

From: Peter Lange

Sent: Friday, January 20, 2012 4:14 PM

To: Jonathan B. Wiener, J.D.

Cc: Tallman Trask; Susan Lozier; David F. Levi; James S. Roberts, Ph.D.; grwagonerjr@gmail.com; Richard Brodhead, Ph.D.; Richard Riddell, Ph.D.; Neal Triplett, M.B.A.; Adrienne Clough (acc37)

Subject: Decision by President's Special Committee on Investment Responsibilities

MEMORANDUM

To: Jonathan Weiner, Chair, Advisory Committee on Investment Responsibility (ACIR)

From: Peter Lange, Provost and Chair President's Special Committee on Investment Responsibility (PSC)

C: Richard Brodhead, Rick Wagoner, Neil Triplet, Richard Riddell

This is to inform you that the PSC met on Friday, January 13, 2012 to consider a request from students that the University establish conditions governing the exercise of its proxy voting rights in companies in which it may have investments with regard to the use by those companies of "conflict minerals" (see attached documents from students for description of conflict minerals and other documents supporting their request). During its hearing, the committee (all members present with the exception of Vice Provost James Siedow) heard from the students, examined their supporting materials and questioned the petitioners on certain matters.

Upon completion of this hearing, the committee met in closed session and voted unanimously to request that the ACIR examine the request, as stipulated in the University's Board of Trustees Guidelines on Socially Responsible Investing and the subsequent guidelines establishing the PSC and ACIR. In forwarding this matter to the ACIR, the PSC concluded that the issue of conflict minerals and their use in commerce plausibly does cause substantial social injury and that changes in the activities of companies with respect to the usage of conflict minerals could have a direct and material effect in alleviating such injury. In addition, the petitioners demonstrated that there had been sufficient interest and concern among members of the Duke community with regard to the matter of conflict minerals to warrant consideration of this matter by ACIR.

In forwarding this matter to ACIR, the PSC wishes to note that it is supportive of consideration of actions stipulated under section a) 1 of the petitioners' request (see attached) regarding the exercise of proxy votes and that it assumes that if the soon to be forthcoming regulations under Dodd-Frank require actions by companies in which Duke has investments with regard to conflict minerals, that the companies will comply with those regulations. The petitioners did not request any action with regard to divestiture nor is the PSC be prepared to ask the ACIR to consider such actions. Additionally, the PSC suggests that the student petitioners and the ACIR draw upon campus faculty expertise on Africa in further exploring the issue of "conflict minerals" and the social injury and political role they appear to play.

I am happy to discuss this matter further with the ACIR should it be requested.