

# MAINE STATE LEGISLATURE

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123rd Legislature



Senate District 3

Senator Jonathan T.E. Courtney  
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The Honorable Beth Edmonds  
President of the Senate  
3 State House Station  
Augusta, Maine 04333-0003

Dear President Edmonds,

I ask your favorable consideration of my *Resolution urging Congress to Require the Department of Defense to Reinstate the Terminology of "POW" or "Prisoner of War" into the Classification of Military Personnel.*

The need for this bill is explained in the proposed language. Previously, the Department of Defense used the term "Prisoner of War" to describe a military person's casualty status and category for reporting purposes. They recently changed the term to "Missing/Captured," dramatically reducing the impact of reports and altering the response from national and international organizations which have historically interceded in such cases. The concern is that the protection which should be automatically accorded those in harm's way is seriously eroded with the Missing/Captured classification.

I contacted Senator Snowe's office and they also raised some concerns with the new term adopted by the Department of Defense. Their response is below:

*"According to the National Military Alliance, Department of Defense directive 1300.18 was issued on December 18, 2000 and eliminated the Prisoner of War status for captured American service personnel and replaced it with Missing/Captured MIA-C. The Senator, along with several veterans groups, is concerned about whether this designation will affect funding levels for POW recovery efforts, and whether this may compromise an American service member's legal rights, under international law, which were previously afforded to Prisoners of War."*

This is an issue that needs to be re-examined and debated by Congress, and it is my desire that Maine join other states that have asked Congress to require the Department of Defense to reinstate the term "Prisoner of War" into the casualty status and category classification of military personnel.

Thank you for your consideration of my request.

Sincerely,  
  
Jon Courtney  
State Senator

**A RESOLUTION MEMORIALIZING CONGRESS REGARDING NUCLEAR WASTE**

WHEREAS, a nuclear powered electric generating facility was located in Maine at Wiscasset's Bailey Point; and

WHEREAS, spent nuclear fuel and Greater-than-Class-C high-level radioactive waste is currently being stored in dry casks three hundred yards from the coastal tidal of the Sheepscot River, at only twenty-one feet above sea level; and

WHEREAS, dry cask storage is now being required to operate at the Maine Yankee Interim Storage Site well after the expiration of its license to produce electricity; and

WHEREAS, continued storage of high level radioactive spent nuclear fuel and Greater-than-Class-C high-level waste in dry casks at the Wiscasset Site is not in the best interests of the citizens of that community, nor of the State of Maine; and

WHEREAS, in 1982 the Nuclear Waste Policy Act (NWPA) established a national policy that the federal government is responsible for safe, permanent disposal in a geologic repository of all high-level radioactive waste, including spent nuclear fuel from commercial power reactors and Greater-than-Class-C waste, as well as military nuclear waste; and

WHEREAS, the 109th Congress failed to enact a budget for the nuclear waste disposal program for the current fiscal year and took no action on proposed legislation to reform the Nuclear Waste Fund to provide more reliable financing of the repository program; and

WHEREAS, the Federal Accountability for Nuclear Waste Storage Act of 2007 (S.784) has been introduced in this Congress requiring the federal government to assume legal ownership of all spent nuclear fuel in the country; and

WHEREAS, the ratepayers of nuclear energy, including Maine, have paid an estimated \$19,000,000,000 into the Nuclear Waste Fund for the proper disposal of nuclear waste since 1983; and

WHEREAS, the ratepayers of nuclear energy pay into the Nuclear Waste Fund at least \$750,000,000 each year for the purpose of a national repository, and

WHEREAS, the United States Department of Energy (U.S. DOE) now affirms it can not initiate retrieval of repository waste for disposal any sooner than 2017 at the very earliest, 19 years past the NWPA statutory mandate date for initiating retrieval, and U.S. DOE's Office of Civilian Radioactive Waste will need full funding to submit a construction application to the Nuclear Regulatory Commission by June 2008; and

WHEREAS, the United States Nuclear Regulatory Commission requires a minimum of three years to review such an application; and

WHEREAS, in order to meet the 2008 license application milestone, the president's budget for fiscal year 2008 requests \$202.5 million from the Nuclear Waste Fund and \$292 million from the Defense Waste Fund to achieve these goals;

NOW, THEREFORE, BE IT RESOLVED by the Legislature of the State of Maine that it hereby urges the United States Congress to fully appropriate the \$494.5 million budget request for the civilian radioactive waste management program.

BE IT FURTHER RESOLVED that Congress should enact legislation that will ensure repository appropriations to match annual Nuclear Waste Fund fee revenue collected from ratepayers for this specific purpose, with any and all surplus being assured for future availability for its intended purpose.

BE IT FURTHER RESOLVED that the Legislature of the State of Maine opposes S. 784 and any proposal for the federal government to take title to spent nuclear fuel in this state if the effect of such an action would be to assure that spent nuclear fuel would be kept in Maine without any safeguards of its long term effect to the State's population and/or acts of intrusion which would endanger the State's environmental and economic well-being.

BE IT FURTHER RESOLVED that the Secretary of State of the State of Maine is directed to prepare copies of this memorial and transmit them to the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, and Maine's Senators and Representatives in Congress.