

**AMENDMENT TO THE RULES COMMITTEE PRINT**

**113-14**

**OFFERED BY MR. KINGSTON OF GEORGIA**

At the end of subtitle C of title IV, add the following:

1 **SEC. 4208. AMENDMENT TO TITLE 31, UNITED STATES**  
2 **CODE, WITH RESPECT TO PRESIDENT'S**  
3 **BUDGET SUBMISSION.**

4 (a) IN GENERAL.—Section 1105(a) of title 31,  
5 United States Code, is amended by—

6 (1) redesignating paragraph (37) (relating to  
7 the list of outdated or duplicative plans and reports)  
8 as paragraph (39); and

9 (2) by adding at the end the following:

10 “(40) the Performance and Accountability Re-  
11 port or the Agency Financial Report of the Depart-  
12 ment of Agriculture, in accordance with require-  
13 ments of the Office of Management and Budget es-  
14 tablished in the most recent document entitled ‘Fi-  
15 nancial Reporting Requirements’ (circular A-136) or  
16 successor circulars, for the fiscal year immediately  
17 preceding the fiscal year in which the President sub-  
18 mits such budget under this subsection.”.

1 (b) EFFECTIVE DATE.—The amendments made by  
2 this section shall take effect on October 1, 2013.

3 **SEC. 4209. RESCISSION OF USDA FUNDS.**

4 (a) INCREASE IN ERROR RATE.—If the Performance  
5 and Accountability Report or the Agency Financial Report  
6 of Department of Agriculture (in this section referred to  
7 as the “Report”), as included in President’s budget under  
8 section 1105(a) of title 31, United States Code (as amend-  
9 ed by section 1 of this Act), shows an increase in the im-  
10 proper payment rate from the school year immediately  
11 preceding the school year applicable to the fiscal year of  
12 the Report for the school lunch program under the Rich-  
13 ard B. Russell National School Lunch Act (42 U.S.C.  
14 1751 et seq.) or the school breakfast program under sec-  
15 tion 4 of the Child Nutrition Act of 1966 (42 U.S.C.  
16 1773), the rescission under subsection (b) shall apply.

17 (b) RESCISSION.—

18 (1) IN GENERAL.—On the day that the Presi-  
19 dent submits such a budget, there is rescinded from  
20 the unobligated amounts available for “Agricultural  
21 Programs—Production, Process, and Marketing—  
22 Office of the Secretary”, a percentage of such  
23 amounts equal to the percentage of the improper  
24 payment rate for the school year applicable to the  
25 fiscal year of the Report for the school lunch pro-

1       gram or school breakfast program, whichever is  
2       higher.

3               (2) PROPORTIONATE APPLICATION.— Any re-  
4       scission made by paragraph (1) shall be applied pro-  
5       portionately within “Agricultural Programs—Pro-  
6       duction, Process, and Marketing—Office of the Sec-  
7       retary” to each program, project, and activity (with  
8       programs, projects, and activities as delineated in  
9       the appropriation Act or accompanying reports for  
10      fiscal year 2014 covering such account).

11      (c) REPORT.—For each fiscal year beginning in fiscal  
12     year 2014, not later than the date on which President sub-  
13     mits a budget under section 1105(a) of title 31, United  
14     States Code, the Secretary of Agriculture shall submit the  
15     Report to the following:

16             (1) The Committee on Agriculture of the House  
17             of Representatives.

18             (2) The Committee on Agriculture, Nutrition,  
19             and Forestry of the Senate.

20             (3) The Agriculture, Rural Development, Food  
21             and Drug Administration, and Related Agencies  
22             Subcommittees of the Committees on Appropriations  
23             of the House of Representatives and the Senate.

1 (d) EFFECTIVE DATE.—This section shall take effect  
2 on October 1, 2013.

