

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074

MINORITY (202) 225-5051

<https://oversight.house.gov>

April 28, 2025

The Honorable Robert F. Kennedy, Jr.
Secretary
U.S. Department of Health and Human Services
200 Independence Ave. SW
Washington, D.C. 20201

Dear Secretary Kennedy:

The Committee on Oversight and Government Reform is continuing its investigation into the U.S. Department of Health and Human Services' (HHS) development of alcohol consumption recommendations for the 2025 Dietary Guidelines for Americans (Dietary Guidelines). Specifically, the Committee is investigating a study commissioned under the Biden Administration by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD) to examine alcohol intake and health. The ICCPUD study is duplicative of a study conducted by the National Academies of Sciences, Engineering, and Medicine (NASEM) at the direction of Congress.¹ The ICCPUD study's formation outside of the transparency of the typical Dietary Guidelines process raises scientific integrity and conflict of interest concerns.² It is imperative that the Dietary Guidelines are based on rigorous, sound, and objective scientific evidence, efficiently steward taxpayer dollars, and adhere to congressional intent.

During the previous Congress, the Committee wrote to HHS and the U.S. Department of Agriculture (USDA) requesting documents and communications related to the formation and activities of the ICCPUD study.³ The Biden Administration obstructed the Committee's request for information and evaded the Committee's oversight by providing only documents already publicly available. After months of noncompliance, the Committee subpoenaed outstanding documents and communications from HHS and USDA.⁴ Despite duly authorized subpoenas, the

¹ Consolidated Appropriations Act of 2023, Pub. L. No. 117-328 § 772, 136 Stat. 4508 (Dec. 29, 2022); Consolidated Appropriations Act of 2024, Pub. L. No. 118-42 § 773 (Mar. 9, 2024).

² See Letter from Hon. James Comer, Chairman, H. Comm. on Oversight & Accountability & Hon. Lisa McClain, Chairwoman, Subcomm. on Health Care & Fin. Servs. to Hon. Xavier Becerra, Sec'y, U.S. Dep't of Health & Human Servs. (Apr. 4, 2024).

³ *Id.*; Letter from Hon. James Comer, Chairman, H. Comm. on Oversight & Accountability & Hon. Lisa McClain, Chairwoman, Subcomm. on Health Care & Fin. Servs. to Hon. Thomas J. Vilsack, Sec'y, U.S. Dep't of Agriculture (Apr. 4, 2024).

⁴ Letter from Hon. James Comer, Chairman, H. Comm. on Oversight & Accountability to Hon. Xavier Becerra, Sec'y, U.S. Dep't of Health & Human Servs. (Sept. 30, 2024); Letter from Hon. James Comer, Chairman, H. Comm. on Oversight & Accountability to Hon. Thomas J. Vilsack, Sec'y, U.S. Dep't of Agriculture (Sept. 30, 2024).

Biden Administration ran out the clock and did not provide sufficient information to the Committee.

The Committee remains concerned about the impact of the ICCPUD study as the 2025 Dietary Guidelines enter the final stages. In the concluding months of the Biden Administration, three separate reports related to alcohol consumption and health were published between December and January. As directed by Congress, NASEM released its systemic review of the evidence on moderate alcohol consumption and health impacts, finding that there are both harmful and beneficial health effects associated with moderate alcohol use.⁵ Notably, the NASEM report found no relationship between consuming alcohol and developing neurocognitive disease, obesity, and certain types of cancer.⁶ In January 2025, U.S. Surgeon General Vivek Murthy issued an advisory on alcohol and cancer risk, concluding that alcohol was the leading cause of cancer.⁷ Subsequently, ICCPUD released a draft report for public comment that concludes that any amount of alcohol consumption increases mortality risk.⁸

As HHS works alongside USDA to finalize the 2025 Dietary Guidelines, it is imperative that Congress and the American people have the utmost confidence in the scientific support determining the Dietary Guidelines. The National Nutrition Monitoring Act 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.”⁹

Therefore, we write to request that HHS provide the Committee with documents and communications relevant to our investigation and a staff-level briefing on the status of the formation of alcohol recommendations for the 2025 Dietary Guidelines. We request the following information, covering the time period December 29, 2022, to the present unless otherwise indicated, as soon as possible, but no later than May 12, 2025:

1. All documents and communications among or between HHS staff related to the formation of the ICCPUD Subcommittee for Alcohol Intake and Health to review alcohol consumption and health for the 2025 Dietary Guidelines;
2. All documents and communications containing meeting minutes, presentations, memos, or notes of the ICCPUD’s Subcommittee for Alcohol Intake and Health’s meetings;
3. All documents and communications related to ICCPUD committee members’ work on alcohol-related issues, disclosures, and alleged conflicts of interest; and

⁵ NATIONAL ACADEMIES OF SCIENCES, ENGINEERING, AND MEDICINE, REVIEW OF EVIDENCE ON ALCOHOL AND HEALTH (Dec. 2024).

⁶ *Id.*

⁷ U.S. SURGEON GENERAL, ALCOHOL AND CANCER RISK: THE U.S. SURGEON GENERAL’S ADVISORY (Jan. 2025).

⁸ INTERAGENCY COORDINATING COMMITTEE ON THE PREVENTION OF UNDERAGE DRINKING, DRAFT REPORT: SCIENTIFIC FINDINGS OF THE ALCOHOL INTAKE & HEALTH STUDY FOR PUBLIC COMMENT (Jan. 2025).

⁹ National Nutrition Monitoring and Related Research Act of 1990, Pub. L. No. 110-445 § 301, 104 Stat. 1042 (Oct. 22, 1990).

The Honorable Robert F. Kennedy, Jr.

April 28, 2025

Page 3 of 3

4. All drafts or iterations of drafts of the 2025 Dietary Guidelines for Americans referencing alcoholic beverage consumption;
5. All drafts or iterations of drafts of the ICCPUD draft report, "Scientific Findings of the Alcohol Intake & Health Study for Public Comment";
6. All drafts or iterations of drafts of the U.S. Surgeon General's Advisory, "Alcohol and Cancer Risk";
7. All documents and communications related to the U.S. Surgeon General's work on alcohol-related issues; and
8. A complete list of staff drafting the alcohol consumption recommendations for the 2025 Dietary Guidelines, identified by title and subagency, office, and/or department.

The Committee on Oversight and Government Reform 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. To schedule the briefing, arrange for delivery of documents, or to ask any related follow up questions, please contact the Committee on Oversight and Government Reform Majority staff at (202) 225-5074. Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink that reads "James Comer". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

James Comer

Chairman

Committee on Oversight and Government Reform

cc: The Honorable Gerald Connolly, Ranking Member
Committee on Oversight and Government Reform