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
effectives 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 pro-
cedings 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 Depart-
ment 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
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

CHARTER

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

Purpose
To fulfill the public pledge of the Assistant Secretary for Health 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 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:

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 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 (sgd.) Richard L. Seggel
Date Acting Assistant Secretary for Health