



Mark G. Little

Conflict Minerals

On 21 July 2010, President Obama signed into law a broad financial regulations bill intended to help prevent and manage the kind of recession that has handicapped the world economy since 2006. Of the hundreds of pages of text, six are intended to provide relief to a population far from Washington, D.C., and far removed from the financial crisis—the people of the Democratic Republic of Congo (DRC) and the Great Lakes Region of central Africa.

The Second Congo War that raged from 1998 to the early 2000s and the conflict that now simmers in the DRC have claimed the lives of more than two million people and damaged the bodies and spirits of tens of thousands terrorized by sexual violence. This war has caused more loss of human life than any other conflict on this planet since WWII; however, the outside world has remained sclerotic and slow to act. In November 2009, the Conflict Minerals Trade Act (H.R. 4128) was introduced in the House of Representatives. The bill was designed to help end the illicit sale of “conflict minerals,” which would, in turn, cut off a major revenue stream to the armed factions responsible for the current violence. Mineral resources such as cassiterite (tin), columbite-tantalite (niobium, tantalum), wolframite (tungsten), and gold in the eastern DRC are often controlled by a shadowy network of rebel groups, wayward government troops, and smugglers. The profits of this illicit trade allow the killing and rape to continue; however, the minerals are vital ingredients in many important devices manufactured and consumed across the world, from tantalum capacitors in pacemakers to tungsten filaments in halogen lights. Fortunately, there are other sources of these minerals outside of the conflict areas and outside of the DRC altogether. H.R. 4128 would require that manufacturers using these resources publicly reveal their supply chain, thus allowing U.S. consumers to make informed decisions about where their dollar is ultimately going.

Because the bill has an international focus, it was referred to the House Committee on Foreign Affairs, where I have been working for the past year. The chair of the committee agreed with the goals of the legislation and threw the power of his position and the resources of the committee squarely behind the bill.

The most important of those resources is staff. I was fortunate to be in a position to assist the professional staff working on H.R. 4128 by offering my perspective as an earth scientist. During the ensuing months, we met with non-governmental organizations working on the ground in DRC; technical experts from the mining and jewelry industries; sympathetic hi-tech electronics companies that are dependent on these minerals; and State Department officials who would be tasked with creating and maintaining conflict-zone maps. This exchange of information and ideas occurred in parallel to regular meetings with other congressional offices and committees—both majority (Democratic) and minority (Republican). All of these conversations helped to create a bill that improved on each iteration.

Like most legislation, the Congo Conflict Minerals Trade Act was subject to a “mark-up,” the formal committee amendment process. In the days preceding the mark-up, the final bill language was tweaked through a series of telephone calls, meetings, and

many e-mails between majority and minority offices of multiple committees. Each time there was any change—including grammatical and syntactical—the bill was reviewed by all interested offices. On 28 April, the day of the mark-up, the bill passed through committee with unanimous, bipartisan support.

By 20 May, the Senate had passed a Wall Street reform bill amended with the Congo Conflict Minerals Act. While passage was great news for the prospect of reducing financial support for the conflict in DRC, the Senate-passed bill was substantially different from the House Committee-passed version. Thus began a new series of meetings, this time with a heightened sense of urgency and importance because there was a real hope of getting the legislation enacted—the bill was also placed on a strict timeline by senior congressional leadership. Senate and House, Republican and Democratic, personal and committee offices were now involved, all working to craft a compromise between the two versions. Again, the meetings went down to the last minute and, again, the final product was stronger for the collaborative work and commitment of the members of Congress and their staff.

The effectiveness of this legislation may be ambiguous for many years; however, Congress and President Obama have made a strong statement about the value of human life. In doing so, they have also recognized the relationship between the global demand for natural resources and conflict in developing countries. The U.S. government has chosen to promote peace by empowering consumers with the kind of information that can lead to a safer world.

This manuscript is submitted for publication by Mark G. Little, 2009–2010 GSA-USGS Congressional Science Fellow, with the understanding that the U.S. government is authorized to reproduce and distribute reprints for governmental use. The one-year fellowship is supported by GSA and by the U.S. Geological Survey, Department of the Interior, under Assistance Award No. G09AP00158. The views and conclusions contained in this document are those of the author and should not be interpreted as necessarily representing the official policies, either expressed or implied, of the U.S. government. Little is working on the staff of the House Committee on Foreign Affairs, and he can be reached at MarkGabriel.Little@mail.house.gov.