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#### Death and misfortune are inevitable – the joy of life comes in accepting things as they are – plans to save the world only bring more suffering

Slabbert 1 [Jos, Taoist teacher and philosopher, “Tao te Ching: How to Deal with Suffering” http://www.taoism.net/theway/suffer.htm]

Dealing with loss Express yourself completely, then keep quiet. Be like the forces of nature: when it blows, there is only wind; when it rains, there is only rain; when the clouds pass, the sun shines through. If you open yourself to the Tao, you are at one with the Tao and you can embody it completely. If you open yourself to insight, you are at one with insight and you can use it completely. If you open yourself to loss, you are at one with loss and you can accept it completely. Open yourself to the Tao, then trust your natural responses; and everything will fall into place. (Chapter 23) The word "open" is repeated often in this poem. Most people think the only way to handle suffering is to withdraw and to close yourself. The poet is clearly saying in this poem that the opposite is true: If you open yourself to loss, you are at one with loss and you can accept it completely. This openness, a willingness and courage to face reality, is the only way to deal with suffering, particularly inescapable suffering. But the openness the poet is describing is more than just facing reality. It is facing reality in total harmony with the Tao: If you open yourself to the Tao, you are at one with the Tao and you can embody it completely. It is only when you "embody" the Tao that you can face suffering with true equanimity. You will then have the openness that insight into your own nature and the natural way of Tao brings you. The right approach to suffering is only possible when you have reduced your ego to a minimum. The less ego you have, the less you suffer. Facing death with unresolved agendas is a terrible form of suffering. You will have to let go of selfish interests and futile aims to concentrate on dealing with the moment. **It is the acceptance of the inevitable that makes suffering bearable**. On his death bed, his family mourning, he is serene, for he knows Death, like Life, is an illusion: there is no beginning and no end. There is only the endless flow of Tao. The man of Tao has no fear, for he walks with Tao. (The Tao is Tao, 154) Agendas A good traveler has no fixed plans and is not intent upon arriving. (Chapter 27) Plans, aims, objectives and agendas have become the routes of suffering for so many people, and not only the ambitious. Agendas often take spontaneity and joy out of life. In the process, many people have become bad travelers, concentrating only on their objectives, and arriving at their destinations only to find that even their destinations are not really worth the trouble. Having no fixed plans? This does not sound like survival in a modern technological environment, does it? I mean, who but the extremely fortunate have the luxury of not having agendas running their lives? In most cases, one could justifiably point out, agendas are forced on you by your professional and familial obligations. You do not really have a choice, do you? How could one then become a good traveler through life in this modern world? I think the key lies in the second line of the quotation. One should not be "intent upon arriving". You should adopt an attitude of detachment. The moment your aims become egocentric, your suffering increases. The less your own ego is involved, the less seriously you will take life, and the more you will enjoy the journey. It is easier said than done, though, particularly when the job you are doing seems to be devoid of meaning, and the activities on your agenda tedious. They might even go against what you truly believe. It is clear. To become a good traveler in the modern world often entails more than just a change of attitude. It could also mean changing your life style, even your profession. It could mean taking risks in the process. But liberation has always been a risky undertaking, hasn’t it? People are willing to take risks for the most mundane things like profit and possession. Why not take a few risks when your spiritual progress is at stake? Truly good travelers often leave the beaten track and become masters of their own far more adventurous journeys. Tampering with the world Do you want to improve the world? I don't think it can be done. The world is sacred. It can't be improved. If you tamper with it, you'll ruin it. If you treat it like an object, you'll lose it. (Chapter 29) If anything, the Twentieth Century will be called the century of social engineering. Simplistic ideologies, like fascism, were used to try to change the world, with terrible consequences inducing suffering on a scale never seen before in the history of the human being. A savage economic system based on greed - capitalism - has ravaged the world. Yet, the human being has not learnt from this. Still, politicians show their ignorance by tampering with the sacred. It is the age of management, that euphemistic word for manipulating society. It is still happening. What else are many political programs but tampering with the sacred and ruining it in the process? It is the source of endless suffering. Forcing issues Whoever relies on the Tao in governing men doesn't try to force issues or defeat enemies by force of arms. For every force there is a counterforce. Violence, even well intentioned, always rebounds upon oneself. The Master does his job and then stops. He understands that the universe is forever out of control, and that trying to dominate events goes against the current of the Tao. (Chapter 30) Understanding that the universe is out of control is the key to wisdom and patience. No amount of tampering with the universe will change this. In fact, the more we tamper with it, the more damage we will do.

#### No one knows what is good and bad. Reject the aff’s judgments, even if we lose all life on earth

Kirkland 98 [Russell Kirkland, Associate Professor of Religion (and Asian Studies), “"Responsible Non-Action" In a Natural World: Perspectives from the Nei-Yeh, Chuang-Tzu, and Tao-Te Ching,” 1998, University of Georgia, http://kirkland.myweb.uga.edu/rk/pdf/pubs/ECO.pdf]

Why It Is Wrong to Resent Unexpected Changes In Chuang-tzu 18, we find two famous stories in which a man experiences a sudden and deeply personal transformation, a transformation that strikes others around him as deeply troubling.5 In one, the philosopher Hui-tzu goes to offer his sympathies to Chuang-tzu upon the event of the death of Chuang's wife. In the next story, a willow suddenly sprouts from the elbow of a fictional character. In each story, a sympathetic friend is shocked and dismayed to find that the first character in each story is not shocked and dismayed by the unexpected turn of events. In each story, the first character patiently and rationally explains the nature of life, and counsels his companion to accept the course of events that life brings to us, without imposing judgment as to the value of those events. In each case, the reader learns that it is foolish and inappropriate to feel emotional distress at such events, for a proper understanding of the real nature of life leads us to accept all events with the same equanimity, even those events that might have once sticken us as deeply distressing. In the Taoist classic Huai-nan-tzu, one finds a famous story of a man who suddenly finds himself the unexpected owner of a new horse. His neighbors congratulate him on his good fortune, until his son falls from the horse and breaks his leg. The man's neighbors then act to console him on his bad fortune, until army conscriptors arrive and carry off all the able-bodied young men, leaving the injured young man behind as worthless. The lesson of the story is that when an event occurs, we are quick to judge it as fortunate or unfortunate, but our judgments are often mistaken, as later events often prove.6 And one of the most heavily stressed lessons of the Chuang-tzu is that humans quickly judge events on the basis of what we accept on the basis of simplistic assumptions — e.g., that life is inherently better than death — and that the wise person learns to question and discard such assumptions, and forego such judgments regarding events. When Chuang-tzu's wife died, Chuang-tzu does not argue that the world is a better place for her absence, or that his life is improved by his sudden new freedom. In fact, there is no issue in the passage of whether the world is better off with Chuang-tzu's wife alive or dead. The only issue in the passage is that people are born and that people later die, and to ignore that basic fact would display culpable stupidity. The very same lesson is impressed upon the reader of the previous passage, regarding the sudden transformation of a character's elbow. What we are taught in that passage is that life is a process of ineluctable change and transformation, and that humans would be profoundly wrong and clearly silly to object to such change. Another element of the lesson is that the nature of human life is not separate from, or other than, the nature of nonhuman life. When one says that "life is ineluctable change, and we must accept such change with serenity," one is speaking about "life" in such a way that it clearly involves the lives of individual humans just as fully as it involves the events that occur in the broader world, and vice versa. Imagine the story of the death of Chuang-tzu's wife involving, instead, the death of the species we call whooping cranes: Chuang-tzu would, in that case, patiently point out to his deeply caring but deeply shallow friend that he had indeed felt grief to see such beautiful birds come to their end, but had gone on to engage in appropriate rational reflection upon the nature of life, and had come to accept the transitory nature of all such creatures, just as in the present story Chuang-tzu had come to accept the transitory nature of his own spouse. If one must learn to accept with serenity the death of someone we love, someone without whose life our own life would have never been what it is, wouldn't the author urge us to accept that the death of some birds, birds that have never played a role in our lives the way that one's deceased spouse had done, is an event that we should accept with equanimity? If change catches up with us, even to the extent that the planet that we live on should become permanently devoid of all forms of life, the response of the author of these passages would logically be that **such is the nature of things**, and that crying over such a sudden turn of events would be very silly indeed, like a child crying over a spilt glass of milk, or the death of some easily replaceable goldfish. The only reason that a child cries over the death of a goldfish is that he or she has become irrationally attached to that creature as it exists in its present form, and has formed an immature sentimental bond to it. As adults, we appreciate the color and motion of fish in our aquaria, but seldom cry over the death of one of its inmates: we know very well that to cry over the death of such a fish would be silly and a sign of juvenile behavior. As our children grow, we teach them, likewise, never to follow their raw emotional responses, but rather to govern their emotions, and to learn to behave in a responsible manner, according to principles that are morally correct, whether or not they are emotionally satisfying. If, for instance, one were to see a driver accidentally run over one's child or beloved, one's first instinct might be to attack the driver with a righteous fury, falsely equating emotional intensity and violent action with the responsible exercise of moral judgment. In general, we work to teach ourselves and each other not to respond in that way, to take a course of self-restraint, curbing emotion, lest it propel us into actions that will later, upon calm reflection, be revealed to have been emotionally satisfying but morally wrong. If I saw my child run down by a car, it might give me great emotional satisfaction to drag the driver from her car and beat her to death. But it might well turn out that she had in fact done nothing wrong, and had been driving legally and quite responsibly when a careless child suddenly ran into her path, giving her no time to stop or to evade the child. Because we have all learned that the truth of events is often not apparent to the parties that are experiencing them, we generally work to learn some degree of self-control, so that our immediate emotional reaction to events does not mislead us into a foolish course of action. Now if we take these facts and transfer them into our consideration of Chuang-tzu and Mencius on the riverbank, that episode should, logically, be read as follows. If Mencius feels an emotional urge to jump into the river to save the baby, his emotional response to the baby's presence there must be seen as immature and irresponsible. After all, one might muse, one never knows, any more than the man with the horse, when an event that seems fortunate is actually unfortunate, or vice versa. What if the baby in the water had been the ancient Chinese equivalent of Adolf Hitler, and the saving of young Adolf — though occasioned by the deepest feelings of compassion, and a deep-felt veneration for "life" — led to the systematic extermination of millions of innocent men, women, and children? If one knew, in retrospect, that Hitler's atrocities could have been totally prevented by the simple moral act of refraining from leaping to save an endangered child, would one not conclude, by sound moral reasoning, that letting that particular baby drown would have represented a supremely moral act? How, Chuang-tzu constantly challenges us, **how can we possibly know what course of action is truly justified?** What if, just for the sake of argument, a dreadful plague soon wipes out millions of innocent people, and the pathogen involved is soon traced back to an organism that had once dwelt harmlessly in the system of a certain species of bird, such as, for instance, the whooping crane? In retrospect, one can imagine, the afflicted people of the next century — bereft of their wives or husbands, parents or children — might curse the day when simple-minded do-gooders of the twentieth-century had brazenly intervened with the natural course of events and preserved the cursed specied of crane, thereby damning millions of innocents to suffering and death. We assume that such could never happen, that all living things are somehow inherently good to have on the planet, that saving the earthly existence of any life-form is somehow inherently a virtuous action. But our motivations in such cases are clearly, from a Taoist point of view, so shallow and foolish as to warrant no respect. If Mencius, or a sentimental modern lover of "life," were to leap into the river and save a floating baby, he or she would doubtless exult in his or her selfless act of moral heroism, deriving a sense of satisfaction from having done a good deed, and having prevented a terrible tragedy. But who can really know when a given event is truly a tragedy, or perhaps, like the horse that breaks a boy's leg, really a blessing in disguise. Since human wisdom, Chuang-tzu suggests, is inherently incapable of successfully comprehending the true meaning of events as they are happening, when can we ever truly know that our emotional urge to save babies, pretty birds, and entertaining sea-mammals is really an urge that is morally sound. The Taoist answer seems to be that we can never be sure, and **even if the extinction** of Chuangtzu's wife or of the whooping crane really **brought no actual blessing to the world, such events are natural and proper in the way of life itself, and to bemoan such events is to show that one is no more insightful about life than a child who sentimentally cries over the loss of a toy**, a glass of milk, a beloved pet, or even her mommy, run over by a drunken driver. The Taoist lesson seems, in this regard, to be the same in each case: things happen, and some things cause us distress because we attach ourselves sentimentally to certain people, objects, and patterns of life; when those people, objects, or patterns of life take a sudden or drastic turn into a very different direction, a mature and responsible person calms his or her irrational emotions, and takes the morally responsible course of simply **accepting the new state of things**.

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#### Topical Financial Incentives must be FOR solar power production.

#### FOR is exclusive—

Clegg 95—J.D., 1981 Yale Law School; the author is vice president and general counsel of the National Legal Center for the Public Interest. (Roger, “Reclaiming The Text of The Takings Clause,” 46 S.C. L. Rev. 531, Summer, lexis)

Even if it made no sense to limit the clause to takings "for public use"--and, as discussed below, it might make very good sense--that is the way the clause reads. It is not at all ambiguous. The prepositional phrase simply cannot be read as broadening rather than narrowing the clause's scope. Indeed, a prepositional phrase beginning with "for" appears twice more in the Fifth Amendment, and in both cases there is no doubt that the phrase is narrowing the scope of the Amendment. n20

#### Solar POWER is converting sunlight into ELECTRICITY

Alternative Energy News 11 [Solar Power, <http://www.alternative-energy-news.info/technology/solar-power/>]

Solar power is produced by collecting sunlight and converting it into electricity. This is done by using solar panels, which are large flat panels made up of many individual solar cells. It is most often used in remote locations, although it is becoming more popular in urban areas as well. This page contains articles that explore advances in solar energy technology.

#### VIOLATION—the plan’s incentive isn’t FOR the production of solar power. It’s for expand passive solar design. That’s just a type of building.

Energy.gov 12 [April 13, 2012, http://energy.gov/energysaver/articles/passive-solar-home-design]

#### VIOLATION—the plan’s incentive isn’t FOR the production of solar power. It’s for expand passive solar design. That’s just a type of building.

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Passive solar design takes advantage of a building’s site, climate, and materials to minimize energy use. A well-designed passive solar home first reduces heating and cooling loads through energy-efficiency strategies and then meets those reduced loads in whole or part with solar energy. Because of the small heating loads of modern homes it is very important to avoid oversizing south-facing glass and ensure that south-facing glass is properly shaded to prevent overheating and increased cooling loads in the spring and fall.

ENERGY EFFICIENCY FIRST

Before you add solar features to your new home design or existing house, remember that energy efficiency is the most cost-effective strategy for reducing heating and cooling bills. Choose building professionals experienced in energy-efficient house design and construction and work with them to optimize your home’s energy efficiency. If you’re remodeling an existing home, the first step is to have a home energy audit to prioritize the most cost-effective energy efficiency improvements.

SITE SELECTION

If you’re planning a new passive solar home, a portion of the south side of your house must have an unobstructed “view” of the sun. Consider possible future uses of the land to the south of your site—small trees become tall trees, and a future multi-story building can block your home’s access to the sun. In some areas, zoning or other land use regulations protect landowners’ solar access. If solar access isn’t protected in your region, look for a lot that is deep from north to south and place the house on the north end of the lot.

HOW A PASSIVE SOLAR HOME DESIGN WORKS

In simple terms, a passive solar home collects heat as the sun shines through south-facing windows and retains it in materials that store heat, known as thermal mass. The share of the home’s heating load that the passive solar design can meet is called the passive solar fraction, and depends on the area of glazing and the amount of thermal mass. The ideal ratio of thermal mass to glazing varies by climate. Well-designed passive solar homes also provide daylight all year and comfort during the cooling season through the use of nighttime ventilation.

#### VOTE NEG—

#### 1. PREDICTABLE LIMITS—allowing the aff to incentivize parts of the production process or anything that is a related by-product explodes the topic.

#### 2. AFF GROUND—getting to incentivize energy unfairly gives the aff built in uniqueness and links for advantages that we can’t predict or have answers to based on solvency.

### 1NC DA

#### Immigration is the top issue – has momentum to pass

THE HILL 2 – 5 – 13 [Hoyer favors Obama's immigration plan over Senate's, <http://thehill.com/homenews/house/281209-hoyer-favors-obamas-immigration-plan-over-senates>]

Hoyer's position aligns him with President Obama as lawmakers tread carefully into the immigration-reform debate that's sure to consume a great deal of Capitol Hill's political oxygen this year.

"It's somewhat a subject[ive] judgment whether the borders are secure or not secure," Hoyer told reporters in the Capitol. "Nobody believes that the borders in a democratic, open country are ever going to be totally non-porous.

"I think the two [citizenship and security] are related," he added, "but ought not to be contingent upon the other."

Often a third rail in Washington, the issue of immigration reform has moved near the top of Congress's priority list this year largely as a result of November's elections, in which more than 70 percent of Hispanic voters chose Obama over GOP contender Mitt Romney.

Hoping to undercut that trend, Republicans – long opposed to comprehensive reform, particularly so-called "amnesty" provisions that would carve a pathway to citizenship for the nation's estimated 11 million illegal immigrants – have appeared much more open to an overhaul since the election.

Last week, a bipartisan group of influential senators unveiled a sweeping package that would bolster border security and guest worker programs – both desired by Republicans – while creating a pathway to citizenship for those living in the country illegally, a demand from the Democrats.

The Senate's plan would make the citizenship benefits “contingent upon securing the border" – a step Obama rejected when he outlined a similar plan a few days later.

The House Judiciary Committee held its first hearing on the thorny subject Tuesday, with the Senate vowing to follow later this month.

Hoyer said Tuesday that he's hopeful Congress will send a comprehensive reform bill to Obama this year.

"The Democrats want to see a comprehensive immigration bill, [and] I think the Republicans, frankly, think they need to be supportive of a comprehensive immigration bill," he said. "So combine the wants and the needs [and] I think there are good prospects."

#### Obama’s role as broker is key

FOLEY 1 – 15 – 13 reporter for the Huffington Post in Washington, D.C. She previously worked at The Washington Independent [Elise Foley, Obama Gears Up For Immigration Reform Push In Second Term, <http://www.huffingtonpost.com/2013/01/15/obama-immigration-reform_n_2463388.html>]

Obama has repeatedly said he will push hard for immigration reform in his second term, and administration officials have said that other contentious legislative initiatives -- including gun control and the debt ceiling -- won't be allowed to get in the way. At least at first glance, he seems to have politics on his side. GOP lawmakers are entering -- or, in some cases, re-entering -- the immigration debate in the wake of disastrous results for their party's presidential nominee with Latino voters, who support reform by large measures. Based on those new political realities, "it would be a suicidal impulse for Republicans in Congress to continue to block [reform]," David Axelrod, a longtime adviser to the president, told The Huffington Post.

Now there's the question of how Obama gets there. While confrontation might work with Republicans on other issues -- the debt ceiling, for example -- the consensus is that the GOP is serious enough about reform that the president can, and must, play the role of broker and statesman to get a deal.

It starts with a lesson from his first term. Republicans have demanded that the border be secured first, before other elements of immigration reform. Yet the administration has been by many measures the strictest ever on immigration enforcement, and devotes massive sums to policing the borders. The White House has met many of the desired metrics for border security, although there is always more to be done, but Republicans are still calling for more before they will consider reform. Enforcing the border, but not sufficiently touting its record of doing so, the White House has learned, won't be enough to win over Republicans.

In a briefing with The Huffington Post, a senior administration official said the White House believes it has met enforcement goals and must now move to a comprehensive solution. The administration is highly skeptical of claims from Republicans that immigration reform can or should be done in a piecemeal fashion. Going down that road, the White House worries, could result in passage of the less politically complicated pieces, such as an enforcement mechanism and high-skilled worker visas, while leaving out more contentious items such as a pathway to citizenship for undocumented immigrants.

#### Renewable energies spark massive congressional backlash.

Macneil 12—Professor at the University of Sydney [Robert, Alternative climate policy pathways in the US, Climate Policy, Volume No. 10 Sep 2012]

The election of Barack Obama in November 2008 to the Presidency of the US (along with strengthened majorities in both its House and Senate) led many in both the mainstream and academia to cautiously speculate that perhaps the country's hitherto woeful performance on climate-related issues might finally take a turn for the better (e.g. Bomberg and Super, 2009; Matisoff, 2010).1 Indeed, even those analysts who were rather skeptical of the ability of the US to play a leading role in the international climate change negotiations after 2008 emphasized the likelihood that, at the very least, Washington would pass a comprehensive domestic programme featuring the country's most important contribution to contemporary climate policy: a national market for GHG emissions trading (e.g. Paterson, 2009). As with all the serious contenders for the Democratic presidential nomination, Obama had campaigned for the need to enact comprehensive climate legislation. A mere 5 weeks into his first term, he had already requested, in a speech before a joint session of Congress, that a system-wide bill be delivered to him to sign as soon as possible. With large Democratic majorities in both houses, it appeared that the US was indeed all but certain to finally turn over a new leaf on climate and establish the type of emissions trading market that it had sold to the rest of the world a decade earlier at Kyoto. Yet, even the most ostensibly advantageous and progressive legislative dynamic in a quarter of a century proved fruitless, as the famed Senate sister bill of Waxman–Markey (formally known as the American Clean Energy and Security Act of 2009, H.R. 2454)—the Kerry-Boxer Bill (formally known as the Clean Energy Jobs and American Power Act of 2009, S. 1733)—promptly died in the upper chamber with (as noted in Economist, 2010) ‘barely the bathos of a whimper’. Soon after the Republican-dominated 112th House of Representatives rose to power in January 2011, the President stated publicly that such a bill would be unlikely to win passage until 2013 at the earliest. While the factors that led to the death of the bill are often described in fairly idiosyncratic terms—typically blamed on the Democrats’ relative lack of political capital following the debates over healthcare, the stimulus bill, and the auto sector bailout, for example (see Pooley, 2010)—the actual root causes are considerably more structural and complex and stem, inter alia, from the broad nature of energy production and consumption in the US, the emergence of environmentalism as an intensely partisan ‘wedge issue’ over the past three decades, the nature of the Democratic Party's contemporary electoral coalition, and the uniquely prohibitive nature of the legislative process in Washington. From this perspective (to be further discussed below), the US administration's request that such a programme be passed legislatively looks like a fool's errand (or, at least, an extremely optimistic view of the legislative situation), with an exceptionally low probability of success.

#### Key to High-Skilled – Current items don’t thump

PRESTON 1 – 12 – 13 NYT Staff [Julia Preston, Obama Will Seek Citizenship Path in One Fast Push, <http://www.nytimes.com/2013/01/13/us/politics/obama-plans-to-push-congress-on-immigration-overhaul.html?_r=0>]

Even while Mr. Obama has been focused on fiscal negotiations and gun control, overhauling immigration remains a priority for him this year, White House officials said. Top officials there have been quietly working on a broad proposal. Mr. Obama and lawmakers from both parties believe that the early months of his second term offer the best prospects for passing substantial legislation on the issue.

Mr. Obama is expected to lay out his plan in the coming weeks, perhaps in his State of the Union address early next month, administration officials said. The White House will argue that its solution for illegal immigrants is not an amnesty, as many critics insist, because it would include fines, the payment of back taxes and other hurdles for illegal immigrants who would obtain legal status, the officials said.

The president’s plan would also impose nationwide verification of legal status for all newly hired workers; add visas to relieve backlogs and allow highly skilled immigrants to stay; and create some form of guest-worker program to bring in low-wage immigrants in the future.

A bipartisan group of senators has also been meeting to write a comprehensive bill, with the goal of introducing legislation as early as March and holding a vote in the Senate before August. As a sign of the keen interest in starting action on immigration, White House officials and Democratic leaders in the Senate have been negotiating over which of them will first introduce a bill, Senate aides said.

“This is so important now to both parties that neither the fiscal cliff nor guns will get in the way,” said Senator Charles E. Schumer of New York, a Democrat who is a leader of the bipartisan discussions.

A similar attempt at bipartisan legislation early in Mr. Obama’s first term collapsed amid political divisions fueled by surging public wrath over illegal immigration in many states. But both supporters and opponents say conditions are significantly different now.

Memories of the results of the November election are still fresh here. Latinos, the nation’s fastest-growing electorate, turned out in record numbers and cast 71 percent of their ballots for Mr. Obama. Many Latinos said they were put off by Republicans’ harsh language and policies against illegal immigrants.

After the election, a host of Republicans, starting with Speaker John A. Boehner, said it was time for the party to find a more positive, practical approach to immigration. Many party leaders say electoral demographics are compelling them to move beyond policies based only on tough enforcement.

Supporters of comprehensive changes say that the elections were nothing less than a mandate in their favor, and that they are still optimistic that Mr. Obama is prepared to lead the fight.

“Republicans must demonstrate a reasoned approach to start to rebuild their relationship with Latino voters,” said Clarissa Martinez de Castro, the director of immigration policy at the National Council of La Raza, a Latino organization. “Democrats must demonstrate they can deliver on a promise.”

Since the election, Mr. Obama has repeatedly pledged to act on immigration this year. In his weekly radio address on Saturday, he again referred to the urgency of fixing the immigration system, saying it was one of the “difficult missions” the country must take on.

#### Labor crisis in aerospace now – temporary workers key to industry competitiveness and innovation

**AIAA 10** [American Institute of Aeronautics and Astronautics, "Recruiting, retaining, and developing a world-class aerospace workforce: An AIAA Information Paper, presented at the AIAA's 13th Annual AIAA Congressional Visits Day in March 2010, pdf, <http://www.doleta.gov/brg/indprof/aerospace_report.pdf>]

Without a strong aerospace workforce, the United States will lose the resulting economic and national security benefits. Incentives are needed for industry to invest in domestic aerospace workforce development, and for U.S. students to choose an engineering career. Barriers to employing talented foreign nationals must also be removed. Aerospace represents about $200 billion (or 1.5%) of the domestic economy and in 1997 provided a $56 billion positive trade balance. The aerospace workforce is the foundation of the industry’s success, yet unique workforce demographics present challenges. Figure 11 shows the age distribution of the aerospace business workforce compared to the total U.S. workforce. Up to half of the current aerospace workforce will be eligible for retirement within five years. Aerospace workforce composition does not match national demographic averages. Compared to the total US workforce, the aerospace industry and NASA have a disproportionately large percentage of workers aged 4055, and a disproportionately small percentage of workers younger than 40. Student loans, research dollars to support universities, and service scholarships can provide incentives for younger workers to consider aerospace and join the industry. If talented young engineers are not recruited, retained, and developed to replace the workforce generation that is near retirement, then the U.S. stands to lose the valuable economic and critical national security benefits of the domestic aerospace industry. As shown in Figure 22, large percentages of engineers are working outside the science and engineering professions. Engineering students burdened with college loans are seeking greener pastures. As shown in Figure 33, aerospace engineering salaries are low compared to other industries. If the U.S. is to retain its edge in this industry, salaries need to rise and incentives given for entering the industry. Further, since 1980, the number of nonacademic science and engineering jobs has grown at more than four times the rate of the U.S. labor force as a whole2. With a growing number of science and engineering jobs anticipated, the supply of visas set aside under law for “highly qualified foreign workers,” – 65,000 a year4 – is not enough. A decline in student, exchange, and temporary high-skilled worker visas issued since 2001 interrupted a long-term trend of growth. The number of student visas and of temporary high-skilled worker visas issued have both declined by more than 25% since FY 2001. These declines were due both to fewer applications and to an increase in the proportion of visa applications rejected2.To add to the supply pressures of science and engineering workers in our economy, there is increased recruitment of high-skilled labor, including scientists and engineers, by many national governments and private firms. For example, in 1999, 241,000 individuals entered Japan with temporary high-skill work visas, a 75 percent increase over 19925. Research and development [R&D] expenditures keep the aerospace industry strong and help maintain US leadership in this sector. As shown in Figure 46, the R&D tax credit is working to increase corporate spending on this important activity. In the early 1990s, after implementation of the R&D tax credit legislation, private expenditures on R&D rose2. Yet even with this incentive, U.S. industry research and development funding is lagging. In 2001, US industry spent more on tort litigation than on research and development4. Perhaps as a result, American companies are lagging in patents. In 2005, only four American companies ranked among the top 10 corporate recipients of patents granted by the United States Patent and Trademark Office4. And to further add to this distressing R&D dollars situation, federal research funding is lagging as well. The amount invested annually by the US federal government in research in the physical sciences, mathematics, and engineering combined is less than what Americans spend on potato chips7,8. RECOMMENDATIONS To remain globally competitive, the U.S. must adopt policies to increase our talent base in science, technology, engineering, and mathematics (STEM), must educate, engage, and retain STEM professionals using means consistent with generational changes in technologies and markets, and must provide incentives for investment in research and development that helps to attract applicable talent. The AIAA recommends policies in three areas to achieve these goals: incentives for college students to study engineering, and corporate incentives for investing in the aerospace workforce, and immigration for STEM professionals. In the area of incentives for college students to study engineering, forgivable loan programs should be implemented for students who study engineering and enter the domestic technical workforce. Service scholarships should be created to pay college for students who desire to and will serve in aerospace-related U.S. government agencies after graduation. In addition, investments must be made in aerospace research infrastructure and increasing R&D funding to universities, since good research opportunities attract talented students into graduate STEM studies. R&D dollars provide a fourfold return by supporting graduate students, generating knowledge, creating innovation opportunities for small businesses around universities, and building the next generation of talented engineers. In the area of corporate incentives for investing in the aerospace workforce, targeted tax credits or incentives should be instituted for domestic aerospace workforce development expenses. An IR&D-like program for aerospace workforce development should be established by allowing a small percentage of government contract funding to aerospace companies to go into a development fund to be used on effective programs to expand domestic workforce capabilities. In addition, the R&D tax credit should be made permanent, providing stability to corporate fiscal policies, and thereby fostering a critical technology and engineering research environment that attracts the best and brightest into the technology and engineering fields. Lastly, in the area of immigration, barriers should be removed so that the US may retain talented foreign nationals in STEM professions critical to the aerospace industry.

#### Military primacy requires the best scientists – denying foreign access kills heg.

**Paarlberg 04** [Prof. of Poli. Sci. at Wellesley, and Assoc.at the Weatherhead Center for International Affairs at Harvard Science, Military Dominance, and U.S. Security, Robert L. Paarlberg, International Security 29.1 (2004) 122-151]

Military primacy today rests on scientific primacy, and the scientific primacy ofthe United States rests on a remarkably durable foundation. Rather than threatening U.S. primacy in science, globalization has strengthened it. Yet science-based military primacy on the battlefield is clearly not a guarantee of security. Determined adversaries can innovate increasingly asymmetric tactics against an endless list of soft targets, and the more domination and resentment they feel under U.S. conventional military hegemony, the more incentive they will have to move toward these unconventional responses. Conventional victories that make new enemies may encourage a dangerous shift toward asymmetry, and if the United States then responds by indiscriminately denying foreigners access to the homeland, U.S. primacy in science could itself be critically weakened. The war against international terror should be fought with science, rather than at the expense of science. The homeland security strategy of the United States should include much larger science investments in disciplines such as chemistry, physics, biotechnology, nanotechnology, and information technology, where promising new counterterror applications are sure to be found. Smart societies can develop not only smart new weapons for conventional use abroad, but also smart new capabilities for threat detection and soft target protection [End Page 150] at home. For example, nanofabrication may hold the key to a timely detection system for some terror bombing threats. Silicon polymer nanowires 2,000 times thinner than a human hair can cheaply detect traces of TNT and piric acid in both water and air, and might someday be developed and deployed into "smart" cargo containers, to protect against terrorist bombs. New information technologies using powerhouse terascale computing capabilities may soon be able to help in tracking and anticipating the behavior of terror networks.90 New systems capable of detecting dangerous amounts of radiation are increasingly affordable and unobtrusive, and the Department of Homeland Security has proposed development of a fully networked national sensor system to monitor the air continuously for pathogens, dangerous chemicals, and other public hazards. One line of defense already in place in thirty cities is a Lawrence Livermore National Laboratory-designed system for monitoring the air for biological attack.

#### Science and technology leadership is key to heg.

**Segal 04** [Adam Segal, November/December 2004. Maurice R. Greenberg Senior Fellow in China Studies @ CFR. “Is America Losing Its Edge?” Foreign Affairs 83:6, Lexis.]

The United States' global primacy depends in large part on its ability to develop new technologies and industries faster than anyone else. For the last five decades, U.S. scientific innovation and technological entrepreneurship have ensured the country's economic prosperity and military power. It was Americans who invented and commercialized the semiconductor, the personal computer, and the Internet; other countries merely followed the U.S. lead. Today, however, this technological edge-so long taken for granted-may be slipping, and the most serious challenge is coming from Asia. Through competitive tax policies, increased investment in research and development (R&D), and preferential policies for science and technology (S&T) personnel, Asian governments are improving the quality of their science and ensuring the exploitation of future innovations. The percentage of patents issued to and science journal articles published by scientists in China, Singapore, South Korea, and Taiwan is rising. Indian companies are quickly becoming the second-largest producers of application services in the world, developing, supplying, and managing database and other types of software for clients around the world. South Korea has rapidly eaten away at the U.S. advantage in the manufacture of computer chips and telecommunications software. And even China has made impressive gains in advanced technologies such as lasers, biotechnology, and advanced materials used in semiconductors, aerospace, and many other types of manufacturing. Although the United States' technical dominance remains solid, the globalization of research and development is exerting considerable pressures on the American system. Indeed, as the United States is learning, globalization cuts both ways: it is both a potent catalyst of U.S. technological innovation and a significant threat to it. The United States will never be able to prevent rivals from developing new technologies; it can remain dominant only by continuing to innovate faster than everyone else. But this won't be easy; to keep its privileged position in the world, the United States must get better at fostering technological entrepreneurship at home.

#### The end result is nuclear wars

Kagan 07 – Senior associate @ Carnegie Endowment for International Peace [Robert Kagan (Senior transatlantic fellow at the German Marshall Fund), “End of Dreams, Return of History,” Policy Review, August & September 2007, pg. http://www.hoover.org/publications/policyreview/8552512.html]

The jostling for status and influence among these ambitious nations and would-be nations is a second defining feature of the new post-Cold War international system. Nationalism in all its forms is back, if it ever went away, and so is international competition for power, influence, honor, and status. American predominance prevents these rivalries from intensifying — its regional as well as its global predominance. Were the United States to **diminish its influence** in the regions where it is currently the strongest power, the other nations would settle disputes as great and lesser powers have done in the past: sometimes through diplomacy and accommodation but often through confrontation and wars of varying scope, intensity, and destructiveness. One novel aspect of such a multipolar world is that most of these powers would possess nuclear weapons. That could make wars between them less likely, or it could simply make them more catastrophic. **It is** easy but also **dangerous to underestimate the role the U**nited **S**tates **plays in providing** a measure of **stability in the world** even as it also disrupts stability. For instance, the United States is the dominant naval power everywhere, such that other nations cannot compete with it even in their home waters. They either happily or grudgingly allow the United States Navy to be the guarantor of international waterways and trade routes, of international access to markets and raw materials such as oil. Even when the United States engages in a war, it is able to play its role as guardian of the waterways. In a more genuinely multipolar world, however, it would not. Nations would compete for naval dominance at least in their own regions and possibly beyond. Conflict between nations would involve struggles on the oceans as well as on land. **Armed embargos**, of the kind used in World War I **and** other **major conflicts**, would disrupt trade flows in a way that is now impossible. Such order as exists in the world rests not merely on the goodwill of peoples but on a foundation provided by American power. Even the European Union, that great geopolitical miracle, owes its founding to American power, for without it the European nations after World War ii would never have felt secure enough to reintegrate Germany. Most Europeans recoil at the thought, but even today Europe ’s stability depends on the guarantee, however distant and one hopes unnecessary, that the United States could step in to check any dangerous development on the continent. In a genuinely multipolar world, that would not be possible without renewing the danger of world war. People who believe greater equality among nations would be preferable to the present American predominance often succumb to a basic logical fallacy. They believe the order the world enjoys today exists independently of American power. They imagine that in a world where American power was diminished, the aspects of international order that they like would remain in place. But that ’s not the way it works. International order does not rest on ideas and institutions. It is shaped by configurations of power. The international order we know today reflects the distribution of power in the world since World War ii, and especially since the end of the Cold War. A different configuration of power, a multipolar world in which the poles were Russia, China, the United States, India, and Europe, would produce its own kind of order, with different rules and norms reflecting the interests of the powerful states that would have a hand in shaping it. Would that international order be an improvement? Perhaps for Beijing and Moscow it would. But it is doubtful that it would suit the tastes of enlightenment liberals in the United States and Europe. The current order, of course, is not only far from perfect but also offers no guarantee against major conflict among the world ’s great powers. Even under the umbrella of unipolarity, regional conflicts involving the large powers may erupt. War could erupt between **China and Taiwan** and draw in both the United States and Japan. War could erupt between **Russia and Georgia**, forcing the United States and its European allies to decide whether to intervene or suffer the consequences of a Russian victory. Conflict between **India and Pakistan** remains possible, as does conflict between **Iran and Israel** or other Middle Eastern states. These, too, could draw in other great powers, including the United States. Such conflicts may be unavoidable no matter what policies the United States pursues. But they are more likely to erupt if the United States weakens or withdraws from its positions of regional dominance. This is especially true in East Asia, where most nations agree that a reliable American power has a **stabilizing and pacific effect** on the region. That is certainly the view of most of China ’s neighbors. But even China, which seeks gradually to supplant the United States as the dominant power in the region, faces the dilemma that an American withdrawal could unleash an ambitious, independent, nationalist Japan. In Europe, too, the departure of the United States from the scene — even if it remained the world’s most powerful nation — could be destabilizing. It could tempt Russia to an even more overbearing and potentially forceful approach to unruly nations on its periphery. Although some realist theorists seem to imagine that the disappearance of the Soviet Union put an end to the possibility of confrontation between Russia and the West, and therefore to the need for a permanent American role in Europe, history suggests that conflicts in Europe involving Russia are possible even without Soviet communism. If the United States withdrew from Europe — if it adopted what some call a strategy of “offshore balancing” — this could in time increase the likelihood of conflict involving Russia and its near neighbors, which could in turn draw the United States back in under unfavorable circumstances. It is also optimistic to imagine that a retrenchment of the American position in the Middle East and the assumption of a more passive, “offshore” role would lead to security became threatened. That commitment, paired with the American commitment to protect strategic oil supplies for most of the world, practically ensures a heavy American military presence in the region, both on the seas and on the ground. The subtraction of American power from any region would not end conflict but would simply change the equation. In the Middle East, competition for influence among powers both inside and outside the region has raged for at least two centuries. The rise of Islamic fundamentalism doesn ’t change this. It only adds a new and more threatening dimension to the competition, which neither a sudden end to the conflict between Israel and the Palestinians nor an immediate American withdrawal from Iraq would changegreater stability there. The vital interest the United States has in access to oil and the role it plays in keeping access open to other nations in Europe and Asia make it unlikely that American leaders could or would stand back and hope for the best while the powers in the region battle it out. Nor would a more “even-handed” policy toward Israel, which some see as the magic key to unlocking peace, stability, and comity in the Middle East, obviate the need to come to Israel ’s aid if its . **The alternative to American predominance** in the region **is not balance and peace**. It is further competition. The region and the states within it remain relatively weak. A diminution of American influence would not be followed by a diminution of other external influences. One could expect deeper involvement by both China and Russia, if only to secure their interests. 18 And one could also expect the more powerful states of the region, particularly Iran, to expand and fill the vacuum. It is doubtful that any American administration would voluntarily take actions that could shift the balance of power in the Middle East further toward Russia, China, or Iran. The world hasn ’t changed that much. An American withdrawal from Iraq will not return things to “normal” or to a new kind of stability in the region. It will produce a new instability, **one likely to draw the U**nited **S**tates **back in** again. The alternative to American regional predominance in the Middle East and elsewhere is not a new regional stability. In an era of burgeoning nationalism, the future is likely to be one of intensified competition among nations and nationalist movements. Difficult as it may be to extend American predominance into the future, no one should imagine that a reduction of American power or a retraction of American influence and global involvement will provide an easier path. // 1nc

### 1NC CP

#### Text—The fifty state governments and all relevant territories of the United States should issue a commercial solar tax credit for passive solar design. The state tax credit system should be based on the Internal Revenue Service model. The states should remove relevant state-level restrictions and regulations that hinder passive solar design, development, and placement.

#### States solve clean energy best—aggressive policy, empirics, and innovation

(CEE) Clean Energy Group, No date given [“Clean Energy Federalism,” <http://www.cleanegroup.org/what-we-do/clean-energy-federalism/>, States Lead, Washington Follows]

Over the past decade, states have provided critical financial support to spur thousands of new, clean energy projects using a range of financial support tools, from rebates to competitive grants to loans. Complementing these tools is a set of aggressive public policies at the state level — from tax incentives, net metering, and interconnection rules to renewable portfolio standards. States also are implementing various economic development programs, including industry cluster support, incubators, workforce training and other investments.

Demonstrating Results

The most recent data show that between 1998 and 2009, states, through their own funds, have supported over 72,000 new, clean energy projects across the United States. To bring these projects to market over this eleven year period, states have invested $2.7 billion of their own public funds, almost a half a billion dollars in state funds in 2009 alone. This is separate and apart from any federal stimulus funds, a remarkable demonstration of the states’ commitment to clean energy as part of their future economic development strategies.

Why States are in the Lead

It makes sense that states have been on the cutting edge of clean energy technology deployment. In addition to financial support for clean energy, through their utility regulators, states decide what kind of power plants — coal, oil, solar, or wind — are financed and built in the U.S. While the federal government can influence state energy investment decisions through research and development funding and tax incentives, federal agencies ultimately have little control over those electric power generation decisions.

#### States are great at incentivizing solar energy—New Jersey proves

**New Jersey Star Ledger 08/03**/2012 [Christian Schoning, Energy Security Intern, “How N.J. solar energy outshines the other 49 states,” http://blog.nj.com/njv\_guest\_blog/2012/08/how\_nj\_solar\_energy\_outshines.html

To say that New Jersey has made leaps and bounds in the solar industry is an understatement. In the first quarter of this year, New Jersey has become the largest solar market in America, with the rate of installations even outpacing the much larger, much sunnier California. New Jersey remains second only to California in total megawatts of solar power installed, according to the Solar Energy Industries Association.

The solar market, most importantly, brings jobs and a boost to the economy. With unemployment at 9.6 percent—currently fourth-worst in the country—this is crucial. Let's be clear—this is the reason why the cut-happy Christie took solar subsidies off the fiscal chopping block. The solar industry in New Jersey employs nearly 3,000 workers and comprises close to 500 businesses, according to 2011 data from the Solar Foundation. As New Jersey solidifies its mature position in the industry-and continues to do so under sustained support from Trenton-its businesses stand poised to expand to other state markets and to accept workers from places where the solar industry is not welcome.

The solar boom in New Jersey has been ushered in by a series of forward-thinking, smart policies of incentives and subsidies. In 2001, when the solar incentives programs were launched, New Jersey had six photovoltaic systems installed in the entire state. As of last week, that number had rocketed to 15,778, with another 4,400 projects in the pipeline.

The recent legislation focuses on improving these programs. In a bipartisan manner, it deftly caters to both the utilities and solar owners and installers while addressing the fundamental issue with the current system-namely, that the solar industry would become a victim of its own explosive growth.

The same New Yorkers who brand their neighboring state "the armpit of America" are poised to adopt a solar incentive program nearly identical to the one New Jersey has now. Massachusetts, Maryland and Ohio have all incorporated aspects of New Jersey's solar policies into their own solar programs.

Pennsylvania looked to New Jersey as its less-developed solar market was hit far worse with the same overloading growth and resulting fall-off of SREC prices, sending the industry to a screeching halt. New Jersey proved once again its leadership position as it decisively forged ahead with adjusting the system. Any hopes for similar action in the Keystone State appear lost in committee in Harrisburg. Succinctly put, New Jersey's solar policies have been immensely successful and have given it a national leadership position on the issue.

### Case

#### Representations of crisis do not change reality.

**Balzacq 5** (Thierry, Professor of Political Science and International Relations at Namur University, “The Three Faces of Securitization: Political Agency, Audience and Context” European Journal of International Relations, London: Jun 2005, Volume 11, Issue 2)

However, despite important insights, this position remains highly disputable. The reason behind this qualification is not hard to understand. With great trepidation my contention is that one of the main distinctions we need to take into account while examining securitization is that between 'institutional' and 'brute' threats. In its attempts to follow a more radical approach to security problems wherein threats are institutional, that is, mere products of communicative relations between agents, the CS has neglected the importance of 'external or brute threats', that is, threats that **do not depend** on language mediation to be what they are - hazards for human life. In methodological terms, however, any framework over-emphasizing either institutional or brute threat risks losing sight of important aspects of a **multifaceted phenomenon**. Indeed, securitization, as suggested earlier, is successful when the securitizing agent and the audience reach a common structured perception of an ominous development. In this scheme, there is no security problem except through the language game. Therefore, how problems are 'out there' is exclusively contingent upon how we linguistically depict them. This is not always true. For one, language **does not construct** reality; at best, it shapes our perception of it. Moreover, it is **not theoretically useful** nor is it **empirically credible** to hold that what we say about a problem would determine its essence. For instance, what I say about a typhoon would not change its essence. The consequence of this position, which would require a deeper articulation, is that some security problems are the attribute of the development itself. In short, threats are not only institutional; some of them can actually wreck entire political communities **regardless of** the use of language. Analyzing security problems then becomes a matter of understanding how external contexts, including external objective developments, affect securitization. Thus, far from being a departure from constructivist approaches to security, external developments are central to it.

#### Ontology does not come first.

**Owen 2** (David, Reader of Political Theory at the University of Southampton, Reader of Political Theory at the Univ. of Southampton, Millennium Volume 31 No 3 p. 655-657)

Commenting on the ‘philosophical turn’ in IR, Wæver remarks that ‘[a] frenzy for words like “epistemology” and “ontology” often signals this philosophical turn’, although he goes on to comment that these terms are often used loosely.4 However, loosely deployed or not, it is clear that debates concerning ontology and epistemology play a central role in the contemporary IR theory wars. In one respect, this is unsurprising since it is a characteristic feature of the social sciences that periods of disciplinary disorientation involve recourse to reflection on the philosophical commitments of different theoretical approaches, and there is no doubt that such reflection can play a valuable role in making explicit the commitments that characterise (and help individuate) diverse theoretical positions. Yet, such a philosophical turn is not without its dangers and I will briefly mention three before turning to consider a confusion that has, I will suggest, helped to promote the IR theory wars by motivating this philosophical turn. The first danger with the philosophical turn is that it has an inbuilt tendency to prioritize issues of ontology and epistemology over explanatory and/or interpretive power as if the latter two were merely a simple function of the former. But while the explanatory and/or interpretive power of a theoretical account is not wholly independent of its ontological and/or epistemological commitments (otherwise criticism of these features would not be a criticism that had any value), it is by no means clear that it is, in contrast, wholly dependent on these philosophical commitme

nts. Thus, for example, one need not be sympathetic to rational choice theory to recognise that it can provide powerful accounts of certain kinds of problems, such as the tragedy of the commons in which dilemmas of collective action are foregrounded. It may, of course, be the case that the advocates of rational choice theory cannot give a good account of why this type of theory is powerful in accounting for this class of problems (i.e., how it is that the relevant actors come to exhibit features in these circumstances that approximate the assumptions of rational choice theory) and, if this is the case, it is a philosophical weakness—but this does not undermine the point that, for a certain class of problems, rational choice theory may provide the best account available to us.In other words, while the critical judgement of theoretical accounts in terms of their ontological and/or epistemological sophistication is one kind of critical judgement, it is not the only or even necessarily the most important kind. The second danger run by the philosophical turn is that because prioritisation of ontology and epistemology promotes theory-construction from philosophical first principles, it cultivates a theory-driven rather than problem-driven approach to IR. Paraphrasing Ian Shapiro, the point can be put like this: since it is the case that there is always a plurality of possible true descriptions of a given action, event or phenomenon, the challenge is to decide which is the most apt in terms of getting a perspicuous grip ontheaction, event or phenomenon in question given the purposes of the inquiry; yet, from this standpoint, ‘theory-driven work is part of a reductionist program’ in that it ‘dictates always opting for the description that calls for the explanation that flows from the preferred model or theory’. 5 The justification offered for this strategy rests on the mistaken belief that it is necessary for social science because general explanations are required to characterise the classes of phenomena studied in similar terms. However, as Shapiro points out, this is to misunderstand the enterprise of science since ‘whether there are general explanations for classes of phenomena is a question for social-scientific inquiry, not to be prejudged before conducting that inquiry’.6 Moreover, this strategy easily slips into the promotion of the pursuit of generality overthat of empirical validity. The third danger is that the preceding two combine to encourage the formation of a particular image of disciplinary debate in IR—what might be called (only slightly tongue in cheek) ‘the Highlander view’—namely, an image of warring theoretical approaches with each, despite occasional temporary tactical alliances, dedicated to the strategic achievement of sovereignty over the disciplinary field. It encourages this view because the turn to, and prioritisation of, ontology and epistemology stimulates the idea that there can only be one theoretical approach which gets things right, namely, the theoretical approach that gets its ontology and epistemology right. This image feeds back into IR exacerbating the first and second dangers, and so a potentially vicious circle arises.

#### Accept all ontologies. These questions are unresolvable.

**Puzzuto ‘6** (Margaret, Assistant Prof. Soc. – East Carolina U. , and Richard, Associate Prof. Soc. – ECU, Qualitative Social Work, “Truth in Our Time”, 5:4, Sage)

From the authors’ perspective, the problem is not which ontology a researcher embraces. Rather, problems arise based on two practices; the first of these is the call for orthodoxy. Such homogeneity is neither necessary nor even desirable. Ontological and epistemological questions are not empirical questions. They are neither subject to resolution via empirical analysis nor is it necessary that there be a single answer to the question, though continued reflection and discussion is desirable. This difference or ‘otherness’ in ontological and epistemological perspectives is not a deficit. Bakhtin (1986) and Levinas (1996) have emphasized that it is through the ‘other’ that the self becomes knowable. This ‘self ’ can be either individual or culture. For our purposes we are envisioning ‘research cultures’ populated by adherents of various perspectives. Bakhtin (1986: 7) stated, ‘it is only in the eyes of another culture that foreign culture reveals itself fully and profoundly’. The contact between cultures and resulting dialogue raises new questions, reveals new aspects, and new depths of meaning. Further, Bakhtin (1986: 7) stated that ‘such a dialogic encounter of two cultures does not result in merging or mixing. Each retains its own unity and open totality, but they are mutually enriched’. From this perspective the elimination of the other lessens the possibility of the self. Each of the perspectives is enhanced by the others. For the profession of social work, there is a stated mission. For practice within the USA, it is elaborated as such: The primary mission of the social work profession is to enhance human wellbeing and help meet the basic human needs of all people, with particular attention to the needs and empowerment of people who are vulnerable, oppressed, and living in poverty. (National Association of Social Workers [NASW], 1996: para. 1) This mission is approached by the application of knowledge, skill and technique in practice. The context of the practice will change over time as can be seen by even the most cursory glance at social work history. The type of knowledge necessary to address the mission has changed and is likely to change again in the future. As Bookchin (1990) has pointed out, it is diversity that enables successful adaptation in times of transformation. The broad seeking of singular answers including the seeking of a singular research method may not, and from the authors’ perspective is not, in the interest of social work. The second problem with rigid stances concerning ontology is the practice of critiquing others’ research from a position that is ultimately, even if covertly, ontologically different. If ontologies are ultimately beliefs, rejecting a method or technique from a different ontology solely due to its difference is analogous to declaring that a Jewish person is not religious because he or she does not observe Christmas, or declaring a Christian non-religious because he or she does not observe Yom Kippur. Judaism and Christianity are closely related belief systems but dialogue across the division of beliefs has proven quite difficult. The self-understanding of a research approach is guided by its ontology. In turn, the research act, as seen by the researcher, is quite different depending on the assumed philosophical perspective. The resolution of the qualitative–quantitative debate may have been achieved by acknowledging only some forms of qualitative research and designating other forms as ‘not research’. This appears to be tactic employed by evidence-based practice advocates.Perhaps the way that the critical realist-constructionist debate is being handled is parallel: a blanket rejection of some kinds of research as ‘not methodologically rigorous’ or ‘not research’. Blanket dismissal of alternate perspectives is not a new event. It can be found in Hudson’s (1982/1995) and Brekke’s (1986/1995) challenge to Heineman [Pieper] (1981), and Rosen’s (1994) critique of Kondrat (1992). Hudson decried the abandonment of research when Heineman Pieper suggested that research could arise from a post positivist perspective. Brekke labeled nonpositivist research as being equal to a ‘hallucination’. Rosen viewed Kondrat’s suggestion of a non-technical rational approach as a challenge to ‘scientifically based knowledge’ and ‘extra-scientific’. In each case, for the logical positivists ‘science’ is the ‘discovery’ of the regularities and qualities of an independently existent world. As Heineman Pieper so eloquently argued, that is not the only possible self identity of a researcher. Similarly, if one assumes the ‘truth’ of critical realism, that person will reject contructionist/hermeneutic based research as well as logical-positivist research for not adopting the methods and techniques that are consistent with the former ontology. Heineman-Pieper et al. (2002: 22) stated that people who adopt a social constructionist ontology ‘undermine . . . the scientific quality and value of social work research’. Their argument against research from a different ontological position thus parallels exactly the dismissal Heineman [Peiper]’s (1981) work received from logical positivists. Our plea is for the acceptance of difference. Accepting different ontological stances means that we must also accept as ‘legitimate research’ designs, techniques or methods that are consistent with the ontology and epistemology of the researcher. The research may be of varying quality. This can be addressed from within the perspective. The utility of the research can be addressed from a broader perspective. We have suggested two divides, qualitative–quantitative and belief in or rejection of a mind-independent reality. These divides provide four quadrants. To borrow from Nietzsche (1998), none of these quadrants have a ‘God’s eye’ perspective.

#### Ontology arguments perpetuate racism and Nazism.

Faye 6 — Emmanuel Faye, Associate Professor at the University Paris Ouest–Nanterre La Défense, translated into English by Alexis Watson and Richard J. Golsan, 2006 (“Nazi Foundations in Heidegger's Work,” *South Central Review*, Volume 23, Issue 1, Spring, Available Online to Subscribing Institutions via Project Muse)

In addition, the lectures currently available from 1933–34 reveal to us that Heidegger, in his book on Kant from 1929, only re-addresses the question "What is man?" so as to transform it in his seminars and writings from the 1930s, into "Who are we?" He responds, "we are the people," the only people who still have a "history" and a "völkisch destiny." In effect, Heidegger understands this people as "völkisch," that is to say according to his own terms, as a race (Rasse). For him, it is necessary to accomplish a "total transformation" of the existence of man, in accordance with "the education for the National Socialist worldview," inculcated in the people through the Führer's speeches (GA 36/37, 225). Can we seriously believe that for Heidegger these pro-Nazi views are only a fleeting political aberration that can be ignored in assessing the value of Being and Time? This would run counter to the most explicit affirmations of Heidegger himself. In effect in 1934, he explained [End Page 57] to his students that "care—'the most central term of Being and Time'—is the condition in which it is possible for man to be political in essence" (GA 36/37, 218). Heidegger declares at this time—one year after the National Socialist movement came to power—that "we ourselves," that is to say the German people, united under the Hitlerian Führung, are faced with an "even greater decision" than that which served as the origin of Greek philosophy! This decision, he specifies, "was articulated in my book, Being and Time." It concerns, he added, "a belief which must manifest itself through history" and concerns "the spiritual history of our people" (GA 36/37, 255). At the foundation of Heidegger's work, one thus finds not a philosophical idea, but rather a völkisch belief in the ontological superiority of a people and a race; moreover, the term völkisch designates in its Nazi usage the conception of a people as a marriage of blood and race, with "a strong anti-Semitic connotation," according to the Grimm dictionary. Frankly, an attentive reading of key paragraphs in Being and Time on death and historicity, with their celebration of sacrifice, of the choice of heroes and of the authentic destiny of Dasein in the community of the people, shows that this belief was already in place as of 1927. With Heidegger, the question of man has thus become a völkisch question. It is in this sense that I spoke earlier of Heidegger's intention to introduce Nazism into philosophy. Of course, no true philosophy can align itself with the project of the extermination of human beings, a project to which the Nazi movement was committed. Therefore, I do not wish to say that Heidegger produced a National Socialist philosophy, but rather that he did not hesitate to utilize philosophical expressions such as "truth of Being" or "essence of man" to express something else entirely.

#### Prioritize environmental existence over framing and ontology.

**Wapner 3** Paul Prf. And Director of the Global Environmental Policy Program @ American “Leftist Criticism of ‘Nature’” *Dissent* Winter p. 74-75

The third response to eco-criticism would require critics to acknowledge the ways in which they themselves silence nature and then to respect the sheer otherness of the nonhuman world. Postmodernism prides itself on criticizing the urge toward mastery that characterizes modernity. But isn’t mastery exactly what postmodernism is exerting as it captures the nonhuman world within its own conceptual domain? Doesn’t postmodern cultural criticism deepen the modernist urge toward mastery by eliminating the ontological weight of the nonhuman world? What else could it mean to assert that there is no such thing as nature? I have already suggested the postmodernist response: yes, recognizing the social construction of “nature” *does* deny the self-expression of the nonhuman world, but how would we know what such self-expression means? Indeed, nature doesn’t speak; rather, some person always speaks on nature’s behalf, and whatever that person says is, as we all know, a social construction. All attempts to listen to nature are social constructions—except one. Even the most radical postmodernist must acknowledge the distinction between physical existence and nonexistence. As I have said, postmodernists accept that there is a physical substratum to the phenomenal world even if they argue about the different meanings we ascribe to it. This acknowledgment of physical existence is crucial. We can’t ascribe meaning to that which doesn’t appear. What doesn’t exist can manifest no character. Put differently, yes, the postmodernist should rightly worry about interpreting nature’s expressions. And all of us should be wary of those who claim to speak on nature’s behalf (including environmentalists who do that). But we need not doubt the simple idea that a prerequisite of expression is existence. This in turn suggests that preserving the nonhuman world—in all its diverse embodiments—must be seen by eco-critics as a fundamental good. Eco-critics must be supporters, in some fashion, of environmental preservation. Postmodernists reject the idea of a universal good. They rightly acknowledge the difficulty of identifying a common value given the multiple contexts of our value-producing activity. In fact, if there is one thing they vehemently scorn, it is the idea that there can be a value that stands above the individual contexts of human experience. Such a value would present itself as a metanarrative and, as Jean- François Lyotard has explained, postmodernism is characterized fundamentally by its “incredulity toward meta-narratives.” Nonetheless, I can’t see how postmodern critics can do otherwise than accept the value of preserving the nonhuman world. The nonhuman is the extreme “other”; it stands in contradistinction to humans as a species. In understanding the constructed quality of human experience and the dangers of reification, postmodernism inherently advances an ethic of respecting the “other.” At the very least, respect must involve ensuring that the “other” actually continues to exist. In our day and age, this requires us to take responsibility for protecting the actuality of the nonhuman. Instead, however, we are running roughshod over the earth’s diversity of plants, animals, and ecosystems. Postmodern critics should find this particularly disturbing. If they don’t, they deny their own intellectual insights and compromise their fundamental moral commitment. Now, what does this mean for politics and policy, and the future of the environmental movement? Society is constantly being asked to address questions of environmental quality for which there are no easy answers. As we wrestle with challenges of global climate change, ozone depletion, loss of biological diversity, and so forth, we need to consider the economic, political, cultural, and aesthetic values at stake. These considerations have traditionally marked the politics of environmental protection. A sensitivity to eco-criticism requires that we go further and include an ethic of otherness in our deliberations. That is, we need to be moved by our concern to make room for the “other” and hence fold a commitment to the nonhuman world into our policy discussions. I don’t mean that this argument should drive all our actions or that respect for the “other” should always carry the day. But it must be a central part of our reflections and calculations. For example, as we estimate the number of people that a certain area can sustain, consider what to do about climate change, debate restrictions on ocean fishing, or otherwise assess the effects of a particular course of action, we must think about the lives of other creatures on the earth—and also the continued existence of the nonliving physical world. We must do so not because we wish to maintain what is “natural” but because we wish to act in a morally respectable manner. I have been using postmodern cultural criticism against itself. Yes, the postmodernists are right: we can do what we want with the nonhuman world. There is nothing essential about the realm of rocks, trees, fish, and climate that calls for a certain type of action. But postmodernists are also right that the only ethical way to act in a world that is socially constructed is to respect the voices of the others— of those with whom we share the planet but with whom we may not share a common language or outlook. There is, in other words, a limit or guiding principle to our actions. As political theorist Leslie Thiele puts it, “One can’t argue for the diversity of views of ‘nature’ without taking a stand for the diversity of nature.”

#### Empirically no link between enframing and war.

**Kaufman 9** Prof Poli Sci and IR – U Delaware (Stuart J, “Narratives and Symbols in Violent Mobilization: The Palestinian-Israeli Case,” *Security Studies* 18:3, 400 – 434)

Even when hostile narratives, group fears, and opportunity are strongly present, war occurs only if these factors are harnessed. Ethnic narratives and fears must combine to create significant ethnic hostility among mass publics. Politicians must also seize the opportunity to manipulate that hostility, evoking hostile narratives and symbols to gain or hold power by riding a wave of chauvinist mobilization. Such mobilization is often spurred by prominent events (for example, episodes of violence) that increase feelings of hostility and make chauvinist appeals seem timely. If the other group also mobilizes and if each side's felt security needs threaten the security of the other side, the result is a security dilemma spiral of rising fear, hostility, and mutual threat that results in violence. A virtue of this symbolist theory is that symbolist logic explains why ethnic peace is more common than ethnonationalist war. Even if hostile narratives, fears, and opportunity exist, severe violence usually can still be avoided if ethnic elites skillfully define group needs in moderate ways and collaborate across group lines to prevent violence: this is consociationalism.17 War is likely only if hostile narratives, fears, and opportunity spur hostile attitudes, chauvinist mobilization, and a security dilemma.

#### Problem-solution impact is backwards---acting with a flawed epistemology allows us to change that epistemology.

**Harris 7** (Graham, Adjunct Prf. @ Centre for Environment University of Tasmania, Seeking Sustainability in an age of complexity p. 9-10)

1 am not going to address the global 'litany' at length here. The arguments have been well made by others, especially and most elegantly by E. O. Wilson. What 1 wish to address here is the question: 'Can we grasp the complexity of it all and, if so, what do we do about it?' Given the fundamental nature of the problem the destruction of the biosphere and its ecosystem ser- vices together with the huge changes going on in human societies and cultures driven by globalisation and technological change the precautionary principle would suggest that even if the epistemology is flawed, the data are partial and the evidence is shaky, we should pay attention to the little we know and do whatever is possible to mitigate the situation even if we fundamentally disagree about the means and the ends. The only ethical course of action is, as John Ral- ston Saul writes," based on 'a sense of the other and of inclusive responsibility'. We know enough to act. Ethics is about uncertainty, doubt, system thinking and balancing difficult choices. It is about confronting the evidence**.** Over the past two or three decades, as there has been an increasing appre- ciation of the importance of good environmental management, and as western societies have become more open and the ICT revolution has made informa- tion much more widely available there has been a growing debate between the worlds of science, industry, government and the community around environ- mental ethics and environmental issues and their management. During this period new knowledge has been gained, ideas have changed///

(sometimes quite fundamentally) and there have been huge changes in government and social institutions and policies. We are all on a recursive journey together: we are lit- erally 'making it up as we go along'. This is not easy and there are no optimal solutions. This is an adaptive process requiring feedback from all parts of the system. Yes, there will be surprises. This is why it is so important that when we act we constantly reflect on what we know and what we are doing about it and where it is all going. As we reach the physical limits of the global biosphere the values we place on things are changing and must change further. A new environmental ethic is required, one that is less instrumental and more embracing. Traditionally there has tended to be a schism between those who take an anthropocentric view (that the world is there for us to use) and those who take the non-anthropocentric view (those who value nature in its own right). Orthodox anthropocentrisni dictates that non-human value is instrumental to human needs and interests. In contrast, non-anthropocentrics take an objectivist view and value nature intrinsically; some may consider the source of value in non-human nature to be independent of human consciousness.45 What is required is a more complex and systems view of ethics which finds a middle ground between the instrumentalist and objectivist views. Norton '46 for example, proposes an alternative and more complex theory of value - a universal Earth ethic - which values processes and dynamics as well as entities and takes an adaptive management view of changing system properties. For sustainable development to occur, choices about values will remain within the human sphere but we should no longer regard human preferences as the only criterion of moral significance. 'Humans and the planet have entwined destinies"' and this will be increasingly true in many and complex ways as we move forward. There are calls for an Earth ethic beyond the land ethic of Aldo Leopold.45 The science of ecology is being drawn into the web .49 Ecologists are becoming more socially and culturally aware and engaged" and the 'very doing' of ecology is becoming more ethical.tm' Some scientists are beginning to see themselves more as agents in relationships with society and less as observers.

## \*\*\* 2NC

### Interpretation—Overview

#### Energy and Power are different – Energy is potential – Power is what is produced for electricity

Touran 12 (Nick, Ph.D. in Nuclear Engineering – University of Michigan, "Power Basics (Terminology)", http://www.whatisnuclear.com/physics/power\_basics.html)

Before embarking on a meaningful discussion of nuclear power, we should touch base on the difference between power and energy, and some other terminology.

Power and Energy

A classic analogy used to describe power and energy is based on water towers. Water in the tower is energy and the flow of water out of the tower is power. Energy can be stored, like water. It can also flow. When energy flows, it can do work like moving stuff or lighting a house. The speed at which energy flows is called power. The same amount of energy can be released at high power (which will occur quickly) or at low power (which will take more time).

Energy is measured in Joules. A ton of wood might have 18 billion Joules of energy stored in it. Power is measured in Watts, which are just Joules per second. So if you burned that ton of wood in a week, your furnace would be putting out 18 GJ/week, which converts to 29.7 thousand Watts. If you burned it in a month, the furnace would be running at 6.8 thousand Watts. In the end, no matter how quickly you did it, you still used 18 GJ of energy. By the way, the amount of energy required to lift an apple 1 meter is about 1 Joule.

Power lingo in the electric industry

Rather than the standard units of Joules, electric companies bill by the kilowatt-hour, as you can see by looking at your most recent utility bill. This is just another measure of energy, akin to the Joule. 1 kW-hr is the amount of energy used if it is pulled at 1000 Watts for 1 hour. If you convert hours to seconds, you’ll find that this is equivalent to 3.6 million Joules.

Burnup

There is a specific amount of energy in each Uranium atom that can be released in a nuclear reactor. Thus, any kilogram of the same kind of Uranium has about the same amount of energy in it. In the nuclear industry, we use the term burnup to describe how much of this energy has been used up. It’s often discussed in units of Gigawatt-days (units of energy) per metric tonne (units of mass), or GWd/MT. The maximum theoretical burnup of Uranium is about 940 GWd/MT, with typical reactors reaching about 45 GWd/MT and fast reactors pushing 200GWd/MT.

#### Financial incentives are directly tied to an outcome—any other interpretation is too broad and allows a limitless number of incentives—that’s Dyson. And financial incentives are always tied to specific policy goals.

Williams 7—Nova Scotia Cooperative Council (Bob, Submission in Response to Consultation Paper: Renewed Energy Strategy 2007, http://www.gov.ns.ca/energy/Download.aspx?serverfn=./files/drm/f0c518e8-c38f-4d7f-9bca-e17ccc2b0b8b.pdf&downloadfn=submission%20-%2007%20-%20Bob%20Williams%20-%2020071212.pdf&contenttype=)

Anyone who has a reasonable amount of experience or knowledge of renewable energy development knows that there are two general approaches. One being the RPS and tendering model and the other is one of fixed price incentives, commonly known as feed in tariffs (FIT). It is also well recognized that if one is serious about local economic benefits being derived from renewable energy, indeed facilitating or stimulating ‘sustainable prosperity’, then the model known as ‘Community Power’ or CBED, Community Based Energy Development, is one that must be considered. It is not co-incidental that FIT as an incentive based policy go hand-in-hand with CBED. The word incentive is paramount here because it makes clear the fact that the primary objective of these mechanisms is not simply least direct cost, but is to achieve specific policy goals that are in addition to and complimentary to the generation of clean energy. Such goals commonly include promotion of technologies, siting of renewable energy projects and encouragement of new ownership models. In fact FITs were first designed and adopted in Europe to promote a specific ownership model, that of community ownership through co-operatives.

### Solar Power = Electricity

#### Solar power is conversion into electricity

Free dictionary, No Date

[http://www.thefreedictionary.com/solar+power]

solar power

n

(Engineering / Electrical Engineering) heat radiation from the sun converted into electrical power

### 2NC—AT: Overlimiting/Aff Innovation

#### Two—limits solve innovation.

Gibbert et al. 7—Michael Gibbert, Assistant Professor of Management at Bocconi University (Italy), et al., with Martin Hoeglis, Professor of Leadership and Human Resource Management at WHU—Otto Beisheim School of Management (Germany), and Lifsa Valikangas, Professor of Innovation Management at the Helsinki School of Economics (Finland) and Director of the Woodside Institute, 2007 (“In Praise of Resource Constraints,” *MIT Sloan Management Review*, Spring, Available Online at https://umdrive.memphis.edu/gdeitz/public/The%20Moneyball%20Hypothesis/Gibbert%20et%20al.%20-%20SMR%20(2007)%20Praise%20Resource%20Constraints.pdf, Accessed 04-08-2012, p. 15-16)

Resource constraints can also fuel innovative team performance directly. In the spirit of the proverb "necessity is the mother of invention," [end page 15] teams may produce better results because of resource constraints. Cognitive psychology provides experimental support for the "less is more" hypothesis. For example, scholars in creative cognition find in laboratory tests that subjects are most innovative when given fewer rather than more resources for solving a problem.

The reason seems to be that the human mind is most productive when restricted. Limited—or better focused—by specific rules and constraints, we are more likely to recognize an unexpected idea. Suppose, for example, that we need to put dinner on the table for unexpected guests arriving later that day. The main constraints here are the ingredients available and how much time is left. One way to solve this problem is to think of a familiar recipe and then head off to the supermarket for the extra ingredients. Alternatively, we may start by looking in the refrigerator and cupboard to see what is already there, then allowing ourselves to devise innovative ways of combining subsets of these ingredients. Many cooks attest that the latter option, while riskier, often leads to more creative and better appreciated dinners. In fact, it is the option invariably preferred by professional chefs.

The heightened innovativeness of such "constraints-driven" solutions comes from team members' tendencies, under the circumstances, to look for alternatives beyond "how things are normally done," write C. Page Moreau and Darren W. Dahl in a 2005 Journal of Consumer Research article. Would-be innovators facing constraints are more likely to find creative analogies and combinations that would otherwise be hidden under a glut of resources.

### CSP proves - limits

#### CSP technology proves – COLLECTING sunlight is the solar energy – SOLAR POWER is what is created

SOALR REIS no date The Solar PEIS has been prepared by the U.S. Department of Energy, Energy Efficiency and Renewable Energy Program and the U.S. Department of the Interior, Bureau of Land Management [<http://solareis.anl.gov/guide/solar/csp/index.cfm>]

Concentrating Solar Power (CSP) Technologies

Concentrating Solar Power (CSP) technologies use mirrors to concentrate (focus) the sun's light energy and convert it into heat to create steam to drive a turbine that generates electrical power.

CSP technology utilizes focused sunlight. CSP plants generate electric power by using mirrors to concentrate (focus) the sun's energy and convert it into high-temperature heat. That heat is then channeled through a conventional generator. The plants consist of two parts: one that collects solar energy and converts it to heat, and another that converts the heat energy to electricity. A brief video showing how concentrating solar power works (using a parabolic trough system as an example) is available from the Department of Energy Solar Energy Technologies Web site.

Within the United States, CSP plants have been operating reliably for more than 15 years. All CSP technological approaches require large areas for solar radiation collection when used to produce electricity at commercial scale.

CSP technology utilizes three alternative technological approaches: trough systems, power tower systems, and dish/engine systems.

### 2NC—Fairness O/W Edu

#### b. Prevents rigorous testing—we need to research and isolate weaknesses of the aff.

Zappen 4—James Zappen, Professor of Language and Literature at Rensselaer Polytechnic Institute [“The Rebirth of Dialogue: Bakhtin, Socrates, and the Rhetorical Tradition,” p. 35-36]

Finally, Bakhtin describes the Socratic dialogue as a carnivalesque debate between opposing points of view, with a ritualistic crownings and decrownings of opponents. I call this Socratic form of debate a contesting of ideas to capture the double meaning of the Socratic debate as both a mutual testing of oneself and others and a contesting or challenging of others' ideas and their lives. Brickhouse and Smith explain that Socrates' testing of ideas and people is a mutual testing not only of others but also of himself: Socrates claims that he has been commanded by the god to examine himself as well as others; he claims that the unexamined life is not worth living; and, since he rarely submits to questioning himself, "it must be that in the process of examining others Socrates regards himself as examining his own life, too." Such a mutual testing of ideas provides the only claim to knowledge that Socrates can have: since neither he nor anyone else knows the real definitions of things, he cannot claim to have any knowledge of his own; since, however, he subjects his beliefs to repeated testing, he can claim to have that limited human knowledge supported by the "inductive evidence" of "previous elenctic examinations." This mutual testing of ideas and people is evident in the Laches and also appears in the Gorgias in Socrates' testing of his own belief that courage is inseparable from the other virtues and in his willingness to submit his belief and indeed his life to the ultimate test of divine judgment, in what Bakhtin calls a dialogue on the threshold. The contesting or challenging of others' ideas and their lives and their ritualistic crowning/decrowning is evident in the Gorgias in Soocrates' successive refutations and humiliations of Gorgias, Polus, and Callicles.

### 2NC—50 State Fiat Good

#### Horizontal state climate co-op is unique and vital education to solve climate education—underexplored in legal thought.

Resnik et al. 8 [Judith, Arthur Liman Professor of Law at Yale Law School, Joshua, 2003 graduate of Yale Law School and a Ph.D candidate in history at Oxford University and Joseph, member of the Yale Law School class of 200850 Ariz. L. Rev. 709]

Less in view are the many joint actions undertaken by states. At the formal level of the Constitution's Compact Clause, some cross-jurisdictional state activities require congressional approval, which is provided through statutes approving specific compacts. n73 But more common than compacts are coordinated [\*727] initiatives through multistate executive orders, informal administrative agreements, or other joint ventures among similarly situated subnational actors. n74

The term "horizontal federalism" - state to state interaction - has recently gathered some attention within the legal academy n75 as a useful way to characterize exchanges mediated through the Full Faith and Credit Clause, the Dormant Commerce Clause, and the Fourteenth Amendment. n76 Scholars and policymakers have used examples ranging from marriage laws to the treatment of criminal offenders after incarceration, as they consider how regimes in one state must or can be used by another state when people or goods travel, n77 and whether courts or Congress should impose national resolutions of such questions. Furthermore, concerns about "horizontal aggrandizement" - the possibility that some states will take advantage of their superior resources to obtain national legislation beneficial to their interests at the expense of other states - have been elaborated in support of arguments for judicial oversight of congressional decisions. n78

Turning to the "vertical dimensions," one finds discussions of "cooperative federalism" - used to denote collaboration linking federal actors with either state or local actors, often in the context of city-or state-based implementation of national programs. n79 In addition, the ideas and practices of regionalism are central to scholars of local government. n80 But the legal federalism literature does not pay much attention to federalist practices that cross both vertical and horizontal dimensions at the same time, which (at the Conference from which this Article emerged) Daniel Farber suggested we call "diagonal federalism" n81 and [\*728] which we explore below as we discuss translocal organizations of government actors - "TOGAs."

Translocal action requires us, first, to reappraise the propriety of conceiving of states in the singular rather than appreciating their role as a collective national force and, second, to ask questions about what import this reconception could have for political theory, legal doctrine, and the desirability of regulatory interventions. To do so, in turn, entails attending to the differing interests within states. As detailed below, translocal organizations often key to one or another level of government (e.g., city, county, or state) or kind of governmental actor (e.g., mayor, council member, governor, or legislator). States are themselves aggregates of entities and of persons holding different (and sometimes conflicting) views of what constitutes that state's "interest." Evidence of such divergence comes regularly in courts and legislatures when such officials argue opposite sides of an issue. Several aspects of the formation and implementation of translocal policies are mediated through organizational structures developed during the twentieth century. Those entities enable local officials to make their marks on national and transnational policy. Much of what TOGAs do is both interesting and underexplored, empirically and normatively, especially in legal scholarship. n82

\*TOGAs = translocal organizations of government actors

## \*\*\* 1NR

**Overview**

**Decline causes US lashout.**

**Goldstein 7** - Professor of Global Politics and International Relations @ University of Pennsylvania [Avery Goldstein, “Power transitions, institutions, and China's rise in East Asia: Theoretical expectations and evidence,” [Journal of Strategic Studies](http://www.informaworld.com/smpp/title%7Edb=all%7Econtent=t713636064), Volume [30](http://www.informaworld.com/smpp/title%7Edb=all%7Econtent=t713636064%7Etab=issueslist%7Ebranches=30#v30), Issue [4 & 5](http://www.informaworld.com/smpp/title%7Edb=all%7Econtent=g780703608) August 2007, pages 639 – 682]

Two closely related, though distinct, theoretical arguments focus explicitly on the consequences for international politics of a shift in power between a dominant state and a rising power. In War and Change in World Politics, Robert Gilpin suggested that peace prevails when a dominant state’s capabilities enable it to ‘govern’ an international order that it has shaped. Over time, however, as economic and technological diffusion proceeds during eras of peace and development, other states are empowered. Moreover, the burdens of international governance drain and distract the reigning hegemon, and challengers eventually emerge who seek to rewrite the rules of governance. As the power advantage of the erstwhile hegemon ebbs, it may become desperate enough to resort to the ultima ratio of international politics, force, to forestall the increasingly urgent demands of a rising challenger. Or as the power of the challenger rises, it may be tempted to press its case with threats to use force. It is the rise and fall of the great powers that creates the circumstances under which major wars, what Gilpin labels ‘hegemonic wars’, break out.13 Gilpin’s argument logically encourages pessimism about the implications of a rising China. It leads to the expectation that international trade, investment, and technology transfer will result in a steady diffusion of American economic power, benefiting the rapidly developing states of the world, including China. As the US simultaneously scurries to put out the many brushfires that threaten its far-flung global interests (i.e., the classic problem of overextension), it will be unable to devote sufficient resources to maintain or restore its former advantage over emerging competitors like China. While the erosion of the once clear American advantage plays itself out, the US will find it ever more difficult to preserve the order in Asia that it created during its era of preponderance. The expectation is an increase in the likelihood for the use of force – either by a Chinese challenger able to field a stronger military in support of its demands for greater influence over international arrangements in Asia, or by a besieged American hegemon desperate to head off further decline. Among the trends that alarm those who would look at Asia through the lens of Gilpin’s theory are China’s expanding share of world trade and wealth (much of it resulting from the gains made possible by the international economic order a dominant US established); its acquisition of technology in key sectors that have both civilian and military applications (e.g., information, communications, and electronics linked with to forestall, and the challenger becomes increasingly determined to realize the transition to a new international order whose contours it will define. the ‘revolution in military affairs’); and an expanding military burden for the US (as it copes with the challenges of its global war on terrorism and especially its struggle in Iraq) that limits the resources it can devote to preserving its interests in East Asia.14 Although similar to Gilpin’s work insofar as it emphasizes the importance of shifts in the capabilities of a dominant state and a rising challenger, the power-transition theory A. F. K. Organski and Jacek Kugler present in The War Ledger focuses more closely on the allegedly dangerous phenomenon of ‘crossover’– the point at which a dissatisfied challenger is about to overtake the established leading state.15 In such cases, when the power gap narrows, the dominant state becomes increasingly desperate. Though suggesting why a rising China may ultimately present grave dangers for international peace when its capabilities make it a peer competitor of America, Organski and Kugler’s power-transition theory is less clear about the dangers while a potential challenger still lags far behind and faces a difficult struggle to catch up. This clarification is important in thinking about the theory’s relevance to interpreting China’s rise because a broad consensus prevails among analysts that Chinese military capabilities are at a minimum two decades from putting it in a league with the US in Asia.16 Their theory, then, points with alarm to trends in China’s growing wealth and power relative to the United States, but especially looks ahead to what it sees as the period of maximum danger – that time when a dissatisfied China could be in a position to overtake the US on dimensions believed crucial for assessing power. Reports beginning in the mid-1990s that offered extrapolations suggesting China’s growth would give it the world’s largest gross domestic product (GDP aggregate, not per capita) sometime in the first few decades of the twentieth century fed these sorts of concerns about a potentially dangerous challenge to American leadership in Asia.17 The huge gap between Chinese and American military capabilities (especially in terms of technological sophistication) has so far discouraged prediction of comparably disquieting trends on this dimension, but inklings of similar concerns may be reflected in occasionally alarmist reports about purchases of advanced Russian air and naval equipment, as well as concern that Chinese espionage may have undermined the American advantage in nuclear and missile technology, and speculation about the potential military purposes of China’s manned space program.18 Moreover, because a dominant state may react to the prospect of a crossover and believe that it is wiser to embrace the logic of preventive war and act early to delay a transition while the task is more manageable, Organski and Kugler’s power-transition theory also provides grounds for concern about the period prior to the possible crossover.19 pg. 647-650

**The transition to multi-polarity destroys international cooperation.**

**Schweller 9** (Randall L, Professor of political science @ Ohio State University, “Ennui Becomes Us,” The National Interest, http://www.nationalinterest.org/Article.aspx?id=22598)

AS power devolves throughout the international system, new actors will emerge and develop to compete with states as power centers. Along these lines, Richard Haass claims that we have entered an “age of nonpolarity,” in which states “are being challenged from above, by regional and global organizations; from below, by militias; and from the side, by a variety of nongovernmental organizations (NGOs) and corporations.” Of course, there is nothing especially new about this observation; cosmopolitan liberals have been pronouncing (prematurely, in my view) the demise of the nation-state—the so-called “hollow state” and a crisis of state power—and the rise of nonstate actors for many decades. What is new is that even state-centric realists like Fareed Zakaria are now predicting a post-American world, in which international order is no longer a matter decided solely by the political and military power held by a single hegemon or even a group of leading states. Instead, the coming world will be governed by messy ad hoc arrangements composed of à la carte multilateralism and networked interactions among state and nonstate actors. One wonders what order and concerted action mean in a world that lacks fixed and predictable structures and relationships. Given the haphazard and incomplete manner by which the vacuum of lost state power is being filled, why expect order at all? THE MACROPICTURE that emerges from these global trends is one of historically unprecedented change in a direction consistent with increasing entropy: unprecedented hegemonic decline; an unprecedented transfer of wealth, knowledge and economic power from West to East; unprecedented information flows; and an unprecedented rise in the number and kinds of important actors. Thus, the onset of this extreme multipolarity or multi-multipolarity will not herald, as some observers believe, a return to the past. To the contrary, it will signal that maximum entropy is setting in, that the ultimate state of inert uniformity and unavailable energy is coming, that time does have a direction in international politics and that there is no going back because the initial conditions of the system have been lost forever. If and when we reach such a point in time, much of international politics as we know it will have ended. Its deep structure of anarchy—the lack of a sovereign arbiter to make and enforce agreements among states—will remain. But increasing entropy will result in a world full of fierce international competition and corporate warfare; continued extremism; low levels of trust; the formation of nonstate identities that frustrate purposeful and concerted national actions; and new nongeographic political spaces that bypass the state, favor low-intensity-warfare strategies and undermine traditional alliance groupings. Most important, entropy will reduce and diffuse usable power in the system, dramatically reshaping the landscape of international politics. The United States will see its relative power diminish, while others will see their power rise. To avoid crises and confrontation, these ongoing tectonic changes must be reflected in the superstructure of international authority. Increasing entropy, however, means that the antiquated global architecture will only grow more and more creaky and resistant to overhaul. No one will know where authority resides because it will not reside anywhere; and without authority, there can be no governance of any kind. The already-overcrowded and chaotic landscape will continue to be filled with more meaningless stuff; and the specter of international cooperation, if it was ever anything more than an apparition, will die a slow but sure death.

**Notions of political absent security are idealist.**

**McCormack 10** (Tara, Lecturer in International Politics at the University of Leicester and has a PhD in International Relations from the University of Westminster, *Critique, Security and Power: The political limits to emancipatory approaches*, page 59-61)

The claims made for the central role of the values of the theorist reveal the theoretical limits of critical and emancipatory theory today. Yet even good or critical theory has **no agency**, and **only political action** can lead to change. Theory does of course play an important role in political change. This must be the first step towards a critical engagement with contemporary power structures and discourses. In this sense, we can see that it is critical theory that really has the potential to solve problems, unlike problem-solving theory which seeks only to ensure the smooth functioning of the existing order. Through substantive analysis the critical theorist can transcend the narrow and conservative boundaries of problem-solving theory by explaining how the problematic arises. Unlike problem-solving theory, critical theory makes claims to be able to explain why and how the social world functions as it does, it can go beyond the ‘given framework for action’. The critical theorist must therefore be able to differentiate between facts (or social reality) and values, this ability is what marks the critical theorist apart from the traditional or problem-solving theorists, who cannot, because of their values and commitment to the existing social world, go beyond the ‘given framework for action’. If we cannot differentiate between our desires or values or norms (or our perspective, to put it in Cox’s terms) and actually occurring social and political and historical processes and relationships, it is hard to see how we can have a critical perspective (Jahn, 1998: 614). Rather, through abolishing this division we can no longer draw the line between what we would like and everything else, and thereby contemporary critical theories are as much of a dogma as problem-solving theories. Contemporary critical theorists are like **modern-day alchemists**, believing that they can transform the base metal of the unjust international order into a golden realm of equality and justice through their own words. For contemporary critical theorists, all that seems that the crucial step towards progress to a better world order is for the theorist to state that their theory is for the purposes of emancipation and a just world order. Hedley Bull, writing in the 1970s, made a trenchant critique of advocates of world government (addressing, at that time, Richard Falk and other participants in the World Order Models Project). Bull warned of the problems of abandoning any analysis of the social, political and economic order as it was. Bull argued that the advocate of world government simply projects his or her own normative desires without basis in any ‘real’ social and political systems and processes. The assumption seems to be that a different order would have none of the problems or injustices of the contemporary world order, simply because the **critical theorists say so**. In this respect, Bull, who most likely would not be considered a critical theorist by today’s critical theorists, in fact shows a greater insight than many contemporary critical theorists: The advocate of world government makes the tacit assumption that it is his own moral and political preferences that will be embodied in it; he conceives the world authority as a projection of his own ideas, that is powerful enough to sweep aside the obstacles which now exist to the realisation of them. But this is an **evasion of the issue**; the world government with which the states system has to be compared is one that would be subject to the factors making for injustice in the present world, not one arbitrarily decreed to be immune from them. (2002 [1977]: 280–281) In his criticism of constructivist theorist Alexander Wendt, Neufeld argues that because of Wendt’s supposedly positivist and objectivist commitments, Wendt’s theory may end up serving political agendas very different to those that Wendt might intend to support. For Neufeld, Wendt cannot ask the crucial critical question, what and whom is Wendt’s constructivism for? (2001: 133). However, Neufeld gets the problem exactly the wrong way round. The theoretical problem that Neufeld has identified in Wendt is actually one that lies at the heart of critical and emancipatory approaches. Because of the critical refusal to separate facts and values and the conflation between theory and political action there is no room to consider the way in which critical theory may serve **political and normative agendas** independent of their value commitments. Theorists, as human beings, naturally have certain values and normative commitments. These values and normative commitments of course direct one’s questions and research but contemporary critical theorists seem to assume that because their heart is in the right place their work is done. However, values **cannot be a methodology** for critical engagement with social reality. The core of contemporary critical and emancipatory approaches is an assertion of normative intent and a belief that this is a substantive part of critical work. In light of this assumption, accusations of normative idealism or even **fantasy theory** are reasonably justly earned. And whilst we might reject naïve empiricist claims that facts are just, to paraphrase EH Carr’s witty critique of such approaches, like fish lying on a fishmonger’s slab, ready and accessible with their meanings clear (Carr, 2001 [1961]: 18), none the less it must surely be fundamental to critical theory that it can go beyond the ‘given framework for action’ to establish the ‘facts’ or the real social relations that lie behind this framework that the problem-solving theorist takes to be a natural fact, an ontological reality. This entails an engagement with and substantive analysis of contemporary power structures and discourse. Yet the elevation of the values of the theorist to playing a central role in critical theory is problematic in terms of the commitments of critical and emancipatory theorists to challenge contemporary power structures and discourses. We have seen in the previous chapters that critical theorists are aiming their critique at an international security framework that is of less and less relevance today, whilst their critical prescriptions are more similar than otherwise to the discourses of powerful states and international institutions. Crucially, although critical and emancipatory theorists claim to absolutely focus on power they do not seem to engage with the **problematic implications** of their prescriptions in the contemporary context. The sovereign state as a form of political organisation is certainly limited and many of the critiques of the state are well made. However, the emancipatory potential of non-state forms or international organisations is something that can only be considered in a specific and social historical context, there is nothing intrinsically emancipatory about any form of organisation. As radical commentators such as Costas Douzinas (2007) or Danilo Zolo (2002 [2000]) have pointed out, ‘human rights’ or other forms of supposedly cosmopolitan post-sovereign political organisation can, in certain contexts, be used to enforce structures of power. Within critical and emancipatory approaches there is, to paraphrase Friedrich Kratochwil (2007: 36), a certain unrealised constitutive understanding which is abstract and idealised. Critical and emancipatory approaches have an abstract and **idealized notion** of emancipation and the political which is not, despite the claims of critical and emancipatory theorists whose main aim is to engage with the here and now and the exercise of contemporary power relations, grounded in the contemporary social and political international context. Emancipation in itself as a word or a concept or as a good intention **cannot guarantee anything** in the absence of political content. At worst it can empower precisely those practices, which critical theorists wish to resolve.

**2AC—Framing**

**Existence outweighs other impacts. It is necessary for the “I” that can behave ethically or create meaning.**

**Gelven ’94** (Michael, Prof. Phil. – Northern Illinois U., “War and Existence: A Philosophical Inquiry”, p. 136-137)

The personal pronouns, like "I" and "We," become governed existentially by the possessive pronouns, like "ours," "mine," "theirs"; and this in turn becomes governed by the adjective "own." What is authentic becomes what is our own as a way of existing. The meaning of this term is less the sense of possession than the sense of belonging to. It is a translation of the German eigen, from which the term eigentlich (authentic) is derived. To lose this sense of one's own is to abandon any meaningfulness, and hence to embrace nihilism. To be a nihilist is to deny that there is any way of being that is our own; for the nihilist, what is one's own has no meaning. The threat here is not that what is our own may yield to what is not, but rather that the distinction itself will simply collapse. Unless I can distinguish between what is our own and what is not, no meaningfulness is possible at all. This is the foundation of the we-they principle. The pronouns in the title do not refer to anything; they merely reveal how we think. Like all principles, this existential principle does not determine specific judgments, any more than the principle of cause and effect determines what the cause of any given thing is. The we-they principle is simply a rule that governs the standards by which certain judgments are made. Since it is possible to isolate the existential meanings of an idea from the thinglike referent, the notions of we-ness and they-ness can be articulated philosophically. On the basis of this primary understanding, it is possible to talk about an "existential value," that is, the weight o. rank given to ways of existing in opposition to other kinds of value, such as moral or psychological values. But the principle itself is not, strictly speaking, a principle of value; it is an ontological principle, for its foundation is in the very basic way in which I think about what it means to be. The ground of the we-they principle is, quite simply, the way in which we think about being. Thus, it is more fundamental than any kind of evaluating or judging. One of the things that the authentic I can do, of course, is to concern itself with moral questions. Whether from a deontological sense of obligation or from a utilitarian projection of possible happiness, an I that considers these matters nevertheless is presupposed by them. Although authenticity and morality are distinct, a sense of who one is must precede a decision about how to act. Thus, the question of authenticity comes before the question of obligation. And since the worth of the I is generated from the prior worth of the we, it follows there can be no moral judgment that cancels out the worth of the I or the We. This is not to say that anything that benefits the we is therefore more important than what ought to be done. It is merely to say that any proper moral judgment will in fact be consistent with the integrity of the we. Thus, I would be morally prohibited from offending someone else merely for my own advantage, but no moral law would ever require me to forgo my existential integrity. This is true not only for moral questions but for any question of value whatsoever: all legitimate value claims must be consistent with the worth of the I and the We. It is only because my existence matters that I can care about such things as morality, aesthetics, or even happiness. Pleasure, of course, would still be preferable to pain, but to argue that one ought to have pleasure or even that it is good to have pleasure would simply reduce itself to a tautology: if I define pleasure as the satisfaction of my wants, then to say I want pleasure is tautological, for I am merely saying that I want what I want, which may be true but is not very illuminating. The existential worth of existing is therefore fundamental and cannot be outranked by any other consideration. Unless I am first meaningful, I cannot be good; unless I first care about who I am, I cannot genuinely care about anything else, even my conduct. To threaten this ground of all values, the worth of my own being, then becomes the supreme assault against me. To defend it and protect it is simply without peer. It is beyond human appeal or persuasion.

**Existence is a prerequisite to value**

**Wapner ‘3** (Paul, Associate Prof. and Dir. Global Env’t. Policy Prog. – American U., Dissent, “Leftist criticism of “nature””, Winter, 50:1, Proquest)

All attempts to listen to nature are social constructions--except one. Even the most radical postmodernist must acknowledge the distinction between physical existence and nonexistence. As I have said, postmodernists accept that there is a physical substratum to the phenomenal world even if they argue about the different meanings we ascribe to it. This acknowledgment of physical existence is crucial. We can't ascribe meaning to that which doesn't appear. What doesn't exist can manifest no character. Put differently, yes, the postmodernist should rightly worry about interpreting nature's expressions. And all of us should be wary of those who claim to speak on nature's behalf (including environmentalists who do that). But we need not doubt the simple idea that a prerequisite of expression is existence. This in turn suggests that preserving the nonhuman world-in all its diverse embodiments-must be seen by eco-critics as a fundamental good. Eco-critics must be supporters, in some fashion, of environmental preservation. Postmodernists reject the idea of a universal good. They rightly acknowledge the difficulty of identifying a common value given the multiple contexts of our value-producing activity. In fact, if there is one thing they vehemently scorn, it is the idea that there can be a value that stands above the individual contexts of human experience. Such a value would present itself as a metanarrative and, as Jean Francois Lyotard has explained, postmodernism is characterized fundamentally by its "incredulity toward meta-narratives." Nonetheless, I can't see how postmodern critics can do otherwise than accept the value of preserving the nonhuman world. The nonhuman is the extreme "other"; it stands in contradistinction to humans as a species. In understanding the constructed quality of human experience and the dangers of reification, postmodernism inherently advances an ethic of respecting the "other." At the very least, respect must involve ensuring that the "other" actually continues to exist. In our day and age, this requires us to take responsibility for protecting the actuality of the nonhuman. Instead, however, we are running roughshod over the earth's diversity of plants, animals, and ecosystems. Postmodern critics should find this particularly disturbing. If they don't, they deny their own intellectual insights and compromise their fundamental moral commitment.

**2AC—Link Wall**

#### Conclusive evidence. Backlash from a solar REIT would derail the Agenda.

TROIANOVSKI, WSJ, 10-10-12

(Anton, “Here's a Way to Cut Business Taxes: Tech Firms Become Real Estate Trusts,” http://online.wsj.com/article/SB10000872396390444657804578048880778578720.html, accessed 11-5-12, CMM)

The key: getting approval from the Internal Revenue Service to convert from a corporation into a real-estate investment trust, a type of company that generally doesn't pay taxes.¶ As both traditional landlords and an increasingly diverse array of other businesses have adopted the structure, the total market value of REITs jumped to $451 billion in 2011 from $9 billion in 1990, according to the National Association of Real Estate Investment Trusts.¶ Investors typically cheer when companies turn themselves into REITs. But some real-estate executives and analysts worry that the new wave of applicants—including a pair of companies that run private prisons—could spark a political backlash at a time when deficits and taxes are high on Washington's agenda.¶ "The real-estate companies correctly are nervous about this phenomenon," says Kenneth T. Rosen, a real-estate economics consultant and former manager of a hedge fund that invested in REITs. "The more it looks like a tax loophole, the more likely it is to affect them negatively."¶ That concern came to the fore last month after Jim Taiclet, American Tower's chief executive,touted the tax benefits of his company's conversion to a REIT in a television interview on business channel CNBC.¶ "Should we think of you as a real-estate company?" a reporter asked. "You should feel that we're a growth company that's taking advantage of the real-estate trust structure," Mr. Taiclet replied.¶ The video clip went viral in some corners of the REIT world.¶ American Tower says its primary business has always been real-estate-based. Mr. Taiclet's remarks on CNBC "merely pointed out that the company could continue its growth trajectory and operate as a REIT," a spokesman says.¶ Equinix, which unveiled plans a month ago to convert to a REIT, weighed the risk of changes in the tax code, but it wasn't deterred, says CEO Steve Smith. "Our advisers have told us that even if they wanted to change the policy around REIT conversions, it would take years because of the bureaucracy," he says.¶ Iron Mountain declined to comment.¶ REITs, which reported $25 billion in profits last year, were created by Congress in 1960. The idea was to let ordinary Americans buy shares in skyscrapers or shopping malls just as they could buy stock in a company or mutual fund.¶ The basic rules are simple. REITs have to have most of their assets and income tied to real estate, and they must pay out at least 90% of their taxable income as dividends.¶ The downside of that requirement is that money that could have funded new investments or acquisitions has to be distributed to investors. Still, companies are drawn to the fact REITs generally don't pay corporate tax.¶ Proponents of expanding the real-estate club argue that it makes sense for the definition of real estate to evolve as technologies change. The IRS for the most part has gone along, ruling in recent years that cellphone towers, billboards, data centers, and other facilities are "inherently permanent structures" that qualify for REIT treatment.¶ Critics, however, say the expansion risks being at odds with the original intent of Congress.¶ "The further you allow corporations that engage in a broader range of activities into the REIT cubbyhole, the further the erosion to the tax base," says Steven Rosenthal, a tax lawyer and visiting fellow at the Tax Policy Center who helped draft REIT legislation in the 1990s. "So long as we have a corporate-level tax, we should restrict these pass-through vehicles to limit their activity to holding real-estate investments on behalf of small investors."¶ A growing number of companies are testing the definition of what qualifies as real estate.¶ Data-center operator Equinix rents space to companies that need to house roomfuls of computer servers. It also provides services like power and telecom hookups. Existing data-center REITs typically consider that rental income tax free, but Equinix is testing the limits byalso trying to shelter the sums it makes charging clients to connect with the computer systems it houses.¶ Equinix generated about $68 million, or about 15% of its total revenue, from that "interconnection" business in the second quarter. CoreSite Realty Corp., COR -3.06% an existing data-center REIT, doesn't account for interconnection fees as tax-exempt real-estate income.¶ Equinix says the decision is up to the IRS.¶ Lamar Advertising Co. LAMR +0.86% says its traditional billboards, digital billboards and roadside signs touting food options at the next highway exit could count as rental property. Lamar, whose shares jumped as much as 14% on Aug. 8 after it said it might seek REIT status, didn't reply to requests for comment.¶ Iron Mountain is well known for its trucks that circulate through city streets collecting documents to be shredded or stored. The company says most of its income comes from the document-storage business, which has similarities to consumer self-storage businesses already established as REITs. But Iron Mountain has warned investors that IRS approval of its REIT conversion isn't assured. It estimates it will spend as much as $425 million on the conversion.¶ The debate over what businesses can get REIT treatment is likely to heat up. Mark D. Kirshenbaum, a tax lawyer at Goodwin Procter in Boston, says bankers and potential clients have inquired whether it would be possible to include wind, solar, and hydroelectric energy assets in REITs. Mr. Kirshenbaum says it isn't clear that would work.¶ Politicians have said little about REITs in this election cycle, but perceived abuses have landed in the political cross hairs before. When Republican presidential candidate Mitt Romney was governor of Massachusetts, the state cracked down on banks that had set up REIT subsidiaries to cut their tax bills. Mr. Romney has said he would look to eliminate some tax breaks if he became president, but he hasn't been specific.¶ UBS AG real-estate analyst Ross Nussbaum warned clients in June that Congress might re-evaluate REIT rules as a wave of "alternative" companies try to reap the structure's tax advantages.¶ "You have this growing crop of companies who are masquerading as real-estate companies," he says.

#### Links to politics—all agency action gets tied to Obama

Nicholas and Hook 10 [Peter and Janet, Staff Writers—LA Times, “Obama the Velcro president”, LA Times, 7-30, http://articles.latimes.com/2010/jul/30/nation/la-na-velcro-presidency-20100730/3]

If Ronald Reagan was the classic Teflon president, Barack Obama is made of Velcro. Through two terms, Reagan eluded much of the responsibility for recession and foreign policy scandal. In less than two years, Obama has become ensnared in blame. Hoping to better insulate Obama, White House aides have sought to give other Cabinet officials a higher profile and additional public exposure. They are also crafting new ways to explain the president's policies to a skeptical public. But Obama remains the colossus of his administration — to a point where trouble anywhere in the world is often his to solve. The president is on the hook to repair the Gulf Coast oil spill disaster, stabilize Afghanistan, help fix Greece's ailing economy and do right by Shirley Sherrod, the Agriculture Department official fired as a result of a misleading fragment of videotape. What's not sticking to Obama is a legislative track record that his recent predecessors might envy. Political dividends from passage of a healthcare overhaul or a financial regulatory bill have been fleeting. Instead, voters are measuring his presidency by a more immediate yardstick: Is he creating enough jobs? So far the verdict is no, and that has taken a toll on Obama's approval ratings. Only 46% approve of Obama's job performance, compared with 47% who disapprove, according to Gallup's daily tracking poll. "I think the accomplishments are very significant, but I think most people would look at this and say, 'What was the plan for jobs?' " said Sen. Byron L. Dorgan (D-N.D.). "The agenda he's pushed here has been a very important agenda, but it hasn't translated into dinner table conversations." Reagan was able to glide past controversies with his popularity largely intact. He maintained his affable persona as a small-government advocate while seeming above the fray in his own administration. Reagan was untarnished by such calamities as the 1983 terrorist bombing of the Marines stationed in Beirut and scandals involving members of his administration. In the 1986 Iran-Contra affair, most of the blame fell on lieutenants. Obama lately has tried to rip off the Velcro veneer. In a revealing moment during the oil spill crisis, he reminded Americans that his powers aren't "limitless." He told residents in Grand Isle, La., that he is a flesh-and-blood president, not a comic-book superhero able to dive to the bottom of the sea and plug the hole. "I can't suck it up with a straw," he said. But as a candidate in 2008, he set sky-high expectations about what he could achieve and what government could accomplish. Clinching the Democratic nomination two years ago, Obama described the moment as an epic breakthrough when "we began to provide care for the sick and good jobs to the jobless" and "when the rise of the oceans began to slow and our planet began to heal." Those towering goals remain a long way off. And most people would have preferred to see Obama focus more narrowly on the "good jobs" part of the promise. A recent Gallup poll showed that 53% of the population rated unemployment and the economy as the nation's most important problem. By contrast, only 7% cited healthcare — a single-minded focus of the White House for a full year. At every turn, Obama makes the argument that he has improved lives in concrete ways. Without the steps he took, he says, the economy would be in worse shape and more people would be out of work. There's evidence to support that. Two economists, Mark Zandi and Alan Blinder, reported recently that without the stimulus and other measures, gross domestic product would be about 6.5% lower. Yet, Americans aren't apt to cheer when something bad doesn't materialize. Unemployment has been rising — from 7.7% when Obama took office, to 9.5%. Last month, more than 2 million homes in the U.S. were in various stages of foreclosure — up from 1.7 million when Obama was sworn in. "Folks just aren't in a mood to hand out gold stars when unemployment is hovering around 10%," said Paul Begala, a Democratic pundit. Insulating the president from bad news has proved impossible. Other White Houses have tried doing so with more success. Reagan's Cabinet officials often took the blame, shielding the boss. But the Obama administration is about one man. Obama is the White House's chief spokesman, policy pitchman, fundraiser and negotiator. No Cabinet secretary has emerged as an adequate surrogate. Treasury Secretary Timothy F. Geithner is seen as a tepid public speaker; Energy Secretary Steven Chu is prone to long, wonky digressions and has rarely gone before the cameras during an oil spill crisis that he is working to end. So, more falls to Obama, reinforcing the Velcro effect: Everything sticks to him. He has opined on virtually everything in the hundreds of public statements he has made: nuclear arms treaties, basketball star LeBron James' career plans; Chelsea Clinton's wedding. Few audiences are off-limits. On Wednesday, he taped a spot on ABC's "The View," drawing a rebuke from Democratic Pennsylvania Gov. Edward G. Rendell, who deemed the appearance unworthy of the presidency during tough times. "Stylistically he creates some of those problems," Eddie Mahe, a Republican political strategist, said in an interview. "His favorite pronoun is 'I.' When you position yourself as being all things to all people, the ultimate controller and decision maker with the capacity to fix anything, you set yourself up to be blamed when it doesn't get fixed or things happen." A new White House strategy is to forgo talk of big policy changes that are easy to ridicule. Instead, aides want to market policies as more digestible pieces. So, rather than tout the healthcare package as a whole, advisors will talk about smaller parts that may be more appealing and understandable — such as barring insurers from denying coverage based on preexisting conditions. But at this stage, it may be late in the game to downsize either the president or his agenda. Sen. Richard J. Durbin (D-Ill.) said: "The man came in promising change. He has a higher profile than some presidents because of his youth, his race and the way he came to the White House with the message he brought in. It's naive to believe he can step back and have some Cabinet secretary be the face of the oil spill. The buck stops with his office."

**2AC—Hagle**

#### Hagel doesn’t spillover to hurt immigration – this card is explicit

WSJ 2 – 7 – 13 [McCain in Tricky Spot Over Hagel, Murray, Sara. Wall Street Journal (Online) [New York, N.Y] 07 Feb 2013: n/a.]

Mr. McCain's decision on the Hagel nomination could influence other Republicans. He hasn't said how he will vote, but he has taken a step that eases the way forward for Mr. Hagel--saying he wouldn't filibuster the nomination. At a Republican retreat this week, he encouraged his Senate colleagues to follow his lead.

That stance means that even if another Republican threatens to filibuster the nomination, which would require Mr. Hagel's supporters to corral 60 votes to end, Mr. Hagel is well-positioned to overcome the hurdle.

"If you're going to change the way the Senate does business, you better have an incredibly important reason for doing so," Mr. McCain said, referring to the use of the filibuster. Mr. Hagel's nomination, Mr. McCain said, doesn't qualify.

If the nomination reaches the full Senate, there are other procedures besides filibustering that Republicans could pursue. Sens. John Cornyn and Ted Cruz, both of Texas, have left their options open; both say they will vote against Mr. Hagel.

The Hagel debate comes at a politically delicate time for Mr. McCain, who is making an effort to reach across the aisle and build support for an overhaul of immigration laws. If Mr. McCain had worked to derail Mr. Hagel's nomination, it could have irritated Democrats who have stepped up support of the president's nominee.

"McCain still sees some limits to what's sort of morally appropriate in the Senate," said Sarah Binder, an expert on Congress at the Brookings Institution think tank. "If he were to push and derail Hagel...then, yeah, he is potentially burning bridges."

Mr. McCain said his concerns with Mr. Hagel's nomination haven't spilled over. "It hasn't impacted our discussions on immigration reform in the slightest," he said.

#### Not a real fight

MARSHALL 1 – 6 – 13 editor and publisher of TalkingPointsMemo.com [Josh, 1/6/2013, “Crack Pipe,” <http://talkingpointsmemo.com/archives/2013/01/crack_pipe_1.php>]

I’m watching a lot of neoconservative policy activists and a lot of people in the press telling me that it’s a very up in the air thing whether Chuck Hagel gets confirmed as Secretary of Defense. These folks should stop smoking crack. Because crack isn’t good for you. Maybe I’m just out of the loop because I’m not reporting aggressively myself. Or maybe — I think much more likely — I’m not in the same crack den with the rest of these good people so the air I’m breathing is clear and I know what is happening in the real world. Will Republicans uniformly oppose a former member of their own caucus when the issues at stake are complaints that look comical when held up to the light of day? One who was one of the top foreign policy Republicans in the Senate? I doubt it. Will Democratic senators deny a reelected President Obama his choice for one of the top four cabinet positions when he is quite popular and the expansion of their caucus is due in significant measure to his popularity? Please. Chuck Schumer will oppose the President? Not likely.So I look forward to Republican crocodile tears on gay rights — seemingly in large part over something Hagel said in the 90s in support of the Senate Republican caucus’s efforts to pillory an openly gay nominee. And yes, perhaps it really will pave the way for a LGBT upsurge of support for Richard Grinnell for President in 2016. But I doubt it. Otherwise, assuming President Obama nominates him tomorrow, get ready for a Hagel Pentagon.

## \*\*\* 2NR

#### He is ALL IN on immigration

FOX NEWS LATINO 1 – 31 – 13 Immigration Reform: Obama Wants It Done Within 6 Months, <http://latino.foxnews.com/latino/politics/2013/01/31/immigration-reform-obama-wants-it-done-within-6-months/>

President Barack Obama's putting pressure on Congress and in particular on Republicans to not only make immigration reform a top priority -- he now wants them to get it done within six months, if not sooner.

And he's adamant that a major legalization program should not hinge beefing up border security. As he sees it, politics, not technical issues, is the main obstacle now.

"I can guarantee that I will put everything I have behind it," Obama said in an interview with Telemundo, one of two he conducted Wednesday with the country's leading Spanish-language television networks.

#### MacDonald and Parent are wrong – their method is riddled with measurement problems

Thompson, Distinguished Professor and Donald A. Rogers Professor of Political Science at

Indiana University, 2012

[William R., “Correspondence: Decline and Retrenchment – Peril of Promise?” *International Security*, Vol 36. Number 4, Spring 2012, Accessed Project Muse]

Yet MacDonald and Parent make five related and highly debatable assumptions that produce misleading findings and conclusions. They assume that the behavior of all great powers is equally germane to all questions of decline (e.g., the decline of the fifth-ranked power is no different than the decline of the first-ranked power). Next they assume that aggregated and highly heterogeneous findings from the past necessarily tell us much about a potential future case of some magnitude. They complicate the interpretation problem by measuring great powers and decline in novel but dubious ways. In particular, they focus far too much on gross domestic product (GDP) as their sole criterion of relative power. Finally, and whether or not one suspects the validity of choices made about indicators, they assume that all cases of transition (an outcome of decline) are equivalent.

If we are most interested in possible occurrences such as a China-U.S. transition, we would be on more solid ground if we looked at earlier periods of transition between numbers 1 and 2 in the great power hierarchy. Relative decline and transitions among numbers 3, 4, and 5 should prove to be a much different proposition because, presumably, much less is at stake in these fluctuations. MacDonald and Parent’s design also precludes a more focused comparison by overlooking systemic leadership decline almost altogether (p. 10).

Yet even if one accepts MacDonald and Parent’s argument that all great powers are more or less alike, a characteristic assumption of neorealist approaches, it is an ecological fallacy to rely on aggregate findings to discuss specific dyads such as the United States and China. If the database from which the findings are drawn was rock solid, it still would be impossible to know whether a China-U.S. transition and U.S. relative decline were likely to be conflictual or peaceful. If the database is deemed to be something less than rock solid, analytical and policy caution is all the more warranted.