

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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September 24, 2026

The Honorable Robert F. Kennedy, Jr.
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, DC 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) activities in the development of alcohol consumption guidelines for the 2025-2030 Dietary Guidelines for Americans (Dietary Guidelines).¹ Specifically, the Committee is investigating a study on alcohol intake and health (AIH study) commissioned under the Biden Administration by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), convened by the Substance Abuse and Mental Health Services Administration (SAMSHA) within HHS.² SAMSHA contracted with Synergy Enterprises, Inc. (Synergy) to complete the AIH study.³ Synergy then entered into a series of consulting agreements with subcontractors to serve on a Scientific Review Panel (SRP) to conduct the AIH study.⁴ Work on the AIH study spanned both the Biden and Trump Administrations, concluding with the Trump Administration's decision not to finalize and publish the biased study intended to reach predetermined conclusions.⁵

Based on the Committee's review, by publishing data and information gained from the AIH study without authorization, it appears that Synergy and the SRP members violated their contract obligations with the federal government. The Committee requests a staff-level briefing and that HHS review the actions of Synergy Enterprises, Inc. and the individual SRP members

¹ Letter from James Comer, Chairman, H. Comm. on Oversight & Gov't Reform, to Robert F. Kennedy, Jr., Sec'y, U.S. Dep't of Health and Human Services (Apr. 28, 2025).

² H. COMM. ON OVERSIGHT & GOV'T REFORM, STAFF REPORT: A STUDY FRAUGHT WITH BIAS: HOW THE BIDEN ADMINISTRATION'S ALCOHOL INTAKE AND HEALTH STUDY TRIED TO UNDERMINE THE 2025-2030 DIETARY GUIDELINES FOR AMERICANS (Jan. 7, 2026).

³ Contract No. 75S20122C00003, ICCPUD_000047 - ICCPUD_000088 (on file with the Committee).

⁴ Consulting Agreement between Synergy Enterprises, Inc., *et al.*, ICCPUD_000001 - ICCPUD_000046 (on file with the Committee); Centre for Addiction and Mental Health Master Vendor Agreement, ICCPUD_000089 - ICCPUD_000119 (on file with the Committee); Public Health Institute Master Vendor Agreement, ICCPUD_000120 - ICCPUD_000166 (on file with the Committee).

⁵ See *Request for Public Comments on Reports on Alcoholic Beverages and Health To Inform the Dietary Guidelines for Americans, 2025-2030*, 90 Fed. Reg. 3883 (Jan. 15, 2025); see also *The Interagency Coordination Committee on the Prevention of Underage Drinking Requests for Public Comments*, 89 Fed. Reg. 55274 (July 3, 2024).

and take any appropriate remedial, disciplinary, contractual, or legal action in response, including but not limited to debarment of the prime contractor and the subcontractors.⁶

The Committee's review to date shows that Synergy, and its subcontractors—members of the AIH study's SRP—published a report on the AIH study's protocol in a non-government medical journal without authorization on November 26, 2025,⁷ including extensive information and data likely obtained through the AIH study.⁸ On June 8, 2026, the SRP members, including some additional authors, then published without authorization what appears to be the last completed draft of the AIH study, apparently with the intention of pressuring HHS to revise the Dietary Guidelines based on the study's alleged findings.⁹ After reviewing Synergy's contract with SAMSHA and the subcontracting agreements between Synergy and the individual SRP members, it appears that both Synergy and the SRP members violated their agreements with the federal government by publishing AIH study information and data without authorization.¹⁰

In April 2022, the Biden Administration tasked the ICCPUD to conduct the AIH study to assess the effects of alcohol consumption on long-term health.¹¹ As a January 2026 Committee staff report exposed, the Biden Administration had a pre-determined goal for this effort—to publish a biased study that concluded, following the aforementioned “Canadian model,” that no amount of alcohol consumption is safe.¹² To achieve that end, the Biden Administration recruited scientists it was sure would develop research to support that conclusion.¹³ The Biden Administration planned to use the results of the AIH study to influence the 2025-2030 Dietary Guidelines.¹⁴

Not only was the AIH study biased and predetermined, but it was also wastefully duplicative of a study already being conducted by the National Academies of Sciences, Engineering, and Medicine (NASEM) at the direction of Congress. Indeed, the AIH study was conducted contrary to the federal law that requisitioned the NASEM study.¹⁵ Congress explicitly

⁶ Federal Acquisition Regulation 9.406-2.

⁷ Virtual Call from Department of Health and Human Services Staff to H. Comm. on Oversight & Gov't Reform Majority Staff (June 10, 2026).

⁸ Kevin Shield, *et al.*, *Health impact of alcohol use in the USA: a protocol of a systematic review and modelling study*, 15 BMJ OPEN 11 (Nov. 26, 2025).

⁹ Sinead George, *et al.*, *Alcohol Intake and Health Study: No Protective Effect at Low Levels, With Mortality Increasing to 1 in 25 at 14 Drinks Per Week*, J. OF STUDIES ON ALCOHOL & DRUGS (June 8, 2026). Virtual Call from Department of Health and Human Services Staff to H. Comm. on Oversight & Gov't Reform Majority Staff (June 10, 2026).

¹⁰ Contract No. 75S20122C00003, ICCPUD_000047 - ICCPUD_000088 (on file with the Committee); Consulting Agreement between Synergy Enterprises, Inc., *et al.*, ICCPUD_000001 - ICCPUD_000046 (on file with the Committee); Centre for Addiction and Mental Health Master Vendor Agreement, ICCPUD_000089 - ICCPUD_000119 (on file with the Committee); Public Health Institute Master Vendor Agreement, ICCPUD_000120 - ICCPUD_000166 (on file with the Committee).

¹¹ H. COMM. ON OVERSIGHT & GOV'T REFORM, STAFF REPORT, *supra* n. 2.

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.* at 10.

¹⁵ *Id.* at 2; Bruce N. Calonge, *et al.*, *Review of Evidence on Alcohol and Health (2025)*, NAT'L ACADEMIES OF SCIENCES, ENG'G & MED. (2025).

legislated that the NASEM study be the only study on the health effects of alcohol to influence the 2025-2030 Dietary Guidelines.¹⁶ Congress further legislated that the NASEM study “shall operate in a fully transparent manner and include a balanced representation of individuals who have expertise in the health effects of alcohol consumption, are unbiased, and are free from conflicts of interest.”¹⁷ In contrast, the AIH study “was . . . fraught with bias,” and staffed solely with “anti-alcohol advocates who had conducted previous research linking negative health outcomes with alcohol.”¹⁸

The SRP submitted its draft report of the AIH study for public comment in January 2025 and was disbanded afterwards.¹⁹ Because the Trump Administration rightfully chose not to finalize the flawed AIH study, it was never officially available during the promulgation of the 2025-2030 Dietary Guidelines. Despite that, as recounted above, on November 26, 2025, BMJ Open published a protocol report, authored by members of the SRP, containing extensive information and data that appears to have been obtained through the SRP’s contracted work on the AIH study.²⁰ Then, on June 8, 2026, the SRP members, along with some additional authors, published what appears to be the last completed draft of the AIH study in an outside scientific journal, apparently without authorization, concluding that the Dietary Guidelines should be revised to reflect the findings of that same draft of the AIH study.²¹ Furthermore, SAMSHA’s lead contracting officer for the AIH study also published an accompanying op-ed with a section entitled “A call to action.”²² This publication and the simultaneously published op-ed made clear that the authors publishing the final AIH study intended for their publication to support broader demands on how agencies make staffing decisions and how policymakers utilize scientific studies and calculate policy decisions.²³

SAMSHA’s contract with Synergy clearly specifies that all information and data derived from the work done under the AIH study is government property.²⁴ Provision H.10.a states: “All information and materials including data developed under this contract are the property of the government and shall be delivered as part of the deliverables under the contract. No information developed under this contract shall be released by the contractor without written permission of

¹⁶ H. COMM. ON OVERSIGHT & GOV’T REFORM, STAFF REPORT, *supra* n. 2; and *see* Continuing Appropriations, Agriculture, Legislative Branch, Military Construction and Veterans Affairs, and Extensions Act, 2026, Pub. L. No. 119-37, § 759, H.R. 5371—59 (Nov. 15, 2025). (“Provided, That the Secretary of Health and Human Services and the Secretary of Agriculture shall only consider the findings and recommendations of the NASEM report in the development of the 2025 Dietary Guidelines for Americans and further, both Secretaries shall ensure that the alcohol consumption recommendations in the 2025 Dietary Guidelines for Americans shall be based on the preponderance of scientific and medical knowledge consistent with section 5341 of title 7 of United States Code.”).

¹⁷ Consolidated Appropriations Act, 2023, Pub. L. 117-328, § 772, 136 Stat. 4509 (Dec. 29, 2022).

¹⁸ H. COMM. ON OVERSIGHT & GOV’T REFORM, STAFF REPORT, *supra* n. 2.

¹⁹ *See Request for Public Comments on Reports on Alcoholic Beverages and Health To Inform the Dietary Guidelines for Americans, 2025-2030*, 90 Fed. Reg. 3883 (Jan. 15, 2025).

²⁰ Shield, *et al.*, *supra* n. 8.

²¹ George, *et al.*, *supra* n. 9.

²² Robert M. Vincent, *Alcohol Policy, Commercial Influence, and the Public Health Costs of Ignoring Evidence: The Case of the Alcohol Intake and Health Study*, 87 J. OF STUDIES ON ALCOHOL AND DRUGS 4, 639 (June 8, 2026).

²³ *Id.*

²⁴ Contract No. 75S20122C00003, ICCPUD_000072 (on file with the Committee).

the government.”²⁵ The subcontractors also knew that all information and data derived for their work on the AIH study was federal government property. Under Provision G.6 of the contract between SAMSHA and Synergy, the HHS *Contractor’s Guide for Control of Government Property* is incorporated by reference.²⁶ The *HHS Contractor’s Guide* states that “Subcontractors are governed by the same requirements as prime contractors for the control of government property” and that “Subcontractor is aware of contractual property provisions.”²⁷ Further, each of the subcontractors’ consulting agreements with Synergy contained the following provision: “CONSULTANT must request approval from the PRIME CONTRACTOR/GOVERNMENT prior to publishing, presenting, or using any results arising out of the performance of this Agreement for their own instructional, research, or publication objectives.”²⁸ The Committee is not aware of any evidence that such approval was ever requested by the subcontractors. Finally, the inclusion of explicit contract terms requiring Synergy and the subcontractors to acknowledge that all information and data developed under the AIH study was government property indicates that both Synergy and the SRP members knew that all information and data derived from their work on the AIH study was federal government property and they nonetheless chose to publish it.

To assist the Committee’s oversight of this matter and to support the Committee’s continuing investigation, we request a staff briefing on this issue as soon as possible but no later than October 1, 2026. The Committee requests that HHS also take the following actions in advance of the briefing:

- 1) Review both the November 26, 2025, and June 8, 2026, releases related to the AIH study to determine the extent to which they involved any unauthorized release of government information or conversion of government property and to determine any necessary or appropriate remedial, disciplinary, contractual, or legal action, whether civil or criminal, that should be taken against Synergy Enterprises, Inc., or any of its officials, or members of the SRP for the AIH study including Dr. Kevin Shield, Dr. Timothy Naimi, Dr. Jürgen Rehm, Dr. Pricilla Martinez, Dr. Katherine Keyes, and Dr. Adam Milam, especially for breach of contract, a review of eligibility to contract with HHS or the broader federal government, and liability for conversion of government property or other violation of law.²⁹
- 2) Review whether, in connection with those same releases, any HHS employees may have engaged in misconduct and should be the subject of any necessary or appropriate remedial, disciplinary, contractual or legal action, including whether any such employees are within the classes of employees addressed by Executive Orders

²⁵ *Id.*

²⁶ Contract No. 75S20122C00003, ICCPUD_000063 (on file with the Committee).

²⁷ *HHS Contracting Guide for Control of Government Property*, U.S. DEP’T OF HEALTH & HUM. SERVS. (last visited Sept. 1, 2026), 12, 16, available at <https://oamp.od.nih.gov/sites/default/files/DGS/HHS%20Contracting%20Guide%20for%20Contract%20of%20Government%20Property-Appendix%20Q.pdf>.

²⁸ See, e.g., Consulting Agreement between Synergy Enterprises, Inc. and Adam Milam, ICCPUD_000003 (on file with the Committee).

²⁹ 18 U.S.C. § 641.

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14410, 14171, and 13957 and should be subject to actions taken under the authority of those orders.³⁰

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 or 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 Robert Garcia, Ranking Member
Committee on Oversight and Government Reform

³⁰ Exec. Order 14410, *Implementing Schedule Policy/Career in the Excepted Service*, 91 Fed. Reg. 34893 (June 10, 2026); Exec. Order 14171, *Restoring Accountability to Policy-Influencing Positions within the Federal Workforce*, 90 Fed. Reg. 8625 (Jan. 31, 2025); Exec. Order 13957, *Creating Schedule F in the Excepted Service*, 85 Fed. Reg. 67631 (Oct. 26, 2020).