

116TH CONGRESS  
1ST SESSION

# S. 2568

To reform the Federal sugar program, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 26, 2019

Mrs. SHAHEEN (for herself, Mr. TOOMEY, Mr. ALEXANDER, Mr. CASEY, Ms. COLLINS, Mr. DURBIN, Mrs. FEINSTEIN, Ms. HASSAN, Mr. MENENDEZ, Mr. COONS, Mr. PORTMAN, Mr. WARNER, Ms. WARREN, Mr. JOHNSON, Mr. KAINE, and Mr. MARKEY) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To reform the Federal sugar program, 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 “Fair Sugar Policy Act  
5 of 2019”.

6 **SEC. 2. SUGAR PROGRAM.**

7 Section 156(a) of the Federal Agriculture Improve-  
8 ment and Reform Act of 1996 (7 U.S.C. 7272(a)) is  
9 amended—

1 (1) in paragraph (4), by striking “and” at the  
2 end; and

3 (2) in paragraph (5), by striking “each of the  
4 2019 through 2023 crop years.” and inserting the  
5 following: “the 2019 crop year; and

6 “(6) 18.75 cents per pound for raw cane sugar  
7 for each of the 2020 through 2024 crop years.”.

8 **SEC. 3. FLEXIBLE MARKETING ALLOTMENTS FOR SUGAR**  
9 **REPEALED.**

10 Part VII of subtitle B of title III of the Agricultural  
11 Adjustment Act of 1938 (7 U.S.C. 1359aa et seq.) is  
12 amended to read as follows:

13 **“PART VII—ADMINISTRATION OF TARIFF RATE**  
14 **QUOTAS**

15 **“SEC. 359a. TARIFF RATE QUOTAS.**

16 “(a) IN GENERAL.—At the beginning of each quota  
17 year, the Secretary shall establish the tariff-rate quotas  
18 for raw cane sugar and refined sugar at a level that is  
19 not less than the minimum level necessary to comply with  
20 obligations under international trade agreements that  
21 Congress has approved.

22 “(b) ADJUSTMENT.—

23 “(1) IN GENERAL.—Subject to subsection (a),  
24 the Secretary shall adjust the tariff-rate quotas for  
25 raw cane sugar and refined sugar to provide ade-

1       quate supplies of sugar at reasonable prices in the  
2       domestic market.

3               “(2) ENDING STOCKS.—Subject to paragraphs  
4       (1) and (3), the Secretary shall establish and adjust  
5       tariff-rate quotas so that the ratio of sugar stocks  
6       to total sugar use at the end of each quota year  
7       shall be approximately 15.5 percent.

8               “(3) MAINTENANCE OF REASONABLE PRICES  
9       AND AVOIDANCE OF FORFEITURES.—

10              “(A) IN GENERAL.—The Secretary may es-  
11       tablish a different target percentage for the  
12       ratio of ending stocks to total use described in  
13       paragraph (2) if the Secretary determines the  
14       different target percentage is necessary to pre-  
15       vent—

16                      “(i) unreasonably high prices; or

17                      “(ii) forfeitures of sugar pledged as  
18       collateral for a loan under section 156 of  
19       the Federal Agriculture Improvement and  
20       Reform Act of 1996 (7 U.S.C. 7272).

21              “(B) ANNOUNCEMENT.—The Secretary  
22       shall publicly announce an establishment of a  
23       target percentage under this paragraph.

24              “(4) CONSIDERATIONS.—In establishing tariff-  
25       rate quotas under subsection (a) and making adjust-

1       ments under this subsection, the Secretary shall con-  
2       sider the impact of the quotas on consumers, work-  
3       ers, businesses (including small businesses), and ag-  
4       ricultural producers.

5       “(c) TEMPORARY TRANSFER OF QUOTAS.—

6               “(1) IN GENERAL.—To promote the full use of  
7       the tariff-rate quotas for raw cane sugar and refined  
8       sugar established or adjusted under subsection (a)  
9       or (b), respectively, the Secretary shall promulgate  
10      regulations that provide that a country that has  
11      been allocated a share of the quotas may temporarily  
12      transfer all or part of the share to another country  
13      that has also been allocated a share of the quotas.

14             “(2) TRANSFERS VOLUNTARY.—A transfer  
15      under this subsection shall be valid only on vol-  
16      untary agreement between the transferor and the  
17      transferee, consistent with procedures established by  
18      the Secretary.

19             “(3) TRANSFERS TEMPORARY.—

20               “(A) IN GENERAL.—A transfer under this  
21      subsection shall be valid only for the duration  
22      of the quota year during which the transfer is  
23      made.

24               “(B) FOLLOWING QUOTA YEAR.—No  
25      transfer under this subsection shall affect the

1 share of the quota allocated to the transferor or  
2 transferee for the following quota year.”.

3 **SEC. 4. REPEAL OF FEEDSTOCK FLEXIBILITY PROGRAM**  
4 **FOR BIOENERGY PRODUCERS.**

5 Section 9010 of the Farm Security and Rural Invest-  
6 ment Act of 2002 (7 U.S.C. 8110) is repealed.

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