

Calendar No. 117

119TH CONGRESS
1ST SESSION

S. 759

[Report No. 119–40]

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 26, 2025

Mr. CRUZ (for himself and Mr. KING) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

JULY 16, 2025

Reported by Mr. CRUZ, with an amendment

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

A BILL

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) **FEDERAL FISHING RESTRICTION AREA.**—

7 The term “Federal fishing restriction area” means
8 a defined area in which all or certain fishing activi-
9 ties are temporarily or permanently banned or re-
10 stricted by the National Oceanic and Atmospheric
11 Administration.

12 (2) **FEDERAL WATERWAY.**—The term “Federal
13 waterway” means any portion of a body of water
14 managed in part or in entirety by the Secretary.

15 (3) **FEDERAL WATERWAY RESTRICTION.**—The
16 term “Federal waterway restriction” means a re-
17 striction on access to or use of a Federal waterway
18 applied under applicable law by the Secretary.

19 (4) **SECRETARY.**—The term “Secretary” means
20 the Secretary of Commerce.

21 **SEC. 3. DATA STANDARDIZATION.**

22 Not later than 31 months after the date of the enact-
23 ment of this Act, the Secretary, in consultation with rel-
24 evant stakeholders, shall develop and adopt standards with
25 respect to the collection and dissemination of geospatial
26 data relating to public outdoor recreational use of Federal

1 waterways and Federal fishing restriction areas, including
 2 such data made available under section 4.

3 **SEC. 4. DATA PUBLICATION AND ACCESSIBILITY.**

4 ~~(a) FEDERAL WATERWAY FISHING ACCESS DATA.—~~

5 Not later than 4 years after the date of the enactment
 6 of this Act, the Secretary, to the maximum extent prac-
 7 ticable, shall make available on a publicly accessible
 8 website geographic information system data that—

9 ~~(1) includes, with respect to Federal waterway~~
 10 ~~restrictions—~~

11 ~~(A) information with respect to the condi-~~
 12 ~~tions under which Federal waterways are open~~
 13 ~~or closed to entry, watercraft, low-elevation air-~~
 14 ~~craft, or diving;~~

15 ~~(B) the areas of Federal waterways with~~
 16 ~~restrictions on motorized propulsion, horse-~~
 17 ~~power, or gasoline fuel;~~

18 ~~(C) the areas of Federal waterways with~~
 19 ~~anchoring restrictions, no-wake zones, or vessel~~
 20 ~~speed restrictions; and~~

21 ~~(D) the types of watercraft that are re-~~
 22 ~~stricted on each area of a Federal waterway, in-~~
 23 ~~cluding the permissibility of—~~

24 ~~(i) motorboats;~~

25 ~~(ii) non-motorized watercraft;~~

- (iii) personal watercraft;
- (iv) airboats;
- (v) amphibious aircraft; and
- (vi) oceangoing ships; and

(2) describes—

(A) the location and geographic boundaries of Federal fishing restriction areas, including—

(i) any zones where, and periods when, fishing is limited under paragraphs (2), (3), and (4) of section 303(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853(b));

(ii) full and partial closures, in terms of both area and duration, as well as seasonal closures;

(iii) no-catch zones; and

(iv) Federal fishing restrictions within or surrounding marine protected areas, including National Marine Sanctuaries; and

(B) to the maximum extent practicable, restrictions imposed by the National Oceanic and Atmospheric Administration on method of catch, such as requirements relating to the use of circle hooks, descending devices, and trolling.

1 (b) ~~FEDERAL WATERWAY ACCESS AND NAVIGATION~~
 2 ~~INFORMATION.~~—

3 (1) ~~IN GENERAL.~~—The Secretary shall, to the
 4 maximum extent practicable, continue to make avail-
 5 able digitized geographic information system data
 6 that includes, with respect to access to Federal wa-
 7 terways—

8 (A) navigation information;

9 (B) bathymetric information; and

10 (C) depth charts.

11 (2) ~~WEBSITE.~~—The Secretary shall make the
 12 data described in paragraph (1) available on the
 13 website on which the Secretary makes the data de-
 14 scribed in subsection (a) available.

15 (c) ~~DATA ACCESSIBILITY.~~—The Secretary shall en-
 16 sure that the website on which the Secretary makes the
 17 data described in subsections (a) and (b) available—

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

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

22 (d) ~~PUBLIC COMMENT.~~—The Secretary shall develop
 23 a process to allow members of the public to submit ques-
 24 tions or comments regarding the data described in sub-

1 sections (a) and (b) and the accessibility of that data
 2 under subsection (c).

3 (c) ~~UPDATES.—The Secretary, to the maximum ex-~~
 4 ~~tent practicable, shall update—~~

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

7 (2) the data described in subsection (a)(2) in
 8 real time as changes to Federal fishing restriction
 9 areas take effect.

10 (f) ~~NONDISCLOSURE OF CERTAIN INFORMATION.—~~

11 The Secretary may not disclose, in any geographic infor-
 12 mation system data made publicly available under this sec-
 13 tion, information regarding the nature, location, char-
 14 acter, or ownership of historic, paleontological, cultural,
 15 or archaeological resources, consistent with applicable law.

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) State agencies;

23 (B) interstate marine fisheries commis-
 24 sions;

25 (C) Regional Ocean Partnerships;

1 ~~(D)~~ experts in data science, analytics, and
 2 operations research;

3 ~~(E)~~ the private sector, including technology
 4 or geospatial data industries; and

5 ~~(F)~~ nonprofit organizations; and

6 ~~(2)~~ enter into agreements with experts de-
 7 scribed in subparagraph ~~(D)~~ of paragraph ~~(1)~~, or ex-
 8 perts within entities described in subparagraph ~~(A)~~,
 9 ~~(B)~~, ~~(C)~~, ~~(E)~~, or ~~(F)~~ of that paragraph, to carry out
 10 any of the provisions of this Act.

11 ~~(b) INTERAGENCY COORDINATION.—~~The Secretary
 12 shall, to the maximum extent practicable, work with the
 13 relevant offices of the Department of the Interior, the De-
 14 partment of Agriculture, the Coast Guard, the Army
 15 Corps of Engineers, and the Interagency Working Group
 16 on Ocean and Coastal Mapping codified by section 12203
 17 of the Ocean and Coastal Mapping Integration Act (33
 18 U.S.C. 3502) to ensure compatibility and interoperability
 19 among applicable Federal databases with respect to the
 20 collection and dissemination of geospatial data relating to
 21 public outdoor recreational use of Federal waterways and
 22 Federal fishing restriction areas.

23 ~~(c) APPLICABILITY OF FEDERAL, STATE, AND TRIB-~~
 24 ~~AL REGULATIONS.—~~The Secretary, in developing and dis-

1 tributing geospatial data under this Act, shall make clear
 2 that the data are subject to—

3 (1) applicable Federal regulations; and

4 (2) applicable State and Tribal regulations.

5 **SEC. 6. RULE OF CONSTRUCTION.**

6 Nothing in this Act may be construed—

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

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

13 (3) to increase or diminish the responsibility or
 14 authority of Federal or State agencies to manage
 15 fisheries.

16 **SECTION 1. SHORT TITLE.**

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

19 **SEC. 2. DEFINITIONS.**

20 *In this Act:*

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

24 (2) *FISHING RESTRICTION.*—*The term “fishing*
 25 *restriction” means a restriction on fishing in a feder-*

1 *ally managed fishery established under section*
 2 *303(b)(2) of the Magnuson-Stevens Fishery Conserva-*
 3 *tion and Management Act (16 U.S.C. 1853(b)(2)), in-*
 4 *cluding—*

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

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

9 *(C) a restriction on the method of catch for*
 10 *the fishery; and*

11 *(D) another restriction on fishing, as deter-*
 12 *mined by the Secretary.*

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

18 *(4) NATIVE HAWAIIAN ORGANIZATION.—The term*
 19 *“Native Hawaiian organization” has the meaning*
 20 *given the term in section 6207 of the Elementary and*
 21 *Secondary Education Act of 1965 (20 U.S.C. 7517),*
 22 *except that the term includes the Department of Ha-*
 23 *waiian Home Lands and the Office of Hawaiian Af-*
 24 *fairs of the State of Hawaii.*

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

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

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

11 **SEC. 3. DATA STANDARDIZATION.**

12 *Not later than 31 months after the date of the enact-*
 13 *ment of this Act, the Secretary, in consultation with rel-*
 14 *evant stakeholders, including State and local governments,*
 15 *Indian Tribes, and Native Hawaiian organizations, shall*
 16 *develop and adopt standards with respect to the coordina-*
 17 *tion and dissemination of geospatial data relating to fish-*
 18 *ing restrictions, use of the exclusive economic zone by rec-*
 19 *reational vessels, and access to Federal waters by such ves-*
 20 *sels, including such data made available under section 4.*

21 **SEC. 4. DATA PUBLICATION AND ACCESSIBILITY.**

22 (a) *DATA ON FISHING AND RECREATIONAL VESSELS*
 23 *IN EXCLUSIVE ECONOMIC ZONE.*—*Not later than 4 years*
 24 *after the date of the enactment of this Act, the Secretary,*
 25 *acting through the Director of the Office of Science and*

1 *Technology of the National Marine Fisheries Service, and*
 2 *to the maximum extent practicable, shall make available*
 3 *on a publicly accessible website geographic information sys-*
 4 *tem data that—*

5 (1) *includes, with respect to the exclusive eco-*
 6 *nomie zone—*

7 (A) *information with respect to the condi-*
 8 *tions under which fishing restrictions are im-*
 9 *posed and the areas within the exclusive eco-*
 10 *nomie zone that are open or closed to rec-*
 11 *reational boating, diving, and related rec-*
 12 *reational activities (as determined by the Sec-*
 13 *retary), including for safety reasons such as be-*
 14 *cause of the presence of harmful algal blooms;*

15 (B) *the areas of the exclusive economic zone*
 16 *with restrictions on the use of motorized propul-*
 17 *sion, horsepower, or fuel by or of recreational*
 18 *vessels; and*

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

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

24 (3)(A) *identifies Federal marine protected areas,*
 25 *including National Marine Sanctuaries, national ma-*

1 *rine monuments, and other federally protected waters;*
 2 *and*

3 *(B) includes information on what fishing, rec-*
 4 *reational boating, and other related recreational ac-*
 5 *tivities are authorized in each such area.*

6 *(b) DATA ON NAVIGATION WITHIN EXCLUSIVE ECO-*
 7 *NOMIC ZONE.—*

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

12 *(A) navigation information;*

13 *(B) bathymetric information;*

14 *(C) depth charts; and*

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

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

21 *(c) DATA ACCESSIBILITY.—The Secretary shall ensure*
 22 *that the website on which the Secretary makes the data de-*
 23 *scribed in subsections (a) and (b) available—*

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

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

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

4 (1) *a process to allow members of the public to*
 5 *submit questions or comments regarding the data de-*
 6 *scribed in subsections (a) and (b) and the accessibility*
 7 *of that data under subsection (c); and*

8 (2) *methods to improve the accessibility of data.*

9 (e) *UPDATES.—The Secretary shall update—*

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

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

14 (f) *NONDISCLOSURE OF CERTAIN INFORMATION.—The*
 15 *Secretary may not, consistent with applicable law and pol-*
 16 *icy, disclose, in any geographic information system data*
 17 *made publicly available under this section—*

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

21 (2) *commercial fishing information, including*
 22 *proprietary information.*

23 (g) *TREATMENT OF TRIBAL WATERS AND FISHING*
 24 *AREAS.—The authorities granted by this section shall not*

1 *apply with respect to any usual or accustomed fishing areas*
 2 *or Tribal waters.*

3 **SEC. 5. COOPERATION AND COORDINATION.**

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

7 (1) *coordinate and partner with non-Federal en-*
 8 *tities, including—*

9 (A) *States;*

10 (B) *Indian Tribes, Native Hawaiian orga-*
 11 *nizations, and Tribal organizations;*

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

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

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

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

23 (G) *nonprofit organizations; and*

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

4 (2) enter into agreements with experts within en-
5 tities described in any of subparagraphs (A) through
6 (H) of paragraph (1) to carry out any of the provi-
7 sions of this Act.

8 (b) INTERAGENCY COORDINATION.—The Secretary
9 shall, to the maximum extent practicable, work with the rel-
10 evant offices of the Department of the Interior, the Depart-
11 ment of Agriculture, the Department of Defense, the Depart-
12 ment of Energy, the Environmental Protection Agency, the
13 Coast Guard, the Army Corps of Engineers, and the Inter-
14 agency Working Group on Ocean and Coastal Mapping
15 codified by section 12203 of the Ocean and Coastal Map-
16 ping Integration Act (33 U.S.C. 3502), to ensure compat-
17 ibility and interoperability among applicable Federal data-
18 bases with respect to the collection and dissemination of
19 geospatial data relating to public outdoor recreational use
20 of the exclusive economic zone.

21 (c) APPLICABILITY OF FEDERAL, STATE, AND TRIBAL
22 LAW AND REGULATIONS.—The Secretary, in developing
23 and distributing geospatial data under this Act, shall make
24 clear that the data are subject to applicable laws and regu-

1 *lations of the Federal Government, States, and Indian*
 2 *Tribes.*

3 **SEC. 6. RULE OF CONSTRUCTION.**

4 *Nothing in this Act may be construed—*

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

8 *(2) to affect the jurisdiction or authority of Fed-*
 9 *eral or State agencies to regulate navigable waters;*

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

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

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

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A BILL

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