

(d) RESCISSION.—Of the unobligated balances made available for the Supplemental Nutrition Assistance Program as authorized by section 1101(b)(1) of the American Rescue Plan Act of 2021 (Public Law 117–2), \$8,000,000 is hereby rescinded.

**SEC. 502. INCREASING ACCESS TO SUMMER MEALS FOR CHILDREN THROUGH EBT AND ALTERNATIVE DELIVERY OPTIONS.**

(a) AGREEMENTS.—Section 12(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(b)) is amended—

(1) by inserting “and Indian Tribal organizations” after “State agencies” each place it appears; and

(2) in paragraph (2)(B), in the matter preceding clause

(i), by inserting “and Indian Tribal organization” before “budget”.

(b) NONCONGREGATE MEALS.—Section 13 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761) is amended—

(1) in subsection (a), by adding at the end the following:

“(13) NONCONGREGATE MEALS.—

“(A) IN GENERAL.—Beginning not later than summer 2023, the Secretary shall make available an option to States to provide program meals under this section for noncongregate consumption in a rural area with no congregate meal service, as determined by the Secretary.

“(B) SUMMER 2023.—Notwithstanding any other provision in this paragraph, for summer 2023, the Secretary may allow States to use implementation models developed by the Secretary for demonstration projects carried out under section 749(g) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (Public Law 111–80; 123 Stat. 2132), to carry out subparagraph (A).

“(C) ELIGIBILITY DETERMINATION.—In administering this paragraph, the Secretary shall ensure that noncongregate meals are only available for a child—

“(i) in an area in which poor economic conditions exist; and

“(ii) in an area that is not an area in which poor economic conditions exist, if the child is determined to be eligible for a free or reduced price lunch under this Act or a free or reduced price breakfast under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

“(D) PRIORITIES.—

“(i) IN GENERAL.—States shall—

“(I) identify areas with no congregate meal service that could benefit the most from the provision of noncongregate meals; and

“(II) encourage participating service institutions in those areas to provide noncongregate meals as appropriate.

“(ii) AREAS.—Areas identified under clause (i) may include areas that are not areas in which poor economic conditions exist but that have children who are determined to be eligible for free or reduced price lunch under this Act or free or reduced price breakfast under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

“(E) ADMINISTRATION.—In administering this paragraph, the Secretary shall ensure that—

“(i) any meal served for noncongregate consumption—

“(I) meets all applicable State and local health, safety, and sanitation standards; and

“(II) meets the requirements under subsection (f)(1);

“(ii) over a 10-day calendar period, the number of reimbursable meals provided to a child does not exceed the number of meals that could be provided over a 10-day calendar period, as established under subsection (b)(2); and

“(iii) States establish a process for identifying gaps in service and barriers in reaching needy children for congregate and noncongregate models.

“(F) REGULATIONS.—Not later than 1 year after the date of enactment of this paragraph, the Secretary shall promulgate regulations (which shall include interim final regulations) to carry out this section, including provisions—

“(i) to ensure the integrity of the alternative option for program delivery described in subparagraph (A); and

“(ii) to incorporate best practices and lessons learned from noncongregate demonstration projects under section 749(g) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (Public Law 111–80; 123 Stat. 2132).”; and

(2) in subsection (n)—

(A) by striking “by January 1 of each year of its intent to administer the program and shall submit for approval by February 15” and inserting “of its intent to administer the program and shall submit for approval by April 1, 2023.”;

(B) by striking “(1)” and inserting “(A)”;

(C) by striking “(2)” and inserting “(B)”;

(D) by striking “(3)” and inserting “(C)”;

(E) by striking “(4)” and inserting “(D)”;

(F) by striking “(5)” and inserting “(E)”;

(G) by striking “and (6)” and inserting “(F)”;

(H) by striking the period at the end and inserting “; and (G) the State’s plan for using the alternative option for program delivery described in subsection (a)(13), if applicable, including plans to provide a reasonable opportunity to access meals across all areas of the State.”;

(I) by striking the subsection designation and all that follows through “Each State” and inserting the following:

“(n) MANAGEMENT AND ADMINISTRATION STATE PLANS.—

“(1) SUMMER 2023.—Each State”; and

(J) by adding at the end the following:

“(2) SUMMER 2024 AND BEYOND.—Beginning in 2024, each State desiring to participate in the program under this section or in the summer EBT program under section 13A shall notify the Secretary by January 1 of each year of its intent to administer the applicable program and shall submit for approval by February 15 a management and administration plan for