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Congress of the United States

House of Representatives

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Mr. J.D. Joslin

Chair

Advocates For the Oak Ridge Reservation

112 Newcrest Lane

Oak Ridge, Tennessee 37830

Dear Mr. Joslin:

Thank you for sending me a copy of your letter to Sen. Fred Thompson opposing development of the Department of Energy's (DOE) Oak Ridge Reservation (ORR). I appreciate having the benefit of your views.

I certainly understand your concerns about urban sprawl into formerly open spaces, particularly on public lands like those owned by DOE and the Tennessee Valley Authority (TVA). The use of such land needs to be the subject of very careful consideration. You are correct that there is already considerable property available in Anderson County, and I agree that the re-use of facilities such as the East Tennessee Technology Park (ETTP) should be a priority.

I would hope that the City of Oak Ridge carefully weighs its development plans to get the most out of the resources it possesses, including the large natural areas. On the other hand, I believe that DOE should also work with the local government to the maximum extent possible to help address the problems created by the reduction in federal operations in the area.

Still, as you are undoubtedly aware, Congress will not make the determination about the future of this land. The decision currently rests with the Clinton Administration and Secretary of Energy Bill Richardson. In an effort to be of all possible assistance, I am forwarding your comments to Secretary Richardson for his consideration.

I have also tried to more generally address the problem of urban sprawl. Last year, I introduced the Land Preservation Tax Fairness Act. This legislation would cut taxes on income earned when an individual sells his or her land or development rights to a nonprofit organization for the purpose of preserving this land.

This bill would make it more economically viable for a person to sell his or her land to an organization which would keep it

undeveloped rather than sell the property to someone who may develop it. Not all development is bad, but we should reward people who are willing to pass up large sums of money so that their property can be preserved.

Currently, individuals must pay taxes on any income received when they sell their property or development rights to the government or nonprofit organization which will keep the land undeveloped. I think the legislation I have introduced will encourage more people to do this by reducing the amount of taxes they must pay on any income realized from such a sale. The tax savings would at least partially offset the loss of selling at a lower price to an organization which hopes to preserve the land.

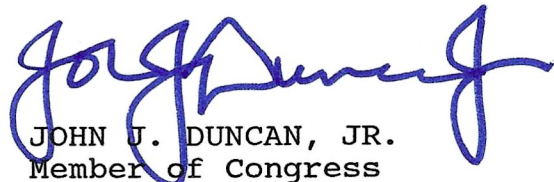
Reducing the pressure to build on currently undeveloped property, particularly in areas that are in close proximity to either a national park or metropolitan area, is especially important. My bill will combat the negative effects of urban sprawl and protect the natural areas around our national treasures. Unfortunately, it would not apply directly to the situation in Oak Ridge because the federal government is the owner of the land. Obviously, DOE does not have the financial considerations that most private landholders share.

Although I have yet to reintroduce this legislation in the 106th Congress, I am currently studying this issue to decide whether I feel it has a reasonable chance of passage during this session. As you may know, the President suggested a very similar proposal in his State of the Union address in January. I will make a determination over the next few months.

Thank you once again for bringing this situation to my attention. If I can ever help you in any other way, please do not hesitate to let me know.

With kindest regards, I am

Sincerely,



JOHN J. DUNCAN, JR.
Member of Congress

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