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

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


(b) FUNDING.—There is authorized to be appropriated to carry out this section $150,000,000 for each of fiscal years 2022 through 2031.

SEC. 71102. LACEY ACT AMENDMENTS.

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

(1) in subsection (a)(1)—

(A) in the first sentence, by striking “shipment between the continental United States” and inserting “transport between the States”;

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

(C) by inserting after the first sentence the following: “Notwithstanding any other provision of law, the Secretary of the Interior may prescribe by regulation an emergency designation prohibiting the importation of any species of
wild mammals, wild birds, fish (including mollusks and crustacea), amphibians, or reptiles, or the offspring or eggs of any such species, as injurious to human beings, to the interests of agriculture, horticulture, forestry, or to wildlife or the wildlife resources of the United States, for not more than 3 years, under this subsection, if the Secretary of the Interior determines that such regulation is necessary to address an imminent threat to human beings, to the interests of agriculture, horticulture, forestry, or to wildlife or the wildlife resources of the United States. An emergency designation prescribed under this subsection shall take effect immediately upon publication in the Federal Register, unless the Secretary of the Interior prescribes an effective date that is not later than 60 days after the date of publication. During the period during which an emergency designation prescribed under this subsection for a species is in effect, the Secretary of the Interior shall evaluate whether the species should be designated as an injurious wildlife species under the first sentence of this paragraph.”; and
(D) in subsection (b), inserting “knowingly” before “violates”; and
(2) by adding at the end the following:

“(d) PRESUMPTIVE PROHIBITION ON IMPORTATION.—

“(1) IN GENERAL.—Importation into the United States of any species of wild mammals, wild birds, fish (including mollusks and crustacea), amphibians, or reptiles, or the offspring or eggs of any such species, that is not native to the United States and, as of the date of enactment of the America COMPETES Act of 2022, is not prohibited under subsection (a)(1), is prohibited, unless—

“(A) during the 1-year period preceding the date of enactment of the America COMPETES Act of 2022, the species was, in more than minimal quantities—

“(i) imported into the United States; or

“(ii) transported between the States, any territory of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States; or
“(B) the Secretary of the Interior determines, after an opportunity for public comment, that the species does not pose a significant risk of invasiveness to the United States and publishes a notice in the Federal Register of the determination.

“(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to limit the authority of the Secretary of the Interior under subsection (a)(1).”.

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

(1) in paragraph (2), by inserting “and subsection (d)” after “this subsection”;

(2) in paragraph (3)—

(A) by striking “the foregoing” and inserting “paragraph (1) or subsection (d)”;

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

(3) in paragraph (4), by inserting “or subsection (d)” after “this subsection”; and

(4) in paragraph (5)—

(A) by inserting “and subsection (d)” after “this subsection”; and
(B) by striking “hereunder” and inserting “under such provisions”.

(c) REGULATIONS; EFFECTIVE DATE.—

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

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

SEC. 71103. SHARK FIN SALES ELIMINATION.

(a) PROHIBITION ON SALE OF SHARK FINS.—

(1) PROHIBITION.—Except as provided in subsection (c), no person shall possess, acquire, receive, transport, offer for sale, sell, or purchase shark fins or products containing shark fins.

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