



NEVER AGAIN COALITION

May 15, 2019

Dear Chair Holvey, Vice-Chairs Williamson and Wilson, and Members of the Committee,

My name is Lauren Fortgang. I am the co-founder and policy director for the Never Again Coalition. We are located in Oregon and work on preventing genocide and mass atrocities in Sudan, South Sudan, the Democratic Republic of Congo (DRC), and Burma.

The four conflict minerals: tin, tantalum, tungsten, and gold have been fueling armed conflict in the DRC for far too long. It is hard to say how many minerals have been smuggled out in the past because for so long, there wasn't a transparent supply chain to follow. When the Securities and Exchange Commission (SEC) began implementation of Section 1502 of the Dodd Frank Wall Street Reform and Consumer Protection Act in 2012, the people of DRC were given a chance at peace.

Section 1502 follows the guidelines set by the Organization for Economic Cooperation and Development. It requires companies to report on their mineral sourcing and due diligence practices. It does not keep mining companies from doing business in DRC. Creating transparent supply chains in mining means that the people doing the work of extracting minerals will be paid for their work. Smugglers and armed groups will not.

The City of Portland has its own conflict mineral procurement policy. In August 2015, Portland City Council voted unanimously to approve Resolution 37150. In August 2018, Portland City Council approved a new overarching policy of sustainable procurement. We supported the changes as the new incorporated policy expands the conflict mineral procurement resolution and uses the OECD guidelines.

It's true that conflict mineral legislation alone will not stop all armed conflict in the DRC, but it has and will continue to help curb it. As consumers we all have a responsibility to try to ensure that what we purchase does not knowingly inflict harm on others. Industry leaders such as Intel, Apple, Tiffany Co, and Signet Jewelers, to name a few, have seen that there is a demand for minerals in their products to be sourced ethically because of sustained pressure from consumers. They are taking action to meet that demand.

SB 471 is an extension of this consumer demand. This bill asks the State to consider a company's due diligence practices in relation to conflict minerals in their supply chain before awarding a contract. If passed, SB 471 would use the OECD guidelines. These are the same international standards that the SEC currently requires companies to use. Therefore the infrastructure is already in place for implementing SB 471. We believe that through this method of consumer demand, we can continue to call on companies to create and keep high ethical standards that improve the lives of people in the DRC and in turn can potentially lower the costs of minerals that might otherwise be inflated by rebel groups.

The positive effects of conflict mineral legislation can be seen on the ground in DRC but we must keep at it. It would be a sad thing to see the demand go away and reverse all of the work to have legitimate mines in DRC. This could undo so much of the progress made to help the people of the DRC, and put money back into the pockets of militias and criminals.

I am grateful to Senators Dembrow and Boquist for their support of this legislation. It is clear that there is broad support in the Oregon House and Senate for SB 471. The Never Again Coalition was very pleased to see it pass with 27 ayes and 3 excuses in the Senate on April 16.

As a consumer, an advocate for peace in the DRC, and a proud Oregonian, I ask you to support SB 471.

Sincerely,

Lauren Fortgang
Policy Director, Never Again Coalition