



The Kimberley Process (KP) is an international, multi-stakeholder initiative created to increase transparency and oversight in the international diamond trade in order to eliminate the trade in conflict diamonds, or rough diamonds sold by rebel groups or their allies to fund conflict against legitimate governments. The Kimberley Process Certification Scheme (KPCS) provides the rules that govern the trade in rough diamonds. The Clean Diamond Trade Act of 2003 and Executive Order (EO) 13312 commit the U.S. government to the KP and establish a framework for how the U.S. implements that commitment. The Rough Diamonds Control Regulations (RDCR), as amended, 31 C.F.R. § 592, implement EO 13312 and set forth the obligations of U.S. importers and exporters. In 2012, U.S. Customs and Border Protection (CBP) amended the CBP regulations to add a regulation (19 C.F.R. §12.152) restating pertinent provisions of the RDCR and clarifying the recordkeeping requirements of U.S. importers, consignees, and exporters.

Import Requirements

- Rough diamonds may only be imported from KP Participants. A current list of KP Participants can be found by searching the Federal Register (www.federalregister.gov).
- Imports of rough diamonds must be accompanied by an original KP Certificate.
- Imports of rough diamonds (regardless of quantity or value) must be entered with a formal entry. This includes any rough diamonds “hand carried” by passengers. Importers may retain a customs broker at their port of entry to assist with formal entry filing. Lists of customs brokers, by port, can be found on the CBP website (www.cbp.gov/contact/ports).
- The KP Certificate’s unique certificate number must be transmitted on CBP Form 7501 (Entry Summary).
- Import shipments of rough diamonds must be sealed in a tamper-resistant container. Standard mailing and express consignment packaging, or such packaging that simply contains a resealable plastic bag, is not considered to be a tamper-resistant container. A “tamper-resistant container” is defined as “packaging having an indicator or barrier to entry that could reasonably be expected to provide visible evidence that tampering had occurred.”
- Importers must notify the relevant foreign exporting authority of the receipt of the rough diamond shipment within 15 calendar days of arrival within the U.S. Contact the U.S. KP Focal Point (USKimberleyprocess@state.gov) with questions about this requirement.
- Importers must fax a copy of their KP Certificates, including voided certificates, to the U.S. Census Bureau at 1-800-457-7328, or provided by other methods as permitted by the Census Bureau, immediately after making entry.
- Importers of rough diamonds must retain a copy of the KP Certificate accompanying the shipment for a period of at least five years from the date of importation. Ultimate consignees of rough diamonds must retain the original KP Certificate for at least five years from the date of importation.

Export Requirements

- Rough diamonds may only be exported to KP Participants.
- Exports of rough diamonds must be accompanied by an original KP Certificate issued by a licensee of the U.S. Kimberley Process Authority (USKPA).
- Export shipments of rough diamonds must be sealed in a tamper-resistant container.
- The U.S. Census Bureau requires that Electronic Export Information (EEI) be filed through the Automated Commercial Environment/Automated Export System (ACE/AES). The EEI shall always be transmitted prior to departure for shipments of rough diamonds classified under the subheadings 7102.10, 7102.21 and 7102.31 of the Harmonized Tariff Schedule of the United States and exported (re-exported) in accordance with the KPCS.
- Filing these shipments via ACE/AES will be confirmed by an Internal Transaction Number (ITN). The ITN must be reported on the KP Certificate that will accompany the shipment which will finalize the validation of the KP Certificate for export of rough diamonds from the U.S.



- The EEI must be filed in the ACE/AES for all rough diamonds, regardless of value, by the U.S. Principal Party (USPPI) in Interest or the U.S. authorized agent. The unique certificate number must be reported in the License field in ACE/AES.
- The KP Certificate must be faxed by the USPPI or U.S. authorized agent to the U.S. Census Bureau at 1-800-457-7328, or provided by other methods as permitted by the Census Bureau, immediately after export of the shipment from the United States.
- Exporters of rough diamonds must retain a copy of the KP Certificate accompanying the shipment for a period of at least five years from the date of exportation.

Contacts:

- U.S. Customs and Border Protection, Office of Trade, (202) 945-7459, KPMailbox@cbp.dhs.gov
- U.S. Department of State, Special Adviser for Conflict Diamonds, (202) 647-2856, USKimberlyProcess@State.gov
- U.S. Census Bureau, Foreign Trade Division, (301) 763-2259, www.census.gov
- Office of Foreign Assets Control, compliance hotline, (202) 622-2490, www.treasury.gov