

# Calendar No. 595

118TH CONGRESS  
2D SESSION

# S. 3123

To provide for the standardization, consolidation, and publication of data relating to public outdoor recreational use of Federal waterways among Federal land and water management agencies, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 25, 2023

Mr. BARRASSO (for himself and Mr. KING) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

NOVEMBER 21, 2024

Reported by Mr. MANCHIN, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

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## A BILL

To provide for the standardization, consolidation, and publication of data relating to public outdoor recreational use of Federal waterways among Federal land and water management agencies, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Modernizing Access  
3 to Our Public Waters Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) ~~FEDERAL FISHING RESTRICTION.~~—The  
7 term “Federal fishing restriction” means a defined  
8 area in which all or certain fishing activities are  
9 temporarily or permanently prohibited or restricted  
10 by a Federal land or water management agency.

11 ~~(2) FEDERAL LAND OR WATER MANAGEMENT~~  
12 ~~AGENCY.~~—The term “Federal land or water man-  
13 agement agency” means—

14 (A) the Bureau of Reclamation;

15 (B) the National Park Service;

16 (C) the Bureau of Land Management;

17 (D) the United States Fish and Wildlife  
18 Service; and

19 (E) the Forest Service.

20 ~~(3) FEDERAL WATERWAY.~~—The term “Federal  
21 waterway” means any portion of a body of water  
22 managed partially or wholly by 1 or more of the rel-  
23 evant Secretaries.

24 (4) ~~FEDERAL WATERWAY RESTRICTION.~~—The  
25 term “Federal waterway restriction” means a re-  
26 striction on the access or use of a Federal waterway

1 applied under applicable law by 1 or more of the  
 2 Secretaries.

3 ~~(5) SECRETARIES.—The term “Secretaries”~~  
 4 means—

5 (A) the Secretary of Agriculture, acting  
 6 through the Chief of the Forest Service; and

7 (B) the Secretary of the Interior.

8 **SEC. 3. INTERAGENCY DATA STANDARDIZATION.**

9 Not later than 30 months after the date of enactment  
 10 of this Act, the Secretaries shall jointly develop and adopt  
 11 interagency standards to ensure compatibility and inter-  
 12 operability among applicable Federal databases with re-  
 13 spect to the collection and dissemination of geospatial data  
 14 relating to public outdoor recreational use of Federal wa-  
 15 terways and Federal fishing restrictions.

16 **SEC. 4. DATA CONSOLIDATION AND PUBLICATION.**

17 ~~(a) FEDERAL WATERWAY RESTRICTIONS.—Not later~~  
 18 ~~than 4 years after the date of enactment of this Act, each~~  
 19 ~~of the Secretaries, to the maximum extent practicable,~~  
 20 ~~shall digitize and make publicly available online, as appli-~~  
 21 ~~cable, geographic information system data that includes,~~  
 22 ~~with respect to Federal waterway restrictions—~~

23 (1) status information with respect to the con-  
 24 ditions under which Federal waterways are open or

1 closed to entry or watercraft, including watercraft  
 2 inspection or decontamination requirements;

3 ~~(2) the dates on which Federal waterways are~~  
 4 ~~seasonally closed to entry or watercraft;~~

5 ~~(3) the areas of Federal waterways with restric-~~  
 6 ~~tions on motorized propulsion, horsepower, or gaso-~~  
 7 ~~line fuel;~~

8 ~~(4) the areas of Federal waterways with an-~~  
 9 ~~choring restrictions, no wake zones, or vessel speed~~  
 10 ~~restrictions;~~

11 ~~(5) Federal waterway restrictions on the direc-~~  
 12 ~~tion of travel, including upstream or downstream~~  
 13 ~~travel; and~~

14 ~~(6) the types of watercraft that are restricted~~  
 15 ~~on each area of a Federal waterway, including the~~  
 16 ~~permissibility of—~~

17 ~~(A) canoes;~~

18 ~~(B) rafts and driftboats;~~

19 ~~(C) motorboats;~~

20 ~~(D) personal watercraft;~~

21 ~~(E) airboats;~~

22 ~~(F) amphibious aircraft;~~

23 ~~(G) hovercraft; and~~

24 ~~(H) oversnow vehicles and other motorized~~  
 25 ~~vehicles on frozen bodies of water.~~

1       (b) ~~FEDERAL WATERWAY ACCESS AND NAVIGATION~~  
 2 ~~INFORMATION.~~—Not later than 4 years after the date of  
 3 enactment of this Act, each of the Secretaries, to the max-  
 4 imum extent practicable, shall digitize and make publicly  
 5 available online, as applicable, geographic information sys-  
 6 tem data that includes, with respect to Federal waterway  
 7 access and navigation information—

8               (1)(A) the location of boat ramps, portages, and  
 9       fishing access sites under the authority of the Fed-  
 10      eral land or water management agency; and

11              (B) the identification of the dates on which the  
 12      facilities and sites identified under subparagraph (A)  
 13      are open or closed, as applicable; and

14              (2) bathymetric information and depth charts.

15       (c) ~~FEDERAL FISHING RESTRICTIONS.~~—Not later  
 16 than 4 years after the date of enactment of this Act, each  
 17 of the Secretaries, to the maximum extent practicable,  
 18 shall digitize and make publicly available online geo-  
 19 graphic information system data that describes, with re-  
 20 spect to Federal fishing restrictions—

21              (1) the location and geographic boundaries of  
 22      Federal fishing restrictions on recreational and com-  
 23      mercial fishing, including—

24                      (A) full or partial closures;

25                      (B) no-take zones; and

1                   (C) Federal fishing restrictions within or  
2                   surrounding marine protected areas;

3                   (2) Federal fishing restrictions on the use of  
4                   specific types of equipment or bait, such as restric-  
5                   tions on the use of barbed hooks or live bait; and

6                   (3) Federal requirements with respect to catch  
7                   and release.

8                   (d) PUBLIC COMMENT.—The Secretaries shall de-  
9                   velop a process to allow members of the public to submit  
10                  questions or comments regarding the information de-  
11                  scribed in subsections (a) and (b).

12                  (e) UPDATES.—The Secretaries, to the maximum ex-  
13                  tent practicable, shall update—

14                   (1) the data described in subsections (a) and  
15                   (b) not less frequently than 2 times per year; and

16                   (2) the data described in subsection (c) in real  
17                   time as changes go into effect.

18                  (f) EXCLUSION.—This section shall not apply to irri-  
19                  gation canals and flowage easements.

20                  (g) DISCLOSURE.—Any geographic information sys-  
21                  tem data made publicly available under this section shall  
22                  not disclose information regarding the nature, location,  
23                  character, or ownership of historic, paleontological, or ar-  
24                  chaeological resources, consistent with applicable law.

1 **SEC. 5. COOPERATION AND COORDINATION.**

2 (a) **COMMUNITY PARTNERS AND THIRD-PARTY PRO-**  
 3 **VIDERS.**—For purposes of carrying out this Act, the Sec-  
 4 retaries may—

5 (1) coordinate and partner with non-Federal  
 6 agencies and private sector and nonprofit partners;  
 7 including—

8 (A) State natural resource agencies;

9 (B) technology companies;

10 (C) geospatial data companies; and

11 (D) experts in data science, analytics, and  
 12 operations research; and

13 (2) enter into an agreement with a third party  
 14 to carry out any provision of this Act.

15 (b) **UNITED STATES GEOLOGICAL SURVEY.**—The  
 16 Secretaries may work with the Director of the United  
 17 States Geological Survey to collect, aggregate, digitize,  
 18 standardize, and publish data on behalf of the Secretaries  
 19 to meet the requirements of this Act.

20 (c) **REQUIREMENT.**—With respect to data developed  
 21 and distributed under this Act, the Secretaries shall in-  
 22 clude a notice that any geospatial data are subject to ap-  
 23 plicable Federal, State, and Tribal regulations.

24 **SEC. 6. REPORTS.**

25 Not later than 1 year after the date of enactment  
 26 of this Act and annually thereafter through March 30,

1 2033, the Secretaries shall submit a report that describes  
 2 the progress made by the Secretaries with respect to meet-  
 3 ing the requirements of this Act to—

4 (1) the Committee on Energy and Natural Re-  
 5 sources of the Senate;

6 (2) the Committee on Agriculture, Nutrition,  
 7 and Forestry of the Senate;

8 (3) the Committee on Natural Resources of the  
 9 House of Representatives;

10 (4) the Committee on Energy and Commerce of  
 11 the House of Representatives; and

12 (5) the Committee on Agriculture of the House  
 13 of Representatives.

14 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated—

16 (1) to the Secretary of the Interior to carry out  
 17 this Act—

18 (A) \$3,000,000 for fiscal year 2024; and

19 (B) \$6,000,000 for each of fiscal years  
 20 2025 through 2027; and

21 (2) to the Secretary of Agriculture to carry out  
 22 this Act—

23 (A) \$2,000,000 for fiscal year 2024; and

24 (B) \$4,000,000 for each of fiscal years  
 25 2025 through 2027.



1 **SEC. 8. EFFECT.**

2 Nothing in this Act—

3 (1) modifies or alters the definition of the term  
4 “navigable waters” under Federal law;

5 (2) affects the jurisdiction or authority of State  
6 or Federal agencies to regulate navigable waters; or

7 (3) modifies or alters the authority or jurisdic-  
8 tion of Federal or State agencies to manage fish-  
9 eries.

10 **SECTION 1. SHORT TITLE.**

11 *This Act may be cited as the “Modernizing Access to*  
12 *Our Public Waters Act”.*

13 **SEC. 2. DEFINITIONS.**

14 *In this Act:*

15 (1) *FEDERAL FISHING RESTRICTION.*—*The term*  
16 *“Federal fishing restriction” means a defined area in*  
17 *which all or certain fishing activities are temporarily*  
18 *or permanently prohibited or restricted by a Federal*  
19 *land or water management agency.*

20 (2) *FEDERAL LAND OR WATER MANAGEMENT*  
21 *AGENCY.*—*The term “Federal land or water manage-*  
22 *ment agency” means—*

23 (A) *the Bureau of Reclamation;*

24 (B) *the National Park Service;*

25 (C) *the Bureau of Land Management;*

1                   (D) *the United States Fish and Wildlife*  
 2                   *Service; and*

3                   (E) *the Forest Service.*

4                   (3) *FEDERAL WATERWAY.*—*The term “Federal*  
 5                   *waterway” means waters managed by a Federal land*  
 6                   *or water management agency.*

7                   (4) *FEDERAL WATERWAY RESTRICTION.*—*The*  
 8                   *term “Federal waterway restriction” means a restric-*  
 9                   *tion on the access or use of a Federal waterway ap-*  
 10                   *plied under applicable law by 1 or more of the Secre-*  
 11                   *taries.*

12                   (5) *SECRETARIES.*—*The term “Secretaries”*  
 13                   *means—*

14                   (A) *the Secretary of Agriculture, acting*  
 15                   *through the Chief of the Forest Service; and*

16                   (B) *the Secretary of the Interior.*

17                   (6) *SECRETARY CONCERNED.*—*The term “Sec-*  
 18                   *retary concerned” means—*

19                   (A) *the Secretary of Agriculture, acting*  
 20                   *through the Chief of the Forest Service, with re-*  
 21                   *spect to Federal waterways under the jurisdic-*  
 22                   *tion of the Secretary of Agriculture; or*

23                   (B) *the Secretary of the Interior, with re-*  
 24                   *spect to Federal waterways under the jurisdic-*  
 25                   *tion of the Secretary of the Interior.*

1 **SEC. 3. INTERAGENCY DATA STANDARDIZATION.**

2 *Not later than 30 months after the date of enactment*  
3 *of this Act, the Secretaries, in consultation with the Federal*  
4 *Geographic Data Committee, shall jointly develop and*  
5 *adopt interagency standards to ensure compatibility and*  
6 *interoperability among applicable Federal databases with*  
7 *respect to the collection and dissemination of geospatial*  
8 *data relating to public outdoor recreational use of Federal*  
9 *waterways and Federal fishing restrictions.*

10 **SEC. 4. DATA CONSOLIDATION AND PUBLICATION.**

11 *(a) FEDERAL WATERWAY RESTRICTIONS.—Not later*  
12 *than 5 years after the date of enactment of this Act, the*  
13 *Secretary concerned, to the maximum extent practicable,*  
14 *shall digitize and make publicly available online, as appli-*  
15 *cable, geographic information system data that includes,*  
16 *with respect to Federal waterway restrictions—*

17 *(1) status information with respect to the condi-*  
18 *tions under which Federal waterways are open or*  
19 *closed to entry or watercraft, including watercraft in-*  
20 *spection or decontamination requirements;*

21 *(2) the dates on which Federal waterways are*  
22 *seasonally closed to entry or watercraft;*

23 *(3) the areas of Federal waterways with restric-*  
24 *tions on motorized propulsion, horsepower, or gaso-*  
25 *line fuel;*

1           (4) *the areas of Federal waterways with anchor-*  
 2           *ing restrictions, no wake zones, or vessel speed restric-*  
 3           *tions;*

4           (5) *Federal waterway restrictions on the direc-*  
 5           *tion of travel, including upstream or downstream*  
 6           *travel; and*

7           (6) *the uses, including by watercraft, that are re-*  
 8           *stricted on each area of a Federal waterway, includ-*  
 9           *ing the permissibility of—*

10                   (A) *canoes and other paddlecraft;*

11                   (B) *rafts and driftboats;*

12                   (C) *motorboats;*

13                   (D) *personal watercraft;*

14                   (E) *airboats;*

15                   (F) *amphibious aircraft;*

16                   (G) *hovercraft;*

17                   (H) *oversnow vehicles and other motorized*  
 18           *vehicles on frozen bodies of water;*

19                   (I) *swimming; and*

20                   (J) *other applicable recreational activities,*  
 21           *as determined to be appropriate by the Secretary*  
 22           *concerned.*

23           (b) *FEDERAL WATERWAY ACCESS AND NAVIGATION IN-*  
 24           *FORMATION.—Not later than 5 years after the date of enact-*  
 25           *ment of this Act, the Secretary concerned, to the maximum*

1 *extent practicable, shall digitize and make publicly avail-*  
 2 *able online, as applicable, geographic information system*  
 3 *data that includes, with respect to Federal waterway access*  
 4 *and navigation information—*

5           (1)(A) *the location of boat ramps, portages, and*  
 6 *designated fishing access sites under the authority of*  
 7 *the Secretary concerned; and*

8           (B) *the identification of the dates on which the*  
 9 *facilities and sites identified under subparagraph (A)*  
 10 *are open or closed, as applicable; and*

11           (2) *available bathymetric information and depth*  
 12 *charts.*

13           (c) *FEDERAL FISHING RESTRICTIONS.—Not later than*  
 14 *5 years after the date of enactment of this Act, the Secretary*  
 15 *concerned, to the maximum extent practicable, shall digitize*  
 16 *and make publicly available online geographic information*  
 17 *system data that describes, with respect to Federal fishing*  
 18 *restrictions—*

19           (1) *the location and geographic boundaries of*  
 20 *Federal fishing restrictions on recreational and com-*  
 21 *mercial fishing, including—*

22                   (A) *full or partial closures;*

23                   (B) *no-take zones; and*

24                   (C) *Federal fishing restrictions within or*  
 25 *surrounding marine protected areas;*

1           (2) *Federal fishing restrictions on the use of spe-*  
 2           *cific types of equipment or bait, such as restrictions*  
 3           *on the use of barbed hooks or live bait; and*

4           (3) *Federal requirements with respect to catch*  
 5           *and release.*

6           (d) *PUBLIC COMMENT.*—*The Secretaries shall develop*  
 7           *a process to allow members of the public to submit questions*  
 8           *or comments regarding the information described in sub-*  
 9           *sections (a) and (b).*

10          (e) *UPDATES.*—*The Secretary concerned, to the max-*  
 11          *imum extent practicable, shall update—*

12               (1) *the data described in subsections (a) and (b)*  
 13               *not less frequently than annually; and*

14               (2) *the data described in subsection (c) in real*  
 15               *time as changes go into effect.*

16          (f) *EXCLUSION.*—*This section shall not apply to irri-*  
 17          *gation canals and flowage easements.*

18          (g) *DISCLOSURE.*—*Any geographic information sys-*  
 19          *tem data made publicly available under this section shall*  
 20          *not disclose information regarding the nature, location,*  
 21          *character, or ownership of historic, paleontological, or ar-*  
 22          *chaeological resources, consistent with applicable law.*

1 **SEC. 5. COOPERATION AND COORDINATION.**

2 (a) *COMMUNITY PARTNERS AND THIRD-PARTY PRO-*  
 3 *VIDERS.*—*For purposes of carrying out this Act, the Sec-*  
 4 *retary concerned may—*

5 (1) *coordinate and partner with non-Federal*  
 6 *agencies and private sector and nonprofit partners,*  
 7 *including—*

8 (A) *State natural resource agencies;*

9 (B) *technology companies;*

10 (C) *geospatial data companies; and*

11 (D) *experts in data science, analytics, and*  
 12 *operations research; and*

13 (2) *enter into an agreement with a third party*  
 14 *to carry out any provision of this Act.*

15 (b) *UNITED STATES GEOLOGICAL SURVEY.*—*The Sec-*  
 16 *retaries shall work with the Director of the United States*  
 17 *Geological Survey to collect, aggregate, digitize, stand-*  
 18 *ardize, and publish data on behalf of the Secretaries to meet*  
 19 *the requirements of this Act.*

20 (c) *REQUIREMENT.*—*With respect to data developed*  
 21 *and distributed under this Act, the Secretaries shall—*

22 (1) *develop the data in accordance with applica-*  
 23 *ble Federal, State, and Tribal laws (including regula-*  
 24 *tions); and*

1           (2) *include a notice that any geospatial data are*  
 2           *subject to applicable Federal, State, and Tribal laws*  
 3           *(including regulations).*

4           (d) *EXISTING EFFORTS.*—*To the extent practicable,*  
 5           *the Secretary concerned shall use or incorporate existing*  
 6           *applicable data, maps, and resources in carrying out this*  
 7           *Act, including data, maps, and resources developed and*  
 8           *published under—*

9                   (1) *the Modernizing Access to Our Public Land*  
 10           *Act (16 U.S.C. 6851 et seq.);*

11                   (2) *section 103 of division DD of the Consoli-*  
 12           *dated Appropriations Act, 2023 (43 U.S.C. 776); or*

13                   (3) *other applicable law.*

14   **SEC. 6. REPORTS.**

15           *Not later than 1 year after the date of enactment of*  
 16           *this Act and annually thereafter through March 30, 2033,*  
 17           *the Secretaries shall submit a report that describes the*  
 18           *progress made by the Secretaries with respect to meeting*  
 19           *the requirements of this Act to—*

20                   (1) *the Committee on Energy and Natural Re-*  
 21           *sources of the Senate;*

22                   (2) *the Committee on Agriculture, Nutrition, and*  
 23           *Forestry of the Senate;*

24                   (3) *the Committee on Natural Resources of the*  
 25           *House of Representatives;*



1           (4) *the Committee on Energy and Commerce of*  
 2           *the House of Representatives; and*

3           (5) *the Committee on Agriculture of the House of*  
 4           *Representatives.*

5 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

6           *There are authorized to be appropriated—*

7           (1) *to the Secretary of the Interior to carry out*  
 8           *this Act—*

9                     (A) *\$3,000,000 for fiscal year 2025; and*

10                    (B) *\$6,000,000 for each of fiscal years 2026*  
 11                    *through 2029; and*

12           (2) *to the Secretary of Agriculture to carry out*  
 13           *this Act—*

14                    (A) *\$2,000,000 for fiscal year 2025; and*

15                    (B) *\$4,000,000 for each of fiscal years 2026*  
 16                    *through 2029.*

17 **SEC. 8. EFFECT.**

18           *Nothing in this Act—*

19           (1) *modifies or alters the definition of the term*  
 20           *“navigable waters” under Federal law;*

21           (2) *affects the jurisdiction or authority of State*  
 22           *or Federal agencies to regulate navigable waters;*

23           (3) *modifies or alters the authority or jurisdic-*  
 24           *tion of Federal or State agencies to manage fisheries;*

25           *or*

- 1           (4) *expands or restricts access to Federal water-*
- 2       *ways.*



Calendar No. 595

118TH CONGRESS  
2D Session

S. 3123

A BILL

To provide for the standardization, consolidation, and publication of data relating to public outdoor recreational use of Federal waterways among Federal land and water management agencies, and for other purposes.

NOVEMBER 21, 2024

Reported with an amendment