

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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<https://oversight.house.gov>

April 4, 2024

Dr. Monica N. Feit, Ph.D.
Executive Director, Health and Medicine Division
National Academies of Sciences, Engineering, and Medicine
500 Fifth St. NW
Washington, D.C. 20001

Dear Dr. Feit:

The Committee on Oversight and Accountability is conducting oversight of the National Academies of Sciences, Engineering, and Medicine's (NASEM) legal mandate to study the relationship between alcohol consumption and health outcomes.¹ The 2023 Consolidated Appropriations Act allocated \$1.3 million for NASEM to study the relationship between alcohol consumption and health outcomes such as cancer, obesity, and heart disease to inform the 2025 Dietary Guidelines for Americans (Dietary Guidelines).² We are concerned that the process implemented by the Biden Administration for developing the Dietary Guidelines may not be fully in accordance with the Consolidated Appropriations Act of 2023 and federal law that requires the Dietary Guidelines to be "based on the preponderance of the scientific and medical knowledge which is current at the time the report is prepared."³ Given NASEM's status as a congressionally chartered independent organization charged to conduct this review with rigorous, sound and objective scientific evidence, unencumbered with interference by other agencies, we ask that you provide documents and information to assist the Committee's oversight of this matter.

In preparing for the 2020 Dietary Guidelines, the Dietary Guidelines Advisory Committee (DGAC) did not complete its alcohol review and only answered one research question regarding the relationship between alcohol use and all-cause mortality.⁴ Therefore, Congress determined it was necessary to direct NASEM to study the relationship between alcohol consumption and all types of health outcomes, in addition to all-cause mortality, for the 2025 Dietary Guidelines.⁵ Despite a statutory mandate to NASEM to complete this review, the

¹ Consolidated Appropriations Act of 2023, Pub. L. No. 117-328 § 772, 136 Stat. 4508 (Dec. 29, 2022).

² *Id.*

³ National Nutrition Monitoring and Related Research Act of 1990, Pub. L. No. 110-445 § 301, 104 Stat. 1042 (Oct. 22, 1990).

⁴ U. S. Dep't of Health & Human Servs. & U. S. Dep't of Agric., NASEM Committee: Review of Evidence on Alcohol and Health Sponsor Briefing, 8, *available at* <https://www.nationalacademies.org/documents/embed/link/LF2255DA3DD1C41C0A42D3BEF0989ACAECE3053A6A9B/file/DCFB6F841AF48C802906589338CEED3333591F80E75?noSaveAs=1>.

⁵ *Supra*, n.1.

Department of Health and Human Services (HHS) has apparently taken control of this process by “delegating” the Dietary Guidelines alcohol review to the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), led by the Substance Abuse and Mental Health Services Administration (SAMHSA).⁶ During the January 25-26, 2024 NASEM Review of Evidence on Alcohol and Health committee meeting, a representative of ICCPUD presented documents to support the agency’s intention to study the relationship between alcohol-related mortality and alcohol consumption and use the ICCPUD’s findings to inform the 2025 Dietary Guidelines.⁷

In April 2022, HHS published notice in the Federal Register of the scientific questions to be considered by the 2025 DGAC, none of which included questions related to health outcomes and the consumption of alcoholic beverages.⁸ By removing alcohol recommendations from the 2025 Dietary Guidelines, the Administration appears to be driving toward approving Dietary Guidelines that by default recommend that Americans consume no alcohol whatsoever, despite a continually evolving scientific debate about the risks and benefits of moderate alcohol consumption on individual health outcomes.⁹ It is imperative that the NASEM Review of Evidence on Alcohol and Health completes its work as mandated by Congress and resist interference by other government agencies in this process.

To assist the Committee’s oversight of this matter, please provide a staff-level briefing on this matter no later than April 11, 2024. Briefers should be prepared to provide a status update on the NASEM Review of Evidence on Alcohol and Health’s progress towards answering the eight research questions related to alcohol consumption and individual health outcomes that were published by the U.S. Department of Agriculture (USDA) and HHS.¹⁰ Briefers should also be prepared to provide a status update report on the NASEM Review of Evidence on Alcohol and Health’s assessment of current literature to determine whether the quality and availability of peer-reviewed published evidence is sufficient to conduct a full systematic review.

In addition to the staff-level briefing, please also provide the following documents and information, covering the period December 29, 2022 to present as soon as possible but no later than April 18, 2024:

⁶ Dietary Guidelines for Americans, Projects Related to the *Dietary Guidelines – Alcoholic Beverages and Health*, available at <https://www.dietaryguidelines.gov/related-projects>.

⁷ Nat’l Academies Review of Evidence of Alcohol and Health, Meeting 1B (Jan. 25-26, 2024), 6-7, available at <https://www.nationalacademies.org/documents/embed/link/LF2255DA3DD1C41C0A42D3BEF0989ACAEC3053A6A9B/file/D36C7490DF2904B73F7E8BD588907E1E7D2B39294A3F?noSaveAs=1>.

⁸ U. S. Dep’t of Health & Human Servs., Request for Comments on Scientific Questions To Be Examined To Support the Development of the Dietary Guidelines for Americans, 2025-2030, 87 Fed. Reg. 22540 (Apr. 15, 2022); Dietary Guidelines for Americans - Scientific Questions, available at <https://www.dietaryguidelines.gov/scientific-questions>.

⁹ Harvard Univ. T. H. Chan School of Public Health, The Nutrition Source – Alcohol: Balancing Risks and Benefits, available at <https://www.hsph.harvard.edu/nutritionsource/healthy-drinks/drinks-to-consume-in-moderation/alcohol-full-story>.

¹⁰ Nat’l Academies Review of Evidence of Alcohol and Health, available at <https://www.nationalacademies.org/our-work/review-of-evidence-on-alcohol-and-health>.

Dr. Monica N. Feit

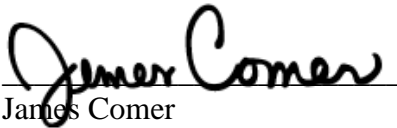
April 4, 2024

Page 3 of 3

1. All documents and communications regarding accounting of expenditures and/or planned spending of the appropriated \$1.3 million for the NASEM Review of Evidence on Alcohol and Health;
2. All documents and communications containing any NASEM Review of Evidence on Alcohol and Health committee minutes or other notes of committee meetings, including from the committee's closed sessions on January 12, 2024, January 25, 2024, January 26, 2024, February 29, 2024, and March 28, 2024; and
3. All documents and communications among or between NASEM staff, NASEM members, or NASEM Review of Evidence on Alcohol and Health committee members about or with HHS (including but not limited to SAMSHA and/or ICCPUD) or USDA, related to committee members' disclosures and alleged conflicts of interest or bias or reflecting attempts by HHS or USDA to affect, influence or interfere with NASEM's work on the Review of Evidence on Alcohol and Health.

To ask any follow-up questions, schedule the briefing, or arrange for the delivery of responsive documents, please contact Committee on Oversight and Accountability staff at (202) 225-5074. The Committee on Oversight and Accountability is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. Thank you in advance for your cooperation with this inquiry.

Sincerely,



James Comer
Chairman
Committee on Oversight and Accountability



Lisa McClain
Chairwoman
Subcommittee on Health Care and Financial
Services

cc: The Honorable Jamie B. Raskin, Ranking Member
Committee on Oversight and Accountability

The Honorable Katie Porter, Ranking Member
Subcommittee on Health Care and Financial Services