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Via Electronic Submission

Securities and Exchange Commission  
Rule-comments@sec.gov

**RE: File Number S7-40-10**

TriQuint Semiconductor, Inc. appreciates the opportunity to expand on its earlier comments on the Securities and Exchange Commission's (SEC) proposed regulations for the Conflict Minerals requirements in the Dodd-Frank Wall Street Reform and Consumer Protection Act (hereafter referred to as proposed regulation).

Rather than address specific questions in the proposed regulation, these comments are general comments that are based on TriQuint's experiences in trying to gather data from its supply chain on the origin of the Conflict Minerals in TriQuint products.

TriQuint has been surveying its supply chain since mid-2009 for Conflict Minerals data. We have received some type of response from almost all of our suppliers, but there are still a few smaller suppliers who do not have the resources to pursue this information. In general, we are getting the following types of responses:

1. A very few have identified the country of origin of the mines. These are usually highly vertically-integrated Asian companies, who own the mines, the smelters, the railways and cargo ships that haul these materials – all the way to a finished product.
2. A very few have identified the country and smelter (not always the same as #1 above)
3. Most 1<sup>st</sup> level suppliers state that they do not use conflict minerals from the DRC or adjoining countries – no mention of smelters or mines
4. Some 1<sup>st</sup> level suppliers state that they will not knowingly purchase conflict minerals from the DRC or adjoining countries, but there is no indication as to whether current products contain conflict minerals from the DRC or adjoining countries.

It's important to know that some of the suppliers that have given us responses equivalent to #3 or #4 are very large companies. They have large teams working on these issues. They are closer to the smelters and mines of origin than TriQuint is and they still cannot answer the question of where the metals came from. There are many problems with trying to answer these questions, such as:

- The Conflict Minerals in the products TriQuint is making today were probably mined at least a year ago, probably longer. We would venture to say that this is true for almost everyone not involved in large-scale primary metal and alloy manufacture.
- At the base of the supply chain, ores and metal ingots are commodity products. Consolidators and negociants purchase these materials based on a savings of perhaps a penny per pound from a different supplier, and the supply chain completely changes at this level probably on a daily basis.



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- Many suppliers are reluctant to reveal their supply chain, even when offered Non-Disclosure Agreements to cover their concerns. Regardless of how we have approached this, many suppliers state that their supply chain is regarded as confidential information.

TriQuint believes that everyone involved in this process would like to make the situation better for the people in Central Africa, who are exposed daily to the atrocities occurring there. However, many customers are demanding that we certify that none of the Conflict Minerals in our products come from the DRC or adjoining countries. It is much easier to enforce a total ban on Conflict Minerals from this region, but this is going to devastate the region's economy, impacting many legitimate artisanal and small scale mining companies as well as militarized mines. The impacts will spread not only to mines in the DRC, but to all of the adjoining countries. As we pointed out in our previous comments, an effective ban of all Conflict Minerals from the DRC and adjoining countries is equivalent to ~\$2.3 billion dollars a year. This is a substantial amount of money for a very poor area of the world.

For these reasons, TriQuint strongly recommends that the SEC adopts a phased approach to the implementation of these regulations. The electronics industry (and probably other industries as well) are working on auditing and certifying smelters and mining operations. It is true that this will take time, but it is time well-spent if we can clearly identify those bad actors in the supply chain and then target our response to them. We should give the initiatives such as the ITRI Supply Chain Initiative, the EICC Conflict-Free Smelter program, and others some time to gain traction. A phased approach, gradually increasing the scope of due diligence requirements would help us meet our goals without harming the Central African economy. The first year of effectiveness of the rule may require certifications from 1<sup>st</sup> tier suppliers, ramping up to smelter identification in Year 2, and then to mining operations in Year 3. By the time companies were required to report on smelters, various projects will have had more time to identify problem smelters. By the time mining information was required, we will know a lot more about problem mines.

TriQuint would like to thank the SEC for extending the comment period to allow additional comments.

Signed for and on behalf of TriQuint Semiconductor, Inc.: Date: 02-Mar-2011

A handwritten signature in black ink that reads "John Sharp".

John Sharp  
Corporate Product Compliance Manager