### Elections OV

**Russian relations prevent global nuclear war**

**NTI 9** [Global Security Newswire, “Russia Open to U.S. Suggestions on Improving Relations, Curbing Iran” http://www.globalsecuritynewswire.org/gsn/nw\_20090318\_4374.php 3/19]

Russian leaders have shown an interest in improving ... outcome," the report adds (Nixon Center release, March 16).

Russian leaders have shown an interest in improving relations with Washington, a thaw that could enable the two former Cold War rivals to cooperate more closely on efforts to curb Iran's nuclear ambitions, the Washington Post reported today (see GSN, March 16).

The two nations experienced growing tensions during the Bush administration as they disagreed over a variety of international security issues, particularly a U.S. plan to deploy missile defenses in Eastern Europe as a hedge against potential Iranian missile threats. Regarding Iran, Russia has cautiously supported some U.N. Security Council resolutions setting mild sanctions against Iran for its refusal to freeze its uranium enrichment program, but Moscow scuttled U.S. efforts last year to boost those penalties.

Trying to change the climate, U.S. President Barack Obama has sent his counterpart a letter seeking a packaged solution to U.S.-Russian disputes, and Moscow appears interested, according to some analysts and officials.

Russian officials "want to send a message to the Obama administration that they're prepared to have a new relationship, but it will have to be quid pro quo," said Dmitri Simes, president of the Washington-based Nixon Center. "If they have to sacrifice their special relationship with Iran, they want to see a change in their relationship with the United States" (Pan/DeYoung, Washington Post, March 18).

Simes directed a commission that called on the Obama administration this week to recognize the importance of good Russian relations to a breadth of international issues, including the Iranian nuclear crisis.

"Without deep Russian cooperation, no strategy is likely to succeed in preventing the proliferation of nuclear weapons, nuclear terrorism and nuclear war," says the commission report. "Working with Moscow to solve the Iran problem, including possibly strengthening sanctions on Iran if necessary, should be a top U.S. priority."

"However, America is unlikely to be able to resolve the Iranian nuclear issue solely through sanctions, and Russia's cooperation could contribute substantially to a successful outcome," the report adds (Nixon Center release, March 16).

**Pakistan instability causes reckless nuclear launches- escalates to nuclear war**

**Los Angeles Times 02**, 6/2/2002, Lexis

Nuclear war could also come as a result of mistakes in judgment by subordinate military commanders in the field, or from an accidental mishandling of the nuclear materials that are now being shifted around the battlefield, some experts say. "This is a region that tends toward misreadings, tends toward surprises, tends toward misperceptions," said Michael Krepon, founding president of the Henry L. Stimson Center, a Washington think tank. "In all of their wars, they have tended toward misreadings." There is no question that if a nuclear exchange occurred, it would inflict a horrific toll. According to a Defense Intelligence Agency assessment made public last week, a full-scale exchange could kill as many as 12 million people and could injure as many as 6 million more, not including victims of long-term radiation. The casualties would include U.S. troops stationed in the region. And the devastation would create a humanitarian and economic disaster that would scar the region for decades.

### rels

#### Romney win would crush US-Russian cooperation

Mark Adomanis, 4-17-2012; analyst for Forbes, Mitt Romney's Incoherent Russia Policy http://www.forbes.com/sites/markadomanis/2012/04/17/mitt-romneys-incoherent-russia-policy/

According to his campaign’s own words, Romney will basically ignore Central Asian authoritarianism, which literally everyone agrees is far nastier, more brutal, and more open than anything the Russians are guilty of, while simultaneously focusing on democracy promotion and regime change in Russia. That is to say Romney’s Russia policy will, to a large extent, be based on relentlessly confronting the Kremlin. But won’t the Kremlin react extremely poorly to an American policy that seeks not only to co-opt its longtime allies in Central Asia and but to depose the current regime? According to Romney, the answer is no: the Kremlin will be so impressed by the bravery and willpower of this American effort that it will more actively support American goals (though precisely why it would react positively to an open challenge to its authority is left unsaid). Despite the endless accusations of Obama’s “double standards” and his “moral relativism” Romney is quite openly embracing his own set of double-standards. As the campaign’s website itself says, one set of moral values will be applied to the Central Asians while a completely different, and much more exacting, set of values will be applied to the Russians. It goes almost without saying that this is the sort of bad-faith posturing that really drives the Russians batty and that they react very poorly to this sort of thing. While I personally am of a strongly realist orientation, and have little patience for the attempt to inject “values” into an international system that naturally tends to be amoral and anarchic, I understand that there is a coherent case to be made for the neoconservative position. Very intelligent people, including many of my friends and acquaintances, hold views similar to the ones Romney espouses towards, and while I can’t say I find them convincing I’m not nearly egotistical enough to think that my own views are the only “correct” ones. However Romney’s mix-and-match approach, a dollop of realism here, a large dose of neoconservatism there, a dash of accommodation here and a big helping of confrontation there, will not be a sober-minded attempt to appeal to everyone, but will instead be a disjointed mess that will simultaneously alienate and antagonize almost everyone in the region. While the foreign policy of any American president will never be perfectly within the bounds of a single school of thought, Romney’s entire Russia policy is a case study in avoiding hard choices. It quite openly attempts to be all things to all people: realists can look at it and see parts of their ideology, and neoconservatives can look at it and see parts of their ideology too. Romney will both openly confront the Russians and get more concessions from them, support democracy and work hand-in-hand with some of the world’s most repressive regimes, pursue missile defense and get Russian cooperation on Afghanistan, expand NATO and convince Russia to stop arming Syria, work to undermine Russia’s energy interests and get it to isolate Iran. There are no hard choices, no nasty compromises, and no trade-offs between values and interests: there is just the unapologetic exercise of American power and the positive consequences inevitably associated with it. Obama is himself very(!) far from being perfect, but at least his foreign policy seems to be a reasonably coherent attempt to advance America’s interests while avoiding, to the greatest extent possible, needless antagonism. As far as I can tell Romney’s main position is that Obama is bad, that everything he’s done is bad too, and that Romney would do better because… he said he will that’s why! There’s a deeper lesson in there about how this campaign is going to be waged, and a rather troubling one at that.

### Same fopolicy

#### Their foreign policy philosophies are fundamentally different on the issues that matter for our impacts

Michael O’Hanlon 8-13-2012; Director of Research and Senior Fellow Foreign Policy at Brookings; Obama vs. Romney on Foreign Policy http://www.brookings.edu/research/opinions/2012/08/13-obama-romney-ohanlon

As a whole, Romney proposes a more traditionally realist foreign policy of emphasizing strong relations with allies, toughening policies toward others and building up the armed forces. Obama still seeks a muscular dimension to America’s role in the world — demonstrated most clearly by his commando raids and drone strikes against Al Qaeda. But the president seeks a more moderate tone and flavor in economic domains as well as policies toward Russia, China and the Muslim world. These differences are big enough set to merit a great deal of attention and debate. Obama and Romney are far from foreign policy carbon copies of each other.

### 2nc Obama win

#### Obama leads in every poll

**Silver, 9/21**/12 – statistician, editor of the NYT Fivethirtyeight blog (Nate, “Obama’s Convention Bounce May Not Be Receding” <http://fivethirtyeight.blogs.nytimes.com/2012/09/21/sept-20-obamas-convention-bounce-may-not-be-receding/>)

President Obama’s position inched forward in the FiveThirtyEight forecast on Thursday. His chances of winning the Electoral College are 76.1 percent, according to the forecast, up from 75.2 percent on Wednesday. Mr. Obama’s projected margin of victory in the national popular vote also increased slightly, to 3.4 percentage points.

By and large, the story that Thursday’s polls told was the same one as on Wednesday. Mr. Obama continues to get very strong results in state polls that use industry-standard methodology, meaning that they use live interviews and place calls to mobile phones along with landlines.

In the 10 states that have generally been ranked the highest on our tipping-point list — Ohio, Virginia, Florida, Wisconsin, Colorado, Nevada, Iowa, Pennsylvania, New Hampshire and Michigan — there have been 21 such polls since the Democratic convention ended. Mr. Obama has led in all 21 of these surveys — and usually by clear margins. On average, he has held a six-point lead in these surveys, and he has had close to 50 percent of the vote in them.

#### And even accounting for worst-case estimates of polling bias, Obama has a 76% chance of winning – taking polls at face value gives him a 95% chance

**Silver, 9/21**/12 – statistician, editor of the NYT Fivethirtyeight blog (Nate, “Presidential Race Changes, but Swing States Stay the Same” <http://fivethirtyeight.blogs.nytimes.com/2012/09/21/sept-21-presidential-race-changes-but-swing-states-stay-the-same/#more-34851>)

Mr. Obama’s chances of winning the presidential election are listed at 76.9 percent by the forecast model, an incremental improvement from 76.1 percent on Thursday.

The trend over the last three days is clearer: Mr. Obama’s forecast is up from a 72.9 percent chance of winning the Electoral College on Tuesday. However, he remains off his highest point in the forecast early last week, when he topped out at 80.8 percent.

Emblematic of Mr. Obama’s good-but-not-great polling day were a set of polls from the firm Purple Strategies, which had him ahead in four of the five swing states: Ohio, Virginia, Colorado and North Carolina. However, Mr. Obama still trailed Mr. Romney by one point in Florida, according to the poll.

Purple Strategies had polled all of these states but North Carolina previously, and Mr. Obama’s standing improved on average by three percentage points from the polls they conducted in August.

This is consistent with the post-convention bounce that we’ve seen for Mr. Obama on the whole. The FiveThirtyEight “now-cast” estimates that if an election were held today, Mr. Obama would have a 95 percent chance of winning it. Additionally, he is projected to win the national popular vote by almost five points – up from about two points before the conventions. The three-point gain is the same as in the average Purple Strategies poll.

Our Nov. 6 forecast continues to be more conservative, however, as we still need to account for the possibility that Mr. Obama’s numbers are inflated by the aftereffects of his party’s convention. By this time next week, it will be safer to conclude that Mr. Obama’s gains are permanent, and the forecast will move toward Mr. Obama if Mr. Romney does not make some tangible improvement.

### A2 link U

#### Obama distancing himself from nuclear issues in the run-up to the election

LEVINE 9/7/12 (Gregg; Contributing Editor and Former Managing Editor – Firedoglake and Contributing Writer for Truthout, “Obama Drops Nuclear from Energy Segment of Convention Speech,” <http://capitoilette.com/2012/09/07/obama-drops-nuclear-from-energy-segment-of-convention-speech/>)

President Obama no longer promises to “safely harness nuclear power”–that likely would have sounded like a cruel joke in a world now contaminated by the ongoing Fukushima disaster–but beyond that, he does not promise anything about nuclear power at all. There was no platitude, no carefully crafted signal to the industry that has subsidized much of Obama’s political career, no mention of nuclear power whatsoever.

That is not to say that the entire 2012 Democratic National Convention was a nuclear-free zone. A few hours before the president took the stage at the Time Warner Cable Arena, James Rogers, co-chair of the Charlotte host committee, and oh, by the way, CEO of Duke Energy, stepped to the lectern and endorsed Obama’s “all of the above” energy “strategy” (they keep using that word; I do not think it means what they think it means):

We need to work even harder toward a future of affordable, reliable and cleaner energy. That means we need to invest heavily in new zero-emission power sources, like new nuclear, wind and solar projects, as well as new technologies, like electric vehicles.

Well, if you are looking for a future of affordable, reliable and cleaner energy, you need look no further than nu–wait, what? If you are looking for those three features in an energy future, it is hard to imagine a worse option than the unsustainably expensive, chronically unreliable and dangerously dirty nuclear power plant. And, as has been discussed here many times, nuclear is not a zero-emission source, either. The massive carbon footprint of the nuclear fuel lifecycle rivals coal, and that doesn’t even consider the radioactive isotopes that facilities emit, even when they are not encountering one of their many “unusual events.”

But the CEO of the Charlotte-based energy giant probably has his eyes on a different prize. Rogers, who has been dogged by questions about a power grab after Duke’s merger with Progress Energy and his lackluster performance as fundraiser-in-chief for the DNC, sits atop a company that operates seven US nuclear power plants, and is partners in a plan to build two new AP1000 reactors in Cherokee County, South Carolina.

That last project, which is under active review by the Nuclear Regulatory Commission, awaiting a combined construction and operating license, is one of a small handful of proposed new nuclear facilities currently scrambling for financing. The South Carolina plant, along with a pair of reactors in Georgia, two slated for a different site in South Carolina, and possibly one more in Tennessee, represent what industry lobbyists like to call the “nuclear renaissance.”

But completion of any of the above is nowhere close to guaranteed, and even if some of these reactors are eventually built, none will be able to generate even one kilowatt of commercial power until years after President Obama completes his sought-after second term.

Which, if you really care about America’s energy future, is, of course, all for the better. As even James Rogers noted in his speech (and he gets props for this):

[W]e cannot lose sight of energy efficiency. Because the cleanest, most efficient power plant is the one we never have to build.

That Duke’s CEO thought to highlight efficiency is interesting. That President Obama, with his well-documented ties to the nuclear industry, chose not to even mention nuclear power is important.

In the wake of Fukushima, where hundreds of thousands of Japanese have been displaced, where tens of thousands are showing elevated radiation exposure, and where thousands of children have thyroid abnormalities, no one can be cavalier about promising a safe harnessing of the atom. And in a world where radioisotopes from the breached reactors continue to turn up in fish and farm products, not only across Japan, but across the northern hemisphere, no one can pretend this is someone else’s problem.

Obama and his campaign advisors know all this and more. They know that most industrialized democracies have chosen to shift away from nuclear since the start of the Japanese crisis. They know that populations that have been polled on the matter want to see nuclear power phased out. And they know that in a time of deficit hysteria, nuclear power plants are an economic sinkhole.

And so, on a night when the president was promised one of the largest audiences of his entire campaign, he and his team decided that 2012 was not a year to throw a bone to Obama’s nuclear backers. Obama, a consummate politician, made the decision that for his second shot at casting for the future, nuclear power is political deadweight.

#### Even though Obama supports nuclear energy he’s downplaying it in the run up to the election – plan forces it into the spotlight

JOHNSON ’12 (John; Nuclear Energy Insider, “US Campaign Trail: is nuclear in the equation?” 4/25, <http://analysis.nuclearenergyinsider.com/new-build/us-campaign-trail-nuclear-equation>)

Alternative energy policies have received a fair amount of publicity from the Obama administration, although nuclear power specifically is rarely mentioned on the campaign trial, primarily due to perceived safety questions.

### A2 iran strikes

#### Israel wants to see the outcome of the election before attacking Iran

The Examiner, 9/4/12 (“Israel will not attack Iran before US presidential elections are decided”, http://www.examiner.com/article/israel-will-not-attack-iran-before-u-s-presidential-elections-are-decided)

Haaretz news is reporting that U.S. House of Representatives Intelligence Committee Chairman Mike Rogers "believes the Israeli government is likely to wait until after the elections” (see article: Senior U.S. intelligence official: Israel won't strike Iran before November http://www.haaretz.com/news/diplomacy-defense/senior-u-s-intelligence-official-israel-won-t-strike-iran-before-november-1.462712 ).

Apparently there is a political dimension involved here, depending on which candidate wins the U.S. presidential election - Mitt Romney or President Obama.

Former CIA director Michael Hayden told Haaretz “that a decision on attacking Iran need not be made right now, as current assessments point to Iran achieving nuclear-weapons capabilities no earlier than 2013 or 2014.”

#### Israel will strike after the election – wants support of new president and is still in planning stages

Manuel, 9/4/12 (Stephen, All voices news service, “Israel wont attack Iran before US presidential election, http://www.allvoices.com/contributed-news/12908326-israel-wont-attack-iran-before-us-presidential-election)

For the last couple of months, [Israel](http://www.allvoices.com/people/Israel) has been constantly looking towards the United States for support on striking nuclear facilities of Iran. However, the Obama administration still desires to resolve the crisis through dialogue and negotiations. The administration believes that diplomatic efforts can bring results, as Iranian leaders can be coaxed to halt enrichment of uranium. Israeli Prime Minister [Benjamin Netanyahu](http://www.allvoices.com/people/Benjamin_Netanyahu) and his Defense Minister [Ehud Barak](http://www.allvoices.com/people/Ehud_Barak) have expressed their dismay over the response from the US officials on Iran’s nuclear program. Netanyahu has even publicly said that if the Obama administration does not help Israel to attack Iranian nuclear facilities, the country will proceed on her own.

On the other hand, majority of American officials believe that Israel will not attack Iran before the US presidential election. The US presidential elections are held on [November 6](http://www.allvoices.com/people/November_6) after every four years. Republican and Democrats are trying their best to convince electorates to vote for them. US officials believe that Israel is now waiting for the presidential election to be over because it believes that it will be able to get the support of the United States for an attack on Iran after the election.

US House of Representatives Intelligence Committee Chairman Mike Rogers had already said during the Republican National Convention in Tampa, Florida, that he was confident Israel would not take any action against Iran before the presidential election. Mike Rogers also said that Israel was wisely calculating different aspects of launching an offensive against Iran; therefore, it was unlikely that Israel would strike Iran anytime soon.

#### **They’ve talked with Netanyahu - srs**

Hareal 9/4/12 (Amos, “Senior US intelligence official:Israel wont strike iran before November”, http://www.haaretz.com/news/diplomacy-defense/senior-u-s-intelligence-official-israel-won-t-strike-iran-before-november-1.462712)

There is a growing American assessment that Israel will not attack Iranian nuclear facilities before the U.S. presidential elections on November 6.

U.S. House of Representatives Intelligence Committee Chairman Mike Rogers, who visited Israel last week, told a breakfast panel at the Republican National Convention in Tampa, Florida on Tuesday that he believes the Israeli government is likely to wait until after the elections.

Rogers said that after his trip, during which he met with Prime Minister Benjamin Netanyahu, he’d been left with “no doubt in my mind” that the U.S. election cycle was part of Israel’s calculations. Asked why he thought Israel would wait, Rogers said, “Because I think they believe that maybe after the election they can talk the United States into cooperating.”

### Link

**Massive public opposition to nuclear power --**

#### --Support is at an all-time low

Pew Research Center, 2011 (Center of research for the people and the press, March 21, 2011, “Opposition to Nuclear Power Rises Amid Japanese Crisis” The survey was conducted by interviewers at Princeton Data Source under the direction of Princeton Survey Research Associates International. <http://www.people-press.org/2011/03/21/opposition-to-nuclear-power-rises-amid-japanese-crisis/2/>)

Not surprisingly, public support for the increased use of nuclear power has declined amid the ongoing nuclear emergency in Japan. Currently, 39% say they favor promoting the increased use of nuclear power while 52% are opposed. Last October, 47% favored promoting the increased use of nuclear power and the same percentage (47%) was opposed. Opinion about expanding the use of nuclear power has fluctuated in recent years. However, the current measure **matches a previous low in support** for increased nuclear power recorded in September 2005 (39% favor, 53% oppose).

#### --The opposition vastly outweighs the support

**ABC News, 11**

(April20, “Nuclear Power: Po Nuclear Power: Opposition Spikes After Japan Earthquake,” <http://abcnews.go.com/Politics/nuclear-power-opposition-grows-japan-earthquake-abc-news/story?id=13412262#.UAnUlWHZATY>, d/a 7-20-12, ads)

Most Americans do not flatly say that nuclear power is unsafe; indeed, 53 percent say it's safe overall, 11 points above the immediate post-Chernobyl level. But just 23 percent see it as "very safe," which apparently is what's needed to sustain public support. **Perceptions of safety dramatically affect support for new nuclear plants**. Among people who think nuclear power plants are very safe, 84 percent favor building new ones. But that **falls to 33 percent** of those who just think it's only somewhat safe. And those who think it's unsafe are **nearly unanimous** (93 percent) in their opposition. //////stop here 2nc

In another measure, 42 percent say the crisis in Japan **has made them less confident** in the safety of nuclear power overall; 51 percent say it's had no effect. This, too, ties in closely with support for construction: Among those who are less confident now, 84 percent **oppose building new plants**. Among those whose opinions haven't changed, opposition falls to 48 percent.

### A2 fusion different

#### The public isn’t educated and they’ll treat it as nuclear fission

**Gibson, 2007** – no date but cites something as from 2007 in the paper and says something will come in 2008- Center for International Science and Technology Policy at George Washington University (Lauren, “Developing Fusion as an Energy Source” <http://www.cspo.org/igscdocs/Lauren%20Kate%20Gibson.pdf>)

Of course, whether the United States is in a leadership position will be purely

academic unless technology transfer occurs. The obstacles are both economic and social.

Energy consumption is predicted to double by 2050, which is also when fusion electricity

is predicted to be commercially available.35 Industry, however, is not yet ready to discuss

the possibility. It is simply too far into the future. 36 Industry would perhaps be more

interested in the future if the stigma of nuclear energy is removed. The Chernobyl

disaster and the issue of nuclear waste taint the public opinion even though neither would

be issues with a nuclear fusion plant. It simply cannot melt down because there is not

enough fuel present at any given time and the reaction requires constant tending, not to

control, but to sustain. Several studies have concluded that fusion plants would be

inherently safe.37 The public needs to be educated about the differences between fission

and fusion power before they would be comfortable with a plant being operated near

them. For the most effectiveness, this campaign should be begun immediately. Contrary

to public opinion, environmentalism would, in fact, support fusion if traditional means of

producing electricity continue to pollute and policies are created to combat that. The

spectacle of cold fusion taught us that despite seeming unpopularity the public would be

behind fusion if researchers can ever get it to work and industry ever adapts it. While the

future of technology transfer is generally positive, it is by no means assured. Policy

makers can improve this outlook through certain steps.

#### This makes the public opposed to fusion funding

**Gibson, 2007** – no date but cites something as from 2007 in the paper and says something will come in 2008- Center for International Science and Technology Policy at George Washington University (Lauren, “Developing Fusion as an Energy Source” <http://www.cspo.org/igscdocs/Lauren%20Kate%20Gibson.pdf>)

There are several policy challenges that stand in the way of achieving the ultimate

goal of commercially run fusion power plants. First and foremost is inadequate funding.

Fusion research has suffered from the ebbs of flows of public and political opinion that

affect its funding level, especially in the United States. All countries must consider how

international collaboration now is affecting their future stance in the market. This is

assuming, of course, that there will be a market. Technology transfer is yet another

political concern. At some point commercial entities need to take over to make the public

good of fusion generated electricity available and thus validate the massive investments

that several governments have made. Policy makers must act to address these three major

policy challenges.

#### The public will misperceive fusion as a costly failure

**Gibson, 2007** – no date but cites something as from 2007 in the paper and says something will come in 2008- Center for International Science and Technology Policy at George Washington University (Lauren, “Developing Fusion as an Energy Source” <http://www.cspo.org/igscdocs/Lauren%20Kate%20Gibson.pdf>)

The first major success in fusion research occurred in 1968 when the Russians announced that their tokomak had defied a theory of the time that stated that “plasma would never remain stable long enough at high temperatures to produce surplus energy.”11 It did not produce excess energy, but it did remain stable longer than the theory predicted.

In 1983, MIT reached another milestone by achieving two of the three criteria necessary

that were discussed earlier, namely density and confinement time. Achievements in

fusion were slow to come, but significant.

There were failures along the way as well. Britain announced as early as 1958 that

they had produced the world’s first controlled fusion reaction, but it turned out that the

lack of diagnostic tools had led them to misinterpret a byproduct.12 Of course, there was

also the fiasco of cold fusion. Two chemists announced through a press conference—not

the customary academic journal—that they had produced table top fusion at room

temperature. Politicians and the public became excited, but when other scientists were

unable to reproduce their work, their claim fizzled. In summary, the first fifty years of fusion research were characterized by international collaboration, incremental advances, and widely publicized failures.

### AT: 50 state fiat bad

Solvency advocate checks – our 1nc Harvard Law Review evidence says that collective state action is superior to federal action, prefer a literature – based interpretation of theory –it’s in the context of energy policy and it describes collective state action

a. Real world policy experts consider the counterplan, it’s in the literature, its arbitrary and unpredictable to exclude it from the negative arsenal

#### 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.

**Advocacy Skills- Forcing the aff to defend federal key warrants encourages the development of better researched and planned policies and is vital to being a competent energy policy advocate because ideas aren’t enough in congress, that’s key to social change and avoiding the lack of planning that caused poor policies like Iraq**

**Info Processing- Forcing the aff to research every intricacy of the plan encourages more holistic processing of information that encourages better research practices and critical thinking and causes more precise plan writing**

**Relevant Policy Choice – State Lawmakers must compare and choose in the absence of Federal Action – means our cp provides a real-world policy option**

**Biering 8 –** former Executive Fellow in the California Resources Agency (Brian, 23 J. Envtl. L. & Litig. 35)

Federalism issues aside, the fundamental question policymakers need to resolve is whether it is more appropriate for the states to act now in the area of climate change, or whether the field should be simply left to the federal government to address in its own time.

**-Neg ground—checks tiny affs with no federal defense, otherwise there will be a huge topic explosion**

**-Reciprocal—they fiat each Congressperson votes for the plan and that local agencies enforce it**

**-Aff ground—they can read disad to states or impact turn**

### states

**States already taking action on nuclear energy**

#### NEI, ‘8

[“Building Confidence in Licensing New U.S. Nuclear Plants,” Jan/Feb, http://nei.org/resourcesandstats/publicationsandmedia/newslettersandreports/nuclearpolicyoutlook/]

Other states have moved beyond the ideological into the nuts and bolts of **getting new plants built.** Most recently, Florida lawmakers this year approved a state energy bill permitting cost recovery for transmission lines to nuclear plants, and the Mississippi legislature adopted a cost-recovery bill that helps utilities finance baseload power plants by allowing approval of rate increases before construction of a plant is started or finished to cover costs from preconstruction planning and then construction. When Kansas examined its need to increase baseload electricity generation this spring, the state’s public utility commission hosted a roundtable on nuclear development to determine obstacles that may prevent utilities from initiating, licensing and planning activities for a new reactor. Moreover, states are not acting in isolation. Regional organizations and coalitions are furthering the cause of clean, reliable electricity generation and related issues. The NCSL in May unanimously adopted a resolution supporting off-site interim storage of used nuclear fuel. The National Association of Regulatory Utility Commissioners (NARUC) also backed a resolution supporting interim storage, as did the Energy Council, comprised of 10 energy-producing states.

#### State action gets modeled federally

**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.**

### 2NC Exts – CP Solvency

#### A proliferation assessment solves the case and prevents the licensing of dangerous technology.

Fortenberry & Schiff, ‘11

[Jeff, Adam, US Representatives, 3-7, “Letter to The Honorable Gregory Jaczko Chairman U.S. Nuclear Regulatory Commission”]

We are writing to request that the Nuclear Regulatory Commission (NRC) require a nuclear proliferation assessment as part of the process for commercial applications for enrichment and reprocessing technologies. Nuclear material and technology continues to proliferate. Last November, North Korea surprised the West when it showed a visiting U.S. nuclear weapons expert 2,000 centrifuges to enrich uranium that it had secretly built. In January 2011, the Director General of the International Atomic Energy Agency (IAEA), Yukiya Amano, told an audience at the World Economic Forum in Davos, Switzerland, that the IAEA "receives new information nearly every other day regarding smuggling of nuclear and radioactive materials." At a time when the risks of proliferation are increasing, the NRC must take all appropriate steps to ensure that the nuclear technologies that they license are not diverted to uses that threaten the security interests of the United States.

#### A prior proliferation assessment is necessary -- other international players will challenge US-led safeguards unless the NRC reestablishes leadership.

May, ‘11

[Michael, Professor Emeritus of Engineering at Stanford University, former US Delegate to SALT II, Director Emeritus of the Lawrence Livermore National Laboratory, 2-17, “May Comment on APS Proposed Rule”]

Given the rapid growth of nuclear power in China and to a lesser but significant¶ extent in India, South Korea, Russia and Japan, and given the interest in nuclear¶ power manifested over the past few years by a number of countries that do not¶ currently have experience in this field, it is likely that new sensitive nuclear facilities,¶ including enrichment and reprocessing facilities, will be established and/or augmented in several countries. It is also possible that some new technologies for those facilities will become more widely available. 2. The countries where nuclear power is growing rapidly as well as some others have¶ signified their plans to enter or increase their presence in the international nuclear¶ export markets. As their presence increases, they will also increasingly be in a¶ position to affect the rules for exports.¶ 3. As a result, it will be ever more desirable that procedures and standards be established¶ widely to ensure that nuclear facilities, particularly sensitive facilities, are designed¶ and operated in such a way as to support effective safeguards against any kind of¶ diversion or misuse for weapon proliferation or for sale to networks that could¶ facilitate proliferation or terrorism.¶ 4. It is feasible in my opinion to so design and operate those facilities, specifically¶ centrifuge and laser-based enrichment facilities and various types of reprocessing¶ facilities, in such a way as to make safeguards against diversion or misuse effective¶ without revealing commercially proprietary information.¶ 5. The US NRC has historically been a leader in the movement to improve safeguards,¶ safety and security of the international nuclear industry through the various forums¶ that exist for cooperation in those areas. While much of that competence is now more¶ widely distributed worldwide, the NRC continues to be referred to as a source of¶ improvement in the standards and procedures in those areas. As noted in the APS¶ report referenced in the APS petition for NEC rule change,' "Over the next several¶ years, the Nuclear Regulatory Commission will be reviewing license applications for new technologies that could carry substantial proliferation risks." Therefore any¶ initiative the US NRC takes to increase the visibility and priority of preventing¶ proliferation in its licensing process and to foster practical measures for doing so will¶ help move the international nuclear industry consensus in that direction.

### A2 do cp

**3. “Substantial” mean unconditional**

**Words and Phrases** 19**64** (40 W&P 759) (this edition of W&P is out of print; the page number no longer matches up to the current edition and I was unable to find the card in the new edition. However, this card is also available on google books, Judicial and statutory definitions of words and phrases, Volume 8, p. 7329)

The words “outward, open, actual, visible, substantial, and exclusive,” in connection with a change of possession, mean substantially the same thing. They mean not concealed; not hidden; exposed to view; free from concealment, dissimulation, reserve, or disguise; in full existence; denoting that which not merely can be, but is opposed to potential, apparent, constructive, and imaginary; veritable; genuine; certain; absolute; **real at present time**, as a matter of fact, not merely nominal; opposed to form; actually existing; true; not including admitting, or pertaining to any others; undivided; sole; opposed to inclusive. Bass v. Pease, 79 Ill. App. 308, 318.

**4. Severs “should” – it means “must” and requires immediate legal effect**

Summers 94 (Justice – Oklahoma Supreme Court, “Kelsey v. Dollarsaver Food Warehouse of Durant”, 1994 OK 123, 11-8, http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn13)

¶4 The legal question to be resolved by the court is whether the word "should"[13](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker3fn13) in the May 18 order connotes futurity or may be deemed a ruling *in praesenti*.[14](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker3fn14) The answer to this query is not to be divined from rules of grammar;[15](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker3fn15) it must be governed by the age-old practice culture of legal professionals and its immemorial language usage. To determine if the omission (from the critical May 18 entry) of the turgid phrase, "and the same hereby is", (1) makes it an in futuro ruling - i.e., an expression of what the judge will or would do at a later stage - or (2) constitutes an in in praesenti resolution of a disputed law issue, the trial judge's intent must be garnered from the four corners of the entire record.[16](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker3fn16)

[CONTINUES – TO FOOTNOTE]

[13](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker2fn13) "*Should*" not only is used as a "present indicative" synonymous with *ought* but also is the past tense of "shall" with various shades of meaning not always easy to analyze. See 57 C.J. Shall § 9, Judgments § 121 (1932). O. JESPERSEN, GROWTH AND STRUCTURE OF THE ENGLISH LANGUAGE (1984); St. Louis & S.F.R. Co. v. Brown, 45 Okl. 143, 144 P. 1075, 1080-81 (1914). For a more detailed explanation, see the Partridge quotation infra note 15. Certain contexts mandate a construction of the term "should" as more than merely indicating preference or desirability. Brown, supra at 1080-81 (jury instructions stating that jurors "should" reduce the amount of damages in proportion to the amount of contributory negligence of the plaintiff was held to imply an *obligation* *and to be more than advisory*); Carrigan v. California Horse Racing Board, 60 Wash. App. 79, [802 P.2d 813](http://www.oscn.net/applications/oscn/deliverdocument.asp?box1=802&box2=P.2D&box3=813) (1990) (one of the Rules of Appellate Procedure requiring that a party "should devote a section of the brief to the request for the fee or expenses" was interpreted to mean that a party is under an *obligation* to include the requested segment); State v. Rack, 318 S.W.2d 211, 215 (Mo. 1958) ("should" would mean the same as "shall" or "must" when used in an instruction to the jury which tells the triers they "should disregard false testimony"). [14](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker2fn14) *In praesenti* means literally "at the present time." BLACK'S LAW DICTIONARY 792 (6th Ed. 1990). In legal parlance the phrase denotes that which in law is *presently* or *immediately effective*, as opposed to something that *will* or *would* become effective *in the future [in futurol*]. See Van Wyck v. Knevals, [106 U.S. 360](http://www.oscn.net/applications/oscn/deliverdocument.asp?box1=106&box2=U.S.&box3=360), 365, 1 S.Ct. 336, 337, 27 L.Ed. 201 (1882).

### Theory

1. Our interpretation is that literature should be the standard for counterplan legitimacy, not some arcane debate theory which isn’t relevant to education. It’s a superior framework -

a. Key to real world policymaking education - the counterplan closely mirrors an important immigration policy debate – Wexler is specific to the process of enacting immigration legislation.

b. Key to check topic bias and preserve negative ground – the topic is huge – 4 areas with multiple subdivisions and dozens of eligibility standards – small affs like organ donor restrictions and TARP eligibility make generic disads impossible

c. There is plenty of aff ground – human rights impact statements are a massive body of literature, it just requires research

2. It’s distinguishable from bad consultation counterplans and other external condition counterplans - requiring a mechanism based solvency advocate checks abuse – consult counterplans are unfair because they have cards about the net benefit, but the mechanism won’t be about immigration – this is distinct

3. Reciprocal with aff advantages based on the certainty of fiat – most affs on this topic claim arguments regarding the signal immigration policy sends to the world – this is vital to creating debates over alternate forms of signaling mechanisms

### A2 Uncertainty

#### The aff can’t resolve certainty issues either -- fear of unforeseen events or future changes in regulations prevent nuclear investment.

Szondy, ‘12

[David, freelance writer -- Gizmag, 2-16, “Feature: Small modular nuclear reactors - the future of energy?” <http://www.gizmag.com/small-modular-nuclear-reactors/20860/>]

Worse, nuclear power suffers from the natural gas boom brought on by new drilling techniques and fracking that opened up vast new gas fields in the West and dropped the price of gas to the point where coal and nuclear have a hard time matching it.¶ And money is one of the key problems facing a revival of nuclear power. Up until now, the sort of reactors used for generating electricity have tended toward the gigantic with reactors reaching gigawatt levels of output. With plants that large, small wonder that the cost of construction combined with obtaining permits, securing insurance and meeting legal challenges from environmentalist groups can push the cost of a conventional nuclear plant toward as much as US$9 billion. It also means very long build times of ten or fifteen years. This isn't helped by the fact that nuclear plants are custom designed from scratch in multi-billion dollar exercises in re-inventing the wheel. With so much time and money involved, an unforeseen change in regulations or discovery of something like a geological fault under the reactor site can make this a case of putting a lot of very expensive eggs in a very insecure basket.