### Modeling

#### State action gets modeled due to local innovation

**Lash, 7 –** head of the World Resources Institute, former Secretary of Natural Resources for Vermont (Jonathan, “Climate Policy in the State Laboratory: How States Influence Federal Regulation and the Implications for U.S. Policy,” World Resources Institute, September, <http://www.wri.org/publication/climate-policy-in-the-state-laboratory>)

America has a long and inspiring tradition of policy innovation and activism that is incubated at the state level. The states often take to the front lines of cutting-edge policy development, creating fresh and inventive programs to address the concerns and needs of their constituents.

From standards for organic agriculture, to removing asbestos from schools, to creating enterprise zones, and reducing acid rain pollution, the states have shown a path forward and provided both the problem-solving acumen as well as the pressure to induce the Federal government to act.

Of all the environmental problems now confronting this nation and the rest of the world, none holds greater potential for irrevocable and destructive disruption to our lives than climate change. Yet, up to now, our national government has failed to respond with initiatives appropriate to what looms ahead.

The most significant first steps designed to measure and control the emission of greenhouse gases have come from an impressive number of states in this country. Ten states in the Northeast, seven in the West, and several in the Midwest are in the process of implementing mandatory programs to measure and reduce greenhouse gas emissions.

And not surprisingly, as well, is the fact that over 100 cities have gotten on board, to one degree or another, taking concrete steps to reduce their contribution to climate change or to add their political clout to efforts to spur the national commitment needed to help catalyze essential international compacts.

This timely report documents state efforts now underway to address the problem of climate change and our contribution to it. It puts them into the historical context of previous initiatives by states to lead our country in making difficult but necessary national decisions.

Just as there is no “silver-bullet” technology that will solve climate change, there is no “silver-bullet” policy either. The commitment to policy innovation by U.S. states may prove to be the wellspring from which we build the low-carbon economy of the future.

### AT: PDB

#### Federal action crowd out state policy—plan net counter productive

**Adler**, Professor of Law and Co-Director, Center for Business Law and Regulation, Case Western Reserve University School of Law, 07 (Jonathan H., “WHEN IS TWO A CROWD? THE IMPACT OF FEDERAL ACTION ON STATE ENVIRONMENTAL REGULATION”, 31 Harv. Envtl. L. Rev. 67, Lexis)

Just as federal action may indirectly encourage greater state regulatory activity, federal action may discourage state regulatory action. This can occur in at least two ways. First, the adoption of a federal regulatory standard may "signal" that more stringent state regulations are unnecessary. In effect, the federal standard may be seen as evidence that a given level of regulatory protection is sufficient to safeguard relevant public interests, and more stringent measures are unnecessary. As a result, the adoption of a federal regulation may induce state policy-makers to adopt comparable state protections. In addition, the adoption of a federal regulation may crowd out state regulatory measures by reducing the net benefits of additional state measures. As a result, the existence of federal regulation may discourage the adoption of additional state-level regulatory protections in the future. The potential for federal regulatory measures to reduce the level of state regulatory activity is significant because it challenges the prevailing assumption that the adoption of a federal regulatory standard raises, or at least maintains, the aggregate level of protection nationwide. [n116](http://www.lexisnexis.com/us/lnacademic/frame.do?tokenKey=rsh-20.511255.98477628967&target=results_DocumentContent&reloadEntirePage=true&rand=1214593074266&returnToKey=20_T4054175409&parent=docview#n116) Many environmental analysts, for example, suggest that the federal government should adopt a regulatory floor, but allow states to implement federal standards and adopt more stringent measures of their own. [n117](http://www.lexisnexis.com/us/lnacademic/frame.do?tokenKey=rsh-20.511255.98477628967&target=results_DocumentContent&reloadEntirePage=true&rand=1214593074266&returnToKey=20_T4054175409&parent=docview#n117) The general belief is that this will maximize the extent of environmental protection. Yet if the adoption of federal regulatory standards can induce states to adopt less protective environmental measures than they would otherwise have adopted, the net benefits of a federal floor will be less than traditionally assumed, and in some states it will actually result in a net reduction in the aggregate level of environmental protection. Indeed, it is possible that the net result of a federal regulatory floor, over time, could be the maintenance of lower levels of environmental protection than would otherwise have been adopted. Even if such effects are unlikely, federal policy-makers should consider these possibilities when assessing the likely costs and benefits of federal action.

### AT: DoE

#### State Energy Offices already collaborate with the DOE

**National Governors Association, 7**  (National Governors Association, collective voice of the nation's governors and one of Washington, D.C.'s, most respected public policy organizations., “Recent State Actions Promoting Alternative Energy” Gregory Dierkers, Environment, Energy & Natural Resources Division, May 7th http://www.nga.org/Files/pdf/0705ALTENERGY.PDF)

In the last several years energy prices have been subject to considerable volatility. While prices declined following a late summer peak, prices of petroleum, natural gas and heating oil increased in 2006, according to the U.S. Energy Information Administration (EIA).1 Further, EIA forecasts energy demand will grow at an average rate of 1.1 percent per year through 2030. Given recent energy price unpredictability and anticipated longer-term growth in energy demand, governors are leading efforts to conserve energy resources while actively seeking to diversify supplies by expanding renewable resources, including energy generated from solar, wind, hydropower, geothermal and biomass. In addition to providing protection against price volatility, these efforts can also reduce greenhouse gas emissions. Today, most governor-initiated energy programs involve State Energy Offices (SEOs). These cabinet- or agency-level entities, supported by U.S. Department of Energy’s Office of Energy Efficiency and Renewable Energy, play an important role designing and implementing governors’ policies on efficiency and renewable energy.

**Barker, may 24** http://www.idahostatesman.com/2012/05/24/2128943/inl-chief-suggested-revising-nuke.html

In separate guest opinions for the Idaho Statesman, Democrat Cecil Andrus and Republican Phil Batt wrote that the agreement, upheld by voters in 1996 by more than 62 percent, should not be renegotiated.

Andrus said Sunday that INL and state government officials were “hatching a secret scheme” to push for a new agreement.

Read more here: http://www.idahostatesman.com/2012/05/24/2128943/inl-chief-suggested-revising-nuke.html#storylink=cpy

### Solves – Nuclear

#### States can do the plan

**Stickley, 10** - Distinguished Visiting Professor College of Law, School of Energy

Resources University of Wyoming (Dennis, “The Present Status of Industrial Utilization of

Nuclear Energy and Adjustment Strategy for Activation in the United States of America”, <http://ils.khu.ac.kr/ils-khulaw/45-4/45-4-2-1.pdf>) **AEA = Atomic Energy Act of 1954**

In America, state governments are playing an increasingly important role in shaping the future of the nuclear industry through the ratemaking authority of their respective public utility commissions, reactor siting, operation of waste disposal facilities and the designation of generation technologies that are eligible under renewable portfolio standards. States have pressured the federal government, both in Congress and the courts, for a larger role in the siting of nuclear facilities such as reactors and waste disposal areas. Mechanisms for shared authority have also been legislated. For example, the AEA allows state governments to assume the lead in the regulation of mining and processing of uranium as “nuclear source or by-product material”.5) More importantly, state public utility commission control the ability of much of the nuclear power industry to recover the costs of construction, operation and decommissioning through the prices paid by electricity consumers.6)

### AT: Congress Rollback

#### Congress won’t preempt – it will work with states or allow them exemptions to federal law

**Salkin and Ostrow, 9** - \* Raymond and Ella Smith Distinguished Professor of Law, Associate Dean and Director of the Government Law Center at Albany Law School AND \*\* Associate Professor of Law at Hofstra University School of Law (Patricia and Ashira, “COOPERATIVE FEDERALISM AND WIND: A NEW FRAMEWORK FOR ACHIEVING SUSTAINABILITY,” 37 Hofstra L. Rev. 1049, Summer, lexis)

Doctrinally it seems clear that so long as Congress is regulating within the scope of its enumerated powers, it can freely preempt state and local laws. [n191](http://www.lexisnexis.com.proxy.lib.umich.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1345606657055&returnToKey=20_T15362253293&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.986827.6948050236#n191) Notwithstanding Congress's formal authority to broadly preempt state and local government regulations, Congress is often hesitant to do so. As the Supreme Court's federalism opinions make clear, there are a number of compelling reasons for Congress to wield its preemptive power cautiously. [n192](http://www.lexisnexis.com.proxy.lib.umich.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1345606657055&returnToKey=20_T15362253293&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.986827.6948050236#n192) In particular, the Court has noted that federalism assures a decentralized government that will be more sensitive to the diverse needs of a heterogeneous society; it increases opportunity for citizen involvement in democratic processes; it allows for more innovation and experimentation in government; [\*1084] and it makes government more responsive by putting the States in competition for a mobile citizenry. [n193](http://www.lexisnexis.com.proxy.lib.umich.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1345606657055&returnToKey=20_T15362253293&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.986827.6948050236#n193) Thus, rather than adopt preemptive national policies, federal regulatory programs have long embraced "cooperative" regimes that utilize a mix of federal, state, and local agencies to implement federal law. [n194](http://www.lexisnexis.com.proxy.lib.umich.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1345606657055&returnToKey=20_T15362253293&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.986827.6948050236#n194) As Philip Weiser explains: Cooperative federalism programs set forth some uniform federal standards - as embodied in the statute, federal agency regulations, or both - but leave state agencies with discretion to implement the federal law, supplement it with more stringent standards, and, in some cases, receive an exemption from federal requirements. This power allows states to experiment with different approaches and tailor federal law to local conditions. [n195](http://www.lexisnexis.com.proxy.lib.umich.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1345606657055&returnToKey=20_T15362253293&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.986827.6948050236#n195)

### AT: 50 State Fiat Bad

#### b.Literature supports 50 state uniformity

**Northrop and Sassoon, 08** - Program Director for Sustainable Development at the Rockefeller Brothers Fund and administrator of SolveClimate.com (Michael David, Yale Environment 360, 6-3, <http://e360.yale.edu/content/feature.msp?id=2015>)

But the states have far more to offer. They also have approved a host of energy-efficiency measures affecting all sectors of the economy. For example, one set of policies provides both emissions reductions and substantial economic savings from the building sector through improved building codes, insulation and weatherization programs, and lighting retrofits. From the waste management sector, waste reduction and recycling programs yield similar two-pronged benefits.

These policies go hand-in-hand with others mandating that an increasing percentage of a state’s energy come from renewable sources, such as solar and wind power. Many states — chief among them California — have shown similar national leadership by significantly toughening auto emissions standards, leading Congress to increase national vehicle standards last December and the Environmental Protection Agency (EPA) to challenge the states in court.

The fact that so many states are acting with a similar impetus begs an important question: What would happen if you aggregated these policies and applied them on a national scale?

One study conducted by the Center for Climate Strategies (CCS) — a non-partisan group that has worked on climate policymaking and analysis with many of these states — indicates that the adoption of a comprehensive, nationwide climate and energy policy would have substantial economic benefits. Using data from 12 states that are leaders in the field of climate change and energy, CSS calculated that were all 50 states to adopt similar rules and legislation, the aggregate economic savings would be $25 billion. The nation could achieve a 33% reduction in projected greenhouse gas emissions by 2020 — a common interim target — and save money doing so.

# 2nc overview

**Econ collapse outweighs and turns case, that’s Friedberg and Schoenfeld—**

**A) Magnitude—recession triggers 1930’s regional trading blocs, empirically escalates and is uniquely likely to cause extinction**

**Mootry 2008,** [Primus, B.A. Northern Illinois University “Americans likely to face more difficult times” - The Herald Bulletin, 10/8/2008 http://www.theheraldbulletin.com/columns/local\_story\_282184703.html?keyword=secondarystory]

These are difficult times. The direct and indirect costs associated with the war on Iraq have nearly wrecked our economy. The recent $700 billion bailout, bank failures, and the failure of many small and large businesses across the nation will take years — perhaps decades — to surmount. Along with these rampant business failures, we have seen unemployment rates skyrocket, record numbers of home foreclosures, an explosion of uninsured Americans, and other economic woes that together have politicians now openly willing to mention the "D" word: Depression. These are difficult days. We have seen our international reputation sink to all time lows. We have seen great natural disasters such as hurricanes Ike and Katrina leaving hundreds of thousands of citizens stripped of all they own or permanently dislocated. In all my years, I have never seen a time such as this. To make matters worse, we are witnessing a resurgence of animosities between the United States and Russia, as well as the rapid growth of India and China. As to the growth of these two huge countries, the problem for us is that they are demanding more and more oil — millions of barrels more each week — and there is not much we can say or do about it. In the meantime, if America does not get the oil it needs, our entire economy will grind to a halt. In short, the challenges we face are complex and enormous. Incidentally, one of the factors that makes this time unlike any other in history is the potential for worldwide nuclear conflict. **There has never been a time in** the long **history** of ~~man~~ **when**, through his own technologies — and his arrogance — ~~he~~ can destroy the planet. Given the tensions around the world, **a mere spark could lead to global conflagration.**[This evidence has been gender paraphrased].

**B) Timeframe and Probability—failure to pass fiscal cliff legislation results in automatic sequestration. Tipping point is now.**

Victoria Craig (writer for Fox Business) September 24, 2012 “Fiscal Pitfalls Hinge on Gridlocked Congress” http://www.foxbusiness.com/government/2012/09/20/fiscal-pitfalls-hinge-on-gridlocked-congress/

A fix for the national economy is not as simple as just passing a budget, or reducing government spending. And the risk is potential to seriously destabilize an economy that is already at a tipping point. If more than one credit ratings service decides to downgrade its outlook on the U.S., it not only spells trouble for lawmakers, but financial markets as well. In its report, Moody’s warns what follows multiple downgrades would be a very different scene than when S&P took action. That’s because money-markets funds and other investment tools hold only the highest quality bonds. But the report adds, “Even without any action by the ratings agencies, a failure to make progress toward fiscal sustainability would signal that policymakers will not act until the budget is out of control and the nation is in a serious financial crisis.” Holtz Eakin takes that one step further, describing what the bigger picture would look like in the absence of some kind of Congressional action. “It would be an unambiguously bad event in the financial markets,” Holtz-Eakin said. “We’ve seen turbulence in the past and Main Street’s unimmune. We’d have bad equity market performance, bond yields would go up, credit channels would be depressed. It would send us into another recession.” Still, no matter how you slice it, it seems the future of the economy all comes down to politics.

**D) Impact defense doesn’t apply—failure to pass fiscal cliff leads to economic nationalism and extremism**

Andrew Leonard, Salon staff writer, 9/21/**10**, "The nasty politics of 10 percent unemployment," http://www.salon.com/technology/how\_the\_world\_works/2010/09/21/lessons\_of\_the\_great\_depression/index.html

Why should governments care, above all else, about keeping unemployment down and ensuring that the greatest number of people get a fair share of the economic pie? Because if you don't, bad things happen. Europe's leaders learned this the hard way in the 1930s, but our historical memory seems fleeting.

That, in a nutshell, is the message of today's must read: Kevin O'Rourke's "Lessons from the Great Depression." (Hat tip, Mark Thoma.)

...[I]n late 1929, the Great Depression hit and everything fell apart. Thanks to Bruning's deflationary policies, Germany's national income fell by more than a quarter, and official unemployment rose to almost a third of the labor force. Optimism was replaced by a profound sense of insecurity. Inevitably, the extremist parties benefitted. In 1930 the Nazis increased their share of the vote to 18.3 percent, while in July 1932 they scored 37.8 percent. By this stage Bruning was gone, his successor adopted some modestly stimulative policies, and there were signs of a partial recovery. Not coincidentally, in November 1932 the Nazi share dipped to 33.1 percent; but by then it was too late, and the Weimar Republic was doomed.

The lesson was clear: states needed to provide their citizens with the security which the gold standard and the market system, left to their own devices, had so conspicuously failed to do. The alternative was nationalism in all its guises: economic nationalism at best, but potentially something much uglier and far more dangerous. And so the democracies of the postwar period became social democracies -- although British voters in 1945 judged that Churchill was not the man best suited to bringing this about.

O'Rourke observes that extremist parties have recently captured significant shares of the electorate in Hungary and Denmark, the most popular book on the German version of Amazon is an "anti-immigrant screed" and that in France, "the government has been fishing in National Front waters." The two words he most conspicuously does not mention? "Tea Party."

Perhaps it may be too soon to be making National Front/Tea Party connections, although listening to the way leading Republicans are talking about Islam today suggestions that a reluctance to connect such dots betrays a certain over-caution. But the more fundamental point is clear: A government failure to aggressively deal with unemployment, combined with a decades-long trend of increasing income equality, has created fertile ground for extremist, populist rage.

O'Rourke:

Anyone who believes that people are getting better has not been paying sufficiently close attention to the history of the twentieth century...

# 2nc econ turns prolif

**Economic collapse turns prolif, but growth solves**

**Burrows and Windrem 1994** – \*NYT journalist, professor of journalism at New York University and the founder and director of its graduate Science and Environmental Reporting Program, \*\*Senior Research Fellow at the NYU Center on Law and Security, former NBC producer (William and Robert, “Critical Mass: the dangerous race for superweapons in a fragmenting world”, p. 491-2, Google Books)

Economics is in many respects proliferation’s catalyst. As we have noted, economic desperation drives Russia and some of the former Warsaw Pact nations to peddle weapons and technology. The possibility of considerable profits or at least balanced international payments also prompts Third World countries like China, Brazil, and Israel to do the same. Economics, as well as such related issues as overpopulation, drive proliferation just as surely as do purely political motives. Unfortunately, that subject is beyond the scope of this book. Suffice it to say that, all things being equal, well-off, relatively secure societies like today’s Japan are less likely to buy or sell superweapon technology than those that are insecure, needy, or desperate. Ultimately, solving economic problems, especially as they are driven by population pressure, is the surest way to defuse proliferation and enhance true national security.

# 2nc econ turns environment

**Economic growth’s a prerequisite to environmental care**

**Sagoff '97** (Mark, The Atlantic, "Do we consume too much?" http://www.theatlantic.com/issues/97jun/consume.htm)

Many have argued that economic activity, affluence, and growth automatically lead to resource depletion, environmental deterioration, and ecological collapse. Yet greater productivity and prosperity -- which is what economists mean by growth -- have become prerequisite for controlling urban pollution and protecting sensitive ecological systems such as rain forests. Otherwise, destitute people who are unable to acquire food and fuel will create pollution and destroy forests. Without economic growth, which also correlates with lower fertility, the environmental and population problems of the South will only get worse. For impoverished countries facing environmental disaster, economic growth may be the one thing that is sustainable.

# 2nc Trade-off Link

#### Crowded lame duck means trade off.

Inside U.S. Trade, "Vietnam PNTR could be delayed by Peru, Oman despite broad support" June 16, 2006 lexis

Business lobbyists reacted with alarm to Boehner's comments, because considering trade bills in a lame duck session creates additional uncertainties. Following the elections, members may not vote the way they would have previously, one source noted, and there also is a danger that the agenda in a lame duck session would become too crowded for consideration of trade bills.

# 2nc Plan = Lame Duck

#### Fiat should be determined by the least restrictive means – currently congress is holding ‘pro forma’ sessions until the lame duck – NO legislative business can occur in them

Ramsey Cox (writer for The Hill) September 24, 2012 “Congress to hold pro forma sessions until November” http://thehill.com/blogs/floor-action/senate/251313-congress-to-hold-pro-forma-sessions-until-november

Rather than being in recess for more than five weeks, both the Senate and the House decided to hold pro forma sessions until after the November elections. Both chambers will gavel in Tuesday morning for a brief session; typically, legislative business doesn't take place in pro forma sessions. At most members ask to be recognized for a speech, but rarely do. It is unclear if the legislative branch was afraid of recess appointments by the White House, yet both sides took a formal recess in August. The Senate will hold a pro forma session every Tuesday and Friday until Nov. 13 at 2 p.m. when they’ll continue work on S. 3525, the Sportsmen Act, which would increase access to federal land for hunters and fishers while also supporting conservation measures.

# 2nc at: winners win

### PC finite

**Gerson, 12/17** (Michael, 12/17/10, Washington Post, “When it comes to politics, Obama's ego keeps getting in the way,” <http://www.washingtonpost.com/wp-dyn/content/article/2010/12/16/AR2010121604039.html>)

In some areas - such as education reform or the tax deal - Obama's governing practice is better than his political skills. But these skills matter precisely because political capital is limited. The early pursuit of ambitious health-care reform was a political mistake, as former chief of staff Rahm Emanuel internally argued. But every president has the right to spend his popularity on what he regards as matters of principle. Political risks, taken out of conviction with open eyes, are an admirable element of leadership.

Yet political errors made out of pique or poor planning undermine the possibility of achievement. Rather than being spent, popularity is squandered - something the Obama administration has often done.

**Winner’s win theory not true for Obama**

**American Prospect, 5-16-11**, p. http://prospect.org/cs/articles?article=barack\_obamas\_theory\_of\_power

Obama won more legislative trophies during his first two years than Clinton did, but in many respects, they were poisoned chalices. Health reform proved broadly unpopular because of political missteps—a net negative for Democrats in the 2010 midterm. The stimulus, though valuable, was too small to be a major political plus. Obama hailed it as a great victory rather than pledging to come back for more until recovery was assured. He prematurely abandoned the fight for jobs as his administration’s central theme, though the recession still wracked the nation. And because of the administration’s alliance with Wall Street, Obama suffered both the appearance and reality of being too close to the bankers, despite a partial success on financial reform. Obama’s mortgage-rescue program was the worst of both worlds—it failed to deliver enough relief to make an economic difference yet still signaled politically disabling sympathy for both “deadbeat” homeowners and for bankers. (See this month’s special report on page A1.)

# XT: Econ Impact

#### Economic collapse causes global nuclear war

Friedberg and Schoenfeld, 2008[Aaron, Prof. Politics. And IR @ Princeton’s Woodrow Wilson School and Visiting Scholar @ Witherspoon Institute, and Gabriel, Senior Editor of Commentary and Wall Street Journal, “The Dangers of a Diminished America” <http://online.wsj.com/article/SB122455074012352571.html>]

Then there are the dolorous consequences of a potential collapse of the world's financial architecture. For decades now, Americans have enjoyed the advantages of being at the center of that system. The worldwide use of the dollar, and the stability of our economy, among other things, made it easier for us to run huge budget deficits, as we counted on foreigners to pick up the tab by buying dollar-denominated assets as a safe haven. Will this be possible in the future? Meanwhile, traditional foreign-policy challenges are multiplying. The threat from al Qaeda and Islamic terrorist affiliates has not been extinguished. Iran and North Korea are continuing on their bellicose paths, while Pakistan and Afghanistan are progressing smartly down the road to chaos. Russia's new militancy and China's seemingly relentless rise also give cause for concern. If America now tries to pull back from the world stage, it will leave a dangerous power vacuum. The stabilizing effects of our presence in Asia, our continuing commitment to Europe, and our position as defender of last resort for Middle East energy sources and supply lines could all be placed at risk. In such a scenario there are shades of the 1930s, when global trade and finance ground nearly to a halt, the peaceful democracies failed to cooperate, and aggressive powers led by the remorseless fanatics who rose up on the crest of economic disaster exploited their divisions. Today we run the risk that rogue states may choose to become ever more reckless with their nuclear toys, just at our moment of maximum vulnerability. The aftershocks of the financial crisis will almost certainly rock our principal strategic competitors even harder than they will rock us. The dramatic free fall of the Russian stock market has demonstrated the fragility of a state whose economic performance hinges on high oil prices, now driven down by the global slowdown. China is perhaps even more fragile, its economic growth depending heavily on foreign investment and access to foreign markets. Both will now be constricted, inflicting economic pain and perhaps even sparking unrest in a country where political legitimacy rests on progress in the long march to prosperity. None of this is good news if the authoritarian leaders of these countries seek to divert attention from internal travails with external adventures.