

**AMENDMENT TO H.R. 2419, AS REPORTED  
OFFERED BY MR. DAVIS OF ILLINOIS, MR. KIRK  
OF ILLINOIS, MR. MEEKS OF NEW YORK, AND  
MR. EMANUEL OF ILLINOIS**

At the end of subtitle C of title I, add the following  
new section:

**1 SEC. 1304. ALTERNATIVE SUGAR PROGRAM IN EVENT OF  
2 ADVERSE IMPACT OF AMENDMENTS ON EM-  
3 PLOYMENT IN THE UNITED STATES BY IN-  
4 DUSTRIES THAT USE SUGAR AS AN INGRE-  
5 DIENT IN MANUFACTURING FOODS AND BEV-  
6 ERAGES.**

7 (a) **CONDITION ON EFFECTIVENESS.**—Notwith-  
8 standing any other provision of this Act, sections 1301,  
9 1303, and 9013 shall not become effective unless the Sec-  
10 retary of Agriculture completes the report required by sub-  
11 section (b) and makes a finding of no material reduction  
12 in employment pursuant to that subsection.

13 (b) **REPORT ON EMPLOYMENT.**—Not later than July  
14 1, 2008, the Secretary of Agriculture, in consultation with  
15 the Secretary of Commerce and the Secretary of Labor,  
16 shall submit to Congress a report on whether the amend-  
17 ments made by sections 1301, 1303 and 9013 are likely

1 to contribute to a material reduction in employment in the  
2 United States by industries that refine sugar or use sugar  
3 as an ingredient in manufacturing foods and beverages.  
4 In preparing the report, the Secretary of Agriculture shall  
5 consult with affected industries, utilize authoritative  
6 sources of employment statistics, and take into account  
7 past reports by Federal agencies on the employment ef-  
8 fects of the sugar program. In considering such sections,  
9 the Secretary of Agriculture shall consider the cumulative  
10 impact of all the amendments made by such sections.

11 (c) EFFECT OF FINDING OF MATERIAL REDUC-  
12 TION.—If the Secretary of Agriculture believes that the  
13 amendments made by sections 1301, 1303 and 9013 are  
14 likely to contribute to a material reduction in employment  
15 in the United States by industries that refine sugar or  
16 use sugar as an ingredient in manufacturing foods and  
17 beverages, those amendments shall not become effective  
18 and the Secretary shall carry out the sugar program under  
19 section 156 of the Federal Agriculture Improvement and  
20 Reform Act of 1996 (7 U.S.C. 7272) and the flexible mar-  
21 keting allotments program under sections 359a and 395b  
22 of the Agricultural Adjustment Act of 1938 (7 U.S.C.  
23 1359aa and 1359bb) for the 2008 through 2012 crops of  
24 sugarcane and sugar beets under the same terms and con-  
25 ditions as required for the 2007 crops.

1       (d) FORFEITURE PENALTY.—Section 156(g) of the  
2 Federal Agriculture Improvement and Reform Act of 1996  
3 (7 U.S.C. 7272(g)) is amended by adding at the end the  
4 following new paragraph:

5           “(3) FORFEITURE PENALTY.—The Secretary  
6 shall assess a penalty on the forfeiture of sugar  
7 pledged as collateral for a nonrecourse loan under  
8 this section. The penalty shall be 1 cent per pound  
9 for raw cane sugar and an equivalent amount, as de-  
10 termined by the Secretary, for refined beet sugar.”.