

106TH CONGRESS
2D SESSION

H. R. 5564

To prohibit the importation of diamonds unless the countries exporting the diamonds to the United States have in place certain controls to verify the source of the diamonds, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 26, 2000

Mr. HALL of Ohio (for himself, Mr. WOLF, and Ms. MCKINNEY) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To prohibit the importation of diamonds unless the countries exporting the diamonds to the United States have in place certain controls to verify the source of the diamonds, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Conflict Diamonds
5 Elimination Act of 2000”.

6 **SEC. 2. RESTRICTIONS ON IMPORTATION OF DIAMONDS.**

7 (a) RESTRICTIONS.—Diamonds may not be imported
8 into the United States unless the country exporting the

1 diamonds to the United States is either implementing a
2 system of controls on the export and import of rough dia-
3 monds or is a signatory to an international agreement, or
4 a participant in an international arrangement, that estab-
5 lishes a system of controls on the export and import of
6 rough diamonds. Such a system of controls may include
7 the following:

8 (1)(A) The diamonds, when exported from the
9 country in which they were mined, were sealed in a
10 secure container by appropriate government officials
11 of that country.

12 (B) The sealed container includes a government
13 document that certifies the country as the country of
14 origin of the diamonds and includes a unique export
15 registration number for the diamonds and the total
16 carat weight of the diamonds.

17 (C) Appropriate government officials have en-
18 tered into a database controlled by the government
19 the export registration number for the diamonds and
20 the total carat weight of the diamonds.

21 (2) Any country importing the diamonds prior
22 to polishing or other processing—

23 (A) permits importation of the diamonds
24 only in a container described in paragraph (1);
25 and

1 (B) verifies, by electronic or other reliable
2 means of verification, the information set forth
3 in the export document included in the sealed
4 container in which the diamonds were shipped.

5 (b) MONITORING.—The President shall ensure that
6 the system of controls described in subsection (a) is either
7 monitored by an appropriate agency of the United States
8 or, in the case of a system of controls established by an
9 international agreement or arrangement, by an organiza-
10 tion specified in the agreement or arrangement.

11 **SEC. 3. ANNUAL REPORT.**

12 The President shall transmit to the Congress, not
13 later than September 30th of each year, a report describ-
14 ing and evaluating the system of controls on trade in dia-
15 monds described in section 2(a) and identifying those
16 countries that are implementing such controls.

17 **SEC. 4. SENSE OF CONGRESS.**

18 It is the sense of the Congress that the President
19 should take the necessary steps to negotiate an inter-
20 national agreement or arrangement to eliminate the trade
21 in diamonds used to support conflict in the regions in
22 which the diamonds are mined.

1 **SEC. 5. EFFECTIVE DATE AND WAIVERS.**

2 (a) IN GENERAL.—Except as provided in subsection
3 (b), this Act shall take effect 6 months after the date of
4 the enactment of this Act.

5 (b) DELAY IN EFFECTIVE DATE.—If, not later than
6 the end of the 6-month period described in subsection (a),
7 the President—

8 (1) determines that a system of controls on the
9 export and import of rough diamonds has not been
10 implemented by exporting countries (as described in
11 section 2(a)), and that an international agreement
12 or arrangement that establishes a system of controls
13 on the export and import of rough diamonds (as de-
14 scribed in section 2(a)) has not been concluded, and

15 (2) transmits that determination to the Con-
16 gress, together with a description of the progress in
17 the implementation of such a system by exporting
18 countries and in concluding such an agreement or
19 arrangement,

20 then this Act shall take effect 1 year after the date of
21 the enactment of this Act.

22 (c) WAIVER AUTHORITY.—The President may waive
23 the applicability of this Act with respect to a country for
24 periods of not more than 6 months each if the President,
25 before granting each waiver—

1 (1) determines that the country is making sig-
2 nificant progress toward concluding an international
3 agreement or arrangement establishing, or is other-
4 wise implementing, a system of controls on the ex-
5 port and import of rough diamonds described in sec-
6 tion 2(a)); and

7 (2) transmits that determination, with the rea-
8 sons therefor, to the Congress.

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