



United States Department of State

Washington, D.C. 20520

The Honorable Mary L. Schapiro
Securities and Exchange Commission
100 F Street, NE
Washington, DC 20549

Dear Chairman Schapiro:

In connection with the Department of State's formal consultation role under section 1502 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (the "Act") related to conflict minerals, we are writing to request an extension of your consideration of comments and to request that our respective, relevant staff members arrange a meeting prior to the end of January 2011 to convey the State Department's views on implementing section 1502's requirements related to due diligence. We wish to thank you and your staff for your impressive work in developing the draft regulations.

First, we note that the SEC established a comment deadline of January 31, 2011. In light of our own efforts to develop the strategy mandated by the Act and simultaneously provide meaningful comments on your extensive draft regulations, we request that you consider accepting comments until at least February 15.

Second, State Department officials would like to meet to present formal views on the SEC's draft regulations, based on consultations we have held during the past months on this issue. We note in advance some of the key principles we see as critical in implementing the Act, principles that we are also using to guide development of the conflict minerals strategy mandated by the Act:

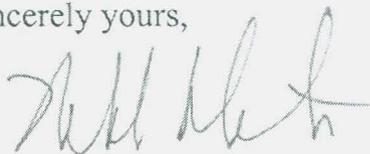
- Companies providing conflict minerals due diligence reports should, with respect to their specific obligations under the statute, be required to conduct sufficiently reliable due diligence to verify that their sourcing of materials does not contribute to, or facilitate, the horrific human rights abuses that have marked the conflict in eastern Democratic Republic of the Congo (DRC).
- To ensure that companies are not subjected to differing standards, the disclosure and reporting of due diligence by covered companies, and auditing of those reports, should be harmonized with existing guidance, such

as the guidance recently issued by an *ad hoc* committee of the Organization for Economic Cooperation and Development (OECD) and by the United Nations Security Council DRC Sanctions Committee's Group of Experts. The UN Security Council has also agreed to take the latter recommendations forward in a binding Security Council Resolution, led by the United States. Companies should be strongly encouraged to follow such existing guidance in their conduct of due diligence.

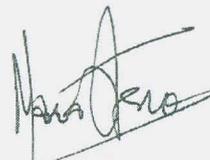
- The regulations should be implemented in a manner that, where possible, minimizes disruption to those members of the local population and the private sector in the region who are not contributing to conflict and abuses, as well as to those reporting companies whose suppliers operate responsibly in the eastern Democratic Republic of Congo and central Africa. Reporting companies should be encouraged to structure their supply chain relationships in a responsible and productive manner, away from possible conflict minerals and toward legitimate, regulated conflict-free trade that does not contribute to human rights abuses.

We appreciate your consideration of these principles and ask your staff to contact Brad Brooks-Rubin of the Department of State's Bureau of Economic, Energy and Business Affairs at (202) 647-2856, or Brooks-RubinBA@state.gov, to schedule a meeting.

Sincerely yours,



Robert D. Hormats
Under Secretary of State for
Economic, Energy, and Agricultural Affairs



María Otero
Under Secretary of State for
Democracy and Global Affairs