

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>

June 11, 2025

The Honorable Robert F. Kennedy Jr.
Secretary
Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Kennedy:

We write regarding your decision to halt the development of a vaccine for avian influenza and instead to use unproven and scientifically questionable mitigation strategies to combat the ongoing epidemic. Given the impact of avian flu on both humans and livestock, we request information about how the Department of Health and Human Services (HHS)—including the National Institutes of Health (NIH) and the Centers for Disease Control and Prevention (CDC)—is coordinating with the Department of Agriculture (USDA) to make research-backed decisions regarding the avian influenza vaccine and the eradication of the disease.

On April 1, 2025, I wrote to you with concern over your apparent willingness to let avian flu “run through the flock” instead of trying to contain and mitigate the outbreak.¹ Since that date, avian flu has continued to pose an acute threat to health and safety, particularly in farming communities across the country. To date, avian flu has led to: the culling of 173 million birds since 2022; the infection of 1,000 dairy cattle herds in 17 states; illness in 70 people; and the death of one person.²

Avian flu is dangerous and uncontrolled. Instead of moving forward with promising vaccines, however, your department has endorsed unorthodox and untested strategies to contain the outbreak. For example, in March, you considered the “possibility of letting [avian flu] run through the flock so that we can identify the birds, and preserve the birds, that are immune to it,” to be a potentially effective strategy to end the bird flu epidemic.³ Three weeks ago, you advised

¹ Letter from Ranking Member Gerald E. Connolly, Committee on Oversight and Government Reform, Ranking Member Raja Krishnamoorthi, Subcommittee on Health Care and Financial Services, and Representatives Emily Randall, Wesley Bell, and Lateefah Simon, Subcommittee on Health Care and Financial Services to Secretary Robert F. Kennedy Jr., Department of Health and Human Services (Apr. 1, 2025) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/evo-media-document/2025-04-01-gec-krishnamoorthi-et-al-to-jfkjr-re-bird-flu.pdf>).

² Centers for Disease Control, *H5 Bird Flu: Current Situation*, (May 30, 2025) (online at www.cdc.gov/bird-flu/situation-summary/index.html)

³ *Kennedy’s Alarming Prescription for Bird Flu on Poultry Farms*, New York Times (Mar. 18, 2025) (online at www.nytimes.com/2025/03/18/health/kennedy-bird-flu.html).

Canadian authorities against culling 400 ostriches that had been exposed to avian flu, despite the Canadian Food Inspection Agency's statement that culling the birds was part of the agency's duty "to protect Canadians from the serious potential risks that avian influenza presents to our people and our economy." Others in the Trump Administration have taken a similarly lax approach to avian influenza, with Centers for Medicare & Medicaid Services (CMS) Administrator Mehmet Oz offering to relocate the ostriches to his personal ranch.⁴

You have advocated for these unproven approaches despite the fact that USDA recently issued a conditional license for an updated avian flu vaccine that could protect poultry from the disease. There are also promising results in clinical trials for a modern vaccine that could be used to quickly vaccinate human populations in the event of a pandemic.⁵ I am concerned that your longstanding vaccine hesitancy—including your statement that "[t]here's no vaccine that is safe and effective"—appears to be influencing federal policy. For example, on May 28, 2025, Moderna announced that HHS canceled a \$766 million contract with the company to develop vaccines for influenza strains that could cause future pandemics, including avian flu.⁶ Not only will this rescission delay scientific advancement, but the cancellation of this deal also forfeits the right to purchase doses in advance of a potential avian flu pandemic.⁷

Your recent decisions related to avian flu contradict expert opinions and established disease prevention practices. At the same time, your agency seems to be fabricating research studies and skewing data. Public reporting indicates that the recent report titled "The MAHA Report: Make Our Children Healthy Again" published by the Make American Healthy Again Commission—which you chair—cited studies that do not exist, incorrectly summarized existing research, and may have been written in part using artificial intelligence (AI).⁸ I am concerned that HHS is using similarly faulty sources to support its health and safety guidance amidst the avian flu outbreak. It is crucial that HHS rely only on research that is scientifically validated and rigorously tested. Taking a misinformed and less than rigorous approach to disease prevention could have catastrophic consequences for the country.

⁴ *Canada Wants to Kill 400 Ostriches. Kennedy and Dr. Oz Want to Save Them*, New York Times (May 28, 2025) (online at www.nytimes.com/2025/05/28/world/canada/ostriches-avian-flu-rfk-jr-oz.html).

⁵ *Updated Bird Flu Vaccine for Poultry Gets License*, Axios (Feb. 18, 2025) (online at www.axios.com/2025/02/18/updated-bird-flu-vaccine-licensed); Moderna, *Press Release: Moderna Announces Update on Investigational Pandemic Influenza Program* (May 28, 2025) (online at <https://investors.modernatx.com/news/news-details/2025/Moderna-Announces-Update-on-Investigational-Pandemic-Influenza-Program-/default.aspx>).

⁶ *Trump Administration Cancels \$766 Million Moderna Contract to Fight Future Pandemics, Including Bird Flu*, NBC News (May 29, 2025) (online at www.nbcnews.com/health/health-news/trump-administration-cancels-766-million-moderna-contract-fight-future-rcna209707).

⁷ Moderna, *Press Release: Moderna Announces Update on Investigational Pandemic Influenza Program* (May 28, 2025) (online at <https://investors.modernatx.com/news/news-details/2025/Moderna-Announces-Update-on-Investigational-Pandemic-Influenza-Program-/default.aspx>).

⁸ *RFK Jr.'s MAHA Report Cited Nonexistent Studies*, ABC News (May 29, 2025) (online at <https://abcnews.go.com/Politics/rfk-jrs-maha-report-contained-existent-studies/story?id=122321059>); Letter from Acting Ranking Member Stephen F. Lynch, Committee on Oversight and Government Reform, to Secretary Robert F. Kennedy Jr., Department of Health and Human Services (June 2, 2025) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/evo-media-document/2025-06-02-lynch-to-hhs-jfk-jt-re-maha-report.pdf>).

Officials at HHS, including those at NIH and CDC, are responsible for maintaining the health and safety of our country through disease prevention and by following sound scientific research. Avian influenza remains a serious risk, and it is this Committee's responsibility to ensure that the federal government's response is grounded in scientifically supported and evidence-based solutions. To understand how HHS is approaching the avian influenza crisis, we request that you provide the following information by June 25, 2025:

1. All documents and communications regarding avian influenza, the ongoing avian influenza outbreak, avian influenza vaccine development or usage, and draft or official avian influenza vaccine guidance, including but not limited to communications between any HHS agency and USDA;
2. All documents and communications related to the decision to cancel the \$766 million contract with the Moderna related to influenza vaccine development;
3. A full and complete list of any non-governmental experts such as public health officials, epidemiologists, scientists, veterinarians, etc. consulted by HHS in connection with the federal response to avian influenza, including but not limited to the development and use of avian influenza vaccines; and
4. A detailed description of the potential risks to human health that could arise from insufficient avian influenza vaccines in the event of a pandemic, and a list of sources used in conducting this analysis.

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. If you have any questions regarding this request, please contact Committee staff at (202) 225-5051.

Sincerely,



Stephen F. Lynch
Acting Ranking Member



Raja Krishnamoorthi
Ranking Member
Subcommittee on Health Care
and Financial Services



Emily Randall

Member of Congress



Wesley Bell

Member of Congress



Lateefah Simon

Member of Congress

cc: The Honorable James Comer, Chairman

The Honorable Glenn Grothman, Chairman
Subcommittee on Health Care and Financial Services