

Calendar No. 117

119TH CONGRESS }
1st Session

SENATE

{ REPORT
119—40

MODERNIZING ACCESS TO OUR PUBLIC
OCEANS ACT

R E P O R T

OF THE

COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION

ON

S. 759



JULY 16, 2025.—Ordered to be printed

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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED NINETEENTH CONGRESS

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Mr. CRUZ, from the Committee on Commerce, Science, and
Transportation, submitted the following

R E P O R T

[To accompany S. 759]

[Including cost estimate of the Congressional Budget Office]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 759) to provide for the standardization, publication, and accessibility of data relating to public outdoor recreational use of Federal waterways, and for other purposes, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill, as amended, do pass.

PURPOSE OF THE BILL

The purpose of S. 759, Modernizing Access to Our Public Oceans Act, is to provide for the standardization, publication, and accessibility of data relating to public outdoor recreational use of Federal waterways, and for other purposes.

BACKGROUND AND NEEDS

The National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) is responsible for managing marine fisheries within the U.S. exclusive economic zone (EEZ), the area from 3 to 200 nautical miles off the U.S. coast. Under the Magnuson-Stevens Fishery Conservation and Management Act,¹ Marine Mammal Protection Act,² and Endangered Spe-

¹ 16 U.S.C. 1801 et seq.; Public Law 94-265.

² 16 U.S.C. 1361 et seq.; Public Law 92-522.

cies Act,³ NOAA has the authority to set rules that restrict fishing and other recreational activities in the EEZ to ensure Federal fisheries are sustainably managed and specific marine species are protected.⁴

NOAA currently publishes data on fisheries, vessel traffic, protected areas, and other relevant information in several different formats. However, there is not one centralized online location for the public to access all such data.

During the 117th Congress, the Modernizing Access to Our Public Lands Act (or MAPLand Act)⁵ passed, requiring the Federal Government to standardize and digitize information showing data on permitted outdoor recreation activities for Federal lands. This allowed the public to easily understand where and when they could access public lands for hunting, fishing, camping, and other recreation activities. The Modernizing Access to Our Public Oceans Act follows a similar approach as the MAPLand Act requiring Federal agencies to create a centralized database and mapping of permitted recreation activities within Federal waters.

SUMMARY OF PROVISIONS

S. 759, as reported, would do the following:

- Direct the Secretary of Commerce to develop data standards for geospatial data on the fishing restrictions and recreational use of the EEZ.
- Direct the Secretary to digitize fishing and recreation data for the EEZ and make it publicly available online.

LEGISLATIVE HISTORY

S. 759 was introduced on February 26, 2025, by Senator Cruz (for himself and Senator King) and was referred to the Committee on Commerce, Science, and Transportation of the Senate. On March 12, 2025, the Committee met in open Executive Session and, by voice vote, ordered S. 759 to be reported favorably with an amendment (in the nature of a substitute).

118th Congress

S. 3889, the Modernizing Access to Our Public Oceans Act, was introduced on March 6, 2024, by Senator Cruz (for himself and Senator King) and was referred to the Committee on Commerce, Science, and Transportation of the Senate.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

³ 16 U.S.C. 1531 et seq.; Public Law 93–205.

⁴ “Understanding Fisheries Management in the United States,” National Oceanic and Atmospheric Administration, National Marine Fisheries Service (<https://www.fisheries.noaa.gov/insight/understanding-fisheries-management-united-states>).

⁵ 16 U.S.C. 6851; Public Law 117–114.

S. 759, Modernizing Access to Our Public Oceans Act			
As ordered reported by the Senate Committee on Commerce, Science, and Transportation on March 12, 2025			
By Fiscal Year, Millions of Dollars	2025	2025-2030	2025-2035
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	5	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Statutory pay-as-you-go procedures apply?	No
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

S. 759 would require the National Oceanic and Atmospheric Administration (NOAA) to publish geographic data, within 31 months of enactment, identifying areas within the U.S. exclusive economic zone (EEZ) that are subject to regulatory restrictions on fishing, boating, diving, and other recreational activities. The data must be accessible on the agency's website and updated at least twice a year. The EEZ is an area that is adjacent to the country's coastal territorial sea and extends about 230 miles beyond the coastline.

Under current law, NOAA maintains and publishes data identifying area-based regulations related to fishing and marine sanctuaries and develops navigational and underwater mapping information for the EEZ. The agency also maintains a federal spatial database of managed fisheries in collaboration with the Regional Fishery Management Council Coordination Committee and the Pacific States Marine Fisheries Commission. In 2024, NOAA allocated \$101 million for those activities.

CBO expects that NOAA would build on its existing capabilities to develop geospatial data standards and classification strategies for identifying restricted areas, working with other federal agencies, tribes, state and local governments and interstate commissions.

Based on information from the agency, CBO expects that NOAA would need seven full-time equivalent staff in 2026 and five each year thereafter, at an average cost of \$180,000 per employee. Those employees would be responsible for developing standards and compiling data into a digital, accessible, and interoperable geographic format. After accounting for anticipated inflation, CBO estimates that implementing the bill would cost \$5 million over the 2025–2030 period. Any related spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Aurora Swanson. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

REGULATORY IMPACT STATEMENT

Because S. 759 does not create any new programs, the legislation will have no additional regulatory impact and will result in no additional reporting requirements. The legislation will have no further effect on the number or types of individuals and businesses regulated, the economic impact of such regulation, the personal privacy of affected individuals, or the paperwork required from such individuals and businesses.

CONGRESSIONALLY DIRECTED SPENDING

In compliance with paragraph 4(b) of rule XLIV of the Standing Rules of the Senate, the Committee provides that no provisions contained in the bill, as reported, meet the definition of congressionally directed spending items under the rule.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title.

This section would provide that the bill may be cited as the “Modernizing Access to Our Public Oceans Act”.

Section 2. Definitions.

This section would define the terms “exclusive economic zone”, “fishing restriction”, “Indian Tribe”, “Tribal organization”, “Native Hawaiian organization”, “nonprofit organization”, “recreational vessel”, and “Secretary”.

Section 3. Data standardization.

This section would require the Secretary to develop and adopt standards for coordinating and disseminating geospatial data related to fishing restrictions, recreational boating, and access to the exclusive economic zone. These standards must be established within 31 months, with input from stakeholders including State and local governments, Indian Tribes, and Native Hawaiian organizations.

Section 4. Data publication and accessibility.

This section would require the Secretary to make geographic information system data on the exclusive economic zone available to the public no later than 4 years after enactment, including information on fishing and boating restrictions, protected marine areas, and navigation data. The website would be accessible, reusable, regularly updated, and include a public comment process. Sensitive information, like data on cultural or archaeological resources and information on Tribal waters and usual and accustomed fishing areas, would not be disclosed to the public nor included on the website.

Section 5. Cooperation and coordination.

This section would enable the Secretary to partner with States, Indian Tribes, Native Hawaiian organizations, experts in data science, analytics, and operations research, the private sector, and other non-Federal entities to carry out the Act’s provisions. The Secretary would also be required to work with other Federal agencies to ensure interoperability of Federal geospatial data relating to

public outdoor recreational use of the EEZ. The Secretary would ensure the data made public complies with applicable Federal, State, and Tribal laws and regulations.

Section 6. Rule of construction.

This section would clarify that the Act does not alter the definition of the term “navigable waters,” affect the authority of Federal or State agencies to regulate navigable waters, or modify the responsibilities of Federal or State agencies or Indian Tribes in managing fisheries under existing law. It would also preserve the requirement for government-to-government consultation with Indian Tribes and Native Hawaiian organizations. This section ensures the Act does not alter Indian Tribe treaties or rights.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee states that the bill as reported would make no change to existing law.

