

Improving Species Recovery Act

Section-by-Section Analysis & Topline Objectives

EXECUTIVE SUMMARY

The Improving Species Recovery Act amends the Endangered Species Act of 1973 (ESA) to modernize wildlife conservation through voluntary partnerships, conservation milestones, clear and standardized demographic metrics, and application of digital technology. The legislation establishes transparent baseline standards, rewards conservation progress with regulatory flexibility, and leverages modern software and artificial intelligence to expedite permitting and interagency reviews.

Key Topline Objectives

- **Incentivize Voluntary Conservation:** Encourages landowners, local communities, and state governments to protect species early by establishing clear standards for pre-listing conservation and defining how voluntary efforts directly influence listing and delisting decisions.
- **Reward Progress with Regulatory Relief:** Introduces measurable “conservation milestones” that, once achieved, grant partners and agencies greater regulatory flexibility under Sections 4(d), 7, and 10, as well as priority access to conservation funding.
- **Improve Data and Transparency:** Mandates establishing a clear “baseline status” (demographics, threats, and habitat conditions) for species at the time of listing and requires public reporting every three years to track recovery progress, species trends, and science gaps.
- **Modernize and Speed Up Approvals:** Directs the U.S. Fish and Wildlife Service to expand digital tools like Information for Planning and Consultation (IPaC) and study artificial intelligence applications to automate and fast-track permitting and interagency consultation processes.

Section-by-Section Analysis

SECTION 1. SHORT TITLE

Establishes that the legislation may be cited as the “Improving Species Recovery Act.”

SEC. 2. ESA AMENDMENTS

Subsection (a) Determination of Endangered Species and Threatened Species

- **Paragraph (1) – Clear Standards for Considering Pre-Listing Conservation Efforts:** Before making a determination on whether to list a species as threatened or endangered, the Secretary of the Interior/Commerce must establish clear demographic standards and metrics for threat alleviation if doing so would encourage voluntary conservation actions. All pre-listing standards must be grounded in the best scientific information available.

- **Paragraph (2) – Applying Standards & Establishing a Species Baseline:** Requires the Secretary to formally consider pre-listing conservation standards during listing determinations. Additionally mandates that upon listing a species, the Secretary must specify its official baseline condition, including abundance, distribution, habitat status, threat status, underlying assumptions, and material data gaps.
- **Paragraph (3) – Delisting Guidance & Voluntary Actions:** Directs the Secretary to issue regulations within 3 years establishing a consistent framework for evaluating voluntary conservation actions during delisting decisions. Regulations must address post-delisting state/private partnerships and verify that conservation actions are durable and effective into the foreseeable future.
- **Paragraph (4) – Regulatory Flexibility in Section 4(d) Rules:** Instructs the Secretary to incorporate objective criteria like conservation milestones (see below) into protective rules under Section 4(d). Meeting these criteria triggers additional regulatory flexibility, including reducing the scope of requirements.
- **Paragraph (5)(A) – Enhanced Recovery Plan Criteria:** Requires recovery plans to identify high-priority research questions and data gaps, as well as objective conservation milestones to track progress toward species recovery using the best available science.
- **Paragraph (5)(B) – Triennial Species & Recovery Reports:** Mandates a comprehensive report submitted at least once every 3 years to the Senate EPW Committee and House Natural Resources Committee. The report must evaluate demographic trends, threat alleviation, milestone achievement, voluntary measure efficacy, and data gaps for all listed species. This information must be made publicly available on FWS's website.
- **Paragraph (5)(C) – Conservation Milestones Application & Priority Funding:** Allows conservation milestones to serve as triggers for regulatory flexibility in Section 4(d) rules, Section 7 Biological Opinions, and Section 10 permits. Species meeting milestones may be prioritized for conservation funding under Sections 5 and 6.

Subsection (b) Interagency Cooperation

- **Adds Subsection (q) to Section 7 – Online Tool to Expedite Interagency Cooperation:** Formally defines "determination keys" (structured logic frameworks for programmatic consultation) and orders the expansion of the Fish and Wildlife Service's Information for Planning and Consultation (IPaC) digital tool to automate Section 7 approvals.
- **AI & Digital Technology Study:** Directs the Secretary to conduct a 1-year study to identify other ESA processes, reviews, or consultations that can be expedited or automated using digital technology or artificial intelligence, with a final report submitted to Congress.