

118TH CONGRESS
2D SESSION

H. R. 7925

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 HOUSE OF REPRESENTATIVES

APRIL 10, 2024

Mr. D'ESPOSITO (for himself, Mr. LEVIN, Ms. SALAZAR, Mr. HUFFMAN, Ms. KAMLAGER-DOVE, Mr. DONALDS, Mrs. PELTOLA, Mr. PANETTA, Mr. KILMER, Mr. CARL, and Mr. MOYLAN) introduced the following bill; which was referred to the Committee on Natural Resources

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,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) FEDERAL FISHING RESTRICTION AREA.—
2 The term “Federal fishing restriction area” means
3 a defined area in which all or certain fishing activi-
4 ties are temporarily or permanently banned or re-
5 stricted by the National Oceanic and Atmospheric
6 Administration.

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

10 (3) FEDERAL WATERWAY RESTRICTION.—The
11 term “Federal waterway restriction” means a re-
12 striction on access to or use of a Federal waterway
13 applied under applicable law by the Secretary.

14 (4) SECRETARY.—The term “Secretary” means
15 the Secretary of Commerce.

16 **SEC. 3. DATA STANDARDIZATION.**

17 Not later than 30 months after the date of the enact-
18 ment of this Act, the Secretary, in consultation with rel-
19 evant stakeholders, shall develop and adopt standards with
20 respect to the collection and dissemination of geospatial
21 data relating to public outdoor recreational use of Federal
22 waterways and Federal fishing restriction areas, including
23 such data made available under section 4.

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

2 (a) **FEDERAL WATERWAY FISHING ACCESS DATA.**—

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

7 (1) includes, with respect to Federal waterway
8 restrictions—

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

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

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

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

22 (i) motorboats;

23 (ii) non-motorized watercraft;

24 (iii) personal watercraft;

25 (iv) airboats;

26 (v) amphibious aircraft; and

1 (vi) oceangoing ships; and

2 (2) describes—

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

5 (i) any zones where, and periods
6 when, fishing is limited under paragraphs
7 (2), (3), and (4) of section 303(b)(2) of
8 the Magnuson-Stevens Fishery Conserva-
9 tion and Management Act (16 U.S.C.
10 1853(b)(2));

11 (ii) full and partial closures, in terms
12 of both area and duration, as well as sea-
13 sonal closures;

14 (iii) no-catch zones; and

15 (iv) Federal fishing restrictions within
16 or surrounding marine protected areas, in-
17 cluding National Marine Sanctuaries; and

18 (B) to the maximum extent practicable, re-
19 strictions imposed by the National Oceanic and
20 Atmospheric Administration on method of
21 catch, such as requirements relating to the use
22 of circle hooks, descending devices, and trolling.

23 (b) FEDERAL WATERWAY ACCESS AND NAVIGATION
24 INFORMATION.—

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

6 (A) navigation information;

7 (B) bathymetric information; and

8 (C) depth charts.

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

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

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

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

20 (d) PUBLIC COMMENT.—The Secretary shall develop
21 a process to allow members of the public to submit ques-
22 tions or comments regarding the data described in sub-
23 sections (a) and (b) and the accessibility of that data
24 under subsection (c).

1 (e) UPDATES.—The Secretary, to the maximum ex-
2 tent practicable, shall update—

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

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

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

8 (f) NONDISCLOSURE OF CERTAIN INFORMATION.—

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

14 **SEC. 5. COOPERATION AND COORDINATION.**

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

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

20 (A) State agencies;

21 (B) interstate marine fisheries commis-
22 sions;

23 (C) Regional Ocean Partnerships;

24 (D) experts in data science, analytics, and
25 operations research;

1 (E) the private sector, including technology
2 or geospatial data industries; and

3 (F) nonprofit organizations; and

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

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

21 (c) APPLICABILITY OF FEDERAL, STATE, AND TRIB-
22 AL REGULATIONS.—The Secretary, in developing and dis-
23 tributing geospatial data under this Act, shall make clear
24 that the data are subject to—

25 (1) applicable Federal regulations; and

1 (2) applicable State and Tribal regulations.

2 **SEC. 6. RULE OF CONSTRUCTION.**

3 Nothing in this Act may be construed—

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

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

10 (3) to increase or diminish the responsibility or
11 authority of Federal or State agencies to manage
12 fisheries.

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