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Summer EBT Q&As

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Program Administration

1. If a State or ITO submits a Notice of Intent but ends up being unable to implement in 2024, will there be any penalties or consequences?

No. States and Indian Tribal Organizations (ITOs) that submit a Notice of Intent but are not able to implement in 2024 will not be penalized. USDA encourages and appreciates States and ITOs that are actively considering and working toward implementation and will provide support and technical assistance as needed in order to successfully establish a Summer EBT program. However, USDA recognizes that there are many variables at this early stage of implementation that could prevent a State or ITO from being able to implement Summer EBT in 2024.

2. If a State or ITO chooses not to operate Summer EBT in 2024, could they decide to operate the Program in future years?

Yes. If a State or ITO is unable to administer the Program in 2024, the State or ITO will be able to elect to participate in future years. However, FNS strongly encourages States and ITOs to work together to provide Summer EBT benefits to eligible children in 2024. Summer EBT is a permanently authorized program that will be a stable and reliable benefit for families during the summer months. Although it is an option for States and ITOs to administer, they should consider the overwhelming benefit to low-income children and families in their communities, as well as anticipated benefits to local economies. Summer EBT has been tested through a decade of demonstration projects, and rigorous evaluation has shown that Summer EBT effectively mitigates food insecurity and improves diet quality.

3. Do States need to submit a management plan that covers Summer EBT and the SFSP?

No. Summer EBT will have a Plan for Operations and Management (POM) that will be developed and submitted separately from the SFSP Management and Administration Plan (MAP).

4. Which agency is responsible for the Summer EBT Plan for Operations and Management (POM)?

In States with multiple Summer EBT agencies, the coordinating Summer EBT agency is the primary point of contact for the Summer EBT Program and is responsible for the complete and timely submission of any required plans, forms, and reports. The POM must be developed in cooperation with both State Summer EBT agencies and be reflective of the plans and administrative funding needs of both. For ITOs, the administering agency is responsible for its program's POM. The POM must address the State or ITO's Summer EBT Program as a whole, even if more than one agency participates in program administration.

5. How will Summer EBT operate in the territories?

The U.S. Territories of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands each operate FNS programs consistent with statutory authorities that allow flexibility in their administration of CN programs. This means that most school age children in these territories are automatically eligible for SEBT. USDA is

ready to work one-on-one with the territories, through the FNS Regional Offices, to develop systems and processes that will ensure successful Program operations, utilizing waiver authority, if necessary. Due to a higher cost of living in areas outside of the contiguous United States, the monthly benefit will be adjusted to reflect local costs for the U.S. Territories, as well as Alaska and Hawaii.

6. Will eligible children in an ITO's jurisdiction automatically be enrolled in the ITO's Summer EBT Program?

Yes. Children from a Summer EBT-administering ITO's service area who can be enrolled through streamlined certification will automatically be enrolled in the ITO-administered Summer EBT Program. However, children from ITO service areas may opt to participate in the State-operated program and opt out of the ITO-operated program. Because the majority of eligible children will be enrolled through streamlined certification and no action will be required on the part of the household, ITOs would have a significant disadvantage if children in their service areas were automatically enrolled in the State-administered Summer EBT Program. Providing priority consideration to ITO Summer EBT agencies will allow them to serve their communities with minimal burden while also providing households the choice to opt into the State-administered Program if that is their preference.

7. What is the summer operational period?

The summer operational period is the benefit period that generally reflects the period between the end of classes during the preceding school year and the start of classes for the next school year, as determined by the Summer EBT agency in each State or ITO and approved by USDA.

8. Will there be appeals, fair hearings and/or overclaim procedures for Summer EBT?

Yes. The procedures for appeals and fair hearings related to Summer EBT eligibility will largely follow the current appeal and fair hearing procedures for the National School Lunch Program and School Breakfast Program (NSLP/SBP). In general, hearing procedures will provide an opportunity for families to appeal an eligibility determination made by the Summer EBT agency and the Summer EBT agency an opportunity to challenge the continued eligibility of the child. FNS is considering how to approach over-issuances to families and will focus on technical assistance for States and ITOs in the near term. The Agency's intent is to first work with States and ITOs to identify systemic weaknesses and develop programmatic solutions.

9. Will there be new administrative funds reporting requirements for Summer EBT?

Yes. FNS is developing the reporting requirements for Summer EBT and will make appropriate accommodations for 2024 to ensure Summer EBT agencies are able to meet the requirements. Summer EBT administrative funds reporting will consist of two primary reports: FNS-366A and FNS-778. Summer EBT agencies will estimate their administrative cost needs on the FNS-366A, *Program and Budget Summary Statement*, which will be submitted annually with the POM, or as revised throughout the year. Summer EBT agencies will report their incurred administrative expenses on an FNS-778, *Financial Status Report*, on a quarterly basis. Both forms are accessed and submitted using FNS' Food Program Reporting System (FPRS). Additional information on reporting requirements can be found in Memorandum SEBT 01-2024, FM 01-2024, *Summer EBT Administrative Funding Guidance*.

10. How will FNS review State and ITO Summer EBT programs?

Consistent with other FNS programs, the Summer EBT Program will be subject to audits and FNS will conduct routine oversight of State agencies operating Summer EBT through periodic Management Evaluations and Financial Management Reviews. FNS understands that Summer EBT agencies will need time to fully establish the program in the initial years. FNS will gather information and input over the next year on Summer EBT and will phase in review procedures over time, as necessary.

Eligibility, Certification, and Verification

11. If a State or ITO opts to administer Summer EBT, do they have to serve all eligible children?

Yes. If a State or ITO administers the Summer EBT Program, it must make benefits available to all eligible children.

12. Are children who are not enrolled in NSLP/SBP schools eligible for Summer EBT?

It depends. School-age children who are not enrolled in an NSLP/SBP school, including children enrolled in a public or private school that does not participate in the NSLP/SBP and homeschooled children, may be deemed eligible for Summer EBT if they participate in the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), Food Distribution Program on Indian Reservations (FDPIR), Medicaid (in some cases), or another means tested program approved by the Secretary. Children who are not enrolled in NSLP/SBP participating schools cannot establish their Summer EBT eligibility by filling out an application.

13. Who can establish eligibility for Summer EBT with an application?

Children who are enrolled in NSLP/SBP schools can establish eligibility for Summer EBT by completing and submitting an application. This includes children enrolled in special provision schools (Provision 2, Provision 3, or Community Eligibility Provision schools) and children who do not already have an individual eligibility determination from their NSLP/SBP school. For example, a child can submit an application if they become income eligible during the summer or if they did not apply for NSLP benefits but want Summer EBT benefits. Children who are not enrolled in an NSLP/SBP school cannot be certified by application; they can only be enrolled in Summer EBT if they are school-age and participate in an approved assistance program, such as SNAP.

14. Will all children who attend special provision schools be automatically enrolled in Summer EBT (i.e., be issued benefits without the need to apply)?

No. In order to be eligible for Summer EBT benefits, children must be individually determined to be eligible for free or reduced price school meal benefits during the instructional year

immediately preceding the summer operational period or during the summer operational period. Children enrolled in provision schools who are not otherwise identified as Summer EBT-eligible through streamlined certification may apply for Summer EBT benefits using a Summer EBT Application. This is different from Pandemic EBT where all children in special provision schools were eligible for benefits.

15. Do Summer EBT agencies need to confirm that children on Summer EBT applications are enrolled in NSLP/SBP schools?

Yes. Summer EBT agencies must confirm enrollment in an NSLP/SBP school for all children who are certified for benefits based on a Summer EBT application. To facilitate this, by 2025, Summer EBT agencies will be required to establish and maintain a State- or ITO-wide database of children who are enrolled in NSLP- or SBP-participating schools within the State or ITO service area, as applicable, for the purposes of enrolling eligible children who submit applications for Summer EBT efficiently and with integrity. The database should include, at a minimum, a child's name, date of birth, school or district where they are enrolled, mailing address, their individual free or reduced price eligibility status (as applicable), and any other information needed to match children and prevent duplicate issuances. Summer EBT agencies must ensure the confidentiality of all such data, and the data must be used only for the purposes of the Summer EBT Program, or for the purpose of use or disclosure to provide other social service benefits to eligible children. FNS will provide technical assistance to Summer EBT agencies in establishing the databases.

16. Do children in special provision schools need current individual eligibility determinations to be eligible for Summer EBT?

Yes. The eligibility determinations must be from the instructional year immediately preceding the summer operational period. This means lists of identified students in CEP schools or lists of free/reduced price students from Provision 2 or Provision 3 base years that are used for claiming meals, but are from years prior to the immediately preceding instructional year may *not* be used for Summer EBT eligibility. For example, if an LEA is operating CEP based on a list of identified students from School Year 2022-2023, that list may not be used to establish eligibility for Summer EBT in 2024 since the eligibility data is not from the immediately preceding instructional year.

To be eligible for Summer EBT benefits, children in CEP schools and non-base year Provision 2 and Provision 3 schools will need to be categorically eligible or complete a Summer EBT application during the immediately preceding instructional year. LEAs currently operating CEP, or Provision 2 or Provision 3 in non-base years, are required to conduct direct certification with SNAP at least once annually per 7 CFR 245.6(b)(1)(v). Children identified in these annual direct certification matches are automatically eligible for Summer EBT. FNS encourages States and LEAs to continue their efforts to identify all students who are eligible for free and reduced price meals without an application. Children who are not categorically eligible in special provision schools must complete a Summer EBT application and reside in a household that is at or below the NSLP income threshold for reduced price meals (185% FPL) in the instructional year immediately preceding the summer operational period or during the summer operational period to be certified for Summer EBT.

17. What does it mean to have a statewide application requirement?

The statute requires States and ITOs to make an application available for eligible children to apply who are not certified through streamlined certification. This includes all aspects of application processing and verification. USDA recognizes that Summer EBT agencies may not have the systems and processes needed to process Summer EBT applications in time for 2024 operations. In 2024 only, Summer EBT agencies may delegate application processing to LEAs. However, if a Summer EBT agency delegates application processing to LEAs, then it should cover new administrative costs incurred by the LEAs with respect to Summer EBT application processing. To be fully reimbursed by the Summer EBT state agency, the administrative costs incurred by the LEA must be new activities related to processing Summer EBT applications. For Summer EBT agencies that plan to use alternative income forms to certify children for Summer EBT in 2024, many of these forms have already been accepted and processed by LEAs. Summer EBT agencies are only required to reimburse for expenses directly related to the activities and processes required to implement the Summer EBT program.

18. Can Summer EBT agencies delegate the collection and processing of Summer EBT applications to Local Educational Agencies (LEAs)?

Summer EBT applications are ultimately the Summer EBT agency's responsibility. Recognizing that Summer EBT agencies may need operational flexibilities as they launch their programs, in Summer 2024 only, Summer EBT agencies may delegate (i.e., assign) activities related to Summer EBT applications to LEAs, but the Summer EBT agencies must pay for all new costs associated with processing applications.

For example, if a Summer EBT agency needs a large LEA to collect applications for Summer EBT in 2024, the Summer EBT agency may delegate application activities to the LEA and cover all costs associated with Summer EBT activity.

In Summer 2025 and beyond, Summer EBT agencies may enter into contracts or other similar arrangements with LEAs to process applications, but they cannot compel them to do so.

19. What are "alternative income applications" and can they be used to establish eligibility for Summer EBT?

"Alternative income applications" refers to forms that are used to determine household income for programs or reasons other than USDA programs. These forms are used by some LEAs to collect information at their special provision schools that would have otherwise been collected through NSLP/SBP applications on an annual basis. These applications may also be referred to as "family income surveys" or "household income data forms." Data collected through alternative income applications are used for purposes not related to the school meal programs, such as determining education funding allocations, and other student benefits. These applications are familiar to households and, in many cases, collect enough information to determine whether the household is at or below the NSLP/SBP income eligibility threshold.

Alternative income applications *regardless their current form* may be used to establish Summer EBT eligibility only in 2024 provided that the forms collect enough information to determine program eligibility.

20. Can the Summer EBT agency provide Summer EBT benefits to all children in CEP schools or only to directly certified children in CEP schools in the first years of Program implementation?

No. A Summer EBT agency must provide Summer EBT benefits to all children who meet the eligibility criteria, not just a subset. Children in special provision schools who do not have an individual eligibility determination from the instructional year preceding the summer operational period must be provided with an opportunity to apply for Summer EBT benefits using a Summer EBT application.

21. If LEAs collect and process applications that are used for Summer EBT eligibility and they participate in CEP, are they violating CEP program regulations?

No. The NSLP and SBP regulations at 7 CFR 245.9(f)(4)(iv) that prohibit CEP schools from collecting free and reduced price household applications do not apply to LEA activity in processing Summer EBT applications. This is because LEAs that have been delegated or contracted to process Summer EBT applications by the Summer EBT agency are not developing, conducting, or funding this effort under the NSLP or SBP. In these cases, it must be clearly communicated to families of children attending a CEP school that they will receive free school meals even if they do not submit an application.

22. What is the age range for Summer EBT eligibility?

Children of any age who are enrolled in NSLP/SBP-participating schools are eligible for Summer EBT if they are also eligible for free or reduced price school meals. This includes children of high school grade or under, including preschool-age children, as well as students who are mentally or physically disabled, as defined by the State, and who are participating in a school program established for the mentally or physically disabled.

Children not enrolled in NSLP/SBP-participating schools who are certified through streamlined certification must be school age. For the purpose of streamlined certification, school-age means the years in which a child is required to attend school, or an equivalent program as defined by State or Tribal law. This is also known as the age requirement for compulsory education.

23. What programs can be used to automatically enroll eligible children in Summer EBT through streamlined certification without matching against school enrollment?

SNAP must be used to automatically enroll children in Summer EBT.

Data from FDPIR, TANF, and records of children who are considered foster, homeless, migrant, runaway or Head Start must be used if the data is available at the state level and is currently used to directly certify kids for the NSLP/SBP.

Medicaid data *may* be used to automatically enroll children in Summer EBT, where applicable. – See the Q&A, “*If a Summer EBT Agency uses Medicaid to directly certify children for free or reduced price school meals, can Medicaid also be used to establish Summer EBT eligibility?*” for more information.

All programs/data sources that Summer EBT agencies intend to use for streamlined certification must be included in the POM submission for USDA approval.

24. For children who are not enrolled in NSLP/SBP-participating schools, but can be streamline certified through participation in SNAP, TANF, FDPIR, or Medicaid (as applicable), what is the timing of program participation to be eligible for Summer EBT?

In order to be eligible for Summer EBT, non-NSLP/SBP children must be school age at the time of participation in the eligible program, *and* have participated in that program at some point during the most recent school year or during the summer. This is consistent with eligibility in the NSLP/SBP which, once established, is effective for the entire school year.

25. If a State Child Nutrition Agency uses Medicaid to directly certify children for free or reduced price school meals, can Medicaid also be used to establish Summer EBT eligibility?

Yes. If a Summer EBT Agency is participating in the Medicaid demonstration project to directly certify eligible children through Medicaid for free or reduced price school meals, they can also use Medicaid to automatically enroll school-age children who meet the income requirements for Summer EBT through the streamlined certification process. Streamlined certification with Medicaid does not require a match/verification against a school enrollment list prior to issuance.

26. In States that have established their own higher income thresholds for eligibility for free school meals, will all students who receive free meals qualify for Summer EBT? For example, a State where students below 200% of the federal poverty guidelines are provided meals at no charge.

No. Income eligibility for Summer EBT is based on the Federal NSLP/SBP eligibility thresholds. Therefore, only children in households at or below 185% of the Federal poverty guidelines are eligible for Summer EBT even if the State in which they live provides meals at no charge to children in households above 185% of the poverty threshold.

27. How long do Summer EBT agencies need to accept applications? Can there be a submission deadline/cutoff?

Households must have the opportunity to establish eligibility for Summer EBT at any point between the start of the immediately preceding school year and the last day of the summer operational period, which will generally encompass more than an entire calendar year (e.g., July 2023 - August 2024). Therefore, Summer EBT agencies must accept and process applications throughout the year. However, Summer EBT agencies are permitted to *encourage* applications to be submitted before the start of the summer operational period. For example, in communications to households, Summer EBT agencies would be permitted to say, "In order to receive Summer EBT benefits prior to the start of summer, please submit your application no later than March 1st."

28. Are Summer EBT agencies permitted to use an online or mobile application, and can electronic signatures be accepted?

Yes. Online or mobile applications are allowed, but paper versions must also be made available. Electronic signatures are permitted. The method and form of the electronic signature must constitute a legal signature under State and local laws.

29. Are children who attend year-round schools eligible for Summer EBT if they meet all other eligibility requirements?

Yes. The statute provides that children attending year-round schools operating the NSLP/SBP may be eligible for Summer EBT. Summer EBT agencies must describe their plan to serve children in schools operating on a continuous calendar as part of their POM.

30. Does the Summer EBT application need to ask for the last four digits of a Social Security Number (SSN)?

Summer EBT applications may, but are not required to, include a field to collect the last four digits of the SSN for the adult signing the application. However, eligibility must not be contingent on the applicant providing the last four digits of the SSN. In other words, if the Summer EBT application contains an SSN field, it must clearly be labeled as optional; if the applicant leaves the SSN field blank, the application must still be processed if it is otherwise complete.

31. Can the Summer EBT application be used to establish eligibility for NSLP/SBP?

Summer EBT applications that meet the minimum standards for NSLP/SBP applications, including the last four digits of the SSN, may also be used to establish eligibility for NSLP/SBP. Application requirements for NSLP/SBP applications are found in 7 CFR 245.6.

32. Can the NSLP/SBP meal application be used to establish eligibility for Summer EBT?

Yes. NSLP/SBP applications can be used to establish eligibility for Summer EBT because they meet the minimum standards for Summer EBT applications.

33. Do households need to provide documentation of eligibility at the time of application in order to be certified for Summer EBT benefits?

No. The Summer EBT application will include a self-attestation statement and must be signed by an adult member of the household, but Summer EBT agencies are prohibited from requiring income documentation at the time of application. If the application is selected for verification, the household must then provide proof of eligibility. More information about verification will be included in the IFR, including acceptable sources of documentation.

34. Is verification required for all Summer EBT applications?

No. Verifying officials (i.e., staff that participate in verification activities) do not need to complete verification for all applications. Summer EBT applications will be subject to verification for cause in 2024, a process through which questionable applications are verified on a case-by-case basis. In 2025 and beyond, the verification process will more closely align with the NSLP/SBP approach to verification than the SNAP process. In other words, verification will be

conducted for a sample of Summer EBT applications after the initial eligibility determination of a self-attested income application is made.

35. What is verification for cause?

Verification for cause is a process through which questionable applications are verified on a case-by-case basis. Applications selected for verification for cause could include those with conflicting or inconsistent information. For example, if a household submits two separate applications with different information, a Summer EBT agency may choose to verify that application for cause on the basis that the household submitted inconsistent or conflicting information. Verification for cause for Summer EBT applications mirrors the process for school meals. Verification for cause does not need to happen prior to certification and can happen at any time during the eligibility period.

The guidelines established by SNAP agencies regarding how to identify a questionable application may or may not apply to Summer EBT applications since the application requirements for Summer EBT are different from the application requirements for SNAP.

EBT Benefits

36. Will Summer EBT agencies be allowed to load Summer EBT benefits on EBT cards used in other Programs? Can Summer EBT agencies decide to issue one card per household or a card for each eligible child?

Yes. Summer EBT agencies may choose to co-load Summer EBT benefits on existing EBT cards such as SNAP or Supplemental Nutrition Program for Women, Infants and Children (WIC) cards, as applicable, or issue Summer EBT-only cards. Summer EBT agencies may issue one card per household when household composition is known, or one card for each eligible child.

Recognizing that some households are not SNAP or WIC-participating and the Summer EBT agency may lack sufficient data to group some children into households, Summer EBT agencies may implement a combination of these methods, as detailed in their approved POM. Regardless of the method of issuance, Summer EBT agencies must be able to track Summer EBT benefits separately from SNAP, WIC, and other benefit types throughout the issuance and redemption process; administrative costs must also be appropriately allocated.

37. If Summer EBT benefits are co-loaded with SNAP benefits, should Summer EBT benefits be used before SNAP benefits?

Yes. Summer EBT benefits must be used before SNAP benefits because Summer EBT has a shorter expungement timeframe.

38. When should States and ITOs issue benefits?

Each State and ITO must determine a summer operational period or periods for the purpose of issuing Summer EBT benefits, which will be included in their approved POM. Summer EBT agencies may adopt a standard summer period that is generally reflective of summer break

schedules in the State or ITO. Requirements for the timing of benefit issuance depend on when a child is certified as eligible for Summer EBT.

- For children who can be streamline certified or who have an approved Summer EBT application on file prior to the start of the summer operational period, benefits must be issued and available to use at least seven calendar days and not more than 14 calendar days before the start of the summer operational period.
- For eligible children who apply too late for their benefits to be issued on the planned issuance schedule (e.g., children who apply after the summer operational period begins), benefits must be issued and available to spend not later than 15 operational days after a complete application is received by the Summer EBT agency. Issuance may occur after the end of the summer operational period for applications that are submitted at the end of the summer.

Summer EBT benefits have a shorter period during which they can be spent compared to SNAP benefits, and Summer EBT applications do not require up-front income verification, which enables faster processing. However, USDA recognizes a Summer EBT agency's ability to issue benefits timely in 2024 may be hindered by a variety of factors including the time needed to establish the program, late applications from families who did not realize they needed to apply, and processor backlogs. For 2024, USDA will prioritize technical assistance and support in situations where a State or ITO is not able to issue all benefits on their approved schedule.

Additionally, Summer EBT agencies may opt to provide households with their benefits in one issuance, in accordance with the required timelines, or in multiple issuances. Summer EBT agencies that choose to provide benefits in more than one issuance must provide the first issuance at least seven calendar days and not more than 14 calendar days before the start of the summer operational period. Summer EBT agencies have the flexibility to determine the timing of subsequent benefit issuances. Students attending year-round schools should receive benefit amounts consistent with traditional schools. State agencies and LEAs that operate year-round should coordinate to determine when benefit distributions are appropriate based on school calendars.

39. If a State or ITO is not able to issue benefits during the summer operational period in 2024, can the State or ITO still operate the Program in 2024?

Summer EBT is a seasonal program that is designed to provide benefits to eligible children during a specific window of time annually. In order to meet the nutritional needs of children when they are out of school, Summer EBT agencies must be able to provide benefits during the period of program activity. This is different from P-EBT, where benefits were often not available to eligible households during the time period for which they were earned. USDA understands that it will take time for Summer EBT agencies to develop and implement systems and processes that will reliably deliver benefits during the summer months and may need flexibility in summer 2024. Therefore, USDA will work with States and ITOs to develop realistic and reasonable issuance schedules for 2024.

40. How many months of benefits can be provided each year?

Summer EBT agencies must issue three months of benefits each year. Summer EBT agencies may not prorate benefits for partial months and must issue the full three-month summer benefit to each eligible child.

41. When must Summer EBT benefits be expunged?

The statute requires that expungement cannot be longer than 4 months. For the purpose of Summer EBT, expungement means the removal of Summer-EBT benefits from the EBT account to which they were issued, typically by an EBT processor on behalf of a Summer EBT agency. FNS will operationalize this by requiring benefits to be expunged 122 days from issuance. If benefits are provided through more than one issuance (e.g., monthly), expungement must occur 122 days from each issuance. Summer EBT agencies must provide notice to the household that benefits in their EBT account are approaching expungement not less than 30 days before benefit expungement is scheduled to begin.

42. Will Summer EBT agencies be required to follow the Advance Planning Document (APD) process used in SNAP and WIC?

Yes, Summer EBT agencies are required to adhere to the APD process for EBT systems development. Summer EBT eligibility systems that are part of existing SNAP or WIC eligibility systems are also subject to the ADP process. FNS stands ready to work with Summer EBT agencies that are making system modifications that require the APD process to facilitate timely review and approval.

43. Can Summer EBT agencies replace benefits that were lost as a result of a disaster?

Yes. Summer EBT agencies must make replacement EBT benefits available to a household when the household reports that food purchased with Summer EBT benefits was destroyed in a household misfortune or disaster. However, FNS does not have the authority to replace benefits stolen through card skimming, card cloning, or similar fraudulent methods.

44. Will the \$40 monthly benefit be adjusted annually with inflation?

Yes. The statute provides that the Summer EBT benefit amount will be adjusted annually, starting in 2025, based on changes to the cost of the [Thrifty Food Plan](#), which is a plan developed by USDA to estimate the cost of a low-cost, healthy diet.

45. What foods can participants buy with Summer EBT benefits, and where can they buy them?

Participants who receive benefits through a State-administered Program will be able to purchase SNAP-eligible food, as defined in the Food and Nutrition Act, at any retail store approved for participation with SNAP. Participants who receive benefits through an ITO-administered Program will be able to purchase supplemental foods, as determined by the administering ITO, at any WIC-authorized retailer. Supplemental foods are foods that contain nutrients determined by nutritional research to be lacking in the diets of children and promote the health of the population served by the program. An ITO Summer EBT agency may consider supplemental foods authorized in its WIC Program to also be eligible for redemption with Summer EBT benefits, with the exception of infant formula and infant foods. In Territories that

administer the Nutrition Assistance Program (NAP) (American Samoa, the Commonwealth of Puerto Rico, and the Commonwealth of the Northern Mariana Islands), participants will be able to purchase NAP-authorized foods at NAP-authorized retailers.

46. Will FNS assist Summer EBT agencies to negotiate modifications to their EBT service contracts?

No. EBT contracts are between the State or ITO and their EBT vendor and it would be outside of FNS' purview to negotiate those costs. However, FNS will provide technical assistance to Summer EBT agencies through the Advance Planning Document (APD) process that is currently used by SNAP and WIC State agencies. As part of this process, Summer EBT agencies will receive technical assistance from FNS when developing their competitive procurements (including change requests) for EBT services. This assistance could include guidance on ways to reduce cost through improved project planning.

47. Will FNS provide cost estimates to assist States and ITOs in developing budget requests for EBT development costs?

No. FNS does not have administrative cost data that is generally applicable to Summer EBT implementation at the State or ITO level. FNS recommends States use their Pandemic EBT administrative funding levels as a starting point when considering administrative funding needs for Summer EBT. ITOs have not operated PEBT and so WIC costs for development and costs per case month (CPCM) may be more useful when developing Summer EBT budget and project cost estimates. FNS recognizes Summer EBT agencies may need an initial increment of funding in FY 2024 to address immediate expenses. Information on initial administrative funding allocations for States and ITOs can also be found in Memorandum [SEBT 01-2024: Summer EBT Administrative Funding Process for FY 2024](#), released October 18, 2023.

48. Do States and ITOs need to offer a process for families to decline benefits?

Yes. The statute requires Summer EBT agencies to provide a process for children who are enrolled through streamlined certification to opt-out of participation. For example, Summer EBT agencies may include an opt-out function in their application platform, or direct households to call the customer service line to report that they do not want their child to participate. In the event that a Summer EBT agency is not able to stand up an opt-out system in the immediate term, the agency may contact their FNS regional office to discuss flexibilities for 2024, such as directing households that do not want to participate to destroy their Summer EBT cards.

49. What are the requirements for Summer EBT retailers or vendors?

In general, retailer/vendor requirements for Summer EBT are consistent with SNAP or WIC requirements, respectively. Summer EBT agencies should train all enrolled retailers/vendors to recognize and accept Summer EBT benefits.

50. Can the Summer EBT agency hire contractors to administer parts of the Summer EBT Program?

Yes. SNAP requirements related to merit personnel do not apply to States or ITOs operating Summer EBT. However, Summer EBT agencies are ultimately responsible for Program administration, as specified in their federal-state operating agreement.

51. Will Summer EBT funds go through the Account Management Agent (AMA)?

No. FNS will provide Summer EBT funding, including administrative funds and benefits funds, through federal grants. States will draw from these Summer EBT grants as they would with any other Federal grant. More information can be found in Memorandum [SEBT 01-2023, Initial Guidance for State Implementation of Summer EBT in 2024, June 7, 2023](#).

52. Which ITOs can administer Summer EBT?

Similar to other Federal programs, an ITO is an Indian Tribe, band, or group recognized by the Department of the Interior or an intertribal council or group which is an authorized representative of Indian Tribes, bands or groups recognized by the Department of the Interior and which has an ongoing relationship with such Tribes, bands or groups. For the purposes of the Summer EBT program, this definition only includes those ITOs which administer WIC. ITOs that do not administer WIC, including ITOs that administer the Food Distribution Program on Indian Reservations (FDPIR), are not eligible to administer Summer EBT. A complete list of WIC ITOs, can be found on the FNS website: [WIC Program Contacts | Food and Nutrition Service \(usda.gov\)](#).

53. Can an ITO administer Summer EBT if their geographic State doesn't administer the program?

Yes. ITOs can elect to administer Summer EBT if their geographic State has not yet launched its Summer EBT Program.

54. What vendors are eligible to accept Summer EBT benefit issues by an ITO?

Vendors authorized by the ITO to accept WIC benefits are eligible to accept the ITO's Summer EBT benefits.

55. What types of food instruments may ITO Summer EBT agencies offer?

As part of USDA's continued commitment to Tribal sovereignty *and* self-determination, ITO Summer EBT agencies will have the flexibility to develop a method of benefit issuance and redemption that is appropriate for their communities and submit it for FNS approval via a Plan for Operations and Management (POM). For example, the ITO Summer EBT agency could propose a cash-value benefit (CVB) model, a food package model, a combination of the two, or an alternate model.

56. Can ITO Summer EBT agencies provide the same foods that are authorized in their WIC Programs?

Yes. The requirements for Summer EBT supplemental foods are similar to the requirements for supplemental foods that can be purchased with WIC benefits. Therefore, an ITO Summer EBT agency may consider supplemental foods authorized in its WIC Program to also be eligible for redemption with Summer EBT benefits. However, infant formula and infant foods – even those that are WIC-approved – are excluded from use in this program.

The WIC food package provides a variety of nutrient-dense foods that contribute to children's health. However, ITO Summer EBT agencies may consider offering additional foods including, but not limited to, foods that allow for different cultural eating patterns or that may be appropriate and appealing to elementary and high school-age children.

57. If ITO Summer EBT agencies use a cash-value benefit (CVB) model, will they be limited to only providing fruits and vegetables like WIC?

No. An ITO Summer EBT agency could implement a CVB model through which participants are able to purchase any Summer EBT supplemental food up to the value of the benefit. Although WIC Program CVB purchases are limited to fruits and vegetables, an ITO Summer EBT agency that chooses to implement a CVB model is not required to restrict Summer EBT CVB to the purchase of fruits and vegetables. For example, an ITO Summer EBT agency could develop a Summer EBT supplemental foods list and allow participants to purchase anything on the list until the benefit is exhausted.

58. What is the benefit level for ITO-administered Summer EBT Programs?

For ITOs using CVB-only benefit delivery model, the benefit level is equal to the amount set forth in statute and program regulations. For summer 2024, that amount is \$40 per month or \$120 for the summer.

For ITOs using a food package benefit delivery model, a combination CVB and food package benefit delivery model, or an alternate benefit delivery model, the benefit level cannot exceed the amounts provided above at the time of initial submission of the POM. ITOs electing to use one of these models should work with their FNS regional office in developing their food instrument, developing cost estimates, and submitting their proposed model to FNS for approval.