

DEPARTMENT OF HEALTH, EDUCATION, AND
WELFARE

CHARTER

Tuskegee Syphilis Study Ad Hoc Advisory Panel to the
Assistant Secretary for Health and Scientific Affairs

Purpose

To fulfill the public pledge of the Assistant Secretary for Health and Scientific Affairs to investigate the circumstances surrounding the Tuskegee, Alabama, study of untreated syphilis in the male Negro initiated by the United States Public Health Service in 1932.

Authority

The committee is established under the provisions of Section 222 of the Public Health Service Act, as amended, 42 US Code 217a, and in accordance with the provisions of Executive Order 11671, which sets forth standards for the formation and use of advisory committees.

Function

The committee will advise the Assistant Secretary for Health and Scientific Affairs on the following specific aspects of the Tuskegee Syphilis Study:

Determine whether the study was justified in 1932 and whether it should have been continued when penicillin became generally available.

Recommend whether the study should be continued at this point in time, and if not, how it should be terminated in a way consistent with the rights and health needs of its remaining participants.

Determine whether existing policies to protect the rights of patients participating in health research conducted or supported by the Department of Health, Education, and Welfare are adequate and effective and to recommend improvements in these policies, if needed.

Structure

The committee will consist of nine members, including the Chairman, not otherwise in the full-time employ of the Federal Government. Members will be selected by the Assistant Secretary for Health and Scientific Affairs from citizens representing medicine, law, religion, labor, education, health administration, and public affairs.

The Panel members will be invited to serve for a period not to extend beyond December 31, 1972, unless an extension beyond that time is approved by the Assistant Secretary for Health and Scientific Affairs. The Assistant

Secretary for Health and Scientific Affairs will designate the Chairman.

Management and staff services will be provided by the Office of the Assistant Secretary for Health and Scientific Affairs.

Meetings

Meetings will be held at the call of the Chairman, with the advance approval of a Government official who shall also approve the agenda. A Government official will be present at all meetings.

Meetings shall be conducted, and records of the proceedings kept as required by Executive Order 11671 and applicable Departmental regulations.

Compensation

Members who are not full-time Federal employees will be paid at the rate of \$100 per day for time spent at meetings, plus per diem and travel expenses in accordance with Standard Government Travel Regulations.

Annual Cost Estimate

Estimated annual cost for operating the committee, including compensation and travel expenses of members but excluding staff support, is \$74,000. Estimate of annual man years of staff support required is one year at an estimated annual cost of \$16,000.

Report

A final report based on the committee's investigation will be made to the Assistant Secretary for Health and Scientific Affairs. A copy of this report shall be provided to the Department Committee Management Officer.

The Tuskegee Syphilis Study Ad Hoc Advisory Panel to the Assistant Secretary for Health and Scientific Affairs will terminate on December 31, 1972, unless extension beyond that date is requested and approved.

FORMAL DETERMINATION

By authority delegated to me by the Secretary on September 29, 1969, I hereby determine that the formation of the *Tuskegee Syphilis Study Ad Hoc Advisory Panel to the Assistant Secretary for Health and Scientific Affairs* is in the public interest in connection with the performance of duties imposed on the Department by law, and that such duties can best be performed through the advice and counsel of such a group.

8/28/72 (sgd.) Merlin K. DuVal, M.D.
Date Assistant Secretary for Health
and Scientific Affairs

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Purpose

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Authority

The Panel is established under the provisions of Section 222 of the Public Health Service Act, as amended, 42 US Code 217a; the Panel is governed by provisions of Executive Order 11671, which sets forth standards for the formation and use of advisory committees.

Function

The Panel will advise the Assistant Secretary for Health on the following specific aspects of the Tuskegee Syphilis Study:

1. Determine whether the study was justified in 1932 and whether it should have been continued when penicillin became generally available.

2. Recommend whether the study should be continued at this point in time, and if not, how it should be terminated in a way consistent with the rights and health needs of its remaining participants.

3. Determine whether existing policies to protect the rights of patients participating in health research conducted or supported by the Department of Health, Education, and Welfare are adequate and effective and to recommend improvements in these policies, if needed.

Structure

The Tuskegee Syphilis Study Ad Hoc Advisory Panel to the Assistant Secretary for Health consists of nine members, including the Chairman, not otherwise in the full-time employ of the Federal Government. Members are selected by the Assistant Secretary for Health from citizens representing medicine, law, religion, labor, education, health administration, and public affairs. The Chairman is designated by the Assistant Secretary for Health.

The Panel members are invited to serve for a period not to extend beyond March 31, 1973, unless an extension

beyond that time is approved by the Assistant Secretary for Health.

Management and staff services will be provided by the Office of the Assistant Secretary for Health which supplies the Executive Secretary.

Meetings

Meetings will be held at the call of the Chairman, with the advance approval of a Government official who shall also approve the agenda. A Government official will be present at all meetings.

Meetings are open to the public except as determined otherwise by the Secretary; notice of all meetings is given to the public.

Meetings are conducted, and records of the proceedings kept, as required by applicable laws and Departmental regulations.

Compensation

Members who are not full-time Federal employees will be paid at the rate of \$100 per day for time spent at meetings, plus per diem and travel expenses in accordance with Standard Government Travel Regulations.

Annual Cost Estimate

Estimated annual cost for operating the Panel, including compensation and travel expenses of members but excluding staff support, is \$74,000. Estimate of annual manyears of staff support required is one year, at an estimated annual cost of \$16,000.

Report

A final report based on the Panel's investigation will be made to the Assistant Secretary for Health, not later than April 30, 1973, which contains as a minimum a list of members and their business addresses, the dates and places of meetings, and a summary of the Panel's activities and recommendations. A copy of this report shall be provided to the Department Committee Management Officer.

Termination Date

Unless renewed by appropriate action prior to its expiration, the Tuskegee Syphilis Study Ad Hoc Advisory Panel to the Assistant Secretary for Health will terminate on March 31, 1973.

APPROVED:

1/4/73 _____
Date Acting Assistant Secretary for Health
(sgd.) Richard L. Seggel