

To the office of U.S. Senator David McCormick

Re: S 4238 (119th Congress), Endless Mountains National Heritage Area Act • Latest action (2026-09-17): Placed on Senate Legislative Calendar under General Orders. Calendar No. 657.
VFA SI Solution #195 • published 2026-07-23 • <https://www.valuesforamerica.com/solutions/195>
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Endless Mountains Heritage Partnership Act

The measure, as described from the official record: To designate the Endless Mountains region in Pennsylvania as a National Heritage Area, providing federal recognition and support for local conservation, heritage tourism, and economic development efforts.

THE PROPOSAL

This Act establishes the Endless Mountains Heritage Partnership as a federal-state cooperative program to support voluntary conservation, heritage education, and sustainable tourism in the Endless Mountains region of Pennsylvania. The Partnership shall be administered by the Secretary of the Interior, in coordination with the Governor of Pennsylvania and local governments, to provide technical assistance and matching grants for projects that preserve natural and cultural resources, promote public access, and foster economic development consistent with local land-use plans. No federal land acquisition or regulatory authority is granted; all participation by private landowners is voluntary. The Partnership shall not impose any land-use restrictions or zoning requirements beyond those already existing under state or local law. Federal funds shall be used solely for planning, interpretation, signage, and non-construction activities, with a maximum federal share of 50% per project. The Partnership shall sunset after 10 years, with a mid-term review by the Government Accountability Office to assess effectiveness and fiscal responsibility.

OPERATIVE PROVISIONS (VFA PROPOSAL)

Funding Source	Authorization of appropriations from the Land and Water Conservation Fund (LWCF) reserved for heritage area programs, subject to annual appropriations.
Funding Amount	\$10 million total over 10 years, capped at \$1 million per fiscal year.
Sunset Years	10 years
Oversight Body	Government Accountability Office (GAO) to conduct a mid-term review at year 5 and a final evaluation at year 10.
Enforcement Mechanism	No enforcement beyond standard grant compliance; any misuse of federal funds is subject to the False Claims Act (31 U.S.C. §§ 3729-3733).
Effective Date	90 days after enactment.

CONSTITUTIONAL BASIS

- Article I, Section 8, Clause 1 (Spending Clause)
- Article I, Section 8, Clause 3 (Commerce Clause – limited to interstate tourism effects)
- Tenth Amendment

- Fifth Amendment Due Process (ensuring voluntary participation)

Concerns with the measure as written:

- The original bill may rely on the Property Clause (Article IV, Section 3, Clause 2) but could be seen as an overreach into state and local land-use planning, potentially violating the Tenth Amendment by imposing federal standards on non-federal lands.
- The bill's authorization of federal grants and planning without clear enumerated power for heritage designation on private lands may exceed Congress's limited powers under Article I, Section 8.

WHY BOTH SIDES CAN BACK IT (VFA'S ASSESSMENT)

Honors Democratic priorities by supporting conservation, heritage tourism, and community development with federal technical assistance and matching grants. Honors Republican priorities by strictly limiting federal involvement to voluntary partnerships, prohibiting land-use regulation, capping funding, and including a sunset clause to prevent permanent federal programs.

Values for America is a nonpartisan, constitution-first SI think tank. This brief is informational. It is a policy proposal, not law, and it does not support or oppose any candidate or party. Full analysis and sources: <https://www.valuesforamerica.com/solutions/195> · Methodology: <https://www.valuesforamerica.com/methodology>