

























May 17, 2010

The Honorable Chris Dodd United States Senate Washington, D.C. 20510 The Honorable Richard Shelby United States Senate Washington, D.C. 20510

Dear Chairman Dodd and Ranking Member Shelby,

We want to express our gratitude to you for working to end the human suffering in eastern Congo, and as such we appreciate your support of Amendment 3997 to the financial reform legislation.

We believe this amendment is a crucial first step toward the transparency and accountability in minerals supply chains that is necessary to help break the link between minerals and violence in Congo, which has led to six million deaths to date.

Over a year ago, the "Congo Conflict Minerals Act" (S. 891), was introduced by Senators Feingold, Brownback, and Durbin, and included industry disclosure requirements to the SEC. Relevant industry stakeholders have had sufficient time to vet this legislation and have been consulted by Senate offices. Furthermore, reports released by the U.S. government, the United Nations Security Council, 60 Minutes, and numerous humanitarian groups over the past three years have demonstrated the extent to which conflict minerals have contributed to the conflict, and the need for companies to exercise strict due diligence when dealing with minerals from the Great Lakes region of Africa. Although some companies and industries have taken valuable first steps on their own, we believe that legislation that levels the playing field and holds all companies to a common standard is absolutely necessary to help make Congo's mineral wealth a source of peace and development, instead of a driver of conflict.

Contrary to some industry arguments, the minerals in the legislation are indeed traceable. Numerous minerals traders have repeatedly reported that they can identify the origins of their minerals. Congolese tantalum, for example, has higher levels of radioactivity than that from Australia. The electronics industry tantalum smelter validation plan proves this point. Statements on the infeasibility of tracing are frankly misleading.

We recognize that this amendment is only one step along the way toward ending this deadly trade and believe that further measures should be taken by Congress and the Administration. However, this amendment is a key step along the right path that would pave the way for further action and help drive change in the region. Congressional attention to this issue has already been the most important driver of change in minerals supply chains to date – spurring the Electronics Industry Citizenship Coalition (EICC) tantalum validation plan and the International Tin Research Institute (ITRI) traceability initiative. Research on the ground in Congo has shown that governments and traders in Central Africa are still continuing the conflict minerals trade today, and political will in the region is only just getting started to deal with this issue. The new requirements would accelerate these changes to make a meaningful difference on the ground.

By requiring that all companies using these minerals disclose this data, the amendment would ensure fair competition between companies and empower consumers to make responsible choices. Many of our groups also worked to end the conflict diamond trade in the 1990s and supported the passage of the "Clean Diamond Trade Act". We believe that positive changes made to the diamond trade which

helped to bring about peace in war-torn regions of Africa would not have occurred without passage of that critical legislation. This amendment gives us the opportunity to take an important first step to do the same for eastern Congo by helping to address one of the key motivating factors that is fueling the violence.

We strongly urge all Senators to help ensure that all of our electronic products are conflict free by passing this Amendment 3997 without delay.

Thank you for your leadership on this pressing issue.

Sincerely,

Fr. Rocco Puopolo, SX Director Africa Faith and Justice Network

Larry Cox Executive Director Amnesty International

Lisa Shannon Author and Activist **A Thousand Sisters** 

Kimberly Danek Pinkson Founder & President **EcoMom Alliance** 

John Norris Executive Director Enough Project

Mark Hanis President Genocide Intervention Network

Corinna Gilfilan Head of U.S. Office **Global Witness** 

Arvind Ganesa Director, Business and Human Rights **Human Rights Watch** 

Rachelle Lyndaker Schlabach Director Mennonite Central Committee U.S. Washington Office Bernard Taylor Executive Director Partnership Africa-Canada

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