Current WIC Policy Issues & Analysis

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March 4, 2018
2018 Washington Leadership Conference
Session Outline

• Advocacy vs. Lobbying
• WIC Appropriations Update
• WIC Reauthorization
• Policy Threats on the Horizon
• WIC Food Packages
• P-24 Dietary Guidelines
What is advocacy?

• **Advocacy is** the process by which individuals or groups act to bring about social, policy, or organizational change to benefit a particular policy goal, program, or community interest.

• **You can engage in advocacy,** but you will not be able to engage in all types of advocacy all of the time. You can engage in some types of advocacy most of the time.
What Does Advocacy Entail?

- **Advocacy can include:**
  - Non-partisan public education, including the publication of research and analysis to provide information to policymakers
  - Publicizing your own achievements and hard work
  - Hosting events to highlight the work of your agency
  - Lobbying: either directly attempting to influence policymakers or mobilizing your networks for the same purpose
What is lobbying?

- **Federal definition:** an attempt to influence a legislative body through communication with a member of employee of a legislative body, or with a government official who participates in formulating legislation. An activity must:
  - Be a *communication*
  - Refer to *specific legislation* (including proposals)
  - *Reflect a view* on that legislation
Exercise: Is It Lobbying?

• Joan sends a letter to her member of Congress asking her to support a bill that establishes a pilot program to address maternal health disparities.
• Eleanor meets with her member of Congress and talks about the success of the breastfeeding peer counselor program in her clinic.
• Margaret tweets to her followers, asking them to call their member of Congress and tell them to vote no on the pending appropriations bill.
• Diane submits a public comment to the Department of Agriculture, encouraging them to adopt NASEM’s recommendations for the WIC food package.
During NWA’s Leadership Conference you will be educating and doing non-lobbying advocacy.
Final Notes

• Simple rule: **bragging beats begging.**

• State laws and department policy may also affect your ability to speak out:

• All lobbying is advocacy, but not all advocacy is lobbying.

• **Advocacy is critical to maintaining support among policymakers for WIC and other programs.**
3 Main Policy Areas

- Appropriations (legislative)
- Reauthorization (legislative)
- Food Package (regulatory)
WIC Appropriations
Committees of Jurisdiction

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

• Senate Appropriations Committee; 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
Steps in the Appropriations Process

• Release of President’s Budget
• Hearings
• House and Senate Subcommittee mark-ups of their respective bills
• House and Senate Appropriations Committee mark-ups of their respective bills
• House and Senate Floor Debate
• House and Senate vote on their versions of the bill
• Once passed, the bills are conferenced to iron out differences
• House and Senate vote on conferenced agreement
• If passed, bill is signed into law, or vetoed and returned for more work or an override.
Appropriations Challenges Over the Past Several Years

- Funding uncertainty with multiple Continuing Resolutions (CRs)
- 2 government shutdowns so far during the FY18 process
- Potential for riders threatening WIC food package
- Rescissions
WIC Appropriations: Where are We Now?

FY 2017 Law (last time Appropriations bills were actually passed – in the form of an Omnibus bill)

- $6.35 billion in new funding
- $60 million: breastfeeding peer counselor program
- $13.6 million: infrastructure
- $850 rescission of unspent funds
WIC Appropriations: Where are We Now?

- Still operating under a CR for FY18
- Current (fifth) CR expires March 23, 2018
- 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>
<th>Budget Authority</th>
<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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<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>
</tr>
<tr>
<td>Program Initiatives &amp; Evaluation</td>
<td>$15 million</td>
<td>Presumptive $15 million</td>
<td>$5 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>
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<tr>
<td>Set Aside for Breastfeeding Peer Counselor Program</td>
<td>$90 Million</td>
</tr>
<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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<tr>
<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>
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<tr>
<td>Maintain the Contingency Fund at $250 Million</td>
<td>Up to $250 Million</td>
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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
PROPOSED CHANGE TO FUNDING IN TRUMP’S BUDGET

-29%  State Department
-25%  Environmental Protection Agency
-25%  Small Business Administration
-18%  Transportation
-15%  Agriculture
-15%  Interior
-14%  Housing and Urban Development
-10%  Labor
-5%   Education
-3%   Treasury
-1%   Justice
+1%   NASA
+2%   Energy
+6%   Commerce
+11%  Health and Human Services
+12%  Homeland Security
+13%  Defense
+15%  Veterans Affairs

Source: Washington Post
Attacks on Adjunctive Eligibility

• Became a target because some states’ Medicaid eligibility for pregnant women and infants is above 185% FPL
  – USDA data shows that only about 1% of WIC participants have income > 185% FPL

• Adjunctive eligibility is important because:
  – Removes barrier to participation
  – Links prevention to healthcare
  – Streamlines administration, lowering costs

• Will be addressed in state policy panel
WIC Reauthorization (CNR)
WIC Reauthorization

• Reauthorized every 5 years along with School Lunch Program, CACFP, Summer Meals, and other child nutrition programs

• 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
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
Steps in the reauthorization process: Similar to Appropriations process but with new committees

• Hearings
• Marker bills introduced
• House Education and the Workforce Committee/Senate Agriculture Committee mark-ups of their respective bills
• House and Senate Floor Debate
• House and Senate vote on their versions of the bill
• Once passed, the bills are conferenced to iron out differences
• House and Senate vote on conferenced agreement
• If passed, bill is signed into law, or vetoed and returned for more work or an override.
2015 Reauthorization Process:

- House and Senate Committees missed original deadline (September 30, 2015)
- Senate Ag Committee passed bipartisan bill in Jan 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
- Now, unlikely that CNR will be taken up in 2018 due to other competing legislative priorities in these committees – mostly Farm Bill in Senate Ag Committee
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
WIC Food Packages
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
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
Key Aspect of Being a Good Advocate: Staying Informed

- Weekly Legislative Updates NWA’s Monday Morning Report
- All Legislative Updates are posted on NWA’s blog to get up to speed on the latest issues
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?