

United States Senate

WASHINGTON, DC 20510

October 18, 2011

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

Dear Chairman Schapiro:

We write today to urge you to promptly issue strong final regulations to implement the Conflict Minerals Provision (Section 1502) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (P.L. 111-203) without phase-ins, exemptions, or delays. As you know, the final ruling by the Securities and Exchange Commission (SEC) has already been delayed from its original April 2011 release date.

Allowing any further time to elapse will only prolong the profound human suffering and violence occurring in the Democratic Republic of Congo (DRC) today.

The purpose of Sec. 1502 is to create transparency and accountability in the mineral supply chain in the DRC. Minerals from the DRC—which include tin, tantalum, tungsten and gold—are commonly used in products such as cellphones, laptops and jewelry. The ultimate goal of Sec. 1502 is to prevent minerals mined by illegal armed groups and the Congolese National Army—known as “conflict minerals”—from entering the supply chain and being purchased by companies in the United States and abroad.

Transparency and accountability in the supply chain are vitally important because much of today’s violence in the DRC is occurring in the east, which is home to vast mines rich in these four minerals. While there are legitimate mining operations in the region, there is also a significant presence of violent armed actors fighting over access to mines and reaping tremendous profits from their spoils. The prolonged fighting and violence, enabled by these profits, are having a direct and devastating impact on Congolese citizens and communities.

In one particularly grave incident last August, armed groups raped over 300 civilians in three villages located close to mining sites. An investigation by the United Nations Joint Human Rights Office revealed a direct link between the violence and competition over access to minerals. And in January and June of this year, over 70 women were raped in two separate incidents, both of which occurred in areas rich in minerals. Forms of modern slavery including forced labor, debt bondage, sexual slavery and child labor have also been well-documented in mining zones. The human cost of the trade in conflict minerals is unconscionable.

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It is important to note that Sec. 1502 has already spurred reforms in the region, including Motorola Solutions' investment in conflict-free mines in the DRC, unprecedented and long-overdue arrests of conflict mineral smugglers by the Congolese government, and regional efforts to certify conflict-free minerals. The provision has also contributed to progress made in demilitarizing some mining areas.

The people of the DRC have suffered for far too long. We must work vigilantly to bring the violence to an end, including the epidemic of sexual violence that has led to an estimated 1,000 Congolese women and girls being raped each month since 1994.

Ensuring the full enforcement of Sec. 1502 of the Dodd-Frank legislation is a critical step in ending this violence and incentivizing reforms that have begun to change the equation on the ground in the DRC. As such, we urge you to issue strong regulations soon with no phase-ins, exemptions, or delays so that companies can fully implement their obligations under the Dodd-Frank legislation.

Thank you for your consideration of this important request. We look forward to your response.

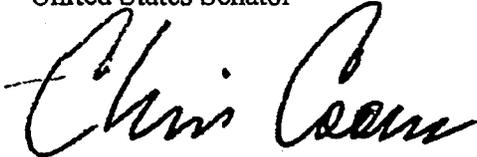
Sincerely,



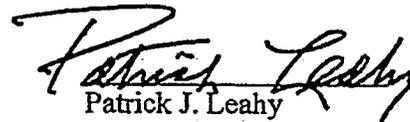
Barbara Boxer
United States Senator



John Boozman
United States Senator



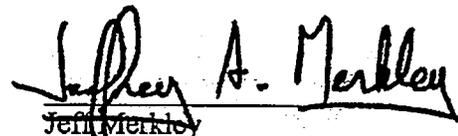
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