

Summary of H.R. 3881, the *Cooperative Management of Mineral Rights Act*

Introduced by Rep. Glenn ‘GT’ Thompson (R-PA), the *Cooperative Management of Mineral Rights Act* clarifies and codifies the repeatedly upheld decision by federal courts to protect the rights of private mineral owners in Pennsylvania’s Allegheny National Forest (ANF). H.R. 3881 prevents any future possibility for the U.S. Forest Service (USFS) to infringe upon private property rights by liberally interpreting statutory authority.

Pennsylvania is rich in energy resources, but the burdensome overreach of the federal government has undercut private mineral rights, spurring years of litigation and lost economic opportunities for this region of Pennsylvania. While the federal government owns the surface rights to the ANF, the subsurface mineral rights have always been privately owned – even before the ANF was established. This did not stop the USFS from attempting to usurp private property rights and create new regulatory barriers to restrict energy development. Federal courts have consistently found the USFS lacks the regulatory authority to impose preconditions to development.

“For nearly a century, landowners have joined with the local and federal government to ensure the continued access to private mineral rights and the continued health of our forest. Despite that partnership, extreme environmental groups attempted to shut down energy production. Federal courts have ruled with the local communities and in favor of private property rights. The Cooperative Management of Mineral Rights Act will make that ruling law, ensure protection of our local economy and continued access to resources for generations to come,” Thompson stated following a legislative hearing on April 19, 2016.

BACKGROUND

On April 19, 2016, the Subcommittee on Energy and Mineral Resources held a legislative [hearing](#) on H.R. 3881.