



National WIC Association

Current WIC Policy Issues & Analysis

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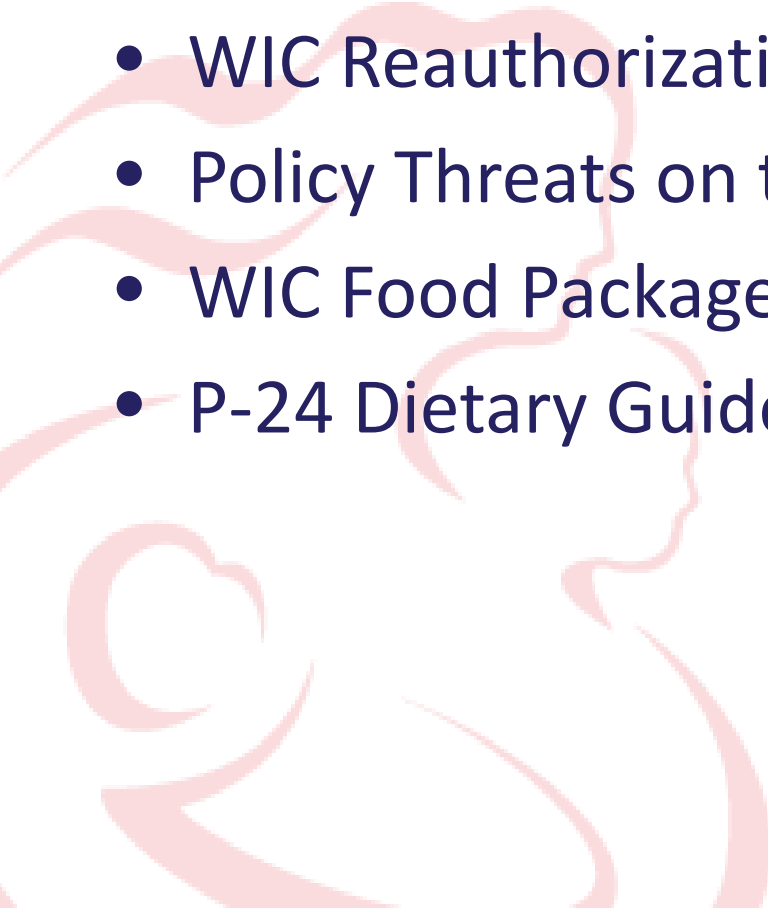
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National WIC Association

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 or 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

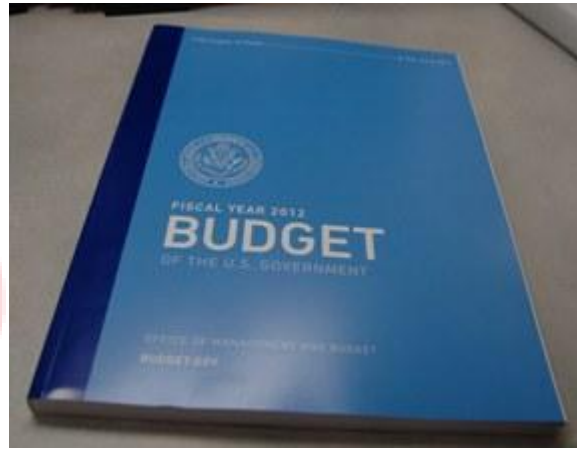
- Simple rule: **bragging beats begging.**
- State laws and department policy may also affect your ability to speak out:
 - How States Define Lobbying and Lobbyists:
(<http://www.ncsl.org/research/ethics/50-state-chart-lobby-definitions.aspx>)
- All lobbying is advocacy, but not all advocacy is lobbying.
- **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

	FY2017 Appropriation	FY2018 Senate Bill	FY19 President's Budget
Total Budget Authority	\$6.35 billion	\$6.35 billion	\$5.75 billion
Rescission	\$850 million	\$800 million	\$215 million
Breastfeeding Peer Counselor Program	\$60 million	\$80 million	\$60 million
Infrastructure	\$14 million	\$14 million	\$14 million
Program Initiatives & Evaluation	\$15 million	Presumptive \$15 million	\$5 million

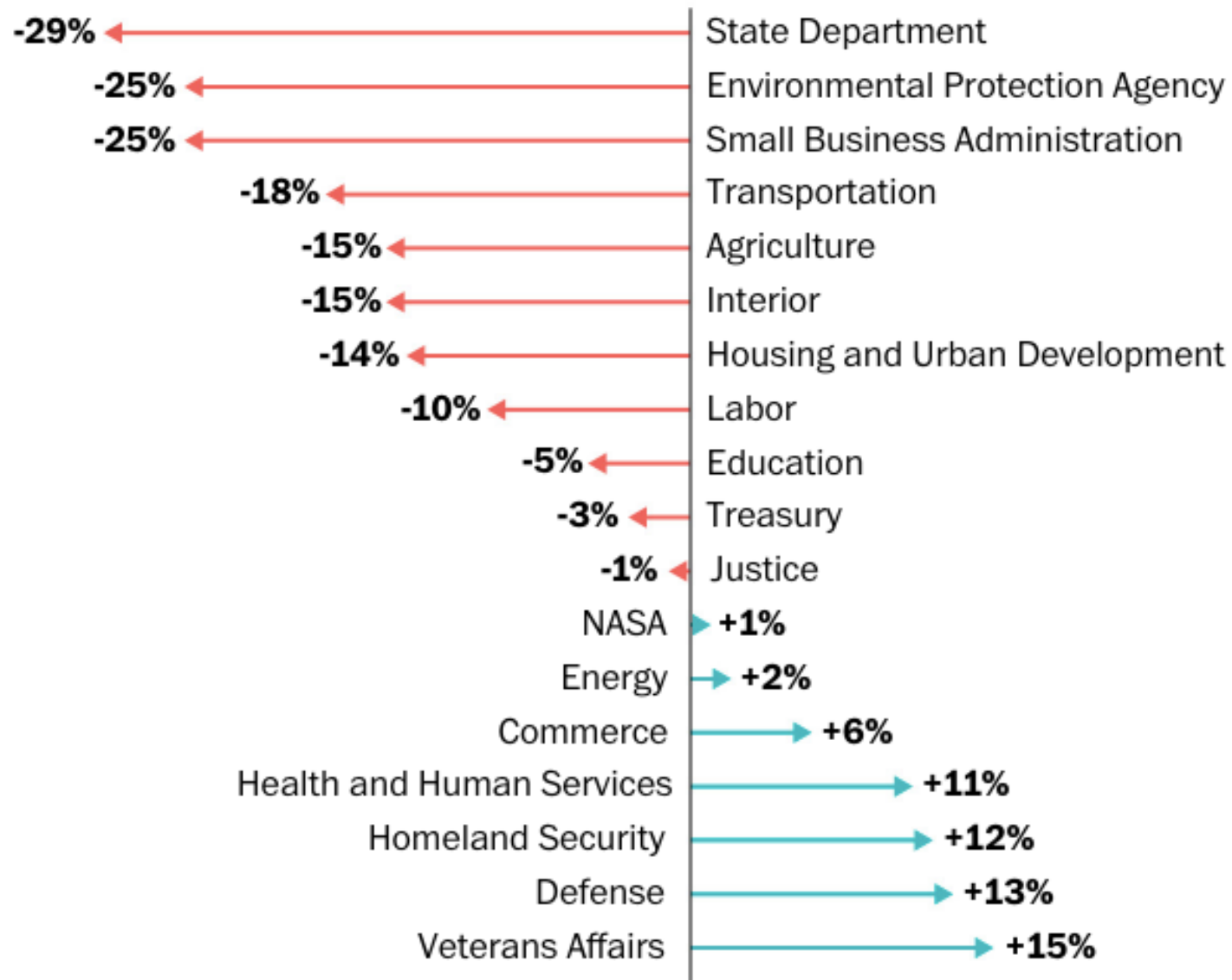
NWA FY 2019 Appropriations Asks

REQUEST	AMOUNT
Total Funding Request	\$6.3 Billion + Contingency Fund
Set Aside for Breastfeeding Peer Counselor Program	\$90 Million
Set Aside for WIC Infrastructure	\$14 Million
Set Aside for WIC Research and Evaluation	\$25 Million
Set Aside for Addressing Maternal and Infant Mortality	\$5 Million
Set Aside for Community Health Integration	\$15 Million
Maintain the Contingency Fund at \$250 Million	Up to \$250 Million

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



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

A faint, light-colored graphic of a woman's profile is visible in the background on the left side of the slide. The profile is facing right and is rendered in a simple, stylized manner with soft, rounded lines.

**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

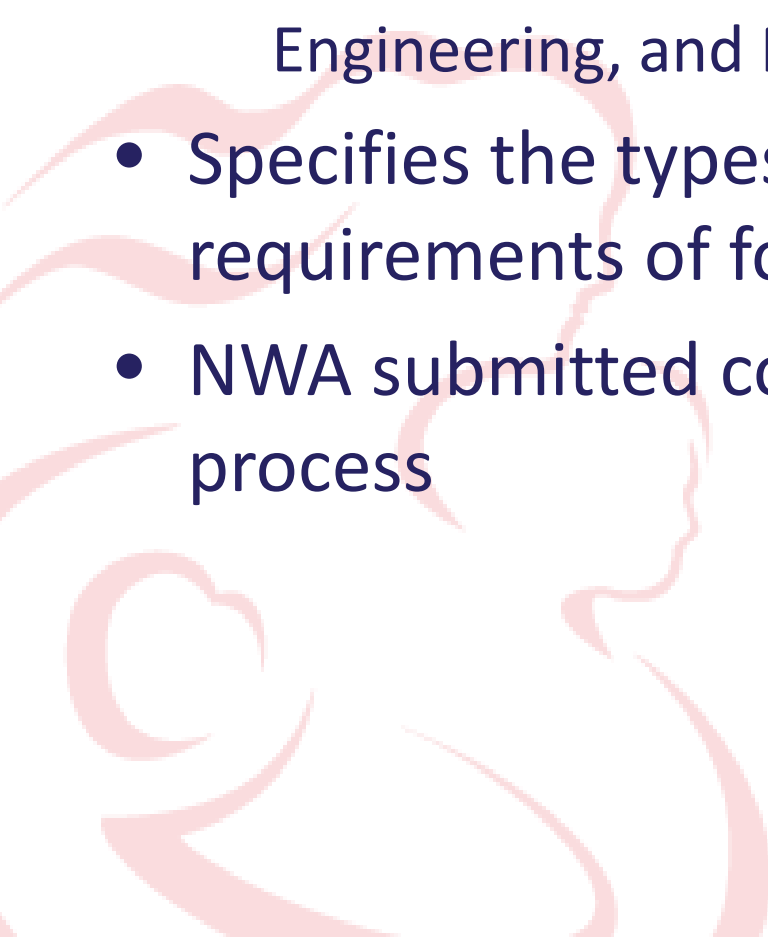
- Draft Notice of Proposed Rulemaking leaked last month
 - Very similar to leaked EO this time last year
 - Public charge = Someone likely to be dependent on government for survival and for that reason is subject to deportation
 - Expands definition of public charge to health and nutrition programs
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

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This PDF is available at <http://www.nap.edu/23655> SHARE    



Review of WIC Food Packages: Improving Balance and Choice:
Final Report

DETAILS

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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
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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



National WIC Association

NWA is the non-profit education arm and advocacy voice of the Special Supplemental Nutrition Program for Women, Infants and Children (WIC).



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Weekly WIC Policy Update

February 9, 2015

2016 Budget Update: House Appropriations Committee Chairman Hal Rogers (R-KY) has scheduled several hearings this week on President Obama's FY 2016 budget request. Hearings on the president's budget will also take place before other committees in the House and Senate this week.

Affordable Care Act Update: Last week, the House passed H.R. 596 by a vote of 239-186. H.R. 596, if enacted, would repeal the 2010 Affordable Care Act and direct three House committees to draft replacement legislation. Senate Majority

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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?