

# EXHIBIT 46

HARVARD  
FACULTY OF ARTS AND SCIENCES



Michael D. Smith  
Edgerley Family Dean of the Faculty of Arts and Sciences  
John H. Finley, Jr. Professor of Engineering and Applied Sciences

University Hall  
Cambridge, MA 02138

MEMORANDUM

To: Rakesh Khurana and William Fitzsimmons

From: Michael D. Smith, Edgerley Family Dean of the Faculty of Arts and Sciences

Date: June 9, 2017

Re: Committee to Study Race-Neutral Alternatives

cc: Ara Gershengorn

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In 2016, the Faculty of Arts and Sciences again emphasized “the central role that student body diversity plays in the achievement of our mission: the education of our students through exposure to novel ideas; to people whose backgrounds, points of view and life experiences are profoundly different from their own; to innovative pedagogy; and to diverse educators – at the front of our classrooms and in the seats, at lectures, in dining halls, in residences, and in the thousands of other structured and informal interactions that make up a Harvard education.” The FAS Faculty unanimously reaffirmed its view that student body diversity – including racial diversity – is essential to our pedagogical objectives and institutional mission.

With the benefits to student body diversity in mind and in accordance with Supreme Court case law, I am convening a committee with the assistance and guidance of the Office of the General Counsel and the University’s outside litigation counsel. The committee will evaluate whether proposed race-neutral alternatives are available and workable for achieving the benefits that flow from our student body diversity.

I anticipate that this committee’s work will take place during the next four to five months, with the completion of this work during the Fall of 2017. The committee will produce a report, and I will share that report with the President of the University.

I hope you will be willing to contribute to this important endeavor.