

Congress of the United States

Washington, DC 20515

May 30, 2024

The Honorable Thomas J. Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Avenue SW
Washington, D.C. 20250

The Honorable Xavier Becerra
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, D.C. 20201

Dear Secretary Vilsack and Secretary Becerra,

We remain concerned that the Department of Health and Human Services (HHS) and the U.S. Department of Agriculture (USDA) created a new scientific review process, separate from both the traditional Dietary Guidelines Advisory Committee (DGAC) jurisdiction and from the congressionally directed analysis at the National Academies of Science, Engineering, and Medicine (National Academies). Further, considering the tremendous agricultural impact of the total U.S. alcohol industry, we are surprised that the USDA has stepped away from developing alcohol guidance in the DGAs.

As you know, Congress appropriated \$1.3 million to the USDA and HHS in the Consolidated Appropriations Act of 2023¹ to have National Academies-appointed experts perform rigorous and objective reviews of scientific research on alcohol consumption to inform the alcohol guidance in the 2025 DGAs. The FY24 appropriations bill to fund several agencies, including the USDA, clarified what Congress expects the National Academies to accomplish. This signifies that Congress believes this research project is critical to the 2025 DGAs.

Nearly simultaneously, HHS and USDA created a new independent review process for alcohol guidance within HHS but outside the DGAC. We disagree with your agencies' interpretation that the National Nutrition Monitoring Act of 1990 allows you to extract the alcohol guidance from the purview of the DGAC and house the periodic reviews in perpetuity to a committee within the Substance Abuse and Mental Health Services Administration (SAMHSA), which is required under the STOP Act to exclusively focus on prevention of underage drinking.^{2 3} Ultimately, SAMSHA must adhere to the National Nutrition and Monitoring Act of 1990, which specifies that only a preponderance of scientific evidence can inform any change to the DGAs.

¹ <https://www.congress.gov/117/bills/hr2617/BILLS-117hr2617enr.pdf>

² <https://www.congress.gov/117/bills/hr7105/BILLS-117hr7105ih.pdf>

³ <https://www.congress.gov/101/statute/STATUTE-104/STATUTE-104-Pg1034.pdf>

We question these duplicative efforts and believe a legitimate need exists to examine the current decision to have SAMHSA work on alcohol guidance for the 2025 DGAs. We also believe there is a need to examine the decision to launch a scientific project within SAMHSA that threatens to change the single source of truth on moderate alcohol consumption by adults from the DGAs to an annual report meant to advise Congress about progress in the states to prevent underage drinking.

With the above items being mentioned, we request the following information by June 14, 2024:

- That your agencies review the present situation and inform us of the comprehensive, coordinated plan for examining alcohol science.
- The names of the people on the ICCPUD Alcohol Intake Technical Review Committee, how and why these agencies were selected, and the minutes of the closed-door meetings that the Subcommittee initiated in the spring of last year.
- Information on how the members of the Scientific Review Panel were selected and the minutes of the closed-door meetings that the Panel initiated last summer.
- Detailed information on how your two Departments will meet the transparency, scientific rigor, and conflict-free standards that govern the traditional DGA process.
- A consolidated timeline for when the National Academies and SAMHSA will report their findings and recommendations to Congress.

Thank you for your time and attention to this important matter.

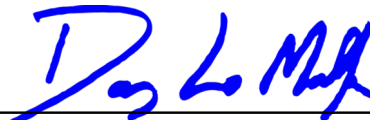
Sincerely,



Brad Finstad
Member of Congress



Jim Costa
Member of Congress



Doug LaMalfa
Member of Congress



Mike Thompson
Member of Congress




Russ Fulcher
Member of Congress



Earl L. "Buddy" Carter
Member of Congress



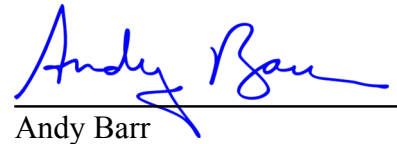
Marcus J. Molinaro
Member of Congress



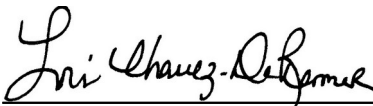
Morgan McGarvey
Member of Congress



Andrew R. Garbarino
Member of Congress



Andy Barr
Member of Congress



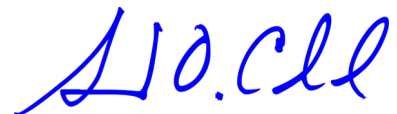
Lori Chavez-DeRemer
Member of Congress



Robert J. Wittman
Member of Congress



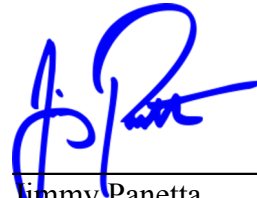
Michael K. Simpson
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Salud Carbajal
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Josh Harder
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Nicholas A. Langworthy
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