

One Hundred Nineteenth Congress
of the
United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Saturday,
the third day of January, two thousand and twenty six*

An Act

To provide for the standardization, publication, and accessibility of data relating to public outdoor recreational use of Federal waterways, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Modernizing Access to Our Public Oceans Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **EXCLUSIVE ECONOMIC ZONE.**—The term “exclusive economic zone” has the meaning given that term in section 107 of title 46, United States Code.

(2) **FISHING RESTRICTION.**—The term “fishing restriction” means a restriction on fishing in a federally managed fishery established under section 303(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853(b)(2)), including—

(A) a full or partial fishing closure, in terms of both area and duration, or a seasonal closure;

(B) a no-catch zone in the fishery;

(C) a restriction on the method of catch for the fishery;

and

(D) another restriction on fishing, as determined by the Secretary.

(3) **INDIAN TRIBE; TRIBAL ORGANIZATION.**—The terms “Indian Tribe” and “Tribal organization” have the meanings given those terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(4) **NATIVE HAWAIIAN ORGANIZATION.**—The term “Native Hawaiian organization” has the meaning given the term in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517), except that the term includes the Department of Hawaiian Home Lands and the Office of Hawaiian Affairs of the State of Hawaii.

(5) **NONPROFIT ORGANIZATION.**—The term “nonprofit organization” means an organization that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code.

(6) **RECREATIONAL VESSEL.**—The term “recreational vessel” has the meaning given that term in section 2101 of title 46, United States Code.

(7) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

SEC. 3. DATA STANDARDIZATION.

Not later than 31 months after the date of the enactment of this Act, the Secretary, in consultation with relevant stakeholders, including State and local governments, Indian Tribes, and Native Hawaiian organizations, shall develop and adopt standards with respect to the coordination and dissemination of geospatial data relating to fishing restrictions, use of the exclusive economic zone by recreational vessels, and access to Federal waters by such vessels, including such data made available under section 4.

SEC. 4. DATA PUBLICATION AND ACCESSIBILITY.

(a) DATA ON FISHING AND RECREATIONAL VESSELS IN EXCLUSIVE ECONOMIC ZONE.—Not later than 4 years after the date of the enactment of this Act, the Secretary, acting through the Director of the Office of Science and Technology of the National Marine Fisheries Service, and to the maximum extent practicable, shall make available on a publicly accessible website geographic information system data that—

(1) includes, with respect to the exclusive economic zone—

(A) information with respect to the conditions under which fishing restrictions are imposed and the areas within the exclusive economic zone that are open or closed to recreational boating, diving, and related recreational activities (as determined by the Secretary), including for safety reasons such as because of the presence of harmful algal blooms;

(B) the areas of the exclusive economic zone with restrictions on the use of motorized propulsion, horsepower, or fuel by or of recreational vessels; and

(C) the types of recreational vessels that are restricted on each area of the exclusive economic zone;

(2) describes the geographic boundaries of areas where fishing restrictions occur; and

(3)(A) identifies Federal marine protected areas, including National Marine Sanctuaries, national marine monuments, and other federally protected waters; and

(B) includes information on what fishing, recreational boating, and other related recreational activities are authorized in each such area.

(b) DATA ON NAVIGATION WITHIN EXCLUSIVE ECONOMIC ZONE.—

(1) IN GENERAL.—The Secretary shall continue to make available digitized geographic information system data that includes, with respect to access to the exclusive economic zone—

(A) navigation information;

(B) bathymetric information;

(C) depth charts; and

(D) other information, consistent with law and policy.

(2) WEBSITE.—The Secretary shall, to the extent practicable, make the data described in paragraph (1) available on the website on which the Secretary makes the data described in subsection (a) available.

(c) DATA ACCESSIBILITY.—The Secretary shall ensure that the website on which the Secretary makes the data described in subsections (a) and (b) available—

(1) organizes that data so that the data is findable, accessible, interoperable, and reusable; and

(2) includes a mechanism by which users can be easily updated when new data becomes available.

(d) PUBLIC COMMENT.—The Secretary shall develop—

(1) a process to allow members of the public to submit questions or comments regarding the data described in subsections (a) and (b) and the accessibility of that data under subsection (c); and

(2) methods to improve the accessibility of data.

(e) UPDATES.—The Secretary shall update—

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

(2) the data described in paragraphs (2) and (3) of subsection (a) in real time.

(f) NONDISCLOSURE OF CERTAIN INFORMATION.—The Secretary may not, consistent with applicable law and policy, disclose, in any geographic information system data made publicly available under this section—

(1) information regarding the nature, location, character, or ownership of historic, paleontological, cultural, or archaeological resources; or

(2) commercial fishing information, including proprietary information.

(g) TREATMENT OF TRIBAL WATERS AND FISHING AREAS.—The authorities granted by this section shall not apply with respect to any usual or accustomed fishing areas or Tribal waters.

SEC. 5. COOPERATION AND COORDINATION.

(a) COMMUNITY PARTNERS AND THIRD-PARTY PROVIDERS.—For purposes of carrying out this Act, the Secretary may—

(1) coordinate and partner with non-Federal entities, including—

(A) States;

(B) Indian Tribes, Native Hawaiian organizations, and Tribal organizations;

(C) interstate commissions (as defined in section 303 of the Interjurisdictional Fisheries Act of 1986 (16 U.S.C. 4102));

(D) Regional Ocean Partnerships (as defined in section 10202 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (16 U.S.C. 1468));

(E) experts in data science, analytics, and operations research;

(F) the private sector, including technology or geospatial data industries;

(G) nonprofit organizations; and

(H) institutions of higher education (as defined in section 201 of the Higher Education Act of 1965 (20 U.S.C. 1001)); and

(2) enter into agreements with experts within entities described in any of subparagraphs (A) through (H) of paragraph (1) to carry out any of the provisions of this Act.

(b) INTERAGENCY COORDINATION.—The Secretary shall, to the maximum extent practicable, work with the relevant offices of the Department of the Interior, the Department of Agriculture, the

Department of Defense, the Department of Energy, the Environmental Protection Agency, the Coast Guard, the Army Corps of Engineers, and the Interagency Working Group on Ocean and Coastal Mapping codified by section 12203 of the Ocean and Coastal Mapping Integration Act (33 U.S.C. 3502), to ensure compatibility and interoperability among applicable Federal databases with respect to the collection and dissemination of geospatial data relating to public outdoor recreational use of the exclusive economic zone.

(c) **APPLICABILITY OF FEDERAL, STATE, AND TRIBAL LAW AND REGULATIONS.**—The Secretary, in developing and distributing geospatial data under this Act, shall make clear that the data are subject to applicable laws and regulations of the Federal Government, States, and Indian Tribes.

SEC. 6. RULE OF CONSTRUCTION.

Nothing in this Act may be construed—

(1) to modify or alter the definition of the term “navigable waters” under any provision of Federal law;

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

(3) to increase or diminish the responsibility or authority of Federal or State agencies or Indian Tribes to manage fisheries under existing law;

(4) to satisfy any requirement for government-to-government consultation with Indian Tribes or Native Hawaiian organizations; or

(5) to affect or modify any treaty or other right of any Indian Tribe.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*