

119TH CONGRESS
2D SESSION

S. 5339

To limit the duties that may be imposed with respect to school supplies and educational materials, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 6, 2026

Ms. ALSOBROOKS (for herself, Mr. VAN HOLLEN, Mr. COONS, Mr. KIM, Ms. BLUNT ROCHESTER, Ms. ROSEN, and Mr. HICKENLOOPER) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To limit the duties that may be imposed with respect to school supplies and educational materials, 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 “Back-to-School Sup-
5 plies Affordability Act”.

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

7 It is the sense of Congress that arbitrary and chaotic
8 tariffs increase the cost of school supplies for students,
9 families, teachers, schools, and local governments.

1 **SEC. 3. LIMITATION ON IMPOSITION OF DUTIES ON**
2 **SCHOOL SUPPLIES AND EDUCATIONAL MATE-**
3 **RIAL.**

4 (a) IN GENERAL.—Beginning on the date of the en-
5 actment of this Act, no duty described in subsection (b)
6 applies with respect to any item described in subsection
7 (c).

8 (b) DUTY DESCRIBED.—A duty is described in this
9 subsection if the duty imposed on an article exceeds the
10 duty in effect for the article on January 19, 2025, except
11 if the duty was—

12 (1) imposed pursuant to title VII of the Tariff
13 Act of 1930 (19 U.S.C. 1671 et seq.); or

14 (2) proclaimed pursuant to section 201 of the
15 Trade Act of 1974 (19 U.S.C. 2251).

16 (c) ITEMS DESCRIBED.—An item is described in this
17 subsection if—

18 (1) the item is an item used in an elementary
19 or secondary school classroom, as designated
20 through regulations issued by the Secretary of Com-
21 merce, in coordination with the Secretary of Edu-
22 cation, unless there is enacted into law a joint reso-
23 lution of disapproval under subsection (e) with re-
24 spect to the item; or

25 (2) the item is classified under any of the fol-
26 lowing headings, subheadings, and statistical report-

1 ing numbers of the Harmonized Tariff Schedule of
2 the United States:

3 (A) 3926.10 (Office or school supplies).

4 (B) 4202.92 (Backpack and lunchboxes).

5 (C) 4820.10.20 (Diaries, notebooks and
6 address books, bound, memorandum pads, let-
7 ter pads, and similar articles).

8 (D) 4903 (Children's picture, drawing, or
9 coloring books).

10 (E) 4910 (Calendars).

11 (F) 8471.60.20 (Keyboards).

12 (G) 9603.29.8010 (Hairbrushes).

13 (H) 9606 (Pencils, crayons, pencil leads,
14 pastels, drawing charcoals, writing or drawing
15 chalks and tailors' chalks).

16 (I) 9608 (Ball point pens, felt tipped and
17 other porous tipped pens and markers, fountain
18 pens, pencil-holders and similar holders, parts
19 of the foregoing articles).

20 (d) REPORT TO CONGRESS.—Not later than 180 days
21 after the date of the enactment of this Act, and every 180
22 days thereafter, the Secretary of Commerce shall submit
23 to the Committee on Finance of the Senate and the Com-
24 mittee on Ways and Means of the House of Representa-
25 tives a report that includes—

1 (1) a list of the items exempt from the applica-
2 tion of duties pursuant to this Act; and

3 (2) a list of the items designated, during the
4 period covered by the report, by the Secretary pursu-
5 ant to subsection (c)(1).

6 (e) JOINT RESOLUTION OF DISAPPROVAL.—

7 (1) JOINT RESOLUTION OF DISAPPROVAL DE-
8 FINED.—In this section, the term “joint resolution
9 of disapproval” means a joint resolution the sole
10 matter after the resolving clause of which is as fol-
11 lows: “That Congress disapproves the designation of
12 _____ as a school supply eligible for exemption
13 from duties under section 3 of the Back-to-School
14 Supplies Affordability Act, notice of which was sub-
15 mitted to Congress on _____.”, with the
16 first blank space being filled with the name of the
17 item and the second blank space being filled with the
18 date the report that contained the designation of the
19 item was submitted to Congress.

20 (2) EXPEDITED PROCEDURES.—The provisions
21 of subsections (b) through (f) of section 152 of the
22 Trade Act of 1974 (19 U.S.C. 2192) apply to a joint
23 resolution of disapproval to the same extent that
24 such subsections apply to joint resolutions under
25 such section 152.

1 (3) RULES OF THE SENATE AND THE HOUSE
2 OF REPRESENTATIVES.—This subsection is enacted
3 by Congress—

4 (A) as an exercise of the rulemaking power
5 of the Senate and the House of Representa-
6 tives, respectively, and as such is deemed a part
7 of the rules of each House, respectively, but ap-
8 plicable only with respect to the procedure to be
9 followed in that House in the case of a joint
10 resolution of disapproval, and supersedes other
11 rules only to the extent that it is inconsistent
12 with such rules; and

13 (B) with full recognition of the constitu-
14 tional right of either House to change the rules
15 (so far as relating to the procedure of that
16 House) at any time, in the same manner, and
17 to the same extent as in the case of any other
18 rule of that House.

○