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FINAL REPORT
of the
Tuskegee Syphilis Study
Ad Hoc Advisory Panel

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U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
PUBLIC HEALTH SERVICE

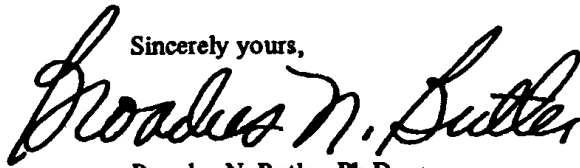
April 28, 1973

Dr. Charles C. Edwards
Assistant Secretary for Health
U.S. Department of Health, Education, and Welfare
Washington, D.C. 20202

Dear Doctor Edwards:

The final report of the Tuskegee Syphilis Study Ad Hoc Advisory Panel is transmitted herewith. The Chairman specifically abstains from concurrence in this final report but recognizes his responsibility to submit it.

Sincerely yours,

A handwritten signature in black ink that reads "Broadus N. Butler". The signature is written in a cursive style with a large, prominent initial "B".

Broadus N. Butler, Ph.D.
President
Dillard University

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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
Date

(sgd.) Merlin K. DuVal, M.D.
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
Date

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

PANEL MEMBERS

Chairman:

Broadus N. Butler, Ph.D.
President, Dillard University
2601 Gentilly Boulevard
New Orleans, Louisiana 70122

Members:

Mr. Ronald H. Brown
General Counsel
National Urban League
55 East 52nd Street
New York, New York 10022

Vernal Cave, M.D.
Director, Bureau of Venereal
Disease Control
New York City Health Department
93 Worth Street
New York, New York 10013

Jean L. Harris, M.D., F.R.S.H.
Executive Director
National Medical Association
Foundation, Inc.
1150 17th Street, N.W.
Washington, D.C. 20036

Seward Hiltner, Ph.D., D.D.
Professor of Theology
Princeton Theological Seminary
Princeton, New Jersey 08540

Jay Katz, M.D.
Professor (Adjunct)
of Law and Psychiatry
Yale Law School
127 Wall Street
New Haven, Connecticut 06520

Jeanne C. Sinkford, D.D.S.
Associate Dean for Graduate and
Postgraduate Affairs
College of Dentistry
Howard University
600 W Street, N.W.
Washington, D.C. 20001

Mr. Fred Speaker
Attorney at Law
2 North Market Square
Harrisburg, Pennsylvania 17108

Mr. Barney H. Weeks
President, Alabama Labor Council
AFL-CIO
1018 South 18th Street
Birmingham, Alabama 35205

MEETINGS

TUSKEGEE SYPHILIS STUDY AD HOC ADVISORY PANEL

1. September 22, 1972
Subcommittee Meeting on Charge III
Holiday Inn – La Guardia Airport
New York, New York
2. September 27, 1972
Panel Meeting
National Institutes of Health
Bethesda, Maryland
3. October 25, 1972
Panel Meeting
National Institutes of Health
Bethesda, Maryland
4. November 2, 1972
Panel Meeting
National Institutes of Health
Bethesda, Maryland
5. November 30, 1972
Panel Meeting
National Institutes of Health
Bethesda, Maryland
6. December 18, 1972
Subcommittee Meeting on Charge I
Subcommittee Meeting on Charge III
National Institutes of Health
Bethesda, Maryland
7. December 19, 1972
Panel Meeting
National Institutes of Health
Bethesda, Maryland
8. January 24, 1973
Subcommittee Meeting on Charge III
55 East 52nd Street
New York, New York
9. February 23, 1973
Subcommittee Meeting on Charge I
National Institutes of Health
Bethesda, Maryland
10. March 1, 1973
Panel Meeting
Parklawn Building
Rockville, Maryland
11. March 20, 1973
Subcommittee Meeting on Charge III
26 Federal Plaza
New York, New York
12. March 28, 1973
Panel Meeting
National Institutes of Health
Bethesda, Maryland