

The Endangered Species Act (ESA) Amendments Act of 2025

This legislation makes critical reforms to the ESA by incentivizing the recovery of listed species, promoting species conservation on public and private lands, codifying clear definitions, streamlining the ESA permitting process and providing greater transparency and accountability within the ESA regulatory process.



Title I: Optimizing Conservation Through Resource Prioritization

- Creates flexibility and provides relief from unscientific listing timelines.

Title II: Incentivizing Wildlife Conservation on Private Lands

- Codifies Candidate Conservation Agreements with Assurances and mandates they be taken into account when making listing decisions.
- Streamlines the permitting process for Section 10 voluntary conservation agreements.

Title III: Providing Greater Incentives to Recover Listed Species

- Requires the U.S. Fish and Wildlife Service and National Marine Fisheries Service (Services) to establish objective, incremental recovery goals for threatened species, eases regulations as recovery goals are met, and provides for state management of species once all recovery goals are met in preparation for delisting.
- Allows states to develop and submit recovery strategies for species that are candidates for listing or listed as threatened.
- Requires the Services to act on 5-year review determinations of listed species.
- Prohibits judicial review within the 5-year monitoring period after a species is delisted.
- Gives regulatory certainty that critical habitat will not be designated if a landowner is working to implement a land management plan that conserves the listed species in question.

Title IV: Creating Greater Transparency and Accountability in Recovering Listed Species

- Requires the Services to publicize the best scientific and commercial data available that are used as the basis for listing and critical habitat determinations.
- Requires the Services to disclose all data used to make that determination to states affected by a listing or critical habitat determination.
- Requires the Services to disclose all costs associated with ESA-related lawsuits to Congress.
- Places a cap on awarding attorney's fees to successful litigants in line with the Equal Access to Justice Act.
- Requires an analysis of the economic impacts and national security impacts of each listing and critical habitat determination.

Title V: Streamlining Permitting Process

- Clarifies that the Services cannot require federal agencies or project applicants to fully mitigate or offset impacts to listed species caused by an action.
- Requires the Services to determine if longstanding modifications to federal projects adopted as part of ESA consultation materially benefit listed species.
- Requires the Services to conduct consultations based on what is reasonably certain to occur, without bias toward the species.

Title VI: Eliminating Barriers to Conservation

- Removes overlapping and duplicative ESA permits for species listed under the CITES Treaty to streamline the permitting of international movements of nonnative species.
- Clarifies that the CITES "not detrimental to the survival" standard governs permitting requirements for non-native species.

Title VII: Restoring Congressional Intent

- Clarifies that the Services lack the authority to prohibit lawful activities through regulations intended to mitigate the mere potential impact on species (e.g., vessel speed restrictions).