

119TH CONGRESS
1ST SESSION

S. 759

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.

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 Oceans Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

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

10 (2) **FISHING RESTRICTION.**—The term “fishing
11 restriction” means a restriction on fishing in a fed-
12 erally managed fishery established under section
13 303(b)(2) of the Magnuson-Stevens Fishery Con-
14 servation and Management Act (16 U.S.C.
15 1853(b)(2)), including—

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

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

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

22 (D) another restriction on fishing, as de-
23 termined by the Secretary.

24 (3) **INDIAN TRIBE; TRIBAL ORGANIZATION.**—
25 The terms “Indian Tribe” and “Tribal organiza-
26 tion” have the meanings given those terms in section

1 4 of the Indian Self-Determination and Education
2 Assistance Act (25 U.S.C. 5304).

3 (4) NATIVE HAWAIIAN ORGANIZATION.—The
4 term “Native Hawaiian organization” has the mean-
5 ing given the term in section 6207 of the Elemen-
6 tary and Secondary Education Act of 1965 (20
7 U.S.C. 7517), except that the term includes the De-
8 partment of Hawaiian Home Lands and the Office
9 of Hawaiian Affairs of the State of Hawaii.

10 (5) NONPROFIT ORGANIZATION.—The term
11 “nonprofit organization” means an organization that
12 is described in section 501(c) of the Internal Rev-
13 enue Code of 1986 and exempt from taxation under
14 section 501(a) of such Code.

15 (6) RECREATIONAL VESSEL.—The term “rec-
16 reational vessel” has the meaning given that term in
17 section 2101 of title 46, United States Code.

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

20 **SEC. 3. DATA STANDARDIZATION.**

21 Not later than 31 months after the date of the enact-
22 ment of this Act, the Secretary, in consultation with rel-
23 evant stakeholders, including State and local governments,
24 Indian Tribes, and Native Hawaiian organizations, shall
25 develop and adopt standards with respect to the coordina-

tion 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;

1 (B) the areas of the exclusive economic
 2 zone with restrictions on the use of motorized
 3 propulsion, horsepower, or fuel by or of rec-
 4 reational vessels; and

5 (C) the types of recreational vessels that
 6 are restricted on each area of the exclusive eco-
 7 nomic zone;

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

10 (3)(A) identifies Federal marine protected
 11 areas, including National Marine Sanctuaries, na-
 12 tional marine monuments, and other federally pro-
 13 tected waters; and

14 (B) includes information on what fishing, rec-
 15 reational boating, and other related recreational ac-
 16 tivities are authorized in each such area.

17 (b) DATA ON NAVIGATION WITHIN EXCLUSIVE ECO-
 18 NOMIC ZONE.—

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

23 (A) navigation information;

24 (B) bathymetric information;

25 (C) depth charts; and

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

3 (2) WEBSITE.—The Secretary shall, to the ex-
4 tent practicable, make the data described in para-
5 graph (1) available on the website on which the Sec-
6 retary makes the data described in subsection (a)
7 available.

8 (c) DATA ACCESSIBILITY.—The Secretary shall en-
9 sure that the website on which the Secretary makes the
10 data described in subsections (a) and (b) available—

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

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

15 (d) PUBLIC COMMENT.—The Secretary shall de-
16 velop—

17 (1) a process to allow members of the public to
18 submit questions or comments regarding the data
19 described in subsections (a) and (b) and the accessi-
20 bility of that data under subsection (c); and

21 (2) methods to improve the accessibility of data.

22 (e) UPDATES.—The Secretary shall update—

23 (1) the data described in subsections (a)(1) and

24 (b) not less frequently than 2 times each year; and

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

3 (f) NONDISCLOSURE OF CERTAIN INFORMATION.—

4 The Secretary may not, consistent with applicable law and
5 policy, disclose, in any geographic information system data
6 made publicly available under this section—

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

10 (2) commercial fishing information, including
11 proprietary information.

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

16 **SEC. 5. COOPERATION AND COORDINATION.**

17 (a) COMMUNITY PARTNERS AND THIRD-PARTY PRO-
18 VIDERS.—For purposes of carrying out this Act, the Sec-
19 retary may—

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

22 (A) States;

23 (B) Indian Tribes, Native Hawaiian orga-
24 nizations, and Tribal organizations;

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

4 (D) Regional Ocean Partnerships (as de-
 5 fined in section 10202 of the James M. Inhofe
 6 National Defense Authorization Act for Fiscal
 7 Year 2023 (16 U.S.C. 1468));

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

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

12 (G) nonprofit organizations; and

13 (H) institutions of higher education (as de-
 14 fined in section 201 of the Higher Education
 15 Act of 1965 (20 U.S.C. 1001)); and

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

20 (b) INTERAGENCY COORDINATION.—The Secretary
 21 shall, to the maximum extent practicable, work with the
 22 relevant offices of the Department of the Interior, the De-
 23 partment of Agriculture, the Department of Defense, the
 24 Department of Energy, the Environmental Protection
 25 Agency, the Coast Guard, the Army Corps of Engineers,

1 and the Interagency Working Group on Ocean and Coastal
 2 Mapping codified by section 12203 of the Ocean and
 3 Coastal Mapping Integration Act (33 U.S.C. 3502), to en-
 4 sure compatibility and interoperability among applicable
 5 Federal databases with respect to the collection and dis-
 6 semination of geospatial data relating to public outdoor
 7 recreational use of the exclusive economic zone.

8 (c) APPLICABILITY OF FEDERAL, STATE, AND TRIB-
 9 AL LAW AND REGULATIONS.—The Secretary, in devel-
 10 oping and distributing geospatial data under this Act,
 11 shall make clear that the data are subject to applicable
 12 laws and regulations of the Federal Government, States,
 13 and Indian Tribes.

14 **SEC. 6. RULE OF CONSTRUCTION.**

15 Nothing in this Act may be construed—

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

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

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

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

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

Passed the Senate September 10, 2025.

Attest:

Secretary.

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