

116TH CONGRESS  
2D SESSION

# H. R. 6298

To waive and defer certain requirements under the special supplemental nutrition program for women, infants, and children during certain emergencies, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2020

Mr. THOMPSON of Pennsylvania (for himself and Ms. SCHRIER) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To waive and defer certain requirements under the special supplemental nutrition program for women, infants, and children during certain emergencies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “COVID-19 WIC Re-  
5 sponse Act of 2020”.

6 **SEC. 2. PHYSICAL PRESENCE WAIVER UNDER WIC DURING**  
7 **CERTAIN PUBLIC HEALTH EMERGENCIES.**

8 (a) WAIVER AUTHORITY.—

1           (1) IN GENERAL.—Notwithstanding any other  
2           provision of law, the Secretary may grant a request  
3           described in paragraph (2) to—

4                   (A) waive the requirement under sub-  
5                   section (d)(3)(C)(i) of section 17 of the Child  
6                   Nutrition Act of 1966 (42 U.S.C.  
7                   1786(d)(3)(C)(i)); and

8                   (B) defer anthropometric and bloodwork  
9                   requirements necessary to determine nutritional  
10                  risk under such section.

11          (2) REQUEST.—A request described in this  
12          paragraph is a request made to the Secretary by a  
13          State agency to waive, on behalf of the local agencies  
14          served by such State agency, the requirements de-  
15          scribed in paragraph (1) during any portion of the  
16          emergency period (as defined in paragraph (1)(B) of  
17          section 1135(g) of the Social Security Act (42  
18          U.S.C. 1320b–5(g))) beginning on or after the date  
19          of the enactment of this section.

20          (b) REPORTS.—

21                (1) LOCAL AGENCY REPORTS.—Each local  
22                agency that uses a waiver pursuant to subsection (a)  
23                shall, not later than 1 year after the date such local  
24                agency uses such waiver, submit a report to the

1 State agency serving such local agency that includes  
2 the following:

3 (A) A summary of the use of such waiver  
4 by the local agency.

5 (B) A description of whether such waiver  
6 resulted in improved services to women, infants,  
7 and children.

8 (2) STATE AGENCY REPORTS.—Each State  
9 agency that receives a waiver under subsection (a),  
10 shall, not later than 18 months after the date such  
11 State agency received such waiver, submit a report  
12 to the Secretary that includes the following:

13 (A) A summary of the reports received by  
14 the State agency under paragraph (1).

15 (B) A description of whether such waiver  
16 resulted in improved services to women, infants,  
17 and children.

18 **SEC. 3. ADMINISTRATIVE REQUIREMENTS WAIVER UNDER**  
19 **WIC.**

20 (a) WAIVER AUTHORITY.—

21 (1) IN GENERAL.—Notwithstanding any other  
22 provision of law, the Secretary may, if requested by  
23 a State agency, modify or waive any qualified ad-  
24 ministrative requirement with respect to such State  
25 agency.

1           (2) QUALIFIED ADMINISTRATIVE REQUIRE-  
 2           MENT.—In this section, the term “qualified adminis-  
 3           trative requirement” means an administrative re-  
 4           quirement under section 17 of the Child Nutrition  
 5           Act of 1966 (42 U.S.C. 1786) that the Secretary de-  
 6           termines—

7                   (A) cannot be met by a State agency due  
 8           to COVID-19; and

9                   (B) the modification or waiver of which is  
 10          necessary to provide assistance under such sec-  
 11          tion.

12          (b) STATE AGENCY REPORTS.—Each State agency  
 13          that receives a waiver under subsection (a)(1), shall, not  
 14          later than 1 year after the date such State agency received  
 15          such waiver, submit a report to the Secretary that includes  
 16          the following:

17                   (1) A summary of the use of such waiver by the  
 18          State agency.

19                   (2) A description of whether such waiver re-  
 20          sulted in improved services to women, infants, and  
 21          children.

22 **SEC. 4. DEFINITIONS.**

23          In this Act:

24                   (1) LOCAL AGENCY.—The term “local agency”  
 25          has the meaning given the term in section 17(b) of

1 the Child Nutrition Act of 1966 (42 U.S.C.  
2 1786(b)).

3 (2) NUTRITIONAL RISK.—The term “nutritional  
4 risk” has the meaning given the term in section  
5 17(b) of the Child Nutrition Act of 1966 (42 U.S.C.  
6 1786(b)).

7 (3) SECRETARY.—The term “Secretary” means  
8 the Secretary of Agriculture.

9 (4) STATE AGENCY.— The term “State agency”  
10 has the meaning given the term in section 17(b) of  
11 the Child Nutrition Act of 1966 (42 U.S.C.  
12 1786(b)).

13 **SEC. 5. SUNSET.**

14 The authorities under this Act shall expire on July  
15 31, 2020.

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