

1 known or suspected to be a source of illegal trade of
2 species listed—

3 (A) as threatened species or endangered
4 species under the Endangered Species Act of
5 1973 (16 U.S.C. 1531 et seq.); or

6 (B) under appendix I of the Convention on
7 International Trade in Endangered Species of
8 Wild Fauna and Flora, done at Washington
9 March 3, 1973 (27 UST 1087; TIAS 8249).

10 (b) FUNDING.—There is authorized to be appro-
11 priated to carry out this section \$150,000,000 for each
12 of fiscal years 2022 through 2031.

13 **SEC. 71102. LACEY ACT AMENDMENTS.**

14 (a) IN GENERAL.—Section 42 of title 18, United
15 States Code, is amended—

16 (1) in subsection (a)(1)—

17 (A) in the first sentence, by striking “ship-
18 ment between the continental United States”
19 and inserting “transport between the States”;

20 (B) in the first sentence, strike “Hawaii,”;

21 (C) by inserting after the first sentence the
22 following: “Notwithstanding any other provision
23 of law, the Secretary of the Interior may pre-
24 scribe by regulation an emergency designation
25 prohibiting the importation of any species of

1 wild mammals, wild birds, fish (including mol-
2 lusks and crustacea), amphibians, or reptiles, or
3 the offspring or eggs of any such species, as in-
4 jurious to human beings, to the interests of ag-
5 riculture, horticulture, forestry, or to wildlife or
6 the wildlife resources of the United States, for
7 not more than 3 years, under this subsection, if
8 the Secretary of the Interior determines that
9 such regulation is necessary to address an im-
10 minent threat to human beings, to the interests
11 of agriculture, horticulture, forestry, or to wild-
12 life or the wildlife resources of the United
13 States. An emergency designation prescribed
14 under this subsection shall take effect imme-
15 diately upon publication in the Federal Reg-
16 ister, unless the Secretary of the Interior pre-
17 scribes an effective date that is not later than
18 60 days after the date of publication. During
19 the period during which an emergency designa-
20 tion prescribed under this subsection for a spe-
21 cies is in effect, the Secretary of the Interior
22 shall evaluate whether the species should be
23 designated as an injurious wildlife species under
24 the first sentence of this paragraph.”; and

1 (D) in subsection (b), inserting “know-
2 ingly” before “violates”; and

3 (2) by adding at the end the following:

4 “(d) PRESUMPTIVE PROHIBITION ON IMPORTA-
5 TION.—

6 “(1) IN GENERAL.—Importation into the
7 United States of any species of wild mammals, wild
8 birds, fish (including mollusks and crustacea), am-
9 phibians, or reptiles, or the offspring or eggs of any
10 such species, that is not native to the United States
11 and, as of the date of enactment of the America
12 COMPETES Act of 2022, is not prohibited under
13 subsection (a)(1), is prohibited, unless—

14 “(A) during the 1-year period preceding
15 the date of enactment of the America COM-
16 PETES Act of 2022, the species was, in more
17 than minimal quantities—

18 “(i) imported into the United States;

19 or

20 “(ii) transported between the States,
21 any territory of the United States, the Dis-
22 trict of Columbia, the Commonwealth of
23 Puerto Rico, or any possession of the
24 United States; or

1 “(B) the Secretary of the Interior deter-
2 mines, after an opportunity for public comment,
3 that the species does not pose a significant risk
4 of invasiveness to the United States and pub-
5 lishes a notice in the Federal Register of the
6 determination.

7 “(2) RULE OF CONSTRUCTION.—Nothing in
8 paragraph (1) shall be construed to limit the author-
9 ity of the Secretary of the Interior under subsection
10 (a)(1).”.

11 (b) CONFORMING AMENDMENTS.—Section 42(a) of
12 title 18, United States Code, is amended—

13 (1) in paragraph (2), by inserting “and sub-
14 section (d)” after “this subsection”;

15 (2) in paragraph (3)—

16 (A) by striking “the foregoing” and insert-
17 ing “paragraph (1) or subsection (d)”; and

18 (B) by striking “this Act” each place the
19 term appears and inserting “this section”;

20 (3) in paragraph (4), by inserting “or sub-
21 section (d)” after “this subsection”; and

22 (4) in paragraph (5)—

23 (A) by inserting “and subsection (d)” after
24 “this subsection”; and

1 (B) by striking “hereunder” and inserting
2 “under such provisions”.

3 (c) REGULATIONS; EFFECTIVE DATE.—

4 (1) REGULATIONS.—Not later than 1 year after
5 the date of enactment of this Act, the Secretary of
6 the Interior shall promulgate regulations to define
7 the term “minimal quantities” for purposes of sub-
8 section (d)(1)(A) of section 42 of title 18, United
9 States Code, as added by subsection (a)(2).

10 (2) EFFECTIVE DATE.—Subsection (d) of sec-
11 tion 42 of title 18, United States Code, as added by
12 subsection (a)(2), shall take effect on the date that
13 is 1 year after the date of enactment of this Act.

14 **SEC. 71103. SHARK FIN SALES ELIMINATION.**

15 (a) PROHIBITION ON SALE OF SHARK FINS.—

16 (1) PROHIBITION.—Except as provided in sub-
17 section (c), no person shall possess, acquire, receive,
18 transport, offer for sale, sell, or purchase shark fins
19 or products containing shark fins.

20 (2) PENALTY.—A violation of paragraph (1)
21 shall be treated as an act prohibited by section 307
22 of the Magnuson-Stevens Fishery Conservation and
23 Management Act (16 U.S.C. 1857) and shall be pe-
24 nalized pursuant to section 308 of that Act (16
25 U.S.C. 1858).