

SENATE No. 2463

The Commonwealth of Massachusetts

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In the One Hundred and Eighty-Ninth General Court
(2015-2016)
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SENATE, Tuesday, July 26, 2016

The committee on Ways and Means, to whom was referred the Senate Bill relative to Congo conflict minerals (Senate, No. 1682),-- reports, recommending that the same ought to pass with an amendment substituting a resolve entitled “Resolve examining commonwealth procurement policies relative to Congo conflict minerals” (Senate, No. 2463).

For the committee,
Karen E. Spilka

The Commonwealth of Massachusetts

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Resolve examining commonwealth procurement policies relative to Congo conflict minerals.

1 **Resolved**, that the executive office for administration and finance, in consultation with
2 the inspector general, shall review the procurement policies of the commonwealth and issue a
3 report that analyzes existing policies relative to products that may contain extracted mineral
4 resources from the Democratic Republic of the Congo and its adjoining countries. The report
5 shall: (i) examine best practices to ensure that electronics and information communications
6 technology suppliers provide products that: (A) do not directly or indirectly finance armed
7 conflict or result in labor or human rights violations in the Democratic Republic of the Congo or
8 an adjoining country; (B) contain minerals, including columbite-tantalite, cassiterite, wolframite,
9 gold and other similar or derivative minerals, for which the origin and exporter can be identified;
10 and (C) contain raw materials for which the appropriate tax payments have been made; (ii)
11 examine the efficacy and implications of penalties or a trade prohibition for businesses that are
12 required to disclose information relating to conflict minerals originating in the Democratic
13 Republic of the Congo or an adjoining country under section 13(p) of the Securities Exchange
14 Act of 1934 and for which a disclosure report is not filed, the disclosure does not comply with
15 said section 13(p) because it was considered under said law to be an unreliable determination or
16 contains false information; and (iii) identify actions, including legislative recommendations, if

17 any, necessary to support mineral exporters from the Democratic Republic of the Congo or an
18 adjoining country that fully discloses their export payments and certifies that their minerals do
19 not directly finance armed conflict, result in labor or human rights violations or damage the
20 environment.

21 The report shall be filed with the clerks of the senate and the house of representatives and
22 the senate and house chairs of the joint committee on state administration and regulatory
23 oversight not later than February 1, 2017.