

110TH CONGRESS  
1ST SESSION

# H. R. 3512

To ensure that college textbooks and supplemental materials are available  
and affordable.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 10, 2007

Ms. CARSON (for herself, Mr. WU, Mr. KAGEN, Ms. HOOLEY, and Mr. SCOTT  
of Virginia) introduced the following bill; which was referred to the Com-  
mittee on Education and Labor

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## A BILL

To ensure that college textbooks and supplemental materials  
are available and affordable.

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 “College Textbook Af-  
5       fordability and Transparency Act of 2007”.

6       **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

7       (a) FINDINGS.—Congress makes the following find-  
8       ings:

9               (1) According to a 2005 report by the Govern-  
10       ment Accountability Office (in this section referred

1 to as “GAO”), college textbook costs have risen at  
2 twice the rate of inflation.

3 (2) According to the GAO report, the cost of  
4 textbooks can increase a student’s overall college  
5 costs from 8 percent at private institutions to over  
6 72 percent at some public institutions and commu-  
7 nity colleges.

8 (3) According to a report by the Advisory Com-  
9 mittee on Student Financial Assistance, requested  
10 by Congress, current grant and scholarship pro-  
11 grams which can barely meet the challenge of rising  
12 tuition costs are not sufficient to mitigate the costs  
13 of college textbooks.

14 (4) According to the GAO report, publishers  
15 have begun to develop and distribute alternatives to  
16 college textbooks in order to provide less expensive  
17 materials, but they have had to incorporate the de-  
18 velopment costs into the prices of domestic textbook  
19 sales.

20 (5) According to the GAO report, there has not  
21 been a sufficient demand for textbook alternatives to  
22 offset publishers’ development costs and reduce the  
23 overall costs of college textbooks.

24 (6) According to the GAO report, publishers  
25 have engaged in agreements with overseas distribu-

1       tors to restrict the re-importation of overseas text-  
2       books in the United States, regardless of content  
3       similarities, thus restricting students from pur-  
4       chasing lower-cost textbooks from overseas.

5       (b) SENSE OF CONGRESS.—It is the sense of Con-  
6       gress that:

7               (1) There is not sufficient communication and  
8       transparency between all the stakeholders in the  
9       textbook market, leading to unnecessary frustrations  
10      and misunderstandings about the rising costs of col-  
11      lege textbooks.

12              (2) The textbook market by its nature puts stu-  
13      dents at a disadvantage when it comes to affecting  
14      the prices of textbooks because it does not include  
15      them in the decision-making process for ultimate  
16      textbook purchases.

17              (3) Students should be fully informed about the  
18      costs of textbooks before registering for classes in  
19      order to be aware of the full cost of higher edu-  
20      cation.

21              (4) Students should have the ability, whenever  
22      possible, to seek out and purchase lower-cost alter-  
23      natives to textbooks so as to reduce the cost of high-  
24      er education.

1 **SEC. 3. PURPOSE AND INTENT.**

2       The purpose of this Act is to ensure that every stu-  
3 dent in higher education is offered better and more timely  
4 access to affordable course materials by educating and in-  
5 forming faculty, students, administrators, institutions of  
6 higher education, bookstores, distributors, and publishers  
7 on all aspects of the selection, purchase, sale, and use of  
8 the course materials. It is the intent of this Act—

9           (1) to have all involved parties work together to  
10 identify ways to decrease the cost of college text-  
11 books and supplemental materials for students while  
12 protecting the academic freedom of faculty members  
13 to select high quality course materials for students;

14           (2) that—

15           (A) textbook publishers and distributors  
16 should work with faculty to understand the cost  
17 to students of purchasing faculty selected text-  
18 books, including the disclosure of prices and  
19 bundling practices;

20           (B) college bookstores should work with  
21 faculty to review timelines and processes for or-  
22 dering and stocking selected textbooks, and dis-  
23 close textbook costs to faculty and students in  
24 a timely manner;

1 (C) institutions of higher education should  
2 be encouraged to implement numerous options  
3 to address textbook affordability; and

4 (D) institutions of higher education should  
5 work with student organizations to help stu-  
6 dents understand the factors driving textbook  
7 costs and available methods and resources to  
8 mitigate the effects of those costs.

9 **SEC. 4. DEFINITIONS.**

10 In this Act:

11 (1) COLLEGE TEXTBOOK.—The term “college  
12 textbook” means a textbook, or a set of textbooks,  
13 used for a course in postsecondary education at an  
14 institution of higher education.

15 (2) COURSE SCHEDULE.—The term “course  
16 schedule” means a listing of the courses or classes  
17 offered by an institution of higher education for an  
18 academic period.

19 (3) INSTITUTION OF HIGHER EDUCATION.—The  
20 term “institution of higher education” has the  
21 meaning given the term in section 102 of the Higher  
22 Education Act of 1965 (20 U.S.C. 1002).

23 (4) PUBLISHER.—The term “publisher” means  
24 a publisher of college textbooks or supplemental ma-  
25 terials involved in or affecting interstate commerce.

1           (5) SUPPLEMENTAL MATERIAL.—The term  
2           “supplemental material” means educational material  
3           published or produced to accompany a college text-  
4           book, including printed materials, computer disks,  
5           web site access, and electronically distributed mate-  
6           rials.

7 **SEC. 5. PUBLISHER REQUIREMENTS.**

8           (a) COLLEGE TEXTBOOK PRICING INFORMATION.—  
9           When a publisher provides a faculty member of an institu-  
10          tion of higher education with information regarding a col-  
11          lege textbook or supplemental material available, the pub-  
12          lisher shall include, with any such information and in writ-  
13          ing, the following:

14               (1) The price at which the publisher would  
15               make the college textbook or supplemental material  
16               available to the bookstore on the campus of, or oth-  
17               erwise associated with, such institution of higher  
18               education.

19               (2) The full history of revisions for the college  
20               textbook or supplemental material.

21               (3) Whether the college textbook or supple-  
22               mental material is available in any other format, in-  
23               cluding paperback and unbound, and the price at  
24               which the publisher would make the college textbook  
25               or supplemental material in the other format avail-

1 able to the bookstore on the campus of, or otherwise  
2 associated with, such institution of higher education.

3 (b) UNBUNDLING OF TEXTBOOKS FROM SUPPLE-  
4 MENTAL MATERIALS.—A publisher that sells a college  
5 textbook and any supplemental material accompanying  
6 such college textbook as a single bundled item shall also  
7 make available the college textbook and each supplemental  
8 material as separate and unbundled items, each separately  
9 priced.

10 **SEC. 6. PROVISION OF ISBN COLLEGE TEXTBOOK INFOR-**  
11 **MATION IN COURSE SCHEDULES.**

12 (a) INTERNET COURSE SCHEDULES.—Each institu-  
13 tion of higher education that receives Federal assistance,  
14 to the maximum extent practicable, shall—

15 (1) disclose the International Standard Book  
16 Number of required and recommended textbooks, re-  
17 lated materials and supplies, including retail price  
18 information, for each course listed in the institu-  
19 tion's course schedule used for pre-registration and  
20 registration purposes;

21 (2) if the International Standard Book Number  
22 is not available for the items listed in paragraph (1),  
23 the institution shall use the author and title; and

24 (3) if the institution determines that the disclo-  
25 sure of the information described in the preceding

1 paragraphs for a course is not practicable, then it  
2 should indicate so by placing the designation “To Be  
3 Determined” in lieu of the information required  
4 under such paragraphs.

5 (b) WRITTEN COURSE SCHEDULES.—In the case of  
6 an institution of higher education that receives Federal  
7 assistance and that does not publish the institution’s  
8 course schedule for the subsequent academic period on the  
9 Internet, the institution of higher education shall include  
10 the information required under subsection (a) in any  
11 printed version of the institution’s course schedule as it  
12 is available at the time of the course schedule’s printing.

13 **SEC. 7. AVAILABILITY OF INFORMATION FOR COLLEGE**  
14 **TEXTBOOK SELLERS.**

15 An institution of higher education that receives Fed-  
16 eral assistance shall make available, as soon as is prac-  
17 ticable, upon the request of any seller of college textbooks  
18 (other than a publisher) that meets the requirements es-  
19 tablished by the institution, the most accurate information  
20 available regarding—

21 (1) the institution’s course schedule for the sub-  
22 sequent academic period; and

23 (2) for each course or class offered by the insti-  
24 tution for the subsequent academic period—



1           (A) the information required by section  
2           6(a) for each college textbook or supplemental  
3           material required or recommended for such  
4           course or class;

5           (B) the number of students enrolled in  
6           such course or class; and

7           (C) the maximum student enrollment for  
8           such course or class.

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