The State of WIC: WIC Policy Overview and Current Issues

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Session Outline

• Importance of WIC Policy
• 4 Main Policy Areas
• WIC Appropriations Overview and Update
• WIC Reauthorization Overview and Update
• WIC Food Packages Overview and Update
• P-24 Dietary Guidelines
• Policy Priorities
• Advocacy vs. Lobbying
We know why WIC is important...

• Serves about 7.6 million participants across the US
  – > 50% of infants born in the US are enrolled in WIC
• Provides 4 core services: nutrition education, breastfeeding support, healthy food package, and referrals to health and social services
  – 10,000 WIC clinics nationwide
• Health outcomes—Participation in WIC:
  – Reduces likelihood of adverse birth outcomes including
    • VLBW babies and pre-term births
    • Increases breastfeeding initiation and duration rates
    • Leads to healthier diets and lower food insecurity
    • Leads to better dental health, higher immunization rates, and better cognitive outcomes in children
    • Can reduce the risk of child abuse and neglect
Changes to WIC policy can help or hinder your ability to help clients achieve their goals.
3 Main Policy Areas

1. Appropriations (legislative)
2. Reauthorization (legislative)
3. Food Package (regulatory)
WIC Appropriations
WIC Appropriations

• Also known as “WIC Funding”

• WIC is a discretionary program (unlike mandatory programs), meaning Congress must fund WIC each year and funding is not guaranteed
Committees of Jurisdiction

- Committees with the power to fund or not fund WIC

- House Appropriations Committee; Subcommittee on Agriculture, Rural Development, & FDA

- Senate Appropriations Committees; Subcommittee on Agriculture, Rural Development, & FDA
Committee Leadership

**House**
- Robert Aderholt (R-AL), Chair, Subcommittee
- Sanford Bishop (D-GA), Ranking Member, Subcommittee
- Rodney Frelinghuysen (R-NJ), Chair, Full Committee
- Nita Lowey (D-NY), Ranking Member, Full Committee

**Senate**
- John Hoeven (R-ND), Chair, Subcommittee
- Jeffrey Merkley (D-OR), Ranking Member, Subcommittee
- Thad Cochran (R-MS), Chair, Full Committee
- Patrick Leahy (D-VT), Ranking Member, Full Committee
We want them to know about how great WIC is and make them our best friends.
Steps in the Appropriations Process

USDAN receives WIC appropriation from Congress for current fiscal year.

USDA provides grants to states on a quarterly basis beginning October 1.*

USDA submits budget request to OMB for following fiscal year.

President sends Budget to Congress.

In February and March

In March

Informal House and Senate budget resolutions are adopted.

House and Senate Appropriations Committees meet to allocate spending levels for subcommittees including Agriculture Subcommittee.

Agriculture Appropriations Committees in House and Senate mark up and approve Agriculture Appropriation bills.

After Final passage by both House and Senate, President must approve and sign bill before it becomes law.**

The House and Senate full Appropriations Committees amend as necessary and approve.

Bills go to full House and Senate for floor debate and passage.

Conference Committee resolves any bill difference with outcomes and then returns to chambers for final passage.

October  | November | December | January |
----------|----------|----------|---------|

* USDA provides grants to states on a quarterly basis beginning October 1.

** After Final passage by both House and Senate, President must approve and sign bill before it becomes law.
Continuing Resolutions

- If budget process is not complete by October 1, Congress may enact one or more continuing resolutions (CRs)
- Short-term funding to avoid a government shutdown
- CRs provide funding at the same level as the previous fiscal year and can last varying lengths of time (from a few weeks to a full year).
- CRs make program planning challenging

**Today’s WORD**

*continuing resolution*

/kuh n-tin-yoo-ing rez-uh-loo-shun/

noun

: short-term legislation passed by Congress to keep the government open.
While CRs are not ideal, they are better than letting the government shutdown.
Facing a legislative time crunch (like the end of a fiscal year), Congress will often choose to wrap some or all unapproved appropriations bills into a single legislative vehicle to assure passage. A “minibus” is where two or more appropriations bills are wrapped, and an “omnibus” is where all or all remaining unapproved appropriations bills are wrapped.
WIC Appropriations – Where Are We Now?

- FY 2018: We are on our 5th CR – expires March 23
- 2 government shutdowns so far during the FY18 process
- Congress expected to pass an omnibus in March
- Could see another short-term shutdown if Congress does not move quickly
- Bill needs to get to the floor one week before 3/23 deadline
Some Good Appropriations News

• NWA secured $14 million in supplemental disaster appropriations for PR & USVI
• Thank you to all who reached out to Congress about this!
• Remember: there are ALWAYS opportunities for wins even in the most challenging political environment
• NWA will honor Senator Kirsten Gillibrand with a Leadership Award to thank her for her work on this
# WIC Appropriations

<table>
<thead>
<tr>
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<th>FY2017 Appropriation</th>
<th>FY2018 Senate Bill</th>
<th>FY19 President’s Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Budget Authority</td>
<td>$6.35 billion</td>
<td>$6.35 billion</td>
<td>$5.75 billion</td>
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<tr>
<td>Rescission</td>
<td>$850 million</td>
<td>$800 million</td>
<td>$215 million</td>
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<tr>
<td>Breastfeeding Peer Counselor Program</td>
<td>$60 million</td>
<td>$80 million</td>
<td>$60 million</td>
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<tr>
<td>Infrastructure</td>
<td>$14 million</td>
<td>$14 million</td>
<td>$14 million</td>
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<tr>
<td>Program Initiatives &amp; Evaluation</td>
<td>$15 million</td>
<td>Presumptive $15 million</td>
<td>$5 million</td>
</tr>
<tr>
<td>Rescission of Unspent Funds</td>
<td>$850 million</td>
<td>$800 million</td>
<td>$215 million</td>
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### NWA FY 2019 Appropriations Asks

<table>
<thead>
<tr>
<th>REQUEST</th>
<th>AMOUNT</th>
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<tbody>
<tr>
<td>Total Funding Request</td>
<td>$6.3 Billion + Contingency Fund</td>
</tr>
<tr>
<td>Set Aside for Breastfeeding Peer Counselor Program</td>
<td>$90 Million</td>
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<tr>
<td>Set Aside for WIC Infrastructure</td>
<td>$14 Million</td>
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<tr>
<td>Set Aside for WIC Research and Evaluation</td>
<td>$25 Million</td>
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<td>Set Aside for Addressing Maternal and Infant Mortality</td>
<td>$5 Million</td>
</tr>
<tr>
<td>Set Aside for Community Health Integration</td>
<td>$15 Million</td>
</tr>
<tr>
<td>Maintain the Contingency Fund at $250 Million</td>
<td>Up to $250 Million</td>
</tr>
</tbody>
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FY 2019 Funding Outlook

• President’s budget claims to provide adequate funding for caseload
  – Low caseload estimate: 6.9 million

• Further rescissions likely – concern about continued decrease in funding & squeeze on NSA funds

• Good news: budget deal provided more top line funding for FY18 & FY19
  – However, most $$ likely to go to defense & border security
WIC Reauthorization
WIC Reauthorization

• Occurs every 5 years

• Changes WIC Policy

• Committees of jurisdiction
  – House Education and the Workforce Committee
  – Senate Agriculture Committee
Committee Leadership

House: Education and the Workforce
• Todd Rokita (R-IN), Chair, Subcommittee
• Jared Polis (D-CO), Ranking Member, Subcommittee
• Virginia Foxx (R-NC), Chair, Full Committee
• Robert “Bobby” Scott (D-VA), Ranking Member, Full Committee

Senate: Agriculture
• David Perdue (R-GA), Chair, Subcommittee
• Bob Casey (D-PA), Ranking Member, Subcommittee
• Pat Roberts (R-KS), Chair, Full Committee
• Debbie Stabenow (D-MI), Ranking Member, Full Committee
We also want them to know about how great WIC is and make them our best friends.
Examples of Past Reauthorization Policy Change

• Language to review and update the food package every 10 years
• The establishment of the Breastfeeding Peer Counselor Program
• Mandate to get all states to EBT by 2020
• The establishment of the use of adjunctive eligibility in WIC
• Language that establishes funding levels for set asides like the Breastfeeding Peer Counselor Program, MIS/EBT, and Infrastructure
2015 Reauthorization Process:

• House and Senate Committees missed original deadline (September 30, 2015)
• Senate Agriculture Committee passed bipartisan bill in January 2016
  – Contained several positive WIC provisions including WIC to Six, 2 year infant certifications, and protecting adjunctive eligibility with a 3 year study
• House Ed and Workforce Committee passed partisan bill in April 2016
  – Bad for WIC and other child nutrition programs; no positive WIC provisions
• Neither bill passed in the full chamber
• Nothing happened in 2017
• Now, unlikely that CNR will be taken up in 2018 due to other competing legislative priorities in these committees
Lack of reauthorization bill leaves WIC more vulnerable to legislative threats like Appropriations riders and structural changes
Big Threats to Benefit Programs

• Block grants & “super waivers” remain a threat
• Administration & Congress have signaled interest in welfare reform CUTTING & LIMITING ACCESS TO BENEFIT PROGRAMS
  – A.k.a. Speaker Ryan’s “workforce development”
  – Possible House bill
Public Charge & Immigration Situation

• Draft Notice of Proposed Rulemaking leaked last month
  – Very similar to leaked EO this time last year
  – Public charge = Someone likely to be dependent on government for survival and for that reason is subject to deportation
  – Expands definition of public charge to health and nutrition programs
  – **WIC is specifically called out this time**

• Nothing is law yet!

• But, the chilling effect is real & being felt now

• We will have a session dedicated to this topic later today
Food Package Review Process

• The review process is scientifically based
  – USDA commissions National Academies of Sciences, Engineering, and Medicine
• Specifies the types and minimum nutritional requirements of foods in the WIC food package
• NWA submitted comments throughout the process
Food Package Review Process: Where are We Now?

• NASEM released its report in Jan. 2017
• USDA still reviewing recommendations
  – No requirement to act
• Danger in action under this administration – could roll back progress
• Congressional threats
Steps Still Left in the USDA Rule-Making Process

• USDA will publish interim rule and accept public comments
• USDA will respond to all public comments and make any changes to food packages rule, considering comments
• USDA will publish interim final rule and accept public comment
• USDA will respond to all public comments and makes any changes to food packages rule, considering comments
• USDA will publish final rule
Pregnancy – 24 months Dietary Guidelines

• Due in 2020
• Unclear process
• Public comment periods coming up for scope & composition of the committee
  – NWA will submit comments & nominations
• Process expected to be fraught politically
• Issues with resources & staff
  – NWA is requesting appropriations
NWA Legislative Priorities

• **First and foremost, protecting WIC from funding cuts and structural changes**

• Also urging policy makers to:
  – Protect and Strengthen WIC’s Breastfeeding Peer Counselor Program
  – Protect and Preserve the Scientific Integrity of the WIC Food Packages
  – Support WIC Research & Evaluation
  – Support WIC’s Transition to Electronic Benefits Transfer (EBT) in all 90 “states”

Refer to Fact Sheets: FY19 WIC Policy Priorities + WIC 2018 Nutrition and Public Health Priorities
Lifting Up Your WIC Voice

• It is essential given our current environment that we all work together to strengthen WIC & protect it from potential threats

• Policymakers need to learn from their constituents about the value of WIC
Advocacy vs. Lobbying
Key Aspect of Being a Good Advocate: Staying Informed

• Weekly Legislative Updates in NWA’s Monday Morning Report
  – All Legislative Updates are posted on NWA’s blog to get up to speed on the latest issues
• Washington Updates
Stay tuned for more presentations and workshops on how to be a strong WIC advocate

• Later Today:
  – Immigration & WIC Session
  – WIC State Policy Panel Discussion
  – Being a WIC Spokesperson Workshop

• Tomorrow:
  – Federal Budget Update
  – WIC Advocacy Best Practices & Lessons Learned
  – Policies that Impact WIC: An Update on Hunger, Nutrition, Breastfeeding, and Healthcare
  – Threats to the Safety Net
Questions? Comments?