

Optimizing the Process for Establishing the *Dietary Guidelines for Americans:*

The Selection Process

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STATEMENT OF TASK – REPORT 1

How the advisory committee selection process can be improved to provide **more transparency**, **eliminate bias**, and include committee members with a **range of viewpoints**

KEY FINDINGS

- The DGAC selection process is thoughtful and works within the bounds of the relevant laws. However, the lack of transparency in the current process could lead to the perception that the DGAC membership is inequitable, which affects its integrity and trustworthiness.
- Profound variation exists across several steps of selection processes for federal advisory committees, including membership types, methods for soliciting nominations, and the ways in which candidates are screened, vetted, and appointed.
- There is wide agreement in the literature that all relevant individuals should disclose any potential conflicts of interest, but there is a lack of consensus regarding how conflicts of interest are identified and managed.

CONCLUSIONS

- Current process can be more transparent than it currently is.
- Conflicts of interest—whether actual or perceived—cannot be eliminated entirely on a balanced panel of relevant experts. However, they can be managed.

BACKGROUND

- Dietary guidance has evolved over time from being focused on reducing inadequate or excessive intakes of food, nutrients, and calories now include the goal of reducing risk of chronic disease.
- Updates in nutrition science and innovations in methods have improved the process for developing dietary guidance
 - food pattern modeling
 - use of systematic reviews
 - less reliance on the collective knowledge/opinion of experts.

THE *DIETARY GUIDELINES FOR AMERICANS*

- The *DGA* provides nutritional and dietary information for the purpose of promoting health and preventing disease.
- As mandated by Congress, USDA and HHS jointly update and present the *DGA* every 5 years.
- The *DGA* serves as the basis for all federal nutrition policies, nutrition assistance programs, and nutrition education and advice for the public.

THE *DIETARY GUIDELINES FOR AMERICANS*

- *DGA* must be based on the “preponderance of the scientific and medical knowledge which is current at the time the report is prepared.”
- USDA and HHS convene the Dietary Guidelines Advisory Committee, which functions under the Federal Advisory Committee Act to evaluate the scientific evidence.
- The DGAC’s conclusions are submitted to the secretaries of USDA and HHS as the *Scientific Report of the Dietary Guidelines Advisory Committee*.

CURRENT PROCESS

- 1 ESTABLISH THE CHARTER
- 2 PUBLICLY ANNOUNCE AND ACCEPT NOMINATIONS (N = 150–200)
- 3 CONDUCT A REVIEW OF NOMINATIONS AND PROPOSE A SLATE OF CANDIDATES (N = 30–40)
- 4 PREPARE FOR AND CONDUCT DEPARTMENTAL APPROVALS (N = 13–17)
- 5 NOTIFY ADVISORY COMMITTEE MEMBERS OF THEIR APPOINTMENT
- 6 CONDUCT PERSONNEL REQUIREMENTS FOR SPECIAL GOVERNMENT EMPLOYEES
- 7 PUBLICLY ANNOUNCE THE ADVISORY COMMITTEE MEMBERS AND ITS FIRST MEETING
- 8 CONDUCT ADMINISTRATIVE AND ETHICS TRAINING WITH THE ADVISORY COMMITTEE
- 9 HOLD FIRST PUBLIC MEETING AND SWEAR IN THE ADVISORY COMMITTEE

EVIDENCE WE REVIEWED

- Exploratory search of other federal advisory committees
- Exploratory search of non-federal advisory committees
- Literature review
- USDA listening session and public comments

VALUES TO ENHANCE INTEGRITY

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

OPPORTUNITIES TO BUILD TRUST

- A. Candidate review
- B. DGAC composition
- C. Additional public comment periods
- D. Reducing and managing biases and conflicts of interest
- E. Continuous learning

PROPOSED PROCESS



CANDIDATE REVIEW

- Option 1 Continue status quo
- Option 2 Remove selection process entirely from USDA and HHS
- Option 3 Separate the initial screening of nominees from the appointing authority

CANDIDATE REVIEW – 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.

DGAC COMPOSITION

- The DGAC ought to represent a wide variety of perspectives.
- Currently the DGAC develops priority topics for review rather than an a priori process to identify the most critically needed topics, thus influencing the expertise needed on the DGAC.

ADDITIONAL PUBLIC COMMENT PERIODS

Option 1 Request public comments on all nominated candidates

Option 2 Request public comments on a slate of provisional members

PUBLIC COMMENT PERIODS – 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.

BIASES & CONFLICTS OF INTEREST

- **Bias:** an intellectual predisposition toward a particular perspective and an inherent part of being a subject matter expert
- **Conflict of interest:** “a set of circumstances that creates a risk that professional judgment or actions regarding a primary interest will be unduly influenced by a secondary interest” (IOM, 2009).

Individuals can be influenced by factors that are **financial** and **nonfinancial** in nature.

BIASES & CONFLICTS OF INTEREST – 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
- d. **Documenting** how conflicts of interest were **managed** in the Dietary Guidelines Advisory Committee report.

CONTINUOUS LEARNING – 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.

COMMITTEE TO REVIEW THE PROCESS TO UPDATE THE *DIETARY GUIDELINES FOR AMERICANS*

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REMAINING STATEMENT OF TASK QUESTIONS

(2) How the Nutrition Evidence Library (NEL) is compiled and utilized, including whether NEL reviews and other systematic reviews and data analysis are conducted according to rigorous and objective scientific standards;

(3) How systematic reviews are conducted on long-standing *DGA* recommendations, including whether scientific studies are included from scientists with a range of viewpoints; and

(4) How the *DGA* can better prevent chronic disease, ensure nutritional sufficiency for all Americans, and accommodate a range of individual factors, including age, gender, and metabolic health.

These questions will be addressed in the committee's second report, due out in fall of 2017.

FOR MORE INFORMATION

The full report can be found at www.nas.edu/dgareview