

One Hundred Third Congress  
of the  
United States of America

AT THE SECOND SESSION

*Begin and held at the City of Washington on Tuesday,  
the twenty-fifth day of January, one thousand nine hundred and ninety-four*

An Act

To resolve the status of certain lands in Arizona that are subject to a claim  
as a grant of public lands for railroad purposes, and for other purposes.

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Arizona Wilderness Land Title  
Resolution Act of 1994”.

**SEC. 2. FINDINGS AND PURPOSES.**

(a) FINDINGS.—Congress finds that—

(1) the Act entitled “An Act granting Lands to aid in  
the Construction of a Railroad and Telegraph Line from the  
States of Missouri and Arkansas to the Pacific Coast”, approved  
July 27, 1866 (14 Stat. 292), granted a right-of-way in Arizona  
to the Atlantic and Pacific Railroad Company, together with  
certain alternate sections of public lands on both sides of the  
right-of-way;

(2) patents were not issued to some of the lands in the  
grant described in paragraph (1);

(3) as successors in interest to the Atlantic and Pacific  
Railroad Company, the Santa Fe Pacific Railroad, and Perrin  
Properties, Inc., a California corporation—

(A) claim rights to approximately 14,632.72 acres of  
the lands described in paragraph (1); and

(B) applied to the Secretary of the Interior for a patent  
to the lands;

(4) the Secretary of the Interior denied the application  
for the patent, which was filed in the name of the Santa  
Fe Railroad Company for the benefit of Perrin Properties, Inc.,  
on the ground that the claim had been extinguished by failure  
to record the claim in accordance with the Act entitled “An  
Act to require the recordation of scrip, lieu selection, and similar  
rights”, approved August 5, 1955 (69 Stat. 534; 43 U.S.C. 274  
note) (commonly known as the “Recordation Act”);

(5) on appeal, the United States Court of Appeals for the  
District of Columbia Circuit ruled in Santa Fe Pacific Railroad  
Company, et al. v. Secretary of the Interior, 830 F.2d 1168  
(D.C. Cir. 1987), that such Act was not applicable and did  
not bar the issuance of a patent;

(6) ultimate resolution of the question of the title to the  
14,632.72 acres may require years of additional litigation;

(7) the Arizona Wilderness Act of 1984 (Public Law 98-  
406) designated certain lands in the Prescott National Forest

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in Arizona as components of the National Wilderness Preservation System established by the Wilderness Act (16 U.S.C. 1131 et seq.), including the Apache Creek Wilderness and the Juniper Mesa Wilderness;

(8) the 14,632.72 acres are in the Prescott National Forest and comprise large portions of the Apache Creek and Juniper Mesa Wilderness areas; and

(9) if the 14,632.72 acres are patented to private owners, the creation of a checkerboard ownership pattern over the wilderness areas will effectively preclude management of the areas as wilderness.

(b) PURPOSES.—The purposes of this Act are—

(1) to resolve the status of the title to the approximately 14,632.72 acres in the Prescott National Forest described in section 3(c);

(2) to ensure that the lands are permanently retained in Federal ownership; and

(3) to preserve the integrity of the Apache Creek and Juniper Mesa Wilderness areas consistent with the Arizona Wilderness Act of 1984 (Public Law 98–406).

**SEC. 3. RESOLUTION OF STATUS OF LANDS.**

(a) PAYMENT BY THE SECRETARY OF THE TREASURY.—

(1) PAYMENT.—Subject to subsection (b), the Secretary of the Treasury shall pay to Perrin Properties, Inc., the sum of \$3,854,000 from the permanent judgment appropriation established pursuant to section 1304 of title 31, United States Code.

(2) INTEREST.—No funds shall be made available for the payment of interest on the amounts payable under paragraph (1).

(b) CONDITIONS OF PAYMENT.—The Secretary of the Treasury shall make the payment described in subsection (a) if the Attorney General of the United States notifies the Secretary of the Treasury that the appellants in Santa Fe Pacific Railroad Company, et al. v. Secretary of the Interior, 830 F.2d 1168 (1987), and Perrin Properties, Inc., have executed in forms satisfactory to the Attorney General all documents necessary—

(1) to dismiss with prejudice all litigation involving the title to the lands described in subsection (c); and

(2) to release and quitclaim to the United States all right, title, and interest of the appellants and of Perrin Properties, Inc., arising out of the Act entitled “An Act granting Lands to aid in the Construction of a Railroad and Telegraph Line from the States of Missouri and Arkansas to the Pacific Coast”, approved July 27, 1866 (14 Stat. 292), in and to lands in the Prescott National Forest.

(c) DESCRIPTION OF LANDS.—The lands described in this subsection are the approximately 14,632.72 acres of land in the Prescott National Forest in Arizona described in the decision by the Interior Board of Land Appeals, Santa Fe Pacific Railroad Co., No. 82–449, 72 IBLA 197 (April 19, 1983).

(d) MANAGEMENT OF LANDS.—Upon the execution of documents and dismissal of the litigation as described in subsection (b), the lands described in subsection (c) shall be managed in accordance with the laws, rules, and regulations pertaining to the National Forest System. Lands described in subsection (c) that lie within

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the boundaries of a wilderness area, as designated on or before the date of enactment of this Act, shall also be managed in accordance with the applicable provisions of the Wilderness Act (16 U.S.C. 1131 et seq.).

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*