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Oil drilling is distinct from production—the aff searches for energy, doesn’t produce it

Fairfax 99

<http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATIONS&p_id=22839>

RICHARD FAIRFAX, Director, Directorate of Compliance Programs

OSHA has stated in previous interpretation letters that production facilities, including related oil, gas, and water separation facilities, are excluded from PSM coverage under the oil and gas well drilling and servicing exemption, 29 C.F.R. §1910.119(a)(2)(ii). Several factors, however, demonstrate that the conclusions reached in these letters are erroneous. As a result, these letters are hereby rescinded.The letters in question fail to take into account the distinction between wells in production and those undergoing initial drilling or in a servicing status.1 Production, as recognized by the petroleum industry, is a phase of well operations that deals with bringing well fluids to the surface, separating them, and then storing, gauging and otherwise preparing the product for the pipeline. This production phase occurs after a well has been drilled, completed, and placed into operation, or after it has been returned to operation following workover or servicing. A completed well includes a "Christmas tree" (control valves, pressure gauges and choke assemblies to control the flow of oil and gas) which is attached at the top of the well where pressure is expected. It is at this point, the top of the well, where the covered PSM process begins. The distance between separation equipment and the well is not a factor when determining PSM applicability for production facilities. Oil well drilling and servicing is distinct from production and covers activities related to the initial drilling of a well and later, maintenance work necessary to maintain or enhance production. Normally, such operations are occurring if a drilling rig or truck mounted rig or mast is present on the well. Oil well drilling and servicing includes the following activities: the actual drilling and associated activities of the well; Well completion activities (i.e. activities and methods necessary to prepare a well for the production of oil and gas). Well servicing (i.e. the maintenance work performedon an oil or gas well to improve or maintain the production from a formation already producing. Usually it involves repairs to the pump, rods, gas-lift valves, tubing, packers and so forth); and Workover activities (i.e. the performance of one or more of a variety of remedial operations on a producing oil well to try to increase production. Examples of workover operations include deepening, plugging back, pulling and resetting liners, squeeze cementing and so on. [FOOTNOTE] Two sources of recognition by the industry of this distinction can be found in A Primer of Oilwell Drilling, 5th Edition, Revised (published by the Petroleum Extension Service in cooperation with the International Association of Drilling Contractors) and A Primer of Oilwell Service, Workover, and Completion, 5th Edition (published by the Petroleum Extension Service in cooperation with the Association of Energy Service Companies)

#### Limits – discovery and refineries is a whole different topic that doesn’t guarantee us an increase in production – also means they mix burdens

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#### Obama will solve fiscal cliff in the lame duck

Marcus, staff writer for the Washington Post, 10/27/2012

(Ruth, “How will fiscal cliff get fixed? It depends on who wins,” http://azstarnet.com/news/opinion/how-will-fiscal-cliff-get-fixed-it-depends-on-who/article\_32ad6002-981e-52fd-abbb-597f60771dec.html)

Betting on Congress to do something - anything - is, as Samuel Johnson said of second marriages, the triumph of hope over experience. Betting on a lame-duck Congress to do anything of consequence is even more foolhardy.

Yet the Congress that limped back to town after the 2010 election was surprisingly fruitful. It extended expiring tax cuts, lifted the ban on gays in the military, and ratified a nuclear arms treaty.

**Could the 2012 lame duck be similarly productive?** **I'm uncharacteristically optimistic** - especially if President Obama is re-elected.

This is not a partisan assessment. Congress' primary post-election task will be to screech to a halt **before plunging off the fiscal cliff** of expiring tax cuts and looming budgetary sequester.

If Mitt Romney is elected, the well-honed instinct of Congress will be to do what it does best: punt. Romney has already said he would not want to see the lame-duck session try to craft some kind of grand bargain on taxes and spending.

Rather, he would prefer a reprieve of some months - extending the tax cuts, postponing the sequester - to come up with his own plan. Would an exiting Obama really veto an extension? Would he have the remaining juice to force a bargain? It's hard to see either happening.

Can-kicking in the event of a Romney victory is the safest bet, and in some ways the fairest outcome. The voters will have spoken. Let the new president and the new Congress deal with the problem.

**The calculus is different if Obama is re-elected**. The composition of Congress probably won't change much; if anything, Republicans are apt to have a narrower House majority, providing **an incentive for cooperation** while the GOP retains greater leverage.

There are four pieces of evidence to support this admittedly rosy scenario:

First, a bipartisan group of senators has been working intensively to craft a deal along the lines suggested by the Simpson-Bowles debt commission, a stew of revenue increases, tax reform, spending cuts and entitlement changes.

Second, **the administration has been working on a parallel track**, **with a debt-reduction plan to be unveiled soon after Election Day**. **Obama almost made it to the mountaintop once before** with Speaker John Boehner. Whatever the reasons that deal unraveled - did Obama chicken out? did Boehner balk? - both men see a budget deal as a legacy moment.

#### Plan kills Obama

Petroleum Intelligence Weekly, 1/9/12, Obama Plays Safe on Energy Policy, Lexis

With less than a year to go **until he faces re-election**, US President Barack **Obama is trying to avoid controversial energy policy decisions**, postponing the finalization of restrictions on oil refinery and power plant emissions and delaying the approval of a major crude pipeline project. The president’s caution will prolong the status quo on issues where the industry both opposes and supports the administration’s plans, and also illustrates what's at stake for energy policy depending on whether or not Obama is given another four years in office. Most of Obama's original campaign **pledges on promoting alternatives to fossil fuels** and tackling climate change **have not passed muster with Congress**, most notably an ambitious plan for national carbon controls, a subsequent toned-down clean energy standard floated after the carbon legislation failed, and repeated efforts to repeal $30 billion-$40 billion worth of oil industry tax deductions over 10 years ( PIW May9'11 ). The one exception has been the passage of $90 billion in clean energy funding as part of an economic stimulus bill passed early in Obama's term, but **the White House has been unable to repeat** this **success in other energy policy areas** ( PIW Feb.23'09 ).

#### Successful Obama honeymoon is make or break for the economy

Newman, chief business correspondent for U.S. News & World Report, 10/26/2012

(Rick, “The Fiscal Cliff Masks an Improving Economy,” http://www.usnews.com/news/blogs/rick-newman/2012/10/26/the-fiscal-cliff-masks-an-improving-economy)

If President Barack Obama wins a second term, he may **enjoy the kind of honeymoon he didn't get the first time around**. And if Republican challenger Mitt Romney wins, he may wonder why Obama got all that gray hair.

At the moment, economists, politicos and pundits are obsessed with the looming election, to be followed by a tense lame-duck session in which Congress and the president must figure out what to do about the "fiscal cliff." If all of the tax hikes and spending cuts set to go into effect at the end of the year actually do, **it could torpedo economic growth and cause another recession**. Congress could also delay those big decisions or dicker indefinitely, **with the economy shackled to political ineptitude**.

But if Congress does its job, and legislates some kind of compromise, the prospects for the economy could brighten considerably in 2013. "Assuming the fiscal cliff is resolved in a relatively benign manner, a post-resolution rebound is likely," Bank of America Merrill Lynch advised in a recent report. There are several reasons for optimism:

Housing seems to have turned around for good. After a six-year housing bust, prices seemed to have stopped falling in most markets, and mortgage rates remain near record lows. A variety of indicators show that real estate agents, home builders and even buyers are increasingly bullish. That could turn housing from a drag on the economy into a driver of growth. "The odds are strong that housing will resume its long-absent role as a key contributor to GDP growth," says Bernard Baumohl, chief global economist of the Economic Outlook Group.

Consumers are surprisingly upbeat. Confidence surveys show an unusual divergence between business leaders, who have been getting gloomier, and ordinary people, who have been feeling better. The gap might exist because business leaders get paid to worry about problems like the fiscal cliff and the European debt crisis, while regular people may be tuning out such worries. If the economy manages to bypass the cliff, rising consumer confidence could generate a kind of self-sustaining lift.

Car sales are robust. Auto sales have become one of the stronger segments of the economy, despite higher gas prices and a weak job market. That suggests a few important things: Credit is loosening up, including subprime lending; many consumers feel confident enough to make big purchases; and the Federal Reserve's low-interest-rate policy may actually be working, at least in the car market.

Business spending is poised to pick up. CEOs have increasingly voiced their concern over political gridlock in Washington, deferring plans to invest or hire. That's probably slowing the economy today, which partly explains anemic growth of just 2 percent. But that might also indicate pent-up demand. "Corporations have accumulated profits and increased cash, suggesting they are primed for greater investment," according to Merrill Lynch. And with nearly $2 trillion of cash on hand, corporations have the means to administer quite a jolt to the economy, if their leaders choose to.

#### Extinction

Kemp 10

Geoffrey Kemp, Director of Regional Strategic Programs at The Nixon Center, served in the White House under Ronald Reagan, special assistant to the president for national security affairs and senior director for Near East and South Asian affairs on the National Security Council Staff, Former Director, Middle East Arms Control Project at the Carnegie Endowment for International Peace, 2010, The East Moves West: India, China, and Asia’s Growing Presence in the Middle East, p. 233-4

The second scenario, called Mayhem and Chaos, is the opposite of the first scenario; everything that can go wrong does go wrong. The world economic situation weakens rather than strengthens, and India, China, and Japan suffer a major reduction in their growth rates, further weakening the global economy. As a result, energy demand falls and the price of fossil fuels plummets, leading to a financial crisis for the energy-producing states, which are forced to cut back dramatically on expansion programs and social welfare. That in turn leads to political unrest: and nurtures different radical groups, including, but not limited to, Islamic extremists. The internal stability of some countries is challenged, and there are more “failed states.” Most serious is the collapse of the democratic government in Pakistan and its takeover by Muslim extremists, who then take possession of a large number of nuclear weapons. The danger of war between India and Pakistan increases significantly. Iran, always worried about an extremist Pakistan, expands and weaponizes its nuclear program. That further enhances nuclear proliferation in the Middle East, with Saudi Arabia, Turkey, and Egypt joining Israel and Iran as nuclear states. Under these circumstances, the potential for nuclear terrorism increases, and the possibility of a nuclear terrorist attack in either the Western world or in the oil-producing states may lead to a further devastating collapse of the world economic market, with a tsunami-like impact on stability. In this scenario, major disruptions can be expected, with dire consequences for two-thirds of the planet’s population.

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#### Obama’s winning but it’s close

Levy, 10/26

(Polling Editor-Huffington Post, “Obama Holds Slim Lead In Ohio Polls” http://www.huffingtonpost.com/2012/10/26/ohio-polls-obama\_n\_2025563.html)

President Barack Obama, who continues to run neck-and-neck with challenger Mitt Romney in national polls, got some good news Friday in the crucial battleground state of Ohio, where three new polls showed him with a slim lead. Obama led Romney 50 percent to 46 percent among Ohio likely voters, according to a CNN/ORC poll conducted Oct. 23 through Oct. 25. That's close to where the candidates stood at the beginning of the month. Among independent voters, Obama led 49 percent to Romney's 44 percent. The CNN poll surveyed 741 likely voters, with a 3.5 percent margin of error. Two other polls in the state, from the American Research Group and Purple Strategies, also showed Obama edging Romney, in each case by two percentage points. A poll released Wednesday by Rasmussen showed the candidates tied. HuffPost Pollster's estimate gives Obama the lead in Ohio by more than two percentage points. With the margin so close, both campaigns remain focused on winning the state. Obama and Romney each held Ohio rallies this week and plan to return over the weekend.

#### The plan causes environmental backlash – flips the election

Schnur 12

Dan Schnur, director of the Jesse M. Unruh Institute of Politics at the University of Southern California; he served as the national communications director of Senator John McCain’s presidential campaign in 2000, “The President, Gas Prices and the Pipeline,” April 9, <http://campaignstops.blogs.nytimes.com/2012/04/09/the-president-gas-prices-and-the-keystone-pipeline/>

Like every president seeking re-election, Barack Obama walks the fine line every day between the discordant goals of motivating his party’s strongest loyalists and reaching out to swing voters for their support. A few weeks ago, that pathway took him to a tiny town in Oklahoma, where, caught between the anti-drilling demands of the environmental community and the thirst for more affordable gasoline from unions, business owners and drivers, the president announced his support for building half of an oil pipeline.

The economic impact of rising energy prices in itself is considerable, but the psychological toll on voters is just as significant, as tens of millions of motorists are reminded by large signs on almost every street corner of the financial pain of filling their gas tanks. Obama and his political lieutenants are acutely aware that this growing frustration has the potential to complicate an election year that otherwise seems to be shifting in the incumbent’s favor.

As a result, Obama has been hitting the energy issue hard in recent weeks, at least as hard as a candidate can hit when forced to navigate between two almost mutually exclusive political priorities. The result is a president who talks forcefully of the benefits of wind and solar power while also boasting about the amount of oil the nation produces under his leadership.

There are times when this gets slightly uncomfortable. Obama recently called for increased exploration along the Atlantic Coast but stopped short of calling for expanded drilling in that region. This is the energy policy equivalent of admitting to an experiment with marijuana but not inhaling.

Where the issue becomes more tangible and therefore trickier for Obama is when the multiple choices become binary. The debate over the proposed XL Keystone Pipeline that would transport Canadian oil through the nation’s heartland to the Gulf of Mexico crystallizes the choices involved and forces a shades-of-gray conversation into starker hues of black and white.

Obama recognizes that the devoted environmentalists who represent a critical portion of the Democratic party base need some motivation to turn out for him in the fall. But he also understands that centrist voters who support him on a range of other domestic and foreign policy matters could be lured away by a Republican opponent who either promises relief at the gas pump or who can lay blame at the White House doorstep for those higher prices. Even more complicated is the role of organized labor, which has poured immense amounts of support into Obama’s re-election but also prioritizes the job-creation potential of the pipeline.

The result of these competing political and policy pressures brought Obama to Ripley, Okla., where he tried to satisfy the needs of these various audiences without alienating any of them. First, the president endorsed the southern portion of the Keystone project in order to relieve the glut of domestically drilled oil that is now unable to make it to refineries near the Gulf of Mexico in a timely manner. This had the effect of irritating his environmental allies but failed to mollify the project’s advocates, who pointed out that the review process that the president called for was already underway.

He then reiterated the administration’s antipathy toward the northern section of the pipeline, which would allow Canadian-drilled oil to be transported into this country. This provided some comfort to drilling opponents, but infuriated both the pro-oil forces and the Canadian government. The most likely outcome is that Canada will still build a pipeline, but rather one that goes westward to the Pacific Ocean north of the United States border and then ships Canadian oil to China instead of into this country.

#### Romney’s reaction to unpredictable crises makes nuclear war inevitable

Stein, former chairman of the American Society of Magazine Editors, predicted the run to the Iraq War in the New York Times, veteran of World War II, 10/19/2012

(Robert, <http://ajliebling.blogspot.com/2012/10/doubts-about-romneys-nuclear-trigger.html>)

**Doubts About Romney's Nuclear Trigger Finger**

At Harvard today scholars commemorate the 50th anniversary of the Cuban Missile Crisis, 13 days when the world held its breath in the shadow of a nuclear war that John F. Kennedy said could have led to “**ultimate destruction of the human race**.”

In interviews afterward, the President told me, “Too many people want to blow up the world...In Cuba, a lot of people thought we should take more drastic action. I think we did the right thing. More drastic action would have increased the possibility of nuclear exchange. The real question now is to meet conflicts year after year without having to escalate."

**Half a century later**, it still is and, even in the academic colloquy over the Missile Crisis, **doubts arise about the fitness of Mitt Romney to follow in JFK’s footsteps**.

“Of the two candidates this year,” **one Harvard scholar asks**, “does Obama or Romney have the better command of history, **coolness under pressure**, and good sense to make the right choice for all of us **when the next crisis occurs?**

“Obama has demonstrated some of these qualities in his adept isolation of Iran, his largely skillful handling of the Arab uprisings, and his bridge-building to allies and partners that has rebuilt U.S. credibility in Europe, especially.

“Romney’s big foreign policy speech...illuminated the challenge he has had in making an impact in foreign policy. His back-to-the-future evocation of American leadership seems right for the Cold War but not nearly sophisticated enough for our very different **21st-century world**.”

**As Mitt Romney blusters about confrontations with China**, **Iran and other adversaries**, his sound-bite posturing may be effective in debates, campaign ads and comic relief, but how safe would we be if he moved into the Oval Office?

Two years ago, in putting Tehran "on notice," President Obama invoked the carrot-and-stick formula JFK used and, just as Kennedy ignored military advice to "bomb Cuba back into the Stone Age," rejected the notion of "victory" in today's crisis.

"This isn't a football game," he said. "So I'm not interested in victory, I'm interested in solving the problem."

#### Obama win key to US-Russia relations

CSM 12

(“Obama asks Russia to cut him slack until reelection” By Fred Weir, Correspondent / March 26, 2012 , http://www.csmonitor.com/World/Europe/2012/0326/Obama-asks-Russia-to-cut-him-slack-until-reelection)

Russian experts say there's little doubt the Kremlin would like to see Obama re-elected. Official Moscow has been pleased by Obama's policy of "resetting" relations between Russia and the US, which resulted in the new START treaty and other cooperation breakthroughs after years of diplomatic chill while George W. Bush was president. The Russian media often covers Obama's lineup of Republican presidential challengers in tones of horror, and there seems to be a **consensus** among Russian pundits that **a Republican president would put a quick end to the Obama-era thaw in relations**. "The Republicans are active critics of Russia, and they are extremely negative toward Putin and his return to the presidency," says Dmitry Babich, a political columnist with the official RIA-Novosti news agency. "Democrats are perceived as more easygoing, more positive toward Russia and Putin." Speaking on the record in Seoul, Mr. Medvedev said the years since Obama came to power "were the best three years in the past decade of Russia-US relations.… I hope this mode of relations will maintain between the Russian Federation and the United States and between the leaders." During Putin's own election campaign, which produced a troubled victory earlier this month, he played heavily on anti-Western themes, including what he described as the US drive to attain "absolute invulnerability" at the expense of everyone else. But many Russian experts say that was mostly election rhetoric, and that in office Putin will seek greater cooperation and normal relations with the West. "Russian society is more anti-American than its leaders are," says Pavel Zolotaryov, deputy director of the official Institute of USA-Canada Studies in Moscow. "Leaders have to take popular moods into account. But it's an objective fact that the US and Russia have more points in common than they have serious differences. If Obama wins the election, it seems likely the reset will continue."

#### Great power wars

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(Stephen, has served as the Strategic Studies Institute’s expert on the Soviet bloc and the post- Soviet world since 1989. Prior to that he was Associate Professor of Soviet Studies at the Center for Aerospace Doctrine, Research, and Education, Maxwell Air Force Base “PROSPECTS FOR RUSSO-AMERICAN COOPERATION IN HALTING NUCLEAR PROLIFERATION”, March, <http://www.strategicstudiesinstitute.army.mil/pdffiles/PUB892.pdf>)

Another reason for cooperation relates to the regional rivalries between Moscow and Washington (the same can apply as we shall see to Beijing). Today, as during the Cold War, we see intensifying regional rivalries between America and Russia throughout Asia from the Middle East to the Pacific Ocean. Both these states tend to support governments which have, by their proliferation activities, intensified tensions, e.g., America’s support for Pakistan and Russia’s earlier support for North Korea and present support for Iran. The reasons for this support often have to do with quite classical concepts of national interest which in Russia’s case relate to material interests, recovering its great power status, and checking American power. For example, Gleb Ivashentsov, then Director of the Second Asia Department of the Russian Foreign Ministry, told a Liechtenstein Colloquium on Iran in 2005 that, Iran today is probably the only country in the greater Middle East that, despite all of its internal and external difficulties, is steadily building up its economic, scientific, technological, and military capability (what about Israel?—author). Should this trend continue, Iran—with its seventy million population, which is fairly literate, compared to neighboring states, and ideologically consolidated, on the basis of islamic and nationalist values; with a highly intellectual elite; with more than 11 percent of the world’s oil and 18 percent of natural gas reserves; with more than 500,000 strong armed forces and with a strategic geographic position enabling it to control sea and land routes between Europe and Asia—is destined to emerge as a regional leader. This means that the Islamic Republic of Iran will be playing an increasing role in resolving problems not only in the Middle East and Persian Gulf area but also in such regions that are rather sensitive for Russia as Transcaucasia, Central Asia, and the Caspian region. This is why dialogue with Iran and partnership with it on a bilateral and regional as well as a broad international basis is objectively becoming one of the key tasks of Russia’s foreign policy.180 Unfortunately such support for regional partners, if not allies, often ends up (as in 1914) with the greater power being drawn into the smaller partner’s conflicts because it fears it cannot afford to lose its partner or ally to the other side. The result is often heightened conflict, and today those crises often revolve around proliferation. Thus when Israel bombed an alleged North Korean-built reactor in Syria in September 2007, it reflected what could happen when states like Syria and North Korea strike out on their own in the belief that they can rely on a protector like Moscow or in Israel’s case, Washington. As Yitzhak Shichor writes, Most likely, Pyongyang had failed to consult with either Moscow or Beijing prior to its decision to engage in some kind of “illicit” strategic or nuclear cooperation with Syria, although both may have become aware of this activity at a certain point of time. This failure reflects not only North Korea’s inflated nationalism but also its belief that whatever misunderstandings and disagreements it has with Russia and China—quite a few are known— both will continue their commitment and support and the same goes for Syria.181 Furthermore, as Shichor notes, such crises are likely because such states often have no other way to pursue their vital interests other than by interesting great powers in their survival. While such support may preserve these states, it hardly advances their overall cause of changing the status quo. “Unable to use diplomacy and not allowed to hold negotiations, apparently the only way open to settle their respective conflicts is by using threats, sponsoring terrorism, and building up the infrastructure for future violence.”182 If there were more effective great power cooperation on both regional security and nonproliferation, then the scope for such provocative behaviors would be correspondingly restricted. But since there is presently no such effective cooperation either on regional security or nonproliferation, Russia also values the Iranian connection because its support for an anti-American Iran helps Moscow restrain U.S. power in the Middle East, makes it a player or “great power” in the same region, and allows it to gain influence with other Gulf states who see it as having influence on Iran. Thus, during Putin’s Februry 2007 tour of Saudi Arabia, Jordan, and Qatar, he offered all these states major energy deals, arms sales, and even nuclear power, ostensibly for peaceful purposes, but in reality signifying his efforts and theirs to balance what they all realize is Iran’s refusal to stop its nuclear program and put it under effective IAEA supervision.183 In fact, Russia is offering up to 13 Arab states nuclear technologies of one sort or another. Russia is even launching Saudi satellites and undertaking major business initiatives with Saudi Arabia, even as it assists Iran’s space program.184 This posture once again reflects Russia’s wholly instrumental approach to questions of proliferation of nuclear technologies, discerning no real threat from the spread of nuclear power in the Middle East if it checks Iran and makes it remember who its patrons are. The many reports speculating about possible Saudi nuclear ambitions evidently have made little impression upon Putin and his subordinates.

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#### The executive branch of the United States federal government should appoint a blue ribbon commission tasked with examining and offering a recommendation concerning whether the United States federal government should reduce substantial reduce restrictions on oil production on federal lands.

#### Counterplan solves and avoids elections

Sledge, 12

(Reporter-Huffington Post & graduate of Brown University, he was previously the Rhode Island director for FairVote, 6/14, Mitt Romney In Ohio, Seeks Electoral Advantage Amid State's Shale Oil And Gas Boom, http://www.huffingtonpost.com/2012/06/14/romney-ohio-oil-gas-boom\_n\_1598460.html)

**Ohioans, moreover, have the same environmental concerns about hydraulic fracturing that other Americans do**. Sixty-four percent of them believe the economic impacts of natural gas drilling outweigh the environmental drawbacks, according to a Quinnipiac poll in January. But an even greater number, **72 percent of voters, believe fracking should be suspended until it's further studied.** Concerns like those have been magnified by a series of earthquakes near Youngstown that the state has tied to fracking. Russo remembers sitting at his kitchen table on New Year's Eve when a 4.0 magnitude earthquake hit the area, which never had experienced them before.

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#### The United States Federal Government should establish that the penalty for violating restrictions on oil production on federal lands is entry into a Supplemental Environmental Project.

#### Implementation of the Supplemental Environmental Projects should nullify additional legal penalties from the violating action, and any conflicting federal laws and regulations should be modified to provide a narrow exemption for the above penalty.

#### Penalties determine regulatory compliance—restrictions are irrelevant if penalties are marginal

Center for Progressive Regulation, 2008, Environmental Enforcement, progressiveregulation.org/perspectives/environEnforce.html

Effective enforcement is key to ensuring that the ambitious goals of our environmental statutes are realized. Enforcement refers to the set of actions that the government can take to promote compliance with environmental law. . Currently, rates of noncompliance with environmental laws remain disturbingly high; experts believe that as many as twenty to forty percent of firms regulated by federal environmental statutes regularly violate the law. Tens of millions of citizens live in areas out of compliance with the health based standards of the Clean Air Act, and close to half of the water bodies in the country fail to meet water quality standards set by the Clean Water Act. In communities burdened by multiple sources of pollution, noncompliance has particularly serious health consequences for affected residents.

As in virtually every other area of government regulation, environmental enforcement traditionally has been based on the theory of deterrence. This theory assumes that persons and businesses act rationally to maximize profits, and will comply with the law where the costs of noncompliance outweigh the benefits of noncompliance. The job of enforcement agencies is to make both penalties and the probability of detection high enough that it becomes irrational– unprofitable-- for regulated firms to violate the law.

EPA’s enforcement policies traditionally have reflected these principles. EPA has emphasized the importance of regular inspections and monitoring activity to detect noncompliance, and has responded to violations with swift and appropriate sanctions. EPA’s policies also mandate that the agency recover the economic benefit firms realize through noncompliance, since if a firm is able to profit from illegal activity, it has little incentive to comply in the first place.

#### The CP’s SEP penalty is just that—it causes the same industry response as the aff, without lifting the restriction

David Dana, Professor of Law, Boston University School of Law, 1998, ARTICLE: THE UNCERTAIN MERITS OF ENVIRONMENTAL ENFORCEMENT REFORM: THE CASE OF SUPPLEMENTAL ENVIRONMENTAL PROJECTS, 1998 Wis. L. Rev. 1181, Lexis

The previous analysis illustrates that the inclusion of SEPs in an enforcement regime may lead to negotiated settlements that cost violators substantially less than the standard monetary penalty. The particular implications of this insight for a deterrence analysis depend on whether the standard monetary penalty represents "an optimal penalty" or instead a sub- or super-optimal penalty. As a preliminary matter, a brief discussion of the concept of optimal penalty (PEN<opt>) thus may be in order. Economists typically regard the goal of an enforcement regime as the achievement of "optimal deterrence." The phrase optimal deterrence, of course, implies that absolute or complete deterrence of regulatory violations should not be the goal of an enforcement regime. Rather, the regime should act to prevent violations which will generate social costs in excess of social benefits. Conversely, of course, the regime should not discourage violations that produce net social benefits. In settings involving perfect detection and prosecution of regulatory violations by government agencies, a penalty equalling the social harm of a violation will produce optimal deterrence. Where detection and prosecution are imperfect, a penalty equalling the harm of a violation will result in underdeterrence because potential violators will discount the nominal penalty to take account of the probability that they will evade detection and/or prosecution. To achieve optimal deterrence, therefore, [\*1206] nominal penalties must equal the social harm divided by the probability of detection and prosecution. The standard monetary penalty for any particular regulatory violation - the penalty that would be imposed in the absence of any SEP settlement options - logically can have only one of three relations to the optimal penalty: The standard monetary penalty can be less than the optimal penalty, equal to the optimal penalty, or greater than the optimal penalty. In all three of these cases, the introduction of SEP settlement options into an enforcement regime is troublesome from an optimal deterrence perspective. Each case will be taken in turn. 1. pen[in'mon.std'] < pen<opt> Where the standard monetary penalty is less than the optimal penalty, regulators' exclusive reliance on monetary penalties will produce underdeterrence. n77 That is, some violations will occur even though the social costs of the violations exceed the social benefits. The introduction of SEPs into such regimes will only make matters worse: SEPs will lower regulated entities' expected penalties for regulatory violations n78 and [\*1207] hence produce more underdeterrence and more socially costly violations. For example, imagine that the harm from a particular regulatory violation has a dollar equivalent value of $ 400, and the perceived probability of detection is 0.1. The optimal penalty thus would be $ 400/0.1 or $ 4000. Assume, however, that the standard monetary penalty is only $ 3000 and regulated entities' expected penalty for violating the regulation is thus only $ 300. Profit-maximizing regulated entities will take the risk of violating the regulation if they expect to gain more than $ 300 by doing so. Now assume that a regulatory agency adds SEP settlements to the enforcement regime. The regulated entity in question now believes that there is a fifty percent probability that it could successfully negotiate a SEP in the event government regulators detect its regulatory noncompliance. n79 Assume also that the regulated entity estimates that the SEP discount or savings off the standard monetary penalty would be thirty-three percent, so that the expected cost of a SEP would be $ 2000. The total expected penalty thus would be 0.1[(0.5)($ 3000) + (0.5)(0.66)($ 3000)], or approximately $ 250. This reduction in the expected penalty from $ 300 to $ 250 could translate into real differences in regulated entities' behavior. Under the pre-SEP regime, regulated entities at least would avoid socially undesirable violations offering them less than $ 300 in savings. The addition of SEPs to the regime eliminates deterrence for violations offering between $ 250 and $ 300 in savings. 2. pen[in'mon.std'] = pen<opt> Where the standard monetary penalty equals the optimal penalty, the enforcement regime will achieve optimal deterrence. Regulated entities will be deterred from committing all of the potential violations that result in greater social loss than social gain, but they will not be deterred from [\*1208] committing any potential violations that are, on net, socially beneficial. The introduction of SEPs into the penalty regime will lower expected penalties and thus produce a shift from this state of optimal deterrence to one of underdeterrence.

#### Independently, establishing SEP penalties solves inevitable environmental crisis

Jeff Ganguly, Executive Editor, BOSTON COLLEGE ENVIRONMENTAL AFFAIRS LAW REVIEW, Fall 1998, COMMENT: ENVIRONMENTAL REMEDIATION THROUGH SUPPLEMENTAL ENVIRONMENTAL PROJECTS AND CREATIVE NEGOTIATION: RENEWED COMMUNITY INVOLVEMENT IN FEDERAL ENFORCEMENT, 26 B.C. Envtl. Aff. L. Rev. 189, Lexis

Such a dynamic has been developing through EPA's employment of SEPs as well. While oversight is critical to ensure the SEP program continues to attain breakthrough achievements in creative and effective settlement agreements, the unique ability of SEPs to respond to the individual circumstances of environmental problems must be maintained. Thus, while litigation remains an effective tool to apply pressure and force action in some cases, dispute resolution and creative settlements should become the goal in the new generation of environmental enforcement. The use of SEPs is only one advantage to dispute resolution, as SEP provisions could be written into federal statutes and become an everyday part of adjudicated relief. Dispute resolution also saves time and money. n303 All of these qualities, as evidenced by the MHD settlement, are the most effective means of responding to environmental crises. Apart from outright prevention, dispute negotiation and community remediation through creative settlements and SEPs continue to be one of the most effective means of preserving and protecting human health and the environment.

#### Extinction

Clark and Downes 6

Dana Clark, Center for International Environmental Law, and David Downes, US Interior Dept. Policy Analysis Senior Trade Advisor, 2006, What price biodiversity?, http://www.ciel.org/Publications/summary.html

Biodiversity is the diversity of life on earth, on which we depend for our survival. The variability of and within species and ecosystems helps provide some of our basic needs: food, shelter, and medicine, as well as recreational, cultural, spiritual and aesthetic benefits. Diverse ecosystems create the air we breathe, enrich the soil we till and purify the water we drink. Ecosystems also regulate local and global climate. No one can seriously argue that biodiversity is not valuable.

Nor can anyone seriously argue that biodiversity is not at risk. There are over 900 domestic species listed as threatened or endangered under the Endangered Species Act, and 4,000 additional species are candidates for listing. We are losing species as a result of human activities at hundreds of times the natural rate of extinction. The current rate of extinction is the highest since the mass extinction of species that wiped out the dinosaurs millions of years ago.

The Economics of Biodiversity Conservation

The question which engenders serious controversy is whether society can afford the costs associated with saving biodiversity. Opponents of biodiversity conservation argue that the costs of protecting endangered species are too high. They complain that the regulatory burden on private landowners is too heavy, and that conservation measures impede development. They seek to override scientific determinations with economic considerations, and to impose cost/benefit analyses on biodiversity policy making.

An equally important question, however, is whether we can afford not to save biodiversity. The consequences of losing this critical resource could be devastating. As we destroy species and habitat, we endanger food supplies (such as crop varieties that impart resistance to disease, or the loss of spawning grounds for fish and shellfish); we lose the opportunity to develop new medicines or other chemicals; and we impair critical ecosystem functions that protect our water supplies, create the air we breathe, regulate climate and shelter us from storms. We lose creatures of cultural importance - the bald eagle is an example of the cultural significance of biodiversity and also of the need for strong regulations to protect species from extinction. And, we lose the opportunity for mental or spiritual rejuvenation through contact with nature.

#### Avoids elections—opponents of the plan won’t backlash against the CP

Jeff Ganguly, Executive Editor, BOSTON COLLEGE ENVIRONMENTAL AFFAIRS LAW REVIEW, Fall 1998, COMMENT: ENVIRONMENTAL REMEDIATION THROUGH SUPPLEMENTAL ENVIRONMENTAL PROJECTS AND CREATIVE NEGOTIATION: RENEWED COMMUNITY INVOLVEMENT IN FEDERAL ENFORCEMENT, 26 B.C. Envtl. Aff. L. Rev. 189, Lexis

One result from the expansion of the SEP program after the 1991 Policy was the unusual alliance that formed in support of the program. n198 EPA strongly supported the SEP program not only because of the improvements in pollution prevention, but also because of the expediency of its responses to violations. Industry and corporate defendants were relieved to see fines reduced, and local community groups were able to put teeth into citizen suits, as their communities directly benefited from pollution prevention and remediation projects. n199 **EPA essentially gained support from** groups that otherwise might not have backed proposals **to reduce penalties**.

## solvency

#### Takes at least five years to begin and has no impact on prices

CFAP 8 (Center for American Progress, 9/15/2008, "Ten Reasons Not to Expand Offshore Drilling", [www.americanprogress.org/issues/green/news/2008/09/15/4894/ten-reasons-not-to-expand-offshore-drilling/](http://www.americanprogress.org/issues/green/news/2008/09/15/4894/ten-reasons-not-to-expand-offshore-drilling/))

6. Production would be expensive, would not start for a long time, and would have no short-term effect on oil prices. The average oil field size in the OCS is smaller than the average in the Gulf of Mexico, which is already being developed. As a result, much of the oil in the OCS would be expensive to extract, and is only becoming attractive now as a result of high oil prices. According the Energy Information Administration, it would take at least five years for oil production to begin. EIA predicted that there would be no significant effect on oil production or price until nearly 20 years after leasing begins.

#### Technical barriers

**CBO 12** (Congressional Budget Office, August 2012, "Potential Budgetary Effects of Immediately Opening Most Federal Lands to Oil and Gas Leasing", [www.cbo.gov/sites/default/files/cbofiles/attachments/08-09-12\_Oil-and-Gas\_Leasing.pdf](http://www.cbo.gov/sites/default/files/cbofiles/attachments/08-09-12_Oil-and-Gas_Leasing.pdf))

Offshore Leasing For this analysis, CBO used EIA’s estimates of the potential for new areas to produce oil or gas after 2022. EIA expects that any initial production from newly opened areas in the Atlantic, Pacific, and eastern Gulf of Mexico would be far less than is produced by current operations in the Gulf of Mexico (see Figure 2). In its Annual Energy Outlook 2011, EIA estimated that if leasing commenced in those OCS regions by 2023, production through 2035 would amount to around 0.35 billion BOE—or about 3 percent of the 13.5 billion BOE that the agency projected would be produced from federal leases in the Gulf of Mexico over that 13-year period.17 EIA’s estimates reflect its assumption that “local infrastructure issues and other potential nonfederal impediments are resolved.”18 In CBO’s view, such factors probably would slow or limit production, as they sometimes have in the past. The federal government has spent about $1.5 billion to compensate firms for leases that were canceled or relinquished because of state or local concerns about oil and gas development off the coasts of California, North Carolina, and Florida and in Bristol Bay in Alaska.19 According to DOI, 24 localities in California have “enacted ordinances that either bar the construction of onshore support facilities for offshore oil and gas development or subject the approval of such facilities to a vote by local citizens.”20 Any development in the Atlantic OCS would involve siting and building new pipelines and related onshore facilities, which would require approval by state and local authorities. Other technical complications and economic factors add to the uncertainty surrounding forecasts of production in new areas of the OCS. DOI’s resource assessments suggest that much of the undiscovered oil in the eastern Gulf of Mexico is located in ultradeep water—water that is more than 2,400 meters (about 7,900 feet) deep—where few leases can be brought into production in any year because of the cost and complexity of their development. 21 Other factors could slow production in new areas, including the need for exploratory drilling and the expectation that most of the fields will be relatively small.22 Historically, production facilities have been installed at a slower pace in the California OCS than in the Gulf of Mexico.23

#### No drilling equipment

CFAP 8 (Center for American Progress, 9/15/2008, "Ten Reasons Not to Expand Offshore Drilling", [www.americanprogress.org/issues/green/news/2008/09/15/4894/ten-reasons-not-to-expand-offshore-drilling/](http://www.americanprogress.org/issues/green/news/2008/09/15/4894/ten-reasons-not-to-expand-offshore-drilling/))

7. There isn’t enough drilling equipment. Due to the high price of oil, existing drilling ships are “booked solid for the next five years,” and demand for deepwater rigs has driven up the price of such ships. Oil companies just don’t have the resources to explore oil fields in the OCS.

#### Most contracts are idle – the plan is non-sensical

**CBO 12** (Congressional Budget Office, August 2012, "Potential Budgetary Effects of Immediately Opening Most Federal Lands to Oil and Gas Leasing", [www.cbo.gov/sites/default/files/cbofiles/attachments/08-09-12\_Oil-and-Gas\_Leasing.pdf](http://www.cbo.gov/sites/default/files/cbofiles/attachments/08-09-12_Oil-and-Gas_Leasing.pdf))

Leasing Offshore Federal Lands The geographic scope of leasing on the Outer Continental Shelf has changed often over the past few decades.3 CBO anticipates that, under current law, DOI will offer leases for most of the acreage in the OCS over the next several decades. Until the early 1980s, DOI offered leases in all of the OCS, including the areas off the Atlantic, Pacific, and Florida coasts. In 1990, after the Congress imposed a series of temporary restrictions, President George H.W. Bush withdrew large portions of the OCS in the Atlantic and Pacific Oceans and the eastern Gulf of Mexico from the leasing program. Those restricted areas were subsequently expanded by President Clinton. Then, in 2008, President George W. Bush narrowed the restrictions to include only areas that had been designated as National Marine Sanctuaries. In 2010, President Obama removed Alaska’s Bristol Bay area from the leasing program until the end of June 2017. Since 2008, policies on leasing in the Atlantic and Pacific OCS have varied, reflecting differences between the two most recent Administrations. In January 2009, DOI issued a proposed five-year plan that included lease sales in the Atlantic and Pacific OCS for the 2010–2015 period. The program proposed in June 2012 does not include an option for sales in those areas between 2012 and 2017. Neither plan involved the areas in the Gulf of Mexico adjacent to the Florida coast in which leasing is now prohibited until the end of June 2022.4 Other than the temporary ban on leasing in the eastern Gulf of Mexico, there currently are no statutory restrictions on OCS leasing. Decisions about leasing are made administratively—in consultation with industry and the states—for five-year periods. Leases cannot be offered for areas that are not included in a five-year plan, but the available regions may change whenever a new plan is adopted. The next plan is expected to go into effect in August 2012 and will extend for five years unless a future Administration chooses to restart the process before that plan expires. Historical experience suggests that only a fraction of the leases awarded in the OCS will eventually be brought into production. Almost 60 percent of the OCS leases issued in the Gulf of Mexico through 2007 either expired or were relinquished without producing any oil or natural gas.5 CBO estimates that almost 90 percent of the 2011 OCS production was from leases issued before 2001, reflecting the long lead times associated with exploring and developing oil and gas fields. 6

## econ

#### Status quo solves the whole aff

Fahey 10/23 (Jonathan Fahey, AP Energy Writer, 10/23/2012, "US may soon become world's top oil producer", finance.yahoo.com/news/us-may-soon-become-worlds-top-oil-producer-173753430--finance.html)

NEW YORK (AP) — U.S. oil output is surging so fast that the United States **could soon overtake Saudi Arabia as the world's biggest producer**.

Driven by high prices and new drilling methods, U.S. production of crude and other liquid hydrocarbons is on track to rise 7 percent this year to an average of 10.9 million barrels per day. This will be the fourth straight year of crude increases and the biggest single-year gain since 1951.

The boom has **surprised even the experts**.

"Five years ago, if I or anyone had predicted today's production growth, people would have thought we were crazy," says Jim Burkhard, head of oil markets research at IHS CERA, an energy consulting firm.

The Energy Department forecasts that U.S. production of crude and other liquid hydrocarbons, which includes biofuels, will average 11.4 million barrels per day next year. That would be a record for the U.S. and just below Saudi Arabia's output of 11.6 million barrels. Citibank forecasts U.S. production could reach 13 million to 15 million barrels per day by 2020, helping to make North America "the new Middle East."

The last year the U.S. was the world's largest producer was 2002, after the Saudis drastically cut production because of low oil prices in the aftermath of 9/11. Since then, the Saudis and the Russians have been the world leaders.

The United States will still need to import lots of oil in the years ahead. Americans use 18.7 million barrels per day. But thanks to the growth in domestic production and the improving fuel efficiency of the nation's cars and trucks, imports could fall by half by the end of the decade.

The increase in production hasn't translated to cheaper gasoline at the pump, and prices are expected to stay high relatively high for the next few years because of growing demand for oil in developing nations and political instability in the Middle East and North Africa. Still, producing more oil domestically, and importing less, **gives the economy a significant boost**.

The companies profiting range from independent drillers to large international oil companies such as Royal Dutch Shell, which increasingly see the U.S. as one of the most promising places to drill. ExxonMobil agreed last month to spend $1.6 billion to increase its U.S. oil holdings.

Increased drilling is driving economic growth in states such as North Dakota, Oklahoma, Wyoming, Montana and Texas, all of which have unemployment rates far below the national average of 7.8 percent. North Dakota is at 3 percent; Oklahoma, 5.2.

Businesses that serve the oil industry, such as steel companies that supply drilling pipe and railroads that transport oil, aren't the only ones benefiting. Homebuilders, auto dealers and retailers in energy-producing states are also getting a lift.

IHS says the oil and gas drilling boom, which already supports 1.7 million jobs, **will lead to the creation of 1.3 million jobs across the U.S. economy** by the end of the decade.

"It's the most important change to the economy since the advent of personal computers pushed up productivity in the 1990s," says economist Philip Verleger, a visiting fellow at the Peterson Institute of International Economics.

The major factor driving domestic production higher is a newfound ability to squeeze oil out of rock once thought too difficult and expensive to tap. Drillers have learned to drill horizontally into long, thin seams of shale and other rock that holds oil, instead of searching for rare underground pools of hydrocarbons that have accumulated over millions of years.

To free the oil and gas from the rock, drillers crack it open by pumping water, sand and chemicals into the ground at high pressure, a process is known as hydraulic fracturing, or "fracking."

While expanded use of the method has unlocked enormous reserves of oil and gas, it has also raised concerns that contaminated water produced in the process could leak into drinking water.

#### Decline doesn’t cause war

Morris Miller, Professor of Administration @ the University of Ottawa, ‘2K

(Interdisciplinary Science Review, v 25 n4 2000 p ingenta connect)

The question may be reformulated. Do wars spring from a popular reaction to a sudden economic crisis that exacerbates poverty and growing disparities in wealth and incomes? Perhaps one could argue, as some scholars do, that it is some dramatic event or sequence of such events leading to the exacerbation of poverty that, in turn, leads to this deplorable denouement. This exogenous factor might act as a catalyst for a violent reaction on the part of the people or on the part of the political leadership who would then possibly be tempted to seek a diversion by finding or, if need be, fabricating an enemy and setting in train the process leading to war. According to a study under- taken by Minxin Pei and Ariel Adesnik of the Carnegie Endowment for International Peace, there would not appear to be any merit in this hypothesis. After studying ninety-three episodes of economic crisis in twenty-two countries in Latin America and Asia in the years since the Second World War they concluded that:19 Much of the conventional wisdom about the political impact of economic crises may be wrong ... The severity of economic crisis – as measured in terms of inflation and negative growth – bore no relationship to the collapse of regimes ... (or, in democratic states, rarely) to an outbreak of violence ... In the cases of dictatorships and semi-democracies, the ruling elites responded to crises by increasing repression (thereby using one form of violence to abort another).

#### Recent empirics go neg

Barnett, senior managing director of Enterra Solutions LLC, contributing editor/online columnist for Esquire, 8/25/’9

(Thomas P.M, “The New Rules: Security Remains Stable Amid Financial Crisis,” Aprodex, Asset Protection Index, <http://www.aprodex.com/the-new-rules--security-remains-stable-amid-financial-crisis-398-bl.aspx>)

When the global financial crisis struck roughly a year ago, the blogosphere was ablaze with all sorts of scary predictions of, and commentary regarding, ensuing conflict and wars -- a rerun of the Great Depression leading to world war, as it were. Now, as global economic news brightens and recovery -- surprisingly led by China and emerging markets -- is the talk of the day, it's interesting to look back over the past year and realize how globalization's first truly worldwide recession has had virtually no impact whatsoever on the international security landscape.

None of the more than three-dozen ongoing conflicts listed by GlobalSecurity.org can be clearly attributed to the global recession. Indeed, the last new entry (civil conflict between Hamas and Fatah in the Palestine) predates the economic crisis by a year, and three quarters of the chronic struggles began in the last century. Ditto for the 15 low-intensity conflicts listed by Wikipedia (where the latest entry is the Mexican "drug war" begun in 2006). Certainly, the Russia-Georgia conflict last August was specifically timed, but by most accounts the opening ceremony of the Beijing Olympics was the most important external trigger (followed by the U.S. presidential campaign) for that sudden spike in an almost two-decade long struggle between Georgia and its two breakaway regions.

Looking over the various databases, then, we see a most familiar picture: the usual mix of civil conflicts, insurgencies, and liberation-themed terrorist movements. Besides the recent Russia-Georgia dust-up, the only two potential state-on-state wars (North v. South Korea, Israel v. Iran) are both tied to one side acquiring a nuclear weapon capacity -- a process wholly unrelated to global economic trends.

And with the United States effectively tied down by its two ongoing major interventions (Iraq and Afghanistan-bleeding-into-Pakistan), our involvement elsewhere around the planet has been quite modest, both leading up to and following the onset of the economic crisis: e.g., the usual counter-drug efforts in Latin America, the usual military exercises with allies across Asia, mixing it up with pirates off Somalia's coast). Everywhere else we find serious instability we pretty much let it burn, occasionally pressing the Chinese -- unsuccessfully -- to do something. Our new Africa Command, for example, hasn't led us to anything beyond advising and training local forces.

#### Drilling doesn’t solve unemployment

Levi 11 (Michael Levi, CFR Energy Security and Climate Change Program Director, Senior Fellow, 10/18/11, “New Energy Jobs Won't Solve the U.S. Unemployment Problem”, www.foreignaffairs.com/articles/136599/michael-levi/new-energy-jobs-wont-solve-the-us-unemployment-problem)

U.S. President Barack Obama and the leading Republican candidates for president don't agree on much, particularly when it comes to jobs and energy. But they do appear to share a conviction that a vibrant energy sector is central to solving the U.S. unemployment problem. Obama has put clean energy jobs at the center of his economic message. On the Republican side, both Texas Governor Rick Perry and Mitt Romney, his rival, claim that the oil, gas, and coal industries is where the real future of American job growth lies, contrasting their approach with one that has produced the recent Solyndra debacle. Alas, on the one point on which everyone seemingly agrees, they are all wrong. There is no doubt the energy sector could employ many more Americans. But exactly how many matters. The Republican candidates have made bold and concrete predictions. Perry is running on his record of job creation in Texas, which included a big boost from the booming oil and gas sector employment. Romney claims that expanded drilling could create 1.2 million energy jobs and that shale gas operations in the Northeast could add another 280,000 and Perry offers similar numbers. This is an exaggeration. The American Petroleum Institute, which is hardly an impartial arbiter (it is the oil industry lobby), projects that opening all U.S. lands to drilling while loosening a range of regulations would create 400,000 new energy-sector jobs and perhaps one million support and spinoff jobs by 2030. The real potential for oil and gas jobs is smaller. For his part, Obama placed clean-energy jobs at the core of his economic recovery plans, promising five million by 2030 if his energy plans were enacted into law. The Center for American Progress, a liberal-leaning think tank that is inclined to be favorable to the president, estimated that his plans could have actually created about 1.8 million jobs at clean-energy businesses and their suppliers. Either way, Republicans and some Democrats have blocked most of the clean energy policies that the president advocated. The problem is that even if Obama, Perry, and Romney all had their way and, in fact, created millions of energy sector jobs, these numbers would be incommensurate with the scale of the United States' current employment challenge. In a country where 14 million job seekers are unemployed and an additional 9.3 million are involuntarily working part time, energy jobs will not bridge the gap. And many, if not most, of the promised jobs -- whether in oil drilling or turbine manufacturing -- would take more than a decade to materialize. Setting aside such problems, the full complement of jobs promised by the American Petroleum Institute and the Center for American Progress would tweak unemployment by about one percent. All of this also fails to mention that in the longer term, many if not most of the new jobs would come at the expense of employment in other sectors, pushing those job creation numbers down even further. The underwhelming numbers should not be surprising. After all, energy production is not a large part of the U.S. economy. The mining sector -- which includes oil, gas, and coal production -- makes up only 1.9 percent of U.S. GDP. The utilities sector, which includes both clean and traditional energy production as well as a wide range of other activities, adds another 1.9 percent. Motor vehicle manufacturing accounts for 0.9 percent more. This is nothing to scoff at -- in real terms it means nearly a trillion dollars per year -- but national prosperity will not come from jobs growth in sectors that collectively make up less than five percent of the economy.

#### Regulations won’t cripple the industry

**Levi 12** (Michael Levi is the David M. Rubenstein senior fellow for energy and the environment at the Council on Foreign Relations and director of its Program on Energy Security and Climate Change. , July/August, Think Again: The American Energy Boom", www.foreignpolicy.com/articles/2012/06/18/think\_again\_the\_american\_energy\_boom)

"Barack Obama Is Bad for the Oil and Gas Industry." False. The oil and gas industry does not exactly love President Obama. Many of the industry's most prominent members rail against his "job-killing tax hikes," bankroll his opponents, and assert that his claims about oil production "couldn't be farther from the truth." Some of this frustration stems from real policy disagreements. Many oil and gas producers scoff at efforts to promote clean energy. They chafe at the drilling restrictions put in place in the aftermath of the Deepwater Horizon oil spill and are apoplectic about the president's denial of a permit for the Keystone XL pipeline. Yet Obama has presided over an extraordinary boom in oil and gas production. That fact alone suggests he isn't out to wreck the industry. So why the hostility? Bennett Johnston, then a Democratic senator from Louisiana, put the dynamic well, though he was talking about another president and another energy boom 30 years ago: "When I go down in my state, I see virtually none of the independent oil producers for Carter.… We've gotten higher drilling rig counts, more dollars being spent, more activity, more profits being made by oil people than ever before. But do they like Carter? Oh no, they hate him because of his rhetoric." So let's get real: Obama may criticize the energy industry, but he has been pretty damn good for business. Washington under his watch may not be turning into Riyadh on the Potomac, but these are happy days for oil and gas producers. Even the president's efforts to remove industry tax breaks would amount to an additional burden of around $4 billion a year for an industry that posted more than $100 billion in profits (and far more in revenues) last year. And far from shutting down business with draconian new rules, his administration has worked to craft regulations that keep production going while also protecting the public. After pausing to improve safety provisions in the wake of the Deepwater Horizon oil spill, Obama has allowed new offshore oil drilling and production to resume. No president has a perfect record on energy. Yet if America's energy industry and its supporters set aside rhetoric, they'll find quite a lot to gush about.

#### Econ’s improving

AP 9/20/12 [“Census Bureau: Economy showing signs it's finally bottomed out,” CBS Money Watch, http://www.cbsnews.com/8301-500395\_162-57516476/census-bureau-economy-showing-signs-its-finally-bottomed-out/]

(AP) WASHINGTON — The U.S. economy is showing signs of finally bottoming out: Americans are on the move again after record numbers had stayed put, more young adults are leaving their parents' homes to take a chance with college or the job market, once-sharp declines in births are leveling off and poverty is slowing.¶ New 2011 census data being released Thursday offer glimmers of hope in an economic recovery that technically began in mid-2009. The annual survey, supplemented with unpublished government figures as of March 2012, covers a year in which unemployment fell modestly from 9.6 percent to 8.9 percent.¶ Not all is well. The jobless rate remains high at 8.1 percent. Home ownership dropped for a fifth straight year to 64.6 percent, the lowest in more than a decade, hurt by more stringent financing rules and a shift to renting. More Americans than ever are turning to food stamps, while residents in housing that is considered "crowded" held steady at 1 percent, tied for the highest since 2003.¶ Taken as a whole, however, analysts say the latest census data provide wide-ranging evidence of a stabilizing U.S. economy. Coming five years after the housing bust, such a leveling off would mark an end to the longest and most pernicious economic decline since World War II.¶ "We may be seeing the beginning of the American family's recovery from the Great Recession," said Andrew Cherlin, a professor of sociology and public policy at Johns Hopkins University. He pointed in particular to the upswing in mobility and to young men moving out of their parents' homes, both signs that more young adults were testing out job prospects.¶ "It could be the modest number of new jobs or simply the belief that the worst is over," Cherlin said.¶ Richard Freeman, an economist at Harvard University, said the data point to a "fragile recovery," with the economy still at risk of falling back into recession, depending in part on who is president and whether Congress averts a "fiscal cliff" of deep government spending cuts and higher taxes in January. "Given the situation in the world economy, we are doing better than many other countries," he said. "Government policies remain critical."¶ The census figures also show slowing growth in the foreign-born population, which increased to 40.4 million, or 13 percent of the U.S. population. Last year's immigration increase of 400,000 people was the lowest in a decade, reflecting a minimal gain of Latinos after many Mexicans already in the U.S. opted to return home. Some 11 million people are estimated to be in the U.S. illegally.¶ The bulk of new immigrants are now higher-skilled workers from Asian countries such as China and India, contributing to increases in the foreign-born population in California, New York, Illinois and New Jersey.¶ Income inequality varied widely by region. The gap between rich and poor was most evident in the District of Columbia, New York, Connecticut, Louisiana and New Mexico, where immigrant or minority groups were more numerous. By county, Berkeley, in West Virginia had the biggest jump in household income inequality over the past year, a result of fast suburban growth just outside the Washington-Baltimore region, where pockets of poor residents and newly arrived, affluent commuters live side by side.¶ As a whole, Americans were slowly finding ways to get back on the move. About 12 percent of the nation's population, or 36.5 million, moved to a new home, up from a record low of 11.6 percent in 2011.¶ Among young adults 25 to 29, the most mobile age group, moves also increased to 24.6 percent from a low of 24.1 percent in the previous year. Longer-distance moves, typically for those seeking new careers in other regions of the country, rose modestly from 3.4 percent to 3.8 percent.¶ Less willing to rely on parents, roughly 5.6 million Americans ages 25-34, or 13.6 percent, lived with Mom and Dad, a decrease from 14.2 percent in the previous year. Young men were less likely than before to live with parents, down from 18.6 percent to 16.9 percent; young women living with parents edged higher to 10.4 percent, up from 9.7percent.¶ The increases in mobility coincide with modest improvements in the job market as well as increased school enrollment, especially in college and at advanced-degree levels.¶ Marriages dipped to a low of just 50.8 percent among adults 18 and over, compared with 57 percent in 2000. Among young adults 25-34, marriage was at 43.1 percent, also a new low, part of a longer-term cultural trend in which people are opting to marry at later ages and often cohabitate with a partner first.¶ Births, on the other hand, appeared to be coming back after years of steep declines. In 2011, the number of births dipped by 55,000, or 1 percent, to 4.1 million, the smallest drop since the pre-recession peak in 2008, according to Kenneth Johnson, a sociology professor and senior demographer at the University of New Hampshire. More recent data from the Centers for Disease Control and Prevention also show that once-precipitous drops in births are slowing.¶ "There are signs that young adults have turned a corner," said Mark Mather, associate vice president at the Population Reference Bureau. "More young adults are staying in school, which will increase their potential earnings when the job market bounces back. It's going to take some time, but we should see more young adults entering the labor force, buying homes and starting families as economic conditions improve."¶ While poverty slowed, food stamp use continued to climb. Roughly 14.9 million, or 13 percent of U.S. households, received food stamps, the highest level on record, meaning that 1 in 8 families was receiving the government aid. Oregon led the nation at 18.9 percent, or nearly 1 in 5, due in part to generous state provisions that expand food stamp eligibility to families making 185 percent of the poverty level — roughly $3,400 a month for a family of four. Oregon was followed by more rural or more economically hard-hit states, including Michigan, Tennessee, Maine, Kentucky and Mississippi. Wyoming had the fewest households on food stamps, at 5.9 percent.¶ Government programs did much to stave off higher rates of poverty. While the official poverty rate for 2011 remained stuck at 15 percent, or a record 46.2 million people, the government formula did not take into account noncash aid such as food stamps, which the Census Bureau estimates would have lifted 3.9 million people above the poverty line. If counted, that safety net would have lowered the poverty rate to 13.7 percent. And without expanded unemployment benefits, which began expiring in 2011, roughly 2.3 million people would have fallen into poverty.¶ Some 17 states showed statistically significant increases in the poverty rate, led by Louisiana, Oregon, Arizona, Georgia and Hawaii. Among large metropolitan areas, McAllen, Texas, led the nation in poverty, at 38 percent, followed by Fresno, Calif., El Paso, Texas, and Bakersfield, Calif. In contrast, the Washington, D.C., metro area had the lowest level of poverty, about 8 percent, followed by Bridgeport, Conn., and Ogden, Utah.¶ "**There are signs among all these measures that the multiple downsides of the Great Recession have bottomed out**, which is good news, especially for young people who have seen their lives put on hold," said William H. Frey, a demographer at Brookings Institution. "**There is some light at the end of the tunnel.**"

#### Econ resilient

Economist, Economist Intelligence Unit – Global Forecasting Service, 11/16/’11

(<http://gfs.eiu.com/Article.aspx?articleType=gef&articleId=668596451&secID=7>)

The US economy, by any standard, remains weak, and consumer and business sentiment are close to 2009 lows. That said, the economy has been surprisingly resilient in the face of so many shocks. US real GDP expanded by a relatively robust 2.5% in the third quarter of 2011, twice the rate of the previous quarter. Consumer spending rose by 2.4%, which is impressive given that real incomes dropped during the quarter (the savings rate fell, which helps to explain the anomaly.) Historically, US consumers have been willing to spend even in difficult times. Before the 2008-09 slump, personal spending rose in every quarter between 1992 and 2007. That resilience is again in evidence: retail sales in September were at a seven-month high, and sales at chain stores have been strong. Business investment has been even more buoyant: it expanded in the third quarter by an impressive 16.3% at an annual rate, and spending by companies in September on conventional capital goods (that is, excluding defence and aircraft) grew by the most since March. This has been made possible, in part, by strong corporate profits. According to data compiled by Bloomberg, earnings for US companies in the S&P 500 rose by 24% year on year in the third quarter. All of this has occurred despite a debilitating fiscal debate in Washington, a sovereign debt downgrade by a major ratings agency and exceptional volatility in capital markets. This reinforces our view that the US economy, although weak, is not in danger of falling into a recession (absent a shock from the euro zone). US growth will, however, continue to be held back by a weak labour market—the unemployment rate has been at or above 9% for 28 of the last 30 months—and by a moribund housing market.

## at: new adv

#### OPEC has no leverage from oil – that’s a self-serving myth from oil regimes

**Taylor 4** (Jerry Taylor is director of natural resource studies at the Cato Institute., 8/24/2004, "Energy Independence? Kerry's Dreaming", www.cato.org/publications/commentary/energy-independence-kerrys-dreaming)

While energy independence is not a new idea - it's been embraced to varying degrees by every single national politician (including President Bush!) over the last 30 years - it's the sort of thing that sounds good at first blush but looks ridiculous the more you think about it. Actually, characterizing the idea as ridiculous is charitable. "Asinine" was the word used by one of Kerry's own energy advisers in the New York Times recently in the course of lamenting the direction his candidate was taking on the campaign trail. First off, energy independence won't do any good whatsoever unless we either stop using petroleum products altogether or, alternatively, ban all imports and exports of oil, gasoline, and the like. That's because moving oil around the globe is so cheap and easy that a shortage of oil anywhere in the world increases the price of oil everywhere in the world. That's why the oil price shock set off in 1979 by the Iranian Revolution increased the price of oil in Great Britain just as much as it increased the price of oil in Japan. It didn't matter that Great Britain was energy independent at the time and that Japan was 100 percent reliant upon imports. How much would prices go up if we withdrew from the global oil market to secure our energy independence? Well, America consumes 20.3 million barrels of oil a day but produces only 5.6 million barrels a day. Knocking out imports would increase oil prices to well over $100 a barrel and blow even today's high gasoline prices through the roof. Accordingly, the cost of immunizing America's economy from decisions made by the House of Saud are too high to entertain seriously. Are we then "dangerously beholden" to the Saudis and the rest of OPEC, as Senator Kerry claims? No more than we are "dangerously beholden" to the guys who run grocery stores. Sure, we need the oil to keep the economy going, but the Saudis (like most of the rest of OPEC) need the revenues produced by the oil trade to keep from starving. Given the lack of any other particularly profitable industry within Arab OPEC member states, oil producers need the money generated by oil sales more than oil consumers need the petroleum. That explains why over the entire history of the cartel, not once has an OPEC member state chosen to pursue political objectives rather than profit maximizing objectives when making decisions about oil production. The idea that oil sheiks decide how much to pump based on their feelings towards the West is a self-serving myth perpetuated by oil regimes that want foreign policy brownie points for doing what they must do regardless. Simply reducing the amount of oil we import from the Middle East would likewise accomplish nothing. A Saudi production cutback would increase the cost of oil produced in Texas, Mexico, and Russia just as much as it would increase the cost of oil produced in Saudi Arabia. Moreover, if we don't buy Saudi oil, somebody else would. Given the global nature of the marketplace, what matters is overall supply and demand, not who provides the supply or who makes the demand. But wouldn't we be less vulnerable to some future embargo were we less dependent on Middle East oil? No. All that happened during 1973 oil embargo, for instance, is that instead of buying oil from OPEC, the United States bought oil from other market actors that bought oil from OPEC and shifted consumption to non-OPEC producers (whose old customers shifted to OPEC). It was the production cutback that accompanied the embargo - not the embargo itself - that drove the resulting oil spike. As Sheik Yamani conceded later, the embargo "did not imply that we could reduce imports to the United States ... the world is really just one market. So the embargo was more symbolic than anything else."

#### OPEC has no leverage

**Altman 12** (Roger Altman chairman of Evercore Partners and a former US deputy Treasury secretary, 5/21/2012, "Prepare to Celebrate OPEC's Demise", www.ft.com/intl/cms/s/0/7fb3ac06-a32f-11e1-8f34-00144feabdc0.html#axzz23q630AxF)

The threat of disruptions is actually diminishing, given new finds of unconventional oil and gas in the western hemisphere. These discoveries will reduce price and supply volatility. They will also reset and profoundly improve international relations. The days of Opec, the oil producers’ cartel, are numbered. Unstable oil states, from Iraq to Venezuela, will be marginalised. The G8 statement on oil should have been optimistic. Technology has led to a revolution in energy supply. Advanced seismic techniques and complex drilling methods have opened previously unknown or inaccessible deposits. As a result, the US now has a 100-year supply of natural gas. On the oil side, production in the US, Canada, Brazil and possibly Mexico is projected to grow sharply. All of these nations might rank among the world’s seven largest energy producers within the next 20 years. Oil production could match consumption across the western world for the first time since 1952. This will provide for more stable oil and gas markets. They will become larger, deeper and less vulnerable. Geopolitically driven disruptions will have less impact and will be less common. No embargo, such as the one that Arab states imposed in 1973 or Iran enforced in 1979, will be severely disruptive. Nor will output losses triggered by conflicts, such as those in Iraq and Libya, have such effects. Put simply, the list of stable producers will be longer, making the impact of any rogue state more limited. Deeper oil markets should also mean less day-to-day price volatility over the medium to long term. After all, oil is increasingly traded like a financial instrument, and the world’s deepest financial markets, such as US Treasury bonds, tend to exhibit the least volatility. Further, the potential for traders to engage successfully in manipulative behaviour will be diminished by the sheer size of the energy markets. This supply resolution will also realign the global political order for the better. First, the geopolitical centrality of the Middle East will wane. That is because the power and relevance of its oil producers have peaked and are heading down. Whether Iraq is producing a million barrels of oil more or less is not going to mean much in 10 or 20 years. Only Saudi Arabia’s output will be indispensable. The idea of Opec as a cartel, already fading, will be over. This will lead to different security arrangements in the region. The longstanding US military presence in the Gulf, always a lightning rod, will be reduced. Washington’s only remaining priorities there will be the stability of Saudi Arabia and Israel, both already heavily militarised. Moreover, the coming budget austerity in Washington will support such defence cuts. Second, the global leverage of other power-hungry oil states, such as Russia, will also weaken. These nations will be marginalised by surging oil production in the west and in countries such as Indonesia. For example, Russia’s capacity to shut off energy supplies to Europe will diminish as America becomes an exporter of liquefied natural gas. This, together with its falling population and weak economy, will put Russia into further decline.

#### They haven’t had influence for 4 years

McNallly 11 (Robert McNally is the founder and President of The Rapidan Group. Mr. McNally has over 20 years government and market experience as an international energy market consultant, investment strategist and White House policy official. Mr. McNally’s background and expertise spans the convergence of energy with economic, security, and environmental sectors, from global oil market fundamentals to regulatory policies. He has testified to Congress on energy markets and national security, published on energy in Foreign Affairs (co-authored with Michael Levi) and has been interviewed by CNN, The Economist, Financial Times, Washington Post, PBS’ Great Decisions in Foreign Policy series, Bloomberg News, Aviation Daily and other journals and programs. From 2001 to 2003, Mr. McNally served as the top international and domestic energy adviser on the White House staff, holding the posts of Special Assistant to the President on the National Economic Council and, in 2003, Senior Director for International Energy on the National Security Council. Mr. McNally started his professional career as an oil market analyst and consultant with Energy Security Analysis, Inc. In 1994, he joined Tudor Investment Corporation and for 12 years analyzed energy markets, macroeconomic policy, and geopolitics for Tudor portfolio managers. Mr. McNally served in the Peace Corps in Senegal from 1988-1990. He earned his double major BA/BS in International Relations and Political Science from American University and his MA in International Economics and American Foreign Policy from Johns Hopkins Paul H. Nitze School of Advanced International Studies (SAIS)., 3/3/2011, "The OPEC Era of Oil Price Control Is Over...Let's Swing", [www.rapidangroup.com/wp/wp-content/uploads/2010/10/The\_OPEC\_Era\_of\_Price\_Control\_is\_Over\_-Lets\_Swing-TRG110303.pdf](http://www.rapidangroup.com/wp/wp-content/uploads/2010/10/The_OPEC_Era_of_Price_Control_is_Over_-Lets_Swing-TRG110303.pdf))

We believe the 36-year era of OPEC oil price control ended in 2008, giving way to a new, indefinite "Swing Era" in which large price swings rather than cartel production changes will balance global oil supply and demand. The Swing Era portends much higher oil price volatility, investment uncertainty in conventional and alternative energy and transportation technologies, and lower consensus estimates of global GDP growth. Ironically, Western governments and investors will miss OPEC, or at least the relative price stability it tried to provide. The OPEC era is commonly thought to have begun during the 1973 Arab Oil embargo amidst the Yom Kippur War. But a better start date occurred one year before, in peaceful March 1972. For the first time in 25 years, the Chairman of the Texas Railroad Commission ordered full production, keeping none in spare. He called the occasion "damned historic, and a sad one. Texas oil fields have been like a reliable old warrior that could rise to the task when needed." Indeed, in 1967 the Texas Railroad Commission used its spare capacity to help offset an Arab oil embargo. In 1972, however, possession of spare capacity, and therefore real power over oil prices, was transferred to OPEC. From 2005-2008, it was OPEC's turn to fail to rise to the task when needed. It was the first instance during peacetime when OPEC spare capacity was depleted. As in 1972, demand outstripped production capacity. But this time, no new cartel waited in the wings to satisfy global crude appetites. In 2008, market balance was only achieved through a brutal price spike that rationed demand and crushed income. While many in Washington, Paris, Riyadh, and Beijing publicly blamed speculators, energy experts and economists pointed instead to strong demand for a price inelastic commodity running up against a finite supply. Looking to the foreseeable future, a replay of super-tight 2005-2008 fundamentals is not a question of if, but when. Global GDP growth remains oil intensive, contrary to optimistic rhetoric about biofuels and electric cars. Non-OPEC supply has effectively peaked in the medium term, and OPEC countries have not invested enough in production capacity to meet demand growth and maintain a sufficient spare capacity buffer, thought to equal 5% of global demand (4-5 mb/d at present). We currently estimate spare capacity at 3.0 to at most 3.5 mb/d. Saudi Arabia holds the bulk of spare capacity, but has frequently stated it wishes to keep only 1.5-2.0 mb/d. Even if total oil production is far from a peak, ex-ante demand growth is likely to outstrip net supply growth, draining spare capacity and requiring demand-rationing, if not GDP limiting, price increases to ensure consumption and supply growth are balanced. In the future, OPEC can maintain a price floor by cutting supply. But insufficient spare capacity will deprive it of the power to impose a ceiling. When demand growth again whittles spare capacity below 2 mb/d, prices will soar. Our previous supply/demand forecast assumed tight spare capacity would return in 2013. However, news that Saudi Arabia has been producing above 9.0 mb/d for some time increases odds of tightness arriving sooner, notwithstanding unrest in North Africa and the Middle East [see yesterday's note "Saudi Arabia's Oil Policy Echoing 2007-2008"]. If MENA unrest causes an oil price spike, it will delay but not prevent a replay of the 1972 and 2008 examples of the world running out of spare capacity in peacetime (as the spike would be attributed to conflict disruptions rather than insufficient spare capacity). Another peacetime depletion of spare capacity, when it comes, should trigger greater understanding of a new and more volatile Swing Era in global oil prices.

#### Tons of analysts

**Karl 12** (David J. Karl is president of the Asia Strategy Initiative, an analysis and advisory firm that has a particular focus on South Asia. He serves on the board of counselors of Young Professionals in Foreign Policy and previously on the Executive Committee of the Southern California chapter of TiE (formerly The Indus Entrepreneurs), the world's largest not-for-profit organization dedicated to promoting entrepreneurship.David previously served as director of studies at the Pacific Council on International Policy, in charge of the Council’s think tank focused on foreign policy issues of special resonance to the U.S West Coast, and was project director of the Bi-national Task Force on Enhancing India-U.S. Cooperation in the Global Innovation Economy that was jointly organized by the Pacific Council and the Federation of Indian Chambers & Industry. He received his doctorate in international relations at the University of Southern California, writing his dissertation on the India-Pakistan strategic rivalry, and took his masters degree in international relations from the Johns Hopkins University School of Advanced International Studies., 7/24/2012, "New World Coming: America the Energy Superpower", foreignpolicyblogs.com/2012/07/24/new-world-coming-america-the-energy-superpower/)

Peering beyond the nation’s shores, the decades-long centrality of the Middle East to the global economy and the U.S. foreign policy agenda is set to fade in the years ahead. A number of analysts (examples here and here) anticipate the irrelevance, if not outright collapse, of the OPEC oil cartel. A former president of Shell USA predicts that “OPEC will descend into chaos as an organization.” Another commentator foresees “the slow-motion collapse of the Middle Eastern oil empire,” an event that represents “a tectonic shift in the geopolitical balance of power, a strategically pivotal development only slightly less momentous than the fall of the Soviet Union.” A third expert terms the waning U.S. reliance on the region’s oil “the energy equivalent of the Berlin Wall coming down. Just as the trauma of the Cold War ended in Berlin, so the trauma of the 1973 oil embargo is ending now.”

AT: Luft Card

#### Their ev concludes drilling doesn’t solve

Luft 05 – DR. GAL LUFT, EXECUTIVE DIRECTOR @ INSTITUTE FOR THE ANALYSIS OF GLOBAL SECURITY (IAGS), CO-CHAIR @ SET AMERICA FREE COALITION, “America’s oil dependence and its implications for U.S. Middle East policy,” SENATE FOREIGN RELATIONS SUBCOMMITTEE ON NEAR EASTERN AND SOUTH ASIAN AFFAIRS, 10-20-05. <http://www.foreign.senate.gov/imo/media/doc/LuftTestimony051020.pdf>.)

The growing economic power of OPEC producers enables them to resist U.S. pressure on a variety of issues from human rights to nuclear proliferation. As the second largest oil producer and holder of 10 percent of the world’s proven oil reserves Iran is fully aware of the power of its oil. Its supreme leader Ayatollah Ali Khamenei warned in 2002: “If the west did not receive oil, their factories would grind to a halt. This will shake the world!" The Iranians also know that oil is their insurance policy and that the best way to forestall U.S. efforts in the UN is by bedding themselves with energy hungry powers such as Japan and the two fastest growing energy consumers—China and India. After securing the support of a third of humanity the Iranians are unfazed by the pressure coming from the U.S. and the EU. Last month Iran’s President Mahmoud Ahmadinejad warned that Iran could wield the oil weapon if Tehran's case was sent to the Security Council for possible sanctions. Mr. Chairman, Four years after September 11 it is essential that we view our geopolitical situation in the context of our oil dependence and realize that it will be extremely difficult to win the war on terror and spread democracy around the world as long as we continue to send petrodollars to those who do not share our vision and values. As long as the U.S. remains dependent on oil to the degree that its does today, its dependence on the Middle East will grow. The U.S. can no longer afford to postpone urgent action to strengthen its energy security and it must begin a bold process toward reducing its demand for oil.

Aff card ends here

In order to achieve this it is important to dispel two myths: Myth 1: The U.S. can end its dependence on the Middle East by diversifying its sources beyond the region. Since oil is a fungible commodity, it does not matter what proportion of the oil the U.S. imports comes from the Middle East, what matters is the share of Middle East producers in overall supply. The oil market is like a huge pool: producers pour in oil while consumers draw it out. Prices and supply levels are determined in the international markets. If all we do is shuffle around our sources of oil supply, but demand for oil does not drop, the influx of petrodollars to proliferators and apologists for radical Islam as well as the vulnerability of the U.S. to international oil terrorism would remain the same even if the U.S. did not import a drop of oil from the Middle East. Myth 2: The U.S. can drill its way out of its energy problem. Tapping our domestic reserves which, all included, amount to less than 3% of the world’s reserves, is no more than a stopgap solution. Considering America's vast long term needs our domestic reserves are a drop in the bucket. Assuming that all the oil that is claimed to be in Alaska is indeed there, the U.S.’ share of world oil would increase by less than half of a percent. No doubt unconventional petroleum sources available in the Western Hemisphere like Canadian tar sands and Venezuelan extra heavy crude could provide 6 some relief but by no means can they significantly reduce America’s dependence on the Middle East.

#### No threat – weak leadership and no recent attacks

**Zenko and Cohen 12**, \*Fellow in the Center for Preventive Action at the Council on Foreign Relations, \*Fellow at the Century Foundation, (Micah and Michael, "Clear and Present Safety," March/April, Foreign Affairs, www.foreignaffairs.com/articles/137279/micah-zenko-and-michael-a-cohen/clear-and-present-safety

NONE OF this is meant to suggest that the United States faces no major challenges today. Rather, the point is that the problems confronting the country are manageable and pose minimal risks to the lives of the overwhelming majority of Americans. None of them -- separately or in combination -- justifies the alarmist rhetoric of policymakers and politicians or should lead to the conclusion that Americans live in a dangerous world.

Take terrorism. Since 9/11, no security threat has been hyped more. Considering the horrors of that day, that is not surprising. But the result has been a level of fear that is completely out of proportion to both the capabilities of terrorist organizations and the United States' vulnerability. On 9/11, al Qaeda got tragically lucky. Since then, the United States has been preparing for the one percent chance (and likely even less) that it might get lucky again. But al Qaeda lost its safe haven after the U.S.-led invasion of Afghanistan in 2001, and further military, diplomatic, intelligence, and law enforcement efforts have decimated the organization, which has essentially lost whatever ability it once had to seriously threaten the United States.

According to U.S. officials, al Qaeda's leadership has been reduced to two top lieutenants: Ayman al-Zawahiri and his second-in-command, Abu Yahya al-Libi. Panetta has even said that the defeat of al Qaeda is "within reach." The near collapse of the original al Qaeda organization is one reason why, in the decade since 9/11, the U.S. homeland has not suffered any large-scale terrorist assaults. All subsequent attempts have failed or been thwarted, owing in part to the incompetence of their perpetrators. Although there are undoubtedly still some terrorists who wish to kill Americans, their dreams will likely continue to be frustrated by their own limitations and by the intelligence and law enforcement agencies of the United States and its allies.

#### Data disproves hegemony impacts

Fettweis, 11

Christopher J. Fettweis, Department of Political Science, Tulane University, 9/26/11, Free Riding or Restraint? Examining European Grand Strategy, Comparative Strategy, 30:316–332, EBSCO

It is perhaps worth noting that there is no evidence to support a direct relationship between the relative level of U.S. activism and international stability. In fact, the limited data we do have suggest the opposite may be true. During the 1990s, the United States cut back on its defense spending fairly substantially. By 1998, the United States was spending $100 billion less on defense in real terms than it had in 1990.51 To internationalists, defense hawks and believers in hegemonic stability, this irresponsible “peace dividend” endangered both national and global security. “No serious analyst of American military capabilities,” argued Kristol and Kagan, “doubts that the defense budget has been cut much too far to meet America’s responsibilities to itself and to world peace.”52 On the other hand, if the pacific trends were not based upon U.S. hegemony but a strengthening norm against interstate war, one would not have expected an increase in global instability and violence.

The verdict from the past two decades is fairly plain: The world grew more peaceful while the United States cut its forces. No state seemed to believe that its security was endangered by a less-capable United States military, or at least none took any action that would suggest such a belief. No militaries were enhanced to address power vacuums, no security dilemmas drove insecurity or arms races, and no regional balancing occurred once the stabilizing presence of the U.S. military was diminished. The rest of the world acted as if the threat of international war was not a pressing concern, despite the reduction in U.S. capabilities. Most of all, the United States and its allies were no less safe. The incidence and magnitude of global conflict declined while the United States cut its military spending under President Clinton, and kept declining as the Bush Administration ramped the spending back up. No complex statistical analysis should be necessary to reach the conclusion that the two are unrelated.

Military spending figures by themselves are insufficient to disprove a connection between overall U.S. actions and international stability. Once again, one could presumably argue that spending is not the only or even the best indication of hegemony, and that it is instead U.S. foreign political and security commitments that maintain stability. Since neither was significantly altered during this period, instability should not have been expected. Alternately, advocates of hegemonic stability could believe that relative rather than absolute spending is decisive in bringing peace. Although the United States cut back on its spending during the 1990s, its relative advantage never wavered.

However, even if it is true that either U.S. commitments or relative spending account for global pacific trends, then at the very least stability can evidently be maintained at drastically lower levels of both. In other words, even if one can be allowed to argue in the alternative for a moment and suppose that there is in fact a level of engagement below which the United States cannot drop without increasing international disorder, a rational grand strategist would still recommend cutting back on engagement and spending until that level is determined. Grand strategic decisions are never final; continual adjustments can and must be made as time goes on. Basic logic suggests that the United States ought to spend the minimum amount of its blood and treasure while seeking the maximum return on its investment. And if the current era of stability is as stable as many believe it to be, no increase in conflict would ever occur irrespective of U.S. spending, which would save untold trillions for an increasingly debt-ridden nation.

It is also perhaps worth noting that if opposite trends had unfolded, if other states had reacted to news of cuts in U.S. defense spending with more aggressive or insecure behavior, then internationalists would surely argue that their expectations had been fulfilled. If increases in conflict would have been interpreted as proof of the wisdom of internationalist strategies, then logical consistency demands that the lack thereof should at least pose a problem. As it stands, the only evidence we have regarding the likely systemic reaction to a more restrained United States suggests that the current peaceful trends are unrelated to U.S. military spending. Evidently the rest of the world can operate quite effectively without the presence of a global policeman. Those who think otherwise base their view on faith alone.

#### European shale production takes out iran prolif

**Jaffe 10** (Amy Myers Jaffe is the Wallace S. Wilson Fellow for Energy Studies at the James A. Baker III Institute for Public Policy at Rice University and co-author of "Oil, Dollars, Debt and Crises: The Global Curse of Black Gold.", 5/10/2010, "Shale Gas Will Rock the World", professional.wsj.com/article/SB10001424052702303491304575187880596301668.html?mg=reno64-wsj)

I would also argue that greater shale-gas production in Europe will make it harder for Iran to profit from exporting natural gas. Iran is currently hampered by Western sanctions against investment in its energy sector, so by the time it can get its natural gas ready for export, the marketing window to Europe will likely be closed by the availability of inexpensive shale gas. And that may lead Tehran to tone down its nuclear efforts. Look at it this way: If Iran can't sell its gas in Europe, what options does it have? Piping to the Indian subcontinent is impractical, and LNG markets will be crowded with lower-cost, competing supplies.

#### Backstopping takes out any benefit

Luft and Korin 12 (Gal Luft and Anne Korin are co-directors of the Institute for the Analysis of Global Security (IAGS) and senior advisers to the United States Energy Security Council. They are co-authors of Turning Oil into Salt: Energy Independence through Fuel Choice (2009) and Petropoly: The Collapse of America’s Energy Security Paradigm (Forthcoming, 2012)., 6/20/2012, " Energy Independence Myths and Solutions", http://www.theisraelproject.org/atf/cf/%7B84dc5887-741e-4056-8d91-a389164bc94e%7D/ENERGYINDEPENDENCEMYTHSSOLUTIONS-JAN2011.PDF)

Drilling and efficiency won’t do the trick. Public debate on this issue has been dominated by calls to “drill more” (Republicans) or “use less” (Democrats). The reality is that both methods perpetuate petroleum’s monopoly over transportation fuel, doing nothing to weaken OPEC’s stranglehold. Members of the oil cartel OPEC sit on 78% of world oil reserves, but account for only 40% of global oil production. In 1973, just before the Arab Oil Embargo, OPEC produced 30 million barrels per day. Today, with global oil demand nearly doubled, OPEC produces an average of 29 million barrels per day – one million barrels less than in 1973! OPEC’s strategy of deliberately constraining supply effectively manipulates oil prices in order to maximize the revenue and power of its member regimes while blocking competition from alternative energy sources.

#### Sanctions solve

Colin H. **Kahl 12**, security studies prof at Georgetown, senior fellow at the Center for a New American Security, was Deputy Assistant Secretary of Defense for the Middle East, “Not Time to Attack Iran”, January 17, <http://www.foreignaffairs.com/articles/137031/colin-h-kahl/not-time-to-attack-iran?page=show>

In making the case for preventive war as the least bad option, Kroenig dismisses any prospect of finding a diplomatic solution to the U.S.-Iranian standoff. He concludes that the Obama administration's dual-track policy of engagement and pressure has failed to arrest Iran's march toward a bomb, leaving Washington with no other choice but to bomb Iran. But this ignores the severe economic strain, isolation, and technical challenges that Iran is experiencing. After years of dismissing the economic effects of sanctions, senior Iranian officials now publicly complain about the intense pain the sanctions are producing. And facing the prospect of U.S. sanctions against Iran's central bank and European actions to halt Iranian oil imports, Tehran signaled in early January some willingness to return to the negotiating table. Washington must test this willingness and, in so doing, provide Iran with a clear strategic choice: address the concerns of the international community regarding its nuclear program and see its isolation lifted or stay on its current path and face substantially higher costs. In framing this choice, Washington must be able to assert that like-minded states are prepared to implement oil-related sanctions, and the Obama administration should continue to emphasize that all options, including military action, remain on the table.

#### Containment solves

Alexandre **Debs and** Nuno P. **Monteiro 12**, poli sci profs at Yale, “The Flawed Logic of Striking Iran”, January 17, <http://www.foreignaffairs.com/articles/137036/alexandre-debs-and-nuno-p-monteiro/the-flawed-logic-of-striking-iran?page=show>

Taking the long view, Kroenig's argument reveals an unwarranted skepticism about Washington's ability to contain a nuclear Iran. This skepticism is all the more surprising considering Kroenig's work on the benefits of U.S. nuclear superiority. Existing U.S. security guarantees, based on current capabilities, give allies little incentive to nuclearize. Egypt and Saudi Arabia are among the largest recipients of U.S. military support, and Turkey is a member of NATO. Reinforcing U.S. ties with friends in the region would be easier, cheaper, and less risky than attacking the Iranian nuclear program. Instead, the United States should heed the lessons of the North Korean nuclearization. Not so long ago, Washington had to face an aggressive regime in Pyongyang intent on developing nuclear weapons. The United States rejected a preventive strike in 1994 for fear that the outcome would be worse than its target's nuclear acquisition. This was the right decision. After North Korea acquired nuclear weapons, none of the consequences that Kroenig's argument would predict materialized. U.S. security guarantees contained Pyongyang and persuaded South Korea and Japan not to acquire nuclear weapons. Nobody believes that the world is better off with a bomb in North Korea -- but the record shows that it hasn't brought the end of the world, either. Military action against Iran would be a profound strategic miscalculation. For all the talk of retrenchment, the U.S. military might remains the most powerful in the world, and it can successfully minimize consequences of an Iranian bomb, should one come to pass, by containing Tehran's ambitions, dissuading regional proliferation, and providing security assurances to its allies.

Energy independence collapses U.S. security guarantees–causes international realignment

Hulbert 8/19/12

(Matthew, senior fellow at the Clingendael International Energy Programme, The Hague, Senior Fellow at the Center for Security Studies, ETH Zurich, focusing on international energy security and political risk, “America Will Deeply Regret Its Fixation On Energy Independence,” <http://www.forbes.com/sites/matthewhulbert/2012/08/19/why-america-will-deeply-regret-us-energy-independence/2/>)

No one should blame, or bemoan the U.S. for doing this. It’s entirely up to the U.S. whichever path they chose to take. You could even argue it’s exactly what Washington should be doing to create serious foreign policy optionality: pick and choose whatever it does where, when, and how for the rest of the world to fall back on. All fair enough, but the downside risk this presents to Washington has already been captured in the ‘Kuwait Question’: Would the U.S. take assertive action to secure some of the key producer states of the world, or would they now turn the cheek? We all know the U.S. is no longer dependent on Middle East supplies; it hasn’t been for a long time given it sources less than 15% of its oil from the sand. But we also know that the decision to underwrite MENA supplies is nothing to do with U.S. consumption – and everything to do with retaining a dominant global geopolitical role. Ensure that hydrocarbons globally flow to the East and West, and much else follows as the geo-economic and geo-political lynchpin of the world. **Lose it, and you’ll be geopolitically downgraded** quicker than credit analysts can get stuck into Greek debt. That’s before we consider where Gulf States decide to recycle their petrodollars in future. No security, no $? It’s certainly a question for the U.S. to ponder – not only in terms of who they are going to sell their Treasuries to, but what currency oil is priced in. Hence the bottom line for the U.S.; Middle East energy isn’t about oil for America, it’s ultimately about power. If the U.S. wasn’t part of the Gulf energy game, it would hold zero sway with Saudi, no powers of persuasion over Iranian nukes, no say in the Arab Awakening, or how Gulf Monarchies handle critical succession problems in future. Let alone shaping vested interests to promote and extend U.S. influence across the globe. American Credibility Gone? The problem for America is that doubts over U.S. credibility are already creeping in from the energy independence hype. No one expects the US to step back into Iraq to shore up supplies if things take a serious turn for the worse; nobody expects the U.S. to provide any serious state building measures in Sudan. Likewise strategic US interests in Central Asia now have more to do with American concerns over South Asia, rather than hydrocarbon provision. If Russia decided to re-exert its regional dominance over the Caucasus (circa 2008) the U.S. would be highly unlikely to take any assertive measures to the contrary. Such out-posts are seen as ‘nice to have’ assets for US geopolitical standing, not as crucial global oil interests for America to underwrite and secure. Under a ‘business as usual’ scenario, these gaps are only going to get wider from hereon in. Logic therefore dictates that consumers need a U.S. plan B, and fast. The good news is that China already has one. It’s expanding its international energy footprint in the Middle East, Africa, Russia, Central Asia, and Asia-Pacific, reaching as far as the Americas and UK North Sea to secure its energy needs, (and hedge price risk more effectively through equity stakes). As the second largest consumer of oil, and one of the most import dependent states, Beijing is well aware that it has to ensure its own security of supply over the next decade as the US winds down its hydrocarbon presence. China will become the number one geopolitical force in the world over the next twenty years, and will do so for one, very simple reason: securing global hydrocarbon supplies. Europe has been very slow to appreciate this, but is finally cottoning onto the idea that it’s useless merely talking to prospective suppliers adjacent to its borders. It needs to work hand in hand with consumers at the other end of the Eurasian pipeline – namely China – to ensure its own security of supply. As Beijing plays a more prominent energy role, European energy security will depend on its ability to exploit Chinese influence in Central Asia as a mutual ‘Beijing-Brussels’ hedge against Russia, while working towards a consumer driven market to enhance supplies from the Middle East & North Africa. Europe is far better served taking the scraps from China’s energy table rather than wishful thinking that the trans-Atlantic ‘energy relationship’ still holds good. Like it or not, the logical conclusion of U.S. energy independence is fundamental demand side realignment where new players fill new geopolitical gaps. Careful What You Wish For The snag is that while the U.S. is very happy to extol the virtues of energy independence, it hasn’t come close to accepting the downside geopolitical implications that holds. Instead of working out an orderly division of (G2) hydrocarbon labour with China in the Middle East as the key producing region of the world, Washington is doing all it can to contain the rise of China, and doing so in Asia-Pacific. No doubt some of the local markets welcome ongoing US presence (especially around the India Ocean), but ‘hard balancing’ between the U.S. and China in South Asia is a battle that America will only ever lose. Rather than sticking more fingers in the Asia-Pacific dyke, Washington would actually be better served keeping an eye on its own backyard. Argentina, Venezuela, Brazil and most notably Canada are doing all they can to diversify their export mix away from a saturated U.S. market. They all know relying on a single source of supply and single source of demand isn’t smart economics. They’re all looking to load tankers to sell oil and gas onto global markets, and especially in Asia where premium prices rest. If we take forecasts for the Americas seriously, the U.S. will not only lose global sway as the independence bug bites, it might also struggle to retain a dominant role in its own neighbourhood. Brazil could well end up joining OPEC as its production grows, Canada will play hardball with the U.S. over its Arctic assets (not to mention plugging any new tar plays into Asia) and even when Chavez eventually conks out, don’t expect his successor(s) to be any more pro-American than then Kirchner clan in Argentina. New found petro-states will not be traditional U.S. silos. America could very easily slip down the global league of geopolitical energy heavyweights. Some will say humbug. The background pieces are falling into place for a ‘grand bargain’ to be struck between the U.S. and China by trading mutual assets in the East and West. Make things simple and split the world in two, using the mid-Atlantic ridge as a proxy border. Beijing will concede all its assets across the Americas with West Africa put into the mix. In return, the U.S. would cede the Middle East, Caspian, East Africa and Australasia as a pure play Chinese energy concern. Obviously things are never going to be quite that clear cut, but it’s probably a better bet than the current collision course we’re on between the U.S. and China. If the U.S. keeps preaching its energy independence gospel, all while containing the rise of China, the day will eventually come when China presents itself as a geopolitical fait accompli against Washington, not just across Asia-Pacific, but the Middle East as well. Rather than letting things get that far, the US would be far better served by following through on its own energy independence mantra: step back from the geopolitical ‘frontline’, and use its new found resources to let China play a more prominent hydrocarbon role. That’s not just to defuse geopolitical bombs ticking between the U.S. and China, but to make sure China can take up some of the U.S. slack. If those gaps aren’t properly filled, everyone, including the U.S., will suffer. It’s either that, or America knocks the energy independence narrative on the head, assures (and re-assures) other consumers that Washington will not only work to keep energy as a fungible, free flowing commodity, but that it remains the ultimate geopolitical backstop to oil supplies in the most vital producing regions in the world. That would give America ongoing leverage over the international status of the dollar, and indeed geopolitical red lines that emerging markets can and can’t cross. But keep spinning the U.S. energy independence yarn (with associated passive and active political practice), then expect to lose global status as the geopolitical lynchpin of the hydrocarbon world. That would be a crying shame for America, not least because ‘total’ energy independence is a myth, especially in the form U.S. politicians (and over excited analysts) are currently peddling. America will sacrifice its global geopolitical role on a hollow dream; energy independence, far from a dream, will become a living nightmare for America’s role in the world. U.S. politicians should think long and hard about that part of the debate, or spend an eternity regretting their global fall from grace**.**

Reducing oil dependence cedes the Middle East to China—collapses Saudi relations and causes prolif

Black ‘9

(Major Chris, master’s program at the Joint Forces Staff College, “Post Oil America and a renewable energy policy leads to the abrogation of the Middle East to China.,” <http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA530125&Location=U2&doc=GetTRDoc.pdf>, AM)

In the quest to reduce the consumption of oil, the US is failing to see the larger impact of a renewable energy policy. Reverse engineering over 60 years of policy, strategy, diplomacy, and military efforts to ensure the free flow and access to oil **will inevitably cause a “vacuum” of American access, presence, and influence in a highly volatile region**; **raise the specter of larger militaries; cause an increasing need for nuclear weapons; shift security and cooperation guarantees; and disrupt the US economy and foreign policy.** The implementation of a renewable energy policy begins to shift US prominence in the Persian Gulf to one dominated by China, resulting in US loss of strategic access and influence in an already volatile region. China presently practices a pure form of realpolitik in the region as they do not demand much of their energy suppliers nor care about the attendant politics of the region so long as they have a reliable oil stream. Saudi Arabia, as the largest producer of oil and keeper of the Islamic faith, will look to maintain their hold on power and will recognize the shift from the US to China and with it their security umbrella that has been provided by the US. Saudi Arabia will be happy to increase their relationship with China as that not only brings them large revenues for their national budget, it also brings a “no questions asked” policy of arms purchases and a lack of concern over Saudi’s domestic policies, their quest for nuclear weapons, or their stance towards Israel. As the US weans itself from oil it will accelerate the already occurring geopolitical shift in the Middle East from a region dominated by the United States to one that will be dominated by China. As a result of this shift, the US will lose access and influence in the region and realignments will occur among nation states leading the Saudis to grow their military and accelerate their **quest for nuclear weapons**. Unencumbered by the US, Saudi Arabian domestic policies will shift towards the more extreme versions of Wahhabism, leading towards an even harder stance towards Israel.

# 2NC

## AT: Perm—Do CP

#### CP doesn’t remove the restriction, just effects compliance likelihood—that solves the aff

Bonorris 7

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Without the kind of back-end cooperative enforcement promoted by SEPs, “[u]nfairness may inspire recalcitrance in regulated firms that would otherwise comply voluntarily.”165 **In the eyes of the industries**, the irresistance to regulations–-**noncompliance**, concealment of procedure and pollution by-product, delay in dealings with regulators, and litigation challenging regulations -– **are all justified by** what they view as coercive, **irrational, and sub-optimal regulations**.166 **It is important to underscore** that violators must continue to comply with environmental regulations, although the SEP negotiation process itself may positively influence the dynamic of regulatory compliance and enforcement.167 As a result, regulators may benefit from a collaborative, rather than adversarial, relationship.

#### Altering the economics of compliance is entirely irrelevant to whether the restriction still exists

Claus Zimmermann, Yale LL.M., Oxford doctoral candidate, July 2011, ARTICLE: EXCHANGE RATE MISALIGNMENT AND INTERNATIONAL LAW, Lexis

Under IMF Article VIII:2(a), which is the main multilateral provision for freeing the means of payments for international trade, IMF members are prohibited from imposing, without IMF approval, n200 restrictions on the making of payments and transfers for current international transactions. n201 In order to provide guidance on the correct application of this important rule, the IMF has defined the precise meaning of what constitutes an exchange restriction. This definition, set forth in a 1960 decision by the IMF Executive Board, relies entirely on the technical question "whether [a measure] involves a direct governmental limitation on the availability or use of exchange as such." n202 The underlying purpose or the economic effects of a measure are thus entirely irrelevant to deciding whether an exchange measure amounts to an exchange restriction under the IMF Agreement. n203 It follows that, unless a restriction on the making of payments and transfers for current international transactions is approved by the IMF under Article VIII:2(a) or maintained under the transitional provisions of Article XIV of the IMF Agreement, it constitutes a breach of the IMF Agreement and would therefore not fall within the exception under GATT Article XV:9(a).

#### Contextual ev proves—The CP reduces the penalty, not the regulation

Bonorris 7

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Supplemental Environmental Projects (SEPs) are environmentally beneficial projects that are undertaken by a violator of environmental laws as part of a settlement agreement, usually resulting in a reduction in the amount of the civil penalty imposed by the regulator.40 U.S. EPA has encouraged these projects for more than a decade in order to further the agency’s goals of protecting and enhancing public health and the environment.41 InitsFinal SEP Policy of 1998, EPA set forth principles for determining which projects may qualify as SEPs and calculating how much penalty mitigation is appropriate.42 In order for a SEP to be approved and receive the calculated amount of penalty mitigation, a project must meet the basic definition of a SEP, satisfy all legal principles, fit within one of the designated categories of SEPs and meet all other criteria. A discussion of the principles follows.

## AT: Non-Unique—Other SEPs Solve

#### SEPs declining now—new enforcement cases tied to SEPs key

David Markell, Professor of Law, Florida State University College of Law, Spring 2007, PROCEEDINGS FROM THE SYMPOSIUM ON THE LAW AND POLICY OF ECOSYSTEM SERVICES: Is there a Possible Role for Regulatory Enforcement in the Effort to Value, Protect, and Restore Ecosystem Services?, 22 J. Land Use & Envtl. Law 549, Lexis

Professor Kristl's conclusion appears to be that, conceptually, it is logical to assume that EPA's cautionary notes have led EPA officials to play it safe and not be overly ambitious in pursuing possible SEPs:

Without clear guidance on what nexus really is, Agency personnel and defendants are likely to 'play it safe' and choose projects that have been approved [\*594] before or simply avoid SEPs altogether instead of exploring new ways of utilizing SEPs that might in fact be at the outer limits of nexus. n177

His further view is that the empirical data on SEPs support this perspective. These data show a "steady decline" in the actual number of SEPs and in "annual SEP utilization rates" after 1995, which is when EPA issued an earlier version of its SEPs Policy that included an "emphasis on nexus and lowered the mitigation percentage ceiling from 100% to 80%." n178 He contends that these data "strongly suggest that a link between these policy changes and the SEP utilization declines is more than simply coincidental." n179

EPA officials from whom I sought input offered a different perspective:

It is not accurate to look at the numbers of SEPs without also considering the number of enforcement cases concluded each year, as SEPs cannot occur in the absence of an enforcement action. The number of enforcement actions concluded each year varies. The percentage of settlements each year that include a SEP has remained constant at approximately 9-10% over the past several years. The data does not support the conclusion that there has been a decline in the inclusion of SEPs in settlements. n180

In either case-a decline in SEPs as Kristl suggests, or a relatively stable level of use, as EPA contends-the type of data-gathering effort I suggest above might yield insights about why SEPs use has not increased, despite Headquarters encouragement [\*595] to negotiate SEPs and outsider predictions that such increases were likely to occur.

One fix to at least some of these issues that would likely increase SEPs use significantly would be for Congress specifically to empower EPA to negotiate SEPs. EPA has developed many of the administrative constraints it has created for SEPs because of concerns about the agency's legal authority to pursue SEPs. n181 Clear Congressional endorsement for SEPs would alleviate these concerns and, depending on Congress's direction, might be a significant inducement for more aggressive agency pursuit of such projects. n182

#### SEPs low now

Brooke Robertson, J.D., 2009, NOTE: EXPANDING THE USE OF SUPPLEMENTAL ENVIRONMENTAL PROJECTS, 86 Wash. U. L. Rev. 1025, Lexis

Despite the EPA's policy on encouraging the use of SEPs in settlements, only a small percentage of settlements of enforcement actions actually include SEPs. n99 From 1992 to 2006, less than twelve percent of the settlements contained SEPs. n100 The annual SEP utilization rate has [\*1036] been declining since 1995, n101 which is when the EPA amended the SEP policy to tighten the nexus requirement and reduced the mitigation percentage ceiling to 80%. n102 The full potential of SEPs has yet to be realized. n103 There are several factors that have led to this underutilization of SEPs. In recent article, Professor Kenneth Kristl suggests that the two most important factors that have led to underutilization are the nexus requirement and the mitigation percentage. n104

## Solvency Frontline

#### That causes broad industry shift to non-compliance

Bonorris 7

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Critics of SEPs argue that SEPs may be too much of a “win” for violators, and fail to maintain the deterrent effect that is the raison d’etre of environmental regulation. SEPs raise the possibility of underdeterrence by opening up the possibility for opportunistic violators to reduce the actual cost of the environmental penalty, as well as creating the possibility of tax deductions for SEP costs. 181 To counteract this, many state SEP policies prevent the violators from benefiting too greatly from the performance of a SEP. For example, instead of allowing violators to benefit from a public perception that they are actually environmental benefactors through publicizing SEPs, SEP policies usually require violators to indicate that the SEPs have been undertaken as part of an enforcement agreement. 182

In addition, the allowance of a SEP as part of an enforcement action is a discretionary decision left up to the regulatory agency. 183 Under most SEP policies, if the agency believes that a proposed project would fail to provide a sufficient deterrent effect, then the agency will not permit the project and instead, demand the full payment of the civil penalty. 184 For example, if the proposed project primarily benefits the violator, rather than the environment or the public health, then it will not be approved as a SEP.185 Similarly, if a project is approved but the agency finds that it still benefits the violator, those benefits will often be given a monetary value which the agency will then deduct from the mitigation amount of the SEP.186

The capacity for underdeterrence is particularly acute as the SEP cost itself is a new source of regulatory uncertainty: usually, SEP costs are assessed and reported by the violator, and the regulator has no mechanism for confirming the reported figures.187 Opportunistic violators may overestimate SEP costs in order to receive greater relief from the calculated penalty, or they may underreport the business benefits of SEPs.188 In order to track SEP implementation, many state SEP policies require the submission of detailed cost estimates and certifications of progress, as well as provide for stipulated penalties for SEPs that end up costing less than estimated. However, the literature has not quantified the efficacy of these measures against opportunistic violators. 189

Apart from the problem of the opportunistic violator, another criticism of the SEP system is that it creates inconsistency in enforcement. Because regulators cannot accurately assess all of the relevant variables for penalty calculations (or the collateral economic benefits conferred to the violator), the resulting inaccuracy of penalty assessments creates inconsistency in the application of regulations.190 The addition of a SEP with its calculations of potential benefit to the violator superadds a layer of uncertainty and the possibility of error to this enforcement picture. Apart from the inherent inequity of inconsistent penalties across violators, overly light penalties effectively confer unfair economic advantage over competitors who have made the required expenditures to comply with environmental regulations. 191 In addition, the possibility that some violators might receive lighter penalties could induce risk-tolerant would-be violators to adopt a different compliance strategy.

#### SEPs solve industry confidence

Bonorris 7

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Proponents of SEPs believe that SEPs should be allowed as part of an enforcement action for several reasons. When applied to certain situations, SEPs benefit all those involved -- the regulators, industry, the community, and the environment. The presence of a SEP policy demonstrates the regulator’s willingness to cooperate with the regulated industry, and creates a flexible enforcement climate, with the corollary effect of rendering the regulations more acceptable to industry. Industry advocates point out that SEPs can benefit communities through promoting environmental and health improvements beyond regulatory minimums, and underscore the “good neighbor” obligations of permitted facilities.161

#### Resolves fear of litigation

Quan Nghiem, Boston College Law School, J.D., Spring 1997, COMMENT: USING EQUITABLE DISCRETION TO IMPOSE SUPPLEMENTAL ENVIRONMENTAL PROJECTS UNDER THE CLEAN WATER ACT, 24 B.C. Envtl. Aff. L. Rev. 561, Lexis

Because of the flexibility they afford, SEPs offer advantages to both the beneficiaries as well as the parties who volunteer to perform them. Obviously, the primary beneficiaries gain from SEPs because proceeds imposed for violations are used directly to fund local or regional environmental activities rather than to support the general accounts of the federal treasury. n26 However, corporations also have incentives for accepting SEPs because these projects often can translate into sound business decisions. n27 Most importantly, SEPs offer corporations an opportunity to avoid the potentially substantial costs and risks associated with protracted litigation. In addition, businesses may be motivated by the goodwill which they stand to gain from consumers and government enforcement officials who appreciate sincere, albeit coerced, efforts to improve environmental conditions. n28 SEPs also provide certain corporations with opportunities to re-evaluate and improve upon inefficiencies in production processes. n29 As a result, businesses that elect to perform SEPs often can improve competitive efficiency by lowering future compliance costs while simultaneously fulfilling their legal obligations. n30 Finally, some parties simply may derive greater satisfaction from having their money directed towards some tangible, environmentally beneficially purpose instead of having the same funds deposited into a general federal pool. n31

## Impact Extn

#### Extinction and flips the economy

Coyne and Hoekstra, 7 (Jerry, University of Chicago Professor in the Department of Ecology and Evolution; Ph.D. in Biology from Harvard University, and Hopi, John L. Loeb Associate Professor of Biology, Harvard; Curator of Mammals in the Museum of Comparative Zoology; Ph.D., Zoology, University of Washington; B.A., Integrative Biology, University of California, Berkeley, “The Greatest Dying, 9/24,” <http://www.truthout.org/article/jerry-coyne-and-hopi-e-hoekstra-the-greatest-dying>)

But it isn't just the destruction of the rainforests that should trouble us. Healthy ecosystems the world over provide hidden services like waste disposal, nutrient cycling, soil formation, water purification, and oxygen production. Such services are best rendered by ecosystems that are diverse. Yet, through both intention and accident, humans have introduced exotic species that turn biodiversity into monoculture. Fast-growing zebra mussels, for example, have outcompeted more than 15 species of native mussels in North America's Great Lakes and have damaged harbors and water-treatment plants. Native prairies are becoming dominated by single species (often genetically homogenous) of corn or wheat. Thanks to these developments, soils will erode and become unproductive - which, along with temperature change, will diminish agricultural yields. Meanwhile, with increased pollution and runoff, as well as reduced forest cover, ecosystems will no longer be able to purify water; and a shortage of clean water spells disaster. In many ways, oceans are the most vulnerable areas of all. As overfishing eliminates major predators, while polluted and warming waters kill off phytoplankton, the intricate aquatic food web could collapse from both sides. Fish, on which so many humans depend, will be a fond memory. As phytoplankton vanish, so does the ability of the oceans to absorb carbon dioxide and produce oxygen. (Half of the oxygen we breathe is made by phytoplankton, with the rest coming from land plants.) Species extinction is also imperiling coral reefs - a major problem since these reefs have far more than recreational value: They provide tremendous amounts of food for human populations and buffer coastlines against erosion. In fact, the global value of "hidden" services provided by ecosystems - those services, like waste disposal, that aren't bought and sold in the marketplace - has been estimated to be as much as $50 trillion per year, roughly equal to the gross domestic product of all countries combined. And that doesn't include tangible goods like fish and timber. Life as we know it would be impossible if ecosystems collapsed.

===MARKED HERE===

Yet that is where we're heading if species extinction continues at its current pace. Extinction also has a huge impact on medicine. Who really cares if, say, a worm in the remote swamps of French Guiana goes extinct? Well, those who suffer from cardiovascular disease. The recent discovery of a rare South American leech has led to the isolation of a powerful enzyme that, unlike other anticoagulants, not only prevents blood from clotting but also dissolves existing clots. And it's not just this one species of worm: Its wriggly relatives have evolved other biomedically valuable proteins, including antistatin (a potential anticancer agent), decorsin and ornatin (platelet aggregation inhibitors), and hirudin (another anticoagulant). Plants, too, are pharmaceutical gold mines. The bark of trees, for example, has given us quinine (the first cure for malaria), taxol (a drug highly effective against ovarian and breast cancer), and aspirin. More than a quarter of the medicines on our pharmacy shelves were originally derived from plants. The sap of the Madagascar periwinkle contains more than 70 useful alkaloids, including vincristine, a powerful anticancer drug that saved the life of one of our friends. Of the roughly 250,000 plant species on Earth, fewer than 5 percent have been screened for pharmaceutical properties. Who knows what life-saving drugs remain to be discovered? Given current extinction rates, it's estimated that we're losing one valuable drug every two years. Our arguments so far have tacitly assumed that species are worth saving only in proportion to their economic value and their effects on our quality of life, an attitude that is strongly ingrained, especially in Americans. That is why conservationists always base their case on an economic calculus. But we biologists know in our hearts that there are deeper and equally compelling reasons to worry about the loss of biodiversity: namely, simple morality and intellectual values that transcend pecuniary interests. What, for example, gives us the right to destroy other creatures? And what could be more thrilling than looking around us, seeing that we are surrounded by our evolutionary cousins, and realizing that we all got here by the same simple process of natural selection? To biologists, and potentially everyone else, apprehending the genetic kinship and common origin of all species is a spiritual experience - not necessarily religious, but spiritual nonetheless, for it stirs the soul. But, whether or not one is moved by such concerns, it is certain that our future is bleak if we do nothing to stem this sixth extinction. We are creating a world in which exotic diseases flourish but natural medicinal cures are lost; a world in which carbon waste accumulates while food sources dwindle; a world of sweltering heat, failing crops, and impure water. In the end, we must accept the possibility that we ourselves are not immune to extinction. Or, if we survive, perhaps only a few of us will remain, scratching out a grubby existence on a devastated planet. Global warming will seem like a secondary problem when humanity finally faces the consequences of what we have done to nature: not just another Great Dying, but perhaps the greatest dying of them all.

## Waste Impact

#### SEPs key to solve waste management—solves endocrine disrupters

#### Adams and Israel 8

Kate Adams, General Counsel of Honeywell International, a NYSE traded Fortune 100 multi-industrial company, and Brian Israel, Former Honors Trial Attorney in the Environmental Enforcement Section of the U.S. Department of Justice, 2008, Symposium: Breaking the Logjam: Environmental Reform for the New Congress and Administration: Panel VII: Managing Waste: Waste in the 21st Century: A Framework for Wiser Management, 17 N.Y.U. Envtl. L.J. 703, Lexis

The broader use of SEPs would be an important step toward wiser waste management practices. SEPs can, and should, be designed to achieve a reduction of waste generation and more sustainable waste handling practices, including with respect to recycling, energy use, air emissions, and water discharges. While a civil penalty paid to the U.S. Treasury will have no direct impact on the environment, a well-designed SEP would result in tangible and observable benefits. Moreover, SEPs encourage companies to adopt measures that go beyond compliance with existing regulations and therefore SEPs are drivers toward innovation and creativity. Here is a recent real-world example of the promise of SEPs and the problem with our current regime. In response to an alleged civil violation of an environmental statute, a company agreed not only to correct the underlying problem but also to pay a penalty in the amount of the economic benefit from the violation, which was modest. In addition, the company proposed a novel SEP to EPA that would have been in lieu of the remainder of the civil penalty. The SEP would have required the company to undertake a rigorous experiment to test a new technology for on-site regeneration of carbon, which is commonly used at Superfund sites to cleanup certain types of contamination. If successful, the technology could have significant environmental benefits since the current practice is to ship spent carbon offsite for treatment, and the associated environmental costs (including carbon dioxide emissions) with off-site regeneration are huge. Moreover, the promising technology was based upon an EPA patent! Notwithstanding the collective promise of this new approach, the technology to date has not been further developed because the incentive to do so for a single site is not present. In sum, this should have been a perfect SEP - it would further develop a technology that would potentially massively reduce the indirect environmental costs of site cleanups. The company would enjoy no financial benefit since the cost of the [\*722] pilot study was the same as the penalty. Finally, the proposed SEP clearly met all of the existing guidelines for SEPs. Nonetheless, EPA rejected the proposal. EPA's rationale was that SEPs are receiving increased scrutiny from EPA headquarters and there was no appetite for fighting an uphill bureaucratic battle. In order to fully achieve the sustainability promise of SEPs, then, a legislative fix is required. Here's one possible legislative solution: modify the civil penalty regime for environmental statutes so that civil penalties can be entirely paid through SEPs, except to the extent that the violation is deemed willful and to the extent necessary to recoup any economic benefit from the violation. If the violation resulted from willful conduct, then the violator would not be able to offset the penalty though a SEP. A SEP policy such as this is an overall positive. Regulators would be able to see real environmental results from their enforcement efforts. Companies would have the same incentive to comply with the law since the monetary consequences of noncompliance would still exceed the economic benefit of the violation. Moreover, in cases where the violation resulted from willful conduct, there would be no opportunity for a SEP offset. And, most importantly, a more robust SEP policy would lead to creative, sustainable projects that would not otherwise be required by the environmental laws. Conclusion This article provides a few illustrations of a management framework that considers not only direct environmental impacts and cost effectiveness when making waste management decisions, but also indirect environmental impacts. We call this third criteria sustainability. Sustainability looks broadly at the spatial and temporal impacts associated with our products, our waste handling procedures, and our cleanup sites. We believe that this three-pronged approach could dramatically improve waste management decisions as outlined in the examples above. Of course, this framework is broadly applicable and should also apply to numerous other aspects of resource and waste management. n53 Finally, we submit that there is something significant we do not yet know about current environmental behavior and norms that will one day prove harmful. A few possibilities include nanoparticles, endocrine disrupters, or even some of the alternative energy sources currently being explored. Given our increasing ability to measure impacts and our expanding notion of up-stream and down-stream sustainability, it is a near-certainty that some activities currently presumed to be safe and effective will one day be viewed as inappropriate. Whatever the phenomenon, the lesson to be learned is that we are imperfect and evolving and will always have unpredictable impacts on our environment. Ultimately, we must be mindful of this lesson and be proactive about evaluating and reducing our footprint in the world. This is a burden that most often will fall on those engaged in production and other tangible physical activities. However, this forward looking perspective is also a critical component of a wiser waste management policy.

#### Extinction

SCMP, South China Morning Post, 1999, Countdown to extinction, Lexis

It sounds like second-rate science fiction, dredged from the wilder shores of radical feminist fantasy. Through a combination of environmental pollutants and genetic wrong-turns, the male of the species slowly turns into a group of useless mutants and evolutionary misfits: sterile, stunted and doomed to extinction.

While this may read like the stuff of bad Saturday matinees, a growing band of scientists believe such a scenario is not only possible, but already in its early stages.

From the beginning of this decade, a flurry of reports from around the world have pointed to a drastic decline in men's sperm counts. Some studies indicate a drop of more than 50 per cent during the past 50 years, accompanied by a surge in male genital deformities, such as undescended testicles and hypospadias, in which the urethra appears on the bottom or side of the penis.

## 2NC Squo Solves

#### Solves the economy—their author

Mead 12 1AC Author (Walter Russell, James Clarke Chace Professor of Foreign Affairs and Humanities at Bard College, 7/18/12, “Energy Revolution 3: The New American Century” The American Interest http://blogs.the-american-interest.com/wrm/2012/07/18/energy-revolution-3-the-new-american-century/)

Get ready for an American century: that appears to be the main consequence of the energy revolution that is now causing **economic and political experts to tear up their old forecasts** all over the world. The new American century won’t be a repeat of the last one, but in some very important ways the world now looks more likely to continue in the direction of global liberal capitalism that the US—like Britain before us—has seen as its geopolitical goal for many years.

Energy was critical to the geopolitics of the 20th century; energy shortages shaped some of the strategic decisions that led both Germany and Japan to defeat in World War II, and the struggle over the energy-rich Middle East played an important role in the Cold War. The assumption that the world was at or near “peak oil” has been a driving force behind predictions that the 21st century would be an era of U.S.-China competition as China’s desperate quest for more energy resources led it to push an aggressive global energy policy that would conflict with vital U.S. interests. The assumption that there were few major discoveries left to be made also led many to forecast that the Middle East and especially the Gulf region would continue to be a major fulcrum in global affairs; indeed, countries like Saudi Arabia, with the ability to increase production to meet the thirst of an oil-starved world, would become more important than ever as the geopolitics of oil scarcity took hold.

But as I’ve been writing recently, **none of that looks true anymore**. Advances in extraction technology have changed our understanding of the world’s energy future. As I wrote in my last post, the U.S. and Canada each may have more energy potential than the entire Middle East. China also has significant resources. So do Israel and Brazil.

It is too soon to tell just how much of this potential can be unlocked, but for several years now it has begun to look as if much more of these unconventional resources **will be available much sooner than thought**, and serious people now argue that the US could pass Saudi Arabia to become the world’s leading oil producer by 2020.

#### The status quo is solving without policy changes – market forces are producing huge increases in U.S. production

Salt Lake Tribune 10/27/2012

(http://www.sltrib.com/sltrib/opinion/55156068-82/production-oil-american-domestic.html.csp)

The good news: **Production of petroleum in the United States is soaring**.

**Next year promises to set a record for domestic production and**, at current rates, **the good ol’ U.S. of A. will be the top oil producer in the world**, **surpassing Saudi Arabia**, **by the year 2020**.

This puts the lie to the Republican claim that the Obama administration has the desire, or the ability, to squash domestic production and leave us increasingly vulnerable to a dangerous dependence on foreign sources of energy.

The bad news: Production of petroleum in the United States is soaring.

The continuing high prices for raw crude, prompted by increasing demand from China, India and other rapidly industrializing nations, has encouraged drillers to invest in new methods and expand their exploration to areas previously thought too low-yield to bother with. The result is pressure to drill in places, and in ways, that threaten our environment, from the appearance of national treasures to the safety of our water.

The most important thing to understand about this situation is that **the price of oil**, and thus the price you pay for gasoline, **has little to do with any decision made in Washington**. It has more to do with the world oil market, currently driven by the exploding demand of many nations.

With that fact should come the understanding that, to a significant degree, the American desire for energy independence and our wish for cheap gas are mutually exclusive. **The increase in domestic production has** almost **nothing to do with rules** laid down, or **relaxed, by puny governments and everything to do with the incentive of mighty markets**.

#### Texas and North Dakota have U.S. oil production at historic highs

Perry, writer for Seeking Alpha, 10/29/2012

(Mark, http://seekingalpha.com/article/958041-increased-shale-oil-output-delivers-perfectly-timed-boost-to-economy)

4. In the last five years, unconventional shale oil production in just the two states of Texas and North Dakota has added more than 1.4 million barrels per day of new domestic crude oil output, **which has boosted total U.S. crude oil production to a 17-year high** this month of more than 6.6 million barrels per day and reversed a nearly 30-year decline in domestic oil production.

#### More increases coming

Hissom, writer for the Baltimore Post Examiner, 10/29/2012

(Doug, “Barack Obama is the king of the ‘Oil Presidents,’” http://baltimorepostexaminer.com/barack-obama-is-the-king-of-the-oil-presidents/2012/10/29)

A Harvard study released this summer predicts that world oil production will increase to 110.6 billion barrels a day, but that a so-called “tipping point” for global warming considerations will be reached when production passes 88.1 billion barrels a day. **The study foresees U.S. production to increase 30 percent over the next eight years**.

## no war – 2nc

#### No diversionary wars – prefer our evidence

Fravel, Associate Prof Poli Sci, Security Studies Program – MIT, ‘10

(M. Taylor, “The Limits of Diversion: Rethinking Internal and External Conflict,” *Security Studies*, 19:2, 307 – 341)

Yet despite two decades of renewed research, cumulative knowledge on diversion remains elusive. Quantitative studies contain mixed and often contradictory empirical results regarding the relationship between internal and external conflict. Some studies find a positive relationship between indicators of domestic dissatisfaction and threats or uses of force in analysis of u.s. behavior7 and in cross-national studies.8 By contrast, other research identifies a weak or nonexistent relationship between these same variables.9 Indeed, the gap between the intuition underlying diversion as a motive for conflict and existing quantitative research that Jack Levy noted in 1989 continues to characterize this research program today.10

Given the mixed empirical results in recent quantitative research, this article offers a different type of test of the diversionary hypothesis. In particular, I extend efforts to employ case study methods to test the hypothesis systematically and against alternative explanations in specific episodes of historical interest.11 Adopting a modified “most likely” approach to theory testing pioneered by Harry Eckstein, I examine two cases that should be easy for diversionary theory to explain: Argentina's 1982 seizure of the Falkland (Malvinas) Islands and Turkey's 1974 invasion of Cyprus. In these episodes, high levels of domestic political unrest preceded the escalation of salient disputes that leaders could manipulate to rally public support or demonstrate their competence as statesmen.

These cases should be homeruns for the diversionary hypothesis, but they are in fact quite difficult for it to explain. In these cases, the relationship between domestic political conflict and dispute escalation is weak at best, as the onset and magnitude of social unrest was only linked loosely with decisions to use force. Leaders' statements and reasoning provide little evidence for diversion as a central motivation for escalation. Instead, a standard realist model of international politics and the dynamics of coercive diplomacy offer a more compelling explanation of Argentine and Turkish decision making.12 Leaders in both states chose force in response to external threats to national interests, not internal threats to their political survival.

## terror addon

#### Iran won’t supply terrorists – fear of retaliation and no strategic value

Roth, associate director, national security studies – Johns Hopkins, 11/24/’9

(Ariel Ilan, “The Root of All Fears,” Foreign Affairs)

Nor would Iran readily supply Hezbollah with atomic weapons. No nuclear state has ever turned over its most prized military asset to a subsidiary actor or surrendered its exclusive control over a weapon that it worked so hard to obtain. More important, if Hezbollah were to acquire and use a nuclear weapon against Israel, there would be no doubt about the weapon’s provenance and Iran would immediately face devastating retaliation. An attack on Israel, in other words, would mean the end of Iran.

Although many analysts question the rationality of the Iranian regime, it is in fact fairly conservative in its foreign policy. Iran has two long-range goals, achieving regional hegemony and spreading fundamentalist Islam, neither of which will be achieved if Iran initiates a nuclear exchange with Israel. Tehran’s expanding influence in Iraq and the fear that it inspires in the Persian Gulf states are already advancing the first goal. Iran needs only to possess nuclear weapons, not to use them, in order to further enhance its international prestige and force adversaries to take it seriously. Likewise, the deterrent power of an unused nuclear capability would allow the regime to spread its ideology without the constant worry of regime change imposed from abroad.

#### No impact—Israel crush

Roth, associate director, national security studies – Johns Hopkins, 11/24/’9

(Ariel Ilan, “The Root of All Fears,” Foreign Affairs)

Most observers believe that Israel’s preoccupation with Iran’s nuclear program stems from the fear that Iran would either use a nuclear weapon against Israel or give the bomb to one of its direct proxies, most likely Hezbollah. Given Tehran’s open hostility toward Jerusalem, such foreboding makes sense. But such a scenario is highly improbable.

Tehran’s profound dislike of the Jewish state notwithstanding, it is unlikely to attack Israel with a nuclear weapon because Israel’s atomic arsenal is orders of magnitude larger than whatever infant capability Iran could muster in the foreseeable future. Moreover, Israel is believed to possess a secure submarine-based second-strike capability that could devastate Iran.

## 2nc no impact

#### He thinks a bunch of other stuff is key

Zbigniew **Brzezinski 12**, was U.S. National Security Adviser, “Balancing the East, Upgrading the West”, Foreign Affairs, January/February

The United States' central challenge over the next several decades is to revitalize itself, while promoting a larger West and buttressing a complex balance in the East that can accommodate China's rising global status. A successful U.S. effort to enlarge the West, making it the world's most stable and democratic zone, would seek to combine power with principle. A cooperative larger West--extending from North America and Europe through Eurasia (by eventually embracing Russia and Turkey), all the way to Japan and South Korea--would enhance the appeal of the West's core principles for other cultures, thus encouraging the gradual emergence of a universal democratic political culture. At the same time, the United States should continue to engage cooperatively in the economically dynamic but also potentially conflicted East. If the United States and China can accommodate each other on a broad range of issues, the prospects for stability in Asia will be greatly increased. That is especially likely if the United States can encourage a genuine reconciliation between China and Japan while mitigating the growing rivalry between China and India. To respond effectively in both the western and eastern parts of Eurasia, the world's central and most critical continent, the United States must play a dual role. It must be the promoter and guarantor of greater and broader unity in the West, and it must be the balancer and conciliator between the major powers in the East. Both roles are essential, and each is needed to reinforce the other. But to have the credibility and the capacity to pursue both successfully, the United States must show the world that it has the will to renovate itself at home. Americans must place greater emphasis on the more subtle dimensions of national power, such as innovation, education, the balance of force and diplomacy, and the quality of political leadership. A LARGER WEST For the United States to succeed as the promoter and guarantor of a renewed West, it will need to maintain close ties with Europe, continue its commitment to NATO, and manage, along with Europe, a step-by-step process of welcoming both Turkey and a truly democratizing Russia into the West. To guarantee the West's geopolitical relevance, Washington must remain active in European security. It must also encourage the deeper unification of the European Union: the close cooperation among France, Germany, and the United Kingdom-- Europe's central political, economic, and military alignment--should continue and broaden. To engage Russia while safeguarding Western unity, the French-German-Polish consultative triangle could play a constructive role in advancing the ongoing but still tenuous reconciliation between Poland and Russia. The EU's backing would help make Russian-Polish reconciliation more comprehensive, much as the German-Polish one has already become, with both reconciliations contributing to greater stability in Europe. But in order for Russian-Polish reconciliation to endure, it has to move from the governmental level to the social level, through extensive people-to-people contacts and joint educational initiatives. Expedient accommodations made by governments that are not grounded in basic changes in popular attitudes will not last. The model should be the French-German friendship after World War II, which was initiated at the highest political levels by Paris and Bonn and successfully promoted on the social and cultural level, as well. As the United States and Europe seek to enlarge the West, Russia itself will have to evolve in order to become more closely linked with the EU. Its leadership will have to face the fact that Russia's future will be uncertain if it remains a relatively empty and underdeveloped space between the rich West and the dynamic East. This will not change even if Russia entices some Central Asian states to join Prime Minister Vladimir Putin's quaint idea of a Eurasian Union. Also, although a significant portion of the Russian public is ahead of its government in favoring EU membership, most Russians are unaware of how exacting many of the qualifying standards for membership are, especially with regard to democratic reform. The process of the EU and Russia coming closer is likely to stall occasionally and then lurch forward again, progressing in stages and including transitional arrangements. To the extent possible, it should proceed simultaneously on the social, economic, political, and security levels. One can envisage more and more opportunities for social interactions, increasingly similar legal and constitutional arrangements, joint security exercises between NATO and the Russian military, and new institutions for coordinating policy within a continually expanding West, all resulting in Russia's increasing readiness for eventual membership in the EU. It is not unrealistic to imagine a larger configuration of the West emerging after 2025. In the course of the next several decades, Russia could embark on a comprehensive law-based democratic transformation compatible with both EU and NATO standards, and Turkey could become a full member of the EU, putting both countries on their way to integration with the transatlantic community. But even before that occurs, a deepening geopolitical community of interest could arise among the United States, Europe (including Turkey), and Russia. Since any westward gravitation by Russia would likely be preceded and encouraged by closer ties between Ukraine and the EU, the institutional seat for a collective consultative organ (or perhaps initially for an expanded Council of Europe) could be located in Kiev, the ancient capital of Kievan Rus, whose location would be symbolic of the West's renewed vitality and enlarging scope. If the United States does not promote the emergence of an enlarged West, dire consequences could follow: historical resentments could come back to life, new conflicts of interest could arise, and shortsighted competitive partnerships could take shape. Russia could exploit its energy assets and, emboldened by Western disunity, seek to quickly absorb Ukraine, reawakening its own imperial ambitions and contributing to greater international disarray. With the EU passive, individual European states, in search of greater commercial opportunities, could then seek their own accommodations with Russia. One can envisage a scenario in which economic self-interest leads Germany or Italy, for example, to develop a special relationship with Russia. France and the United Kingdom could then draw closer while viewing Germany askance, with Poland and the Baltic states desperately pleading for additional U. S. security guarantees. The result would be not a new and more vital West but rather a progressively splintering and increasingly pessimistic West. THE COMPLEX, EAST Such a disunited West would not be able to compete with China for global relevance. So far, China has not articulated an ideological dogma that would make its recent performance appear universally applicable, and the United States has been careful not to make ideology the central focus of its relations with China. Wisely, both Washington and Beijing have embraced the concept of a "constructive partnership" in global affairs, and the United States, although critical of China's violations of human rights, has been careful not to stigmatize the Chinese socioeconomic system as a whole. But if an anxious United States and an overconfident China were to slide into increasing political hostility, it is more than likely that both countries would face off in a mutually destructive ideological conflict. Washington would argue that Beijing's success is based on tyranny and is damaging to the United States' economic well-being; Beijing, meanwhile, would interpret that U.S. message as an attempt to undermine and possibly even fragment the Chinese system. At the same time, China would stress its successful rejection of Western supremacy, appealing to those in the developing world who already subscribe to a historical narrative highly hostile to the West in general and to the United States in particular. Such a scenario would be damaging and counterproductive for both countries. Hence, intelligent self-interest should prompt the United States and China to exercise ideological self-restraint, resisting the temptation to universalize the distinctive features of their respective socioeconomic systems and to demonize each other. The U.S. role in Asia should be that of regional balancer, replicating the role played by the United Kingdom in intra-European politics during the nineteenth and early twentieth centuries. The United States can and should help Asian states avoid a struggle for regional domination by mediating conflicts and offsetting power imbalances among potential rivals. In doing so, it should respect China's special historic and geopolitical role in maintaining stability on the Far Eastern mainland. Engaging with China in a dialogue regarding regional stability would not only help reduce the possibility of U.S.-Chinese conflicts but also diminish the probability of miscalculation between China and Japan, or China and India, and even at some point between China and Russia over the resources and independent status of the Central Asian states. Thus, the United States' balancing engagement in Asia is ultimately in China's interest, as well. At the same time, the United States must recognize that stability in Asia can no longer be imposed by a non-Asian power, least of all by the direct application of U. S. military power. Indeed, U. S. efforts to buttress Asian stability could prove self-defeating, propelling Washington into a costly repeat of its recent wars, potentially even resulting in a replay of the tragic events of Europe in the twentieth century. If the United States fashioned an anti-Chinese alliance with India (or, less likely, with Vietnam) or promoted an anti-Chinese militarization in Japan, it could generate dangerous mutual resentment. In the twenty-first century, geopolitical equilibrium on the Asian mainland cannot depend on external military alliances with non-Asian powers. The guiding principle of the United States' foreign policy in Asia should be to uphold U.S. obligations to Japan and South Korea while not allowing itself to be drawn into a war between Asian powers on the mainland. The United States has been entrenched in Japan and South Korea for more than 50 years, and the independence and the self-confidence of these countries would be shattered--along with the U.S. role in the Pacific--if any doubts were to arise regarding the durability of long-standing U.S. treaty commitments. The U.S.-Japanese relationship is particularly vital and should be the springboard for a concerted effort to develop a U.S.-Japanese-Chinese cooperative triangle. Such a triangle would provide a structure that could deal with strategic concerns resulting from China's increased regional presence. Just as political stability in Europe after World War II would not have developed without the progressive expansion of French-German reconciliation to German-Polish reconciliation, so, too, the deliberate nurturing of a deepening Chinese-Japanese relationship could serve as the point of departure for greater stability in the Far East. In the context of this triangular relationship, Chinese-Japanese reconciliation would help enhance and solidify more comprehensive U.S.-Chinese cooperation. China knows that the United States' commitment to Japan is steadfast, that the bond between the two countries is deep and genuine, and that Japan's security is directly dependent on the United States. And knowing that a conflict with China would be mutually destructive, Tokyo understands that U.S. engagement with China is indirectly a contribution to Japan's own security. In that context, China should not view U.S. support for Japan's security as a threat, nor should Japan view the pursuit of a closer and more extensive U.S.-Chinese partnership as a danger to its own interests. A deepening triangular relationship could also diminish Japanese concerns over the yuan's eventually becoming the world's third reserve currency, thereby further consolidating China's stake in the existing international system and mitigating U.S. anxieties over China's future role. Given such a setting of enhanced regional accommodation and assuming the expansion of the bilateral U.S.-Chinese relationship, three sensitive U.S.-Chinese issues will have to be peacefully resolved: the first in the near future, the second over the course of the next several years, and the third probably within a decade or so. First, the United States should reassess its reconnaissance operations on the edges of Chinese territorial waters, as well as the periodic U.S. naval patrols within international waters that are also part of the Chinese economic zone. They are as provocative to Beijing as the reverse situation would be to Washington. Moreover, the U.S. military's air reconnaissance missions pose serious risks of unintentional collisions, since the Chinese air force usually responds to such missions by sending up fighter planes for up-close inspection and sometimes harassment of the U.S. planes. Second, given that the continuing modernization of China's military capabilities could eventually give rise to legitimate U.S. security concerns, including over U.S. commitments to Japan and South Korea, the United States and China should engage in regular consultations regarding their long-term military planning and seek to craft measures of reciprocal reassurance. Third, the future status of Taiwan could become the most contentious issue between the two countries. Washington no longer recognizes Taiwan as a sovereign state and acknowledges Beijing's view that China and Taiwan are part of a single nation. But at the same time, the United States sells weapons to Taiwan. Thus, any long-term U.S.-Chinese accommodation will have to address the fact that a separate Taiwan, protected indefinitely by U.S. arms sales, will provoke intensifying Chinese hostility. An eventual resolution along the lines of former Chinese leader Deng Xiaoping's well-known formula for Hong Kong of "one country, two systems," but redefined as "one country, several systems," may provide the basis for Taipei's eventual reassociation with China, while still allowing Taiwan and China to maintain distinctive political, social, and military arrangements (in particular, excluding the deployment of People's Liberation Army troops on the island). Regardless of the exact formula, given China's growing power and the greatly expanding social links between Taiwan and the mainland, it is doubtful that Taiwan can indefinitely avoid a more formal connection with China.

#### Their laundry list of vague impacts is academic junk – conflicts can’t just emerge

Fettweis, 11

Christopher J. Fettweis, Department of Political Science, Tulane University, 9/26/11, Free Riding or Restraint? Examining European Grand Strategy, Comparative Strategy, 30:316–332, EBSCO

Assertions that without the combination of U.S. capabilities, presence and commitments instability would return to Europe and the Pacific Rim are usually rendered in rather vague language. If the United States were to decrease its commitments abroad, argued Robert Art, “the world will become a more dangerous place and, sooner or later, that will redound to America’s detriment.”53 From where would this danger arise? Who precisely would do the fighting, and over what issues? Without the United States, would Europe really descend into Hobbesian anarchy? Would the Japanese attack mainland China again, to see if they could fare better this time around? Would the Germans and French have another go at it? In other words, where exactly is hegemony is keeping the peace? With one exception, these questions are rarely addressed.

That exception is in the Pacific Rim. Some analysts fear that a de facto surrender of U.S. hegemony would lead to a rise of Chinese influence. Bradley Thayer worries that Chinese would become “the language of diplomacy, trade and commerce, transportation and navigation, the internet, world sport, and global culture,” and that Beijing would come to “dominate science and technology, in all its forms” to the extent that soon the world would witness a Chinese astronaut who not only travels to the Moon, but “plants the communist flag on Mars, and perhaps other planets in the future.”54 Indeed China is the only other major power that has increased its military spending since the end of the Cold War, even if it still is only about 2 percent of its GDP. Such levels of effort do not suggest a desire to compete with, much less supplant, the United States. The much-ballyhooed, decade-long military buildup has brought Chinese spending up to somewhere between one-tenth and one-fifth of the U.S. level. It is hardly clear that a restrained United States would invite Chinese regional, must less global, political expansion. Fortunately one need not ponder for too long the horrible specter of a red flag on Venus, since on the planet Earth, where war is no longer the dominant form of conflict resolution, the threats posed by even a rising China would not be terribly dire. The dangers contained in the terrestrial security environment are less severe than ever before.

Believers in the pacifying power of hegemony ought to keep in mind a rather basic tenet: When it comes to policymaking, specific threats are more significant than vague, unnamed dangers. Without specific risks, it is just as plausible to interpret U.S. presence as redundant, as overseeing a peace that has already arrived. Strategy should not be based upon vague images emerging from the dark reaches of the neoconservative imagination.

Overestimating Our Importance

One of the most basic insights of cognitive psychology provides the final reason to doubt the power of hegemonic stability: Rarely are our actions as consequential upon their behavior as we perceive them to be. A great deal of experimental evidence exists to support the notion that people (and therefore states) tend to overrate the degree to which their behavior is responsible for the actions of others. Robert Jervis has argued that two processes account for this overestimation, both of which would seem to be especially relevant in the U.S. case.55 First, believing that we are responsible for their actions gratifies our national ego (which is not small to begin with; the United States is exceptional in its exceptionalism). The hubris of the United States, long appreciated and noted, has only grown with the collapse of the Soviet Union.56 U.S. policymakers famously have comparatively little knowledge of—or interest in—events that occur outside of their own borders. If there is any state vulnerable to the overestimation of its importance due to the fundamental misunderstanding of the motivation of others, it would have to be the United States. Second, policymakers in the United States are far more familiar with our actions than they are with the decision-making processes of our allies. Try as we might, it is not possible to fully understand the threats, challenges, and opportunities that our allies see from their perspective. The European great powers have domestic politics as complex as ours, and they also have competent, capable strategists to chart their way forward. They react to many international forces, of which U.S. behavior is only one. Therefore, for any actor trying to make sense of the action of others, Jervis notes, “in the absence of strong evidence to the contrary, the most obvious and parsimonious explanation is that he was responsible.”57

It is natural, therefore, for U.S. policymakers and strategists to believe that the behavior of our allies (and rivals) is shaped largely by what Washington does. Presumably Americans are at least as susceptible to the overestimation of their ability as any other people, and perhaps more so. At the very least, political psychologists tell us, we are probably not as important to them as we think. The importance of U.S. hegemony in contributing to international stability is therefore almost certainly overrated.

In the end, one can never be sure why our major allies have not gone to, and do not even plan for, war. Like deterrence, the hegemonic stability theory rests on faith; it can only be falsified, never proven. It does not seem likely, however, that hegemony could fully account for twenty years of strategic decisions made in allied capitals if the international system were not already a remarkably peaceful place. Perhaps these states have no intention of fighting one another to begin with, and our commitments are redundant. European great powers may well have chosen strategic restraint because they feel that their security is all but assured, with or without the United States.

## iran

#### No iran prolif and the timeframe is huge

Colin H. **Kahl 12**, security studies prof at Georgetown, senior fellow at the Center for a New American Security, was Deputy Assistant Secretary of Defense for the Middle East, “Not Time to Attack Iran”, January 17, <http://www.foreignaffairs.com/articles/137031/colin-h-kahl/not-time-to-attack-iran?page=show>

Kroenig argues that there is an urgent need to attack Iran's nuclear infrastructure soon, since Tehran could "produce its first nuclear weapon within six months of deciding to do so." Yet that last phrase is crucial. The International Atomic Energy Agency (IAEA) has documented Iranian efforts to achieve the capacity to develop nuclear weapons at some point, but there is no hard evidence that Supreme Leader Ayatollah Ali Khamenei has yet made the final decision to develop them. In arguing for a six-month horizon, Kroenig also misleadingly conflates hypothetical timelines to produce weapons-grade uranium with the time actually required to construct a bomb. According to 2010 Senate testimony by James Cartwright, then vice chairman of the U.S. Joint Chiefs of Staff, and recent statements by the former heads of Israel's national intelligence and defense intelligence agencies, even if Iran could produce enough weapons-grade uranium for a bomb in six months, it would take it at least a year to produce a testable nuclear device and considerably longer to make a deliverable weapon. And David Albright, president of the Institute for Science and International Security (and the source of Kroenig's six-month estimate), recently told Agence France-Presse that there is a "low probability" that the Iranians would actually develop a bomb over the next year even if they had the capability to do so. Because there is no evidence that Iran has built additional covert enrichment plants since the Natanz and Qom sites were outed in 2002 and 2009, respectively, any near-term move by Tehran to produce weapons-grade uranium would have to rely on its declared facilities. The IAEA would thus detect such activity with sufficient time for the international community to mount a forceful response. As a result, the Iranians are unlikely to commit to building nuclear weapons until they can do so much more quickly or out of sight, which could be years off.

#### Prefer our ev—their authors continuously inflate threats

Innocent, foreign policy analyst – Cato, member – IISS, 12/7/’11

(Malou, <http://www.cato-at-liberty.org/ignore-the-hawks-on-iran-too/>)

More credible voices suggest otherwise. The nonprofit Arms Control Association (ACA) observed that the most-recent IAEA report suggests “[I]t remains apparent that a nuclear-armed Iran is still not imminent nor is it inevitable.” Iran was engaged in nuclear weapons development activities until it stopped in 2003, and as Cato’s Justin Logan observes, the IAEA’s own report shows there is no definitive evidence of Iran’s diversion of fissile material.

When Pletka was called out for her “less than a year” prediction, she turned up her nose and snapped:

Quibblers will suggest that there are important “ifs” in both these assessments. And yes, the key “if” is “if” Iran decides to build a bomb. So, I suppose when I said “less than a year away from having a nuclear weapon,” I should have added, “if they want one.” But… isn’t that the point? Do we want to leave this decision up to Khamenei?

Confronted with ambiguous information, and forced to infer intentions, hawks evince the very same arrogance and overconfidence that helped open the door for Iranian influence in the region in the first place by toppling Saddam Hussein’s regime (Pletka advocated repeatedly for this leading up to the 2003 invasion). Pletka and others who years ago had the gall to argue that Iraq “will end when it ends” are today worthy of being ignored on Iran.

#### Containment solves Iran prolif

Kaplan, senior fellow – Center for a New American Security, and Kaplan, frmr. vice chairman – National Intelligence Council, ‘11

(Robert D and Stephen S, “America Primed,” *The National Interest*, March/April)

Moreover, a nuclear-armed Iran is not a worst-case scenario. Tehran would have a few uncertain weapons, though perhaps with a confident missile arsenal of various ranges, and an early-warning system the United States and Israel could penetrate at will, even as they would bear down on Iran with all the might of their own, far-vaster nuclear arsenals. In addition, a nuclear Islamic Republic would further weaken the influence of Egypt and Saudi Arabia, and force them to rely on Israel and the United States for deterrence, even as they might develop their own nuclear arsenals as a response.

An Egypt and a Saudi Arabia forced to rely implicitly more on Israel for deterrence against Iran are more likely to put pressure on the West Bank Palestinians to conclude a peace deal with the Jewish state (though, it must be said, prospects for Middle East peace are slim under almost any circumstance). As much as liberal internationalists and neoconservatives rightly trumpet the broad benefits of democracy during this unprecedented time of democratic upheaval, it has been only Arab autocrats who have thus far come to an accord with Israel. Autocrats can act boldly, even as they can efficiently purge dissenting members of their own circles who disagree with new policies, exactly as Egypt’s President Anwar el-Sadat and Jordan’s King Hussein did in making peace with Israel. Palestinian President Mahmoud Abbas’s ability to act likewise is questionable.

Indeed, the ascent of Iranian influence is not an altogether bad development. It was lethargic Sunni Arab dictatorships, nominally pro-American, whose societies supplied the social and political conditions for the emergence of the 9/11 terrorists. The toppling of Saddam Hussein, and the consequent rise of Shia Iran as a regional power, has finally shocked sclerotic Arab leaders into actions that benefit U.S. interests: moving a bit nearer to Israel and working more closely with America. An Iranian Shia power that balances against a Sunni Arab world, democratic or not, would be an ideal outcome were Iran to go through a whole or even partial political transformation. Shia power in the future will not necessarily speak with one voice, given the prospect of ongoing tensions between Tehran and Baghdad. For even a weak Shia state in Iraq will offer a political and theological alternative to the Islamic Republic. (This is not to justify the costs of invading Iraq, only to mention the few benefits that have emerged from the effort.) And Turkey, whose Islamic democracy makes the United States uncomfortable, still has an appeal to the Arab masses on the basis of religion rather than ethnicity which serves a useful purpose: it implicitly checks Iran.

A divided Middle East, coupled with an Arab world weakened by domestic strife, has much to recommend itself for the future of American power. And demographic, cultural and other indicators point to a positive ideological and philosophical shift in Iranian politics in the future. This prognosis, coupled with the difficulties inherent in a wholly successful U.S. strike on Iran’s nuclear facilities, leads to the containment of a nuclear Iran—should sanctions and industrial sabotage not work in the long run—as the least-bad option, and the one least likely to embroil the United States even deeper in the Middle East.

## china war

#### No escalation – US wins decisively

AP, 3/9/’11

(“China challenges U.S. edge in Asia-Pacific”)

The U.S. Pacific Command has 325,000 personnel, five aircraft-carrier strike groups, 180 ships and nearly 2,000 aircraft. Tens of thousands of forces stay on China's doorstep at long-established bases in South Korea and Japan.

China's defense spending is still dwarfed by the United States. Even if China really invests twice as much in its military as its official $91.5 billion budget, that would still be only about a quarter of U.S. spending. It has no aircraft carriers and lags the United States in defense technology. Some of its most vaunted recent military advances will take years to reach operation.

For example, China test-flew its stealth fighter in January, months earlier than U.S. intelligence expected, but U.S. Defense Secretary Robert M. Gates says China will still only have a couple of hundred of these "fifth-generation" jets by 2025. The United States should have 1,500 by then.

#### Deterrence solves

**Friedberg 2005**, Professor of Politics and International Affairs at Princeton University, Deputy Assistant for National Security Affairs and Director of Policy Planning in the Office of the Vice President, International Security, Vol. 30, No. 2 (Fall 2005), pp. 7–45

As during the Cold War, the mutual possession of nuclear weapons by the two polar powers should serve as an additional source of constraint on their behavior. This factor is stressed, for example, by Avery Goldstein who argues that it provides “the strongest reasons to expect that the dangers associated with China’s arrival as a full-fledged great power will be limited.” Goldstein suggests that, as participants in what Robert Jervis has called the “nuclear revolution,” the United States and China have already entered into an “easily established [relationship] of mutual deterrence that provide[s] not only **a robust buffer against general war**, but also a strong constraint on both limited war and crisis behavior.”55

# 1NR

## impact

#### That card quotes Nicholas Burns, who knows more about diplomacy than anyone else in America

SpeakerMix, factual description, No Date Given

(http://speakermix.com/nicholas-burns)

Ambassador R. Nicholas **Burns is one of America's top foreign policy experts and practitioners**. Over the course of his 27-year career in the state department, he played a key leadership role in U.S. foreign policy toward the Middle East, Europe, and South Asia. **He was the nation's top career diplomat as undersecretary from 2005-08**, and he is viewed as one of the country's most articulate spokespeople on globalization and U.S. foreign policy. He demonstrated great versatility as a diplomat and earned respect on both sides of the aisle as a nonpartisan expert on public diplomacy and world affairs. **Burns has served three presidents**--George H.W. Bush, Bill Clinton, and George W. Bush--in key positions including senior director for Russian affairs, State Department spokesman, U.S. ambassador to Greece, and U.S. ambassador to NATO. He is currently professor of the Practice of Diplomacy and International Politics at Harvard's John F. Kennedy School of Government and chair of the school's Middle East Initiative and a new program on India and South Asia. Burns speaks with candor and passion about his experiences at the forefront of American foreign policy, what works and what doesn't in America's foreign relations, and what the future holds for America's position on the world stage.

#### 3AM phone call outweighs all other concerns – only Obama will avoid Armageddon

Burns, professor of the practice of diplomacy and international politics at Harvard’s Kennedy School of Government, 10/10/2012

(Nicholas, “Cuban Missile Crisis holds lessons for presidential race,” The Future of Diplomacy Project, http://belfercenter.ksg.harvard.edu/publication/22385/cuban\_missile\_crisis\_holds\_lessons\_for\_presidential\_race.html)

Next week marks the 50th anniversary of the Cuban Missile Crisis — arguably the most dangerous moment in modern history. During 13 harrowing days in October 1962, President John F. Kennedy and Soviet Premier Nikita Khrushchev squared off in a test of strategy and wills that nearly ended in a thermonuclear exchange. Hundreds of millions of people might have died in the United States and Soviet Union alone. At the height of the crisis, **hardliners** on both sides **argued for war**. Instead, Kennedy and Khrushchev, in a series of dramatic last-minute communications, opted for diplomacy and compromise to avoid the catastrophe of a nuclear conflagration.

What can Barack Obama and Mitt Romney learn from this crisis 50 years later? My Harvard colleague Graham Allison, who wrote the revolutionary account of what happened in his landmark 1971 book “Essence of Decision,” hosted a conference recently at the Kennedy School to reflect on the meaning of the crisis for us today. I took away two big lessons that inform the war and peace challenges our next president could face in an increasingly dangerous international environment.

First, success in diplomacy at the highest levels sometimes requires opening exit doors for your adversary so that he can save face **and avoid** the **conflict** ahead. Kennedy did just that in offering secretly to remove American Jupiter missiles in Turkey as a trade for the removal of Soviet nuclear weapons from Cuba. Will Romney and Obama take a similarly imaginative approach to negotiations with Iran? If we are to convince Tehran to halt its nuclear efforts and avoid a war, we may have to help its leaders find a way out — a compromise that will give it a public excuse to stop well short of a nuclear weapon.

Second, Kennedy concluded after the crisis that we had to think about the Soviet people in a fundamentally different way if we wanted to avoid **nuclear Armageddon**. In his greatest speech, at American University eight months after the crisis, Kennedy advocated building bridges to the Soviets, as the “human interest” of avoiding world war had to eclipse the more narrow “national interest.” He warned Americans “not to see conflict as inevitable, accommodation as impossible, and communication as nothing more than an exchange of threats.” He said we should adopt a “strategy of peace” instead. Who is better placed in our time — Obama or Romney — to find a way to move beyond our many difficulties with our modern-day rival, China, and to avoid a future conflict in the Pacific?

As we look to Nov. 6, we should **measure the** presidential **candidates** not just by their ubiquitous campaign commercials but by the qualities they possess that might **make the difference between** success or failure, **war or peace**, **life or death in a future crisis**. Kennedy demonstrated the value of restraint, good judgment, and courage in avoiding war in 1962. Of the two candidates this year, does Obama or Romney have the better command of history, coolness under pressure, and good sense to make the right choice for all of us when the next crisis occurs?

Obama has demonstrated some of these qualities in his adept isolation of Iran, his largely skillful handling of the Arab uprisings, and his bridge-building to allies and partners that has rebuilt US credibility in Europe, especially. Romney’s big foreign policy speech Monday illuminated the challenge he has had in making an impact in foreign policy. His back-to-the-future evocation of American leadership seems right for the Cold War but **not nearly sophisticated enough** for our very different 21st-century world.

This election can’t be just about which candidate gives the snappiest presentation in a debate and rattles off the most memorable one-liners. **We need a strong leader to preserve our power but one who can also avoid the rash rush to war that has**, **too often**, **been our reaction to global tests since 9/11**. President Kennedy was far from perfect. But his leadership 50 years ago saved us from disaster. The Cuban Missile Crisis reminds us that **we must prize above all the qualities of intelligence**, **leadership**, **and wisdom in our next president**.

#### Romney’s advisors guarantee the most aggressive response possible to any crisis

Granoff, President of the Global Security Institute, 9/30/2012

(Jonathan, “Ronald Reagan, Republicans, and Nuclear Weapons,” http://www.huffingtonpost.com/jonathan-granoff/president-ronald-reagan\_b\_1927491.html)

Listening to today's candidates --at any level -- one would not know that, historically, Republicans have been instrumental in advancing arms control, nonproliferation, and nuclear disarmament. That is, until the recent Bush administration. In fact, active Republican leadership was essential in obtaining the Biological Weapons Convention, the Nuclear Nonproliferation Treaty, the Intermediate Nuclear Forces Treaty, the Strategic Arms Reduction Treaty, and the Chemical Weapons Convention, to name but a few. However, the current Republicans running for offices, both high and low, have forgotten this legacy of success in **making** America and **the world safer** based on the US value of the rule of law.

Of serious concern is that the men who brought us the eight-year anomaly of consistent failure now comprise Romney's foreign policy team. **Out of 24 advisers**, **17 played significant roles in the Bush administration and contributed to an unmatched history of unprecedented catastrophes**. These guys include Max Boot, John Bolton, Elliot Cohen, and Cofer Black. They constructed an era defined by lies to justify a war in Iraq, a distortion of American values that rationalized torture, the execution of an aggressive war of choice rather than necessity, degradation of the international legal order which the United States had spent decades to establish, and the execution of costly military ventures based on money borrowed from China.

## uq

#### Prefer aggregate data

Silver, 10/27

(NYT Election Expert, Oct. 27: Minnesota Moonlights as Swing State, but Ohio and Virginia Are More Crucial”

http://fivethirtyeight.blogs.nytimes.com/2012/10/28/oct-27-minnesota-moonlights-as-swing-state-but-ohio-and-virginia-are-more-crucial/#more-36802)

The Ohio poll was a good one for Mr. Romney. The survey, conducted by the University of Cincinnati for a consortium of Ohio newspapers, showed the tied race, 49-49, with almost no undecided voters left. The same survey had given Mr. Obama a 5-point advantage before the Denver debate. Some liberals have critiqued the Ohio poll for being out of date — it was in the field between Oct. 18 and Oct. 23, meaning that some of its interviews were conducted before the final presidential debate in Florida. I think this criticism is probably overdone. There is little evidence that the race has changed all that much since the final debate; the FiveThirtyEight model finds that Mr. Obama has perhaps gained half a percentage point nationally since then, but probably not much more than that. And apart from the timing, the poll has a lot going for it: it has a good track record and collected a reasonably large sample size, meaning that it gets a lot of weight in the FiveThirtyEight forecast. But **the poll should not be used to imply that the race is tightening further in Ohio**. There have been 12 other polls of the state that also conducted at least some interviews after the Florida debate, and they showed Mr. Obama up by two points there on average, which is about where the FiveThirtyEight forecast now shows the state. **If a candidate holds a two-point lead in a state, it is normal for some polls to show him tied or trailing** by a point or so instead in contrast to others that might put him four or five points up. **That is** pretty much **what we see in Ohio right now**, with the edge in the polling average remaining with Mr. Obama. The new poll reduced his chances of winning the state to 73 percent from 76 percent in the forecast.

UC Boulder model sucks

Lewis citing Silver 8/23 (Eric Lewis, writer for the Daily Kos, citing Nate Silver, election expert at 538 for NYT, “Nate Silver Calls B.S. on U. of Colorado Election Prediction Model UPDATED”, http://www.dailykos.com/story/2012/08/23/1123481/-Nate-Silver-Calls-B-S-on-U-of-Colorado-Election-Prediction-Model)

If you were demoralized by news of the recent election model that predicts a Romney victory, don't be. Turns out it's bullshit. Touted as a model "with 100% success rate for the past thirty years", Nate Silver tells us that it is, in fact, a brand new model that has never been used before! Nate also finds "glaring problems with their methodology". Follow me after the jump for an exact transcript of Nate's tweets last night... Nate posted these tweets in fairly rapid succession late last night: A Denver Post reporter asked me (bit.ly/MNOF1C) about this U. of Colorado election model (bit.ly/O7pN4I). (1/5) It's late, so I'll be blunt: I saw their paper and I think there are **glaring problems** with their methodology. (2/5) The U. of Colo. model fits the equivalent of **7 unknowns to 8 elections**. That's not a good idea. (3/5) The Colo. model also assumes huge effects from unemployment if incumbent is a Dem., but none if he's GOP. Hard claim to defend. (4/5) If you want a "fundamentals" model that shows Romney winning, the Hibbs model is a lot more sensible. bit.ly/SqgfnH (5/5) Also, it's **false advertising** to claim CU model has predicted the last 8 elections right. It's a new model. Hasn't predicted anything yet.

#### The UC Boulder professors have not *predicted* the last 8 elections – they have built the model retroactively to fit those 8 elections

Lichtman, professor of history at American University, well-known writer on Presidential elections and lesser-known writer on counterplan theory, 10/2/2012

(Allan J., The Hill, http://thehill.com/opinion/op-ed/259857-forget-the-swing-states-look-to-the-debates)

A competing model by University of Colorado Professors Kenneth Bickers and Michael Berry is perhaps validating Romney’s do-little strategy. Primarily based on the economy, this model predicts that Romney will win both the popular and Electoral College vote. Berry has claimed in a University press release that, “For the last eight presidential elections, [since 1980] this model has correctly predicted the winner.” **In fact**, **the model was developed after the** 2008 **election** — **it has not generated a single correct prediction of any election**, **and 2012 is its first trial run**.

## ohio

#### Obama will win now because of Ohio—it’s close and could still shift because of turnout

Beaumont, 10/28

(Political Reporter-Associated Press, “Advantage Obama in Hunt for 270,” http://www.kansascity.com/2012/10/28/3889258/advantage-obama-in-hunt-for-270.html)

AMES, IOWA -- President Barack Obama is poised to eke out a victory in the race for the 270 electoral votes needed to win re-election, having beaten back Republican Mitt Romney's attempts to convert momentum from the debates into support in all-important Ohio, according to an Associated Press analysis a week before Election Day. While the Democratic incumbent has the upper hand in the electoral vote hunt, Romney has pulled even, or is slightly ahead, in polling in a few pivotal states, including Florida and Virginia. The Republican challenger also appears to have the advantage in North Carolina, the most conservative of the hotly contested nine states that will determine the winner. While in a tight race with Obama for the popular vote, Romney continues to have fewer state-by-state paths than Obama to reach 270. Without Ohio's 18 electoral votes, Romney would need last-minute victories in nearly all the remaining up-for-grabs states and manage to pick off key states now leaning Obama's way, such as Iowa or Wisconsin. **To be sure, anything v2 can happen in the coming days to influence the Nov. 6 election.** The AP analysis isn't intended to predict the outcome. Rather, it's meant to provide a snapshot of a race that has been stubbornly close in the small number of competitive states all year. The analysis is based on public polls and internal campaign surveys as well as spending on television advertising, candidate visits, get-out-the-vote organizations and interviews with dozens of Republican and Democratic strategists in Washington and in the most contested states. The analysis shows that Obama probably would win with at least 271 electoral votes from 21 states, including Ohio, Wisconsin and Iowa, and the District of Columbia. Romney seems on track for 206 from 23 states, including North Carolina. Obama won that state in 2008 and campaigned aggressively there this year. But Obama's team acknowledges it is the most difficult state for him to win, and he's paid less attention to it recently. Colorado, Florida, Nevada, New Hampshire and Virginia, with a combined 61 votes at stake, could go either way. "I'm counting on Iowa! Iowa may be the place that decides who the next president is!" Romney said on one of two visits to the state last week. In Ohio last week, a hoarse Obama reminded a Cleveland audience near the end of a six-state marathon: "I need you, Ohio. America needs you, Ohio." Romney is banking on what his supporters say is late momentum. Obama is betting that his aggressive effort to register and lock in early voters, mainly Democratic-leaning younger and minority voters, will give him an insurmountable advantage heading into Election Day, when more Republicans typically vote than Democrats. About 35 percent of voters are expected to cast their ballots before Nov. 6, either in person or by mail. More than 5 million people already have voted. No votes will be counted until Nov 6, but some states report the party affiliation of people who have voted. Democrats have the edge in Iowa, Nevada and North Carolina, according to state figures and data collected by the United States Elections Project at George Mason University. Republicans have the early edge in Colorado. Obama, who won in 2008 in places where Democrats had not for a generation, continues to have several routes to electoral victory. His easiest: win Ohio, Iowa and Wisconsin, which are leaning his way. He could keep the White House with victories in Ohio, Wisconsin and Nevada. If he loses Ohio, he could prevail by sweeping New Hampshire, Iowa, Wisconsin, Nevada and Colorado. Romney has fewer options. He must carry Florida and Virginia, where Republicans are feeling good about his standing, as well as wrest control of Ohio, and then also win Nevada, Colorado or New Hampshire. If he loses Ohio, Romney must make up for the state's 18 electoral votes by cutting his way through Obama-leaning territory. At the top of that target list are Wisconsin, carried by Democrats in six straight presidential elections and where Obama has the edge, and Iowa, a perennial swing-voting state. Romney's campaign began airing advertisements last week in Minnesota, arguing he was staking a claim in likely Obama territory. But even GOP strategists acknowledged the move was aimed at hitting voters in western Wisconsin and pressuring Obama to follow suit. By Friday, Obama's campaign had done just that, although the president has a healthy lead in both polling and organization in Minnesota. "We have to keep working those other states, in case Ohio doesn't come through," said veteran GOP presidential strategist Charlie Black, who is advising Romney's campaign. **Ohio is a lynchpin for both candidates.** Obama was in strong standing in the state before the three presidential debates. But Romney's strong performance in the debates helped him gain ground. But Republicans and Democrats alike now say that any momentum Romney had in Ohio from those debates has run its course, and the state gain is leaning toward Obama. New public polls show a tight race. Operatives in both parties point to the last debate six days ago, and Obama's criticism of Romney's opposition to the automotive industry bailout. They say the criticism was effective in branding Romney as out of touch with working-class voters in a state whose manufacturing economy relies heavily on the car and auto parts industries. The president started running a new TV ad in the state assailing Romney's position on the aid. Obama's internal polling in Ohio has shown a slight increase in support from white, working-class voters, an important part of Ohio's largely blue-collar electorate. "That is a killer,'" Tad Devine, a top aide to 2004 and 2000 Democratic nominees, said of the heat Romney is taking for his bailout position. "And it's going to have the biggest impact in the decisive state in the outcome of the election." Out of necessity, Romney is refusing to cede ground in Ohio, where no Republican has lost and then gone on to win the presidency. He hunkered down in the state for two days last week, and running mate Paul Ryan headlined eight events in the state over the weekend. The impending storm that's set to hit the East Coast led Romney to cancel Virginia campaigning on Sunday and join Ryan in Ohio. In Ohio alone, Romney and allied groups were spending nearly $9 million on television ads, compared with Obama and his allies' $6 million, and showed no signs of letting up in the final week. Elsewhere, **Obama is looking to stunt any Romney inroad with suburban women, a pivotal constituency**, in Colorado and Virginia, by casting the Republican as an extremist on abortion and hammering him on his opposition to federal money for Planned Parenthood.

#### Ohioans hate the plan – assumes econ benefits

Whitesides, 12

(Reuters Political Reporter, 5/16, “Insight: In Ohio, "fracking" boom a delicate issue for Obama,” http://www.reuters.com/article/2012/05/16/us-usa-campaign-ohio-fracking-idUSBRE84F17520120516)

But the growth of fracking here and across the nation has raised concerns about contaminated groundwater, how to dispose of toxic waste and even whether fracking causes earthquakes. **In Ohio, that has created an election-year challenge for** Democratic President Barack **Obama.** With the presidential campaign focused on jobs, the economy and the need to cut U.S. dependency on foreign oil, Obama's administration **has walked a fine line in trying to impose environmental rules on the growing fracking industry without stifling badly needed jobs** or a vast supply of domestic energy. It is a particularly delicate issue in Ohio, a politically divided state that may play a key role in determining whether Obama or presumptive Republican challenger Mitt Romney wins the presidency in the November 6 election.

## sandy

#### Doesn’t crowd out the plan

Scott Bomboy, Yahoo News, 10/26/12, Hurricane Sandy as the October election surprise, news.yahoo.com/hurricane-sandy-october-election-surprise-160031906.html

And in an ironic twist, television stations that broadcast to the Virginia market and even in Ohio might have a much greater chance to run more political advertisements on TV.

Local TV stations usually switch wall-to-wall storm coverage during big weather events, often pre-empting national TV programming. That would give stations more ad spots to run for candidates, in a more-high profile position—and at a much-higher cost.

#### Won’t impact swing states – their author

Bob King, Politico, 10/26/12, Election in Sandy's shadow, dyn.politico.com/printstory.cfm?uuid=938E15A3-DAB9-4528-8471-303B15DEC7CC

Officials are less worried about any delays in Pennsylvania, which harbors memories of widespread flooding from Hurricane Agnes in 1972.

“We are confident that the situation of the weather will be handled before the election day, before we have to take steps to consider such an option,” said Matthew Keeler, spokesman for the Pennsylvania Department of State. He added that county boards of election can petition a judge to extend polling hours on Nov. 6 if needed. (Pennsylvania doesn’t have early voting.)

Consolation for Obama: Many of the states in Sandy’s path — such as Maryland, New Jersey and New York — are solidly in the blue column anyway.

Officials in at least one of the vulnerable states have been through this kind of drill before: The elections office in St. Lucie County, Fla., was flooded by Tropical Storm Fay just a week before its August primaries in 2008, but the election went off without a hitch.

#### It helps Obama – turnout’s key

Jason Koebler, US News and World Report, 10/25/12, Experts: Team Obama Should Root for Hurricane Sandy to Interrupt Election, www.usnews.com/news/articles/2012/10/25/experts-team-obama-should-root-for-hurricane-sandy-to-interrupt-election

"Obama has been effective at getting voters to vote early, so anything affecting turnout on Election Day is likely to be bad news for Romney," he says. Voting during a storm is also easier for urban voters—a group that overwhelmingly supports Obama—who often have a shorter distance to travel to polling sites than rural voters. "It would certainly set up a benefit to the president if a natural disaster did interrupt voting."

#### He can still lose – issues matter

Cohn, 10/27

(TNR Election Expert, 2004 And The Possibility Of A Shift In Ohio, http://www.tnr.com/blog/electionate/109242/2004-and-the-possibility-shift-in-ohio)

With just ten days to go, it’s an open question whether Mitt Romney can make a comeback in Ohio. As Nate Silver noted today, the polls are getting accurate at this late stage, and the odds strongly favor Obama maintaining a lead in Ohio polls heading into Election Day. That might be especially true this year, since the polls have been remarkably consistent, Obama has already banked a lead among early voters, and it's hard to imagine advertisements making a late difference after months of airing beyond saturation levels. If Obama still leads by 2 or 3 points in Ohio in ten days, the risk of a Romney victory would hinge on the possibility of a systemic error in the polls. It happens, but not especially often. Still, while the odds are against a late Romney turnaround, it's not impossible. It’s worth recalling the Ohio polls from this time in 2004, which showed Kerry tied or slightly ahead. Starting with the polls conducted over these very dates eight years ago, Bush took a slight and consistent lead in Ohio and never relented. From this point onward, Kerry only led in one poll of Ohio (Gallup, of course), where the RealClearPolitics average showed Bush holding a 2.1 point lead on Election Day. A similar lurch toward the right would bring about a tied race in the Buckeye State in 2 Whether the movement in the polls was attributable to a genuine shift in the race or something else is impossible to say. But 2004 reminds us that late movement in the numbers is still possible, even if it's generally unlikely and even in the most pivotal state. Still, it's unlikely that Romney will go into Election Day as a favorite in Ohio. If Ohio lurches two points toward Romney, that would only indicate a tied race and Obama would still have a 50-50 shot. As a result, Obama is a clear favorite. If the polls stay where they are, which is the likeliest scenario, Obama would be a heavy favorite on Election Day, with Romney's odds reduced to the risk of systemic polling failure. Harry Reid can tell you all about the risk of systemic polling failure, but it's still an unlikely scenario. There's also the chance that the race tightens, but, even then, Obama would still have a 50-50 shot. Viewed collectively, Obama's odds look pretty good--**but there's still ten days to go and '04 reminds us that those ten days can occassionally make a difference.**

## link

#### The link outweighs

Frum, 2012

David Frum, contributing editor at Newsweek , Daily Beast, 1-12-2012, “Why Environmentalists Actually Oppose Keystone XL,” <http://www.thedailybeast.com/articles/2012/01/12/who-s-opposed-to-north-american-oil.html>

The stated grounds of environmental opposition to the Keystone project? The pipeline’s route passes through Nebraska, and local activists fret that the pipeline might crack, spill, and poison local aquifers. The impression is left that this project would despoil a virginal natural landscape.

Let’s do a reality check.

Here’s the map of the existing network of (major) oil pipelines in the United States.

As you’ll see, Nebraska is already criss-crossed by pipelines—just as you would expect from a state so near the geographic center of the country.

Here’s the natural gas pipeline network:

gas-lines

A map of the US natural gas pipeline network (eia.gov)

To look at these maps is to see instantly the speciousness of the stated objection to Keystone. The real motive is opposition to anything that might increase oil use in the United States—combined with a cowardly refusal by environmental groups to propose the one policy that might actually achieve that end: significant energy taxation.

Environmental groups are caught in a big lie: they want people to believe that green technology will lower the cost of energy. That’s pretty self-evidently false. That original falsehood tangles environmentalists in a whole series of knock-on falsehoods, including the falsehood that they only object to Keystone because of the route—rather than the truth that they oppose all new sources of oil altogether.

#### Turnout is key—it determines the election and isn’t locked in yet

Nate Cohn, New Republic Election Expert, Part-Time Georgetown Coach -- his articles go through a TNR editing process and are available for all on his blog, he has been profiled on New York Magazine and MSNBC, 10/26/12, Why Undecided Voters Matter Less And Turnout Matters More Than Ever Before , www.tnr.com/blog/electionate/109171/why-undecided-voters-matter-less-and-turnout-matters-more-ever

Heading into the final stretch of one of the closest presidential elections in recent history, many are beginning to handicap the potential behavior of undecided voters and Obama’s vaunted ground operation. But while undecided voters could make a difference in the few tightest states, as William Galston argues elsewhere on this website, turnout is the most critical outstanding question. Although undecided voters represent 3 to 6 percent of the electorate in most swing states, they're unlikely to break overwhelmingly toward one candidate. Historically, candidates usually exceed their final share of the vote in the polls and the exits show late deciders breaking roughly evenly, at least in comparison to supposed and unsubstantiated rules about undecided voters breaking entirely for the challenger. In 2004, Bush actually performed better than the final polls, which showed Bush leading Kerry by just 1.5 points in 2004 with less than 49 percent, compared to Bush's eventual 2.4 point victory with 50.7 percent of the vote. And although the exit polls showed Kerry winning late deciders, there is a distinction between “undecided” in a final poll and deciding late in the exits. Many polls push undecided voters to enunciate their preference, and their un-polled counterparts don’t finally “make up their mind” until the final week, even though they knew their decision deep down and would have said so if they had been pushed hard enough. In this election, the number of undecided voters is so small that there are only few states where a clear break would be sufficient to flip the outcome. In Wisconsin and Nevada, Obama already exceeds 49 percent, suggesting that undecided voters could only influence the outcome if Obama supporters turn out at lower rates than the polls anticipate. One state where Romney still retains a narrow path to victory through undecided voters is Ohio, where Obama holds a very slight lead of just 2.1 points in the RealClearPolitics average, 47.9 to 45.8. But if Romney won 55 percent of undecided voters and one percentage point vote for a third party candidate, Obama would still win Ohio by a 1.6-point margin, 50.3 to 48.7. Romney would need nearly 70 percent of undecided voters to carry the state—an exceptional performance. Colorado and Virginia are the two states close enough for undecided voters to more realistically make a difference, but, even there, turnout is a more critical question. According to national polls, Obama is performing four points better among registered voters than likely voters. That’s well above the more typical 1 or 2 point gap and the main culprit appears to be strong Republican enthusiasm combined with low enthusiasm among young, Latino, and Democratic-leaning independent voters. Since Obama’s coalition is unusually dependent on low-frequency voters, Obama has more to gain from a strong turnout operation than previous candidates. Although it’s unclear whether Obama’s vaunted ground operation can rejuvenate turnout among infrequent Obama '08 voters, the difference between a modest and high turnout among young and minority Obama supporters could easily decide the election. And it's not just that turnout is important, it's that Obama's larger advantage among registered voters makes it an open question whether Obama could actually lose if minority and youth turnout rates approach '08 levels, even if undecided voters broke in Romney's direction.

## at: jobs turn

#### Jobs are already priced in – Obama’s striking a critical balance with enviros

Sledge, 12

(Reporter-Huffington Post & graduate of Brown University, he was previously the Rhode Island director for FairVote, 6/14, Mitt Romney In Ohio, Seeks Electoral Advantage Amid State's Shale Oil And Gas Boom, http://www.huffingtonpost.com/2012/06/14/romney-ohio-oil-gas-boom\_n\_1598460.html)

Mitt Romney told a crowd of Ohioans at a manufacturing company Thursday that President Barack Obama is keeping the state's oil and gas industries down. "Go talk to the people in the natural gas world and ask them what it's like under the Obama administration," he said. "They'll tell you that the administration has tried to push itself in to regulate the production of natural gas." "This is a president that's made it harder to create jobs there and to get low-cost energy to manufacturers like this one," he said. For Romney and energy industry groups, that's a central argument in their pitch to Ohio voters whose 18 electoral votes and divided electorate make it a crucial swing state. But they will be forced to argue while **faced with something that undercuts their position**: Spurred by the use of new technologies like hydraulic **fracturing, the oil and gas industry in eastern Ohio's Utica Shale formation is booming**. Economists place the number of jobs that could be created there between 20,000 and 65,680 over the next few years. Steelmakers in Ohio are building 2 million square feet of production space, at a cost of $1.5 billion, to keep up with the demand for pipes and drilling equipment. Obama said he would like to continue that expansion, but **make sure it doesn't lead to pollution**, a position he repeated in Ohio Thursday. "You hear this ridiculous dual story from anti-regulation, pro-industry folks, who on one hand say this is the biggest economic boom and it's going to create millions of jobs for Ohio," said Julian Boggs, a policy advocate at Environment Ohio, a group that promotes tougher regulation on hydraulic fracturing. "And then on the other hand, pretend that the whole thing is so economically fragile that we can't afford basic protections for our environment."

#### Romney can’t benefit – union opposition and Buy American

Sledge, 12

(Reporter-Huffington Post & graduate of Brown University, he was previously the Rhode Island director for FairVote, 6/14, Mitt Romney In Ohio, Seeks Electoral Advantage Amid State's Shale Oil And Gas Boom, http://www.huffingtonpost.com/2012/06/14/romney-ohio-oil-gas-boom\_n\_1598460.html)

And if Romney believes his promise of more jobs will win over unionized "Reagan Democrats," the state branch of the United Steelworkers says good luck. It is benefiting from the upsurge in demand for seamless steel pipes needed for natural gas expansion; the situation would be different if Obama had not slapped tariffs on Chinese pipe manufacturers. "Without the tariffs, China would still be dumping seamless steel pipe," said Donnie Blatt, the rapid response coordinator for United Steelworkers' District 1, which covers Ohio. "Governor Romney isn't a person that's going to enforce the trade laws."

#### Strong Ohio econ now

Hamilton, 12

(10/2, LA Times Columnist, “Prosperity in swing states may be key in presidential race” http://articles.latimes.com/2012/oct/02/business/la-fi-swing-state-economies-20121003)

Economic advances in several hotly contested states, including Ohio and Virginia, could get Obama key electoral votes.

October 02, 2012|By Walter Hamilton, Los Angeles Times

Are you better off now than four years ago? If you live in one of the key swing states, chances are the answer is "yes." And that could prove to be a difference maker in the competitive race for the White House. **Even as the national economy** remains stubbornly **sluggish**, the performance of several hotly contested states has been comparatively bright. Of the dozen or so swing states in this year's presidential election, half have jobless rates below the national average, including the battlegrounds of Ohio and Virginia. The factors vary by region and industry. Ohio and Pennsylvania are benefiting from a boom in oil drilling and manufacturing. Michigan is getting a boost from the resurgent auto industry. Virginia has been helped by its steady federal workforce and a high concentration of defense contractors. "Almost all the swing states are better off than they were two years ago," said Xu Cheng, a senior economist at Moody's Analytics who publishes monthly election forecasts based on the economic performance of the states. "That's the reason why President Obama has the edge over Romney." A poll released Sept. 26 by Quinnipiac University in Hamden, Conn., found Obama leading Romney 53% to 43% in Ohio, a lead that has widened in recent weeks. The swing-state performance is likely to be a recurrent theme in Wednesday's presidential debate, which will focus heavily on economic issues. Obama will point to pockets of improvement while Mitt Romney will hammer on weakness nationally. Still, the economy is far from a perfect indicator of how people will vote. Many Americans are more swayed by social beliefs and political ideology than by their own financial interests. In addition, some experts caution that pocketbook issues may provide less of a boost this year than in the past, given the general infirmity of the national economy and the patchy conditions still afflicting even the better-performing states. Ohio and its 7.2% jobless rate, for example, look good only in comparison with the 8.1% national figure. Swing states have "seen significant gains in the last three years but people still see that they're a long way from what they were, and that gets them anxious and impatient," said Stephen Fuller, director of the Center for Regional Analysis at George Mason University in Arlington, Va. "People have a hard time seeing the glass as half full." The three most important swing states are Ohio, Virginia and Florida because of their large number of electoral votes. Although Florida has more electoral votes, the biggest prize may be Ohio. No Republican has ever claimed the White House without winning the Buckeye State, and it would be extremely difficult for Romney to cobble together the needed 270 electoral votes without Ohio. Even if Romney takes Florida's 29 electoral votes, that could be blunted by losses in Ohio, which has 18, and Virginia, with 13. That calculus hasn't been lost on Obama, who pushed the federal government's $85-billion bailout of the auto industry, which has a huge presence in Ohio. The state is home to several major car plants as well as a network of auto-parts suppliers. Obama has appealed to people such as Raye Stansbury. The 39-year-old, who paints cars at the General Motors plant in Lordstown, credits the president with saving her job and breathing life into the previously moribund local economy. "Some of the people who didn't vote for the president last time say they're going to vote for him this time because things are turning," Stansbury said of friends in her neighborhood. "They feel the economy isn't where they want it to be, but it's headed in the right direction." Obama has also been lucky. Ohio has benefited from a recovering U.S. manufacturing base and a boom in shale-oil production made possible by new "fracking" technology. Ohio Gov. John Kasich has downplayed the president's role. The Republican has claimed credit for his state's rebound by closing a massive budget deficit and creating a more business-friendly environment. What's clear is that Ohio's unemployment rate is down sharply from its peak of 10.6% three years ago. Only three states had stronger job growth in the first half of the year, according to IHS Global Insight. The improvement in manufacturing positions, which began in early 2010, is the best the state has experienced since the mid-1990s.

That means the environment outweighs

Lightman 12

David Lightman, 9-9-2012, McClatcy Newspapers staff writer, “The fall brawl begins in 10 battleground states,” <http://www.kansascity.com/2012/09/09/3804924/the-fall-brawl-begins-in-10-battleground.html#storylink=cpy>

Strategies for easing what's become chronic economic pain are the most prominent topic everywhere, though different states have different concerns. Nevada is stuck with a historic housing crisis. Ohio and Wisconsin are trying to revive struggling manufacturing industries. Virginia and North Carolina, once the economic jewels of the New South, have lapsed.

In a close race, other issues could be crucial. Will the unusually rigid Republican stands against abortion and gay marriage help bring conservative Virginia and North Carolina voters to the polls? Or will that also motivate enough opponents to tilt New Hampshire and Colorado to Obama? Where does immigration fit? Environment? The auto bailout?

With dispatches from McClatchy newspapers around the country, here's a state-by-state look:

FLORIDA (29 electoral votes)

With a history of tight elections and a population that resembles the nation's, Florida is the ultimate battleground state.

EDITORS: BEGIN OPTIONAL TRIM

Florida reflects the nation: the southeast of the state is akin to the Northeastern U.S.; southwest Florida is tied to the Midwest, and the north of Florida is like the Deep South. Then there's Miami-Dade, the state's largest and most Hispanic county, which functions as a Latin American capital.

Romney and supporters have dumped an estimated $45 million on television ads in Florida just for the general election. Obama and his allies have spent about $25 million. The Republicans held their convention in the Tampa Bay area, the most hotly contested battleground region of the state.

Romney holds an edge in money, but Obama's so-called "ground-game" organization of thousands of volunteers and nearly 100 field offices appears unmatched.

The two are essentially tied, with Obama narrowly ahead of Romney by an inside-the-error-margin lead of about 2 percentage points, according to the averages of the latest reputable statewide polls. Obama won Florida by less than 3 percentage points in 2008, but the toll of the bad economy has hurt his standing. The unemployment rate stands at 8.8 percent, and Florida's foreclosure rate is the third highest in the nation.

"The president can win without Florida," said Orlando Mayor Buddy Dyer, a Democrat. "If he wins Florida, it's a slam dunk."

-Marc Caputo, The Miami Herald

OHIO (18 electoral votes)

Ohio loves its reputation as one of the most unpredictable of the bellwether states, and 2012 is no exception. Obama has visited the Buckeye State 27 times since taking office in 2009, including 11 this year. Romney has been to the state 13 times since last year.

Obama and Romney are locked in a statistical dead heat in Ohio. The Columbus Dispatch recently recorded its closest presidential poll in modern history, with Romney leading Obama by only 0.22 percentage points, a figure well within the survey's margin of error.

As in other states, the economy is the dominant issue in Ohio, and voters appear evenly divided on whether Obama or Romney would provide better leadership on the issue.

Though Ohio is a Rust Belt state, it's doing better on jobs compared with other parts of the country. The state's July unemployment rate (the most updated available) was 7.2 percent - lower than the nation's 8.1 percent jobless rate for August, which was announced Friday.

John Green, a political scientist at the University of Akron, said that because of the state's comparatively lower unemployment picture, the election could hinge on second-tier issues like the environment or abortion.

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#### Kotkin says the base is disillusioned – that’s why enviros are key

Munro 12

Neil Munro, Daily Caller's White House correspondent, 8-31-2012, Daily Caller, “Obama still has the green energy vote for 2012,” http://dailycaller.com/2011/08/30/obama-still-has-green-energy-vote-for-2012/2/

Obama still has the green energy vote for 2012

Advocates for the $7 billion pipeline — including labor unions — say it will create 20,000 good jobs and reduce gasoline-price disruptions. That’s a message that resonates with the swing-voting independents that Obama needs to win next November.

But there’s little evidence so far that progressives’ disappointment with Obama’s environmental policies threatens to reduce their turnout on election day, or that it pressures White House officials to make additional concessions to environmentalists during a political season dominated by the public’s demand for additional jobs.

Monday’s colorful, TV-ready protests against the Keystone XL pipeline from Canada’s oil fields to U.S consumers took place in Lafayette Park, in front of the White House.

The day’s events included 100 peaceful arrests of environmentalists and celebrities, a multi-faith spiritual event in Lafayette Park, press club speeches by environmental leaders, and numerous suggestions that approval of the pipeline by Obama will cost his campaign votes, volunteers and donations. Hundreds of others have already been arrested, and numerous environmental groups have contributed to two weeks of protest.

If Obama approves the pipeline, environmental activist Andrew Driscoll predicted he would not vote to re-elect him. “He hasn’t done anything to earn our vote yet,” said the Massachusetts activist. “The fate of humanity, the fate of the planet” will be determined by Obama’s pipeline decision, he said.

“If he approves it, it will be a huge blow, not only for our future, but also for this administration,” said Elijah Zarlin, a campaign manager at CREDO Action, an Atlanta-based progressive group. The protesters “are the people who are maybe going to vote for Obama, and are the people Barack will lose” if he approves the pipeline, he added.

However, the leadership of the green movement isn’t threatening to break with Obama over this one decision. (RELATED: Gore: Global warming skeptics are this generation’s racists)

Ads by Google

Instead, they are balancing their goal of stopping the pipeline with the need to keep their supporters motivated even when the public opposes regulation of job-producing companies, and with their shared desire to avoid the election of a GOP president, such as Texas Gov. Rick Perry.

The protests, arrests, caravans and petitions help make the president uncomfortable and reduce the chance that he’ll side with industry interests, said Philip Radford, Greenpeace’s executive director. The movement won’t accept a compromise offer from the White House, but will instead try to defeat the pipeline at the federal, state and local levels, he said. “This will be an embarrassment for the president,” he predicted.

“If the tar-sands pipeline is approved [by Obama], we will be back and our numbers will grow,” said James Hansen, a NASA scientist and political advocate. “For the sake of our children and grandchildren, we must find someone who is worthy of our dreams.”

Advocates for the $7 billion pipeline — including labor unions — say it will create 20,000 good jobs and reduce gasoline-price disruptions. That’s a message that resonates with the swing-voting independents that Obama needs to win next November.

Green activists’ importance to Obama’s re-election campaign is boosted by Obama’s losses among other voters, including whites, women, Hispanics and younger voters. Gallup’s daily poll on August 29 already showed Obama’s approval rate at 38 percent, and his disapproval rate at 55 percent.

#### Gallup’s wrong, but accounted for in our uniqueness ev

Nate Silver, 10/18/12, Gallup vs. the World, fivethirtyeight.blogs.nytimes.com/2012/10/18/gallup-vs-the-world/

The Gallup national tracking poll now shows a very strong lead for Mitt Romney. As of Wednesday, he was ahead by six points among likely voters. Mr. Romney’s advantage grew further, to seven points, when Gallup updated its numbers on Thursday afternoon. The Gallup poll is accounted for in the forecast model, along with all other state and national surveys. However, its results are deeply inconsistent with the results that other polling firms are showing in the presidential race, and the Gallup poll has a history of performing very poorly when that is the case. Other national polls show a race that is roughly tied on average, while state polls continue to indicate a narrow advantage of about two points for President Obama in tipping-point states like Ohio. The forecast has Mr. Obama as a narrow favorite in the election largely on the basis of the state polls. (You can read my thoughts here on the challenge of reconciling state and national poll data.) Our database contains records from 136 distinct pollsters that have released at least one state or national survey at some point in this election cycle. Of those, 53 are active enough to have issued at least one survey since Oct. 1. With so much data to sort through, it will usually be a counterproductive use of one’s time to get overly attached to the results of any one particular poll. Whether you look at the relatively simple averaging methods used by Web sites like Real Clear Politics, or the more involved techniques in the FiveThirtyEight forecast, the Gallup national tracking poll constitutes a relatively small part of the polling landscape. Let me walk you through the rules for how the FiveThirtyEight model weighs the Gallup poll relative to all the other information it accounts for. This explanation will be modestly technical — you may want to skip ahead to the next section if you aren’t concerned with these details. The Role of the Gallup Poll in the FiveThirtyEight Model There are two major pieces of information that we’re looking to extract from each poll. One is simply the raw number — who is ahead or behind? The other is the trend it shows in the race — which candidate is gaining or losing ground? Different types of polls are relatively more and relatively less useful for these purposes. Because national tracking polls like Gallup are published every day, they are useful for the trend part of the calculation, measuring the change in the race against a constant baseline. Each poll receives a weight in the FiveThirtyEight trend-line calculation based on its sample size and its pollster rating. The model accounts for the fact that tracking polls use an overlapping set of interviews. A three-day tracking poll might consist of interviews conducted on Monday, Tuesday and Wednesday, for instance. When the polling firm issues its next release of the survey, a fresh set of interviews from Thursday will replace the ones from Monday in the sample. Thus, we reduce the weight assigned to each edition of a tracking poll to avoid counting the same interviews multiple times. Even so, there are quite a few interviews conducted by a tracking poll over the course of a week — about 3,000 per week in the Gallup national tracking poll, for instance. But Gallup is not the only national tracking poll. There are six published on most days; the others are from Rasmussen Reports, Ipsos, the RAND Corporation, Investors’ Business Daily and United Press International. (A seventh daily tracking poll, from Public Policy Polling, made its debut on Thursday.) Of the daily tracking polls, the Gallup survey receives the largest weight in the trend-line calculation. It uses a larger sample size than most other polls, and it has a methodology that includes calls to cellphone voters. On the other hand, the pollster ratings are also based in part on past accuracy, and Gallup’s performance is middling in that department. It mostly gets a lot of weight by comparison, since the tracking surveys are a mediocre group on the whole. The trend-line adjustment also looks at other national polls when they are published, like the New York Times/CBS News or the Wall Street Journal/NBC News surveys. This is a high-quality group of polls; the disadvantage is that they are published only occasionally. State polls are also useful for determining the overall trend in the race. In this case, the advantage is the abundance and diversity of data: there might be 10 or 20 state polls published on a typical day, often from 5 or 10 polling firms. The trend-line calculation applies a 50 percent penalty to the weight assigned to state polls because trends in any one state could be an aberration. However, the states generally rise and fall together when there is a shift in the national climate — and if one candidate makes an especially large gain in one state, it must necessarily be counterbalanced by others in which it is below average. The relative amount of weight assigned to each type of poll is fluid rather than fixed, and depends on the overall volume of data. On days when a large number of state polls is published but few national ones, they will generally be the more useful source for making inferences about the trend in the race. But on average since Oct. 1, the Gallup national tracking poll has accounted for 12 percent of the information that the model uses to calculate the trend line. The other daily tracking polls, collectively, have accounted for 24 percent of the data, and the occasionally published national polls for 19 percent. Finally, the state polls account for about 45 percent of the data used to calculate the trend-line adjustment. Thus, even though the Gallup national tracking poll is more influential than any other individual poll series in the FiveThirtyEight trend-line calculation, it still accounts for only about 12 percent of it. It can very easily be outweighed by the other polls if they are in disagreement with it. As I mentioned, however, this is only half the battle. Once “old” polls are brought up to date by adjusting them to reflect the current trend in the race, we still need to take some kind of average of them. The way the polls are employed to calculate the average is a little different than in calculating the trend line. Our research suggests, for instance, that state polls, rather than national polls, often provide a better estimate of the national popular vote, in addition to the Electoral College. In addition, although the trend-line calculation relies fairly heavily on the quantity of polling — even a mediocre poll can be useful for measuring how the race is changing if it is published frequently — the polling average tends to place more emphasis on the quality of the poll. (Otherwise high-quality polls that are a bit of out-of-date can still have a fair amount of influence on the average. The problem with these polls being less recent is mitigated because the trend-line adjustment serves to make them more contemporary in the event that there has been a significant shift in the race.) Over all, the Gallup daily tracking poll accounts for only about 3 percent of the weight in this stage of the calculation. The national tracking polls collectively, including Gallup, account for only about 10 percent of it. Most of the weight, instead, is given to the state polls. This is, obviously, a rather detailed answer to the seemingly simple question of how much information is provided by the Gallup national tracking poll, as opposed to all the other state and national surveys. Nevertheless, any rigorous attempt to consider the value of the Gallup poll would probably get you to something of the same answer. Perhaps the Gallup poll accounts for 5 or 10 percent of the information that an election analyst should evaluate on a given day. The Gallup poll’s influence on the subjective perception about where the presidential race stands seems to be proportionately much greater than that, however — especially when the poll seems to diverge from the consensus. This simply isn’t rational, in my view. As I discuss in my book, our first instincts are often quite poor when it comes to weighing information. We tend to put too much emphasis on the newest, most widely reported and most dramatic pieces of data — more than is usually warranted. Gallup Performs Poorly When Out of Consensus Usually, when a poll is an outlier relative to the consensus, its results turn out badly. You do not need to look any further than Gallup’s track record over the past two election cycles to find a demonstration of this. In 2008, the Gallup poll put Mr. Obama 11 points ahead of John McCain on the eve of that November’s election. That was tied for Mr. Obama’s largest projected margin of victory among any of the 15 or so national polls that were released just in advance of the election. The average of polls put Mr. Obama up by about seven points. The average did a good job; Mr. Obama won the popular vote by seven points. The Gallup poll had a four-point miss, however. In 2010, Gallup put Republicans ahead by 15 points on the national Congressional ballot, higher than other polling firms, which put Republicans an average of eight or nine points ahead instead. In fact, Republicans won the popular vote for the United States House by about seven percentage points — fairly close to the average of polls, but representing another big miss for Gallup. Apart from Gallup’s final poll not having been especially accurate in recent years, it has often been a wild ride to get there. Their polls, for whatever reason, have often found implausibly large swings in the race. In 2000, for example, Gallup had George W. Bush 16 points ahead among likely voters in polling it conducted in early August. By Sept. 20, about six weeks later, they had Al Gore up by 10 points instead: a 26-point swing toward Mr. Gore over the course of a month and a half. No other polling firm showed a swing remotely that large. Then in October 2000, Gallup showed a 14-point swing toward Mr. Bush over the course of a few days, and had him ahead by 13 points on Oct. 27 — just 10 days before an election that ended in a virtual tie. In 1996, Gallup had Bill Clinton’s margin over Bob Dole increasing to 25 points from nine points over the course of four days. After the Republican convention in 2008, Gallup had John McCain leading Mr. Obama by as many as 10 points among likely voters. Although some other polls also had Mr. McCain pulling ahead in the race, no other polling firm ever gave him larger than a four-point lead. It’s not clear what causes such large swings, although Gallup’s likely voter model may have something to do with it. Even its registered voter numbers can be volatile, however. In early September of this year, after the Democratic convention, Gallup had Mr. Obama’s lead among registered voters going from seven points to zero points over the course of a week — and then reverting to six points just as quickly. Most other polling firms showed a roughly steady race during this time period. Because Gallup’s polls usually take large sample sizes, statistical variance alone probably cannot account these sorts of shifts. It seems to be an endemic issue with their methodology. To be clear, I would not recommend that you literally just disregard the Gallup poll. You should consider it — but consider it in context. The context is that its most recent results differ substantially from the dozens of other state and national polls about the campaign. It’s much more likely that Gallup is wrong and everyone else is right than the other way around.

#### Women means it’s close

CBS News, 10/25/12, Poll: Gender gaps all but gone in White House race, www.cbsnews.com/8301-250\_162-57539891/poll-gender-gaps-all-but-gone-in-white-house-race/

What gender gap? Less than two weeks out from Election Day, Republican Mitt Romney has erased President Obama's 16-point advantage among women, a new Associated Press-GfK poll shows. And the president, in turn, has largely eliminated Romney's edge among men. Those churning gender dynamics leave the presidential race still a virtual dead heat, with Romney favored by 47 percent of likely voters and Mr. Obama by 45 percent, a result within the poll's margin of sampling error, the survey shows. After a commanding first debate performance and a generally good month, Romney has gained ground with Americans on a number of important fronts, including their confidence in how he would handle the economy and their impressions of his ability to understand their problems. At the same time, expectations that Mr. Obama will be re-elected have slipped: Half of voters now expect the president to win a second term, down from 55 percent a month earlier. For all of the good news for Republicans, however, what matters most in the election endgame is Romney's standing in the handful of states whose electoral votes still are up for grabs. And polls in a number of those battleground states still appear to favor Mr. Obama. As the election nears, Romney has been playing down social issues and trying to project a more moderate stance on matters such as abortion in an effort to court female voters. The AP-GfK poll, taken Friday through Tuesday, shows Romney pulling even with Mr. Obama among women at 47-47 after lagging by 16 points a month earlier. But now his campaign is grappling with the fallout from a comment by a Romney-endorsed Senate candidate in Indiana, who said that when a woman becomes pregnant during a rape "that's something God intended." Romney quickly distanced himself from the remark by Republican Richard Mourdock. But Obama campaign spokeswoman Jen Psaki said the incident was "a reminder that a Republican Congress working with a Republican President Mitt Romney would feel that women should not be able to make choices about their own health care."

## at: vote switching

#### No undecideds

Harry Enten, Guardian election expert, 10/4/12, If Mitt Romney won the debate, will he win the election?, www.guardian.co.uk/commentisfree/2012/oct/04/mitt-romney-won-debate-win-election

We cannot expect that this or any one debate will turn an Obama edge into a large Romney lead. Romney is down by about 3 percentage points in the Real Clear Politics average. Only 5% of the electorate is truly undecided. Most of these undecided voters weren't watching the debate and probably won't make their choice until election day.

#### Romney econ campaign won’t work in Ohio

LoGiurato, 10/24

(Columnist-Business Insider, “A Crucial Disparity That's Pushing Obama To A Potentially Devastating Win In Ohio,” http://www.businessinsider.com/ohio-poll-obama-romney-time-economy-jobs-2012-10

President Barack Obama has a significant 5-point lead over Republican Mitt Romney in a new Time magazine poll of Ohio, the crucial battleground state that has enormous implications on Election Night. What's pushing Obama to the lead is a key disparity in voters' opinion of the state's economy vs. the nation's economy. Overall, 51 percent of voters think Ohio's economy is on the right track, compared with just 43 percent that say it is off on the wrong track. The numbers are similar with self-identified Independents in the poll — by a 51-45 split, they say it's on the right track. Of the group that says Ohio's economy is going in the right direction, 65 percent are voting for Obama. Ohio's views of its own economy are markedly different than how the state's voters perceives the national economy. Only 41 percent think it's on the right track, compared with 54 percent that say it's off on the wrong track.

#### Actually the 3 newest poll

LoGiurato, 10/26

(Columnist-Business Insider, “Another Solid Obama Lead In A New Ohio Poll Is Terrible News For Mitt Romney,” http://www.businessinsider.com/ohio-poll-obama-romney-cnn-orc-2012-10)

Another new poll of Ohio gives President Barack Obama a comfortable lead over Mitt Romney in the Buckeye State, a troubling sign for the Republican nominee in a near-**must win state**. Obama leads Romney 50-46 in Ohio, according to the new poll from CNN/ORC. It very closely mirrors the results of recent Quinnipiac and Time magazine polls. Among registered voters in the CNN poll, Obama's lead expands to 7 points. What pushes Obama to a lead in the new CNN poll are leads with women and Independents and a stronger-than-normal showing with white voters. He grabs 56 percent of the female vote compared with Romney's 42 percent, and Obama leads Romney by 5 points among Independents. Meanwhile, he only trails by 9 points among white voters, which is slimmer than his national numbers. Obama also has a huge, 21-point lead among respondents that already voted in the Buckeye State. Ohio is one of three crucial states to watch on Election Night — because, along with Wisconsin and either Nevada or Iowa, it provides Obama with a very easy path to Electoral College victory.