# 1AC

### 1AC – Alaska Advantage

#### CONTENTION 1: ALASKA

#### North Korean nuclear strike’s coming and will escalate --- threats are unprecedented

Scott A. Snyder 3-29 is senior fellow for Korea studies and director of the program on U.S.-Korea policy at the Council on Foreign Relations, “Why North Korea regime is scary”, http://www.cnn.com/2013/03/28/opinion/snyder-north-korea/index.html

(CNN) -- North Korea, under its untested young leader Kim Jong Un, has ratcheted up the threats toward South Korea and the United States to unprecedented levels and with greater intensity than ever before.¶ A torrent of threats has flowed from North Korean spokesmen, including a promise of preemptive nuclear strikes on the United States and calls to "break the waists of the crazy enemies, totally cut their windpipes and thus clearly show them what a real war is like."¶ North Korean brinkmanship, bluff, and bluster are stock elements in its diplomatic toolkit, but why have the threats become so outsized, and how worried should we be? Is North Korea playing the same game it has always played, or does the now-nuclear playbook of a rash young leader represent a new threat the we cannot afford to ignore?¶ In some respects, we have seen this movie before. North Korea has long used its bluff and bluster as a form of self-defense to keep potential enemies off guard, to strengthen internal political control, magnify external threats to promote national unity, and to symbolically express dissatisfaction when international trends are not going its way.¶ This year, converging factors are squeezing North Korea, creating a stronger-than-usual response in the face of seemingly greater international pressure.¶ The U.N. Security Council resolution passing financial sanctions on North Korea following its satellite and nuclear tests were tougher than expected, and coincide with U.S.-South Korea military exercises organized to show political resolve to deter North Korean aggression. The establishment of a U.N. Commission of Inquiry into North Korea's human rights situation tarnishes the standing of the new leadership. North Korea's over-the-top responses belie a sense of vulnerability.¶ North Korea has a record of testing the mettle of each new South Korean leader through threats and provocation in an apparent hazing ritual that also determines its strategies toward the South.¶ South Korea has responded threat for threat in recent weeks to signal to North Korea that it will not be blackmailed by its neighbor's seeming nuclear advantage. Recent South Korean media reports of military plans to target thousands of statues of Kim Il Sung and Kim Jong Il in North Korea are virtually guaranteed to throw North Koreans into a frenzy of effort to defend and show loyalty to the Kim family leadership.¶ But the intensity and frequency of threats in Kim Jong Un's first year of leadership is uncomfortably high, raising questions about whether junior Kim fully understands the ritualistic rules of the inter-Korean "threat-down"; whether he might be more accepting of risks than his father, and whether he's more likely to make miscalculations that could drive a hair-trigger situation over the edge.¶ Moreover, no one can be sure whether internal political challenges or a need to consolidate political control are driving young Kim to walk even closer to the edge than usual.

They have the capability and motivation

Kang and Cha 3/25—Kang, Prof. of IR and Business at USC, Cha, senior advisor for Asia and Korea chair at the CSIS and Prof. at Georgetown, Foreign Policy, "Think Again: North Korea", 2013,www.foreignpolicy.com/articles/2013/03/25/think\_again\_north\_korea?page=full&wp\_login\_redirect=0

"North Korea's not that dangerous."¶ Wrong. There is no threat of war on the Korean peninsula because the United States and South Korea have deterred the regime for over six decades, or so the thinking goes. And the occasional provocation from Pyongyang -- full of sound and fury -- usually ends with it blowing up in its face, signifying nothing. So why worry? Two reasons. First, North Korea has a penchant for testing new South Korean presidents. A new one was just inaugurated in February, and since 1992, the North has welcomed these five new leaders by disturbing the peace. Whether in the form of missile launches, submarine incursions, or naval clashes, these North Korean provocations were met by each newly elected South Korean president with patience rather than pique.¶ The difference today is that South Korea is no longer turning the other cheek. After the North blew up the South Korean navy ship the Cheonan, killing 46 sailors in 2010, Seoul re-wrote the rules of military engagement. It has lost patience and will respond kinetically to any provocation, which could escalate into a larger conflict. Secondu, North Korea crossed a major technology threshold in December, when it successfully launched a satellite into orbit. Though the satellite later malfunctioned, the North managed to put the payload into orbit with ballistic missile launch technology that is clearly designed to reach the United States.¶ This development appears to validate former U.S. Defense Secretary Bob Gates's January 2011 claim that the regime was only five years away from fielding a missile that could threaten the continental United States. To make matters worse, Pyongyang conducted a third nuclear test in February, which appears to have been more successful than the previous two. Within President Barack Obama's second term in office, North Korea could well be the third nation (after Russia and China) to field a nuclear-tipped ballistic missile targeted at the United States. Moreover, the North has sold every weapons system it has developed to the likes of Iran, Pakistan, and Syria. That's worth losing sleep over.

#### Alaska is the location for current and future BMD to deter North Korea

Thompson 3/15 Mark, Pulitzer Prize winner, has covered national security in Washington since 1979, and for Time since 1994, 2013, “Possible North Korean Threat Triggers Beefed-Up U.S. Missile Shield,” http://nation.time.com/2013/03/15/possible-north-korean-threat-triggers-beefed-up-u-s-missile-shield/#ixzz2NpjsXmJ4

The Obama Administration took the offense on missile defense Friday, saying it will fatten up the nation’s thin missile-defense shield by nearly 50% to defend against a possible North Korean attack.¶ The added missiles were part of the Bush Administration’s original plan, but President Obama halted their deployment in April 2009, three months after his inauguration.¶ The announcement came about 72 hours after the U.S. military’s top strategic commander said “we are confident we could defeat a threat from North Korea today.”¶ But the concern isn’t today, but tomorrow. The additional interceptors won’t all be deployed for four years, and North Korea – if the past is any guide – won’t be curbing its missile and nuclear ambitions. Pyongyang recently threatened to attack the U.S. with a nuclear weapon.¶ “We will strengthen homeland missile defense by deploying 14 additional ground-based interceptors, GBIs, at Fort Greely, Alaska,” Defense Secretary Chuck Hagel said. “These additional GBIs will provide a nearly 50% increase in our missile defense capability.” There are currently 26 interceptors based in Alaska, and four at California’s Vandenberg Air Force Base.¶ There is next to no chance that the North Koreans have developed a nuclear weapon small enough to be fitted atop a Pacific-crossing intercontinental ballistic missile. And there is next to no chance it has such a missile. “But it’s not zero,” a Pentagon official says. “This is pretty cheap insurance.”¶ “Nations like North Korea and Iran are committed to building long-range ballistic missiles and are undertaking robust nuclear weapons programs,” Rep. Mike Turner, R-Ohio, who heads the House Armed Services subcommittee on tactical air and land forces, said. “No longer can the Administration ignore these threats. The building of a missile defense site on the East Coast is the next logical and prudent step to ensure we can counter the rising threat to the homeland.”

#### Alaska’s Ground Missile Defense facility’s dependent on power from declining reserves---current alternatives fail

WM Warwick 10, Pacific Northwest National Laboratory, September 2010, “Renewable Resource Development on Department of Defense Bases in Alaska: Challenges and Opportunities,” <http://www.pnl.gov/main/publications/external/technical_reports/PNNL-19742.pdf>

There are seven major DOD facilities in Alaska, as follows (see Figure 1 for a map). Fort Richardson (FRA) is the major Army facility in the southern part of the state. It is in Anchorage adjacent to Elmendorf Air Force Base (AFB). There is another cluster of facilities in the north central part of the state near Fairbanks. This includes Fort Wainwright (FWA) on the eastern edge of Fairbanks and Eielson AFB (EAFB) approximately 26 miles southeast of Fairbanks. Roughly 100 miles further southeast of Fairbanks is Fort Greely (FGA) and the training ranges for Fort Wainwright. Facilities of the Ground Missile Defense (GMD) are located on the range as well. While support to Ground Missile Defense is provided by the Army, it is a facility of the Missile Defense Agency. Approximately mid-way between Fairbanks and Anchorage is the Clear Air Force Station (CAFS). The Base Realignment and Closure (BRAC) process resulted in Fort Wainwright having greater control over the lands at Fort Greely and joint-basing of Fort Richardson and Elmendorf AFB under the control of the Air Force as Joint Base Elmendorf-Richardson (JBER). As a result of this consolidation the focus of Army operations is now primarily Fort Wainwright, while the Air Force operates three major facilities. The Air Force facilities are under the Air Force Pacific and Space Commands. Each of the services, including the Navy, operates smaller facilities in remote areas that are either not interconnected to the Alaska power grid or are too small to be of concern for this study. ¶ Alaska Utility Infrastructure ¶ The electrical system in Alaska is primitive in comparison to that in the lower 48 states and the rest of the developed world because of the harsh climate, large land mass and sparse population. There are two major population centers in the state, Anchorage and Fairbanks, and a cluster of smaller towns scattered across the Kenai Peninsula (see Figure 2). All three areas are linked by a single transmission circuit that is about 600 miles long. It follows the major railroad and highway linking these areas and is therefore called the Railbelt transmission system. Power exchanges along the system are limited primarily as a consequence of the nature of electricity requirements in the state and the associated history of each utility. The climate in Alaska is so harsh that a power outage of any duration can be devastating. As a result, each utility has planned to be able to operate independently of all others. They also plan to have sufficient reserve generating capacity to be able to provide power even if multiple generators are inoperable. The end result is sufficient generating capability to offset the need for integrated operations, and therefore, the need for an extensive transmission system (see Figure 3, from Doyon Utilities). ¶ The major interconnected utilities are Golden Valley Electric Association (GVEA), which serves the north central part of the state centered on Fairbanks. The Anchorage area has two primary utilities, Anchorage Municipal Light and Power (ML&P) and Chugach Electric Association (CEA). Matanuska Electric Association (MEA) provides power to the northern suburbs of Anchorage. ¶ The GVEA system in the north is connected to the three Anchorage area utilities by a 170-mile transmission line, the Alaska Intertie, owned by the Alaska Energy Authority, which is a “public,” meaning state-owned, corporation of the Department of Commerce (Alaska Energy Authority 1991). Access to the intertie is through an “intertie agreement.” This is standard practice among utilities in regions where there is no independent system operator (ISO) to collectively manage transmission access on behalf of multiple utility owners. The California ISO (CAISO) is an example of an ISO. In this case, Alaska Energy Authority (AEA) contracts with ML&P and GVEA to manage the intertie. As noted previously, to complete the circuit between GVEA and the two Anchorage utilities, transmission has to pass through the MEA system. AEA recently constructed an extension to the intertie to bypass the MEA system and tie in to the CEA system directly. ¶ The intertie was initially envisioned as means to distribute power from a large hydropower development project on the Susitna River. This development is north of the Anchorage area and would require connections to both the south and the north to be feasible. The generating capability from the Susitna project could equal the combined generation of Alaska’s major utilities if fully developed. Like all large hydropower projects, this one is controversial and expensive, and consequently has had an on-again, off-again history. Interest in the project remains high, however, given the current dependence on fossil fuel for generation and shrinking supplies of oil from the North Slope and natural gas from the Cook Inlet near Anchorage (see Figure 4). ¶ Utilities and DOD Facilities ¶ GVEA serves Forts Wainwright and Greely and Eielson AFB. Elmendorf AFB and Fort Richardson (JBER) are served by ML&P. Power flowing between GVEA and ML&P passes through the systems of MEA and CEA because Anchorage is located on the southern edge of Cook Inlet and MEA and CEA are on the northern and eastern edges, respectively. Clear AFS is not connected to any utility power grid. It is in the GVEA territory and could be interconnected by constructing a transmission line approximately 3-miles long. ¶ Clear AFS, Eielson AFB, Fort Wainwright, and Fort Greely have their own central plants that provide both heat and power. Therefore, they are self-sufficient and typically operate without grid power. The plants at Clear, Eielson, and Wainwright are coal-fired using low Btu content coal mined near Clear, roughly 100 miles southeast of Fort Wainwright. Coal is delivered by rail. Fort Greely and GMD have diesel-fired generation in place, however because of the cost, Fort Greely uses excess power generated at Fort Wainwright whenever it is available. Power from Wainwright is wheeled by GVEA under a standard service tariff. The wheeling service is somewhat expensive but doesn’t require GVEA customers on either end of the transaction to provide reliability reserves or ancillary services, which are typically required in wholesale wheeling transactions.

#### Energy insecurity collapses Alaskan missile defense

Begich 9 Mark, US Senator from Alaska, “Alaska's Strategic Role in the Defense of the United States and the Vital Role of Missile Defense”, 9/10, http://www.heritage.org/research/lecture/alaskas-strategic-role-in-the-defense-of-the-united-states-and-the-vital-role-of-missile-defense

Over the past six years, the military has run 34 hit-to-kill interceptor tests, almost all of them successful. Now, in the face of a belligerent North Korea and an increasingly isolated Iran, funding for the missile defense initiative has been slated to be cut by $1.4 billion. While the world is changing, America and our allies still need to be defended from these growing missile threats. Today, I'm very pleased to welcome a special guest to contribute to this important national conversation. Senator Mark Begich was elected to the U.S. Senate from the state of Alaska last November. Before that, having been born and raised in Anchorage, he served on the City Council of Anchorage; he served on numerous state committees and commissions; and he served most recently before his Senate service as mayor of Anchorage, which is Alaska's biggest city. He has been on the Board of Regents of the university. He knows the challenges facing Alaska very well. More important, he serves on very significant committees: Commerce, Science and Transportation, Veterans, and -- most important for today's discussion, not only for Alaska, but for the entire United States -- the Senate Armed Services committee. We are particularly pleased he could join us today because, as many of you know, right now, at this very moment on the Senate floor, the Defense Authorization bill is being debated. Edwin J. Feulner, Ph.D., is President of The Heritage Foundation. The Honorable Mark Begich: I sit as a Democrat from Alaska on the Armed Services Committee. It's the first time anyone from Alaska has been on that committee since 1968. It's a very interesting time, and Alaska is a very different state. I was born and raised there, and I know. In my own caucus, first, they wonder why I'm here today talking to your group. They wondered, "Are you sure you have the right building?" I said, "Absolutely." But several other Democrats were actually very supportive of me coming over. I'm a Democrat that has a little different view. I come to the Senate with a pro-defense, pro-gun, pro-development, pro-privacy viewpoint. Alaskans are very libertarian in that area of privacy. We're very strong on defense. We just had a vote, as a matter of fact, on the Thune amendment, which was about concealed-carry laws for guns. It was interesting because when the bill first came out, about two or three months ago, I was presiding. Listening to Senator Thune talk about this new piece of legislation, I thought, I like that. So as he was finishing, I turned to the one of the pages. I said, "Have him come up here." He came up, and I said, "I want to cosponsor that legislation." And this week, when he was preparing to present it, he says, "I have a bipartisan support on this legislation." It was like 22 Republicans and me, so I felt I was carrying an incredible load on my back and on my shoulders, but I felt good. We just took the vote. It failed by just two votes. He had to get 60, and he got 58 in the final call. I forget the exact number of Democrats, but there were about 15. A lot of them are freshmen, new Democrats, and we come from a different perspective. In a lot of ways, it's not surprising to my Alaskan voters that I would be here today. I never turn down any group to speak in front of. I don't care if it's the Alaska Independence Party who wants to secede from the United States to the Alaska Center for the Environment to Gay Pride: You name it, I go, because what people get from me is pretty straight talk, and I like to hear what people's views are. It helps me develop who I am as a person. The Northern Perspective on National Defense Today I want to discuss national defense issues from a perspective you may not have heard often: the Northern Perspective. Those of us from Alaska truly view things a little differently. Anchorage is the largest city in Alaska; it's actually 43 percent of the state's population. On top of that, we're an international city. We can touch, within nine hours from Alaska, 90 percent of the industrialized world by air. We do business with Japan, Korea, China, Russia. Probably about every four or five weeks I would do interviews with international press corps that would come to Anchorage and talk about the strategic importance of Alaska, and especially Anchorage. Just to give you one other data point, Anchorage is the second or third -- it goes back and forth -- largest cargo hauler in the world. We move more cargo than almost everywhere else, except a couple of cities, in this world. So if you're shipping anything west of the Mississippi internationally, more than likely it's coming through Anchorage. UPS as well as FedEx's international headquarters are in our city. I say that because also, from a military perspective, they understand that strategic importance. When you think back to when Alaska was set up and originally purchased in 1867, the U.S. Army helped administer it, and then the next group about 10 years later was the Navy and the U.S. Revenue Service. We ended having the Coast Guard as one of our biggest components. As time progressed and the gold rush occurred and Alaska continued to move forward, we saw -- and it was General Billy Mitchell that understood -- the air strategic location of Alaska back in 1935 when air was just becoming more aggressively part of the equation. His famous quote was, "Alaska is the most strategic place in the world from a military standpoint." As you can imagine, with World War II and the buildup of Alaska's vital role, the nation's defense grew dramatically. The Alaska Highway was constructed by the military and military equipment. I don't know if anyone's ever subjected themselves to driving the Alaska Highway; this was a road that the military constructed in record time. The idea was to move goods into Alaska for a strategic location. It was built by the Army. Also, we had a unique group of individuals. They were Alaskan people, Eskimos, Alaska Territorial Guard, who were really our eyes and ears on the shores of Alaska for the United States. A very important group. There's not many left now. As a matter of fact, I'm battling right now in the Department of Defense budget to get a little clause taken care of. These are individuals, about 26 of them, who served this country for more than 20 years, and the Army will not pay them a pension. But they get Veterans Administration benefits. It's a small group that is 86 years old. They actually paid them for a short period of time; then they cut them off and told them they might have to repay it. I said, "What are you talking about? These individuals served our country. They were on the front lines. They volunteered to serve, and then they continued to serve in the military in other capacities for another 20-plus years." So we are aggressively working on that. Iraq and Afghanistan Alaska, again, as we move into where we are today, is very vital. We have 30,000 active duty members from all branches, from all our bases, from Elmendorf, Eielson, and Clear Air Force bases, as well as Forts Richardson, Wainwright, and Greely, which are our Army bases. These bases are home to the latest and greatest military equipment. The big debate yesterday was F-22s. We have F-22s. We have a whole complement of them, and we're very proud of the fact that we have them. We also have the C-17s. If you've ever been in one of those, it's an incredible aircraft, one that is making a big difference. We also have a Stryker brigade, the Army's model deployable brigade combat team, to fight the counterinsurgency, which is critical. Our Stryker brigade already has seen activity in Iraq, and another Alaska airborne brigade combat team has recently been deployed to Afghanistan. I'm sure you've seen the recent accounts of PFC Bowe Bergdahl, who is from Fort Richardson, originally from Idaho but stationed at Fort Richardson. Alaska also is the home to 75,000 veterans, the highest per capita in the nation, 11 percent of our population. I want to give you this background so you see the backdrop of what I deal with as a person who sits on the Armed Services Committee and is involved heavily in the issues that surround the military in Alaska, but also our country. Five us recently came back from Afghanistan and Pakistan. Tom Carper (D-DE), Mark Udall (D-CO), Kay Hagan (D-NC), and Jeanne Shaheen (D-NH) went on this trip, along with myself, to really understand what's going on in Afghanistan and Pakistan. We got there just as things started to move. We left one of the cities, and it was bombed the next day or so. We were there in the heightened area. But it was important to understand, because I wanted to know what makes sense, what do we need to do, especially as we deal with what affects our troops. Alaska has nearly 10,000 troops deployed in Afghanistan and Iraq. When you think of our state, a lot of people say it's just a small state up north. But if you think of the volume, we're the sixth among all states and territories in volume of personnel serving in Iraq and Afghanistan. The trip was an eye-opener, to be very frank with you. It gave me a sense of where we need to be and how the counterinsurgency is working; but also, spending time in Pakistan was very important. We were there right when the shift was starting to occur, where the military in Pakistan was finally realizing they have to move their forces over to the border with Afghanistan to make some impact; otherwise they're going to be overrun. So for us, it's important; for this world, I think it's important. We want a stable government in Pakistan. We want to make sure that the Taliban does not take control of their government in any form or any way. We were there right when this was all starting to move and shift, so when you talk about being at the right place at the right time, this may have been yes on one day but no on the next, because you weren't sure what was going to happen next. Also, as we finished there, North Korea was getting active. We were travelling and then starting to get reports as we went with regard to North Korea and what's going on there. Alaska and Missile Defense As you know, in Fort Greely, we're very fortunate to have the ground missile defense system. Greely currently has capacity for 26 missile interceptors, maintained by members of the Alaskan National Guard. The interceptors can be launched to intercept an incoming enemy missile. It's hard to describe this to people who are not aware of it. It's a bullet hitting a bullet. That's the technology. It's an incredible technology that has developed over the last several years. One of the arguments early on was, it doesn't work. Well, that's why you're testing it. I could never understand that argument. As soon as you got it up and running, they said it doesn't work. No, you're testing it, you're improving it, you're advancing the technology. If you ask the military today, as we have done in the Armed Services Committee, about the missile defense system overall, it's 90 percent accuracy. That's not too bad, and it's because of robust testing and the issues that the military has been homing in on involving better technology. As you know, the President had proposed cuts to not only the ground base, but also some other programs within the missile defense system. The budget that's in front of us today has, on the ground missile defense system, the continuation to a certain extent of that program, but it also still has a termination of the Multi Kill Vehicle as well as the Airborne Laser Tail 2. This is mainly because in the eyes of the committee, as well as the individuals that were developing the systems, we were jumping to production, and they want to continue to focus on the experimental stage, which seems rational. But we have to be very careful that people don't just throw out the whole missile defense system because they think that's old technology and that's not where we are today. That's an incorrect view. The GMD system, as you know, is in Alaska and California, and it's supported by an array of radars deployed all around the world. It's an American-based defense system to protect our nation. It's the only operational missile defense system. The decision to reduce the total number of deployed operational interceptors from 44 to 30 was the President's proposal. The investment strategy may have changed, but the threat clearly hasn't. Consider the quantity of missile testing that North Korea has done since this budget proposal was presented by the Administration. North Korea has launched 16 ballistic missiles and conducted one underground test, as well as a multi-stage long-range missile. The latest launch on July 4 means that 70 percent of the missile tests that they have done since 1988 have occurred since April of this year. Maybe it's a coincidence, but I'm not sure I like that coincidence. As they do these tests, they're perfecting their technology, but they're also showing their wares. First, they want to improve their technology. Second, they want other countries to see what they have, because they're in the business of selling too. That's what they do. That's part of their hard cash economy. So it's not just about North Korea and what they might do; it's what North Korea will do and who they will sell it to. We have to keep that all in perspective. Robust Testing and the Long-Term View Fort Greely is the home of most of our Ground-Based Midcourse Defense Interceptors. Alaska soon will be the home of the Sea-Based X-Band Radar, which is currently going through some testing and will be located in Adak. Along with that, the Kodiak, Alaska, launch is important because it's also a launch facility for testing to replicate enemy threats and launches. This is in Alaska. The good news on this front is that Secretary of Defense Robert Gates made it very clear that he wants robust testing, and, again, we're very supportive of that. We think that's important. If you don't have robust testing, you cannot perfect the technology. In the weeks since the announcement to reduce the number of Alaska-based interceptors by the Administration, the Missile Defense Agency has had to do some fast analysis. Part of the problem is deteriorating conditions for what's called Missile Field 1. In Alaska, you have Missile Field 1; then you have completed Missile Field 3, and then Missile Field 2 that we're now doing. What they quickly found as we were going through this discussion in our committee was that Missile Field 1, which was originally six silos for the interceptors, was designed to be a test facility and was put together very quickly. Because of that, it has leaking antifreeze, has mold contamination, outdated copper pipes that are freezing and thawing, and a variety of other things which, as you can imagine, for a missile silo are not good to have. We learned this through the discussion of the committee, which was not public until we brought it out. And what we found was, even under the robust plan as they claim they had in the Administration, what was about to happen was that they were going to have less capacity because the first six silos are inadequate and are deteriorating. It was important for us to make that point. Also, the plan for Missile Field 2 is to stop the construction, close it down, seal it up, move on. We debate a lot about cost overruns, expensive things we're doing. The problem with that is, why would you take all the work that's being done there, shift it out of there, all the people and equipment, and then, now that we've got to replace the six that are deteriorating, bring them all back and do the next six or seven? What we argued for in committee, and were successful in Missile Field 2, was to make sure that the next seven silos be finished. So, as they figure out how to decommission the first six, there's seven silos to move forward until they finish their long-term planning in regards to the Defense Review as well as the Ballistic Missile Defense Review. Our view was, why would you make a decision when you don't have a plan yet of what you want to do with ballistic missile defense systems? The argument was received in a positive way by the committee. It worked, and they were unanimous in the final outcome. Also, we made sure to ensure that Congress has all the information available at the time of the budget submission in the future, which is critical because we did not have it this time. I know how the system works; I used to be a manager as a mayor, and when you control the information, you deliver as you see fit. In this situation, we've made it very clear in Section 243 of the Defense Authorizing bill to provide future-year defense plans annually that provide a schedule and plans for testing, sustainment, development, and deployment of GMD. What we were working on when we were doing this budget was a 2010 kind of budget only. With missile defense, it's a long-term view you have to have. You have to see the whole picture, and we were only being delivered this short-term picture. When we started asking questions about 2011, 2012, 2013, that's when we started to learn about Field 1 and what was happening with that. They had no plan yet to deal with that, so we had to help develop it through the process. This will make it clear that they must work through this process with us and show us the long-term picture. Energy Independence and National Security Finally, the whole issue of energy independence is critical if we are to have more flexibility in our national defense strategies and in our world strategies when it comes to international affairs. What I'm finding is that oil and gas issues are not necessarily high on the list of a lot of folks in the Democratic caucus. Now, I said that six months ago; today, it's a little different. We have more Democratic Senators coming from Western states now: Montana, the Dakotas, Colorado, New Mexico, Alaska -- what I call the Rocky Mountain Western states.

#### Means North Korea will blackmail the US---causes war

Peter Huessy 9, Senior Defense Consultant Associate at the National Defense University Foundation (NDUF) and President of GeoStrategic Analysis, “Missile Defense in the Age of Nuclear Proliferation”, inFocus, http://www.jewishpolicycenter.org/1527/missile-defense-nuclear-proliferation

North Korea now lags behind Iran in domestic rocket capabilities. Its last test of a long-range rocket only successfully completed two stages. If the third stage were to work, Pyongyang could land a 300 to 500 kilogram warhead on the United States. And while the West might experience relief over these apparent failures, it should be noted that Iranian technicians have been identified at North Korean launch facilities, marking a **strong symbiotic relationship and the potential for technical cooperation**. The Russians and Chinese also assist both rocket programs.¶ In the case of Iran, current assessments indicate that the Mullahs are developing nuclear devices to fit onto its 2,000 to 2,400 kilometer range Shahab missiles. This is a development of the utmost significance. The Islamic Republic could **fit a small nuclear device onto a short or medium range missile**, and launch it from a freighter just 300 kilometers off the coast of North Carolina, for example. Indeed, as Investors Business Daily reports, "the Iranians have tested a sophisticated nuclear warhead design that lets them pack a nuclear warhead into a smaller package able to fit nicely on the Shahab-3 and other Iranian missiles."¶ Analysts are also concerned about the threat of an electro-magnetic pulse (EMP) attack. Such an attack would involve detonating a nuclear device 20 to 70 miles above a major metropolitan area. The blast would destroy every computer and electronic device within sight of the blast. This would destroy refrigerators, cars, phones, and more. It would, in effect, set the city back more than one hundred years, technologically speaking, and effectively destroy its economy. The ripple effect of just one EMP attack, both through economic and technological mayhem, could **cripple the rest of the country.**¶ The conventional wisdom is that Iran does not have the technology to launch an EMP attack on the U.S. However, the EMP Commission, chartered by Congress earlier this decade, judged that such an attack was very possible. Indeed, Iran tested a Scud-type missile off of a barge in the Caspian Sea in the mid 1990s. The Missile Defense Agency (MDA) also conducted a test off the coast of Hawaii in recent years to prove to a skeptical intelligence community that it could be done. Even as far back as 1998, the Commission on Ballistic Missile Threats to the United States concluded that an EMP type attack ranked among the more likely missile threats to the United States.¶ Defending Against the Threat¶ While the U.S. currently has the technological capability to protect our costal regions from shorter-range attacks, such as from a freighter, to do so would **require many more platforms**. Systems such as the Aegis, the THAAD, and Patriot have proven to be effective in this capacity. But our current inventory needs to be expanded, as sufficient deployments around the country would deprive other regions from protection. Enhancement of the long-range interceptors deployed in Alaska and California must also be part of any defense package that seeks to deal with this threat, since an EMP threat can come from Scuds or ICBMs. As such, the U.S. Congress and the Administration should accelerate the acquisition and deployment of additional missile defense systems, as part of a global and layered capability to protect the U.S. and its allies.¶ In the absence of such defenses, North Korea and Iran or even Russia and China, will find it easier to **blackmail, coerce, or bully the U.S. or its allies.** U.S. military power is not the reason we are being threatened by the likes of Pyongyang and Tehran. It is that their terrorist and hegemonic goals can **only succeed if American power is overcome**. As Jeffrey Kuhner, President of the Edmund Burke Institute, wrote in The Washington Times:¶ Moscow and Peking have not abandoned their rivalry with the West… they are part of an alliance that aims to curtail and undermine American power. They have provided… support to Stalinist North Korea… They have sold vital missile and nuclear technology to Iran's apocalyptic mullahs. The are constantly obstructing the global war against terror."¶ Responding to the Critics¶ It is remarkable that after nearly half a century, even as the threats have gathered, critics of missile defense continue to oppose its deployment. They are wedded to the ambiguous strategy of "engagement and negotiations" with our enemies, primarily because they view U.S. policies as the root of the problem—most prominently represented by our liberation of Afghanistan and Iraq. In their view, if the United States is coerced into "staying at home," all the better.¶ The consequences of such a policy are grave. With no missile defenses for the U.S. homeland, **we can be** blackmailed successfully in any confrontation **with a state that has long-range missiles in its possession**. For example, we might be powerless to confront North Korea if it chose to resort to aggression against South Korea.¶ How should the U.S. prepare for this scenario? Taking no precautions will almost certainly embolden an aggressive actor like North Korea. But, **a preemptive attack is also fraught with danger**. Such an attack could leave Los Angeles and Pyongyang in ashes.¶ The answer lies in the deployment of effective missile defenses in any theater. Effective missile defenses give the President and the Pentagon the ability to strike launch sites in North Korea, for example, without necessarily sparking a wider conflict. More to the point, such defenses could also **intercept North Korean rockets** against our forces in the South China Sea, the Sea of Japan, South Korea, and Japan, for example.

#### Korean war goes nuclear, spills over globally---risk of miscalc is high and this time is different

Steven Metz 3-13, Chairman of the Regional Strategy and Planning Department and Research Professor of National Security Affairs at the Strategic Studies Institute, 3/13/13, “Strategic Horizons: Thinking the Unthinkable on a Second Korean War,” http://www.worldpoliticsreview.com/articles/12786/strategic-horizons-thinking-the-unthinkable-on-a-second-korean-war

Today, North Korea is the most dangerous country on earth and the greatest threat to U.S. security. For years, the bizarre regime in Pyongyang has issued an unending stream of claims that a U.S. and South Korean invasion is imminent, while declaring that it will defeat this offensive just as -- according to official propaganda -- it overcame the unprovoked American attack in 1950. Often the press releases from the official North Korean news agency are absurdly funny, and American policymakers tend to ignore them as a result. Continuing to do so, though, could be dangerous as events and rhetoric turn even more ominous. ¶ In response to North Korea's Feb. 12 nuclear test, the U.N. Security Council recently tightened existing sanctions against Pyongyang. Even China, North Korea's long-standing benefactor and protector, went along. Convulsed by anger, Pyongyang then threatened a pre-emptive nuclear strike against the United States and South Korea, abrogated the 1953 armistice that ended the Korean War and cut off the North-South hotline installed in 1971 to help avoid an escalation of tensions between the two neighbors. A spokesman for the North Korean Foreign Ministry asserted that a second Korean War is unavoidable. He might be right; for the first time, an official statement from the North Korean government may prove true. ¶ No American leader wants another war in Korea. The problem is that the North Koreans make so many threatening and bizarre official statements and sustain such a high level of military readiness that American policymakers might fail to recognize the signs of impending attack. After all, every recent U.S. war began with miscalculation; American policymakers misunderstood the intent of their opponents, who in turn underestimated American determination. The conflict with North Korea could repeat this pattern. ¶ Since the regime of Kim Jong Un has continued its predecessors’ tradition of responding hysterically to every action and statement it doesn't like, it's hard to assess exactly what might push Pyongyang over the edge and cause it to lash out. It could be something that the United States considers modest and reasonable, or it could be some sort of internal power struggle within the North Korean regime invisible to the outside world. While we cannot know whether the recent round of threats from Pyongyang is serious or simply more of the same old lathering, it would be prudent to think the unthinkable and reason through what a war instigated by a fearful and delusional North Korean regime might mean for U.S. security. ¶ The second Korean War could begin with missile strikes against South Korean, Japanese or U.S. targets, or with a combination of missile strikes and a major conventional invasion of the South -- something North Korea has prepared for many decades. Early attacks might include nuclear weapons, but even if they didn't, the United States would probably move quickly to destroy any existing North Korean nuclear weapons and ballistic missiles. ¶ The war itself would be extremely costly and probably long. North Korea is the most militarized society on earth. Its armed forces are backward but huge. It's hard to tell whether the North Korean people, having been fed a steady diet of propaganda based on adulation of the Kim regime, would resist U.S. and South Korean forces that entered the North or be thankful for relief from their brutally parasitic rulers. As the conflict in Iraq showed, the United States and its allies should prepare for widespread, protracted resistance even while hoping it doesn't occur. Extended guerrilla operations and insurgency could potentially last for years following the defeat of North Korea's conventional military. North Korea would need massive relief, as would South Korea and Japan if Pyongyang used nuclear weapons. Stabilizing North Korea and developing an effective and peaceful regime would require a lengthy occupation, whether U.S.-dominated or with the United States as a major contributor. ¶ The second Korean War would force military mobilization in the United States. This would initially involve the military's existing reserve component, but it would probably ultimately require a major expansion of the U.S. military and hence a draft. The military's training infrastructure and the defense industrial base would have to grow. This would be a body blow to efforts to cut government spending in the United States and postpone serious deficit reduction for some time, even if Washington increased taxes to help fund the war. Moreover, a second Korean conflict would shock the global economy and potentially have destabilizing effects outside Northeast Asia. ¶ Eventually, though, the United States and its allies would defeat the North Korean military. At that point it would be impossible for the United States to simply re-establish the status quo ante bellum as it did after the first Korean War. The Kim regime is too unpredictable, desperate and dangerous to tolerate. Hence regime change and a permanent ending to the threat from North Korea would have to be America's strategic objective. ¶ China would pose the most pressing and serious challenge to such a transformation of North Korea. After all, Beijing's intervention saved North Korean dictator Kim Il Sung after he invaded South Korea in the 1950s, and Chinese assistance has kept the subsequent members of the Kim family dictatorship in power. Since the second Korean War would invariably begin like the first one -- with North Korean aggression -- hopefully China has matured enough as a great power to allow the world to remove its dangerous allies this time. If the war began with out-of-the-blue North Korean missile strikes, China could conceivably even contribute to a multinational operation to remove the Kim regime. ¶ Still, China would vehemently oppose a long-term U.S. military presence in North Korea or a unified Korea allied with the United States. One way around this might be a grand bargain leaving a unified but neutral Korea. However appealing this might be, Korea might hesitate to adopt neutrality as it sits just across the Yalu River from a China that tends to claim all territory that it controlled at any point in its history. ¶ If the aftermath of the second Korean War is not handled adroitly, the result could easily be heightened hostility between the United States and China, perhaps even a new cold war. After all, history shows that deep economic connections do not automatically prevent nations from hostility and war -- in 1914 Germany was heavily involved in the Russian economy and had extensive trade and financial ties with France and Great Britain. It is not inconceivable then, that after the second Korean War, U.S.-China relations would be antagonistic and hostile at the same time that the two continued mutual trade and investment. Stranger things have happened in statecraft.

### 1AC – Alliance Advantage

#### CONTENTION 2: ALLIANCE

#### A --- CHINA

#### Senkaku conflict’s likely due to energy concerns --- escalates and goes nuclear --- only a reinvigorated US-Japan alliance solves

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Don't look now, but conditions are deteriorating in the western Pacific. Things are turning ugly, with consequences that could prove deadly and spell catastrophe for the global economy.¶ In Washington, it is widely assumed that a showdown with Iran over its nuclear ambitions will be the first major crisis to engulf the next secretary of defense -- whether it be former Senator Chuck Hagel, as President Obama desires, or someone else if he fails to win Senate confirmation. With few signs of an imminent breakthrough in talks aimed at peacefully resolving the Iranian nuclear issue, many analysts believe that military action -- if not by Israel, then by the United States -- could be on this year's agenda.¶ Lurking just behind the Iranian imbroglio, however, is a potential crisis of far greater magnitude, and potentially far more imminent than most of us imagine. China's determination to assert control over disputed islands in the potentially energy-rich waters of the East and South China Seas, in the face of stiffening resistance from Japan and the Philippines along with greater regional assertiveness by the United States, spells trouble not just regionally, but potentially globally.¶ Islands, Islands, Everywhere¶ The possibility of an Iranian crisis remains in the spotlight because of the obvious risk of disorder in the Greater Middle East and its threat to global oil production and shipping. A crisis in the East or South China Seas (essentially, western extensions of the Pacific Ocean) would, however, pose a greater peril because of the possibility of a U.S.-China military confrontation and the threat to Asian economic stability.¶ The United States is bound by treaty to come to the assistance of Japan or the Philippines if either country is attacked by a third party, so any armed clash between Chinese and Japanese or Filipino forces could trigger American military intervention. With so much of the world's trade focused on Asia, and the American, Chinese, and Japanese economies tied so closely together in ways too essential to ignore, a clash of almost any sort in these vital waterways might paralyze international commerce and trigger a global recession (or worse).¶ All of this should be painfully obvious and so rule out such a possibility -- and yet the likelihood of such a clash occurring has been on the rise in recent months, as China and its neighbors continue to ratchet up the bellicosity of their statements and bolster their military forces in the contested areas. Washington's continuing statements about its ongoing plans for a "pivot" to, or "rebalancing" of, its forces in the Pacific have only fueled Chinese intransigence and intensified a rising sense of crisis in the region. Leaders on all sides continue to affirm their country's inviolable rights to the contested islands and vow to use any means necessary to resist encroachment by rival claimants. In the meantime, China has increased the frequency and scale of its naval maneuvers in waters claimed by Japan, Vietnam, and the Philippines, further enflaming tensions in the region.¶ Ostensibly, these disputes revolve around the question of who owns a constellation of largely uninhabited atolls and islets claimed by a variety of nations. In the East China Sea, the islands in contention are called the Diaoyus by China and the Senkakus by Japan. At present, they are administered by Japan, but both countries claim sovereignty over them. In the South China Sea, several island groups are in contention, including the Spratly chain and the Paracel Islands (known in China as the Nansha and Xisha Islands, respectively). China claims all of these islets, while Vietnam claims some of the Spratlys and Paracels. Brunei, Malaysia, and the Philippines also claim some of the Spratlys.¶ Far more is, of course, at stake than just the ownership of a few uninhabited islets. The seabeds surrounding them are believed to sit atop vast reserves of oil and natural gas. Ownership of the islands would naturally confer ownership of the reserves -- something all of these countries desperately desire. Powerful forces of nationalism are also at work: with rising popular fervor, the Chinese believe that the islands are part of their national territory and any other claims represent a direct assault on China's sovereign rights; the fact that Japan -- China's brutal invader and occupier during World War II -- is a rival claimant to some of them only adds a powerful tinge of victimhood to Chinese nationalism and intransigence on the issue. By the same token, the Japanese, Vietnamese, and Filipinos, already feeling threatened by China's growing wealth and power, believe no less firmly that not bending on the island disputes is an essential expression of their nationhood.¶ Long ongoing, these disputes have escalated recently. In May 2011, for instance, the Vietnamese reported that Chinese warships were harassing oil-exploration vessels operated by the state-owned energy company PetroVietnam in the South China Sea. In two instances, Vietnamese authorities claimed, cables attached to underwater survey equipment were purposely slashed. In April 2012, armed Chinese marine surveillance ships blocked efforts by Filipino vessels to inspect Chinese boats suspected of illegally fishing off Scarborough Shoal, an islet in the South China Sea claimed by both countries.¶ The East China Sea has similarly witnessed tense encounters of late. Last September, for example, Japanese authorities arrested 14 Chinese citizens who had attempted to land on one of the Diaoyu/Senkaku Islands to press their country's claims, provoking widespread anti-Japanese protests across China and a series of naval show-of-force operations by both sides in the disputed waters.¶ Regional diplomacy, that classic way of settling disputes in a peaceful manner, has been under growing strain recently thanks to these maritime disputes and the accompanying military encounters. In July 2012, at the annual meeting of the Association of Southeast Asian Nations (ASEAN), Asian leaders were unable to agree on a final communiqué, no matter how anodyne -- the first time that had happened in the organization's 46-year history. Reportedly, consensus on a final document was thwarted when Cambodia, a close ally of China's, refused to endorse compromise language on a proposed "code of conduct" for resolving disputes in the South China Sea. Two months later, when Secretary of State Hillary Rodham Clinton visited Beijing in an attempt to promote negotiations on the disputes, she was reviled in the Chinese press, while officials there refused to cede any ground at all.¶ As 2012 ended and the New Year began, the situation only deteriorated. On December 1st, officials in Hainan Province, which administers the Chinese-claimed islands in the South China Sea, announced a new policy for 2013: Chinese warships would now be empowered to stop, search, or simply repel foreign ships that entered the claimed waters and were suspected of conducting illegal activities ranging, assumedly, from fishing to oil drilling. This move coincided with an increase in the size and frequency of Chinese naval deployments in the disputed areas.¶ On December 13th, the Japanese military scrambled F-15 fighter jets when a Chinese marine surveillance plane flew into airspace near the Diaoyu/Senkaku Islands. Another worrisome incident occurred on January 8th, when four Chinese surveillance ships entered Japanese-controlled waters around those islands for 13 hours. Two days later, Japanese fighter jets were again scrambled when a Chinese surveillance plane returned to the islands. Chinese fighters then came in pursuit, the first time supersonic jets from both sides flew over the disputed area. The Chinese clearly have little intention of backing down, having indicated that they will increase their air and naval deployments in the area, just as the Japanese are doing.¶ Powder Keg in the Pacific¶ While war clouds gather in the Pacific sky, the question remains: Why, pray tell, is this happening now?¶ Several factors seem to be conspiring to heighten the risk of confrontation, including leadership changes in China and Japan, and a geopolitical reassessment by the United States.¶ \* In China, a new leadership team is placing renewed emphasis on military strength and on what might be called national assertiveness. At the 18th Party Congress of the Chinese Communist Party, held last November in Beijing, Xi Jinping was named both party head and chairman of the Central Military Commission, making him, in effect, the nation's foremost civilian and military official. Since then, Xi has made several heavily publicized visits to assorted Chinese military units, all clearly intended to demonstrate the Communist Party's determination, under his leadership, to boost the capabilities and prestige of the country's army, navy, and air force. He has already linked this drive to his belief that his country should play a more vigorous and assertive role in the region and the world.¶ In a speech to soldiers in the city of Huizhou, for example, Xi spoke of his "dream" of national rejuvenation: "This dream can be said to be a dream of a strong nation; and for the military, it is the dream of a strong military." Significantly, he used the trip to visit the Haikou, a destroyer assigned to the fleet responsible for patrolling the disputed waters of the South China Sea. As he spoke, a Chinese surveillance plane entered disputed air space over the Diaoyu/Senkaku islands in the East China Sea, prompting Japan to scramble those F-15 fighter jets.¶ \* In Japan, too, a new leadership team is placing renewed emphasis on military strength and national assertiveness. On December 16th, arch-nationalist Shinzo Abe returned to power as the nation's prime minister. Although he campaigned largely on economic issues, promising to revive the country's lagging economy, Abe has made no secret of his intent to bolster the Japanese military and assume a tougher stance on the East China Sea dispute.¶ In his first few weeks in office, Abe has already announced plans to increase military spending and review an official apology made by a former government official to women forced into sexual slavery by the Japanese military during World War II. These steps are sure to please Japan's rightists, but certain to inflame anti-Japanese sentiment in China, Korea, and other countries it once occupied.¶ Equally worrisome, Abe promptly negotiated an agreement with the Philippines for greater cooperation on enhanced "maritime security" in the western Pacific, a move intended to counter growing Chinese assertiveness in the region. Inevitably, this will spark a harsh Chinese response -- and because the United States has mutual defense treaties with both countries, it will also increase the risk of U.S. involvement in future engagements at sea.¶ \* In the United States, senior officials are debating implementation of the "Pacific pivot" announced by President Obama in a speech before the Australian Parliament a little over a year ago. In it, he promised that additional U.S. forces would be deployed in the region, even if that meant cutbacks elsewhere. "My guidance is clear," he declared. "As we plan and budget for the future, we will allocate the resources necessary to maintain our strong military presence in this region." While Obama never quite said that his approach was intended to constrain the rise of China, few observers doubt that a policy of "containment" has returned to the Pacific.¶ Indeed, the U.S. military has taken the first steps in this direction, announcing, for example, that by 2017 all three U.S. stealth planes, the F-22, F-35, and B-2, would be deployed to bases relatively near China and that by 2020 60% of U.S. naval forces will be stationed in the Pacific (compared to 50% today). However, the nation's budget woes have led many analysts to question whether the Pentagon is actually capable of fully implementing the military part of any Asian pivot strategy in a meaningful way. A study conducted by the Center for Strategic and International Studies (CSIS) at the behest of Congress, released last summer, concluded that the Department of Defense "has not adequately articulated the strategy behind its force posture planning [in the Asia-Pacific] nor aligned the strategy with resources in a way that reflects current budget realities."¶ This, in turn, has fueled a drive by military hawks to press the administration to spend more on Pacific-oriented forces and to play a more vigorous role in countering China's "bullying" behavior in the East and South China Seas. "[America's Asian allies] are waiting to see whether America will live up to its uncomfortable but necessary role as the true guarantor of stability in East Asia, or whether the region will again be dominated by belligerence and intimidation," former Secretary of the Navy and former Senator James Webb wrote in the Wall Street Journal. Although the administration has responded to such taunts by reaffirming its pledge to bolster its forces in the Pacific, this has failed to halt the calls for an even tougher posture by Washington. Obama has already been chided for failing to provide sufficient backing to Israel in its struggle with Iran over nuclear weapons, and it is safe to assume that he will face even greater pressure to assist America's allies in Asia were they to be threatened by Chinese forces.¶ Add these three developments together, and you have the makings of a powder keg -- potentially at least as explosive and dangerous to the global economy as any confrontation with Iran. Right now, given the rising tensions, the first close encounter of the worst kind, in which, say, shots were unexpectedly fired and lives lost, or a ship or plane went down, might be the equivalent of lighting a fuse in a crowded, over-armed room. Such an incident could occur almost any time. The Japanese press has reported that government officials there are ready to authorize fighter pilots to fire warning shots if Chinese aircraft penetrate the airspace over the Diaoyu/Senkaku islands. A Chinese general has said that such an act would count as the start of "actual combat." That the irrationality of such an event will be apparent to anyone who considers the deeply tangled economic relations among all these powers may prove no impediment to the situation -- as at the beginning of World War I -- simply spinning out of everyone's control.¶ Can such a crisis be averted? Yes, if the leaders of China, Japan, and the United States, the key countries involved, take steps to defuse the belligerent and ultra-nationalistic pronouncements now holding sway and begin talking with one another about practical steps to resolve the disputes. Similarly, an emotional and unexpected gesture -- Prime Minister Abe, for instance, pulling a Nixon and paying a surprise goodwill visit to China -- might carry the day and change the atmosphere. Should these minor disputes in the Pacific get out of hand, however, not just those directly involved but the whole planet will look with sadness and horror on the failure of everyone involved.

#### It will escalate --- accidents, unwillingness to back down, 2 biggest armies --- destabilizes the whole region

Michael Auslin 13, scholar at the American Enterprise Institute, “The Sino–Japanese Standoff”, 1-28, http://www.nationalreview.com/blogs/print/338852

What was more dangerous, however, was a game of chicken that began in the waters off the Senkakus. Beijing dispatched private fishing boats and maritime patrol vessels on a near-daily basis to the islands, and Japan responded with its coast guard. The two countries have now faced off regularly in the waters around the Senkakus, sometimes with a dozen ships or more.¶ Beijing’s goal seems to be to undercut Tokyo’s claim of administrative control over the islands. That would then invalidate Japan’s right to expel ships from the exclusive economic zone around the Senkakus. In recent weeks, though, the Chinese have become more aggressive, and very visibly escalated tensions. For the first time ever, they have flown maritime patrol planes into Japanese airspace around the islands. A predictable cycle thus emerged: The Japanese responded by scrambling F-15s, and last week, the Chinese sent two J-10 fighter jets to “monitor” Japanese military aircraft, according to the South China Morning Post. Now, the new Japanese government of Prime Minister Shinzo Abe is preparing to go one step further: giving Japanese pilots the authority to fire warning shots with tracer bullets across the nose of any Chinese aircraft that doesn’t heed warnings to leave Japanese-controlled airspace.¶ It was barely a dozen years ago that the U.S. and China faced a crisis when a hotshot Chinese pilot collided with a U.S. electronic-surveillance plane over the South China Sea, crashing both aircraft. Japan and China are now on a metaphorical collision course, too, and any accident when tensions are so high could be the spark in a tinderbox. It’s not difficult to see Beijing issuing orders for Chinese fighters to fire their own warning shots if Japanese jets start doing so. Even though leaders from both countries promise to meet and keep things cool, a faceoff at 20,000 feet is much harder to control than one done more slowly and clearly on the ocean’s surface.¶ This Sino–Japanese standoff also is a problem for the United States, which has a defense treaty with Tokyo and is pledged to come to the aid of Japanese forces under attack. There are also mechanisms for U.S.–Japanese consultations during a crisis, and if Tokyo requests such military talks, Washington would be forced into a difficult spot, since Beijing would undoubtedly perceive the holding of such talks as a serious provocation. The Obama administration has so far taken pains to stay neutral in the dispute; despite its rhetoric of “pivoting” to the Pacific, it has urged both sides to resolve the issue peacefully. Washington also has avoided any stance on the sovereignty of the Senkakus, supporting instead the status quo of Japanese administration of the islands. That may no longer suffice for Japan, however, since its government saw China’s taking to the air over the Senkakus as a significant escalation and proof that Beijing is in no mind to back down from its claims.¶ One does not have to be an alarmist to see real dangers in play here. As Barbara Tuchman showed in her classic The Guns of August, events have a way of taking on a life of their own (and one doesn’t need a Schlieffen Plan to feel trapped into acting). The enmity between Japan and China is deep and pervasive; there is little good will to try and avert conflict. Indeed, the people of both countries have abysmally low perceptions of the other. Since they are the two most advanced militaries in Asia, any tension-driven military jockeying between them is inherently destabilizing to the entire region.¶ Perhaps of even greater concern, neither government has shied away from its hardline tactics over the Senkakus, despite the fact that trade between the two has dropped nearly 4 percent since the crisis began in September. Most worrying, if the two sides don’t agree to return to the status quo ante, there are only one or two more rungs on the ladder of military escalation before someone has to back down or decide to initiate hostilities when challenged. Whoever does back down will lose an enormous amount of credibility in Asia, and the possibility of major domestic demonstrations in response.¶ The prospect of an armed clash between Asia’s two largest countries is one that should bring both sides to their senses, but instead the two seem to be maneuvering themselves into a corner from which it will be difficult to escape. One trigger-happy or nervous pilot, and Asia could face its gravest crisis perhaps since World War II.

#### Draws in the US and goes nuclear

John Blaxland 13, Senior Fellow at the Strategic and Defence Studies Centre, the Australian National University, and Rikki Kersten, Professor of modern Japanese political history in the School of International, Political and Strategic Studies at the College of Asia and the Pacific, the Australian National University, 2/13/13, “Escalating territorial tension in East Asia echoes Europe’s descent into world war,” http://www.eastasiaforum.org/2013/02/13/escalating-territorial-tension-in-east-asia-echoes-europes-descent-into-world-war/

The recent activation of Chinese weapons radars aimed at Japanese military platforms around the Senkaku/Diaoyu Islands is the latest in a series of incidents in which China has asserted its power and authority at the expense of its neighbours.

The radars cue supersonic missile systems and give those on the receiving end only a split second to respond. With Japanese law empowering local military commanders with increased discretion to respond (thanks to North Korea’s earlier provocations), such incidents could easily escalate. In an era of well-established UN-related adjudication bodies like the International Court of Justice (ICJ), how has it come to this? These incidents disconcertingly echo past events.

In the early years of the 20th century, most pundits considered a major war between the great powers a remote possibility. Several incidents prior to 1914 were handled locally or successfully defused by diplomats from countries with alliances that appeared to guarantee the peace. After all, never before had the world been so interconnected — thanks to advanced communications technology and burgeoning trade. But alliance ties and perceived national interests meant that once a major war was triggered there was little hope of avoiding the conflict. Germany’s dissatisfaction with the constraints under which it operated arguably was a principal cause of war in 1914. Similarly, Japan’s dissatisfaction helped trigger massive conflict a generation later.

A century on, many of the same observations can be made in East Asia. China’s rise is coupled with a disturbing surge in jingoism across East and Southeast Asia. China resents the territorial resolution of World War II, in which the United States handed responsibility for the Senkaku/Diaoyu islands to Japan while large chunks of the South China Sea were claimed and occupied by countries that emerged in Southeast Asia’s post-colonial order. Oil and gas reserves are attractive reasons for China to assert itself, but challenging the US place in East Asian waters is the main objective. China resents American ‘re-balancing ‘as an attempt at ‘containment’, even though US dependence on Chinese trade and finance makes that notion implausible. China is pushing the boundaries of the accepted post-Second World War order championed by the United States and embodied by the UN.

China’s rapid rise and long-held grievances mean its powerbrokers are reluctant to use institutions like the ICJ. But China’s assertiveness is driving regional states closer into the arms of the United States. Intimidation and assertive maritime acts have been carried out, ostensibly by elements not linked to China’s armed forces. China’s white-painted Chinese Maritime Services and Fisheries Law Enforcement Command vessels operating in the South China Sea and around the Senkaku/Diaoyu islands have evoked strong reactions.

But Japan’s recent allegation that China used active radars is a significant escalation. Assuming it happened, this latest move could trigger a stronger reaction from Japan. China looks increasingly as if it is not prepared to abide by UN-related conventions. International law has been established mostly by powers China sees as having exploited it during its ‘century of humiliation’. Yet arguably, it is in the defence of these international institutions that the peaceful rise of China is most likely to be assured. China’s refusal to submit to such mechanisms as the ICJ increases the prospect of conflict.

For the moment, Japan’s conservative prime minister will need to exercise great skill and restraint in managing domestic fear and resentment over China’s assertiveness and the military’s hair-trigger defence powers. A near-term escalation cannot be ruled out. After all, Japan recognises that China is not yet ready to inflict a major military defeat on Japan without resorting to nuclear weapons and without triggering a damaging response from the United States. And Japan does not want to enter into such a conflict without strong US support, at least akin to the discreet support given to Britain in the Falklands War in 1982. Consequently, Japan may see an escalation sooner rather than later as being in its interests, particularly if China appears the aggressor.

China’s domestic environment has nurtured jingoism. The Chinese state has built up the public’s appetite for vengeance against Japan by manipulating films and history textbooks. On the other hand, Chinese authorities recognise that the peaceful rise advocated by Deng Xiaoping is not yet complete (militarily at least). In the meantime it is prudent to exercise some restraint to avoid an overwhelming and catastrophic response. If the 1914–18 war taught us anything, it is that the outcome of wars is rarely as proponents conceived at the outset.

#### B --- RUSSIA

#### Russian fears of insatiable Chinese oil demand raise threat perceptions --- causes overreliance on TNWs and increases the risk of escalatory conflict that goes nuclear

Daniel Vajdic 12, researcher in Foreign and Defense Policy Studies at the American Enterprise Institute, “Time to Cut Tactical Nukes?,” The Diplomat, 2-28-12, http://thediplomat.com/flashpoints-blog/2012/02/28/time-to-cut-tactical-nukes/

Despite the Kremlin’s frequent praise for its “strategic partnership” with China, and its joint initiatives with Beijing in the Shanghai Cooperation Organization (SCO), Moscow is in reality quite worried about China’s rapid rise in economic, political and military power. **Russia’s Far East has a dwindling population** of 6.7 million compared with somewhere between 110 million and 130 million living across the border in China’s corresponding provinces. Many Russians xenophobically refer to this widening demographic imbalance and perceptions of greater Chinese immigration as the “yellow peril” threat.

Moreover, although the Kremlin welcomes and seeks to boost oil and natural gas sales to China, **the military establishment is** particularly **concerned that Russia will become China’s “natural resource appendage.**” Some Russians even believe that China’s remarkable economic expansion will create an insatiable need for oil and natural gas, which might **cause China to forcefully annex regions of Siberia** rich in commodities and – perhaps one day – dominated by Chinese immigrants.

Russian Prime Minister Vladimir Putin wrote earlier this month that because of calls “for resources of global significance to be freed from the exclusive sovereignty of a single nation” Russia can’t “surrender [its] strategic deterrent capability” and must instead “strengthen it.” His concerns are most applicable to China because of its geographic proximity and hunger for natural resources.

Contrary to the Kremlin’s anti-NATO bluster, **Russia believes that a limited conflict with China in the east is more probable than a clash with NATO** in the west. Neither is likely. But if a limited conflict with China did break out, Moscow, to compensate for fewer troops and near conventional parity, seems prepared to employ its TNWs and risk escalation out of necessity. To be sure, the growth of the China threat – real or perceived – will only serve to increase Russia’s reliance on TNWs.

#### Russia’s reliance on TNWs to offset Chinese border encroachment causes miscalc and full-scale nuclear war---reducing Russian threat perceptions solves

Andrzej Turkowski 13, Polish Institute of International Affairs (PISM) research associate, and PhD candidate at the University of Warsaw, 2/7/13, “The Role of Tactical Nuclear Weapons in Russia’s Military Posture,” <http://mercury.ethz.ch/serviceengine/Files/ISN/159760/ipublicationdocument_singledocument/21ce3b1b-e399-4fcd-8ed0-0ea660342acf/en/Bulletin+PISM+no+12+(465),+7+February+2013.pdf>

The Military Role of TNW for Russia. The military doctrine of Russia allows for the use of its nuclear forces in response to an attack by conventional forces that would threaten the existence of the Russian state. Taking into account the asymmetry in conventional arms with the U.S. and others, it is difficult not to assume that in case of aggression against Russia (hypothetical at the moment given the present conditions), it would threaten to use or actually would use TNW.

In response to such an attack, TNW may be perceived as more usable compared to use of its SNF. Russia may assume that TNW are less risky to deploy than the use of its SNF as such a scenario would not necessarily lead to an uncontrolled escalation to nuclear war. Furthermore, the use of TNW would not desrade the status of its SNF.

The use of TNW in such an attack is part of Russia's widely discussed—though never officially confirmed— de-escalation doctrine. According to that doctrine, the detonation of a small number of TNW warheads would demonstrate Russia's readiness to use all available means to protect itself and its interests. At the same time, the limited extent of damage to an enemy would prevent the escalation of the war to the strategic level.

Taking into account the de-escalation doctrine's assumptions, as well as Russian military exercise scenarios, targets for retaliation include an enemy's uninhabited territories (including its territorial waters), its naval bases, as well as concentrations of land and naval forces.

Consequently, it is reasonable to assume that the use of TNW according to the de-escalation doctrine would be exercised by medium- or long-range air forces. This assumption is supported by the reported course of past Russian military exercises. Such retaliation missions may also be accomplished with the use of missiles launched from surface warships or submarines. Additionally, the use of nuclear-capable ballistic missiles has been simulated, reportedly during the Zapad 2009 military exercises.

If the scenario is applied to China, from which a massive attack by ground forces is considered the most likely scenario of aggression against Russia, Russia's room to manoeuvre would be constrained by the fact that the main military operations would be located on its territory. While an attack on supporting forces stationed on Chinese territory (including second-line forces or infrastructure supporting the offensive) seems relatively plausible in such a scenario, the price to repel the attack itself using TNW may prove to be too high.

The situation in the southern neighbourhood looks substantially different as Russian TNW currently seem to have significantly less value in both the context of the de-escalation doctrine and for the purpose of using it to destroy the forces of a potential enemy.

Conclusions and Recommendations. Although the threat of the use of nuclear weapons is hypothetical, it seems logical to assume that the probability that TNW held by Russia would be used is higher than for the nuclear weapons at the disposal of the U.S. (and other NATO members) or China. Because of a lack of information from Russian authorities, most of the assumptions about the size of the TNW arsenal as well as the possibilities for its use are speculative in nature, which may lead to a situation in which Russia's neighbours use worst-case scenarios as the basis of their defence planning.

For this reason it is important that talks begin between Russia and NATO about transparency and confidence-building measures with regard to TNW. including the issue of doctrines of use. Given that the lack of transparency related to Russia's TNW arsenal influences the sense of security in Central and Eastern Europe. Poland and other countries in the region should actively support the initiation of this dialogue. The natural platform for potential steps in this direction would be NATO, for which Poland has already co-authored specific proposals (non-papers) on this issue. In preparing future initiatives it is important to make efforts to gain the support of all of the countries of the region and to conduct a regional dialogue at the expert level.

The perception of TNW in Russia as a substitute for conventional arms means that arriving at agreement on the issue of a reduction of its TNW arsenal will be extremely difficult. Given there is little chance to reduce the imbalance in conventional arms, a major change in the perception of Russia's security by its authorities seems necessary. Military reform in Russia and successful economic modernisation, as well as wider political stabilisation in the country and in its relations with its neighbours, would be conducive factors for a change of thinking on TNW.

#### C --- ISR

Expanding the alliance’s key to Japanese ISR capabilities—U.S. expertise guides development while upholding burden sharing through concurrent Japanese expansion

Patrick Cronin 10, Senior Advisor and Senior Director of the Asia-Pacific Security Program at the Center for a New American Security, Paul Giarra, President of Global Strategies and Transformation, retired Navy Commander, "Robotic Skies: Intelligence, Surveillance, Reconnaissance and the Strategic Defense of Japan", Working Paper 2010, Center for a New American Security, www.cnas.org/files/documents/publications/CNAS\_Robotic%20Skies\_CroninGiarra.pdf

It is good news for Japan that the United States has been the global leader in ISR since the beginning of the Cold War. The 1960 Mutual Security Treaty between the United States and Japan has as its first mission the defense of Japan. As treaty partners committed to the defense of Japan and peace and stability in the Asia-Pacific, the United States and Japan should continue their collaboration on improving national and bilateral ISR capabilities to fill gaps in the maritime, air, space and cyberspace coverage of Japan. Furthermore, America’s extensive experience with ISR is a useful, if not exclusive, guide for Japanese ISR planning.

The latest Quadrennial Defense Review (QDR) was published in February 201011 during what Aviation Week and Space Technology refers to as an “airpower revolution in autonomous systems.” According to that publication “Automated, adaptive systems for processing, exploiting and disseminating intelligence, surveillance and reconnaissance data are a ‘real near-term need’ ... because of the increasing use of wide-area airborne surveillance systems down- linking multiple video feeds.”12

The QDR, which prescribes a robust ISR force, carries Secretary of Defense Robert Gates’ imprimatur on current and future U.S. defense planning. Truly a wartime report and a key planning milestone, the QDR appeared after Secretary Gates’ stern insistence that the Department of Defense follow through on fielding sufficient unmanned aerial vehicles to the battlefields in Iraq and Afghanistan. Secretary Gates felt strongly enough about continuing resistance to his explicit direction to the Air Force regarding UAVs that the failure of the Air Force secretary and chief of staff to follow his guidance in this regard was partly responsible for their abrupt dismissal. The QDR takes a highly deliberate approach to ISR – both platforms and capabilities: Field more and better manned and unmanned ISR assets, and get them to Iraq and Afghanistan where they will do the most good on the battlefield. The QDR’s emphasis on current battlefield (Iraq and Afghanistan) as well as a future battlefield (air-sea battle) underscores the impor- tance of ISR in today’s Pentagon.

ISR is an important aspect of regional readiness, deterrence and response. In the Asia-Pacific, China’s development of its anti-access and area-denial rhetoric, strategic doctrine, and military capabilities poses considerable challenges to Japanese and American planners. With its emphasis on regional stability and allied collaboration, the QDR should reassure Japanese decision makers. More specifically, the QDR chartered the development of a joint air-sea battle concept, which has been a joint focus of the U.S. Air Force and U.S. Navy. The concept will address how air and naval forces will integrate capabilities across all operational domains to counter growing challenges to U.S. freedom of action. As it matures, the concept will also help guide the development of capabilities needed for effective power projection operations. Although the QDR does not dictate the specific shape of air-sea battle concepts being considered jointly by the U.S. Air Force and Navy (in Asia as in other regions), it is apparent that allies, alliances and ISR will play a significant role.1 3 On the need to deter and defeat aggression in anti- access environments, the QDR states:

Chinese military modernization is a general concern in the Asia-Pacific region. As part of its long-term, comprehensive military modernization, China is developing and fielding large numbers of advanced medium-range ballistic and cruise missiles, new attack submarines equipped with advanced weapons, increasingly capable long-range air defense systems, electronic warfare and com- puter network attack capabilities, advanced fighter aircraft, and counter-space systems. China has shared only limited information about the pace, scope, and ultimate aims of its military modernization programs, raising a number of legitimate questions regarding its long-term intentions ...

Accordingly, the Department of Defense is taking steps to ensure that future U.S. forces remain capable of protecting the nation and its allies in the face of this dynamic threat environment. In addition to ongoing modernization efforts, this QDR has directed a range of enhancements to U.S. forces and capabilities.14

Japan’s uncertain security situation makes an aerospace dialogue that defines future needs more important than ever. This dialogue begins with the United States and should include discussion of current and future bilateral ISR capabilities. The dialogue would fit within the U.S.-Japan Capabilities Assessment dialogue, which is conducted at the military-to-military level, with diplomatic and policy involvement in the familiar four-party “2+2” arrangement. As a point of reference, the issue of missile defense provides a useful example of how the United States and Japan have been able to make good progress in a complex alliance planning dialogue.

EXPANDING JAPAN’S ISR CAPABILITIES

While Japan reviews how much cooperation can be provided through closer collaboration with the United States, it should also consider expansion of its own national ISR capabilities. The two processes need to be coordinated within the context of the alliance. Indeed, a Japanese national ISR planning dialogue that parallels alliance planning discussions could be part of a larger aerospace capabilities planning process.

Japan’s national ISR capabilities can be envisioned in the context of a number of preliminary but realistic operational scenarios that define Japan’s international security environment: the Sea of Japan, the East China Sea, the South China Sea, the Ryukyu Islands and the Horn of Africa. It is in these areas where Japanese interests intersect with North Korean and Chinese operations, and where enhanced Japanese airborne ISR capabilities would pay great dividends, forming the basis for considering how to develop ISR acquisition and operational programs. A convenient way to visualize this requirement is to consider Japan’s Air Defense Identification Zone, notionally illustrated below.

ISR command and control and analysis are crucial for Japan’s overall security infrastructure. It is not simply the military that is integral to the system. Civilian organizations, akin to the U.S. National Reconnaissance Office, for instance, must control ISR operations and provide the critical analysis that turns real-time information into strategic, operational, and tactical decisions.

US-Japan ISR cooperation key to USAF effectiveness

Schanz 13--Marc V., senior editor of Air Force Magazine, January 2013, ISR After Afghanistan, [www.airforce-magazine.com/MagazineArchive/.../0113ISR.pdf](http://www.airforce-magazine.com/MagazineArchive/.../0113ISR.pdf)

Another area of interest is how to improve operations from standoff distances, such as from U-2s flying outside the range of ground-based surface-to-air missiles and other threats.

Collaboration will play a huge role as the US draws down from Central Asia and redistributes its force structure. The ability to leverage the ISR data that allies collect and share will prove valuable.

“Effective alliances and partnerships are a force multiplier in a region as vast as the Asia-Pacific region,” Donley said, noting cooperation activities with Aus- tralia and Japan are vital to maintaining USAF global vigilance.

Collapse of Air Force ISR kills deterrence and hegemony—unleashes global conflict

Thompson, March 2013--Loren B., PhD, Intelligence, Surveillance, and Reconnaissance, Lexington Institute, [www.lexingtoninstitute.org/library/resources/documents/Defense/AirDominance-ISR.pdf](http://www.lexingtoninstitute.org/library/resources/documents/Defense/AirDominance-ISR.pdf)

The United States has enjoyed global air dominance for many decades. No U.S. soldier on the ground has been killed by hostile aircraft since the Korean War, and no U.S. pilot in the air has been killed by hostile aircraft since the Vietnam War.1 U.S. air dominance has been preserved by pouring vast amounts of money into technology and training, far surpassing the efforts of other nations. The scale of this funding was driven by an awareness of how crucial air dominance was to other facets of warfighting, plus the fear that a few mis-steps might result in America losing its edge in the air.

However, since the Cold War ended, modernization efforts in the Air Force and Navy -- the main providers of U.S. air dominance -- have lagged. Plans to replace Air Force bombers, tankers and reconnaissance aircraft were canceled or delayed, while programs to recapitalize tactical air fleets in both services were repeatedly restructured. In addition, efforts to develop next- generation intelligence, navigation, communication, missile-warning and weather satellites have fallen far behind schedule. As a result, the joint inventory of fixed-wing aircraft and orbital systems enabling air dominance has aged considerably. Unmanned aircraft are an exception to this trend, but their utility in contested airspace is unproven.

While modernization of airborne and orbital assets was lagging, the global threat environment changed. China emerged as the world's second-largest economy, pursuing regional security objectives with increasing vigor. Rogue states of varying stripe developed weapons of mass destruction and the means to deliver them. Non-state actors with extreme agendas were empowered by the proliferation of new military tools and techniques. And the focus of global security shifted from technologies in which only a few countries could play, such as long-range ballistic missiles, to technologies in which many players could develop deep expertise.

If recent trends persist, the United States will gradually lose its claim to global air dominance. That claim is already being challenged in the Western Pacific, where a scattered and aging U.S. air fleet is faced with growing Chinese investment in new aircraft and air defenses. When China's increasing military might is combined with its intrinsic geographical advantages in the region, the possibility arises that America may cease to be the dominant air power in what has become the industrial heartland of the new global economy.2 Similar outcomes could occur in other regions, because with recent advances in surface-to-air missiles, multi-spectral sensors, tactical networks and other military systems, it is no longer necessary to match every aspect of U.S. air power in order to defeat it.

With all that in mind, the Lexington Institute embarked on a year-long inquiry into the requirements for maintaining U.S. global air dominance. The inquiry focused on the four core components of air dominance: intelligence, surveillance & reconnaissance; air superiority; long- range strike; and mobility. In each area, the inquiry sought to understand the current force structure and modernization programs being funded, and then identify gaps in future capabilities that need to be addressed. It also examined alternative approaches to satisfying operational requirements, and explored how those alternatives might be implemented in varying fiscal circumstances. A series of working groups and studies were conducted in support of the final report, to be issued in Spring of 2013.

The present study is about intelligence, surveillance and reconnaissance -- typically referred to among air-power practitioners as "ISR." Timely, precise insights into enemy actions and intentions have always been valuable in warfare, but with the coming of the information revolution they have assumed overriding importance because there are now so many options for collecting, analyzing and exploiting relevant data. Air power provides a unique perspective on modern warfare, because there are some features of military activity that can only be captured from above. Airborne ISR also generates information essential to the deterrence of aggression, the enforcement of arms-control treaties, and the prevention of nuclear proliferation. In a world of rapidly changing technology and diverse threats, constant vigilance is a necessary cost of preserving the peace, and providing that vigilance is an overarching mission of the nation's air forces.

**Hegemony prevents extinction**

**Barnett 11** (Thomas P.M., Former Senior Strategic Researcher and Professor in the Warfare Analysis & Research Department, Center for Naval Warfare Studies, U.S. Naval War College American military geostrategist and Chief Analyst at Wikistrat., worked as the Assistant for Strategic Futures in the Office of Force Transformation in the Department of Defense, “The New Rules: Leadership Fatigue Puts U.S., and Globalization, at Crossroads,” March 7 <http://www.worldpoliticsreview.com/articles/8099/the-new-rules-leadership-fatigue-puts-u-s-and-globalization-at-crossroads>)

Events in Libya are a further reminder for Americans that we **stand at a crossroads in our continuing evolution as the world's sole full-service superpower**. Unfortunately, we are increasingly seeking change without cost, and shirking from risk because we are tired of the responsibility. We don't know who we are anymore, and our president is a big part of that problem. Instead of leading us, he explains to us. Barack Obama would have us believe that he is practicing strategic patience. But many experts and ordinary citizens alike have concluded that he is actually beset by strategic incoherence -- in effect, a man overmatched by the job. It is worth first examining the larger picture: We live in a time of arguably **the greatest structural change in the global order yet endured**, with this historical moment's most amazing feature being its relative and absolute **lack of mass violence**. That is something to consider when Americans contemplate military intervention in Libya, because if we do take the step to prevent larger-scale killing by engaging in some killing of our own, we will not be adding to some fantastically imagined global death count stemming from the ongoing "megalomania" and "evil" of American "empire." We'll be engaging in the same sort of system-administering activity that has marked our stunningly successful stewardship of global order since World War II. Let me be more blunt: As the **guardian of globalization**, the U.S. military has been the **greatest force for peace the world has ever known**. Had America been removed from the global dynamics that governed the 20th century, the **mass murder never would have ended**. Indeed, it's entirely conceivable **there would now be no identifiable human civilization left, once nuclear weapons entered the killing equation.**  But the world did not keep sliding down that **path of perpetual war**. Instead, America stepped up and changed everything by **ushering in our now-perpetual great-power peace**. We introduced the **international liberal trade order known as globalization** and played loyal Leviathan over its spread. What resulted was the collapse of empires, **an explosion of democracy**, the **persistent spread of human rights**, the liberation of women, **the doubling of life expectancy**, a roughly **10-fold increase in adjusted global GDP** and a **profound and persistent reduction in** battle deaths from **state-based conflicts.** That is what American "hubris" actually delivered. Please remember that the next time some TV pundit sells you the image of "unbridled" American military power as the cause of global disorder instead of its cure. With self-deprecation bordering on self-loathing, we now imagine a post-American world that is anything but. Just watch who scatters and who steps up as the Facebook revolutions erupt across the Arab world. While we might imagine ourselves the status quo power, we remain the world's most vigorously revisionist force. As for the sheer "evil" that is our military-industrial complex, again, let's examine what the world looked like before that establishment reared its ugly head. The last great period of global structural change was the first half of the 20th century, a period that saw a death toll of about 100 million across two world wars. That comes to an average of 2 million deaths a year in a world of approximately 2 billion souls. Today, with far more comprehensive worldwide reporting, researchers report an average of less than 100,000 battle deaths annually in a world fast approaching 7 billion people. Though admittedly crude, these calculations suggest a 90 percent absolute drop and a 99 percent relative drop in deaths due to war. We are clearly headed for a world order characterized by multipolarity, something the American-birthed system was designed to both encourage and accommodate. But given how things turned out the last time we collectively faced such a fluid structure, we would do well to keep U.S. power, in all of its forms, deeply embedded in the geometry to come. To continue the historical survey, after salvaging Western Europe from its half-century of civil war, the U.S. emerged as the progenitor of a new, far more just form of globalization -- one based on actual free trade rather than colonialism. America then successfully replicated globalization further in East Asia over the second half of the 20th century, setting the stage for the Pacific Century now unfolding.

### 1AC – Methane Hydrates Advantage

#### CONTENTION 3: METHANE HYDRATES

#### Japan will commercialize methane hydrates soon---risks extinction

McDermott 3-16-2013 - MS in Global Affairs – Concentration in Energy & Env’t Policy from N.Y.U.

Why Japan's Methane Hydrate Exploitation Would Be Game Over for the Climate, 3-16-2013, By Mat McDermott, http://motherboard.vice.com/blog/why-japans-methane-hydrate-exploitation-is-game-over-for-climate

You know how NASA scientist James Hansen has characterized continuing to tap Alberta's tar sands as being game over for the climate, thanks to the massive amount of carbon that'd be released in burning them? Well, if that's the case, then the recent news from Japan that a team has successfully extracted gas from methane hydrates from the seafloor isn't good. In fact, if Japan is able to commercially exploit the reserves in six years, as is planned, then it's game over for the climate.¶ ccording to the Washington Post, which cites US Geological Survey stats, all the gas hydrates around the world contain "between 10,000 trillion cubic feet to more than 100,000 trillion cubic feet of natural gas." ¶ In other words, if even the low estimate is actually technically and economically recoverable, that's over twelve times more natural gas than in all the US shale gas reserves. And, here's the really game over part: The Post, again citing USGS estimates, says there's "more carbon trapped inside [them] than is contained in all known reserves of fossil fuels." (Another widely-cited estimate puts the total amount of carbon trapped in methane hydrates at between 500-2500 gigatons, which is less than all fossil fuels, but still significantly more than natural gas reserves.)¶ Regardless–and this point should be in all italics, bold, and with several exclamation points–if methane hydrates begin to get tapped en masse, our shrinking hopes of curbing climate change are gone.¶ The discovery is being hailed in Japan as a potential huge boost for domestic energy supplies. There's an estimated 39 trillion cubic meters of gas from methane hydrates in Japanese waters—enough for 10 years of gas consumption. Remember that Japan imports about 84 percent of its energy, a figure that's higher after Fukushima and the nuclear power soul searching that has resulted. ¶ All told it is clearly a climate disaster in the making, on top of, well, you know, the catastrophic climate disaster already proceeding full steam ahead. ¶ Let's compare all these estimates to the "terrifying new math" that 350.org's Bill McKibben sketched out last summer in Rolling Stone. ¶ To keep global temperature rise below 2°C—which, it's worth remembering, is both the internationally agreed upon aspirational target for limiting temperature rise, as well as 0.5°C too high according to scientists to totally avoid dangerous climate change—McKibben says we can emit another 565 gigatons of carbon into the atmosphere. And we've got 2,795 gigatons of carbon in proven fossil fuels reserves. ¶ In other words, McKibben writes, "We have five times as much oil and coal and gas on the books as climate scientists think is safe to burn. We'd have to keep 80 percent of those reserves locked away underground to avoid that fate"—as in, to not cook the planet. ¶ Even adding another 500 gigatons of carbon to the pile, let along nearly doubling it, is simply suicide (and ecocide). It's delusional madness.

#### Japanese commercialization is the most likely cause of massive, rapid warming

Williamson 3-14-2013 – Journalist at NewNet – Cites U.S.G.S.; Prof. Nisbet @ Royal Holloway, London; Dr. Dixon Dir. at World Wildlife Fund and PhD in Astrophysics

Environmentalists urge caution over Japanese Ice Gas breakthrough, Thursday, 14 March 2013, Lynda Williamson, http://newsnetscotland.com/index.php/scottish-news/6944-environmentalists-urge-caution-over-japanese-ice-gas-breakthrough

The US Geological Survey estimates that methane hydrates deposits could contain twice as much carbon as all other fossil fuels on earth but warns that the ecological impact is "very poorly understood."¶ Methane hydrate is a naturally occurring form of methane gas combined with water which produces a crystalline substance containing very high concentrations of methane. It is found extensively throughout the world, among other places in major river deltas such as the Amazon Delta as well as in ocean sediments and in the sediments in and beneath areas of permafrost.¶ Methane gas is approximately 20 times more potent as a greenhouse gas than CO2 so any leakage of methane into the atmosphere would raise global temperatures by considerably more than an equivalent amount of CO2. Methane is faster acting and shorter lived than CO2, remaining in the earth's atmosphere for only 10 years as opposed to CO2 which remains for approximately 100 years.¶ Some climate scientists believe that methane played a major role in the Paleocene – Eocene thermal maximum which represents one of the most rapid and extreme warming events in geological history. Core samples taken from old ocean sediment layers point to short periods of rapid warming of up 8 degrees centigrade on top of longer term rises of between 5 and 7 degrees centigrade. The most likely cause of this rapid global warming over a short period is the release of methane into the atmosphere.¶ Temperature and pressure conditions determine methane hydrate stability so global warming can have the effect of releasing more naturally occurring methane into the air. Some scientists have pointed to plumes of methane rising from the floor of the Arctic Ocean as evidence that increased global temperatures could trigger the release of large quantities of methane.¶ The worry is that positive feedback could lead to a tipping point, a kind of vicious circle where the release of methane raises temperatures and the raised temperatures stimulate methane release. Professor Euan Nisbet from Royal Holloway, London, explains that:¶ "The Arctic is the fastest warming region on the planet, and has many methane sources that will increase as the temperature rises. This is yet another serious concern: the warming will feed the warming."¶ Other scientists point to storms and fluctuations in weather systems, which could produce changes in ice coverage, as an explanation for Arctic gas plumes.¶ Speaking to Newsnet Scotland, Dr Richard Dixon, Director of Friends of the Earth Scotland said:¶ "The last thing we need is more fossil fuels. It is deeply ironic that methane hydrates are becoming more accessible because of climate change, since burning them would set us on a course to truly disastrous climate change. The planet cannot afford Japan or anyone else to extract gas from methane hydrate deposits."

#### Other sources are too long term---only Japanese extraction causes extinction

George Monbiot 13, columnist for The Guardian, has held visiting fellowships or professorships at the universities of Oxford (environmental policy), Bristol (philosophy), Keele (politics), Oxford Brookes (planning), and East London (environmental science), 3/14/13, “Frozen Assets,” http://www.monbiot.com/2013/03/14/frozen-assets/

This mindless enthusiasm has now greeted the Japanese government’s announcement that it has successfully extracted natural gas from methane hydrates (otherwise known as clathrates) buried under the bed of the sea. ¶ Clathrates are composed of a frozen matrix of water and gas, whose texture is rather like a sorbet. They are super-concentrated: a cubic metre of clathrate contains 164 times as much methane as a cubic metre of methane gas. The great majority (99%) are found beneath the sea bed. According to the US Geological Survey,¶ “even the most conservative estimates conclude that about 1,000 times more methane is trapped in hydrates than is consumed annually worldwide to meet energy needs.”¶ Only a small proportion of this resource is exploitable: even so, that small proportion could greatly augment the volume of fossil fuel reserves we cannot afford to burn. If governments intended to curb greenhouse gas emissions, there would be no point in developing this new source of fuel. Their attempts to exploit it reinforce the perception that they have no intention of preventing climate breakdown. ¶ The US Geological Survey warns that clathrates could contribute significantly to climate change. It also boasts that the “first goal” of its clathrates project “is to contribute to research that may lead to the development of gas hydrates as a potential energy source.” They know what they’re doing, and they don’t care. ¶ The world has felt the impact of a methane sorbet melt before. During the Palaeocene-Eocene Thermal Maximum, 55 million years ago, temperatures rose by around six degrees. This happened much more slowly than manmade climate change is happening today – it took some 20,000 years – but it was fast enough radically to alter the world’s ecosystems, catalysing both mass extinctions and new speciation. There is evidence to suggest that much of this warming was driven by the release of gas from methane hydrates. This may have been the result of positive feedback: as the seas warmed, the clathrates began to destabilise and melt, causing further warming. ¶ Could this happen again, as a result of manmade climate change? Not in our lifetimes. While the much smaller volume of methane hydrate locked up in the permafrost beneath shallow Arctic seas could be vulnerable – and could add significantly to global warming – it will take a very long time for extra heating to affect sediments beneath the deep ocean floor, and longer still for the greenhouse gases this releases to reach the atmosphere. (In the deep oceans methane gas is oxidised to carbon dioxide, which takes several hundred years to reach the surface). ¶ But this is not to say that there will be no catastrophic release of gas from methane hydrates buried beneath the deep sea. If it happens within this century, it will be the result not of global warming but of the process the Japanese government has now pioneered: extracting gas in order to burn it. Like all the nations which continue to extend the fossil fuel frontier (such as Britain, where companies intend to start producing gas through fracking) Japan is adding to the mountain of fossil fuels we cannot responsibly burn. The brave new technology it has developed, now lauded in the media, would be worthless in a world that took climate change seriously.

#### The plan ensures that Japan puts methane hydrates on the back burner

Niiler 3-13-2013 – Journalist for Discovery News citing Carroll, a MH Engineering Expert

Flammable Ice: The Next Big Thing?, Mar 13, 2013, Eric Niiler, http://news.discovery.com/earth/oceans/underwater-gas-reserves-130313.htm

Japan’s Ministry of Economy, Industry and Trade said this week that an oil exploration ship drilled into and then lowered the pressure in an undersea methane hydrate reserve. That caused the methane and ice to separate. It then piped the natural gas to the surface.¶ Japan is an energy-poor nation that has no reserves of gas or oil, and has been at odds over whether to restart its massive nuclear power program two years after the Fukushima disaster. The ministry said that it hopes to have commercial production of methane seafloor gas in five years. But one expert is skeptical. John Carroll, a process engineer at Canada’s Gas Liquids Engineering, said that methane hydrates tend to be found in the soft seafloor sediments. It’s very difficult to both capture and depressurize it.¶ “For now, it’s kind of a pie-in-the-sky science project,” said Carroll. “I still see some problems getting it to the surface and getting it to a condition to sell.”¶ Even though methane is cleaner to burn than coal or oil, there is the risk of releasing methane from the seafloor to the atmosphere, he said.¶ “If they are melting it, it will be just released into the ocean and then the atmosphere,” Carroll said from Alberta. “Methane is a terrible greenhouse gas, much worse than carbon dioxide."¶ Japan has also been a leader in developing green technologies. A big new source of cheap natural gas could slow those efforts.

#### Current commercial viability of methane hydrates unclear---price is key

Tabuchi 3-13-2013, An energy coup for Japan: ‘flammable ice’, Hiroko Tabuchi, March 12, 2013, The New York Times, http://climate-connections.org/2013/03/12/an-energy-coup-for-japan-flammable-ice/

Experts estimate that the carbon found in gas hydrates worldwide totals at least twice the amount of carbon in all of the earth’s other fossil fuels, making it a potential game-changer for energy-poor countries like Japan. The exact properties of undersea hydrates and how they might affect the environment are still poorly understood, however, as is the potential for making extraction commercially viable.¶ Japan has invested hundreds of millions of dollars since the early 2000s to explore offshore methane hydrate reserves in both the Pacific and the Sea of Japan. That task has become all the more pressing after the Fukushima Daiichi nuclear crisis, which has all but halted Japan’s nuclear energy program and caused a sharp increase in the country’s fossil fuel imports.¶ The Japanese Ministry of Economy, Trade and Industry said a team aboard the scientific drilling ship Chikyu had started a trial extraction of gas from a layer of methane hydrates about 300 meters, or 1,000 feet, below the seabed Tuesday morning. The ship has been drilling since January in an area of the Pacific about 1,000 meters deep and 80 kilometers, or 50 miles, south of the Atsumi Peninsula in central Japan.¶ Using a specialized drill, the team converted the undersea methane hydrate into ice and natural gas, and brought the natural gas to the surface, the ministry said in a statement.¶ Hours later, a flare on the ship’s stern showed that gas was being produced, the ministry said.¶ “Japan could finally have an energy source to call its own,” said Takami Kawamoto, a spokesman for the Japan Oil, Gas & Metals National Corp., or Jogmec, the state-run company leading the trial extraction.¶ The team will continue the trial extraction for about two weeks before analyzing how much gas has been produced, Jogmec said. Japan hopes to make the extraction technology commercially viable in about five years.¶ “This is the world’s first trial production of gas from oceanic methane hydrates, and I hope we will be able to confirm stable gas production,” Toshimitsu Motegi, the Japanese trade minister, said at a news conference in Tokyo. He acknowledged that the extraction process would still face technical hurdles and other problems.¶ Still, “shale gas was considered technologically difficult to extract but is now produced on a large scale,” he said. “By tackling these challenges one by one, we could soon start tapping the resources that surround Japan.”¶ Jogmec estimates that the surrounding area in the Nankai submarine trough holds at least 1.1 trillion cubic meters, or 39 trillion cubic feet, of methane hydrate, enough to meet 11 years’ worth of gas imports to Japan.¶ A separate, rough estimate by the National Institute of Advanced Industrial Science and Technology has put the total amount of methane hydrate in the waters surrounding Japan at more than 7 trillion cubic meters, or what researchers have long said is closer to 100 years’ worth of Japan’s natural gas needs.¶ “Now we know that extraction is possible,” said Mikio Satoh, a senior researcher in marine geology at the institute who was not involved in the Nankai trough expedition. “The next step is to see how far Japan can get costs down to make the technology economically viable.”

### 1AC – Solvency

#### CONTENTION 4: SOLVENCY

#### *First, local supply internal links:*

#### Alaskan gas extraction prevents supply shortfalls---Cook wells key

Bailey 12 Alan, Staff writer at Petroleum News, No respite ahead, PRA now projects Cook Inlet natural gas supply shortfall in 2014 or 2015, Vol. 17, No. 13, Week of March 25, 2012, <http://www.petroleumnews.com/pntruncate/725487798.shtml>

A new flurry of exploration activity in the Cook Inlet basin in recent years and reports of some possible new gas fields on the horizon would seem to bode well for the future of the utility natural gas supply situation in Southcentral Alaska. But, in the near term at least, the continuing decline of aging gas fields would appear to still present a significant cause for concern.¶ In 2010 Petrotechnical Resources of Alaska, or PRA, completed a study for Southcentral utilities Enstar Natural Gas Co., Chugach Electric Association and Municipal Light & Power, assessing what might be involved in maintaining adequate utility gas supplies from the Cook Inlet basin through to 2020. The study came to a similar conclusion to a 2009 study conducted by the Alaska Department of Natural Resources: Both studies found that without the drilling of more new gas wells, utility gas supplies would fall short of demand in 2013. Heading off that 2013 shortfall and keeping adequate gas flowing through utility pipelines until 2020 would require an accelerating rate of gas well drilling, with 185 new wells needed at a likely total cost somewhere in the range of $1.9 billion to $2.8 billion, the PRA study found.¶ New Update¶ PRA has now updated its 2010 study, retaining the original analysis of field decline rates and the original cost analysis, but plugging in the actual record of gas wells drilled and field upgrades done since the 2010 study was completed. The new results show that new wells and field upgrades have pushed the gas supply decline curve a little further into the future. But without some major new source of gas coming on line in the near future, supplies now seem set to fall below demand in 2014 or 2015, just a year or two later than the original study had forecast.¶ Natural gas is the primary source of energy for Southcentral Alaska residents, accounting for about 90 percent of power generation and most of the heating for the region’s buildings. In 2011 85 percent of that gas came from five long-established Cook Inlet gas fields, according to PRA’s updated analysis.¶ Enstar, Southcentral Alaska’s main gas utility, has seen a shortfall in its firm, contracted gas supplies since January 2011 and since then has depended on gas producers bidding on a day-to-day basis to deliver gas to fill that shortfall, especially during the winter. Recent data provided to Petroleum News by Enstar shows the gap in contracted supplies widening significantly in 2013 and continuing to grow thereafter.

#### *Second, LNG export internal links:*

#### LNG exports strengthens the US-Japan alliance by locking in Japanese energy security---increases burden sharing, solves aggressive Chinese naval expansionism, and alleviates Russian fears of Chinese energy dependence

Itoh 13 Shoichi, Senior Analyst, Strategy Research Unit at The Institute of Energy Economics, Japan, "Energy Security in Northeast Asia: A Pivotal Moment for the U.S.-Japan Alliance", March, [www.brookings.edu/research/opinions/2013/03/12-energy-security-itoh](http://www.brookings.edu/research/opinions/2013/03/12-energy-security-itoh)

LNG as a fuel to increase Japan’s burden-sharing¶ Increases of LNG exports from the United States to Japan will become a new way to strengthen the alliance, and the impacts extend beyond energy. Undoubtedly, Japan would benefit from prospective participation in the TPP, and co-designing the future framework of economic rules in the Asia-Pacific region would also reinforce the bilateral alliance. TPP membership for Japan would remove a potential obstacle to increase LNG exports from the lower 48 states. According to the U.S. Natural Gas Law, LNG exports to non-FTA trade partners must be authorized by the Department of Energy on a case-by-case basis (Japan has imported LNG from Alaska since 1969.) However, the meaning of increasing LNG supplies to Japan should be emphasized in a wider context, entailing geostrategic importance besides the economic benefits of improving the U.S. international balance of payments. LNG imports from the United States will beef up Japan’s economic muscle, better allowing it to play the role of the main “bridgehead” of the U.S. strategy toward the Asia-Pacific region. With sound economic growth, Japan can be expected to contribute more to burden-sharing as it will be able to increase its budgets for defense, economic aid to developing countries, and many other issues that benefit the U.S.-Japan alliance.¶ Even if Tokyo decides in principle to restart nuclear reactors, both the political and technical processes will take some time. Public support will have to be nurtured in a step-by-step manner. This means that increased access to economically competitive LNG supplies remains urgent. As late as February 2013, Japan paid approximately five times more than the U.S. Henry Hub price per million Btu (British thermal unit), on average, for LNG purchases. Although of the price of future imports of LNG from North America remains uncertain, it is generally estimated that the final cost of LNG from the lower 48 states―including liquefaction costs, transportation fees, and other costs―are still lower than the average price of Japan’s current LNG imports.¶ Aside from the price issue, securing new LNG supply routes from North America is also important to ensure the safety of Japan’s seaborne hydrocarbon transportation. Currently, approximately 80 percent of crude oil and 30 percent of LNG destined for Japan cut across the East China Sea, where Sino-Japanese tension is simmering.¶ Toward a joint architecture for Asian-Pacific energy security¶ Against the background of the shale revolution, there are rising expectations about “energy independence” in the United States, which is thought not only to boost the domestic economy with cheap energy prices and reduce vulnerability to international oil prices, but also to increase policy options for U.S. diplomacy. The ongoing debate about diplomatic implications of U.S. energy independence within the next decade by and large tends to focus on the question of how it would affect the U.S. military presence in the Middle East. However, a blueprint for placing energy independence in the context of the so-called U.S. “pivot to Asia” has yet to emerge. New roles and functions for the U.S.-Japan alliance should be designed in the context of U.S. energy independence. Today in Northeast Asia, the energy security environment is rapidly changing with impending new challenges for the U.S.-Japan alliance to tackle.¶ First, the rise of China with its surging energy demand has raised concerns about its impact on the global energy market. According to estimates published by the International Energy Agency in its November 2012 World Energy Outlook 2012, China is forecasted to account for more than half of increases in global oil demand by 2030; its dependence on imported oil will increase from 54 percent in 2011 to 77 percent in 2030. Likewise, China is projected to account for about 28 percent of increases in global demand for natural gas with its import dependence to rise from 14 percent in 2010 to 44 percent in 2030. Its impact on global oil prices and thus on the growth of the world economy would be considerable. Furthermore, Beijing’s anxiety about ensuring stable access to energy resources may stimulate the expansion of Peoples’ Liberation Army Navy’s power projection capabilities, as a means to increase and secure access to overseas oil and natural gas supplies.¶ The deepening of China’s economic interdependence with both the United States and Japan is unstoppable in the foreseeable future. Steady growth of the Chinese economy, which requires finding a solution to the upsurge in China’s energy demand, is of great significance to the United States and Japan. In this regard, the two allies should explore possibilities for strengthening cooperation with China in a number of areas, especially energy efficiency, clean energy, and nuclear power generation. Outside (or uninformed) observers of Sino-Japanese relations tend to be overwhelmed by the contemporary geopolitical dispute and rising nationalism that fill the headlines, and overlook the fact that Beijing and Tokyo have developed extensive cooperation in the energy sector, including on energy conservation and clean energy technologies, for more than three decades. Japan can share its rich experiences in energy and environmental projects in China with the United States to capitalize on the recent success of Sino-U.S. clean energy cooperation. Beyond the business benefits, such collaboration could have invaluable political implications. If the three biggest energy consumers in the world could find a joint flagship project it could help create a new international framework for engaging China.¶ From the standpoint of reducing hydrocarbon consumption and carbon dioxide emissions, the U.S.-Japan “nuclear twins” should pursue nuclear cooperation with China, which has 18 nuclear power plants currently in operation. The nuclear stakes in China are about to get much bigger: there are about 30 reactors under construction and more than 50 in the planning stage. This expansion is of global importance. Successful growth in nuclear power generation would reduce China’s hydrocarbon consumption and GHG emissions, and operational safety of the plants amidst such a rush of construction is an obvious concern.¶ Secondly, Russia has devoted every effort to enhance its presence in the Asia-Pacific region, taking advantage of hosting the 2012 APEC Summit in Vladivostok last September. Moscow is anxious to accelerate the development of untapped hydrocarbon resources in the eastern regions of the country as a way to gain new business opportunities while enhancing its geopolitical influence in Northeast Asia. The 4700 km crude oil pipeline from Eastern Siberia to the Pacific Ocean (ESPO) was completed in December 2012. Russia currently exports about 0.6 million barrels per day by the ESPO pipeline, but aims to increase the volume as much as possible.¶ The U.S. shale gas revolution came as a harsh blow to Moscow, given that Russia is frustrated by the gradual decreases of its natural gas exports to Europe as consumption there declines and the EU seeks diversification of natural gas supply routes. The Sakhalin-2 is the only LNG project in Russia, as of today, with a maximum capacity of exporting 9.6 million tons per year; a new LNG plant in Vladivostok is in the planning stages. In recent months Russia has aggressively approached Japan, China, and the Republic of Korea to strengthen partnerships in oil and gas sectors.¶ Meanwhile, the United States already has a bastion in the energy landscape of Northeast Asia, with ExxonMobil as the operator of the Sakhalin-1 project. The destination of natural gas exports from the project has remained undecided due to conflicts of interest between ExxonMobil and Russia’s state-owned gas company, Gazprom, which has monopolized Russia’s natural gas exports to date. Yet, while President Putin has recently disclosed a plan to liberalize the natural gas export market, the state-owned oil company, Rosneft, has galvanized itself to find new foreign partners. It has expanded agreements with ExxonMobil, addressing new oil and gas projects in Russia’s Far Eastern and Arctic regions, and has acquired a stake in Exxon’s gas project in Alaska.¶ However, Russia does not yet seem to have emerged as a factor in the U.S. pivot to Asia. Especially since the collapse of the former Soviet Union and the demise of the Soviet military threat in the Asia-Pacific, Washington’s approach to Russia has been overwhelmingly Euro-centric. Russia’s aggressive move to the Asia-Pacific region in the energy sector should be taken into account, when we imagine diplomatic implications of U.S. energy independence for this region. Obviously, one of the impetuses of Russia’s rapid move to the east is Moscow’s concern about the rise of China. Notwithstanding the economic benefit of the drastic increase in oil trade volumes with China, voices among the Russian power elite are gradually emerging to alarm that Russia might become a “resource appendage” to its neighboring geopolitical rival. It should be noted, however, that increasing hydrocarbon exports from Russia’s eastern regions would also be one of the ways in which the impact of China’s explosive energy needs upon the global energy market can be reduced peacefully. U.S. and Japanese policymakers should consider this point when they discuss Russia’s role as a big energy supplier in the context of energy security in the Asia-Pacific region.¶ Energy security in the Asia-Pacific region entails numerous uncertainties in both energy markets and geopolitical dynamism. The robust U.S.-Japan alliance must be anchored in solving energy challenges, but this requires clarification of Tokyo’s post-Fukushima energy policies including an internationally responsible political decision on restarting Japan’s nuclear power plants. Wisdom and long-term perspectives are needed to reduce the economic and security costs of ensuring regional stability in the years to come. It is high time for the United States and Japan to begin to design a roadmap for an international framework of energy security in which other regional key players such as China and Russia are effectively engaged.

#### Current tech is sufficient to produce massive amounts gas in Cook---it’s the ideal location

DeMarban 11 – Energy Journalist for Alaska Dispatch

Could Cook Inlet's oil and gas renaissance transform Alaska?, Alex DeMarban, November 17, 2011,

http://www.alaskadispatch.com/article/could-cook-inlets-oil-and-gas-renaissance-transform-alaska?page=0,0

Cook Inlet is like any maturing basin, said Jim Watts, chief executive for Buccaneer Energy Alaska. Major companies are moving out and smaller independents are moving in. But there are big differences between Cook Inlet and other old plays around the world. For one, it's largely unexplored. And the potential is vast.¶ It's an ideal situation with huge promise, said Watts, one of several Cook Inlet explorers presenting at the Resource Development Council for Alaska's annual meeting this week in Anchorage. ¶ Cook Inlet, the 180-mile-long water body known for its bore tides and beluga whales, once supplied a good portion of the nation's domestic oil. Since oil and gas production began there in 1958, companies have pumped out more than 1.3 billion barrels of oil.¶ But production peaked in 1970, shortly after the mother lode discovery on the North Slope. By 2010, oil production in Cook Inlet had fallen to an average of about 10,000 barrels a day, about one-sixtieth of North Slope production these days.¶ Interest in Cook Inlet waned in the 1970s because the most obvious sources of oil had already been produced, said Kevin Banks, a petroleum market analyst for Alaska's oil and gas division in the Department of Natural Resources.¶ "Further production would have to wait until the price of oil rose enough," drilling technology improved, and smaller companies were willing to come in and explore, Banks said.¶ All of that's happening now, with oil above $100 a barrel stoking interest, as well as generous state incentives that include tax credits for exploration work and a production-tax structure that falls under the state's old system.¶ There's apparently much more to explore. During Cook Inlet's heyday, explorers discovered oil in relatively shallow areas, said Ethan Schutt, an executive with CIRI Native Corp., a major landowner in the region working with independents and exploring the basin's vast coal potential.¶ After the discoveries, the companies turned their attention to production, leaving untapped several thousand feet of potential reservoirs throughout the basin. As Schutt described it, there's essentially another basin and a half waiting to be explored. ¶ Also driving some of the recent excitement is a U.S. Geological Survey estimate that upgraded the basin's energy resources. It said the basin could hold an estimated 19 trillion cubic feet of technically recoverable gas. That's enough to supply current gas needs for Southcentral Alaska's population centers -- Wasilla, the Kenai Peninsula and Anchorage -- for more than two centuries. (Technically recoverable means it can be produced with current technology.)¶ The USGS also said the region holds another 600 million barrels of technically recoverable oil. That's about three years' worth of North Slope production at today's rates.

#### Existing infrastructure guarantees quick natural gas production in the Cook

BOEM 12 - Bureau of Ocean Energy Management Report, Proposed Final Outer Continental Shelf Oil & Gas Leasing Program 2012-2017, June, U.S. Department of the Interior, Bureau of Ocean Energy Management, http://www.boem.gov/uploadedFiles/BOEM/Oil\_and\_Gas\_Energy\_Program/Leasing/Five\_Year\_Program/2012-2017\_Five\_Year\_Program/PFP%2012-17.pdf

In Alaska, many factors influence the development of exploration, development and anticipated production scenarios related to the program. In the Alaskan Arctic, oil is the priority commodity' of interest due to its higher market value and the existing TAPS. Accordingly, the scenarios for the Chukchi and Beaufort Seas assume that large oil fields will be developed first. Natural gas production is likely to be delayed until oil pools are depleted and even then only if a new large-volume transportation system pipeline is built. Natural gas is assumed to be utilized as both fuel for facilities and for reservoir pressure maintenance through injection to extract more oil. An exception occurs in Cook Inlet which has established infrastructure and a nearby market for oil and natural gas production. With access to existing infrastructure and a local market, smaller oil or natural gas pools could become commercial projects, and natural gas could be produced more quickly in Cook Inlet.

#### Lack of access to the Cook OCS restricts new production---plan triggers investment and development of massive reserves immediately---best studies

Decker et al 9 – Petroleum & Gas Geologist – Specializes in Alaskan Oil & Gas Plays, Hartz, J.D., Kremer, M.C., Krouskop, D.L., Silliphant, L.J., Houle, J.A., Anderson P.C., and LePain, D.L., 2009, Decker, P.L., ed., Preliminary engineering and geological evaluation of remaining Cook Inlet gas reserves: Alaska Division of Oil and Gas report, December 2009, http://alaskarenewableenergy.org/wp-content/uploads/2009/12/Cook-Inlet-Reserves\_DNR.pdf

Federal agencies are tasked with the lead responsibility for publishing estimates of undiscovered technically recoverable resources for all parts of the United States, including the Cook Inlet basin. The U.S. Geological Survey assesses the potential onshore and in state-managed waters, whereas the Minerals Management Service analyzes potential in federally-managed waters of the Outer Continental Shelf (OCS). In all cases, these agencies address the inherent uncertainty of such assessments by creating probability distributions that describe a wide range of possible values. A probabilistic estimate is best described by its mean value (expected case) accompanied by specific fractiles of its distribution, such as the F95 value (lowside case, with a 95% probability that the actual volume is greater) and the F5 value (upside case, with only a 5% chance that the actual volume is greater). The results of the most recent assessment encompassing the upper Cook Inlet producing region are presented in Table 5 (compiled from Gautier and others, 1996). These estimates will be updated in an ongoing USGS resource assessment specific to the Cook Inlet region, prepared in cooperation with the Alaska Division of Geological & Geophysical Surveys and Alaska Division of Oil and Gas, with expected publication in late 2010.¶ A more recent study conducted on contract to the U.S. Department of Energy considered potential undiscovered resources using a different statistical approach as part of a larger study of natural gas supply and demand in the Cook Inlet region (Thomas and others, 2004). Noting that the distribution of field sizes within the basin does not conform to the expected lognormal state, this study estimated that there may be 13 to 17 trillion cubic feet of conventionally recoverable gas remaining to be discovered, largely in stratigraphic or combination structural traps.¶ Impediments to Future Exploration¶ There are several issues that may hamper future exploration, both in terms of further developing some of the areas with known potential described above, as well as making new discoveries in lightly explored areas. Some of the concerns are of a commercial nature, and others involve restrictions on surface access to prospective areas. Comprehensive exploration efforts in the Cook Inlet, like any area in the US, will require patience and diligence from all stakeholders in order to reduce exploration and operating costs, provide access to critical data, and provide access to surface acreage in areas of high resource potential, but sensitive wildlife habitat. All these issues must be addressed in a collaborative stakeholder effort if the Cook Inlet region is to maintain an economically and environmentally sound industry.¶ COMBINED ENGINEERING AND GEOLOGIC ANALYSES¶ The various engineering and geologic analyses of this study yield a wide range of estimated remaining reserves. Table 1 compares four different reserve estimates derived for the four fields emphasized in this study, based on 1) decline curve analysis, 2) material balance analysis, 3) the geologic estimate that includes only reserves in the PAY category, and 4) the geologic estimate that includes reserves of the PAY category plus 50 percent of the volume in the Potential\_Pay category. Note that these analyses are not intended to represent any particular fractiles of a statistical distribution; for example, we do not consider them to represent F95-F50-F5 reserve values. The following discussion describes Table 1 in detail.¶ The most conservative estimate of reserves is based on decline curve analysis alone, which estimates a total of 697 BCF proved, developed, producing reserves remaining in the Beluga River, North Cook Inlet, Ninilchik, and McArthur River (Grayling gas sands) fields. Decline curve analysis also identifies 166 BCF of proved, developed, producing reserves remaining in the other 24 fields, for a basin-wide total of 863 BCF. Material balance analysis identifies an additional 163 BCF of probable reserves in just the four large fields, yielding a total of 860 BCF proved and probable reserves remaining there. In the other 24 fields, material balance estimates 116 BCF more than decline curve analysis, yielding 282 BCF of proved and probable reserves in those fields, and a basin-wide total of 1,142 BCF remaining proved and probable reserves.¶ The geologic volumetric evaluations, completely independent of the engineering techniques, yield larger reserve estimates for the four large fields. This is consistent with the probability that there is considerable gas remaining in these reservoirs that has not contributed to production, and therefore, cannot be captured by the engineering estimates. The geologic evaluation of existing well data in the four fields indicates 1,213 BCF of gas reserves remaining to be produced from just the high-confidence PAY category. Subtracting the 860 BCF that material balance indicates is already in communication with producing wells yields an estimated 353 BCF of currently nonproducing gas—the “redevelopment prize”—in those four reservoirs. When recoverable gas in the Potential\_Pay category are risked at 50 percent and added to those in the PAY category, the estimated reserves remaining in the four fields increase to 1,856 BCF, adding an increment of 643 BCF in those fields.¶ Engineering and Geological Discussion¶ This study addresses the fundamental question: given the currently available engineering and geologic datasets, how much additional gas resource is available for second and third cycle redevelopment efforts in producing field areas? Combining these results with forecasted demand scenarios provides a timeline that suggests how long known reserves can supply local needs. It is important to note that this study does not address which development activities will be economically feasible in future market scenarios. Nevertheless, if one assumes appropriate market conditions will exist, then investment in more complete field development operations, infrastructure de-bottlenecking and upgrades, and appropriate commercial alignment between unit partners will occur and a significant portion of the remaining reserves identified in this study will be developed to meet local demand for at least the next decade.¶ Figure 14 presents a schematic production forecast for the basin that includes wedges of incremental reserves identified by the various methods discussed in this report. Construction and interpretation of this diagram is complicated by the fact that the engineering estimates reflect all 28 gas fields, whereas the additional reserves estimated by geologic analyses come only from the Beluga River, North Cook Inlet, Ninilchik, and McArthur River (Grayling gas sands) fields. This forecast assumes that production will not exceed demand, which is projected flat at 90 BCF/year. It should be stressed that the point of this schematic diagram is to illustrate the additional gas volumes estimated in various reserve and resource categories identified using multiple analytical methods, and to estimate how long those volumes may be able to meet demand. The actual timing of when gas from any one of those wedges will go on production is unknown, and certain to be more complicated than can be shown here.¶ The most conservative wedge in red represents future production of proved, developed, producing reserves (863 BCF) identified basin-wide by decline curve analysis alone. The orange wedge represents production of additional probable reserves (279 BCF) identified as the basin-wide difference between material balance and decline curve analyses. The green wedge corresponds to the incremental production that could be achieved in just the four large fields through aggressive development of technically recoverable gas in the PAY category that we argue is not reflected in the engineering analyses because it is not currently in communication with producing wellbores (353 BCF). The yellow wedge represents the additional untapped gas from the Potential\_Pay category in those four fields, risked at 50 percent (643 BCF). Finally, the gray wedge illustrates speculative future production from contingent gas resources that await confirmation, delineation, and development (an aggregated volume estimated at 300 BCF from the exploration leads identified in this report). This illustrates the likelihood that investment in more complete development of the producing Cook Inlet gas fields could yield sufficient gas to meet projected demand for years to come.¶ CONCLUSIONS¶ This report summarizes a multi-disciplinary effort to quantify remaining gas reserves in the Cook Inlet basin. Reserves have been categorized relative to readiness for and certainty of production to predict whether existing reserves are capable of meeting demand over the next decade. The following list describes important points regarding the analytical techniques employed and the findings derived from this effort.¶ 1) Decline curve forecasts in demand-limited production situations do not always predict future rate. The rate derived from decline curve analysis represents an approximation of average annual rate.¶ 2) Decline curve analysis (DCA) is a fair predictor of the remaining recoverable gas (RRG) of currently producing reserves, but is limited by the underlying assumption that past performance will continue and well-related activity to sustain production will continue. Daily PD (producing day) rate deliverability based on monthly data gives a more accurate picture of peak rates from wells.¶ 3) The best data for determining peak rates are real time data measured at the well level on a daily basis at actual demand conditions. These data are not publicly available for the fields assessed in this study.¶ 4) Material balance (MB) methods are a good tool for predicting RRG and original gas-in-place, but only for pay intervals that are in communication with actively producing wellbores.¶ 5) The quality of MB analyses is directly related to quality of pressure data, frequency of measurement, and accurate knowledge of the reservoirs.¶ 6) Estimating gas maximum PD rates from proved, developed, producing (PDP) reserves is best accomplished using multiple analyses; DCA, MB, analysis of daily pressure, temperature, and production data, and maximum PD rate forecasting each play an important role. These methods could be combined in a systems model which includes pipeline parameters, field infrastructure, reservoir parameters, and economic parameters to help predict ability to meet demand under various conditions.¶ 7) Geologic evaluation of the Beluga River, North Cook Inlet, Ninilchik, and McArthur River (Grayling gas sands) fields using interpretive pay identification and mapping techniques strongly suggests that these reservoirs contain significant additional technically recoverable gas reserves that have yet to be brought into communication with producing wellbores.¶ 8) Geologic reserve estimates for the four fields may be conservative in some zones where, in the absence of other data, we assumed 40 percent water saturation. Reserves calculated in other zones may be either conservative or optimistic where we lacked definitive constraints on gas-water contacts with which to clip the aerial extent of the mapped PAY and Potential\_Pay volumes. Improved reserve estimates would be possible by using effective porosity and calculated water saturations obtained through additional log analysis.¶ 9) The highly productive Sterling Formation in the known fields is in decline. The remaining reserves base is primarily in the Beluga and Tyonek Formations, which in general do not have the high productivity rates of the Sterling Formation. The long term performance of wells targeting these gas sands is unknown.¶ Economic Considerations¶ The Cook Inlet gas market is isolated and relatively small when compared to other national and global markets. Gas deliverability is challenged during spikes in demand, which implies that it is difficult to make the investment necessary to meet short-duration, high-deliverability requirements. In order to engage in drilling and development projects in the Cook Inlet, local producers must internally justify doing so as an alternative to pursuing other projects worldwide. Therefore, economic viability of investment in reserves development to meet demand spikes must be evaluated in the context of an isolated market in order to fully appreciate the supply and demand relationships. Development investment is clearly being made, but investment viability in short term deliverability projects may be challenged in some cases.

Opening new supplies of gas in the Cook critical to LNG exports to Japan  
Bradner 3-6-2013 – Tim, Alaska Journal of Commerce Staff Writer, March 6, 2013, Morris News Service-Alaska, Alaska Journal of Commerce, http://peninsulaclarion.com/news/2013-03-05/conocophillips-wont-apply-for-new-lng-export-license

ConocoPhillips Alaska Inc. says it will not extend the federal export license for its Kenai natural gas liquefaction plant when the license expires March 31.¶ However, the plant will be maintained in a standby mode to be available if opportunities develop, company spokeswoman Amy Burnett said in a statement issued March 4.¶ “The plant is currently operational, in a stand-by mode, maximizing our flexibility as we determine the long-term future of the facility,” Burnett said. “ConocoPhillips will consider pursuing a new export authorization only if local gas needs are met and there is sufficient gas for export.¶ “Right now, we unaware of sufficient gas supply to support exports. We still have the flexibility to resume operations and apply for a new export authorization if gas becomes available. Plans will depend primarily on gas availability, local gas needs, various regulatory decisions and market conditions.”¶ The Alaska plant is the only U.S. LNG plant that has exported gas from North America. It was built in 1969 by Phillips Petroleum and Marathon Oil as a way to market surplus gas. Tokyo Gas and Tokyo Electric were the prime customers for four decades.¶ As Cook Inlet gas supplies declined in recent years, exports became problematic, however. The company had applied for, and received, several extensions of its federal export license over the years, the latest being a two-year extension to 2013.¶ The U.S. Department of Energy requires that gas supplies be sufficient to meet domestic, in this case regional, energy needs, and because utilities in Southcentral Alaska are now short of gas it is unlikely that DOE would grant the license extension even if it were applied for.¶ ConocoPhillips had planned to close the facility in 2011 but kept it operating to send some additional shipments of LNG to Japan after the nation’s nuclear power generation capacity was sharply reduced.

#### *Third, methane hydrates internals:*

#### Boosting LNG exports to Japan outcompetes methane hydrate extraction

Guardian 3-12-2013 – Cites Minami – Dir. of O&G @ Japan’s Agency for Nat. Resources

Japan becomes first nation to extract 'frozen gas' from seabed, guardian.co.uk, Tuesday 12 March 2013 13.31 EDT, http://www.guardian.co.uk/environment/2013/mar/12/japan-extract-frozen-gas-seabed

Japan has successfully extracted natural gas from frozen methane hydrate deposits under the sea, in the first example of production of the gas offshore, officials said on Tuesday.¶ The Ministry of Economy, Trade and Industry showed what it said was gas flaming from a pipe at the project in the Pacific Ocean 80 kilometres (50 miles) off the coast of central Japan. The breakthrough could be a step toward eventual commercial production, though the costs of extracting gas from the seabed are much higher than for other forms of production.¶ Methane hydrate is a form of methane gas frozen below the seabed or in permanently frozen ground. Japan earlier succeeded in producing such gas from permafrost in Canada in 2007-08.¶ Resource-scarce Japan, which imports most of its energy, hopes to develop ways to produce natural gas from its own reserves.¶ The Japan Oil, Gas and Metals National Corp and a government research institute, the National Institute of Advanced Industrial Science and Technology, used a technology they developed to reduce pressure in the underground layers holding the methane hydrate 1,330 metres (4,363 feet) below the sea surface, and then dissolved it into gas and water, collecting the gas through a well, the ministry said.¶ Speaking to the Financial Times, Ryo Minami, director of the oil and gas division at Japan's Agency for Natural Resources, compared methane hydrate to shale gas, a once-marginal resource which is transforming the US energy market. "Ten years ago, everybody knew there was shale gas in the ground, but to extract it was too costly. Yet now it's commercialised," he said.¶ Methane hydrate looks like ice but burns like a candle if a flame is applied. With the boom in production of natural gas from the fracking of shale gas boosting supplies in the US in particular, there is little need to resort to the more costly extraction of the frozen gas in those regions.¶ But it is considered a future potential resource by some, and studies show substantial reserves in various regions, including the Nankai trough off Japan's eastern coast, the northern Gulf of Mexico and Alaska's North Slope.

#### *Finally, mechanism solvency:*

#### The Federal Courts have blocked Native aboriginal title to natural gas in the Cook Inlet OCS on the basis of federal paramountcy

Bloch 4 - Frank Knox Memorial Fellow in Law @ Harvard; Amherst, Oxford, Harvard

American Indian Law Review, 2004 / 2005, 29 Am. Indian L. Rev. 1, COLONIZING THE LAST FRONTIER, David J. Bloch, Lexis.

These federally recognized tribes are located on the Prince William Sound, the Gulf of Alaska, and the lower Cook Inlet regions of Alaska. n9 Throughout their history, the villages have depended on the resources of the coastal waters. n10 Indeed, their very occupancy of the shore and immemorial enjoyment of sea and seabed are testament to the variety and bounty of marine mammals, fish, and sea birds in that area. These resources ensured a more certain livelihood than the [\*6] inland hunt of moose and caribou could provide. The villages formed at the water's edge.¶ Historically, whales were prized by the tribal members for their blubber, meat, and oil. Sea lions, porpoises, smaller whales, and seals would be harpooned in open water from skin-covered kayaks. Seal hunting additionally required the use of decoys, nets, and ambuscade. The furs of sea otters were highly valued. Bottom fish like cod, halibut, and rockfish, harvested from deep water with baited hooks and lures, were a staple of subsistence commensurate to the mammals. As travel between the villages was frequent and typically by water (in umiaks n11 as well as kayaks), extensive trade and ceremonial exchange of the sea's riches developed. Many cultural traits are consequently shared by otherwise distinct coastal tribes. In all cases, the traditions associated with life, love, religion, and death came to depend on the ocean and its resources.¶ A majority of village members today continue the subsistence lifestyle of their forbears: they pursue a livelihood that relies on the fish and wildlife of the territorial sea, and their continued social, cultural, and economic well-being depends on their continued ability to hunt and fish in their traditional domain. The villages are small and isolated, often unconnected to roads. The waters of the sea are their blood.¶ In 1995, the villages brought suit in federal district court against the Secretary of Commerce, the Secretary of the Interior, and the Trawler Diane Marie corporation. n12 The villages sought a declaratory judgment confirming their aboriginal title to their traditional fishing grounds in the outer continental shelf (OCS) in the Gulf of Alaska. n13 Such title would include the exclusive aboriginal rights to use, occupy, possess, hunt, fish in, and otherwise exploit the waters and seabed beneath them. The villages also sought three injunctions: one to prohibit the Secretary of Commerce from implementing commercial and noncommercial fishing regulations in the area [\*7] at issue; another to prevent the Trawler Diane Marie's vessel, "MISTER BIG," from scallop fishing within the territory (pursuant to the Secretary of Commerce's license); and a third enjoining the Secretary of the Interior from conducting an oil and gas lease sale in the lower Cook Inlet. The district court dismissed the villages' claims against the Secretary of the Interior for lack of ripeness. By separate order and at the parties' stipulation, the claims against Trawler Diane Marie were also dismissed. n14 In the end, the villages' remaining causes, and those which would become the subject of their subsequent appeal, were directed solely against William Daley, then the Secretary of Commerce. n15¶ The villages lost their claims when the district court denied their motion for summary judgment and granted the defendants' on the basis that "federal paramountcy" (to be discussed in course) precluded, as a matter of law, aboriginal title to the OCS. The court alternatively held that there could in any case be no exclusive aboriginal right to fish in navigable waters based on aboriginal title in the absence of a treaty or federal statute guaranteeing otherwise (and here the court found no relevant treaty or statute).¶ When the villages appealed to the Ninth Circuit, they again sought injunctive and declaratory relief. More specifically, they argued that the regulations which the Secretary of Commerce made pursuant to the Magnuson Fishery Conservation Management Act (Magnuson Act) and Northern Pacific Halibut Act of 1982 (Halibut Act) improperly authorized non-tribal members to fish within the villages' exclusive aboriginal territories even as the regulations prohibited village members from doing so. Each Act has a complex regulatory scheme. It suffices for our purposes to note that they charge the Secretary of Commerce with regulating commercial and noncommercial fishing of halibut and black cod. Commercial fishing is administered through the issuance of Individual Fishing Quota permits. n16 [\*8] Although a few village members possess these, the majority of them do. Moreover, since the Secretary's sport-fishing regulations govern noncommercial halibut fishing, village members are restricted to harvesting halibut with a hook and line, the latter having no more than two hooks on it, and two fish per diem. n17 The regime set in place by the Acts consequently posed a two-fold threat to the villages' livelihood: not only were non-members encouraged to exploit traditional native areas at the Secretary's authorization, but villagers themselves were prevented from doing so in the absence of the same grant. For this reason the injunctions were sought.¶ The villages also requested a declaration that they held unextinguished aboriginal title to the land at issue, i.e., the seabed. Success on this point would be even more meaningful than winning the injunction. For if the villages could prove that they held title to the seabed, an explicit congressional mandate would be necessary (rather than the indirect implications of generally applicable statutes like the Magnuson and Halibut Acts) to extinguish the villages' exclusive use of their property. n18 Whether [\*9] or not the villages held such title to the seabed would need to be litigated on remand in a district court: this question of fact was not raised in the Ninth Circuit. The importance of the villages' appeal, therefore, was to win the critical point of law, namely to overturn the district court's holding that there could be no aboriginal title to the OCS and that, even were that not the case, such title could not include an exclusive right to fish in navigable waters outside of the provision of a treaty or federal statute.

#### The US Courts of Appeals should grant aboriginal title for OCS use in the Cook Inlet---ensures property right stability and certainty

Goldberg 4 Et.al. - Jonathan D. Varat Distinguished Professor of Law & Vice Chancellor of UCLA

Carole E. Goldberg, Brief of Amici Curiae Indian Law Academics, In Support of Plaintiffs-Appellant, Native Village of Eyak v. Trawler Diane Marie, Inc., 154 F.3d 1090 (9th Cir. 1998), cert, denied 527 U.S. 1003 (1999) ("Eyak I”). Other Quals Ed. Board of Felix S. Cohen's Handbook of Federal Indian Law.

Long before Americans reached their shores, the Native Villages that bring this suit have lived on the water's edge. For their members, the traditions associated with life, love, religion, and death depend as much today on the Gulf of Alaska as they have for the last 7,000 years.1 In the twilight of the twentieth century, Eyak I wrongly denied the Native Villages their opportunity to prove continued use and occupation of parts of the OCS. This decision violated two centuries of entrenched jurisprudence and long standing policies protecting and respecting the ancient property rights of Native peoples.¶ If the Circuit fails to overturn Eyak I, it will perpetuate an injustice not only against the Native Villages, but Native Americans everywhere who rely on cardinal principles of federal Indian law for the certainty and stability of their proprietary rights. Those whose claims would be threatened by a failure to respect aboriginal title include Indian nations with substantial land claims taking decades to resolve. See, e.g., *Cayuga Indian Nation v. Village of Union Springs*, 2004 U.S. Dist. LEXIS 7108 (N.D.N.Y. Apr. 23, 2004) (motion for summary judgment granted following 1981 filing of suit); Oneida *Indian Nation v. County of Oneida*, 2003 U.S. Dist. LEXIS 7505 (N.D.N.Y. Apr. 7, 2003) (latest phase of claim dating from 1895).¶ For the foregoing reasons, the Circuit should reverse Eyak I and the District Court's decision below granting summary judgment to the Secretary and remand for determination whether the Villages' use of the OCS is factually sufficient to establish aboriginal title thereto.

### 1AC – Plan

#### The United States Court of Appeals should grant the Cook Inlet Region, Incorporated aboriginal title to natural gas in the Cook Inlet Planning Area for extraction.

# 2AC

## Case

#### Abe’s visit highlights that a purely political relationship is fragile

Sheng 3-9-13, Zhou Yong, Huanqiu China Newspaper, “Japan-U.S. Relations Could Get Bumpy”, http://www.thedailybeast.com/newsweek/2010/07/16/a-fragile-alliance.html

Japanese Prime Minister Shinzo Abe’s diplomatic war with the U.S. finally ended in late February. There are gains and losses [for Japan] as seen from Abe’s trip. The gains mostly include an overstatement of the Japan-U.S. alliance and Japan’s affiliation with the Trans-Pacific Partnership, making the Japanese people feel Japan is accomplishing something. The losses primarily center on the problem of the Diaoyu Islands, on which the U.S. kept silent, failing to fulfill Japan’s expectations.¶ First of all, following his talks with President Obama, Abe said: “I think I can declare with confidence that the trust and the bond in our alliance is back.” This statement shows that Abe pretty much expects he can manage U.S.-Japan relations more effectively than the former Democratic Party; however, **this euphemistic sentiment actually embodies Abe’s deep distrust.** The meeting did not fully accomplish Japan’s strategic objectives. As the media criticized, Abe’s U.S. visit was like a “one-day tour” this time. It did not herald a new upsurge in Japan-U.S. relations as Japan had expected. The U.S. media generally kept reporting on the meeting low-key. It follows that the Obama administration’s policies are definitely not what Abe expected them to be. The U.S. is unwilling to be hijacked by Japan: Instead, it sticks up for its own interests and has the power to influence Japan’s policy trends.¶ The U.S. had worries and doubts about the Democratic Party of Japan because it feared that Japan might break away from the U.S. and turn toward Asia. The Liberal Democratic Party’s return to political power decreased the U.S.’ worries on the issue. Nevertheless, Abe deliberately built a high-profile atmosphere surrounding his U.S. visit. Prior to the visit, he showed his loyalty to the U.S. by blasting China, decreasing U.S. worries — particularly about Japan’s potential to turn its focus back to Asia. The U.S. even felt relieved by Abe's visit. This is one of the surest effects his visit generated.¶ Second, worried that Abe might frantically veer to the right, the U.S. made a conscious effort to suppress him during the meeting. Assuming Japan exercises the option of constitutional amendment, it will veer out of control and eventually pose a threat to the U.S. Japan's re-explanation of its constitution would result in the expansion of armaments and war preparations once again. Once Japan achieves powerful army strength, its next goal is probably to ask the U.S. to withdraw troops from Japan, which is why Obama does not fully support Abe’s considerations. Therefore, based on the general orientation of Japanese demands, we can see that there will be a serious rift in the U.S.-Japan alliance. Contrary to Abe's statement, the U.S. and Japan **do not have a firm and very active political relationship.** Abe merely needs this kind of exaggeration to prove his diplomatic accomplishments.¶

#### CIRI control triggers fast production---there’s a window of opportunity to solve well decline and lock in supplies

CIRI 13 – Alaskan Native Corporation, Cook Inlet Region Inc., An ANSCA Alaskan Native Corporation, Key Projects, 2013, Most Recent Update, http://www.ciri.com/content/company/CookOilGas.aspx

COOK INLET OIL AND GAS LEASING¶ CIRI is Southcentral Alaska's largest private landowner, with more than 750,000 acres of subsurface land in and around oil-producing regions on the Kenai Peninsula and the west side of Cook Inlet.¶ CIRI is strategically positioned to play an important role in solving Southcentral Alaska's energy problems. The company is able to move more swiftly than larger public landowners and has the flexibility and financial strength to structure incentive options designed to encourage aggressive new oil and gas exploration.¶ Cook Inlet natural gas supplies, the region's primary energy generation source, have been steadily dwindling in recent years. Cook Inlet gas has been considered "stranded" since its discovery in the 1950s, because global gas prices were not high enough to justify building a pipeline or other means of exporting the gas to external markets. Consequently, Southcentral Alaska customers for decades paid 30 to 50 percent less for gas than Lower 48 prices.¶ Now, however, local demand will soon exceed known reserves, and Cook Inlet gas prices are increasing to match world energy prices. Higher prices will encourage gas exploration and production by making it more profitable for companies to find and develop new Cook Inlet area gas reserves.¶ CIRI sees a window to encourage new Cook Inlet gas development before importation from outside the region becomes necessary, and is moving swiftly to attract new exploration entrants, including independent oil and gas companies.

## T

### 2AC T – Restrictions

#### 1) We meet---OCS moratorium are restrictions

Hagerty 10 Curry, Specialist in Energy and Natural Resources Policy, “ Outer Continental Shelf Moratoria on Oil and Gas Development” CRS 2010

Outer Continental Shelf (OCS) moratoria provisions, enacted as part of the Department of the Interior appropriations over the last 26 years, prohibited federal spending on oil and gas development in certain locations and for certain activities. Annual **congressional moratoria restrictions** expired on September 30, 2008. While the expiration of this restriction does not make leasing and drilling permissible in all offshore areas, it is a significant development in conjunction with other changes in offshore leasing activity. Change in moratoria policy signals a shift in policy that may affect other OCS policies as well.

#### AND – Cook Inlet specifically meets

LD 12 – Legislative Digest, Congressional Replacement of President Obama's Energy-Restricting and Job-Limiting Offshore Drilling, July 24, 112th Congress, 2nd Session, Legislative Digest, http://www.gop.gov/bill/112/2/hr6082

“On June 28, 2012, the Obama Administration presented the Congress with the Proposed Final Outer Continental Shelf Oil & Gas Leasing Program for 2012-2017. Its final plan included 15 lease sales to be conducted over the next five years in the Gulf of Mexico and limited areas off the coast of Alaska. The lease sale schedule was nearly identical to their draft plan presented in November 2011, with the exception of delaying two lease sales in the Arctic—Lease Sale 244 in Cook Inlet and Lease Sale 242 in the Beaufort Sea--to 2016 and 2017, respectively.¶ “Of importance is that Section 18 of the OCSLA specifically requires that the plan be presented to Congress before it is considered approved: ‘At least sixty days prior to approving a proposed leasing program, the Secretary shall submit it to the President and the Congress, together with any comments received.’ The past several five-year plans have all been presented to Congress with enough lead time so that the plan would be approved by July 1 so as to be in place prior to the expiration of the preceding plan. For instance, the 2007-2012 five-year plan was approved on July 1, 2007. However, the Obama Administration's failure to produce the 2012-2017 five-year program by May 1, 2012, ensured that its plan would not be considered approved under current law until after the expiration of the 2007-2012 on June 30, 2012. This means that for the first time in the history of the program, the United States is operating without an Outer Continental Shelf plan in place.¶ “Because the proposed final plan presented to the Congress by the Administration this June failed to include any new leasing areas, effectively reinstating a moratorium for the next half decade on roughly 85% of the Nation's 1.71 billion acres of Outer Continental Shelf lands, the Committee determined legislative action was necessary. H.R. 6082 replaces the President's proposed final plan with a leasing plan that incorporates all of the proposed 15 lease sales on an accelerated schedule, and adds an additional 14 lease sales in new areas of the Nation’s Outer Continental Shelf, including in the Atlantic and the Pacific. The robust lease sale schedule included in H.R. 6082 is a legislative assertion of the importance of offshore energy production in the United States to pave a path towards energy independence as well as increased economic activity and job creation on our shores.

#### “Restriction” is a limitation on the use of property

Texas Supreme Court ’10

CAUSE NO. 08-01-18,007-CV-A, Final Judgment, http://www.supreme.courts.state.tx.us/ebriefs/12/12046401.pdf

"Restriction" is defined and commonly used to mean "[a] limitation (esp. in a deed) placed on the use or enjoyment of property." BLACK'S LAW DICTIONARY 1054 (7th ed. 2000).

#### Production is extraction

Sagar 6 Ambuj D. Sagar is a Senior Research Associate in the Science, Technology, and. Public Policy Program at the John F. Kennedy School of Government @ Harvard, Hongyan H. Oliver, and Ananth P. Chikkatur, "Climate Change, Energy, and Developing Countries" Vermont Journal of Environmental LawVolume 7 2005-2006 www.vjel.org/journal/VJEL10041.html

The energy sector encompasses activities relating to the production, conversion, and use of energy. Energy production includes the extraction of primary energy forms such as coal, oil, and natural gas, or growing biomass for energy uses. Energy conversion pertains to the transformation of energy into more useful forms: this includes the refining of petroleum to yield products such as gasoline and diesel; the combustion of coal in power plants to yield electricity; the production of alcohol from biomass, etc. Energy end-use encompasses the final use of energy forms in industrial, residential, commercial, transportation and other end-uses.

#### Plan’s a financial incentive

Gielecki et al 1 – Economist @ U.S. Energy Information Administration

Incentives, Mandates, and Government Programs for Promoting Renewable Energy, February 2001, Mark Gielecki, Fred Mayes, and Lawrence Prete, http://lobby.la.psu.edu/\_107th/128\_PURPA/Agency\_Activities/EIA/Incentive\_Mandates\_and\_Government.htm

Over the years, incentives and mandates for renewable energy have been used to advance different energy policies, such as ensuring energy security or promoting environmentally benign energy sources. Renewable energy has beneficial attributes, such as low emissions and replenishable energy supply, that are not fully reflected in the market price. Accordingly, governments have used a variety of programs to promote renewable energy resources, technologies, and renewable-based transportation fuels. (1) This paper discusses: (1) financial incentives and regulatory mandates used by Federal and State governments and Federal research and development (R&D), (2), (3) and (2) their effectiveness in promoting renewables.¶ A financial incentive is defined in this report as providing one or more of the following benefits:¶ A transfer of economic resources by the Government to the buyer or seller of a good or service that has the effect of reducing the price paid, or, increasing the price received, respectively;¶ Reducing the cost of production of the good or service; or,¶ Creating or expanding a market for producers. ¶ The intended effect of a financial incentive is to increase the production or consumption of the good or service over what it otherwise would have been without the incentive. Examples of financial incentives are: tax credits, production payments, trust funds, and low-cost loans. Research and development is included as a support program because its effect is to decrease cost, thus enhancing the commercial viability of the good(s) provided. (4)

## CP

### AT: QPQ CP

#### The CP locks in the SQ:

#### A) Congress has explicitly affirmed OCS title in seven statutes

Bloch 4 - Frank Knox Memorial Fellow in Law @ Harvard; Amherst, Oxford, Harvard

American Indian Law Review, 2004 / 2005, 29 Am. Indian L. Rev. 1, COLONIZING THE LAST FRONTIER, David J. Bloch, Lexis.

It has rightly been said that "[n]ative title involves concepts that are not traditionally the domain of the courts, such as collective rights, legal pluralism, and issues of competing sovereignty." n97 In this instance the Circuit either lost its juridical bearings or refused to take them: as Congress had never addressed aboriginal title in the OCS in any way other than to affirm its existence, and given that the United States had obviously extended its sovereignty over the area by its offshore regulatory schemes, the villages should have had the opportunity to prove their aboriginal title by long-term use and occupation. n98 This was not even an instance of legislative ambiguity requiring the canons of construction, for Congress explicitly sought to preserve tribal interests in the OCS. n99 Indeed, the Savings Clause of the Outer [\*28] Continental Shelf Lands Act provided that the Act "shall [not] affect such rights, if any, as may have been acquired [in the OCS] under any law of the United States," n100 and the Submerged Lands Act included a similar reservation. n101 Given that aboriginal title has been recognized by the United States since Johnson, the villages' title was accordingly a right acquired in the OCS under American law. The Magnuson Act also protected pre-existing rights by its requirement that the Secretary of Commerce "prepare a fishery management plan" "consistent with . . . any other applicable law." n102 In Parravano v. Babbit, the Ninth Circuit held that Indian fishing rights fell within the meaning of "other applicable law" under the Magnuson Act. n103 In the Halibut Act, Congress stipulated that the Northern Pacific Fishery Management Council, in its allocation of fishing privileges among U.S. fishers, shall "be fair and equitable to all such fishermen, based upon the rights and obligations in existing Federal law . . . ." n104 Aboriginal rights are of course such "rights and obligations in existing Federal law." Finally, exclusive aboriginal rights in the OCS were also preserved in the Marine Mammal Protection Act of 1972, n105 the Endangered Species Act of 1973, n106 and the Convention Between United States and Other Governments Respecting Whaling. n107 Congress's intentions could hardly have been plainer.

#### B) Lack of 9th Circuit action locks in decades of litigation & uncertainty

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American Indian Law Review, 2004 / 2005, 29 Am. Indian L. Rev. 1, COLONIZING THE LAST FRONTIER, David J. Bloch, Lexis.

In a sparsely populated area are several villages living on the water's edge. The livelihood of their members depends as much today on the Gulf of Alaska as it has for the last 7000 years. In the twilight of the twentieth century, Eyak wrongly denied the villages' their opportunity to prove continued use and occupation of parts of the OCS. It did so contrary to pronouncements by Congress. It did so despite entrenched jurisprudence. It did so in denial of what "'[H]umanity demands, and a wise policy requires.'" n168 Allowing Eyak to stand will perpetuate an injustice against the villages as well as other Native Americans who rely on cardinal principles of federal Indian law for the certainty and stability that their proprietary rights demand. n169

FOOTNOTE 169 BEGINS…

n169 This is especially true for Indian nations with substantial land claims taking decades to resolve. See, e.g., Cayuga Indian Nation of N.Y. v. Vill. of Union Springs, 317 F. Supp. 2d 128 (N.D.N.Y. 2004) (motion for summary judgment granted following 1981 filing of suit); Oneida Indian Nation of N.Y. v. County of Oneida, No. 70- CV-35, 2003 U.S. Dist. LEXIS 7505 (N.D.N.Y. Apr. 7, 2003) (latest phase of claim dating from 1895).

FOOTNOTE 169 ENDS…

Many years ago Chief Justice Marshall articulated a doctrine that remains good law. When the en banc panel reconvenes to evaluate the actual consistency of the villages' rights with federal paramountcy, it should finally overturn Eyak in affirmation of the rule that has governed every claim to aboriginal title since the Republic's founding.

#### C) Lawsuits crush production---fiat can’t solve

Spakovsky and Loris 12 --- 1ac article (Hans, Senior Legal Fellow / Manager, Civil Justice Reform Initiative, and Nicholas, Herbert and Joyce Morgan Fellow, 8/13/12, “Offshore Drilling: Increase Access, Reduce the Risk, and Stop Hurting American Companies” The Heritage Foundation) http://www.heritage.org/research/reports/2012/08/offshore-drilling-increase-access-reduce-the-risk-and-stop-hurting-american-companies

One of the primary culprits behind this continued lag in Gulf production is obvious: the regulatory risk companies incur when attempting to explore and drill. As demonstrated by the ATP lawsuit, the glacial pace at which the Obama Administration considers permits is unnecessarily delaying drilling projects. Although federal law requires the Department of the Interior to accept permit applications and review them promptly in a given time frame,[7] the agency routinely takes longer than necessary with no repercussions. The time to obtain approval for an exploration and drilling plan increased significantly after BP’s Macondo well blowout—a delay that has made it extremely difficult for companies to plan for projects.[8]

#### CP will be struck down

Gray 1894 – Supreme Court Justice citing Supreme Court Justice McKinley in Pollard

SHIVELY v. BOWLBY. No. 787., SUPREME COURT OF THE UNITED STATES, 152 U.S. 1; 14 S. Ct. 548; 38 L. Ed. 331; 1894 U.S., JUSTICE GRAY, March 5, 1894, Decided

In Pollard v. Hagan, (1844,) this court, upon full consideration, [\*27] (overruling anything to the contrary in Pollard v. Kibbe, 14 Pet. 353; Mobile v. Eslava, 16 Pet. 234; Mobile v. Hallett, 16 Pet. 261; Mobile v. Emanuel, 1 How. 95; and Pollard v. Files, 2 How. 591,) adjudged that upon the admission of the State of Alabama into the Union, the title in the lands below high water [\*\*558] mark of navigable waters passed to the State, and could not afterwards be granted away by the Congress of the United States. Mr. Justice McKinley, delivering the opinion of the court, (Mr. Justice Catron alone dissenting,) said: "We think a proper examination of this subject will show, that the United States never held any municipal sovereignty, jurisdiction or right of soil, in and to the territory of which Alabama or any of the new States were formed; except for temporary purposes, and to execute the trusts created by the acts of the Virginia and Georgia legislatures, and the deeds of cession executed by them to the United States, and the trust created by the treaty with the French Republic of the 30th of April, 1803, ceding Louisiana." "When the United States accepted the cession of the territory, they took upon themselves the trust to hold the municipal eminent domain for the new States, and to invest them with it to the same extent, in all respects, that it was held by the States ceding the territories." "When Alabama was admitted into the Union, on an equal footing with the original States, she succeeded to all the rights of sovereignty, jurisdiction and eminent domain, which Georgia possessed at the date of the cession, except so far as this right was diminished by the public lands remaining in the possession and under the control of the United States, for the temporary purposes provided for in the deed of cession and the legislative acts connected with it. Nothing remained to the United States, according to the terms of the agreement, but the public lands." 3 How. 221-223. "Alabama is therefore entitled to the sovereignty and jurisdiction over all the territory within her limits, subject to the common law, to the same extent that Georgia possessed it before she ceded it to the United States. To maintain any other doctrine is to deny that Alabama has been admitted into the Union on an equal footing with the [\*28] original States, the Constitution, laws and compact to the contrary notwithstanding." "Then to Alabama belong the navigable waters, and soils under them, in controversy in this case, subject to the rights surrendered by the Constitution to [\*\*\*342] the United States." 3 How. 228, 229.

### AT: Exports CP

#### Massive opposition to new terminals---won’t get financed and can’t export till 2018

Clifford Krauss, 1-4-2013, “Exports of American Natural Gas May Fall Short of High Hopes,” NYT, http://www.nytimes.com/2013/01/05/business/energy-environment/exports-of-us-gas-may-fall-short-of-high-hopes.html?pagewanted=all

Resistance from environmental groups like the Sierra Club could help stop some export projects, especially outside the Gulf of Mexico region, which has long been comfortable with the oil and gas industry. And manufacturers like Dow Chemical are campaigning against unfettered exports to keep their costs down. Over all, these factors will make it challenging for export projects to raise enough financing. L.N.G. terminal developers note that more than 20 import terminals proposed a decade ago were never built because of local opposition or lack of government permits and financing. “Can all these projects get financed? That’s a good question,” said Marvin Odum, president of Shell Oil Company, which is looking at various possible L.N.G. terminal sites to invest in. “The outcome of this is not likely to be unlimited L.N.G. exports.” Charif Souki, Cheniere’s chief executive, predicted that by 2018, the country would manage to export only one billion to two billion cubic feet of gas a day, or roughly 2 percent of current domestic consumption. In 10 years, after two to four projects have received permits and have been built, he said he expected exports to grow to three billion to five billion cubic feet a day. The total global production of L.N.G. is about 40 billion cubic feet a day, and growing rapidly.

#### Terminal construction costs and delay

Clifford Krauss, 1-4-2013, “Exports of American Natural Gas May Fall Short of High Hopes,” NYT, http://www.nytimes.com/2013/01/05/business/energy-environment/exports-of-us-gas-may-fall-short-of-high-hopes.html?pagewanted=all

Now, the same companies that had such high hopes for imports are proposing to salvage those white elephants by spending billions more to convert them into terminals to export some of the nation’s extra gas to Asia and Europe, where gas is roughly triple the American price. Just like last time, some of the costly ventures could turn out to be poor investments. Countries around the world are importing drilling expertise and equipment in hopes of cracking open their own gas reserves through the same techniques of hydraulic fracturing and horizontal drilling that unleashed shale gas production in the United States. Demand for American gas — which would be shipped in a condensed form called liquefied natural gas, or L.N.G. — could easily taper off by the time the new export terminals really get going, some energy specialists say. “It will be easier to export the technology for extracting shale gas than exporting actual gas,” said Jay Hakes, former administrator of the Energy Department’s Energy Information Administration. “I know the pitch about our price differentials will justify the high costs of L.N.G. We will see. Gas by pipeline is a good deal. L.N.G.? Not so clear.” Even the terminal operators acknowledge that probably only a lucky few companies will export gas because it can cost $7 billion or more to build a terminal, and then only after a rigorous federal regulatory permitting process. The exploratory process to find a suitable site for a new terminal alone can take a year and cost $100 million, operators say, and financing can be secured only once long-term purchase agreements — 20 years or more — are reached with foreign buyers. “It’s a monumental effort to put a deal together like this, and you need well-heeled partners,” said Mark A. Snell, president of Sempra Energy, which is based in San Diego and is applying for permits to turn around a Hackberry, La., import terminal for export. “There are only a handful of people who can do this kind of thing.”

## DA

### 2AC Accidents DA

#### Not about cook – it’s super safe

BOEM 12 - Bureau of Ocean Energy Management Report

Proposed Final Outer Continental Shelf Oil & Gas Leasing Program 2012-2017, June 2012, U.S. Department of the Interior, Bureau of Ocean Energy Management

http://www.boem.gov/uploadedFiles/BOEM/Oil\_and\_Gas\_Energy\_Program/Leasing/Five\_Year\_Program/2012-2017\_Five\_Year\_Program/PFP%2012-17.pdf

Water Quality — Normal operations in the Cook Inlet could adversely impact water quality. However , because of dilution, settling, and flushing, these impacts are expected to be localized and temporary. Similarly, spills to coastal waters could adversely impact water quality. The impacts of these spills will be localized and short term, unless chronic spills occur in a localized area. Impacts from a large oil spill including those from a very large spill associated with an unlikely CDE, defined as a discharge of a volume of oil into the environment that could result in catastrophic effects, could persist for an extended period of time if oil were deposited in wetland and beach sediments or low - energy environments because of potential remobilization. The extent and magnitude of the impact would depend on the size, location, and season of the spill. Recovery times could be decreased by oil - spill cleanup activities.

#### No impact to biodiversity

Sagoff 97  Mark, Senior Research Scholar – Institute for Philosophy and Public policy in School of Public Affairs – U. Maryland, William and Mary Law Review, “INSTITUTE OF BILL OF RIGHTS LAW SYMPOSIUM DEFINING TAKINGS: PRIVATE PROPERTY AND THE FUTURE OF GOVERNMENT REGULATION: MUDDLE OR MUDDLE THROUGH? TAKINGS JURISPRUDENCE MEETS THE ENDANGERED SPECIES ACT”, 38 Wm and Mary L. Rev. 825, March, L/N

Note – Colin Tudge - Research Fellow at the Centre for Philosophy at the London School of Economics. Frmr Zoological Society of London: Scientific Fellow and tons of other positions. PhD. Read zoology at Cambridge.

Simon Levin = Moffet Professor of Biology, Princeton. 2007 American Institute of Biological Sciences Distinguished Scientist Award 2008 Istituto Veneto di Scienze Lettere ed Arti 2009 Honorary Doctorate of Science, Michigan State University 2010 Eminent Ecologist Award, Ecological Society of America 2010 Margalef Prize in Ecology, etc… PhD

Although one may agree with ecologists such as Ehrlich and Raven that the earth stands on **the brink of** an episode of **massive extinction, it may not follow** from this grim fact **that human** being**s will suffer** as a result. On the contrary, skeptics such as science writer Colin Tudge have challenged biologists to explain **why we need more than a tenth of the 10 to 100 million species that grace the earth**. Noting that "cultivated systems often out-produce wild systems by 100-fold or more," Tudge declared that "the argument that humans need the variety of other species is, when you think about it, a theological one." n343 Tudge observed that "the elimination of all but a tiny minority **of our fellow creatures does not affect the material well-being of humans** one iota."n344 This skeptic challenged ecologists to list more than 10,000 species (other than unthreatened microbes) that are essential to ecosystem productivity or functioning. n345 "**The human species could survive just as well** if 99.9% of our fellow creatures went extinct, provided only that we retained the appropriate 0.1% that we need." n346   [\*906]   The monumental Global Biodiversity Assessment ("the Assessment") identified two positions with respect to redundancy of species. "At one extreme is the idea that each species is unique and important, such that its removal or loss will have demonstrable consequences to the functioning of the community or ecosystem." n347 The authors of the Assessment, a panel of eminent ecologists, endorsed this position, saying it is "unlikely that there is much, if any, ecological redundancy in communities over time scales of decades to centuries, the time period over which environmental policy should operate." n348 These eminent ecologists rejected the opposing view, "the notion that species overlap in function to a sufficient degree that removal or loss of a species will be compensated by others, with negligible overall consequences to the community or ecosystem." n349  Other biologists believe, however, that species are so fabulously redundant in the ecological functions they perform that the life-support systems and processes of the planet and ecological processes in general will function perfectly well with fewer of them, certainly fewer than the millions and millions we can expect to remain **even if** **every threatened organism becomes extinct**. n350 Even the kind of sparse and miserable world depicted in the movie Blade Runner could provide a "sustainable" context for the human economy as long as people forgot their aesthetic and moral commitment to the glory and beauty of the natural world. n351 The Assessment makes this point. "Although any ecosystem contains hundreds to thousands of species interacting among themselves and their physical environment, the emerging consensus is that the system is driven by a small number of . . . biotic variables on whose interactions the balance of species are, in a sense, carried along." n352   [\*907]   To make up your mind on the question of the functional redundancy of species, consider an endangered species of bird, plant, or insect and ask how the ecosystem would fare in its absence. The fact that the creature is endangered suggests an answer: it is already in limbo as far as ecosystem processes are concerned. What crucial ecological services does the black-capped vireo, for example, serve? Are any of the species threatened with extinction necessary to the provision of any ecosystem service on which humans depend? If so, which ones are they?  Ecosystems and the species that compose them have changed, dramatically, continually, and totally in virtually every part of the United States. There is little ecological similarity, for example, between New England today and the land where the Pilgrims died. n353 In view of the constant reconfiguration of the biota, **one may wonder why Americans have not suffered more as a result of ecological catastrophes**. The cast of species in nearly every environment changes constantly-local extinction is commonplace in nature-but the crops still grow. Somehow, it seems, property values keep going up on Martha's Vineyard in spite of the tragic disappearance of the heath hen.  One might argue that the sheer number and variety of creatures available to any ecosystem buffers that system against stress. Accordingly, we should be concerned if the "library" of creatures ready, willing, and able to colonize ecosystems gets too small. (Advances in genetic engineering may well permit us to write a large number of additions to that "library.") In the United States as in many other parts of the world, however, the number of species has been increasing dramatically, not decreasing, as a result of human activity. This is because the hordes of exotic species coming into ecosystems in the United States far exceed the number of species that are becoming extinct. Indeed, introductions may outnumber extinctions by more than ten to one, so that the United States is becoming more and more species-rich all the time largely as a result of human action. n354 [\*908] Peter Vitousek and colleagues estimate that over 1000 non-native plants grow in California alone; in Hawaii there are 861; in Florida, 1210. n355 In Florida more than 1000 non-native insects, 23 species of mammals, and about 11 exotic birds have established themselves. n356 Anyone who waters a lawn or hoes a garden knows how many weeds desire to grow there, how many birds and bugs visit the yard, and how many fungi, creepy-crawlies, and other odd life forms show forth when it rains. All belong to nature, from wherever they might hail, but not many homeowners would claim that there are too few of them. Now, not all exotic species provide ecosystem services; indeed, some may be disruptive or have no instrumental value. n357 This also may be true, of course, of native species as well, especially because all exotics are native somewhere. Certain exotic species, however, such as Kentucky blue grass, establish an area's sense of identity and place; others, such as the green crabs showing up around Martha's Vineyard, are nuisances. n358 Consider an analogy [\*909] with human migration. Everyone knows that after a generation or two, immigrants to this country are hard to distinguish from everyone else. The vast majority of Americans did not evolve here, as it were, from hominids; most of us "came over" at one time or another. This is true of many of our fellow species as well, and they may fit in here just as well as we do. It is possible to distinguish exotic species from native ones for a period of time, just as we can distinguish immigrants from native-born Americans, but as the centuries roll by, species, like people, fit into the landscape or the society, changing and often enriching it. Shall we have a rule that a species had to come over on the Mayflower, as so many did, to count as "truly" American? Plainly not. When, then, is the cutoff date? Insofar as we are concerned with the absolute numbers of "rivets" holding ecosystems together, extinction seems not to pose a general problem because a far greater number of kinds of mammals, insects, fish, plants, and other creatures thrive on land and in water in America today than in prelapsarian times. n359 The Ecological Society of America has urged managers to maintain biological diversity as a critical component in strengthening ecosystems against disturbance. n360 Yet as Simon Levin observed, "much of the detail about species composition will be irrelevant in terms of influences on ecosystem properties." n361 [\*910] He added: "For net primary productivity, as is likely to be the case for any system property, **biodiversity matters only up to a point**; above a certain level, increasing biodiversity is likely to make **little difference**." n362 What about the use of plants and animals in agriculture? There is no scarcity foreseeable. "Of an estimated 80,000 types of plants [we] know to be edible," a U.S. Department of the Interior document says, "only about 150 are extensively cultivated." n363 About twenty species, not one of which is endangered, provide ninety percent of the food the world takes from plants. n364 Any new food has to take "shelf space" or "market share" from one that is now produced. Corporations also find it difficult to create demand for a new product; for example, people are not inclined to eat paw-paws, even though they are delicious. It is hard enough to get people to eat their broccoli and lima beans. It is harder still to develop consumer demand for new foods. This may be the reason the Kraft Corporation does not prospect in remote places for rare and unusual plants and animals to add to the world's diet. Of the roughly 235,000 flowering plants and 325,000 nonflowering plants (including mosses, lichens, and seaweeds) available, farmers ignore virtually all of them in favor of a very few that are profitable. n365 To be sure, any of the more than 600,000 species of plants could have an application in agriculture, but would they be preferable to the species that are now dominant? Has anyone found any consumer demand for any of these half-million or more plants to replace rice or wheat in the human diet? There are reasons that farmers cultivate rice, wheat, and corn rather than, say, Furbish's lousewort. There are many kinds of louseworts, so named because these weeds were thought to cause lice in sheep. How many does agriculture really require? [\*911] The species on which agriculture relies are domesticated, not naturally occurring; they are developed by artificial not natural selection; they might not be able to survive in the wild. n366 This argument is not intended to deny the religious, aesthetic, cultural, and moral reasons that command us to respect and protect the natural world. These spiritual and ethical values should evoke action, of course, but we should also recognize that they are spiritual and ethical values. We should recognize that ecosystems and all that dwell therein compel our moral respect, our aesthetic appreciation, and our spiritual veneration; we should clearly seek to achieve the goals of the ESA. There is no reason to assume, however, that these goals have anything to do with human well-being or welfare as economists understand that term. These are ethical goals, in other words, not economic ones. Protecting the marsh may be the right thing to do for moral, cultural, and spiritual reasons. We should do it-but someone will have to pay the costs. In the narrow sense of promoting human welfare, protecting nature often represents a net "cost," not a net "benefit." It is largely for moral, not economic, reasons-ethical, not prudential, reasons- that we care about all our fellow creatures. They are valuable as objects of love not as objects of use. What is good for   [\*912]  the marsh may be good in itself even if it is not, in the economic sense, good for mankind. The most valuable things are quite useless.

### 2AC Russia DA

#### Zero chance of Arctic war---experts

Mahony 3/19 Honor, EU Observer, "Fear of Arctic conflict are 'overblown'", 2013, euobserver.com/foreign/119479

The Arctic has become a new frontier in international relations, but fear of potential conflict in the resource-rich region is overblown, say experts.¶ For long a mystery because of its general impenetrability, melting ice caps are revealing more and more of the Arctic region to scientists, researchers and industry.¶ Climate change experts can take a more precise look at a what global warming is doing to the planet, shipping trade routes once considered unthinkable are now possible, and governments and businesses are in thrall to the potential exploitation of coal, iron, rare earths and oil.¶ The interest is reflected in the growing list of those wanting to have a foot in the Arctic council, a forum of eight countries with territory in the polar region.¶ While the US, Denmark, Iceland, Finland, Norway, Sweden, Russia and Canada form the council, the EU commission, China, India, South Korea and Japan have all expressed an interest in having a permanent observer status.¶ "The Arctic has become a new meeting place for America, Europe and the Asia Pacific," says Damien Degeorges, founder of the Arctic Policy and Economic Forum.¶ During a recent conference on Arctic shipping routes in the European Parliament, Degeorges noted that "China has been the most active by far in the last years."¶ He points to its red-carpet treatment of politicians from Greenland, a territory that recently got full control over its wealth of natural resources. Bejing also cosied up to Iceland after the island's financial meltdown. The two undertook a joint expedition to the North Pole and the Chinese have the largest foreign embassy in Reykjavik.¶ Meanwhile, South Korea's president visited Greenland last year and shipping hubs like Singapore are holding Arctic conferences.¶ The interest is being spurred by melting icebergs.¶ Last year saw a record low of multi-year ice - permanent ice - in the polar sea. This means greater shipping and mineral exploitation potential. There were 37 transits of the North East Passage (NEP), running from the Atlantic to the Pacific along the top of Russia, in 2011. This rose to 47 in 2012.¶ For a ship travelling from the Netherlands to China, the route around 40 percent shorter than using the traditional Suez Canal. A huge saving for China, where 50 percent of its GDP is connected to shipping. Russia is also keen to exploit the route as the rise in temperatures is melting the permafrost in its northern territory, playing havoc with its roads and railways.¶ According to Jan Fritz Hansen, deputy director of the Danish shipowners’ association, the real breakthrough will come when there is a cross polar route. At the moment there are are two options - the North East Passge for which Russia asks high fees for transiting ships - or the much-less developed North West Passage along Canada.¶ His chief concern is that "trade up there is free. We don't want protectionism. Everyone should be allowed to compete up there."¶ And he believes the biggest story of the Arctic is not how it is traversed but what will be taken out of it. According to the US Geological Survey (2009), the Arctic holds 13 percent of undiscovered oil and 30 percent of undiscovered gas supplies.¶ Greenland is already at the centre of political tussle between the EU and China over future exploitation of its rare earths - used in a range of technologies such as hybrid cars or smart phones.¶ "The biggest adventure will be the Arctic destination. There is a lot of valuable goods that should be taken out of nature up there," he said.¶ This resource potential - although tempered by the fact that much of it is not economically viable to exploit - has led to fears that the Arctic region is ripe for conflict.¶ But this is nonsense, says Nil Wang, a former Danish admiral and Arctic expert.¶ Most resources have an owner¶ "There is a general public perception that the Arctic region holds great potential for conflict because it is an ungoverned region where all these resources are waiting to be picked up by the one who gets there first. That is completely false," he said.¶ He notes that it is an "extremely well-regulated region," with international rules saying that coastal states have territorial jurisdiction up to 12 nautical miles off their coast.¶ On top of that is a further 200 nautical miles of exclusive economic zone "where you own every value in the water and under the seabed."¶ "Up to 97 percent of energy resources is actually belonging to someone already," says Wang.¶ He suggest the actors in the region all want to create a business environment, which requires stable politics and security.

### 2AC DOI Tradeoff DA

#### No link U---DOI Natives energy action now

DOI 12, “Salazar Finalizes Reforms to Streamline Leasing, Spur Economic Development on 56 Million Acres of American Indian Trust Land”, 11-12, http://www.doi.gov/news/pressreleases/salazar-finalizes-reforms-to-streamline-leasing-spur-economic-development-on-56-million-acres-of-american-indian-trust-land.cfm

WASHINGTON – As part of President Obama’s commitment to empower tribal nations and strengthen their economies, Secretary of the Interior Ken Salazar and Assistant Secretary for Indian Affairs Kevin K. Washburn today announced final regulations that will streamline the leasing approval process on Indian land, spurring increased homeownership, and expediting business and commercial development, including renewable energy projects.¶ The comprehensive reform, informed by nation-to-nation tribal consultations and public comment, overhauls antiquated regulations governing the Bureau of Indian Affairs’ process for approving the surface leases on lands the federal government holds in trust for Indian tribes and individuals. As trustee, Interior manages about 56 million surface acres in Indian Country.¶ “This reform will expand opportunities for individual landowners and tribal governments to generate investment and create jobs in their communities by bringing greater transparency and workability to the Bureau of Indian Affairs leasing process,” Secretary Salazar said. “This final step caps the most comprehensive reforms of Indian land leasing regulations in more than 50 years and will have a lasting impact on individuals and families who want to own a home or build a business on Indian land.”¶ “This reform is about supporting self-determination for Indian Nations and was developed in close consultation with tribal leaders,” said Assistant Secretary Washburn. “The streamlined, commonsense rule replaces a process ill-suited for economic development of Indian lands and provides flexibility and certainty to tribal communities and individuals regarding decisions on the use of their land.”¶ The new rule complements and helps to implement the recently-passed Helping Expedite and Advance Responsible Tribal Homeownership Act (HEARTH Act), which allows federally recognized tribes to assume greater control of leasing on tribal lands. The HEARTH Act was signed into law by President Obama on July 30, 2012.¶ Previous BIA regulations, established in 1961, are outdated and unworkable in today’s economy. They lacked a defined process or deadlines for review, which resulted in simple mortgage applications often languishing for several years awaiting approval from the federal government. These types of delays have been significant obstacles to homeownership and economic development on tribal lands.¶ The new regulation, effective 30 days after publication in the Federal Register, will fundamentally change the way the BIA does business, in many ways by minimizing BIA’s role and restoring greater control to tribal governments. The final rule provides clarity by identifying specific processes – with enforceable timelines – through which the BIA must review leases.¶ The regulation also establishes separate, simplified processes for residential, business, and renewable energy development, rather than using a “one-size fits all” approach that treats a lease for a single family home the same as a lease for a large wind energy project.

### 2AC Politics

#### Won’t pass---Rubio

Daily Mail 4-1, “Senators close to historic deal that would allow 11 million illegal immigrants to become U.S. citizens,” http://www.dailymail.co.uk/news/article-2302216/Senators-close-historic-deal-allow-11-million-illegal-immigrants-U-S-citizens.html#ixzz2PBrFxKPy

Even with one of the **largest hurdles** to an immigration overhaul **overcome**, **optimistic lawmakers** cautioned on Sunday they had not finished work on a bill that would provide a path to citizenship for 11 million illegal immigrants.¶ The AFL-CIO and the pro-business U.S. Chamber of Commerce reached a deal late Friday that would allow tens of thousands of low-skill workers into the country to fill jobs in construction, restaurants and hotels. ¶ Yet despite the unusual agreement between the two powerful lobbying groups, lawmakers from both parties conceded that the **negotiations were not finished.**¶'With the agreement between business and labor, every major policy issue has been resolved,' said Sen. Chuck Schumer, the New York Democrat who brokered the labor-business deal.¶ But it hasn't taken the form of a bill and the eight senators searching for a compromise haven't met about the potential breakthrough.¶ 'We haven't signed off,' said Sen. Lindsey Graham, R-S.C.¶ 'There are a few details yet. But conceptually, we have an agreement between business and labor, between ourselves that has to be drafted,' he added.¶ Yet just before lawmakers began appearing on Sunday shows, Sen. Marco Rubio warned he was not ready to lend his name - and political clout - to such a deal without hashing out the details.¶ 'Reports that the bipartisan group of eight senators have agreed on a legislative proposal are premature,' said Rubio, a Florida Republican who is among the lawmakers working on legislation.¶ Rubio, a Cuban-American who is weighing a presidential bid in 2016**, is a** leading figure **inside his party.** **Lawmakers will be** closely watching any deal **for his approval** and his skepticism about the process did little to encourage optimism.

#### Courts shield

Whittington 5 Keith E., Cromwell Professor of Politics – Princeton University, ““Interpose Your Friendly Hand”: Political Supports for the Exercise of Judicial Review by the United States Supreme Court”, American Political Science Review, 99(4), November, p. 585, 591-592

There are some issues that politicians cannot easily handle. For individual legislators, their constituents may be sharply divided on a given issue or overwhelmingly hostile to a policy that the legislator would nonetheless like to see adopted. Party leaders, including presidents and legislative leaders, must similarly sometimes manage deeply divided or cross-pressured coalitions. When faced with such issues, elected officials may actively seek to turn over controversial political questions to the courts so as to circumvent a paralyzed legislature and avoid the political fallout that would come with taking direct action themselves. As Mark Graber (1993) has detailed in cases such as slavery and abortion, elected officials may prefer judicial resolution of disruptive political issues to direct legislative action, especially when the courts are believed to be sympathetic to the politician’s own substantive preferences but even when the attitude of the courts is uncertain or unfavorable (see also, Lovell 2003). Even when politicians do not invite judicial intervention, strategically minded courts will take into account not only the policy preferences of well-positioned policymakers but also the willingness of those potential policymakers to act if doing so means that they must assume responsibility for policy outcomes. For cross-pressured politicians and coalition leaders, shifting blame for controversial decisions to the Court and obscuring their own relationship to those decisions may preserve electoral support and coalition unity without threatening active judicial review (Arnold 1990; Fiorina 1986; Weaver 1986). The conditions for the exercise of judicial review may be relatively favorable when judicial invalidations of legislative policy can be managed to the electoral benefit of most legislators. In the cases considered previously, fractious coalitions produced legislation that presidents and party leaders deplored but were unwilling to block. Divisions within the governing coalition can also prevent legislative action that political leaders want taken, as illustrated in the following case.

#### Plan’s bipartisan and Congress is debating it now

Kate Winston 2-4, Inside FERC, “Senators, Japanese business groups seek to win US LNG exports to Japan and beyond”, lexis

Liquefied natural gas export proponents are pursuing parallel avenues to win LNG shipments to Japan, with senators unveiling legislation to expand export approvals and Japanese business groups taking their plea to DOE.¶ A bipartisan group of senators last week introduced a bill to allow LNG exports to Japan, North Atlantic Treaty Organization members and others.¶ «I support LNG exports to countries whether or not they have a free trade agreement with the United States,» said Senator John Barrasso, Republican-Wyoming. «Our bill will also promote the energy security of key US allies by helping reduce their dependence on oil and gas from countries such as Russia and Iran.»¶ Under current law, DOE must quickly approve LNG exports to countries that have FTAs with the US. However, DOE can limit or block exports to non-FTA countries if they are not in the public interest.¶ So far, only Cheniere Energy’s Sabine Pass terminal in Louisiana has won approval to export LNG to both FTA and non-FTA nations.¶ Japan, an LNG import heavyweight, is not an FTA nation, but it has urged US officials to allow LNG trade in the wake of the earthquake and Fukushima accident that shut down most of the nation’s nuclear energy supplies.¶ The bill introduced Thursday would require DOE to approve gas exports to NATO members and Japan. The legislation also would require DOE to approve gas exports to any other country if the secretary of state, in consultation with the secretary of defense, finds that exports to that country would promote the national security interests of the US.¶ «The US and Alaska have plenty of natural gas to sell to Japan and our NATO allies, and I can’t think of a better place to sell it than to our strategic and economic partners,» said Senator Mark Begich, Democrat-Alaska, a co-sponsor of the bill.¶ Other senators that backed the bill released Thursday include Republicans Jim Inhofe of Oklahoma, Tom Coburn of Oklahoma, John Cornyn of Texas, Mike Enzi of Wyoming, John Hoeven of North Dakota, Ron Johnson of Wisconsin, Mike Lee of Utah, David Vitter of Louisiana and Democrat Heidi Heitkamp of North Dakota,

\*NOTE – the actual article ends with a comma for some reason…

#### Heitkamp loves the plan

Dlouhy 13--Jennifer A., covers energy policy and other issues for The Houston Chronicle and other Hearst Newspapers from Washington, D.C. Previously, she reported on legal affairs for Congressional Quarterly, Fuel Fix, Lawmakers propose making LNG exports automatic, 2/1, fuelfix.com/blog/2013/02/01/lawmakers-propose-making-lng-exports-automatic/

A bipartisan coalition of senators on Thursday advanced a plan to swiftly guarantee exports of U.S.-harvested natural gas to Japan and other American allies, amid complaints that the Obama administration is dragging its feet on proposals to sell more of the fossil fuel overseas.

When it comes to natural gas exports, the legislation would put Japan and the 28 members of NATO on the same footing as nations that have free-trade agreements with the United States. The Energy Department is required to approve applications to sell U.S. natural gas to those free-trade partners under current law, but exports to other countries aren’t automatic.

The Energy Department has stalled reviews of more than a dozen applications for licenses to sell liquefied natural gas to Japan, Taiwan and European nations, while it reviews a study of the economic effects of increased foreign sales. That report, issued in December, concluded that even unlimited natural gas exports would result in a “net economic benefit” for the United States, though a resulting domestic price increase could hurt manufacturers who rely on the fossil fuel to power plants and fashion into other products.

Before granting any applications, the Energy Department would have to consider public comments and determine that the export plans are in the public interest.

Republican Sens. John Cornyn of Texas, John Barrasso of Wyoming and James Inhofe of Oklahoma spearheaded the new bill, along with Democrats Mark Begich of Alaska and Heidi Heitkamp of North Dakota.

#### She gets Dems on board with the plan—key to building consensus around energy policy

National Journal 12/27—National Journal, Amy Harder, Energy and Environment correspondant, Heitkamp to be Key Energy Voice Among Moderate Democrats, 2012, [www.nationaljournal.com/blogs/influencealley/2012/12/heitkamp-to-be-key-energy-voice-among-moderate-democrats-27](http://www.nationaljournal.com/blogs/influencealley/2012/12/heitkamp-to-be-key-energy-voice-among-moderate-democrats-27)

Heidi Heitkamp—the Democrat who surprised everyone and beat her Republican challenger Rick Berg to win the North Dakota Senate seat in this year’s election—will be an important leader in a growing group of moderate Democratic senators hailing from energy-rich states.

“We hope that the voices of people who are familiar with the energy issues will be voices that will be listened to in the caucus,” Sen.-elect Heitkamp told National Journal in a phone interview.

North Dakota is now second only to Texas in oil production and has the country’s lowest unemployment rate—3.1 percent—due in large part to the state’s oil boom over the last few years.

Heitkamp noted that Democratic Sens. Mark Begich of Alaska and Mary Landrieu of Louisiana visited her state during the campaign season. “We see this as an American issue, not just an energy state issue,” Heitkamp said. Former President Bill Clinton also stumped for her in the last days of the campaign when it became more apparent she had a good shot at winning.

With Heitkamp’s surprise victory—even the New York Times’ Nate Silver didn’t predict she would win—and another upset win by Rep. Joe Donnelly in the Indiana race, the Senate will welcome two new Democrats next year who are especially moderate (some would say conservative) on energy and environment issues.

Republicans saw these pair of wins as a silver lining in an election that was mostly and surprisingly positive for Democrats across the board.

“The Senate was disappointing, though we picked up some strong fossil-fuel Ds,” said one former House Republican energy aide, who would only speak on the condition of anonymity.

Heitkamp was selected to the two panels she had pledged she would seek during her campaign—Agriculture and Indian Affairs—and will not be sitting on either the Energy and Natural Resources or Environment and Public Works committees. That won’t hinder her efforts in the area, she maintained.

“When you come from a state that is the second-largest oil producer in the country…you have an obligation to speak up and speak your mind and participate in the debate in ways that might not necessarily be sitting in a committee meeting,” Heitkamp said.

Sen. John Hoeven, R-N.D., who does sit on the energy committee, told National Journal in an interview last week that Heitkamp could be central to building bridges with other Democrats on energy issues.

“I think she’ll have an opportunity to get involved to work to get Democrats to support energy legislation,” Hoeven said. “To move any energy bill, it’s got to be bipartisan. I think we actually have a shot to do it.”

Heitkamp and Donnelly’s positions on energy align them with other Democrats like Landrieu, Begich, Mark Pryor of Arkansas and Joe Manchin of West Virginia. These senators represent some states that are traditionally known for their fossil-fuel production, such as Texas and Louisiana. But others, like Arkansas and North Dakota, are seeing booms in unconventional natural gas and oil. Donnelly is one of the few remaining Blue Dog Democrats in the House and voted against the 2009 cap-and-trade bill, which turned off some environmental groups from supporting his candidacy this year.

#### Begich will horse-trade the plan for votes for Obama initiatives

Rosen 3/30—James, Defining Alaska Sen. Begich: Centrist or liberal?, Anchorage Daily News, 2013, [www.adn.com/2013/03/30/2846294/defining-mark-begich-centrist.html](http://www.adn.com/2013/03/30/2846294/defining-mark-begich-centrist.html)

In another breach of party protocol, Begich promotes expanded oil and natural gas drilling on federal lands, starting with opening the Arctic National Wildlife Refuge to energy exploration.

Every time Obama called him to seek his vote on a key initiative, Begich nudged him to horse-trade for drilling. The senator hasn't persuaded the president yet on ANWR, but Begich says he played an important role in the decision last summer to allow Shell to start exploratory drilling in the Beaufort and Chukchi seas off Alaska's Arctic coast.

"Sen. Begich was a very strong advocate of offshore drilling in the Arctic, where a lot of his Democratic colleagues oppose it," said Andrew Halcro, a former Republican Alaska House member who now heads the Anchorage Chamber of Commerce.

"When you look at President Obama approving (Arctic) drilling, that didn't happen by accident," Halcro said.

#### Begich key to Obama’s agenda—crucial Democrat defecting now

The Hill 3/27—Reid faces dilemma over Dem defections after close budget vote, 2013, thehill.com/homenews/senate/290493-reid-faces-defections-dilemma

The razor-thin margin of passage for the Senate Democratic budget highlights the challenge Majority Leader Harry Reid will have in steering President Obama’s legislative agenda through the Senate.

The four Democrats who broke with their party on the nonbinding fiscal blueprint are all facing difficult 2014 reelection races in Republican-leaning states, including Sen. Max Baucus (D-Mont.), the powerful chairman of the Senate Finance Committee.

While Reid (D-Nev.) will need Republican votes to achieve the 60-vote threshold that has become the standard for major legislation, the vote on the budget, which required only a simple majority, shows that keeping his own party in line is not a foregone conclusion.

The 50-49 vote on the budget could spell the most trouble for gun control legislation, which is next on the Senate docket.

Democrats have struggled to unify behind gun legislation, and budget defectors Sens. Mark Pryor (Ark.), Kay Hagan (N.C.), Mark Begich (Alaska) and Baucus all hail from states where restrictions on firearms are unpopular.

Already, Democrats from conservative states are pushing back on television ads financed by New York Mayor Michael Bloomberg (I) that urge them to support a universal background check system for gun purchases.

“I don’t take gun advice from the Mayor of NYC. I listen to Arkansans,” Pryor wrote in a Twitter post Monday.

Freshman Sen. Heidi Heitkamp (D-N.D.) criticized Bloomberg for ads “attacking a way of life he does not understand.”

Red-state Democrats who are digging in for tough races in 2014 could balk at casting “yes” votes on gun control that could be used against them in campaign ads, and they might welcome the opportunity to show their independence from Obama.

### AT: Econ Impact

#### No economic benefit to legalization

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Legalization of the estimated 12 million unauthorized immigrants residing in the United States would lead to both **economic benefits and costs for the nation.** **Some arguments for comprehensive immigration reform suggest that legalizing immigrants will help end the current recession.** This seems unlikely. Our research suggests that earlier findings from the IRCA era may overstate anticipated earnings from a new reform, at least in the short run. ¶ We do expect occupational mobility to improve for formerly unauthorized immigrants with higher skill levels. When compared to the continuously legal, their occupational earnings growth was about 9 to 10 percent. These higher-skill unauthorized immigrants are more likely to be overstayers than crossers, but unauthorized immigrants with college degrees are found in both groups. **Lower-skill unauthorized immigrants are not likely to experience strong occupational mobility as a result of a legalization program** (although their occupational earnings grow over time in the United States). It will be important that any new legislation give legalized immigrants incentives to improve their skills, especially in English. ¶ The majority of studies investigating the effect of legalizing immigrants on natives’ earnings suggest that the effects are slightly negative for workers with low skill levels. Since we find no improvements in occupational mobility or wages for the lowest skill levels in the short run, we do not expect that legalizing immigrants would place any increased pressure on the wages of low-skill natives or low-skill legal immigrants. Tax revenues may increase, although **many unauthorized immigrants already file federal and state tax returns and pay sales and payroll taxes.** We found that about 90 percent of unauthorized immigrants filed federal tax returns in the year before gaining LPR status. We expect that increases in **tax revenues** resulting from increased earnings among the formerly unauthorized would be modest.

## Add-Ons

### ISR Add-On

#### Expanding the alliance’s key to Japanese ISR capabilities—U.S. expertise guides development while upholding burden sharing through concurrent Japanese expansion

Patrick Cronin 10, Senior Advisor and Senior Director of the Asia-Pacific Security Program at the Center for a New American Security, Paul Giarra, President of Global Strategies and Transformation, retired Navy Commander, "Robotic Skies: Intelligence, Surveillance, Reconnaissance and the Strategic Defense of Japan", Working Paper 2010, Center for a New American Security, www.cnas.org/files/documents/publications/CNAS\_Robotic%20Skies\_CroninGiarra.pdf

It is good news for Japan that the United States has been the global leader in ISR since the beginning of the Cold War. The 1960 Mutual Security Treaty between the United States and Japan has as its first mission the defense of Japan. As treaty partners committed to the defense of Japan and peace and stability in the Asia-Pacific, the United States and Japan should continue their collaboration on improving national and bilateral ISR capabilities to fill gaps in the maritime, air, space and cyberspace coverage of Japan. Furthermore, America’s extensive experience with ISR is a useful, if not exclusive, guide for Japanese ISR planning.

The latest Quadrennial Defense Review (QDR) was published in February 201011 during what Aviation Week and Space Technology refers to as an “airpower revolution in autonomous systems.” According to that publication “Automated, adaptive systems for processing, exploiting and disseminating intelligence, surveillance and reconnaissance data are a ‘real near-term need’ ... because of the increasing use of wide-area airborne surveillance systems down- linking multiple video feeds.”12

The QDR, which prescribes a robust ISR force, carries Secretary of Defense Robert Gates’ imprimatur on current and future U.S. defense planning. Truly a wartime report and a key planning milestone, the QDR appeared after Secretary Gates’ stern insistence that the Department of Defense follow through on fielding sufficient unmanned aerial vehicles to the battlefields in Iraq and Afghanistan. Secretary Gates felt strongly enough about continuing resistance to his explicit direction to the Air Force regarding UAVs that the failure of the Air Force secretary and chief of staff to follow his guidance in this regard was partly responsible for their abrupt dismissal. The QDR takes a highly deliberate approach to ISR – both platforms and capabilities: Field more and better manned and unmanned ISR assets, and get them to Iraq and Afghanistan where they will do the most good on the battlefield. The QDR’s emphasis on current battlefield (Iraq and Afghanistan) as well as a future battlefield (air-sea battle) underscores the impor- tance of ISR in today’s Pentagon.

ISR is an important aspect of regional readiness, deterrence and response. In the Asia-Pacific, China’s development of its anti-access and area-denial rhetoric, strategic doctrine, and military capabilities poses considerable challenges to Japanese and American planners. With its emphasis on regional stability and allied collaboration, the QDR should reassure Japanese decision makers. More specifically, the QDR chartered the development of a joint air-sea battle concept, which has been a joint focus of the U.S. Air Force and U.S. Navy. The concept will address how air and naval forces will integrate capabilities across all operational domains to counter growing challenges to U.S. freedom of action. As it matures, the concept will also help guide the development of capabilities needed for effective power projection operations. Although the QDR does not dictate the specific shape of air-sea battle concepts being considered jointly by the U.S. Air Force and Navy (in Asia as in other regions), it is apparent that allies, alliances and ISR will play a significant role.1 3 On the need to deter and defeat aggression in anti- access environments, the QDR states:

Chinese military modernization is a general concern in the Asia-Pacific region. As part of its long-term, comprehensive military modernization, China is developing and fielding large numbers of advanced medium-range ballistic and cruise missiles, new attack submarines equipped with advanced weapons, increasingly capable long-range air defense systems, electronic warfare and com- puter network attack capabilities, advanced fighter aircraft, and counter-space systems. China has shared only limited information about the pace, scope, and ultimate aims of its military modernization programs, raising a number of legitimate questions regarding its long-term intentions ...

Accordingly, the Department of Defense is taking steps to ensure that future U.S. forces remain capable of protecting the nation and its allies in the face of this dynamic threat environment. In addition to ongoing modernization efforts, this QDR has directed a range of enhancements to U.S. forces and capabilities.14

Japan’s uncertain security situation makes an aerospace dialogue that defines future needs more important than ever. This dialogue begins with the United States and should include discussion of current and future bilateral ISR capabilities. The dialogue would fit within the U.S.-Japan Capabilities Assessment dialogue, which is conducted at the military-to-military level, with diplomatic and policy involvement in the familiar four-party “2+2” arrangement. As a point of reference, the issue of missile defense provides a useful example of how the United States and Japan have been able to make good progress in a complex alliance planning dialogue.

EXPANDING JAPAN’S ISR CAPABILITIES

While Japan reviews how much cooperation can be provided through closer collaboration with the United States, it should also consider expansion of its own national ISR capabilities. The two processes need to be coordinated within the context of the alliance. Indeed, a Japanese national ISR planning dialogue that parallels alliance planning discussions could be part of a larger aerospace capabilities planning process.

Japan’s national ISR capabilities can be envisioned in the context of a number of preliminary but realistic operational scenarios that define Japan’s international security environment: the Sea of Japan, the East China Sea, the South China Sea, the Ryukyu Islands and the Horn of Africa. It is in these areas where Japanese interests intersect with North Korean and Chinese operations, and where enhanced Japanese airborne ISR capabilities would pay great dividends, forming the basis for considering how to develop ISR acquisition and operational programs. A convenient way to visualize this requirement is to consider Japan’s Air Defense Identification Zone, notionally illustrated below.

ISR command and control and analysis are crucial for Japan’s overall security infrastructure. It is not simply the military that is integral to the system. Civilian organizations, akin to the U.S. National Reconnaissance Office, for instance, must control ISR operations and provide the critical analysis that turns real-time information into strategic, operational, and tactical decisions.

US-Japan ISR cooperation key to USAF effectiveness

Schanz 13--Marc V., senior editor of Air Force Magazine, January 2013, ISR After Afghanistan, [www.airforce-magazine.com/MagazineArchive/.../0113ISR.pdf](http://www.airforce-magazine.com/MagazineArchive/.../0113ISR.pdf)

Another area of interest is how to improve operations from standoff distances, such as from U-2s flying outside the range of ground-based surface-to-air missiles and other threats.

Collaboration will play a huge role as the US draws down from Central Asia and redistributes its force structure. The ability to leverage the ISR data that allies collect and share will prove valuable.

“Effective alliances and partnerships are a force multiplier in a region as vast as the Asia-Pacific region,” Donley said, noting cooperation activities with Aus- tralia and Japan are vital to maintaining USAF global vigilance.

Collapse of Air Force ISR kills deterrence and causes global conflict

Thompson, March 2013--Loren B., PhD, Intelligence, Surveillance, and Reconnaissance, Lexington Institute, [www.lexingtoninstitute.org/library/resources/documents/Defense/AirDominance-ISR.pdf](http://www.lexingtoninstitute.org/library/resources/documents/Defense/AirDominance-ISR.pdf)

The United States has enjoyed global air dominance for many decades. No U.S. soldier on the ground has been killed by hostile aircraft since the Korean War, and no U.S. pilot in the air has been killed by hostile aircraft since the Vietnam War.1 U.S. air dominance has been preserved by pouring vast amounts of money into technology and training, far surpassing the efforts of other nations. The scale of this funding was driven by an awareness of how crucial air dominance was to other facets of warfighting, plus the fear that a few mis-steps might result in America losing its edge in the air.

However, since the Cold War ended, modernization efforts in the Air Force and Navy -- the main providers of U.S. air dominance -- have lagged. Plans to replace Air Force bombers, tankers and reconnaissance aircraft were canceled or delayed, while programs to recapitalize tactical air fleets in both services were repeatedly restructured. In addition, efforts to develop next- generation intelligence, navigation, communication, missile-warning and weather satellites have fallen far behind schedule. As a result, the joint inventory of fixed-wing aircraft and orbital systems enabling air dominance has aged considerably. Unmanned aircraft are an exception to this trend, but their utility in contested airspace is unproven.

While modernization of airborne and orbital assets was lagging, the global threat environment changed. China emerged as the world's second-largest economy, pursuing regional security objectives with increasing vigor. Rogue states of varying stripe developed weapons of mass destruction and the means to deliver them. Non-state actors with extreme agendas were empowered by the proliferation of new military tools and techniques. And the focus of global security shifted from technologies in which only a few countries could play, such as long-range ballistic missiles, to technologies in which many players could develop deep expertise.

If recent trends persist, the United States will gradually lose its claim to global air dominance. § Marked 17:44 § That claim is already being challenged in the Western Pacific, where a scattered and aging U.S. air fleet is faced with growing Chinese investment in new aircraft and air defenses. When China's increasing military might is combined with its intrinsic geographical advantages in the region, the possibility arises that America may cease to be the dominant air power in what has become the industrial heartland of the new global economy.2 Similar outcomes could occur in other regions, because with recent advances in surface-to-air missiles, multi-spectral sensors, tactical networks and other military systems, it is no longer necessary to match every aspect of U.S. air power in order to defeat it.

With all that in mind, the Lexington Institute embarked on a year-long inquiry into the requirements for maintaining U.S. global air dominance. The inquiry focused on the four core components of air dominance: intelligence, surveillance & reconnaissance; air superiority; long- range strike; and mobility. In each area, the inquiry sought to understand the current force structure and modernization programs being funded, and then identify gaps in future capabilities that need to be addressed. It also examined alternative approaches to satisfying operational requirements, and explored how those alternatives might be implemented in varying fiscal circumstances. A series of working groups and studies were conducted in support of the final report, to be issued in Spring of 2013.

The present study is about intelligence, surveillance and reconnaissance -- typically referred to among air-power practitioners as "ISR." Timely, precise insights into enemy actions and intentions have always been valuable in warfare, but with the coming of the information revolution they have assumed overriding importance because there are now so many options for collecting, analyzing and exploiting relevant data. Air power provides a unique perspective on modern warfare, because there are some features of military activity that can only be captured from above. Airborne ISR also generates information essential to the deterrence of aggression, the enforcement of arms-control treaties, and the prevention of nuclear proliferation. In a world of rapidly changing technology and diverse threats, constant vigilance is a necessary cost of preserving the peace, and providing that vigilance is an overarching mission of the nation's air forces.

# 1AR

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### 1AR We Meet

#### That’s what the restrictions are

Hartley and Medlock 7 (Dr. Peter, Professor of Economics – Rice University, Rice Scholar – Baker Institute for Public Policy, and Dr. Kenneth B., Fellow in Energy Policy – Baker Institute for Public Policy, Adjunct Assistant Professor of Economics – Rice University, “North American Security of Natural Gas Supply in a Global Market,” James A. Baker III Institute for Public Policy, November, <http://www.bakerinstitute.org/programs/energy-forum/publications/energy-studies/docs/natgas/ng_security-nov07.pdf>)

Access restrictions in the United States are in place due to explicit federal prohibition of drilling in environmentally sensitive areas or burdensome conditions required to secure drilling permits in other areas. In this section, we discuss the nature of such restrictions in the Outer Continental Shelf (OCS) and the Rocky Mountain region (RMR), and the quantity of resources that are effectively off-limits. Figure 1 and Table 1 illustrate the geographic extent, with the exception of Alaska, and the quantity of resources that are effectively stranded. It is these quantities that we either include or remove from consideration in the scenario analyses outlined below.

1AR – Restrictions

#### Limiting area available for leasing is a restriction

Bureau of Applied Research in Anthropology 11, School of Anthropology at the University of Arizona, November 28, 2011, “Offshore Oil and the Deepwater Horizon: Social Effects on Gulf Coast Communities Interim Findings”, <http://stormsmart.org/wp-content/blogs.dir/1/files/group-documents/22/1323196641-offshoreoilandthedeepwater-horizon-socialeffects-interimfindings.pdf>

The Macondo blowout also led to a restriction on the offshore areas within which drilling would be permitted. In late November, Interior Secretary Ken Salazar declared the eastern Gulf of Mexico and the entire Atlantic and Pacific coasts off-limits to drilling, reversing the administration’s earlier decision to open those areas. As of September 5, 2011, there were 617 manned platforms and 70 rigs operating in the Gulf (BOEMRE 2011b), but production had not reached pre-disaster levels. Consequently, some argued that the “permitorium” would be the most significant event in the Gulf of Mexico offshore industry since the 1980s bust in terms of its potential for causing major restructuring of the offshore petroleum industry.

### 1AR We Meet – AT: Companies Can Drill Now

#### No leases allowed in the Cook.

USDOI 3-24-13, US Department of Interior, “Interior Department Invites Industry Interest in Potential Oil and Gas Lease Sale in Alaska’s Cook Inlet”, http://www.doi.gov/news/pressreleases/Interior-Department-Invites-Industry-Interest-in-Potential-Oil-and-Gas-Lease-Sale-in-Alaskas-Cook-Inlet.cfm

WASHINGTON —The Department of the Interior, as part of the Obama Administration’s focus on expanding responsible oil and gas development, is seeking input from industry to determine interest in oil and gas exploration off the coast of South-Central Alaska – a key step in the planning process for a potential oil and natural gas lease sale in the Cook Inlet Planning Area. This is the latest step by the Obama Administration towards responsible production in Alaska’s offshore areas, and builds on broader steps to increase responsible production in Alaska.¶ “Today’s announcement is part of our commitment to increasing safe and responsible domestic oil and gas production as part of an all-of-the-above energy strategy for America,” said Secretary of the Interior Ken Salazar. “We will continue to support efforts to safely expand offshore oil and gas exploration, using the best science to assess where recoverable resources lie and providing industry with abundant opportunity to lease and develop areas that contain those resources.”¶ The Department’s Proposed Outer Continental Shelf (OCS) Oil and Gas Leasing Program for 2012-2017, which makes federal offshore areas containing more than 75 percent of estimated undiscovered, technically recoverable oil and gas resources on the U.S. OCS available for exploration and development, includes one potential special-interest lease sale in the Cook Inlet Planning Area (Sale 244). A special-interest lease sale first asks operators to nominate specific tracts in the planning area they potentially would be interested in exploring and developing through a Request for Interest (RFI). This initial request asks industry, the public, and key stakeholders about geologic, biological, archaeological, subsistence and/or or socio-economic conditions that might bear on potential leasing and development decisions.¶ “This is the first step in a careful process designed both to gauge industry interest in oil and gas exploration in the Cook Inlet Planning Area, and to develop information about the potential effects of that activity,” said BOEM Director Tommy P. Beaudreau. “Through this process, BOEM will consider a range of important factors including industry interest, resource potential, and the need to protect and respect Alaska’s communities and unique environments. Any future decisions regarding a lease sale in this planning area will be based on rigorous science and stakeholder input.”¶ The publication of this RFI does not indicate a decision to lease in the Cook Inlet Planning Area. BOEM will not make a decision about any potential lease sale before finalizing the 2012–2017 OCS Oil and Gas Leasing Program, and determining whether there is adequate interest in holding this sale and conducting thorough environmental reviews.¶ If BOEM moves forward with planning for the potential sale, the bureau will then conduct environmental review and consultation under the National Environmental Policy Act and other laws. BOEM will remain in close coordination with the state of Alaska, as well as with local and Native Alaskan governments, and other stakeholders throughout this process.¶ Between 1978 and 1985, 13 exploration wells were drilled in the federal waters of the Cook Inlet Planning Area. Currently, there are no active oil or gas exploration or development facilities in the federal waters there. The area’s state waters contain 16 production platforms, 12 of which are currently active.

#### Cook is not in the Lease Program till 2016

Business Monitor 3-1-13, “GoM Lease Sale Poses Additional Upside Risks To Forecast”, Lexis

On March 20 2013, the US Department of the Interior (DoI) will hold Central Gulf Sale 227. The lease sale will make 7,299 blocks available offshore Louisiana, Mississippi, and Alabama which, according to the DoI could hold combined potential of nearly 1bn bbl of oil and over 110bcm of natural gas.¶ Sale 227 is the second of several lease sales which fall under the Obama Administration's Outer Continental Shelf Oil and Gas Leasing Program for 2012-2017. According to the administration, this programme will include upwards of 75% of the country's undiscovered, technically recoverable offshore oil and gas resources (see our online service, November 30, 2012, 'Lease Sale Supports Long-Term Deepwater GoM Production' ). Importantly, this sale will also be a key bellwether for future industry interest in the GoM ' s untapped potential. Indeed, the November sale, which was delayed for over a year, was the first to occur after the Deepwater Horizon spill and therefore may have reflected outsized demand for GoM blocks.

Sale Number Area Year

Source: BOEM

229 Western GoM 2012

227 Central GoM 2013

233 Western GoM 2013

225 Eastern GoM 2014

231 Central GoM 2014

238 Western GoM 2014

235 Central GoM 2015

246 Western GoM 2015

226 Eastern GoM 2016

241 Central GoM 2016

237 Chukchi Sea 2016

248 Western GoM 2016

244 Cook Inlet 2016

247 Central GoM 2017

242 Beaufort Sea 2017

### 1AR – Economic Resources = Land

#### Economic resources include land

Vitez 12 - Adjunct Prof. of Accounting

Economic Definition of the Four Factors of Production, Demand Media, Houston Chronicle, No Date, Last Updated 2012

http://smallbusiness.chron.com/economic-definition-four-factors-production-3941.html

Economic resources are the goods or services available to individuals and businesses used to produce valuable consumer products. The classic economic resources include land, labor and capital. Entrepreneurship is also considered an economic resource because individuals are responsible for creating businesses and moving economic resources in the business environment. These economic resources are also called the factors of production. The factors of production describe the function that each resource performs in the business environment.¶ Land¶ Land is the economic resource encompassing natural resources found within a nation’s economy. This resource includes timber, land, fisheries, farms and other similar natural resources. Land is usually a limited resource for many economies. Although some natural resources, such as timber, food and animals, are renewable, the physical land is usually a fixed resource. Nations must carefully use their land resource by creating a mix of natural and industrial uses. Using land for industrial purposes allows nations to improve the production processes for turning natural resources into consumer goods.

### AT: Financial Incentives = $

#### We’re the narrowest reading of Webb

Nelson 93—Chairman – Payment Subcommittee in OPTN/UNOS Ethics Committee (Edward, Financial Incentives for Organ Donation, <http://optn.transplant.hrsa.gov/resources/bioethics.asp?index=4>)

Definition of Financial Incentives¶A definition of terms is necessary prior to a discussion of the concept of financial incentives for organ donation. First, financial incentives, as discussed here, do not mean additional monies spent for public or professional education or recognition and counseling of organ donor families. Because the concept of financial incentives fundamentally changes the process of organ procurement, it has been argued that the term "donor" is no longer applicable and would need to be replaced by a term such as 'vendor." The term "rewarded gifting" has been suggested and has been justly criticized as an oxymoron by those opposed to financial incentives and a despicable euphemism by those who promote this concept. Of greatest practical significance is the distinction between "incentive" and "payment" since a system of financial incentives may indeed be a viable option if, as interpreted by law, "incentives" do not amount to "purchases" and "donors" are therefore not transformed into 'vendors."¶ For purposes of distinction, financial incentives will be considered as any material gain or valuable consideration obtained by those directly consenting to the process of organ procurement, whether it be the organ donor himself (in advance of his demise), the donor's estate, or the donor's family.

#### Not funding

Barbera 10—Judge, Court of Appeals, 7th Appellate Judicial Circuit (Mary, Opinion in : 120 West Fayette Street, LLLP v. Mayor & City Council of Baltimore, et al., No. 96, September Term, 2009, http://mdcourts.gov/opinions/coa/2010/96a09.pdf)

Additionally, 120 West Fayette argues that the purchase price offsets for the cost of environmental remediation and streetscaping improvements constitute City funding for the development of the “Superblock.” The LDA provides that the purchase price for the “Superblock” will be reduced by the amount of the actual cost incurred by Lexington Square for environmental remediation and the demolition of existing improvements, the cost of which is currently estimated to be $8,000,000. The LDA also provides that the City will offset the purchase price by the cost of any streetscape improvements Lexington Square performs. Contrary to 120 West Fayette’s assertions, providing financial incentives to private developers to encourage economic development and investment in areas in need of revitalization does not necessarily constitute publicly funding the development. See Vulcan Affordable Housing, 545 N.Y.S.2d at 954 (recognizing that “imaginative financial schemes, including giving tax exemptions to a project, [does] not transform an essentially private venture into a public one”); Erie County Indus. Dev., 465 N.Y.S.2d at 306 (holding that a project is not publicly financed when “[t]he public involvement concerns only the creation of the economic conditions and incentives which will encourage and foster this type of private development”).

### 1AR – AT: Webb

#### Counter-interp – financial incentives are land

Czinkota 9—et al. Associate Professor at the McDonough School of Business at Georgetown (Michael, Fundamentals of International Business, 69)

Incentives offered by policymakers to facilitate foreign investments are mainly of three types: fiscal, financial, and nonfinancial. **Fiscal incentives** are specific tax measures designed to attract foreign investors. They typically consist of special depreciation allowances, tax credits or rebates, special deductions for capital expenditures, tax holidays, and the reduction of tax burdens. **Financial incentives** offer special funding for the investor by providing, for example, land or buildings, loans, and loan guarantees. Nonfinancial incentives include guaranteed government purchases; special protection from competition through tariffs, import quotas, and local content requirements, and investments in infrastructure facilities.

#### Financial incentives include land grants

OECD 5 (Local Economic and Employment Development Local Governance and the Drivers, 201-3)

Direct non-tax incentives¶ Non-tax incentives are even more prevalent in the United States than tax incentives. The survey of state economic developers reveals 643 programmes (International City/County Management Association, 2000). Non-tax incentives¶ are offered through direct or indirect financial assistance to businesses. The survey defines direct financial incentives as financial assistance through grants, loans, equity investments, and loan insurance/guarantees to businesses through the state government or a state-funded organisation. Indirect financial incentives include investment in workforce training, market development, manufacturing modernisation, and technology commercialisation (National Association of State Development Agencies, 2002). States also provide grants and loans to local governments and community organisations, such as universities, community colleges and private training providers, to support business investment and community economic development.¶ The latest tally of expenditures on non-tax incentives in the United States amounts to USD 5.3 billion, with 35% of the funds devoted to community assistance {indirect non-tax incentives) and 23% to workforce preparation and development. Upwards of 21% was spent on direct financial assistance to businesses. Not included in the USD 5.3 billion estimate for nontax incentive spending are infrastructure subsidies.4 States provide funds for road improvements and water and electricity hook-ups to new, relocating, or expanding facilities.¶ Grants¶ Businesses find grants a highly desirable type of financial assistance, since they are under no obligation to repay the money. The use of government grants in the United States to finance basic services harks back to the nation's infancy when land was set aside during the establishment of the Northwest Territory (which included Ohio, Michigan and Illinois) to support the creation of land-grant universities under the Morrill Act of 1862. Direct grants to businesses gained a foothold during the great expansion of the West, with land grants to private railroad companies to help finance the building of the intercontinental railroad system.¶ Most direct grants are for infrastructure projects and training programmes. Public infrastructure financing provides financial assistance to cities and counties for public infrastructure projects. Although not directly available to individual businesses, cities and counties can secure public infrastructure financing and provide it to qualified businesses locating in their area. Local governments then use these funds to accommodate the needs of targeted businesses, with such projects as providing highway access, or water and sewer hook-ups.¶ As previously mentioned, the Economic Development Administration (EDA), an agency of the US Department of Commerce, promotes development in distressed areas, both urban and rural, by providing federal resources for public works construction, economic development planning at the local level, and capital subsidies for industry. The US Department of Housing and Urban Development (HUD) provides block grants to states, which in turn states funnel to local jurisdictions. In California, as with many other states, these grants can be applied toward the creation or retention of jobs for targeted income groups. Local governments apply to the California Department of Housing and Community Development on behalf of a business or developer. Eligible activities include land, building or working capital loans, loan guarantees, and grants for publicly owned infrastructure.

#### We’re a “contingent commitment”

Gardiner ‘7 - Assoc. Prof. Dept. of Information Systems at Georgia Southern University

A Pattern for Real Options, Adrian Gardiner, Georgia Southern University, Published Conference Proceedings, June 13-15, 2007, http://www.aisvillage.com/rea25/adriangardiner.pdf

To reconcile the extended REA ontology with real options theory, we believe it is necessary to¶ introduce a variation on the REA commitment construct, which we shall refer to as a contingent¶ commitment12. Specifically, we adapt Ijiri’s (1975) definition of a commitment to define a¶ contingent commitment as an “agreement whose actualization is dependent upon the exercising¶ of a collection of valuable decision rights that provide a decision maker with an option, not¶ obligation, to execute an economic event in a well-defined future that will result in either an¶ increase of resources or a decrease of resources.” Within this context, actualization is the¶ execution of economic events that fulfill commitments (ISO/IEC 15944-4: Rule 39), thereby¶ incrementing a real commitment. In this way, an option instance can be seen as the reification¶ of a typed collection of decision rights associated with an underlying resource (asset). The term¶ contingent was deemed an appropriate descriptor, as its definition includes a reference to being:¶ “dependent for existence, occurrence, character, etc., on something not yet certain; conditional;¶ liable to happen or not; uncertain; possible.” Moreover, we specifically chose to continue the¶ use of Ijiri’s (1975) phrase “in a well-defined future” to restrict the definition of a contingent¶ commitment to well-identified events, thus expressly excluding events that are either¶ improbable, random, or unexpected. This view of commitments distinguishes between real and¶ contingent commitments, and recognizes that some commitments may involve a type of¶ agreement whose outcomes are not necessarily fixed/settled, but can change depending on¶ future decisions to be taken. In essence, over time, as contingent commitments unfold, real¶ commitments may be created, and as a consequence, real events, rather than potential ones, may¶ eventuate.

## AT: Accidents DA

### Bio-D

#### Empirics disprove biodiversity loss impacts - their authors are hysterics

Campbell 11 Hank Campbell is the creator of Science 2.0, a community of research professors, post-docs, science book authors and Nobel laureates collaborating over scientific projects. "I Wouldn't Worry About The Latest Mass Extinction Scare," Science 2.0, March 8, http://www.science20.com/science\_20/i\_wouldnt\_worry\_about\_latest\_mass\_extinction\_scare-76989

You've seen it everywhere by now - Earth's sixth mass extinction: Is it almost here? and other articles discussing an article in Nature (471, 51–57 doi:10.1038/nature09678) claiming the end of the world is nigh. ¶ Hey, I like to live in important times. So do most people. And something so important it has only happened 5 times in 540 million years, well that is really special. But is it real? ¶ Anthony Barnosky, integrative biologist at the University of California at Berkeley and first author of the paper, claims that if currently threatened species, those officially classed as critically endangered, endangered, and vulnerable, actually went extinct, and that rate of extinction continued, the sixth mass extinction could arrive in 3-22 centuries. ¶ Wait, what?? That's a lot of helping verbs confusing what should be a fairly clear issue, if it were clear. ¶ If you know anything about species and extinction, you have already read one paragraph of my overview and seen the flaws in their model. Taking a few extinct mammal species that we know about and then extrapolating that out to be extinction hysteria right now if we don't do something about global warming is not good science. Worse, an integrative biologist is saying evolution does not happen. Polar bears did not exist forever, they came into existence 150,000 years ago - because of the Ice Age. ¶ Greenpeace co-founder and ecologist Dr. Patrick Moore told a global warming skepticism site, “I quit my life-long subscription to National Geographic when they published a similar 'sixth mass extinction' article in February 1999. This [latest journal] Nature article just re-hashes this theme” and "The fact that the study did make it through peer-review indicates that the peer review process has become corrupted.” ¶ Well, how did it make it through peer review? Read this bizarre justification of their methodology; "If you look only at the critically endangered mammals--those where the risk of extinction is at least 50 percent within three of their generations--and assume that their time will run out and they will be extinct in 1,000 years, that puts us clearly outside any range of normal and tells us that we are moving into the mass extinction realm." ¶ Well, greater extinctions occurred when Europeans visited the Americas and in a much shorter time. And since we don't know how many species there are now, or have ever been, if someone makes a model and claims tens of thousands of species are going extinct today, that sets off cultural alarms. It's not science, though. ¶ If only 1% of species have gone extinct in the groups we really know much about, that is hardly a time for panic, especially if some 99 percent of all species that have ever existed we don't know anything about because they...went extinct. And we did not. ¶ It won't keep some researchers, and the mass media, from pushing the panic button. Co-author Charles Marshall, also an integrative biologist at UC-Berkeley wants to keep the panic button fully engaged by emphasizing that the small number of recorded extinctions to date does not mean we are not in a crisis. "Just because the magnitude is low compared to the biggest mass extinctions we've seen in half a billion years doesn't mean they aren't significant." ¶ It's a double negative, bad logic and questionable science, though.

#### Biodiversity is resilient and inevitable

Sagoff 8 Mark, Senior Research Scholar @ Institute for Philosophy and Public Policy @ School of Public Policy @ U. Maryland, Environmental Values, “On the Economic Value of Ecosystem Services”, 17:2, 239-257, EBSCO

What about the economic value of biodiversity? Biodiversity represents nature's greatest largess or excess since species appear nearly as numerous as the stars the Drifters admired, except that "scientists have a better understanding of how many stars there are in the galaxy than how many species there arc on Earth."70 Worldwide the variety of biodiversity is effectively infinite; the myriad species of plants and animals, not to mention microbes that arc probably more important, apparently exceed our ability to count or identify them. The "next" or "incremental" thousand species taken at random would not fetch a market price because another thousand are immediately available, and another thousand after that. No one has suggested an economic application, moreover, for any of the thousand species listed as threatened in the United States.77 To defend these species - or the next thousand or the thousand after that - on economic grounds is to trade convincing spiritual, aesthetic, and ethical arguments for bogus, pretextual, and disingenuous economic ones.78 As David Ehrenfeld has written,

We do not know how many [plant] species are needed to keep the planet green and healthy, but it seems very unlikely to be anywhere near the more than quarter of a million we have now. Even a mighty dominant like the American chestnut, extending over half a continent, all but disappeared without bring¬ing the eastern deciduous forest down with it. And if we turn to the invertebrates, the source of nearly all biological diversity, what biologist is willing to find a value - conventional or ecological - for all 600,000-plus species of beetles?7\*

The disappearance in the wild even of agriculturally useful species appears to have no effect on production. The last wild aurochs, the progenitor of dairy and beef cattle, went extinct in Poland in 1742, yet no one believes the beef industry is threatened. The genetic material of crop species is contained in tens of thousands of landraces and cultivars in use - rice is an example - and does not depend on the persistence of wild ancestral types. Genetic engineering can introduce DNA from virtually any species into virtually any other - which allows for the unlimited creation of biodiversity.

A neighbor of mine has collected about 4,000 different species of insects on his two-acre property in Silver Spring, Maryland. These include 500 kinds of Lepidoptera (mostly moths) - half the number another entomologist found at his residence.80 When you factor in plants and animals, the amount of "backyard biodiversity" in suburbs is astounding and far greater than you can imagine.8' Biodiversity has no value "at the margin" because nature provides far more of it than anyone could possibly administer. If one kind of moth flies off, you can easily attract hundreds of others.

### Oceans

#### Oceans resilient

Kennedy 2 - Environmental science prof, Maryland. Former Director, Cooperative Oxford Laboratory. PhD. (Victor, Coastal and Marine Ecosystems and Global Climate Change, http://www.pewclimate.org/projects/marine.cfm)

There is evidence that marine organisms and ecosystems are resilient to environmental change. Steele (1991) hypothesized that the biological components of marine systems are tightly coupled to physical factors, allowing them to respond quickly to rapid environmental change and thus rendering them ecologically adaptable. Some species also have wide genetic variability throughout their range, which may allow for adaptation to climate change.

## AT: Russia DA

### No Arctic War

#### Newly deployed capabilities are defensive---incentives for cooperation are likely to increase over time, conflicts won’t be shooting wars

Jonas Grätz 12, researcher at the Center for Security Studies, July 2012, “The Geopolitics of the Arctic Commons,” <http://www.isn.ethz.ch/isn/Digital-Library/Articles/Special-Feature/Detail/?lng=en&id=157901&tabid=1453469894&contextid774=157901&contextid775=157922>

Following the disarmament of the 1990s, new military capabilities are again being deployed in the Arctic. In many instances, these capabilities are defensive in nature and linked to intensified activities concerning either the extraction of raw materials or new “soft” security issues. Due to the weather conditions, only military or coast guard assets tend to be able to safely operate under Arctic conditions. In light of the new possibilities, there is also a growing awareness of the lack of surveillance capabilities for the territory and the enforcement of sovereignty. Particularly for countries like Canada and Denmark, building up policing and military capabilities serves to avoid the impression that the Arctic is of little national interest.¶ However, offensive capabilities are also being built up in the Arctic, reflecting global ambitions rather than changing regional dynamics. Since the Arctic Ocean provides Russia’s best access to the world’s main oceans, two thirds of its navy are already stationed in the Arctic. Instead of upgrading border protection capabilities, Moscow so far has focused on modernising its offensive capabilities for the purpose of power projection. What is more, Russia has resumed patrol flights over the Arctic and submarine patrols previously carried out during the Cold War, albeit at a lower frequency. This testifies to the persistence of a rather traditional Russian threat perception.¶ Today, the Arctic is characterised by a mixture of cooperation, competition, and conflicts of interest. There are indications that the growing presence of non-Arctic players prompts more cooperation among the coastal states. Open conflicts are unlikely to break out in the foreseeable future: While existing mechanisms for cooperation may be too weak to resolve some conflicts of interest, the costs of military conflict will likely be considered too high in light of uncertain gains. If conflicts were to occur, they would probably be limited in both time and space, aiming at the enforcement of interpretations of international law. Having said that, as the involvement of all key political players increases, the Arctic is also the scene of overarching geo-strategic competition and conflict. The extent to which the thawing of the Arctic means conflict or rapprochement and cooperation will therefore also depend on the shape of the future world order and the relationships between the different power centres.

#### Past trends prove – cooperation is more likely

Fries 12 [Tom Fries, Nonresident Senior Fellow at the Arctic Institute, Apr 18 2012, “Perspective Correction: How We Misinterpret Arctic Conflict,” http://www.thearcticinstitute.org/2012/04/perspective-correction-how-we.html]

It’s not only the handcuffs of many colors worn by the Arctic states that will keep them from getting aggressive, it is also the good precedents that exist for cooperation here. Russia and Norway recently resolved a forty year-old dispute over territory in the Barents. There are regular examples of military cooperation among the four littoral NATO states and between Norway and Russia. Even the US and Russia are finding opportunities to work together. Meanwhile, the need to develop search-and-rescue capabilities is making cross-border cooperation a necessity for all Arctic actors. There are numerous international research and private-sector ventures, even in areas other than hydrocarbons. These will only grow in importance with time. In fact, it would seem that for many of these countries, the Arctic is a welcome relief - a site where international collaboration is comparatively amicable.

## Alliance

### AT: Xudong

#### This card still says war’s likely in the un-underlined part:

Island sovereignty and maritime interest disputes in the Asia-Pacific region have attracted an increasing amount of global attention recently. With external powers ready to intervene, conflicts among the relevant parties have intensified and the unrest has gotten worse. If the trend cannot be curbed, armed conflicts are more likely

### AT: Moss 13 – “Miscalc Won’t Escalate”

#### Miscalc and escalation are still likely --- this is the paragraph before their card begins:

Trefor Moss, The Diplomat, 2/10/13, 7 Reasons China and Japan Won’t Go To War, thediplomat.com/2013/02/10/7-reasons-china-and-japan-wont-go-to-war/?all=true

However, Abe would argue that he is acting to strengthen Japan in order to balance a rising China and prevent a conflict, rather than creating the conditions for one. And he undoubtedly has a more sanguine view of the future of Sino-Japanese relations than those who see war as an ever more likely outcome. Of course, there is a chance that Chinese and Japanese ships or aircraft will clash as the dispute over the Senkaku/Diaoyu islands rumbles on; and, if they do, there is a chance that a skirmish could snowball unpredictably into a wider conflict.