

119TH CONGRESS
1ST SESSION

H. R. 2326

To amend the National Nutrition Monitoring and Related Research Act of 1990 to improve the dietary guidelines, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 2025

Mr. JACKSON of Texas (for himself, Mr. MANN, Mr. BAIRD, Mr. HARRIS of Maryland, and Mr. BACON) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the National Nutrition Monitoring and Related Research Act of 1990 to improve the dietary guidelines, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Dietary Guidelines Re-
5 form Act of 2025”.

6 **SEC. 2. ESTABLISHMENT OF DIETARY GUIDELINES.**

7 (a) IN GENERAL.—Section 301(a) of the National
8 Nutrition Monitoring and Related Research Act of 1990
9 (7 U.S.C. 5341(a)) is amended—

1 (1) in paragraph (1)—

2 (A) by striking the paragraph designation
3 and heading and all that follows through “five
4 years” in the first sentence and inserting the
5 following:

6 “(1) IN GENERAL.—At least every 10 years,”;

7 and

8 (B) by adding at the end the following:

9 “Rulemaking requirements under section 553 of
10 title 5, United States Code, shall apply to the
11 development of each report under this para-
12 graph.”;

13 (2) by indenting paragraphs (2) and (3) appro-
14 priately;

15 (3) in paragraph (2), by striking “shall” and all
16 that follows through the period at the end and in-
17 serting the following: “shall—

18 “(A) be based on significant scientific
19 agreement that is determined by evidence-based
20 review (as defined in paragraph (9)(A));

21 “(B) be current at the time that the report
22 is prepared;

23 “(C) be derived from the questions gen-
24 erated under paragraph (5)(E);

1 “(D) address high-priority areas of concern
2 to advance health outcomes;

3 “(E) be designed to achieve nutritional
4 adequacy and promote health, as specified by
5 the Food and Nutrition Board of the National
6 Academies of Sciences, Engineering, and Medi-
7 cine, through the consumption of food, includ-
8 ing nutrients and bioactive food components oc-
9 curring naturally and in fortified foods;

10 “(F) include nutritional and dietary infor-
11 mation relevant to individuals with common nu-
12 trition-related chronic diseases, as defined by
13 the Centers for Disease Control and Prevention;
14 and

15 “(G) include recommendations that are af-
16 fordable, available, and accessible for the gen-
17 eral population.”;

18 (4) by redesignating paragraph (3) as para-
19 graph (8);

20 (5) by inserting after paragraph (2) the fol-
21 lowing:

22 “(3) FREQUENCY.—The Secretaries may pub-
23 lish the report required under paragraph (1) more
24 frequently than required under that paragraph if the
25 Secretaries determine that more frequent publication

1 is necessary to promote health based on updated die-
2 tary reference intake values specified by—

3 “(A) the Food and Nutrition Board of the
4 National Academies of Sciences, Engineering,
5 and Medicine; and

6 “(B) other relevant scientific advancements
7 based on continuous review of the totality of
8 publicly available scientific evidence.

9 “(4) NOTIFICATION OF UPDATE.—

10 “(A) IN GENERAL.—Not later than 90
11 days before the Secretaries plan to update a re-
12 port under paragraph (1), the Secretaries shall
13 submit notification of that plan, in writing, to
14 the Committees on Agriculture, Nutrition, and
15 Forestry and Health, Education, Labor, and
16 Pensions of the Senate and the Committees on
17 Agriculture and Energy and Commerce of the
18 House of Representatives.

19 “(B) JUSTIFICATION.—The notification
20 under subparagraph (A) shall include a jus-
21 tification for updating the report.

22 “(5) INDEPENDENT ADVISORY BOARD.—

23 “(A) IN GENERAL.—Not later than 90
24 days after the Secretaries submit a notification
25 under paragraph (4)(A), the Secretaries shall

1 establish an Independent Advisory Board (re-
2 ferred to in this paragraph as the ‘Board’).

3 “(B) MEMBERS.—The Board shall com-
4 prise not more than 8 members, of which—

5 “(i) 4 shall be appointed by the Secre-
6 taries, 2 of whom shall not be Federal em-
7 ployees; and

8 “(ii) 1 shall be appointed by each of
9 the highest-ranking Member on each Com-
10 mittee described in paragraph (4)(A) of
11 the opposite political party of the President
12 of the United States.

13 “(C) EXPERTISE.—Each member ap-
14 pointed to the Board shall have expertise in nu-
15 trition science or food science, including aca-
16 demic and applied experience.

17 “(D) MEETINGS.—

18 “(i) IN GENERAL.—The first meeting
19 of the Board shall take place on or after
20 the date that is 90 days after the Secre-
21 taries submit a notification under para-
22 graph (4)(A).

23 “(ii) QUORUM.—A $\frac{6}{8}$ majority of the
24 members shall constitute a quorum for the
25 transaction of the business of the Board.

1 “(E) DUTIES.—Not later than 1 year after
2 the establishment of the Board, the Board shall
3 submit to the Secretaries and the Committees
4 described in paragraph (4)(A) a list of scientific
5 questions based on the proposed report under
6 paragraph (1), which questions shall be used to
7 inform the work of the Secretaries on that re-
8 port and any relevant work of the Committees
9 described in paragraph (4)(A).

10 “(F) TERMINATION.—The authority of the
11 Board shall terminate, and the Board shall dis-
12 band, immediately after carrying out subpara-
13 graph (E).

14 “(6) DIETARY REFERENCE INTAKE UPDATES.—

15 “(A) IN GENERAL.—The Secretaries shall
16 coordinate with the Joint United States-Canada
17 Dietary Reference Intake Working Group to en-
18 sure that the Food and Nutrition Board of the
19 National Academies of Sciences, Engineering,
20 and Medicine update the dietary reference in-
21 take values to represent the most up-to-date
22 understanding of nutritional science.

23 “(B) UPDATES.—The Joint United States-
24 Canada Dietary Reference Intake Working
25 Group is encouraged—

1 “(i) to initiate at least 1 dietary ref-
2 erence intake update per year; and

3 “(ii) to identify updates that are of
4 highest priority and necessitate review.

5 “(7) EXCLUSION.—The information and guide-
6 lines contained in each report required under para-
7 graph (1) shall not be based on or include topics
8 that are not relevant to dietary guidance, as deter-
9 mined by the Secretaries, in consultation with the
10 Independent Advisory Board established under para-
11 graph (5), including taxation, social welfare policies,
12 purchases under Federal feeding programs, food and
13 agricultural production practices, food labeling, so-
14 cioeconomic status, race, religion, ethnicity, culture,
15 or regulations relating to nutrition.”; and

16 (6) by adding at the end the following:

17 “(9) EVIDENCE-BASED REVIEW.—

18 “(A) DEFINITION OF EVIDENCE-BASED
19 REVIEW.—In this paragraph, the term ‘evi-
20 dence-based review’ means a process under
21 which—

22 “(i) the totality of the scientific evi-
23 dence relevant to a question of interest is
24 collected, analyzed, and evaluated;

“(ii) scientific studies, conclusions, and recommendations are rated, adhering strictly to standardized, generally accepted evidence-based review methods; and

“(iii) external peer review is conducted by nongovernment experts with recognized expertise in quality-of-evidence evaluation.

“(B) STRENGTH OF EVIDENCE.—Each guideline contained in a report published under paragraph (1) shall be assigned a rating by the Secretaries for the strength of evidence used, including the extent to which the guideline will improve the Healthy Eating Index.

“(10) TRANSPARENCY.—

“(A) DISCLOSURE.—Any individual appointed to the Dietary Guidelines Advisory Committee or an Independent Advisory Board established under paragraph (5) shall provide full disclosure of all financial and nonfinancial conflicts of interest relevant to their membership using the Office of Government Ethics Form 450 (or successor form).

“(B) PUBLICATION.—Notwithstanding any other provision of law, not later than 30 days

1 after the date on which a Dietary Guidelines
2 Advisory Committee is established, the Secre-
3 taries shall make publicly available—

4 “(i) the disclosures required under
5 subparagraph (A), categorized by the name
6 of the individual; and

7 “(ii) a detailed plan for managing any
8 disclosed conflicts of interest, including fi-
9 nancial or ethical conflicts of interest, pref-
10 erences, values, and beliefs.

11 “(11) FUNDING.—Of the funds made available
12 by section 32 of the Act of August 24, 1935 (7
13 U.S.C. 612c), the Secretary of Agriculture shall
14 make available to carry out this subsection
15 \$5,000,000 for each of fiscal years 2025 through
16 2029, to remain available until expended.”.

17 (b) CONTROLLING REPORT.—The 2020 Dietary
18 Guidelines for Americans published by the Secretaries
19 under section 301(a)(1) of the National Nutrition Moni-
20 toring and Related Research Act of 1990 (7 U.S.C.
21 5341(a)(1)) (as in effect before the date of enactment of
22 this Act) shall be considered the most recent Dietary
23 Guidelines for Americans until the publication of the first
24 report under that section (as amended by subsection (a)).

○