

117TH CONGRESS  
2D SESSION

# H. R. 9226

To amend the Higher Education Act of 1965 to require annual reporting  
on assets of institutions of higher education.

---

## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 25, 2022

Mr. CLEAVER introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To amend the Higher Education Act of 1965 to require  
annual reporting on assets of institutions of higher education.

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 “Endowment Trans-  
5 parency Act”.

6 **SEC. 2. REPORTING ON ASSETS OF INSTITUTIONS OF HIGH-**  
7 **ER EDUCATION.**

8 (a) CONSUMER INFORMATION.—

1           (1) ASSET REPORTING.—Section 132(i)(1) of  
2           the Higher Education Act of 1965 (20 U.S.C.  
3           1015a(i)(1)) is amended by adding at the end the  
4           following:

5                   “(AA)(i) The total assets of the institution  
6           that are managed—

7                           “(I) by an investment adviser,  
8                           disaggregated by asset class; or

9                           “(II) by a minority- or women-owned  
10                          investment adviser, disaggregated by asset  
11                          class and race of the investment adviser.

12                   “(ii) With respect to investment advisers  
13           employed by the institution, the number of such  
14           investment advisers, disaggregated by gender  
15           and race.

16                   “(iii) The percent of bond issuances by the  
17           institution that are underwritten by minority-  
18           or women-owned asset management firms.

19                   “(iv) In this subparagraph—

20                           “(I) the term ‘investment adviser’ has  
21                           the meaning given that term under section  
22                           202(a) of the Investment Advisers Act of  
23                           1940;

24                           “(II) the term ‘minority’ has the  
25                           meaning given that term under section

308(b) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989; and

“(III) the term ‘minority- or women-owned’, when used with respect to an investment adviser or an asset management firm, means an investment adviser or an asset management firm which—

“(aa) is owned more than 50 percent by one or more individuals who are women or minorities; and

“(bb) is managed by, and the daily business operations of which are controlled by, one or more individuals who are women or minorities.”.

(2) DATA COLLECTION.—Section 132(i)(4) of the Higher Education Act of 1965 (20 U.S.C. 1015a(i)(4)) is amended—

(A) by striking “The Commissioner” and inserting the following:

“(A) IN GENERAL.—The Commissioner”;

and

(B) by adding at the end the following:

“(B) RULES FOR ASSET REPORTING.—

With respect to the information described in

1 clauses (i), (ii), and (iii) of paragraph (1)(AA),  
2 the Secretary of Education (acting through the  
3 Commissioner for Education Statistics), the Se-  
4 curities and Exchange Commission, and the  
5 Under Secretary of Commerce for Minority  
6 Business Development shall, jointly, issue rules  
7 to establish a standardized form and manner  
8 for collecting and reporting such information.”.

9 (b) ANALYSIS AND REPORT BY THE MINORITY BUSI-  
10 NESS DEVELOPMENT AGENCY.—

11 (1) IN GENERAL.—After the end of the 1-year  
12 period beginning on the date that information is  
13 first reported under subparagraph (AA) of section  
14 132(i)(1) of the Higher Education Act of 1965, the  
15 Under Secretary of Commerce for Minority Business  
16 Development shall, in consultation with representa-  
17 tives from industry (including minority- or women-  
18 owned investment advisers and minority- or women-  
19 owned asset management firms)—

20 (A) analyze all information reported under  
21 that subparagraph (AA); and

22 (B) issue a report to the Congress, and  
23 make such report available to the public, con-  
24 taining—

1 (i) any recommended best practices  
2 the Under Secretary may have for substan-  
3 tially increasing the use of minority- or  
4 women-owned investment advisers and  
5 minority- or women-owned asset manage-  
6 ment firms in the investment and bond  
7 transactions of institutions of higher edu-  
8 cation; and

9 (ii) any recommendations the Under  
10 Secretary may have for regulatory or legis-  
11 lative changes to increase the use of such  
12 advisers and firms.

13 (2) UPDATED REPORTS.—The Under Secretary  
14 of Commerce for Minority Business Development  
15 shall update the report required under paragraph  
16 (1)(B) every 2 years.

17 **SEC. 3. MBDA CONFERENCE.**

18 (a) IN GENERAL.—The Under Secretary of Com-  
19 merce for Minority Business Development shall, every 5  
20 years, convene a conference of institutions of higher edu-  
21 cation, minority- or women-owned investment advisers,  
22 minority- or women-owned asset management firms, and  
23 investment consultants to help those institutions, advisers,  
24 and firms to share best practices for investment and bond  
25 transactions, including increasing opportunities for such

1 advisers and asset management firms, and learn about the  
2 benefits of using such advisers and firms for investment  
3 and bond transactions.

4 (b) AUTHORIZATION OF APPROPRIATIONS.—There is  
5 authorized to be appropriated to the Under Secretary of  
6 Commerce for Minority Business Development \$1,000,000  
7 to carry out this section.

○