

USDA-HHS Response to the National Academies of Sciences, Engineering, and Medicine

Selecting the Dietary Guidelines Advisory Committee

In 2016, Congress directed the Secretary of Agriculture to engage the National Academies of Sciences, Engineering, and Medicine (National Academies) to conduct a comprehensive study of the process used to establish the Dietary Guidelines. The National Academies' study findings are available on its [website](#).

The study culminated in two reports, one on the process for selecting the Dietary Guidelines Advisory Committee and another on the remaining aspects of the Dietary Guidelines development process. Together, the Departments have carefully considered the National Academies' first report and stakeholder input on the Advisory Committee selection process.

Below are the recommendations from the first report, and responses to the recommendations for establishing the 2020 Dietary Guidelines Advisory Committee.

REPORT 1: Optimizing the Process for Establishing the *Dietary Guidelines for Americans*. The Selection Process

The National Academies committee identified five values to improve the integrity of the process to develop credible and trustworthy guidelines:

1. Enhance transparency.
2. Promote diversity of expertise and experience.
3. Support a deliberative process.
4. Manage biases and conflicts of interest.
5. Adopt state-of-the-art processes and methods.

Response: USDA and HHS support these values and will continue to integrate steps to address these goals. As an example, for the first time, the Departments identified and asked for public comments on the topics and scientific questions to be examined in the review of the evidence supporting the development of the upcoming 2020-2025 edition of the *Dietary Guidelines*. The Departments added this step in order to promote a deliberate and transparent process, respond to feedback on the *Dietary Guidelines* development process, identify expertise needed on the Committee, help manage resources, and ensure the science-based review provided by the Committee addresses Federal nutrition policy and program needs. More information on additional steps will be provided over the multi-year process for developing the *2020-2025 Dietary Guidelines for Americans*.

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Selecting the Dietary Guidelines Advisory Committee – continued

Recommendation 1: The Secretaries of USDA and HHS should employ an external third party to review and narrow the candidate pool to a list of primary and alternate nominees. Criteria against which nominees are screened should be developed by USDA and HHS for use by the third party.

Response: Due to resource limitations (cost and time), USDA and HHS will not utilize a third party for the Committee selection process. USDA and HHS are providing more information on the process the Departments will use to establish the Committee, including identifying and providing the criteria the Departments will consider in screening nominees.

Recommendation 2: The Secretaries of USDA and HHS should make a list of provisional appointees open for public comment — including short biographies and any known conflicts — for a reasonable period of time prior to appointment.

Response: The Departments explored incorporating this recommendation. However, in the interest of the provisional appointees, the Departments choose not to implement this recommendation out of privacy concerns.

Recommendation 3: The Secretaries of USDA and HHS should disclose how provisional nominees' biases and conflicts of interest are identified and managed by:

- a) Creating and publicly posting a policy and form to explicitly disclose financial and nonfinancial biases and conflicts;
- b) Developing a management plan for addressing biases and conflicts for the panel as a whole and individuals, as needed;
- c) Certifying that a federal ethics officer independently reviewed and judged the advisory committee's biases and conflicts of interest; and by
- d) Documenting how conflicts of interest were managed in the Dietary Guidelines Advisory Committee report.

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Response: USDA ethics officials will ensure interests and affiliations of Advisory Committee members comply with applicable conflict of interest statutes, regulations issued by the U.S. Office of Government Ethics (OGE), supplemental agency requirements, and other applicable Federal ethics rules. Each committee member will submit a financial disclosure report upon appointment and annually thereafter. Each report will be reviewed by USDA ethics officials for financial conflicts of interest and compliance with Federal ethics rules. Each committee member will also receive ethics training upon entry on duty and on an annual basis throughout their tenure on the committee.

Recommendation 4: The Secretaries of USDA and HHS should adopt a system for continuous process improvement to enhance outcomes and performance of the Dietary Guidelines Advisory Committee selection process.

Response: USDA and HHS will continue to drive continuous process advancements by examining the effectiveness of process modifications, reviewing best practices, and assessing other selection processes.

The Dietary Guidelines for Americans serves as the cornerstone of Federal nutrition programs and policies, providing food-based recommendations to help prevent diet-related chronic diseases and promote overall health. According to the National Nutrition Monitoring and Related Research Act of 1990, the Dietary Guidelines is mandated to reflect the preponderance of scientific evidence, and is published jointly by USDA and HHS every five years.