



Food and
Nutrition
Service

April 20, 2020

SUBJECT: Request for WIC Flexibility in Response to COVID-19

1320
Braddock
Place
Alexandria,
VA
22314

TO: Cheryl Kennedy
Regional Administrator
Mountain Plains Regional Office

This letter is in response to the March 25, 2020 correspondence from North Dakota WIC requesting program flexibility in the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) as a result of significant impacts to providing WIC program services to participants due to COVID-19.

North Dakota WIC cited challenges with vendors' abilities to maintain inventory of WIC food and requests administrative flexibility to extend the use of benefits into a subsequent month or months. Section 17 of the Child Nutrition Act (42 U.S.C. 1786) specifies that WIC benefits are supplemental to other food assistance and WIC's purpose is to provide participants with supplemental foods and nutrition education at critical times of growth and development. USDA's Food and Nutrition Service (FNS) has defined these critical times of growth and development in monthly increments as outlined in 7 CFR 246.10(e)(9)-(12) for specific supplemental foods.

USDA FNS does not approve the request to extend benefits or rollover benefits into a subsequent month. Under section 2204(a)(1) of the Families First Coronavirus Response Act (P.L. 116-127), USDA FNS has the authority to waive administrative requirements that cannot be met by a State agency due to COVID-19 and the modification or waiver is necessary to provide assistance consistent with Section 17 of the Child Nutrition Act (42 U.S.C. 1786). However, USDA FNS cannot fundamentally expand or change Program benefits under this authority.

USDA FNS appreciates North Dakota WIC's commitment to addressing the operational challenges impeding the delivery of WIC benefits to needy women, infants and children. Please reach out to your regional office about other flexibilities that may assist you in continuing to provide WIC benefits during this time.

Sincerely,

SARAH WIDOR
Director
Supplemental Food Programs Division