



EDUCATING WASHINGTON: WHY ENGAGING WITH DC MATTERS FOR WIC

NWA'S MISSION

The National WIC Association (NWA) provides its members with tools and leadership to expand and sustain effective nutrition services for mothers and young children.

For nearly fifty years, the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) has delivered quality nutrition services to improve outcomes for pregnant and postpartum women, infants, and children up to age 5. From embracing technology to the updated food package, major program improvements depend on the support of policymakers in the nation's capital. The National WIC Association is committed to partnering with Congress, the U.S. Department of Agriculture (USDA), and other federal decision-makers to advance positive WIC policy through legislation and regulation.

Federal policymakers rely on the expertise of those working in local communities. Policymakers will look to their local communities to inform their own position, weigh priorities, and develop new solutions. Although new ideas are always being explored, WIC reforms have historically been packaged in a broader vehicle to simplify the policy-making process. WIC providers benefit from building ongoing relationships with legislative offices to inform the policy process.



ANNUAL APPROPRIATIONS

WIC is a discretionary program and relies on the annual appropriations process to obtain funding. Congress must pass twelve spending bills each year to fund a wide range of federal agencies and programs – including the military. With various interests at the table, the appropriations process is shaped by the priorities of major policymakers, such as the President, the Speaker of the House, and the Senate Majority Leader. The annual appropriations process typically begins in early February, when the White House issues a budget proposal at the State of the Union.

Both the House and Senate have Appropriations Committees, each with twelve subcommittees that oversee the twelve spending bills. WIC is assigned to the Agriculture Appropriations Subcommittee, along with other USDA programs.

WIC funding is consolidated in one overall number – the budget authority. This funding level will set the overall spending for WIC's various grants, including food grants and Nutrition Services & Administration (NSA) grants. State allocation levels are not determined by Congress, but through a funding formula managed by USDA after the appropriations process is complete. In the appropriations process, Congress separately determines funding only for WIC's set-asides. This includes the set-aside for breastfeeding peer counselors, infrastructure and special project grants, and projects related to management information systems (MIS).

Appropriations subcommittees begin developing bills in the spring – this is the most critical time to engage legislators and elevate WIC funding requests. Spending bills are often consolidated in omnibus spending packages to facilitate passage through Congress.

PAST ACHIEVEMENTS IN CHILD NUTRITION REAUTHORIZATIONS:

- » 1989: Permitted adjunctive eligibility to streamline WIC certifications
- » 1989: Established infant formula competitive bidding procedures
- » 2004: Created federal funding for Breastfeeding Peer Counselor Program
- » 2010: Required transition to EBT/e-WIC systems

CHILD NUTRITION REAUTHORIZATION

The Child Nutrition Act was passed in 1966 to expand the efforts of the National School Lunch Program. When WIC was first established in the 1970s, it was authorized as an amendment to the Child Nutrition Act. About every five years, Congress reexamines child nutrition programs and weighs program improvements. This process is known as “Child Nutrition Reauthorization,” or CNR.

Major program improvements have been accomplished through CNR. Reauthorization can expand eligibility, alter the requirements for clinic procedures, set up new funding streams to support state agency projects, and even enhance collaborations with other federal and state programs.

WIC staff must push back against threats to the program throughout the Child Nutrition Reauthorization process. Certain policymakers and interest groups may use the Child Nutrition Reauthorization process to undermine the program’s public health success. In the 1990s, the National WIC Association staunchly

opposed efforts to turn WIC into a block grant to states. More recently, NWA has fought back attempts to limit adjunctive eligibility and legislatively alter the food package.

Child Nutrition Reauthorization is assigned to the Senate Agriculture Committee and the House Education & Labor Committee. This sometimes leads to a parallel process, as both committees may develop bills with different provisions.

The last successful Child Nutrition Reauthorization was the Healthy, Hunger-Free Kids Act of 2010, which transformed the landscape of WIC services by nationalizing e-WIC. Attempts to reauthorize the child nutrition programs failed in 2015 and 2019.

In 2021, key legislators indicated an interest in advancing a CNR process to address lessons learned during COVID-19 and longstanding reforms. CNR is well positioned to move in 2022, before expiration of the public health emergency declaration.

BROADER ISSUES IMPACT WIC

By virtue of its strong referral services, WIC is closely connected with other healthcare, nutrition, and social services. While WIC policy is mainly governed by Child Nutrition Reauthorization and appropriations, legislation affecting other programs may intersect with WIC policy, affect the responsibilities of WIC staff, or impact the lives of WIC participants.

In the current Congress, efforts to consolidate domestic policies into a unified vehicle - known as the Build Back Better Act - included several key priorities that affect WIC families, including the Child Tax Credit, paid family leave, maternal health equity, universal Pre-K and childcare, and expansions to the school meals and summer feeding programs.

REGULATORY COMMENTING

Once laws are passed by Congress, federal agencies are responsible for enacting regulations that create the framework to implement the new laws. USDA administers WIC and oversees any regulatory changes to WIC services.

Under federal law, the regulatory process allows for significant public input. USDA or other federal agencies will first issue a *proposed rule* – outlining likely changes to existing regulations. Proposed rules are open for public comment periods. This is a pivotal moment where members of the public – including WIC staff – can weigh in on proposed changes, offer suggestions, or express opposition. Federal agencies then consider public comments before issuing a *final rule*.

While USDA administers WIC, other agencies may implement regulations that impact the lives of WIC participants. The most prominent recent example is the Department of Homeland Security’s public charge rule. WIC policy is also impacted by Food and Drug Administration (FDA) policy on infant foods, Office of Management and Budget calculations for the Federal Poverty Guidelines, and environmental rules from the EPA.

NWA IS HERE TO HELP!

Throughout both legislative and regulatory processes, federal policymakers need to hear from WIC providers. NWA will continue to provide updates on opportunities to engage with policymakers – to better inform and educate those in Washington on how the program is administered and how policy changes would impact the lives of WIC staff and participants.