist, he forged anti-pesticide legislation from his seat on the Agriculture committee. He also strongly opposed academic earmarks, which often placed him at odds with his colleagues who served on the Appropriations Committee and increasingly, with individual universities, who view these special grants as important sources of funding.

Above all Brown was a gentle and genial fellow, who mellowed with age, and whose death leaves a great void in the Congress as it copes with an increasingly scientific and technical age. He will be sorely missed.

Inside *UPDATE*...

- **Data Release Issues: Walsh-Price Loses, Hearing Held**
- **House Panel Designates Census Emergency Spending**
- **Information Technology Hearing Notes Importance of Socioeconomic Issues**
- **Justice Programs Reorganization Probed At Hearing**
- **Congresswoman Previews Labor, HHS, Education Appropriations Bill**
- **Potential Deadly Consequences: CDC's Inadequate Facilities**
- **Sources of Research Support**

DATA RELEASE ISSUES: WALSH-PRICE AMENDMENT LOSES; HEARING HELD HS

As the Office of Management and Budget (OMB) continues to craft a second iteration of rules to implement the amendment introduced by Senator Richard Shelby (R-AL) in the FY 1999 Omnibus Appropriations bill concerning release to the public through the Freedom of Information Act of all data collected under a Federal grant, (see UPDATE February 8, May 17, July 12). Congress got into the act twice during the week of July 12th.

On July 13th, the House Appropriations Committee finally decided to move the Treasury, Postal Service, General Government bill forward. During its deliberations on the bill, Representatives James Walsh (R-NY) and David Price (D-NC) offered their amendment to pause the process, and stall implementation of Shelby's provision until the National Academy of Public Administration conducted a study. With heavy lobbying by the U.S. Chamber of Commerce supporting Shelby, the amendment was defeated by a vote of 25-33. Despite a strong plea from Representative John Porter (R-IL), who chairs the appropriations subcommittee responsible for NIH, only three other Republicans joined him and Walsh in supporting the amendment; Representatives Rodney Frelinghuysen (R-NJ), Dan Miller (R-FL) and Michael Forbes (R-NY). (This occurred prior to Forbes' announcement that he was switching to the Democrats.) Three Democrats,

Representatives Allen Boyd (D-FL), Bud Cramer (D-AL) and Alan Mollohan (D-WV), voted against Walsh-Price.

On July 15th, the Government Management and Information Technology Subcommittee of the House Government Reform Committee held a hearing on H.R. 88, a bill introduced by Representative George Brown (D-CA) to repeal the Shelby amendment. Subcommittee Chairman Representative Steve Horn (R-CA) provided an opportunity for supporters and opponents of Shelby to air their views. Since Shelby slipped his amendment into the Omnibus Appropriations bill at the end of the last Congress, this was the first congressional hearing to address the issues raised by his action.

Witnesses opposing Shelby and supporting H.R. 88 included Representative Rush Holt (D-NJ), who has a Ph.D. in Physics, NIH Director Harold Varmus, National Academy of Sciences (NAS) President Bruce Alberts, University of California Vice Provost for Research Robert Shelton, NYU Environment Medicine Professor George Thurston, and OMB Watch Executive Director Gary Bass.

Those supporting Shelby and opposing H.R. 88 included Former OMB Director James Miller, University of Cincinnati Law Professor James T. O'Reilly, AEI-Brookings Joint Center for Regulatory Studies Director Robert Hahn, U.S. Chamber of Commerce Vice President William Kovacs, Association of Equipment Distributors Counsel Anthony Obadal, and CATO Institute Scholar Michael Gough.

Although all witnesses agreed on the need for openness of information and the need to share scientific data, there was considerable disagreement over whether Shelby's provision and particularly FOIA was the best vehicle for accomplishing this end. Holt called Shelby's handiwork "unfair, undemocratic, and unwise." Representative Henry Waxman (D-CA), Ranking Democrat on the full Committee, attacked the Shelby amendment as an attempt to gut EPA regulations under the Clean Air Act. Holt agreed, noting he viewed the amendment as a "backdoor to regulatory reform."

Much of the hearing focused on whether FOIA and its exemptions would protect science, particularly confidentiality and proprietary information. O'Reilly who presented himself as a "technical expert" on

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FOIA, argued that the protections were adequate and Congress could carve out new ones, if necessary. "FOIA has worked, the protections have worked," he asserted. Miller supported O'Reilly's assurances.

Holt, Varmus, Alberts and Bass argued that the FOIA exemptions did not sufficiently protect privacy of respondents and subjects in scientific endeavors. Varmus expressed particular concern about AIDS patients in clinical trials. Both Varmus and Alberts used the term "chilling effect," to suggest the problems with the amendment. Representative Jim Turner (D-TX), the Subcommittee's Ranking Democrat joined this chorus.

Hahn tried to provide a "solution." Arguing from an economic perspective, he claimed the Shelby provision "was too broad, but serves as a useful starting point." He thought the OMB could issue a regulation that would only apply to "economically significant regulations." He also called for a congressional agency that would replicate the findings of any study used to justify those regulations. In addition, he proposed a NAS review of how Shelby was working after one year. Miller expressed some support for Hahn's suggestions. However, Hahn somewhat sidetracked the hearing by attacking the peer review system, which led to rejoinders from Varmus and others defending the system.

Representative Paul Ryan (R-WI), supporting Shelby, quoted the recommendation of the 1985 National Academy of Science Report *Sharing Research Data* which declared: "Data relevant to public policy should be shared as quickly and widely as possible." He did not read, however, the sentence that followed the declaration in the Report: "This recommendation is not intended to support the public release of analyses prior to appropriate review."

The bottom line for the proponents of data release under FOIA is that the public has the right to the data collected under Federal grants, especially those that affect public policy, particularly regulations, since the information collection is paid for with public money. The bottom line for opponents is that Shelby's amendment will cause deep problems for the conduct of science, including possible harassment of scientists by groups who disagree with research topics and/or results.

OMB is attempting to derive rules that can reconcile these two positions. It will not be easy. The second iteration of OMB's efforts is imminent. A 30 day comment period will be provided. The final rule is expected before September 30, 1999.

CENSUS SPENDING DECLARED EMERGENCY BY HOUSE COMMITTEE *DH*

During its markup on July 22, the House Commerce, Justice, State Appropriations Committee declared that the \$4.5 billion to be spent in FY 2000 on the decennial census would be "emergency spending."

This designation allowed the Committee to fully fund Census 2000, including the \$1.7 billion the White House requested to implement the Supreme Court decision eliminating statistical sampling for reapportionment purposes. The Census Bureau still intends to use sampling for other purposes.

Given the caps limiting spending under the balanced budget agreement, using the emergency designation for the Census was the only way to maintain funding levels for the law enforcement agencies also in the bill, according to Subcommittee Chairman Harold Rogers (R-KY).

The Senate, which passed its version of the appropriations bill, also on July 22, allocated only \$3 billion for Census 2000. The differences will have to be settled in conference, assuming the emergency designation survives the House floor. The White House is still threatening a veto of the bill.

The emergency gimmick may be a way out of the dilemmas faced by the two major remaining appropriations bills that have not been marked up yet. The VA, HUD, Independent Agencies bill, which includes the National Science Foundation, and the Labor, HHS, Education bill, which includes the National Institutes of Health. After a number of postponements, both of these bills are tentatively scheduled for Subcommittee markup the week of July 26th.

HEARING ON INFORMATION TECHNOLOGY NOTES IMPORTANCE OF SOCIOECONOMIC ISSUES

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The Basic Research Subcommittee of the House Science Committee held a hearing on July 14th to discuss *The Networking and Information Technology Research and Development Act* (H.R. 2086) introduced by full committee chairman Representative James Sensenbrenner (R-WI). During the discussion, a number of witnesses raised the importance of including social and economic issues raised by advances in information technology (IT).

Sensenbrenner's legislation resembles the administration's proposed IT² initiative. Both build on the recommendations of the President's Information Technology Advisory Committee (PITAC). However, the PITAC report makes clear that: "Our nation's well-being depends on understanding the potential social and economic benefits of on-going advances in information technology. We must also understand the problems that are arising from the increasing pace of information technology based transformations. . . . We need more data, and we need to understand social, economic, and policy issues in much greater depth." The legislation does not address this issue. PITAC recommended a ramp up of spending on socioeconomic research to \$100 million by Fiscal Year 2004. This includes funds for workforce data collection, multidisciplinary socioeconomic research and the establishment of centers to carry out the research.

Neal Lane, Presidential Science Adviser and head of the White House Office of Science and Technology Policy, in his testimony, noted administration support for: "understanding the social, political, economic and ethical issues raised by the transformations in our economy and society being created by information technology." Citing one example recently in the news, he stated the need to study the reasons behind the "digital divide;" the gap separating white Americans' Internet access and computer ownership from that of Hispanic and Black Americans.

In addressing Subcommittee Chairman Nick Smith's (R-MI) questions about the benefits of IT, Lane again called for attention to socioeconomic issues. This was echoed by Roberta Katz, President and CEO of Technology Network in Palo Alto, CA.

Katz began her professional career as a cultural anthropologist before earning a law degree and becoming counsel to a number of high-tech companies. Lane also noted the importance of including the Social, Behavioral and Economic Science directorate at the National Science Foundation in that agency's IT initiative, even though the proposed program is administered by the Computer and Information Sciences and Engineering Directorate (CISE). Edward Lazowksa, President of the Computing Research Association and Chair of Computer Science and Engineering at the University of Washington, noted that 25 percent of awards made by the CISE directorate go to non-computer scientists.

The full House Science Committee may mark up H.R. 2086 in early August. Senator John McCain, Chairman of the Senate Commerce, Science and Transportation Committee is expected to introduce a Senate companion bill soon.

JUSTICE PROGRAMS REORGANIZATION PROBED AT HEARING

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The Office of Justice Programs (OJP) in the Department of Justice contains the National Institute of Justice, the Bureau of Justice Statistics and the Office of Juvenile Justice and Delinquency Prevention among a myriad of offices and agencies that provide assistance to State and local governments, and focus on victims of crime and violence against women. OJP's budget in 1993 was about \$800 million, today it is close to \$4 billion. Congress after adding numerous programs to OJP's jurisdiction has asked it to examine itself and suggest organizational changes.

Assistant Attorney General for OJP Laurie Robinson did just that and issued a proposed plan to change the agency (see UPDATE April 5, 1999). Her plan was the focus of a hearing on July 22 in the House Subcommittee on Crime, chaired by Representative Bill McCollum (R-FL).

Her proposal creates a structure that revolves around functions rather than subject matter. This will enhance "the efficiency, effectiveness, and accountability of its program and administrative functions." Representative Robert Scott (D-VA), the Subcommittee's Ranking Democrat, inquired about

the plan's proposal to downgrade the heads of NIJ, BJS, OJJDP and the other agencies now appointed by the President and confirmed by the Senate, to appointment by the Attorney General. Robinson defended this recommendation suggesting that too many presidential appointees lead to individual fiefdoms that make coordination of policy difficult.

Robinson also defended the plan's consolidation of all OJP research and evaluation in the National Institute of Justice and statistical collection and analysis plans in the Bureau of Justice Statistics. She argued for a new Institute for Juvenile Justice and Research within NIJ, rather than maintaining a research function in the Office of Juvenile Justice and Delinquency Prevention (OJJDP).

Following Robinson, a number of witnesses attacked the plan and defended the present structure. Terence Thornberry, Professor of Criminal Justice at the University of Albany, argued against consolidation of research and statistics and the elimination of that function from OJJDP. He said "it is imperative that we maintain the integration of basic research, evaluation, statistics, and program development within a single entity." Thornberry also declared that OJJDP "has done a singularly (perhaps even unique) job of integrating these components." He was joined in this position by Michael Anderegg of the National Council of Juvenile and Family Court Judges and Mark Soler, President of the Youth Law Center.

Lawrence Sherman, Director of the Fels Center of Government at the University of Pennsylvania and the senior author of the report *Preventing Crime: What Works, What Doesn't, What's Promising?*, disagreed with this position. Making his usual strong case for increased evaluation of programs, Sherman argued that these must be done by an agency with independence from the office that funds the programs. He also noted that they must have sufficient funds, unlike a recent OJJDP decision to spend \$150,000, or about \$3,600 per grantee, to evaluate a \$4 million mentoring program operating in 41 sites. Sherman also disputed objections that the new Institute for Juvenile Justice Research would not pay sufficient attention to research and evaluation of youth violence. He even suggested other such focused institutes within NIJ, such as one for Police Research, Prosecution Research, and others, making NIJ resemble the National Institutes of Health. He

called the objections to the consolidation "misguided," and asked that the reorganization plan not be shot down over what amounted to a dispute over \$10 to \$20 million.

Representative Sherwood Boehlert (R-NY), although not a member of the Judiciary Committee, attended the hearing to promote his proposed legislation to create a separate Office of Science and Technology within OJP. Essentially, he would move the technology programs from NIJ into a separate entity. Robinson did not raise any objections to this suggestion at the hearing.

Other witnesses represented the Office of Victims of Crime and the Violence Against Women Office, both of whom wanted their agencies to remain part of OJP. Chairman McCollum and Ranking Member Scott seemed interested in trying to work something out that would give OJP some of what it wants, while also protecting some of the present structure.

CONGRESSWOMAN PREVIEWS LABOR, HHS, EDUCATION APPROPRIATIONS *AS*

Seeking to develop a FY 2000 appropriations bill, despite a \$12 billion allocation shortfall due to congressionally-mandated budget caps, Representative John Porter (R-IL), Chair of the House Appropriations Subcommittee on Labor, Health and Human Services and Education and Related Agencies scheduled a markup of his Subcommittee's bill Wednesday, July 21. Indicative of just how hard a task it will be to pass such a bill, the markup was canceled. House leaders have cited the inability to come up with the necessary resources to pass the bill. Senate Appropriations Chairman Ted Stevens (R-AK) reportedly has indicated that he will seek to break the budgetary spending caps by adding nearly \$10 billion to the Senate version of the bill.

Representative Nita Lowey (D-NY), a member of the Subcommittee, told a breakfast meeting sponsored by the Ad Hoc Group for Medical Research Funding the morning of the postponed markup, that Chairman Porter intends to propose a \$1.3 billion, or nine percent increase, for the National Institutes of Health (NIH). Lowey

suggested that nine percent is a "stunning increase" for the NIH given the budget constraints this year and that the agency "cannot have it all." Funding for NIH, she said, "should not come at [the expense] of all other programs" funded within the bill. Lowey noted that Porter would really like to provide a \$2.3 billion increase in FY 2000 funding for NIH. Noting his description of the unprecedented 15 percent increase in FY 1999 as "dollars from the sky," Lowey said the numbers floating around for FY 2000 budget are not real.

She noted that there are so many good, important, programs with strong constituencies in the Subcommittee's bill. It is a constant battle to fund them all at reasonable levels, Lowey explained. No one wins when we pit one program against another. Citing her support for education, the Centers for Disease Control and Prevention, the Agency for Health Care Policy and Research, Health Services Resource Administration, Substance Abuse and Mental Health Administration, school-to-work programs, worker training programs, as well as for NIH, Lowey emphasized that there is room for streamlining and elimination. She stressed that evaluation components were needed for some programs. The problem, she said, is how to legislate excellence. It is very difficult to do, said Lowey.

Added to the numerous sticking points in the bill, Lowey indicated that Representative Jay Dickey (R-AR) may offer an amendment regarding stem cell research during full Appropriations Committee consideration of the bill — should the bill make it there. The amendment would reverse an NIH legal opinion allowing the use of stem cells by NIH-funded researchers. Lowey noted that it was a difficult issue and that more research on the ethical, legal, and social implications of the research is necessary. The use of stem cells in research provides the possibility for treatment, cure and relief of suffering. The possibilities are "too great to close off the research," she concluded.

**POTENTIAL DEADLY CONSEQUENCES:
CDC'S INADEQUATE BUILDING AND
FACILITIES**

According to Centers for Disease Control and Prevention Director Jeffrey P. Koplan, many of the

agency's employees are working in "desperately inadequate buildings and facilities." He emphasized that the rebuilding of CDC's "physical capacity" is the agency's "major priority item." Making those remarks at the CDC's Advisory Committee to the Director on July 9, Koplan further stressed that he would argue that there is no difference between the "physical plant versus programs." The agency's ability to deliver is compromised by the inadequacy of the physical plant.

Currently the CDC is spread out over several locations throughout the Atlanta metropolitan area, with employees working in 23 leased buildings costing more than \$18 million per year. According to the CDC, this "inefficient and costly arrangement evolved as CDC grew to respond to new public health threats." Koplan maintains that the existing situation makes it harder for the agency to work together and decreases its productivity. The work, he said, is suffering on a daily basis and bodes ill for the future.

Koplan explained that some of the scientists at the agency conducting experiments on infectious microorganisms are working in wooden structures that were constructed as temporary facilities almost 60 years ago. Other employees are working in buildings and facilities that leak, sometimes on sensitive high-technology equipment. The agency notes that "equipment has literally fallen through rotted floors." Additionally, there is such a lack of space that the agency has been forced to convert closets and bathrooms to labs and office space.

The inadequacy of an appropriate infrastructure has the CDC concerned that the next public health emergency will overwhelm the agency's current capacities to respond. Citing as an example the 1997 Hong Kong "avian" virus crisis which required displacement of an ongoing infectious disease research program, the CDC stresses that a response to a "bioterrorism event, a global flu pandemic, a large scale environmental disease threat, or unforeseen public health danger would likely overwhelm CDC's current capacities with potentially deadly consequences."

Koplan noted that his predecessors, William Roper and David Satcher emphasized the CDC's deteriorating conditions during their tenures as director and have put in place a building plan to

address the threat. The agency, the General Services Administration, and a leading architectural firm have developed a Master Plan that will address the CDC's needs by the year 2009. The Plan envisions new laboratories and support facilities to meet anticipated demands for the agency's services, and incorporates an "economizing feature" of modernizing existing buildings. All of the projects within the Master Plan will be located on existing government-owned

property. Patching up most existing facilities, the agency believes, would be a bad investment and would amount to throwing good money after bad.

The President's budget request for the agency's infrastructure is \$40 million. The CDC estimates that it will need — just to keep up — \$140 million a year for the next five years and \$60 million per year for the following five years.

SOURCES OF RESEARCH SUPPORT

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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.

**National Institute on Deafness and Other Communication Disorders (NIDCD)
Request for Application (RFA): DC-99-002
Letter of Intent Deadline: October 15, 1999; Application Deadline: November 23, 1999**

NIDCD seeks applications that focus on disease prevention or the promotion of healthy behaviors based on contemporary scientific knowledge in any of the seven mission areas of the NIDCD. Of particular interest are projects that explore new and innovative approaches to health emerging from research in hearing, balance, smell, taste, voice, speech or language. NIDCD will make up to three awards not exceeding more than three years. For a copy of this RFA, contact Beth M. Ansel, Ph.D. at 301/402-3461 or print a copy from the Web at <http://www.nih.gov/grants/guide/RFA-titles/RFA-DC-99-002.html>.

**National Institute of Child Health and Human Development (NICHD)
Office of Education Research and Improvement (OERI)
Development of English Literacy in Spanish-Speaking Children
Letter of Intent Deadline: September 1, 1999; Application Deadline: November 17, 1999**

The NICHD, through the Child Development and Behavior Branch (CHDB), Center for Research for Mothers and Children (CRMC), and the Department of Education, through the OERI, invite research grant applications to develop new knowledge relevant to the critical factors that influence the development of English-language literacy competencies among children whose first language is Spanish. Specifically, NICHD and OERI seek to stimulate systematic, programmatic, multidisciplinary research to increase understanding of the specific cognitive, sociocultural and instructional factors, and the complex interactions among these factors, that promote or impede the acquisition of English reading and writing abilities for Spanish-speaking children. For additional information or a copy of this RFA contact, Peggy McCardle, Ph.D. 301/435-6863 or print a copy from the Web at <http://www.nih.gov/grants/guide/RFA-files/RFA-HD-99-012.html>.

**National Cancer Institute (NCI)
Review and Analysis of Tobacco Industry Documents
Program Announcement (PA): PAR-99-114
Letter of Intent Deadline: September 17, 1999; Application Deadline: October 19, 1999**

The NCI invites applications for this PA which is intended to stimulate research on a wide variety of scientific, technical, marketing, and tactical undertakings by the tobacco industry, which were documented in papers, memos, and other records. A copy of this RFA is available at <http://www.nih.gov/grants/guide/pas-files/PAR-99-114/html>.

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Sociologists for Women in Society
Southern Sociological Society
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CONTRIBUTORS

American Council of Learned Societies
American Institutes for Research
University of Arizona
Bowling Green State University
Brookings Institution
Brown University
University of California, Berkeley
University of California, Davis
University of California, Los Angeles
University of California, San Diego
University of California, Santa Barbara
University of California, Santa Cruz
Carnegie-Mellon University
Case Western Reserve University
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University of Chicago
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University of Colorado
Columbia University
Cornell Institute for Social and Economic Research
Cornell University
Department of Criminology & Criminal Justice, University of Maryland

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Tulane University
University of Washington
University of Wisconsin, Madison
University of Wisconsin, Milwaukee
Yale University

Consortium of Social Science Associations

1522 K Street, N.W., Suite 836, Washington, D.C. 20005
