# Politics

## 1NC

#### Immigration will pass---sustained momentum’s key

Cohen 2/8 Micah is a writer for NYT’s 538 blog. “Signs of a Shift on Immigration Among G.O.P. Rank-and-File,” 2013, http://fivethirtyeight.blogs.nytimes.com/2013/02/08/signs-of-a-shift-on-immigration-among-g-o-p-rank-and-file/

With notable speed after the Nov. 6 presidential election, a number of Republican politicians and opinions makers — from House Speaker John A. Boehner to the talk show host Sean Hannity — altered their positions on immigration and expressed a new openness to comprehensive reform.¶ Since then, **the push to overhaul the nation’s immigration system appears to have sustained momentum.** A new ABC News/Washington Post poll found a jump in public approval of President Obama’s handling of immigration, and most recent polls have found a majority of Americans support providing immigrants who have come here illegally a pathway to United States citizenship.¶ So, has the shift on immigration among some — but not all — Republican legislators, strategists and media personalities filtered down to rank-and-file Republicans?¶ The polling evidence — with a few significant caveats — says “possibly, yes.” There are signs of an uptick in Republican support for a pathway to citizenship, or at least a conditional pathway to citizenship.¶ First, the caveats. Tracking opinions on immigration policy over time is tricky because each pollster asks different questions with different options, making for apples-to-oranges comparisons. In addition, when narrowing the focus to self-identified Republicans and Republican leaners, small sample sizes and large margin of sampling errors become a problem. A typical national survey includes about 1,000 respondents, making the subsample of Republicans pretty small, usually around 200 to 300.¶ But keeping those disclaimers in mind, the most recent polls on immigration suggest an increase in the percentage of Republicans who favor immigration reform that includes a route to United States citizenship.¶ On average, the share of Republicans who favor providing undocumented immigrants with a path to citizenship is 48 percent among the six national polls released so far in 2013 and included in the PollingReport.com database. (The release of a CNN poll conducted Jan. 14-15 did not provide a breakdown by political party and is not included in the average).¶ Among the six previous polls that asked about a pathway to citizenship and released results by party identification, an average of only 38 percent of Republicans favored providing a path to citizenship.¶ Question wording has an effect here. Two of the polls that found the highest level of Republican support emphasized the requirements illegal immigrants might have to meet to become citizens. Conservative voters might be more likely to support a path to citizenship if it involves certain qualifications.¶ For instance, a Fox News poll conducted Jan. 15-17 among registered voters found that 56 percent of Republicans said the government should “allow illegal immigrants to remain in the country and eventually qualify for U.S. citizenship, but only if they meet certain requirements like paying back taxes, learning English, and passing a background check.”¶ And a Gallup poll released this week found that 59 percent of Republicans would vote for “a law that would allow undocumented immigrants living in the United States the chance to become legal residents or citizens if they meet certain requirements.”¶ On the other hand, a CBS News poll of adults conducted Jan. 24-27 found that only 35 percent of Republicans said illegal immigrants currently working in the country “should be allowed to stay in their jobs and to eventually apply for U.S. citizenship.” (CBS found that 25 percent of Republicans said illegal immigrants should be able to stay as guest workers and 36 percent said they should be required to leave the United States).¶ The apples-to-apples comparisons we have are more mixed: Republican support in the mid-January AP/GfK poll jumped to 53 percent from 31 percent in 2010. The latest ABC News/Washington Post poll moved to 42 percent Republican support for a path to citizenship from 37 percent in November 2012 (that’s inside the margin of sampling error). The CBS News poll did not move at all, finding 35 percent Republican support in both its December 2012 and late January 2013 surveys. And Quinnipiac polls, released on Thursday and in early December 2012, both found roughly 40 percent of registered Republicans support a path to citizenship and just more than 10 percent support legal status without citizenship.¶ An uptick in Republican support for a pathway to citizenship could be statistical noise. And even if it is real, it could reverse itself. Some political science research suggests that anti-immigrant attitudes increase when immigration is in the news.¶ But there are reasons to think that immigration, over all, has become less of a hot-button issue. A Pew study found that the number of illegal immigrants living in the United States has dropped since the 2007 push for change. Another Pew survey found that only 44 percent of Republicans see dealing with immigration as a top priority. That’s down from previous peaks of 69 percent in 2007 and 61 percent in 2011.¶ Further polling is needed before a more concrete picture of Republican attitudes emerges. But if Republican voters have warmed to providing a conditional path to citizenship, **it could increase the likelihood of an overhaul becoming law by freeing House Republicans, in particular, to back some kind of reform.**

#### Plan causes a political firestorm

Schoen 10 John is a writer for NBC. “BP Spill Clouds Future of U.S. Oil Drilling,” May 28, http://www.nbcdfw.com/news/breaking/BP\_spill\_clouds\_future\_of\_U\_S\_\_oil\_drilling-95099234.html

Just a few months ago, offshore drilling was poised to play a greater role meeting in the nation’s energy needs. But the massive BP oil spill in the Gulf of Mexico has brought an abrupt reversal to that policy and ushered in more restrictions on new exploration, tighter controls of existing wells and higher costs for oil companies. “I continue to believe that domestic oil production is important,” President Barack Obama told reporters at a Thursday news conference. “But I also believe we can't do this stuff if we don't have confidence that we can prevent crises like this from happening again.” Some have likened the spill to the 1979 partial meltdown of a nuclear reactor at Three Mile Island — a turning point in U.S. energy policy that would effectively cap expansion of nuclear power for decades. Just as Three Mile Island didn’t put an end to nuclear power production, the BP disaster won’t put a stop to deep water drilling in the Gulf. For at least the next decade, the need for oil is just too great. But the future of U.S. offshore drilling has suddenly become as murky as the oily Gulf waters fouled by BP's runaway wellhead a mile underwater. Even if the ongoing “topkill” effort to cap the leaking well is successful, the legacy of the disaster — and the final tally of the environmental and financial damage — won’t be known for years. “There is a long term study needed — I’m talking decades — to really fully understand the consequences of this spill,” said John Stegeman, a scientist at the Woods Hole Oceanographic Institution. “So that when the next one comes along — and there will be others, whether they’re this big our not — we can enhance our ability to understand and deal with and predict consequences of future spills.” For now, the spill has brought new offshore drilling to a virtual standstill. On Thursday, the Obama administration announced a six-month moratorium on deep water oil and gas drilling and ordered the shutdown of offshore exploratory wells already operating until they meet new safety requirements. Public outrage over BP’s inability to stop the runway well has created a political firestorm. Congress has held a blizzard of hearings on the cause of the accident and the implications for future drilling. Pictures of tarred beaches and oil-fouled pelicans in the Gulf Coast have intensified a decades-long debate weighing the need to expand domestic oil supplies against the risk of environmental damage. Supporters of expanded drilling argue the country can’t afford to stop looking for new domestic oil supplies. "If the delay is for a season to ensure we have the highest levels of protection in place, that's one thing," said Sen. Lisa Murkowski, R-Alaska, the ranking member the Senate’s Energy and Natural Resources Committee, on Thursday. “But if it means that existing permits are allowed to lapse … that's not acceptable to me or Alaska." The political battle lines over U.S. energy policy are complex. Over the past decade, multiple skirmishes have been fought between bipartisan alliances of energy-producing and energy-consuming states. The divisions are further complicated by the often conflicting goals of energy policy related to oil natural gas, coal, wind, solar, etc.

#### PC’s key

Foley 1/15 Elise is a writer @ Huff Post Politics. “Obama Gears Up For Immigration Reform Push In Second Term,” 2013, http://www.huffingtonpost.com/2013/01/15/obama-immigration-reform\_n\_2463388.html

Obama has repeatedly said he will push hard for immigration reform in his second term, and administration officials have said that other contentious legislative initiatives -- including **gun control and the debt ceiling -- won't be allowed to get in the way.** At least at first glance, he seems to have politics on his side. GOP lawmakers are entering -- or, in some cases, re-entering -- the immigration debate in the wake of disastrous results for their party's presidential nominee with Latino voters, who support reform by large measures. Based on those new political realities, "it would be a suicidal impulse for Republicans in Congress to continue to block [reform]," David Axelrod, a longtime adviser to the president, told The Huffington Post.¶ Now **there's the question of how Obama gets there.** While confrontation might work with Republicans on other issues -- the debt ceiling, for example -- the consensus is that the GOP is serious enough about reform that the president can, and must, play the role of broker and statesman to get a deal.¶ It starts with a lesson from his first term. Republicans have demanded that the border be secured first, before other elements of immigration reform. Yet the administration has been by many measures the strictest ever on immigration enforcement, and devotes massive sums to policing the borders. The White House has met many of the desired metrics for border security, although there is always more to be done, but Republicans are still calling for more before they will consider reform. Enforcing the border, but not sufficiently touting its record of doing so, the White House has learned, won't be enough to win over Republicans.¶ In a briefing with The Huffington Post, a senior administration official said the White House believes it has met enforcement goals and must now move to a comprehensive solution. The administration is highly skeptical of claims from Republicans that immigration reform can or should be done in a piecemeal fashion. Going down that road, the White House worries, could result in passage of the less politically complicated pieces, such as an enforcement mechanism and high-skilled worker visas, while leaving out more contentious items such as a pathway to citizenship for undocumented immigrants.¶ "Enforcement is certainly part of the picture," the official said. "But if you go back and look at the 2006 and 2007 bills, if you go back and look at John McCain's 10-point 'This is what I've got to get done before I'm prepared to talk about immigration,' and then you look at what we're actually doing, it's like 'check, check, check.' We're there. The border is as secure as it's been in a generation or two, so it's really time."¶ One key in the second term, advocates say, will be convincing skeptics such as Republican Sen. John Cornyn of Texas that the Obama administration held up its end of the bargain by proving a commitment to enforcement. **The White House** also **needs to convince GOP lawmakers** that there's support from their constituents for immigration reform, which could be aided by conservative evangelical leaders and members of the business community who are pushing for a bill.¶ Immigrant advocates want more targeted deportations that focus on criminals, while opponents of comprehensive immigration reform say there's too little enforcement and not enough assurances that reform wouldn't be followed by another wave of unauthorized immigration. The Obama administration has made some progress on both fronts, but some advocates worry that the president hasn't done enough to emphasize it. The latest deportation figures were released in the ultimate Friday news dump: mid-afternoon Friday on Dec. 21, a prime travel time four days before Christmas.¶ Last week, the enforcement-is-working argument was bolstered by a report from the nonpartisan Migration Policy Institute, which found that the government is pouring more money into its immigration agencies than the other federal law-enforcement efforts combined. There are some clear metrics to point to on the border in particular, and Doris Meissner, an author of the report and a former commissioner of the U.S. Immigration and Naturalization Service, said she hopes putting out more information can add to the immigration debate.¶ "I've been surprised, frankly, that the administration hasn't done more to lay out its record," she said, adding the administration has kept many of its metrics under wraps.¶ There are already lawmakers working on a broad agreement. Eight senators, coined the gang of eight, are working on a bipartisan immigration bill. It's still in its early stages, but nonmembers of the "gang," such as Sen. Marco Rubio (R-Fla.) are also talking about reform.¶ It's still unclear what exact role the president will play, but sources say he does plan to lead on the issue. Rep. Zoe Lofgren (D-Calif.), the top Democrat on the House immigration subcommittee, said the White House seems sensitive to the fact that Republicans and Democrats need to work out the issue in Congress -- no one is expecting a fiscal cliff-style arrangement jammed by leadership -- while keeping the president heavily involved.

#### **Reform’s key to heg**

Nye 12 Joseph S. Nye, a former US assistant secretary of defense and chairman of the US National Intelligence Council, is University Professor at Harvard University. “Immigration and American Power,” December 10, Project Syndicate, http://www.project-syndicate.org/commentary/obama-needs-immigration-reform-to-maintain-america-s-strength-by-joseph-s--nye

CAMBRIDGE – The United States is a nation of immigrants. Except for a small number of Native Americans, everyone is originally from somewhere else, and even recent immigrants can rise to top economic and political roles. President Franklin Roosevelt once famously addressed the Daughters of the American Revolution – a group that prided itself on the early arrival of its ancestors – as “fellow immigrants.”¶ In recent years, however, US politics has had a strong anti-immigration slant, and the issue played an important role in the Republican Party’s presidential nomination battle in 2012. But Barack Obama’s re-election demonstrated the electoral power of Latino voters, who rejected Republican presidential candidate Mitt Romney by a 3-1 majority, as did Asian-Americans.¶ As a result, several prominent Republican politicians are now urging their party to reconsider its anti-immigration policies, and plans for immigration reform will be on the agenda at the beginning of Obama’s second term. **Successful reform will be an important step in preventing the** decline of American power**.**¶ Fears about the impact of immigration on national values and on a coherent sense of American identity are not new. The nineteenth-century “Know Nothing” movement was built on opposition to immigrants, particularly the Irish. Chinese were singled out for exclusion from 1882 onward, and, with the more restrictive Immigration Act of 1924, immigration in general slowed for the next four decades.¶ During the twentieth century, the US recorded its highest percentage of foreign-born residents, 14.7%, in 1910. A century later, according to the 2010 census, 13% of the American population is foreign born. But, despite being a nation of immigrants, more Americans are skeptical about immigration than are sympathetic to it. Various opinion polls show either a plurality or a majority favoring less immigration. The recession exacerbated such views: in 2009, one-half of the US public favored allowing fewer immigrants, up from 39% in 2008.¶ Both the number of immigrants and their origin have caused concerns about immigration’s effects on American culture. Demographers portray a country in 2050 in which non-Hispanic whites will be only a slim majority. Hispanics will comprise 25% of the population, with African- and Asian-Americans making up 14% and 8%, respectively.¶ But mass communications and market forces produce powerful incentives to master the English language and accept a degree of assimilation. Modern media help new immigrants to learn more about their new country beforehand than immigrants did a century ago. Indeed, most of the evidence suggests that the latest immigrants are assimilating at least as quickly as their predecessors.¶ While too rapid a rate of immigration can cause social problems, over the long term, immigration strengthens US power. It is estimated that at least 83 countries and territories currently have fertility rates that are below the level needed to keep their population constant. Whereas most developed countries will experience a shortage of people as the century progresses, America is one of the few that may avoid demographic decline and maintain its share of world population.¶ For example, to maintain its current population size, Japan would have to accept 350,000 newcomers annually for the next 50 years, which is difficult for a culture that has historically been hostile to immigration. In contrast, the Census Bureau projects that the US population will grow by 49% over the next four decades.¶ Today, the US is the world’s third most populous country; 50 years from now it is still likely to be third (after only China and India). This is highly relevant to economic power: whereas nearly all other developed countries will face a growing burden of providing for the older generation**, immigration could help to attenuate the policy problem for the US.**¶ In addition, though studies suggest that the short-term economic benefits of immigration are relatively small, and that unskilled workers may suffer from competition**, skilled immigrants can be important to** particular sectors – and to long-term growth. There is a strong correlation between the number of visas for skilled applicants and patents filed in the US. At the beginning of this century, Chinese- and Indian-born engineers were running one-quarter of Silicon Valley’s technology businesses, which accounted for $17.8 billion in sales; and, in 2005, immigrants had helped to start one-quarter of all US technology start-ups during the previous decade. Immigrants or children of immigrants founded roughly 40% of the 2010 Fortune 500 companies.¶ Equally important are immigration’s benefits for America’s soft power. The fact that people want to come to the US enhances its appeal, and immigrants’ upward mobility is attractive to people in other countries. The US is a magnet, and many people can envisage themselves as Americans, in part because so many successful Americans look like them. Moreover, connections between immigrants and their families and friends back home help to convey accurate and positive information about the US.¶ Likewise, because the presence of many cultures creates avenues of connection with other countries, it helps to broaden Americans’ attitudes and views of the world in an era of globalization. Rather than diluting hard and soft power, immigration enhances both.¶ Singapore’s former leader, Lee Kwan Yew, an astute observer of both the US and China, argues that China will not surpass the US as the leading power of the twenty-first century, precisely **because the US attracts the best and brightest** from the rest of the world and melds them into a diverse culture of creativity. China has a larger population to recruit from domestically, but, in Lee’s view, its Sino-centric culture will make it less creative than the US.¶ That is a view that Americans should take to heart. If Obama succeeds in enacting **immigration reform** in his second term, he **will** have gone a long way toward fulfilling his promise to maintain the strength of the US.

#### Nuclear war

Khalilzad 11 Zalmay, the United States ambassador to Afghanistan, Iraq, and the United Nations during the presidency of George W. Bush and the director of policy planning at the Defense Department from 1990 to 1992, February 8, “The Economy and National Security; If we don’t get our economic house in order, we risk a new era of multi-polarity,” online: <http://www.nationalreview.com/articles/259024/economy-and-national-security-zalmay-khalilzad>

We face this domestic challenge while other major powers are experiencing rapid economic growth. Even though countries such as China, India, and Brazil have profound political, social, demographic, and economic problems, their economies are growing faster than ours, and this could alter the global distribution of power. These trends could in the long term produce a multi-polar world. If U.S. policymakers fail to act and other powers continue to grow, it is not a question of whether but when a new international order will emerge. The closing of the gap between the United States and its rivals could intensify geopolitical competition among major powers, increase incentives for local powers to play major powers against one another, and undercut our will to preclude or respond to international crises because of the higher risk of **escalation.**¶ The stakes are high. In modern history, the longest period of peace among the great powers has been the era of U.S. leadership. By contrast, multi-polar systems have been unstable, with their competitive dynamics resulting in frequent crises and major wars among the great powers. Failures of multi-polar international systems produced both world wars.¶ American retrenchment could have devastating consequences. Without an American security blanket, regional powers could rearm in an attempt to balance against emerging threats. Under this scenario, there would be a heightened possibility of arms races, miscalculation, or other crises spiraling into all-out conflict. Alternatively, in seeking to accommodate the stronger powers, weaker powers may shift their geopolitical posture away from the United States. Either way, hostile states would be emboldened to make aggressive moves in their regions.¶ As rival powers rise, Asia in particular is likely to emerge as a zone of **great-power competition**. Beijing’s economic rise has enabled a dramatic military buildup focused on acquisitions of naval, cruise, and ballistic missiles, long-range stealth aircraft, and anti-satellite capabilities. China’s strategic modernization is aimed, ultimately, at denying the United States access to the seas around China. Even as cooperative economic ties in the region have grown, China’s expansive territorial claims — and provocative statements and actions following crises in Korea and incidents at sea — have roiled its relations with South Korea, Japan, India, and Southeast Asian states. Still, the United States is the most significant barrier facing Chinese hegemony and aggression.

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### Overview

#### DA outweighs and turns the case – immigration’s crucial to hegemony because it boosts competitiveness and enhances our soft power – that’s Nye – solves all escalation for war – that’s Khalilzhad

#### Soft power prevents extinction

Stanley 7—Elizabeth Stanley, Ph.D. is an Assistant Professor of Security Studies in the Edmund A. Walsh School of Foreign Service and the Department of Government, 7 “International Perceptions of US Nuclear Policy” Sandia Report,<http://www.prod.sandia.gov/cgi-bin/techlib/access-control.pl/2007/070903.pdf>

How important is soft power, anyway?  Given its vast conventional military power, does  the United States even need soft power?  Some analysts argue that US military predominance is both possible and desirable over the long term, and thus soft power is not important.  But a growing consensus disagrees.  These analysts argue that soft power is critical for four reasons.   First, soft power is invaluable for keeping potential adversaries from gaining international support, for “winning the peace” in Afghanistan and Iraq, and for convincing moderates to  refrain from supporting extremist terrorist groups.  Second, soft power helps influence neutral  and developing states to support US global leadership.  Third, soft power is also important for  convincing allies and partners to share the international security burden.14  Finally, and perhaps  most importantly, given the increasing interdependence and globalization of the world system,  soft power is critical for addressing most security threats the United States faces today.  Most  global security threats are impossible to be countered by a single state alone.  Terrorism,  weapons of mass destruction (WMD) proliferation, failed and failing states, conflicts over access  to resources, are not confined to any one state.  In addition, disease, demographic shifts,  environmental degradation and global warming will have negative security implications as  well.15  All of these potential threats share four traits: (1) they are best addressed proactively,  rather than after they develop into full-blown crises; (2) they require multi-lateral approaches,  often under the umbrella of an international institution; (3) they are not candidates for a quick  fix, but rather require multi-year, or multi-decade solutions; and, (4) they are “wicked” problems.   Given these four traits, soft power is critical for helping to secure the international, multi-lateral  cooperation that will be necessary to address such threats effectively.

#### Solves their Navy advantage since our defense industrial base is a prereq and heg prevents escalation of Russia war

#### Faster TF means you should prefer our impacts – it takes a while to drill and change global markets for the EU and Navy redirection – immigration immediately changes our perception as a country and boosts heg

#### They’ve conceded uniqueness – CIR will pass now due to Obama’s push which should frame the direction of link and internal link since there’s only a risk they change current trends – that’s Cohen

### AT: PC Not Key (Hirsh)

#### Doesn’t say PC irrelevant --- just says it’s complex --- that’s fine, we’ve made specific claims about the interactions based on the current political climate

Hirsh 2/7 Michael Hirsh - chief correspondent for National Journal, previously senior editor and national economics correspondent for Newsweek, “There’s No Such Thing as Political Capital” February 7, 2013 http://www.nationaljournal.com/magazine/there-s-no-such-thing-as-political-capital-20130207

**The point is not that “political capital” is a meaningless term.** Often it is a synonym for “mandate” or “momentum” in the aftermath of a decisive election—and just about every politician ever elected has tried to claim more of a mandate than he actually has. Certainly, Obama can say that because he was elected and Romney wasn’t, he has a better claim on the country’s mood and direction. Many pundits still defend political capital as a useful metaphor at least. “It’s an unquantifiable but meaningful concept,” says Norman Ornstein of the American Enterprise Institute. “You can’t really look at a president and say he’s got 37 ounces of political capital. But the fact is**, it’s a concept that matters, if you have popularity and some momentum on your side.”**¶The real problem is that the idea of political capital—or mandates, or momentum—is so poorly defined that presidents and pundits often get it wrong. “Presidents usually over-estimate it,” says George Edwards, a presidential scholar at Texas A&M University. “The best kind of political capital—some sense of an electoral mandate to do something—is very rare. It almost never happens. In 1964, maybe. And to some degree in 1980.” For that reason, political capital is a concept that misleads far more than it enlightens. It is distortionary. It conveys the idea that we know more than we really do about the ever-elusive concept of political power, and it discounts the way unforeseen events can suddenly change everything. Instead, it suggests, erroneously, that a political figure has a concrete amount of political capital to invest, just as someone might have real investment capital—that a particular leader can bank his gains, and the size of his account determines what he can do at any given moment in history.¶ **Naturally, any president has practical and electoral limits**. Does he have a majority in both chambers of Congress and a cohesive coalition behind him? Obama has neither at present. And unless a surge in the economy—at the moment, still stuck—or some other great victory gives him more momentum, it is inevitable that the closer Obama gets to the 2014 election, the less he will be able to get done. Going into the midterms, Republicans will increasingly avoid any concessions that make him (and the Democrats) stronger.

#### Depends on picking the right issues --- links prove the plan is wrong

Hirsh 2/7 Michael Hirsh - chief correspondent for National Journal, previously senior editor and national economics correspondent for Newsweek, “There’s No Such Thing as Political Capital” February 7, 2013 http://www.nationaljournal.com/magazine/there-s-no-such-thing-as-political-capital-20130207

And then **there are the presidents who get the politics, and the issues, wrong**. It was the last president before Obama who was just starting a second term, George W. Bush, who really revived the claim of political capital, which he was very fond of wielding. Then Bush promptly demonstrated that he didn’t fully understand the concept either.¶ At his first news conference after his 2004 victory, a confident-sounding Bush declared, “I earned capital in the campaign, political capital, and now I intend to spend it. That’s my style.” The 43rd president threw all of his political capital at an overriding passion: the partial privatization of Social Security. He mounted a full-bore public-relations campaign that included town-hall meetings across the country.¶ Bush failed utterly, of course. But the problem was not that he didn’t have enough political capital. Yes, he may have overestimated his standing. Bush’s margin over John Kerry was thin—helped along by a bumbling Kerry campaign that was almost the mirror image of Romney’s gaffe-filled failure this time—but that was not the real mistake. **The problem was** that **whatever credibility** or stature Bush thought **he had earned** as a newly reelected president **did nothing to make Social Security privatization a better idea in most people’s eyes**. Voters didn’t trust the plan, and four years later, at the end of Bush’s term, the stock-market collapse bore out the public’s skepticism. Privatization just didn’t have any momentum behind it, no matter who was pushing it or how much capital Bush spent to sell it.¶ The mistake that Bush made with Social Security, says John Sides, an associate professor of political science at George Washington University and a well-followed political blogger, “was that just because he won an election, he thought he had a green light. But **there was no sense of any kind of public urgency on Social Security reform**. It’s like he went into the garage where various Republican policy ideas were hanging up and picked one. I don’t think Obama’s going to make that mistake.… **Bush decided he wanted to push a rock up a hill**. He didn’t understand how steep the hill was. I think Obama has more momentum on his side because of the Republican Party’s concerns about the Latino vote and the shooting at Newtown.” Obama may also get his way on the debt ceiling, not because of his reelection, Sides says, “but because Republicans are beginning to doubt whether taking a hard line on fiscal policy is a good idea,” as the party suffers in the polls.

### AT: PC Bad

#### PC is the deciding factor---otherwise CIR will fall by the wayside

Hesson 1/2 Ted is a writer @ ABC News. “Analysis: 6 Things Obama Needs To Do for Immigration Reform,” 2013, http://abcnews.go.com/ABC\_Univision/News/things-president-obama-immigration-reform/story?id=18103115

On Sunday, President Barack Obama said that immigration reform is a "top priority" on his agenda and that he would introduce legislation in his first year.¶ To find out what he needs to do to make reform a reality, we talked to Lynn Tramonte, the deputy director at America's Voice, a group that lobbies for immigration reform, and Muzaffar Chishti, the director of the New York office of the Migration Policy Institute, a think tank. Here's what we came up with.¶ 1. Be a Leader¶ During Obama's first term, bipartisan legislation never got off the ground. The president needs to do a better job leading the charge this time around, according to Chishti. "He has to make it clear that it's a high priority of his," he said. "He has to make it clear that he'll use his bully pulpit and his political muscle to make it happen, and he has to be open to using his veto power." His announcement this weekend is a step in that direction, but he needs to follow through.

#### Passage dependent on Obama

Brownstein 1/31 Ronald, National Journal, 1/31/13, On Immigration, What Obama Can Learn From Bush's Failed Efforts, www.nationaljournal.com/columns/political-connections/on-immigration-what-obama-can-learn-from-bush-s-failed-efforts-20130131

The prospects for major immigration reform are now the brightest in years, but for key players in Washington, a shadow still looms: the ghost of 2006. That was the last time the stars were aligned for a breakthrough. Immigration reform that included a path to citizenship for those in the United States illegally had the support of President Bush, a broad labor-business-faith coalition, and a bipartisan Senate majority. Yet that armada ultimately splintered against the stony refusal of House Republican leaders to consider a bill opposed by a majority of their majority. Any of that sound familiar? Already many of the same dynamics are developing, with President Obama stamping immigration reform as a top priority, a bipartisan Senate coalition reassembling, a broad outside alliance of support groups coalescing—and most House Republicans rejecting anything that hints at “amnesty” for illegal immigrants. Yet the contrasts between now and 2006, particularly in the political climate, are also significant. Understanding both the similarities and the differences will be critical for reform advocates if they are to avoid replicating the disappointment they suffered under Bush. Presidential interest was then, as it is now, critical in elevating immigration reform. Since his days as Texas governor, Bush had courted Hispanics, and—even during the 2000 GOP presidential primary campaign—he strikingly defended illegal immigrants as “moms and dads” trying to make a better life for their children. Together with his political “architect,” Karl Rove, Bush saw comprehensive reform that coupled a path to citizenship with tougher enforcement as an opportunity to consolidate the beachhead that allowed him to capture more than 40 percent of Hispanic voters in his 2004 reelection. But Bush largely looked away when Republicans who controlled the House channeled that impulse in a very different direction. In December 2005, they passed an enforcement-only bill drafted by Judiciary Committee Chairman Jim Sensenbrenner of Wisconsin, that, for the first time, designated all undocumented immigrants as felons. (Previously, illegal presence in the U.S. had been a civil, not criminal, violation.) Initially, debate in the GOP-controlled Senate drifted. Majority Leader Bill Frist, considering a 2008 presidential bid, pushed his own enforcement-only bill. But amid the backdrop of huge public rallies against Sensenbrenner’s proposal, Sen. Arlen Specter unexpectedly joined with three other Republicans and all eight Judiciary Committee Democrats in late March to approve a comprehensive plan, including a path to citizenship, that followed a blueprint negotiated by Sens. Edward Kennedy and John McCain. When broader Senate agreement teetered over the terms of legalization, Republican Sens. Chuck Hagel and Mel Martinez devised a compromise that divided illegal immigrants into three categories, requiring those here less than two years to leave but allowing those with deeper roots to eventually earn citizenship by paying fines and learning English. After Bush finally delivered a national address on immigration, a bill embodying that plan cleared the Senate with 62 votes, including support from 23 Republicans. House Republicans immediately signaled their disinterest by refusing to appoint a conference committee and instead scheduled hearings in border communities to highlight security lapses. “Border security reigned supreme,” recalls Ron Bonjean, the communications director for then-Speaker Dennis Hastert. “I remember being in a meeting with … the leadership where pollsters came in and said border security was the key to our reelection.” Even in 2006, something like the Senate plan likely could have attracted 218 votes in the House—but not a majority of Republicans. Faced with a collision between his two political imperatives—courting Hispanics and mobilizing conservatives—Bush blinked**, allowing House leaders to replace the Senate bill with enforcement-only legislation**, which he signed that fall. These choices began the GOP’s slide among Hispanics that continues unabated: Hispanic support for Republican House candidates plummeted from 44 percent in 2004 to just 29 percent in 2006, presaging Mitt Romney’s disastrous 27 percent showing among those voters in 2012. That slippage is one of the two most important differences in the political environment around immigration between 2006 and today. Back then, as Bonjean notes, hardly any House Republicans argued that the GOP needed to pass a plan attractive to minorities. But many GOP leaders now see that as self-preservation. “The political imperative has shifted the tectonic plates,” says Frank Sharry, a key player in the 2006 debate who remains central as executive director of America’s Voice, which backs full citizenship for immigrants. “Immigration was viewed as a wedge issue for Republicans in 2006. Now it’s viewed as a wedge issue for Democrats.” The “Gang of Eight” proposal released this week makes it likely that, as in 2006, the Senate will eventually pass a bipartisan immigration bill. Once again, there are probably 218 House votes for such a plan, but not a majority of the majority Republicans. **That raises a**nother **key difference** from 2006: Hastert faced little pressure to consider the Senate bill, because Bush bit his tongue when the speaker buried it**.** If House Republicans shelve another bipartisan Senate plan in 2013, they should expect much more public heat, because Obama won’t be as deferential.

#### It’s ‘path to citizenship’ or nothing---means uniqueness doesn’t outweigh---it could be derailed

Helderman 1/31 Rosalind and Peter Wallsten, WashPost. “Citizenship question roils both parties as immigration debate gets underway,” 2013, http://www.washingtonpost.com/politics/citizenship-question-roils-both-parties-as-immigration-debate-gets-underway/2013/01/31/0588b44a-6b97-11e2-bd36-c0fe61a205f6\_story.html

Rising tensions over whether to give illegal immigrants a chance to pursue full citizenship **could ruin** what President Obama and congressional leaders agree is a pivotal moment in resolving long-simmering problems in the country’s **immigration** system.¶ Immigrant advocates and their Democratic allies insist that now, at long last, is their time. After various failed proposals over the past decade, they finally feel they have the leverage to accept nothing less than a path to full citizenship for the millions of people living illegally in the country.¶ But although Republican leaders are newly interested in a compromise on immigration, many in the party say that allowing undocumented immigrants to live here legally is enough and that a push for citizenship would face fierce, and possibly insurmountable, opposition from conservatives.¶ The tension has deepened in recent days, with disagreements emerging within each party as bipartisan groups in the House and the Senate try to move toward a compromise even as they face hard-line opposition from some voices in their political bases.¶ On the right, some conservatives have begun heaping criticism on one of their own rising stars, Sen. Marco Rubio (R-Fla.), the Cuban American who is a potential presidential candidate and who is championing a compromise. On the left, some liberals are privately grousing that Democratic senators working with Rubio are giving too much ground.¶ A key question is whether to require that certain conditions be met before illegal immigrants could be put on the path to citizenship — and how the government would determine success.¶ The Senate group, which includes Rubio and top members of both parties, would require that the U.S.-Mexico border be found secure and that other strict enforcement measures be enacted before those here illegally could become citizens. Many on the left say the path needs to be more straightforward, while many on the right see even the compromise idea as a non-starter, deeming it too lenient.¶ A path to citizenship is “certainly going to be a problem in the House,” said Rep. Bob Goodlatte (R-Va.), chairman of the Judiciary Committee, which will hold a hearing next week on the issue. “There are a lot of options between deporting 11 million people, which most people don’t believe will happen, and giving [them] citizenship.”¶ On the other side, Richard Trumka, president of the AFL-CIO, said he would support only legislation that gives every deserving illegal immigrant a chance at citizenship. “If it’s too exclusionary, then we’ll fight against it,” he said.¶ The tensions underscore the difficulty of forging consensus on such a politically charged issue, even after Obama’s decisive election win last year among Hispanics led several prominent Republicans to express an eagerness to strike a deal.¶ The senators behind the framework — Republicans Rubio, John McCain (Ariz.), Jeff Flake (Ariz.) and Lindsey O. Graham (S.C.), along with Democrats Charles E. Schumer (N.Y.), Richard J. Durbin (Ill.), Robert Menendez (N.J.) and Michael F. Bennet (Colo.) — have been exuding confidence that a deal was within reach.¶ “I’ve never felt more positive about the prospects of real immigration reform than I do today,” Durbin said at a news conference Thursday.¶ Yet even if the senators find agreement among themselves, selling their recommendations to their colleagues and the activists on both sides of the debate will be a far steeper challenge.¶ Immigration advocates close to the White House have vowed to pressure Obama if he agrees to what they consider unreasonable preconditions to citizenship for illegal immigrants. Conservatives are either insisting on strict contingencies or refusing to back the idea of citizenship.¶ “The world now thinks that this is inevitable,” said one person with knowledge of the deliberations who spoke on the condition of anonymity. “This is far from inevitable. There’s a million land mines in the way.”

### AT: Navy KT Heg

#### Navy’s not key to heg – can’t use it without strong defense industrial base due to competitiveness with immigrants and soft power to deploy in different regions – conceded warrants – that’s Nye

#### They also have no evidence about collapse of shipbuilding or naval power now which proves our internals comparatively outweigh

### AT: Agencies Shield

#### Secretary of Interior just provides leases but Obama still has to get involved in removing the restriction in the first place

#### Agencies link to politics

Thomas McGarity, Endowed Chair in Administrative Law, University of Texas School of Law, May 2012, ARTICLE: ADMINISTRATIVE LAW AS BLOOD SPORT: POLICY EROSION IN A HIGHLY PARTISAN AGE, 61 Duke L.J. 1671

The interchange-fee rulemaking experience illustrates how stakeholders in high-stakes rulemakings have begun going beyond the conventional responses to rulemaking initiatives by adopting a new toolbox of strategies better suited to the deeply divided political economy. If the players on one side of the policy debate perceive that they are unlikely to prevail in the administrative arena, they will move the implementation game to another arena - the White House, a congressional hearing, a political fundraising dinner, a think-tank white paper, talk-radio programs, attack advertising, telephone solicitation and "push polls," or Internet blogs. Many of these new venues were amply used in the battle that accompanied the interchange-fee rulemaking. In addition, although lawyers for the stakeholders employ the careful language of administrative law in arenas in which that language is expected, spokespersons and allies also employ the heated rhetoric of modern political discourse in arenas in which that language is more likely to succeed. This Part probes these, among other, contours of blood-sport rulemaking.

#### Obama appointed the head of Interior - means he still receives blame

Shane 95 Dean and Professor of Law, University of Pittsburgh (Peter, “Political Accountability in a System of Checks and Balances: The Case of Presidential Review of Rulemaking”, 48 Ark. L. Rev. 161, 1995)

The reason for the insignificance of the transparency argument is that, even without plenary power to second-guess all bureaucratic policy makers, the President may well be held generally and properly accountable for overall bureaucratic performance in any event. That is because voters know the President has appointed all key policy makers and the most important managers of executive affairs. The President's value structure is likely to dominate the bureaucracy even if he is not formally able to command all important policy decisions. Professor Abner Greene has recently catalogued a series of reasons why this is so: OMB reviews virtually all agency budgets; the Attorney General controls most agency litigation; the President's support may be critical to an agency in its negotiations with Congress. 184 For these reasons, Presidents do not inevitably have less influence over "independent" agencies than they do over "purely executive" establishments.

#### Best studies prove

Thomas McGarity, Endowed Chair in Administrative Law, University of Texas School of Law, May 2012, ARTICLE: ADMINISTRATIVE LAW AS BLOOD SPORT: POLICY EROSION IN A HIGHLY PARTISAN AGE, 61 Duke L.J. 1671

In this Article, I raise the possibility that the nation has entered a period in which the population is so deeply divided about the proper role of government, regulated industries are so willing to spend millions of dollars to vindicate their interests, and political discourse is so unrestrained that an even more expansive model of implementation may be warranted, at least in the context of high-stakes rulemaking initiatives. n23 First, the implementation game has spread to arenas that are far less structured and far more political than the agency hearing rooms and appellate courtrooms of the past. Second, the roster of players has expanded beyond agency and OIRA staffs, advocates for the regulated industry and beneficiary groups, and congressional aides to include individuals and organizations with broad policy agendas, such as the U.S. Chamber of Commerce, think tanks, grassroots organizations, media pundits, and Internet bloggers. Third, because many parties play the implementation game in multiple arenas, the game has become far more strategic and the range of allowable tactics has widened rather dramatically. Finally, in this deeply divided political economy, the players in the implementation game no longer make a pretense of separation between the domains of politics and administrative law, and they are far less restrained in the rhetoric they employ to influence agency policymaking. n24

In this new milieu, "winning" can mean more than compelling unreasonable delays in agency action, invoking APA procedures to impede the policymaking process, or persuading the agency to accept a particular position on the relevant law and facts. Winning can consist of extracting promises from nominees during the confirmation process, preventing the confirmation of disfavored nominees, or preventing the confirmation of any agency leaders until the administration has agreed to change the agency's decisionmaking structure. Winning can also mean incapacitating the agency by reducing its annual appropriation, repealing the agency's organic act, or whittling away its regulatory authority through rifle-shot riders attached to must-pass legislation. n25 The players are less reluctant to attack agencies and the statutes those agencies administer head on. The players launch their attacks much earlier in the evolution of regulatory programs, and they feel free to go beyond attacks on the agencies as institutions to launch ad hominem attacks on agency decisionmakers.

§ Marked 15:08 § In short, I raise the possibility that, for some high-stakes rulemaking initiatives in some areas of regulation, implementation is not so much "politics by other means" as it is "politics as usual." And because politics is so very different from the deliberative, lawyer-dominated domain of traditional administrative law, the word "law" may no longer be an accurate descriptor. Former U.S. [\*1681] Securities and Exchange Commission (SEC) Chairman Arthur Levitt referred in 2010 to federal regulation as a "kind of a blood sport" in which the regulated industries attempt "to make the particular agency" promulgating an unwelcome regulation "look stupid or inept or venal." n27 If the implementation of regulatory statutes has become a blood sport in important contexts, and if the goal of administrative law extends beyond ensuring procedural regularity to a concern about the effective implementation of legislation, then it would behoove administrative-law scholars to pay attention to the larger setting in which informal rulemaking now takes place and to begin thinking about the implications of these developments for the field.

### Link Wall

#### Link outweighs the turns---theirs all assume the after effects of the plan like jobs while ours are perception based – immigration fight now means it outweighs on TF – Plan causes a firestorm due to safety issues – that’s Schoen

#### Bipartisan opposition to the plan---causes big fights

Greenwire 6 (“Rough going seen for efforts to lift congressional moratoria,” 5-26-6,

http://www.noia.org/website/download.asp?id=295)

With a growing number of Republican lawmakers facing stiff midterm races, efforts to open more offshore areas to oil and gas drilling will find tough going on Capitol Hill, environmentalists and others tracking the issue say. For now, industry groups say momentum is on their side. Though the House voted 217-203 on Thursday to reject removing congressional moratoria on most offshore natural gas drilling, industry lobbyists point out that Rep. John Peterson's (R-Pa.) plan got 46 more votes than it did last year. If there is an offshore drilling component to an upcoming House energy package, it is expected to be shaped largely by House Resources Committee Chairman Richard Pombo (R-Calif.). Pombo's plan would allow states to "opt-out" of offshore oil and gas drilling bans. States that opt-out would receive a share of offshore production revenues. Environmentalists are hopeful the **bipartisan coastal coalition** that opposes wider leasing will not be swayed in sufficient numbers to endorse an opt-out plan or other efforts that are less aggressive than Peterson's but still relax current bans. Heather Taylor, deputy legislative director for the Natural Resources Defense Council, called the argument that Thursday's vote puts industry within striking distance of winning changes to current restrictions a "stretch." "We still won. Period," Taylor said in an interview Friday. "The bottom line is that [the] vote proves that people care about our coasts, and any proposal that comes through that hurts our coasts will be rejected." Also, a House floor vote last week that would also have lifted congressional coastal oil drilling bans lost by a large margin. That prompted an environmentalist to note that an opt-out covering both oil and gas would face hurdles that could be greater than Peterson's gas-only proposal. One lobbyist who works on environmental and energy issues does not believe the House is ready to adopt the opt-out idea, which was most recently floated through legislation offered by Rep. Bobby Jindal (R-La.) that largely mirrors an opt-out and state revenue-sharing plan Pombo floated last year. "I don't see how an opt-out passes," the lobbyist said. "We have never lost a vote on this on the floor," added an aide to a Democratic lawmaker. "To succeed, Pombo has to play the middle ground. I am not sure if he is there yet." Still, an industry lobbyist seeking wider drilling said Friday the vote on Peterson's plan "proves a nuanced approach to things ... has a lot of credibility on the Hill right now." Yet the fight could get tougher if it does not happen this year. Republicans are bracing for a tough midterm election, and while votes on offshore drilling are not quite partisan showdowns, more Democrats oppose wider offshore leasing.

#### Offshore natural gas is mired in gridlock---huge backlash

Gardner 11 Timothy is a writer for Reuters. “Senate blocks move to open up offshore drilling,” May 19, http://www.reuters.com/article/2011/05/19/us-usa-drilling-republicans-idUSTRE74I3XM20110519

The Senate blocked a move by Republicans to speed domestic offshore oil and natural gas drilling on Wednesday, a fresh sign of congressional gridlock on energy issues even as drivers endure gasoline prices near $4 a gallon. Republicans only got 42 of the 60 votes needed to consider a bill, known as the Offshore Production and Safety Act, that would have directed the Interior Department to conduct previously scheduled offshore lease sales in the Gulf of Mexico, Virginia, and Alaska. The bill, introduced by Senate Minority Leader Mitch McConnell, also would have extended lease terms by one year in the Gulf which the Obama administration suspended last year after the BP oil spill. It did not get approval from some Democrats in energy producing states who Republicans had hoped to get, such as Mary Landrieu from Louisiana. The bill was a response by Senate Republicans to high gasoline prices, but also to a Democratic effort that failed on Tuesday to repeal billions of dollars in tax breaks for the top five oil companies operating in the United States. Ahead of presidential and congressional elections next year, calls by politicians to do something about high gasoline prices have become louder, but analysts said there is little they can do to push prices lower in the short-term. McConnell said the Democratic bill would have done three things: "Destroy jobs, send American jobs overseas, make us more dependent on foreign sources of oil." Democrats have already painted Republicans who voted to block the oil tax break effort as standing with the top five energy companies while their profits hit $36 billion in the first quarter of the year. Republicans hope to cast Democrats who opposed their bill opening up leases as against increasing production of domestic oil. But President Barack Obama, aiming to quiet some of those arguments, has pushed his Department of the Interior to expand drilling in Alaska and the Gulf of Mexico. McConnell's bill was similar to several bills that passed recently in the Republican-controlled House of Representatives. Environmentalists praised the vote in the Senate. "After only a year since the BP Oil Disaster ... now is not the time for 'Drill, Baby, Drill,'" said Michael Brune, the executive director of the Sierra Club.

#### Plan angers Obama’s base

Maize 10 (Kennedy, “Copenhagen: The Case for Climate Adaptation”, Managing Power, March 1, http://www.managingpowermag.com/opinion\_and\_commentary/Copenhagen-The-Case-for-Climate-Adaptation\_227.html)

Energy legislation is dead for 2010, except for possible subsidies for nuclear power, clean coal, and offshore drilling, designed to appeal to Republicans. But that reach across the partisan divide likely will enrage Obama’s base among liberals and environmentalists. The predictable outcome: more gridlock and name-calling. No action.

#### Kills the agenda

Campbell 11 (James E., Distinguished Professor of Political Science and Chair of the Department and the University of Buffalo, “Political Forces on the Obama Presidency: From Elections to Governing”, http://www.polsci.buffalo.edu/documents/ObamaPresidencyChapter4.pdf)

Since neither the ideological base of a party not its supporters in the center can be ignored-—and since both have different demands—presidents must arrive at some balance between them. In no small part, the success of presidents in governing depends on their success in striking the right balance between governing to please their party’s base and governing to please the political center. Like every presidency before his, **this is the challenge for Obama’s presidency.** Its success in governing the nation, as well as the possibility of a second term, may hinge on how well the president strikes the right balance between appealing to his liberal base and simultaneously to his supporters in the political center. The principal reason why a president’s success in office depends on his ability to maintain the support of the president’s electoral coalition **(the combined partisan base and centrist supporters)** is that this is also **his governing coalition**. Since political views are generally stable, a president should expect to receive most of his support while in office from the same quarters that supported him in his election. As a consequence, the success of a president in office depends to a great extent on his ability to maintain both the support of his base and the center. Just as the president’s electoral success depended on maintaining his electoral coalition, his success in governing depends on maintaining the support of that same coalition. In effect, there is no bright line between the politics of governing and the politics of elections. In its most basic sense, the “permanent campaign” to maintain the president’s constituency of supporters from election to office and on to the next election is fundamental to presidential politics.

### AT: Thumpers

#### **It’s top of the docket**

Papich 2/6 Michael is a writer for The Pendulum. “**Immigration reform returns to** legislative forefront,” 2013, http://www.elonpendulum.com/2013/02/immigration-reform-returns-to-legislative-forefront/

Four years ago, it was the stimulus package and the health care bill. Now, it’s immigration reform. Recent proposals from the Senate and the president may make immigration reform the first big legislative push of Barack Obama’s next four years.¶ A bipartisan committee of eight senators put out a framework for an immigration reform bill Jan. 28. Among other things, the proposal includes a system to provide undocumented immigrants currently in the United States a way to obtain “probationary legal status” after completing a background check and paying various fines and taxes. To receive a green card, these individuals would complete mandatory English and civics courses, show a history of employment and undergo further background checks.

### AT: Gun Control

#### Immigration before anything else---insiders

Miller 1/27 Zeke, "Reaching For History, Obama Could Make Same Mistakes As George W. Bush", 2013, www.buzzfeed.com/zekejmiller/reaching-for-history-obama-poised-to-make-same-mi

While Obama's relationship with the last Congress was defined by dealing with manufactured crises — government shutdown threats, fiscal cliffs — he is now suddenly trying to shape a broader legacy by taking on marquee issues like climate change, gun control, and immigration reform. Each goal would be ambitious in its own right, but tackled together, they could produce a legislative nightmare.¶ "It's a lot of stuff," conceded White House Press Secretary Jay Carney on Friday, adding, "but it's important."¶ Indeed, outside forces have conspired in recent months to place three of the most polarizing political issues front and center for the president. Since Hurricane Sandy pummeled the East Coast, Obama has made repeated rhetorical nods — including prominent placement in his second inaugural address — toward addressing climate change; he's making a push to act on gun control while the nation's memories of the Sandy Hook shooting are still fresh; and with many Republicans suddenly eager to find a solution to the immigration issue, Obama will deliver a speech in Las Vegas Tuesday with the intention of jump-starting reform efforts.¶ To date, the White House has pushed ahead on all three fronts simultaneously, something likely to change by the State of the Union on Feb. 12. Democrats familiar with the administration's thinking believe immigration will move to the forefront, with the others dependent on a successful outcome.¶ "Obama needs to get something passed without poisoning the well, and immigration is where he has to start before anything else will get done," said one Democratic operative close to the White House.

#### Gun control doesn’t pound the DA

Voxxi 1/14 “Why immigration reform and gun control aren’t in competition,” 2013, http://www.voxxi.com/immigration-reform-gun-control/

This doesn’t mean, however, that work has simply stopped on everything else. For years now, the White House has had people working full-time on immigration matters; numerous reports suggest that both the White House and DHS are engaged in crafting more specific legislative proposals on immigration. Similarly, House and Senate staffers, and their bosses, continue to meet and discuss and write proposals that are expected to turn into legislation by the spring. The mere fact that they may also have to discuss gun safety at some point this year doesn’t mean that immigration simply stops being a priority.¶ It is up to the Senate to decide how much time goes to immigration reform¶ The legislative calendar is tricky. It is certainly the case that “must pass” legislation—extending the debt ceiling, for instance—will take priority over other pieces of legislation, but on any given day, committee hearings and mark ups are taking place on a range of issues, even if the House or Senate is engaged in a debate on something else. Senate leaders, in particular, have already indicated that they intend to take an immigration bill through “regular order,” meaning that it will be introduced, debated and amended in committee and then brought to the floor of the Senate. Ultimately, Senator Reid will decide how much time to allocate to an immigration bill, potentially sandwiching that debate between other issues. The Senate and House calendars are rarely all or nothing affairs, but instead juggle many issues and many votes on a given day.¶ Ultimately, it is too simplistic to try to rank issues like immigration reform and gun safety. Both are important, both can help to make this country a better place. What will drive actual legislation, however, is how deeply and with what vigor public sentiment on these issues translates into a demand that our legislators act. In this regard, the necessary policy ideas, the voters demands and the political necessity all exist to make immigration reform top the charts for both parties.

### AT: Sequestration Pounder

#### Obama will prioritize immigration

Wernick 1/25 Allan is a writer for the New York Daily News. “A look at where key Congressional players stand on immigration indicates reform could come soon,” 2013, http://www.nydailynews.com/new-york/citizenship-now/immigration-chances-good-sweeping-immigration-reform-article-1.1245988

As expected, President Obama confirmed his support for immigration reform in his inaugural address. It was one of the few specific issues mentioned by the President in setting the program for his coming four years in office. In the last few weeks, some pundits have argued that the debate over debt and budget issues or gun control will sidetrack the President from his commitment to immigrants. That analysis ignores the expectations of Latino voters and their allies. **Obama and both parties have no choice but to make immigration reform a priority in the coming year**. The doubters are wrong. I am more optimistic than ever that we will see reform this year. To understand why, lets take a look at what some key players on the immigration reform debate have been saying and doing this year:

#### Sequestration will happen---budget deal won’t be finalized for months---proves the DA comes first

Hicks 1/24 Josh is a writer @ The Washington Post. “Party leaders predict temporary sequestration cuts are likely,” 2013, http://www.washingtonpost.com/blogs/federal-eye/wp/2013/01/24/party-leaders-predict-temporary-sequestration-cuts-are-likely-2/

Leaders from both political parties predicted Wednesday that sequestration would take place at least temporarily while lawmakers try to come up with a **longer-term** plan for reining in the national debt, according to an article by Lori Montgomery and Rosalind S. Helderman in Thursday’s Washington Post.¶ Sen. Richard J. Durbin (D-Ill.) reportedly said, “I think we are committed to some form of sequestration spending cut.” He added that the White House is considering options for blunting the impacts on government services and the federal workforce, according to Thursday’s article.¶ So what does that mean for federal agencies?¶ A Jan. 10 report from the Congressional Research Service said sequestration would entail “largely across-the-board spending reductions.” The operative word there is “largely,” meaning some programs — but not the federal workforce — would be shielded.¶ A host of so-called “mandatory” programs would be exempt from cuts, including Social Security, the Earned Income Tax Credit, the Additional Child Tax Credit, and low-income programs such as Medicaid, the Children’s Health Insurance Program and Supplemental Nutrition Assistance, according to the report.¶ Federal agencies would see across-the-board budget cuts of between 8 percent and 10 percent.¶ The government would have until Sept. 30 to make the required reductions, giving lawmakers time to forge a deal for less-painful cuts. In the meantime, agencies would absorb the impacts slowly, which is what Durbin was referring to when he said “I think we are committed to some form of sequestration spending cut.”¶ The idea is that lawmakers might be willing to let sequestration run its course for awhile to reduce spending **without having to choose where the trimming occurs.**

### Latin America Impact

#### CIT’s key to Latin American relations

Shifter 12 Michael is the President of Inter-American Dialogue. “Remaking the Relationship: The United States and Latin America,” April, IAD Policy Report, http://www.thedialogue.org/PublicationFiles/IAD2012PolicyReportFINAL.pdf

Some enduring problems stand squarely in the way of partnership and effective cooperation. The **inability of Washington to reform its broken immigration system is a constant source of friction between the U**nited **S**tates **and** nearly **every other country in the Americas**. Yet US officials rarely refer to immigration as a foreign policy issue. Domestic policy debates on this issue disregard the United States’ hemispheric agenda as well as the interests of other nations.

#### Relations are key to solve a laundry list of existential threats---the brink is now

Shifter 12 Michael is the President of Inter-American Dialogue. “Remaking the Relationship: The United States and Latin America,” April, IAD Policy Report, http://www.thedialogue.org/PublicationFiles/IAD2012PolicyReportFINAL.pdf

There are compelling reasons for the United States and Latin America to pursue more robust ties. Every country in the Americas would benefit from strengthened and expanded economic relations, with improved access to each other’s markets, investment capital, and energy resources. Even with its current economic problems, the United States’ $16-trillion economy is a **vital** market and source of capital (including remittances) and technology **for Latin America**, and it could contribute more to the region’s economic performance. For its part, **Latin America’s rising economies will** inevitably **become** more and more **crucial to the U**nited **S**tates’ economic future. The United States and many nations of Latin America and the Caribbean would also gain a great deal by more cooperation on such **global matters as climate change**, nuclear non-proliferation, and **democracy and human rights.** With a rapidly expanding US Hispanic population of more than 50 million, the cultural and demographic integration of the United States and Latin America is proceeding at an accelerating pace, setting a firmer basis for hemispheric partnership Despite the multiple opportunities and potential benefits, relations between the United States and Latin America remain disappointing . If new opportunities are not seized, relations will likely continue to drift apart . The longer the current situation persists, the harder it will be to reverse course and rebuild vigorous cooperation . Hemispheric affairs require urgent attention—both from the United States and from Latin America and the Caribbean.

## 2NR

#### Dickinson concludes neg

Dickinson 9 (Matthew, professor of political science at Middlebury College. He taught previously at Harvard University, where he also received his Ph.D., working under the supervision of presidential scholar Richard Neustadt, We All Want a Revolution: Neustadt, New Institutionalism, and the Future of Presidency Research, Presidential Studies Quarterly 39 no4 736-70 D 2009)

Small wonder, then, that initial efforts to find evidence of presidential power centered on explaining legislative outcomes in Congress. Because scholars found it difficult to directly and systematically measure presidential influence or "skill," however, they often tried to estimate it indirectly, after first establishing a baseline model that explained these outcomes on other factors, including party strength in Congress, members of Congress's ideology, the president's electoral support and/or popular approval, and various control variables related to time in office and political and economic context. With the baseline established, one could then presumably see how much of the unexplained variance might be attributed to presidents, and whether individual presidents did better or worse than the model predicted. Despite differences in modeling assumptions and measurements, however, these studies came to remarkably similar conclusions: individual presidents did not seem to matter very much in explaining legislators' voting behavior or lawmaking outcomes (but see Lockerbie and Borrelli 1989, 97-106). As Richard Fleisher, Jon Bond, and B. Dan Wood summarized, "[S]tudies that compare presidential success to some baseline fail to find evidence that perceptions of skill have systematic effects" (2008, 197; see also Bond, Fleisher, and Krutz 1996, 127; Edwards 1989, 212). To some scholars, these results indicate that Neustadt's "president-centered" perspective is incorrect (Bond and Fleisher 1990, 221-23). In fact, the aggregate results reinforce Neustadt's recurring refrain that presidents are weak and that, when dealing with Congress, a president's power is "comparably limited" (Neustadt 1990, 184). The misinterpretation of the findings as they relate to PP stems in part from scholars' difficulty in defining and operationalizing presidential influence (Cameron 2000b; Dietz 2002, 105-6; Edwards 2000, 12; Shull and Shaw 1999). But it is also that case that scholars often misconstrue Neustadt's analytic perspective; his description of what presidents must do to influence policy making does not mean that he believes presidents are the dominant influence on that process. Neustadt writes from the president's perspective, but without adopting a president-centered explanation of power. Nonetheless, if Neustadt clearly recognizes that a president's influence in Congress is exercised mostly, as George Edwards (1989) puts it, "at the margins," his case studies in PP also suggest that, within this limited bound, presidents do strive to influence legislative outcomes. But how? Scholars often argue that a president's most direct means of influence is to directly lobby certain members of Congress, often through quid pro quo exchanges, at critical junctures during the lawmaking sequence. Spatial models of legislative voting suggest that these lobbying efforts are most effective when presidents target the median, veto, and filibuster "pivots" within Congress. This logic finds empirical support in vote-switching studies that indicate that presidents do direct lobbying efforts at these pivotal voters, and with positive legislative results. Keith Krehbiel analyzes successive votes by legislators in the context of a presidential veto an d finds "modest support for the sometimes doubted stylized fact of presidential power as persuasion" (1998,153-54). Similarly, David Brady and Craig Volden look at vote switching by members of Congress in successive Congresses on nearly identical legislation and also conclude that presidents *do influence* the votes of at least some legislators (1998, 125-36). In his study of presidential lobbying on key votes on important domestic legislation during the 83rd (1953-54) through 108th (2003-04) Congresses, MatthewBeckman shows that in addition to these pivotal voters, presidents also lobby leaders in both congressional parties in order to control what legislative alternatives make it onto the congressional agenda (more on this later). These lobbying efforts are correlated with a greater likelihood that a president's legislative preferences will come to a vote (Beckmann 2008, n.d.). In one of the most concerted efforts to model how bargaining takes place at the individual level, Terry Sullivan examines presidential archives containing administrative headcounts to identify instances in which members of Congress switched positions during legislative debate, from initially opposing the president to supporting him in the final roll call (Sullivan 1988,1990,1991). Sullivan shows that in a bargaining game with incomplete information regarding the preferences of the president and members of Congress, there are a number of possible bargaining outcomes for a given distribution of legislative and presidential policy preferences. These outcomes depend in part on legislators' success in bartering their potential support for the president's policy for additional concessions from the president. In threatening to withhold support, however, members of Congress run the risk that the president will call their bluff and turn elsewhere for the necessary votes. By capitalizing on members' uncertainty regarding whether their support is necessary to form a winning coalition, Sullivan theorizes that presidents can reduce members of Congress's penchant for strategic bluffing and increase the likelihood of a legislative outcome closer to the president's preference. "Hence, the skill to bargain successfully becomes a foundation for presidential power even within the context of electorally determined opportunities," Sullivan concludes (1991, 1188). Most of these studies infer presidential influence, rather than measuring it directly (Bond, Fleisher, and Krutz 1996,128-29; see also Edwards 1991). Interestingly, however, although the vote "buying" approach is certainly consistent with Neustadt's bargaining model, none of his case studies in PP show presidents employing this tactic. The reason may be that Neustadt concentrates his analysis on the strategic level: "Strategically the question is not how he masters Congress in a peculiar instance, but what he does to boost his mastery in any instance" (Neustadt 1990, 4). For Neustadt, whether a president's lobbying efforts bear fruit in any particular circumstance depends in large part on the broader pattern created by a president's prior actions when dealing with members of Congress (and "Washingtonians" more generally). These previous interactions determine a president's professional reputation--the "residual impressions of [a president's] tenacity and skill" that accumulate in Washingtonians' minds, helping to "heighten or diminish" a president's bargaining advantages. "Reputation, of itself, does not persuade, but it can make persuasions easier, or harder, or impossible" (Neustadt 1990, 54).

#### PC theory valid---best scholarship

Matthew N. Beckmann and Vimal Kumar 11, Profs Department of Political Science, @ University of California Irvine "How Presidents Push, When Presidents Win" Journal of Theoretical Politics 2011 23: 3 SAGE

Before developing presidents’ lobbying options for building winning coalitions on Capitol Hill, it is instructive to consider **cases where the president has no political capital** and no viable lobbying options. In such circumstances of **imposed passivity** (beyond offering a proposal), **a president’s fate is clear**: his proposals are subject to pivotal voters’ preferences. So if a president lacking political capital proposes to change some far-off status quo, that is, one on the opposite side of the median or otherwise pivotal voter, a (Condorcet) winner always exists, and it coincides with the pivot’s predisposition (Brady and Volden, 1998; Krehbiel, 1998) (see also Black (1948) and Downs (1957)). Considering that there tends to be substantial ideological distance between presidents and pivotal voters, positive presidential inﬂuence without lobbying, then, is not much inﬂuence at all.¶ As with all lobbyists, presidents looking to push legislation must do so indirectly by **push**ing the **lawmakers whom they need to pass it**. Or, as Richard Nesustadt artfully explained:¶ The essence of a President’s persuasive task, with congressmen and everybody else, is to induce them to believe that what he wants of them is what their own appraisal of their own responsibilities requires them to do in their interest, not his…Persuasion deals in the coin of self-interest with men who have some freedom to reject what they ﬁnd counterfeit. (Neustadt, 1990: 40) ¶ Fortunately for contemporary presidents, today’s White House affords its occupants an unrivaled supply of **persuasive carrots and sticks**. Beyond the ofﬁce’s unique visibility and prestige, among both citizens and their representatives in Congress, presidents may also **sway lawmakers** by using their discretion in budgeting and/or rulemaking, unique fundraising and campaigning capacity, control over executive and judicial nominations, veto power, or numerous other options under the chief executive’s control. Plainly, when it comes to the arm-twisting, brow-beating, and horse-trading that so often characterizes legislative battles, modern presidents are uniquely well equipped for the ﬁght. In the following we employ the omnibus concept of ‘presidential political capital’ to capture this conception of presidents’ positive power as persuasive bargaining.¶ Speciﬁ- cally, we deﬁne presidents’ political capital as the **class of tactics White House ofﬁcials employ to induce changes in lawmakers’ behavior.**¶Importantly, this conception of presidents’ positive power as persuasive bargaining not only **meshes with previous scholarship** on lobbying (see, e.g., Austen-Smith and Wright (1994), Groseclose and Snyder (1996), Krehbiel (1998: ch. 7), and Snyder (1991)), but also **presidential practice.** For example, Goodwin recounts how President Lyndon Johnson routinely allocated ‘rewards’ to ‘cooperative’ members:¶ The rewards themselves (and the withholding of rewards) . . . might be something as unobtrusive as receiving an invitation to join the President in a walk around the White House grounds, knowing that pictures of the event would be sent to hometown newspapers . . . [or something as pointed as] public works projects, military bases, educational research grants, poverty projects, appointments of local men to national commissions, the granting of pardons, and more. (Goodwin, 1991: 237) Of course, **presidential political capital is a scarce commodity with a ﬂoating value**. Even a favorably situated president enjoys only a **ﬁnite supply of political capital**; **he can only promise or pressure so much**. What is more, this capital **ebbs and ﬂows as realities and/or perceptions change**. So, similarly to Edwards (1989), we believe presidents’ bargaining resources cannot fundamentally alter legislators’ predispositions, but rather operate ‘at the margins’ of US lawmaking, **however important those margins may be** (see also Bond and Fleisher (1990), Peterson (1990), Kingdon (1989), Jones (1994), and Rudalevige (2002)). Indeed, our aim is to explicate those margins and show how **presidents may systematically inﬂuence them.**

#### Obama’s investing all his PC is CIR---will pass

Benen 2/6 Steve is a writer for MSNBC. “Defining the 'extremes' in the immigration debate,” 2013, http://maddowblog.msnbc.com/\_news/2013/02/06/16868677-defining-the-extremes-in-the-immigration-debate

At the surface, there's **ample reason for optimism** on comprehensive immigration reform. President **Obama is investing considerable** political capital **into the issue**; the public strongly supports the reform efforts; a bipartisan bill is already progressing in the Senate; and every Republican strategist and consultant is warning the party not to further alienate the fastest-growing voting constituency in the country.¶ Even House Speaker John Boehner (R-Ohio) recently declared, "This issue has been around far too long. A comprehensive approach is long overdue, and I'm confident that the president, myself, others can find the common ground to take care of this issue once and for all."

# T

## 1NC

#### Energy production is only electricity creation, not extraction

Vaekstfonden 6 Vaekstfonden is a Danish government backed investment fund that facilitates the supply of venture capital in terms of start-up equity and high-risk loans "THE ENERGY INDUSTRY IN DENMARK- perspectives on entrepreneurship andventure capital" No Specific Cited, Latest Data From 2006 s3.amazonaws.com/zanran\_storage/www.siliconvalley.um.dk/ContentPages/43667201.pdf

In all, 20 industry experts were interviewed about the composition and dynamics of the Danish energy sector. Insights from a minimum of 3 industry experts have been assigned to each of the stages in the value chain. Following is a brief description of what the different stages encompass.

Raw material extraction

This stage encompass the process before the actual production of the energy. As an example it is increasingly expensive to locate and extract oil from the North Sea. Likewise coal, gas and waste suitable for energy production can be costly to provide.

Energy production

Energy production encompasses the process, where energy sources are transformed into heat and power.Transmission and distribution

Energy transmission and distribution is in this report defined as the infrastructure that enables the producers of energy to sell energy to consumers.

Consumption

The last stage in the value chain is consumption. This stage encompasses products and services that geographically are placed near the consumers. As an example, decentralized energy production via solar power systems is part of the consumption stage.

#### VI for limits, ground and grammar---they double the size of the topic, make it bidirectional by allowing affs to affect both supply and demand sides of each energy and make it impossible to have wind/solar affs since they are naturally produced raw material---wrecks preparedness for all debates

## 2NC

#### They are energy extraction, not production – they’re distinct sectors

Caricom 4 Caricom (Caribbean Community and Common Market) Environmental Report “Environment in Figures”http://www.caricomstats.org/Files/Publications/Environment2004/Chp11-Waste.pdf

Sector Classifications:

-Agriculture and Forestry comprise the activities of growing crops, raising animals, harvesting timber, and harvesting other plants and animals from a farm or their natural habitats.

-Mining and quarrying include the extraction of minerals occurring naturally as solids (coal and ores), liquids (petroleum) or gases (natural gas). Extraction can be achieved by underground or surface mining or well operation.

-Manufacturing comprises units engaged in the physical or chemical transformation of materials, substances, or components into new products. The materials, substances, or components transformed are raw materials that are products of agriculture, forestry, fishing, mining or quarrying, as well as products of other manufacturing activities.

-Energy production includes electricity, gas, steam and hot water supply, which cover the activity of providing electric power, natural gas, and steam supply through a permanent infrastructure (network) of lines, mains and pipes.

-Construction includes general construction and special trade construction for buildings and civil engineering, building installation and building completion. It includes new work, repair, additions and alterations, the erection of prefabricated buildings or structures on the site and also construction of a temporary nature.

\*hyphens added for clarity in separation

#### Production is electricity from oil and other topic energies

Huijbregts 8 Mark A. J. Huijbregts is an associate professor at the Department of En- vironmental Science of the Radboud University. Nijmegen in the Netherlands. and Stefanie Hellweg, Rolf Frischknecht, Konrad Hungerbühler, A. Jan Hendriks "Ecological footprint accounting in the life cycle assessment of products" Ecological Economics, Volume 64, Issue 4, 1 February 2008, Pages 798-807 Accessed vis SciVerse

The ecoinvent database v1.2 ( [ecoinvent Centre., 2004] and [Frischknecht et al., 2005]), containing consistent and quality-controlled life cycle information for 2630 products and services consumed in the western economy, has been used to derive product-specific ecological footprints and ecoindicator scores. Table 2 provides an overview of the product groups and the corresponding number of products considered. A subset of the total number of products and services in ecoinvent (1549 processes) was included in the data analysis to maintain homogeneity within the product groups. Ecological footprints of all 2630 products and services are included as supporting information (Appendix B). Energy production includes both heat and electricity production processes by nonrenewable energy sources (oil, hard coal, lignite, natural gas, nuclear) and renewable energy sources (hydropower, photovoltaic, wood, wind). Material production comprises many different product types, including plastics, chemicals, metals, agricultural products, and building materials. Transport includes transport of products and persons by road, ship, train, airplane, and pipelines. Waste treatment represents various types of land fill, incineration, recycling, and wastewater. Finally, infrastructural processes include all types of infrastructure, such as power plants, furnaces, and lorries.

# Exports CP

## 1NC

#### The United States Department of Energy and Federal Energy Regulatory Commission should approve applications to export natural gas.

#### Massively boosts domestic production

Matthews 12—Merrill Matthews, resident scholar at the Institute for Policy Innovation, 12/27/12, Don't ban natural-gas exports, http://blogs.providencejournal.com/ri-talks/this-new-england/2012/12/merrill-matthews-dont-ban-natural-gas-exports.html   
"'There's nothing like being a victim of your own success." That must be what American natural-gas producers are thinking right now.¶ Their profound success in recent years in expanding our national energy supply has inspired American policymakers to consider strapping them with strict new trade restrictions.¶ These regulatory efforts are deeply misguided and will ultimately deprive the country of jobs and growth.¶ Thanks to major innovations in drilling techniques, America faces a natural-gas surplus, with the per-unit price of gas now sitting at just $3 - about one-third to one-fifth the price in Europe and Asia. Utility plants have shifted from cheap coal to even cheaper - and cleaner - natural gas.¶ As a result, energy-related carbon emissions have been declining rapidly and now sit at levels not seen since the early 1990s.¶ But natural-gas supply is outpacing demand. So, producers have cut back on extraction and the drilling of new wells. Many are turning back to more profitable oil plays. The number of natural-gas rigs now in operation is half the total of a year ago.¶ As a result, natural gas producers are looking for new markets. The U.S. currently exports some natural gas to Canada and Mexico, but the real opportunities lie in overseas markets, where prices are much higher.¶ Shipping natural gas across great distances is challenging. It can't be easily loaded on a tanker like crude oil, so producers have to liquify it. The process involves super cooling gas to -260 degrees Fahrenheit, and the necessary facilities to cool it are predictably quite costly.¶ Most distressingly, however, is that the Department of Energy has been dragging its feet when considering natural gas firms' applications to establish export facilities. The department was waiting on a just-released study intended to assess the impact of natural-gas exports on domestic natural-gas prices. The study concluded that expanding natural-gas exports would be an economic winner.¶ "In all of these cases, benefits that come from export expansion more than outweigh the losses from reduced capital and wage income to U.S. consumers, and hence LNG exports have net economic benefits in spite of higher domestic natural gas prices," according to the report. We'll have to see how the DOE responds.¶ Private-sector companies have also been raising concerns that expanding exports could also force them to pay higher gas prices. They claim that cheap natural gas is spurring economic growth here at home and providing America's manufacturing sector with a valuable competitive advantage.¶ But their concerns, while understandable, are overblown. Allowing natural-gas exports would, at worst, drive up domestic prices only slightly. The consulting firm Deloitte took a close look at the issue and determined that allowing exports would increase domestic prices by just 1.7 percent over the next 20 years.¶ What's more, banning exports might have the unintended consequence of driving gas prices up. Firms are already cutting back on production because of historically low prices. If they can't sell at higher prices in foreign markets, this ratcheting back will continue, causing the domestic gas supply to shrink anyway and forcing prices skyward. That's the very last thing we want.¶ And even if expanding gas exports pushes domestic prices up initially, natural-gas producers would have a new, substantial financial incentive to further ramp up production and develop more wells. This expansion would increase supply and put downward pressure on domestic prices.¶ Plus, expanding natural gas production to meet new foreign demand would create new jobs right here at home. Banning exports would deprive Americans of those opportunities.

#### A massive expansion of drilling triggers methane release---causes catastrophic warming

Morningstar 11 [Cory Morningstar, “Destination—Hell. Are we there yet?,” Huntington News, Sunday, March 27, 2011—01:09, pg. http://www.huntingtonnews.net/2768

US Department of Energy meeting summary: "Alternatively, an undersea earthquake today, say off the Blake Ridge or the coast of Japan or California might loosen and cause some of the sediment to slide down the ridge or slump, exposing the hydrate layer to the warmer water. That in turn could cause a chain reaction of events, leading to the release of massive quantities of methane. Another possibility is drilling and other activities related to exploration and recovery of methane hydrates as an energy resource. The hydrates tend to occur in the pores of sediment and help to bind it together. Attempting to remove the hydrates may cause the sediment to collapse and release the hydrates. So, it may not take thousands of years to warm the ocean and the sediments enough to cause massive releases, only lots of drilling rigs. Returning to the 4 GtC release scenario, assume such a release occurs over a one-year period sometime in the next 50 years as result of slope failure. According to the Report of the Methane Hydrate Advisory Committee, “Catastrophic slope failure appears to be necessary to release a sufficiently large quantity of methane rapidly enough to be transported to the atmosphere without significant oxidation or dissolution.” In this event, methane will enter the atmosphere as methane gas. It will have a residence time of several decades and a global warming potential of 62 times that of carbon dioxide over a 20-year period. This would be the equivalent of 248 GtC as carbon dioxide or 31 times the annual man-made GHG emissions of today. Put another way, this would have the impact of nearly 30 years worth of GHG warming all at once. The result would almost certainly be a rapid rise in the average air temperature, perhaps as much as 3°F immediately. This might be tolerable if that’s as far as things go. But, just like 15,000 years ago, if the feedback mechanisms kick in, we can expect rapid melting of Greenland and Antarctic ice and an overall temperature increase of 30°F."

#### And independently methane burps cause extinction

Tamsin Carlisle 11, “The drilling danger of releasing giant bubbles of methane gas,” 5-27-11, <http://www.thenational.ae/thenationalconversation/industry-insights/energy/the-drilling-danger-of-releasing-giant-bubbles-of-methane-gas>

The "burps of death" are what can ensue when drillers mess with the planet's least accessible stores of natural gas.

The trouble with gas hydrates, as those ice-like deposits in the Arctic and under ocean beds are known, is that they lock up high concentrations of methane in a notoriously unstable crystalline lattice.

Change the temperature and pressure just a bit, and the whole thing collapses, releasing giant bubbles of potentially explosive methane gas in a fit of geological indigestion.

Some scientists theorise that a global firestorm resulting from one such outburst may have barbecued the dinosaurs. Another ancient oceanic burp, which did not ignite, may have triggered an equally lethal spurt of global warming linked to mass extinctions.

#### Massive Atlantic Drilling collapses the marine ecosystem.

NRDC 12 [Natural Resources Defense Council, “Deep Sea Treasures Protecting the Atlantic Coast's Ancient Submarine Canyons and Seamounts,” March 2012

Out at Sea, But Not Out of¶ Harm’s Way

The Atlantic canyons and seamounts remain largely¶ unscathed by humans. Because of their depth and¶ ruggedness, they have been out of reach to destructive¶ bottom trawling, a type of fishing using heavily weighted¶ nets to target bottom-dwelling fish, crushing, ripping, and¶ ultimately destroying fragile bottom habitats in the process.¶ So far the oil and gas industry has not been allowed to¶ commercially develop oil resources on the Eastern seaboard.

But that could quickly change. Elsewhere, so-called¶ “canyon buster” and “rock hopper” trawl gear are opening up challenging seascapes to fishermen seeking out new populations or species to catch. These bottom trawl nets¶ can remove in minutes what took nature centuries to build,¶ leaving barren, scarred clay, mud, and rock where rich gardens of corals, sponges, and anemones once thrived.¶ With the moratoria against oil and gas development in¶ the Atlantic now lifted, full-scale commercial drilling in the canyons is possible. Proposals for oil and gas exploration are already under consideration, threatening the canyons’¶ sensitive resources. Seismic surveys are used to detect the¶ presence of oil and gas and use high-decibel acoustic energy¶ pulses blasted from ships. Surveys can damage or kill fish and fish larvae and have been implicated in whale beaching¶ and stranding incidents.10 The auditory assault disrupts and displaces vital behaviors, leaving marine animals unable to locate prey or mates or communicate with each other, and pushing animals out of critical migratory corridors and their¶ nursery, foraging, and breeding habitat.11

After the Deepwater Horizon and Exxon Valdez disasters,¶ we now all know the widespread ecological devastation that results from a well blow-out or a catastrophic spill. Even small oil spills can kill marine organisms and disrupt marine ecosystems. Marine mammals like dolphins and whales can also inhale oil when they surface to breathe, which causes¶ damage to mucous membranes and airways and can be¶ fatal.12 Aside from posing a spill risk, each drilled well also generates drilling muds and cuttings, and produces water that contains toxic metals, such as lead, chromium, mercury, and carcinogens like toluene and benzene.13

The Atlantic’s Submarine Canyons¶ and Seamounts Need Our Protection

We have a unique opportunity now to protect the rich and¶ vulnerable resources of the Atlantic canyons and seamounts before irreversible harm is done. To date, only four of these¶ canyons have been protected from bottom trawling. None¶ of the canyons or seamounts are protected from oil and gas¶ exploration activities. We need to fully protect these special¶ places for the future before it is too late.

#### Drilling will destroy numerous biological hotspots

Gravitz 9—Oceans Advocate for Environment America [Michael Gravitz, Statement at the Department of Interior Hearing On Offshore Ocean Energy Development in Atlantic City, New Jersey, April 6, 2009, pg. http://tinyurl.com/cxkzanz]

3. When deciding whether to approve seismic testing or exploration and production off the east coast, your department needs to balance the safety of those special areas against the potential for damage from oil drilling. The only way to adequately assess the balance would be for your department (with the participation of NOAA and possibly the National Academy of Science) to do a comprehensive census of those special places and analyze possible impacts on them from drilling.

1. The Ocean: More Like A Diverse Forest Than A Desert

Many people look at the ocean and see it as a pretty, shiny surface. They may imagine a few fish swimming below the surface and a plain featureless bottom. This is not an accurate picture of the ocean in most places. Unless the bottom is sandy and continually disturbed by wind, wave or current the bottom of the ocean is filled with communities of diverse creatures. Depending on depth, penetration of light, type of bottom (i.e., muddy, sandy, pebbles, boulders) and other factors, the ocean’s floor is teaming with diverse communities of plants, invertebrates, shellfish, crustaceans and fish. Numerous kinds of fish live on the bottom. Other fish swim above the bottom in the water column at different levels. Thousands of types of phytoplankton, zooplankton and larvae at the base of most food chains ‘float’ around. Marine mammals, sea turtles and sea birds spend most of their time at or near the surface of the ocean.

All of these creatures are sensitive to the impacts of oil and pollution from oil and gas drilling; some are more sensitive than others. But none are immune to the short or long term effects of oil.

With this as background, it is important to recognize the special places in the ocean that are unique, especially sensitive to pollution or those that are especially productive. These include: submarine canyons cutting across the continental shelf; deep water coral gardens; plateaus where the floor of the ocean rises and becomes unusually productive because deeper nutrient rich waters come closer to the warmer temperatures and light of the surface; migratory pathways for marine mammals and sea turtles; and areas where fish aggregate to spawn or where larval stages of animals are concentrated. Finally, the margins of the ocean: beaches, bays and marshes are often unusually sensitive to oil pollution.

2. Special Places in the Atlantic Ocean Deserving of Protection

Based on the Environmental Sensitivity Index (ESI) and a crude measure of marine productivity that your own department uses, the New England, Mid Atlantic and South Atlantic planning areas are all very environmentally sensitive and highly productive. The South Atlantic planning area and Mid Atlantic have the first and third most environmentally sensitive coastlines, respectively, of all 22 MMS planning areas. New England comes in at #11. The South Atlantic and Mid Atlantic are ranked first and second respectively in terms of primary productivity among all the planning areas with North Atlantic being #12.

There are 14 submarine canyons between Massachusetts and Virginia that slice through the continental shelf (See attached list). Submarine canyons, some with a mouth as wide as eight to ten miles and 30-40 miles long, are important because they shelter unusual species, provide hard bottoms and sidewalls for creatures to attach to or burrow in, provide nursery areas for many commercially important fish and bring nutrients from the deep ocean up to more shallow waters. Sea life in these canyons is unusually diverse which is why drilling in or near submarine canyons with their risk from spills and chronic pollution from production would be a very bad idea.

There are a number of important underwater plateaus and reefs off the eastern seaboard which serve as fish baskets, places of unusual marine productivity where very high populations of fish reproduce and grow. Often these are called ‘banks’ or ‘reefs’ with names like Georges Bank, Stellwagen Bank, Gray’s Reef or Occulina Bank. Some of these areas of the ocean are shallow enough to allow sunlight to penetrate to the seafloor and nutrients from the deeper ocean feed a richer abundance of life. These banks and reefs sometimes offer the only hard substrate for creatures to attach in a wide area. . Drilling in biological hot spots like these and jeopardizing productive commercial and recreational fisheries would make no sense.

Like on land, certain areas of the ocean support migration corridors for fish, marine mammals, sea turtles and sea birds. For much of the Mid Atlantic there is a coastal corridor extending out 20 miles from shore in which endangered marine mammals like the northern right whale, various sea turtles and migratory fish travel. For example, the last 350 northern right whales on earth travel each year from the Georgia-Florida border where they give birth and nurse their calves to an area off Cape Cod where they spend the summer feeding. Loggerheads, leatherback and Kemp’s ridley turtles all use this corridor at various times of the year.

Another corridor, farther offshore at the edge of the continental shelf break and slope provides food for various endangered sea turtles and other kinds of whales and dolphins. Whales and dolphins are typically migratory and each is only seasonally present but taken together the area is important year round to these marine mammals.

There are four more hotspots of marine diversity and unusual productivity off the Mid Atlantic caused by ocean currents, type of bottom, [and] submarine canyons and other special characteristics. These include: the coastal waters off North Carolina near and south of Cape Hatteras, the mouth of the Chesapeake and Delaware Bays and off New York harbor. Coastal waters and sandy bottoms off New Jersey support a large and economically important clam and scallop industry.

#### Extinction

Nautiyal & Nidamanuri 10—Centre for Ecological Economics and Natural Resources @ Institute for Social and Economic Change & Department of Earth and Space Sciences @ Indian Institute of Space Science and Technology [SUNIL NAUTIYAL1 & RAMA RAO NIDAMANURI “Conserving Biodiversity in Protected Area of Biodiversity Hotspot in India: A Case Study,” International Journal of Ecology and Environmental Sciences 36 (2-3): 195-200, 2010

The hotspots are the world’s most biologically rich areas hence recognized as important ecosystems not important¶ only for the rich biodiversity but equally important for the human survival as these are the homes for more than¶ 20% of the world’s population. India got recognition of one of the mega-diversity countries of world as the country¶ is home of the two important biodiversity hotspots: the Himalaya in north and the Western Ghats in the southern¶ peninsula. Policy makers and decision takers have recognized the importance of biodiversity (flora and fauna) and¶ this has resulted to segregate (in the form of protected areas) the rich and diverse landscape for biodiversity¶ conservation. An approach which leads towards conservation of biological diversity is good efforts but such¶ approaches should deal with humans equally who are residing in biodiversity hotspots since time immemorial. In¶ this endeavor, a study was conducted in Nagarahole National Park of Nilgiri Biosphere Reserve, in Karnataka. Our¶ empirical studies reveal that banning all the human activities in this ecosystem including agriculture, animal¶ husbandry has produced the results opposite to the approach ‘multiple values’ of national park. To monitor the¶ impact, existing policies have been tested from an economic and ecological view-point. Unfortunately, the local¶ livelihoods (most of them belongs to indigenous tribes) in the area have received setbacks due to the¶ implementation of the policies, though unintentionally. However, the ecological perspective is also not showing¶ support for the approach and framework of the current policies in the hotspots. Satellite data showed that the¶ temporal pattern of ecosystem processes has been changing. An integrated approach for ecosystem conservation and¶ strengthening local institutions for sustainable ecosystem management in such areas is therefore supported by this¶ study.

## 2NC

#### Turns case---Methane hydrate releases wreck drilling operations

Centre for Gas Hydrate Research – No Date, Why are Gas Hydrates Important?, Heriot-Watt University, Edinburgh, Scotland - Institute of Petroleum Engineering, http://www.pet.hw.ac.uk/research/hydrate/hydrates\_why.cfm

The aspect of gas hydrates which has the biggest implications for human welfare at present, is their potential as a geohazard. Of particular concern is the danger posed to deepwater drilling and production operations, and the large body of evidence which now exists linking gas hydrates with seafloor stability.¶ With conventional oil and gas exploration extending into progressively deeper waters, the potential hazard gas hydrates pose to operations is gaining increasing recognition. Hazards can be considered as arising from two possible events: (1) the release of over-pressured gas (or fluids) trapped below the zone of hydrate stability, or (2) destabilization of in-situ hydrates.¶ The presence of BSRs has previously been a cause of concern, as they could be considered evidence for the existence of free gas (possibly at high-pressure) beneath the HSZ. More recent analysis suggests however, that as long as excess water is present, there should not be a build-up of gas pressure beneath the HSZ. This is because, at the base of hydrate stability, the system approximates to 3-phase equilibrium, where pressure is fixed (generally at hydrostatic), and temperature occupies the available degree of freedom. This means that any excess gas will be converted to hydrate, returning the system to its equilibrium pressure (assuming there is no major barrier to the mass transfer of salt). This case is likely to predominate in many hydrate-bearing sediments, although gas seeps and mud volcanoes, common to thermogenic hydrate areas (e.g. Gulf of Mexico, Caspian Sea), could be considered evidence for excess gas and pore-fluid pressures at shallow depths.¶ In the absence of gas traps, hydrates still pose a hazard due to their potential for destabilization. This danger is particularly apparent in the case of conventional oil and gas exploration, for which drilling methods contrast quite markedly to the shallow piston-coring approach used by ODP in hydrate areas.¶ Conventional rotary drilling operations could cause rapid pressure, temperature or chemical changes in the surrounding sediment. An increase in temperature could be caused by a hot drill bit, warm drilling fluids, or later as high-temperature reservoir fluids rise through the well, while the addition of hydrate inhibitors to drilling muds (to prevent hydrate formation in the well-bore or drill string in the event of a gas-kick) could change sediment pore-fluid chemistry. Some, or all of these changes, could result in localized dissociation of gas hydrates in sediments surrounding wells. A similar case would apply to seafloor pipelines, where the transportation of hot fluids could cause dissociation of hydrates in proximal sediments. In a worst-case scenario, clathrate dissociation could lead to catastrophic gas release, and/or destabilization of the seafloor.¶ The hazards associated with drilling in gas hydrate areas are exemplified by cases from the Alaskan Arctic, where subsurface permafrost hydrate destabilization has resulted in gas kicks, blowouts, and even fires.¶ Hydrates and Seafloor Stability¶ A significant part of the gas hydrate geohazard problem is related to how they alter the physical properties of a sediment. If no hydrate is present, fluids and gas are generally free to migrate within the pore space of sediments. However, the growth of hydrates converts what was a previously a liquid phase into a solid, reducing permeability, and restricting the normal processes of sediment consolidation, fluid expulsion and cementation. These processes can be largely stalled until the BHSZ is reached, where hydrate dissociation will occur. Dissociation of hydrates at the BHSZ can arise through an increase in temperature due to increasing burial depth (assuming continued sedimentation) or an increase in sea bottom-water temperatures, and/or a decrease in pressure (e.g., lowering of sea level). Upon dissociation, what was once solid hydrate will become liquid water and gas. This could lead to increased pore-fluid pressures in under-consolidated sediments, with a reduced cohesive strength compared to overlying hydrate-bearing sediments, forming a zone of weakness. This zone of weakness could act as a site of failure in the event of increased gravitational loading or seismic activity (Figure-3).¶ The link between seafloor failure and gas hydrate destabilization is a well established phenomenon, particularly in relation to previous glacial-interglacial eustatic sea-level changes. Slope failure can be considered to pose a significant hazard to underwater installations, pipelines and cables, and, in extreme cases, to coastal populations through the generation of tsunamis.

#### OCS drilling demands a worst case analysis

Houck 10 Professor of Law @ Tulane University [Oliver A. Houck, “Worst Case and the Deepwater Horizon Blowout: There Ought to Be a Law,” Environmental Law Reporter, v1, 2010]

On May 18, 2010, the CEQ announced a 30-day review of¶ NEPA policies regarding OCS drilling in the Gulf.99 The¶ public comments were predictable, and, to some extent, a¶ replay of the l986 comments many years earlier. Industry¶ claimed that the Deepwater Horizon blowout was an anomaly,¶ it had the situation in hand, it was already burdened with¶ a plethora of regulations, the only problem was implementation100;¶ environmental groups, of course, urged opposite conclusions.¶ 101 The outcome of this inquiry is pending, but it is¶ also by its very nature quite limited. OCS drilling is the tip¶ of the iceberg, a dangerous tip to be sure, but much the same¶ can be said for coal mining, oil shale, tar sands, natural gas¶ fracturing, renewed nuclear energy development, and similar¶ ventures that ignore worst cases at their (and our) peril.¶ Nor is the worst-case doctrine limited in any logical sense¶ to energy development, with major decisions involving bioengineering,¶ genetically modified crops, endocrine disruptors,¶ and ecosystem modifications ahead. OCS is currently¶ on the table, which is a good start. Worst case belongs back on the table as well.

When it returns, two amendments seem desirable. The first is the removal of the “reasonably foreseeable” threshold for events of catastrophic proportion, which has become an¶ escape valve of choice for the federal family. Standard risk¶ analysis tells us that, the more severe the potential consequences, the more precaution is required. The second is to¶ restore the phrase “worst-case analysis” to its original place,¶ calling the inquiry what it is. Ever since the Supreme Court¶ picayunely seized on its absence to trash a worst-case claim,¶ the federal judiciary has largely abandoned the field, and any¶ rewrite will fare the same unless the labeling is unambiguous.¶ Words matter.

There is today, ever more acutely as we launch more risky ventures with even planetary impacts at stake, a constructive¶ role for explicit worst-case analysis in the NEPA process. My¶ gifted academic colleague Bill Rodgers has called it, in the¶ context of climate change, “the power of negative thinking”102¶ It is the power of environmental groups with technical staffs,¶ academics, self-taught experts, retirees from agencies and industry, international colleagues, and the whole panoply¶ of the “loyal opposition” that keeps majority decisions at¶ least relatively honest, improves even marginal projects, and¶ makes all of us and our surroundings a little more secure.¶ It comes, through NEPA and administrative law, with the¶ concomitant power of enforcement, infusing this thinking,¶ like it or not, into the decisionmaking process, ensuring that¶ activities this big are undertaken with eyes wide open and all¶ due preparation. This is NEPA’s role. The OCS program is¶ not the only one that needs it. All major federal decisions do. Pg. 1039-1040

#### Tech failure is inevitable—fractures the Ocean floor.

Pravica 12—Professor of Physics and Astronomy @ [University of Nevada](http://content.usatoday.com/topics/topic/Organizations/Schools/University+of+Nevada), Las Vegas [Michael Pravica, “Letters: Science, not profit, must lead deep water drilling,” USA Today, Updated 4/24/2012 8:43 PM , pg. http://tinyurl.com/9g8x28q

There are a few critical points not mentioned in the USA TODAY editorial on the BP oil spill that should have been addressed ("[Editorial: 2 years after BP spill, lower risks](http://www.usatoday.com/news/opinion/editorials/story/2012-04-19/BP-Deepwater-oil-spill/54419466/1)"). First of all, deep water drilling represents a "brave new world" of oil exploration and novel technology as humans probe depths of water, oil and rock that sustain thousands of atmospheres of pressure. At these levels, the technology used to drill and extract oil can easily fail as we approach the yield strengths of many of the confining materials subjected to extreme conditions. There is also a high chance of significant fracture of the cean/sea floor in drilling and hole erosion from gushing, hot and high pressure oil (along with particulates and other mineral-rich fluids) that could make repair nearly impossible and could permanently poison our waters.

The greatest lesson from the BP oil spill is that politicians and businessmen cannot solve problems created by our advanced technology. Only scientists and engineers can. We must listen to them and adopt a more rational approach to drilling that places safety above profit.

#### They incentivize mindless all-out exploitation that makes disaster inevitable.

Flournoy 11—Professor and Director of the Environmental and Land Use Law Program @ University of Florida Levin College of Law [Alyson C. Flournoy, “ARTICLE: THREE META-LESSONS GOVERNMENT AND INDUSTRY SHOULD LEARN FROM THE BP DEEPWATER HORIZON DISASTER AND WHY THEY WILL NOT,” Boston College Environmental Affairs Law Review, 2011, 38 B.C. Envtl. Aff. L. Rev. 281

C. How to Learn from the Context of the Disaster: United States' Energy Policy

A third meta-lesson from the BP Deepwater Horizon disaster is that the drilling of that particular offshore well is the result not just of private choice, but of a broader national policy on energy. MMS's oil leasing and permitting decisions reflect executive branch decisions about the disposition of publicly owned oil and gas resources. [n115](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1347732562226&returnToKey=20_T15531026576&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.633384.4211442095#n115) BP's decisions about exploration in that area were not made in a vacuum, but in the context of a set of laws and appropriations that create a variety of incentives that affect industry's behavior. Thus, to understand why the disaster occurred, it would be wise to look at the policy context that has produced the increasing rush to develop oil resources in deepwater, and increasingly in ultra-deepwater--areas that increase the complexity, risks, and uncertainty of drilling operations and potential accidents. [n116](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1347732562226&returnToKey=20_T15531026576&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.633384.4211442095#n116) The most visible leadership on this issue comes from statements of the Oil Spill Commission and its Co-Chair Bob Graham, who has repeatedly noted that the lack of an energy policy is an important issue related to the work of the Oil Spill Commission and one that must be addressed by the legislative and executive branches. [n117](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1347732562226&returnToKey=20_T15531026576&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.633384.4211442095#n117)

 [\*301]  The current energy policy provides hefty subsidies for the highly profitable oil and gas industries to continue with their unwavering focus on producing more oil and gas. [n118](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1347732562226&returnToKey=20_T15531026576&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.633384.4211442095#n118) Although some say that the United States lacks an energy policy, it is more accurate to say that our leaders don't clearly articulate the operative energy policy. Perhaps this is because it is not a coherent one or because on close inspection it is difficult to justify in light of other stated priorities.

A primary and often overlooked component of energy policy is the national policy on the privatization of public natural resources. U.S. policy is to give away its natural resources at bargain prices presumably to promote exploitation and development. [n119](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1347732562226&returnToKey=20_T15531026576&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.633384.4211442095#n119) A 2008 report by the Government Accountability Office compared U.S. royalty rates to those of 103 other jurisdictions, and only eleven had royalty rates lower than those of the United States. [n120](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1347732562226&returnToKey=20_T15531026576&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.633384.4211442095#n120) Moreover, the Government Accountability Office has made repeated reports of problems with uncollected royalties and with MMS's royalty-in-kind program that has led to underestimation of the royalties owed. [n121](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1347732562226&returnToKey=20_T15531026576&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.633384.4211442095#n121)

Another significant component of the national energy policy is tax policy that directly affects investment in oil extraction. A 2005 Congressional Budget Office Report showed that many capital investments for oil extraction are taxed at a rate of nine percent, which ranks among  [\*302]  the lowest rates for any industry. [n122](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1347732562226&returnToKey=20_T15531026576&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.633384.4211442095#n122) Tax deductions and credits for the oil extraction industry amount to roughly $ 4 billion per year. [n123](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1347732562226&returnToKey=20_T15531026576&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.633384.4211442095#n123)

Looked at as a whole, the current energy policy strongly encourages all-out exploitation of remaining domestic fossil fuel resources, and deepwater oil reserves in particular. If the public and elected officials believe that the risks that produced the Macondo Well blowout are unacceptable, an energy policy that will move us towards a clean energy path is a logical response. This could include increased government support for lower carbon, lower-risk energy paths.

Despite the clear political opportunity provided by the Deepwater Horizon disaster for the President and Congress to focus attention on a broad clean energy policy, there have been few signs of any significant movement in that direction. [n124](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1347732562226&returnToKey=20_T15531026576&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.633384.4211442095#n124) The CLEAR Act included provisions that would eliminate some of the royalty relief for deepwater drilling, eliminate the disastrous royalty-in-kind program, and require BOEMRE to study global royalty payments to inform U.S. royalty policy. [n125](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1347732562226&returnToKey=20_T15531026576&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.633384.4211442095#n125) These are very positive steps that would reduce the mindless incentives for deepwater drilling and the unintended windfalls to oil companies. However, that Act has languished in the Senate. Moreover, even those proposed changes fail to address the broader question of whether policy should create incentives towards a cleaner energy path. In the wake of the November 2010 election, it seems highly unlikely that the Administration or Congress will have interest in this topic. [n126](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1347732562226&returnToKey=20_T15531026576&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.633384.4211442095#n126)

CONCLUSION

There is much that can be learned from the BP Deepwater Horizon disaster. Unfortunately, even learning the most specific lessons has proved a contentious and uncertain process. This Article suggests first that both industry and government must fundamentally rethink their approaches to safety and develop a culture that encourages and facilitates learning from mistakes. Second, it identifies the phenomenon of  [\*303] hollow government, characterized by government lacking the resources and authority to protect the public interest and a policy process dominated by powerful economic interests, as a root cause of the BP disaster and a contributing factor to other recent national disasters, including the financial crisis. Hollow government also makes it unlikely that we will learn the third meta-lesson and address the longstanding need for a coherent energy policy. These lessons could help to avert future disasters and better enable government to protect public health, safety, and the environment. However, absent changes to address the underlying obstacles to learning, there seems little likelihood that the lessons will be learned.

# Navy Adv

## 1NC

#### 1) No production declines

#### a) companies are only reducing shale plays because it’s so abundant and cheap---but low prices are self-correcting

Knowledge@Wharton 12, the University of Pennsylvania’s business school, “The Once and Future U.S. Shale Gas Revolution,” 8/29/12, http://knowledge.wharton.upenn.edu/article.cfm?articleid=3068

Today, operators are pulling back from more mature shale gas fields, such as the Barnett in Texas and the Haynesville in Arkansas, Louisiana, and Texas, and deploying to newer fields with the potential of producing gas along with oil -- including the Utica in Ohio and Bone Spring in Texas and New Mexico, says Drew Koecher, KPMG's U.S. energy leader in transactions and restructuring. With low gas prices, many shale gas developers are facing financial challenges. Chesapeake Energy, based in Oklahoma City and the nation's second largest shale gas company after Exxon Mobil, needs to raise cash through asset sales, while managing a U.S. Securities and Exchange Commission investigation into CEO Aubrey McClendon's alleged conflicts of interest, which involve taking loans against his personal stake in the company's wells, according to news reports.

Still, the recent shale gas boom is far from over, and a full realization of the U.S. shale gas revolution is yet to come, say experts. For starters, the U.S. has significantly more resources to recover. "The U.S. has a long way to go before it depletes shale gas," says Brandon Beard, KPMG's managing director for U.S. energy transactions and restructuring. "It will take 10 to 20 years to play through." Moreover, as new demand for gas develops, gas prices will recover and buck up the industry. "The glut of gas is somewhat temporary," states Noam Lior, a Penn mechanical engineering and applied mechanics professor who is also on the graduate faculty of Penn/Wharton's Lauder Institute. "As long as oil prices are holding above $100 a barrel or so, gas will be very competitive." Jonathan Banks, senior climate policy advisor at the Clean Air Task Force in Boston, agrees. "Nothing cures low prices like low prices," he says. Spurred by these low prices, demand from electric utilities, chemical manufacturers, natural gas vehicles and overseas markets will restore health to the shale gas industry, and relatively low natural gas energy prices could help buoy the U.S. economy, experts predict. "It's a game changer," notes A.J. Scamuffa, U.S. chemicals leader at PwC in Philadelphia.

#### b) Nelder concludes that rebounding prices reverse production declines and make shale production sustainable

Chris Nedler 12, Smart Planet, 2/8/12, “Everything you know about shale gas is wrong,” http://www.smartplanet.com/blog/energy-futurist/everything-you-know-about-shale-gas-is-wrong/341

A word of caution is in order here: A one-year decline in production in an unprofitable environment is not proof that shale gas has “peaked.” It’s certainly possible that renewed drilling could bring higher production when gas prices rise again. The operative question in that case is when. If gas prices recover within the next year or two, it will be relatively easy to bring new wells online rapidly. But if gas prices languish for longer than that, the most productive “core” areas of the plays could become exhausted because the wells deplete so quickly. Without sustained new drilling to replace their production, by the time producers begin drilling again in the remaining, less productive prospects, an air pocket could form in the supply line.

#### c) No impact to decline rates---continual tech improvements

Jason Baihly 11, the Schlumberger product line manager for multistage stimulation, focusing on directing new technology research and market analysis for multistage acidized and hydraulically fractured reservoirs, May 2011, “Study Assesses Shale Decline Rates,” http://www.slb.com/~/media/Files/dcs/industry\_articles/201105\_aogr\_shale\_baihly.ashx

Lessons learned from earlier analyses of shale plays are benefiting the later developments in terms of improved log and core evaluation, leading to more precise well placement in reservoir sweet spots as well as better completion and stimulation design. Improvements have been made in lateral length, stage selection, diverter use and pumping techniques. Real-time microseismic hydraulic fracture mapping has enabled operators to avoid geohazards while maximizing reservoir contact.

While the Barnett Shale has the lowest initial production compared with the other plays, the decline rate for Barnett wells is markedly flatter, leading to the conclusion that fracture conductivity is sustained longer in the Barnett because of the favorable rock properties. However, a large number of open natural fractures in this area characterize the Barnett Shale.

With this wealth of data, any number of comparisons can be made to determine if there are relationships among basins, production years, initial production rates or decline rates. This allows EUR forecasts to be made.

It is perhaps an unfair comparison, but when shale gas wells are compared with tight gas sands wells, and when vertical wells are compared with horizontal wells, in a general sense it is clear that horizontal shale gas wells offer significantly higher EURs-definitely when compared with vertical wells, but also when compared with tight gas sands horizontal wells. The normalized decline curves were similar for both horizontal shale gas and horizontal tight gas sands, if not slightly better for the shales.

For the time frame analyzed, the Cotton Valley sand is a lower limit for normalized production decline behavior for all commercial horizontal shale gas plays analyzed in the study (Table 1). Considering that the study was conducted using only publicly available data, and did not include production improvements from workovers, recompletions or refracs, one can conclude that the study results are likely on the conservative side.

Costs Versus Gas Prices

Bottom-line financial success in the shale plays depends on many things, not the least of which is the capital cost of leasehold acquisitions. Early entrants have a decided advantage, some paying one-tenth of the lease prices of latecomers. Different basins have exhibited decidedly different cost structures (Table 2). which impact the economic parameters. Consequently, differences were factored into the economic analysis by determining discount profitability indexes (DPI) to allow basins to be compared. For this analysis, well construction, royalty and operating costs were compared with the EUR at three discount rates, assuming a constant wellhead gas price of $4.00 an Mcf for the life of the well (Table 3). Profitability is defined for wells whose DPI is greater than 1.0 at a given discount rate.

Accordingly, for wells analyzed in core play areas in 2008 and 2009, only wells in the Barnett and Fayetteville were deemed to be profitable under spot gas prices. That said, it is important to note that many operators have some or all of their gas prices hedged at higher than spot price values. However, it also is clear that modern methods and technology supported by experience and knowledge are improving results significantly in most plays. The results shown in Table 4 reflect the break-even price for wells drilled in each formation based on wells completed in 2008 and 2009.

It is important to note that actual drilling, completing, stimulating and operating costs may vary1 greatly from operator to operator, resulting in a large impact on overall economics. Some operators may have better production in a given core area versus others, further improving the picture. In addition, as noted, nearly all operators have at least some portion of their gas prices hedged at levels that may make all or most of the shale plays analyzed viable.

#### 2) The gold standard votes neg

#### a) Their ev says the Potential Gas Committee should be the gold standard---they conclude there’s 100 years of shale gas

OGI 9 – Oil & Gas Investor, 6/19/09, “Potential Gas Committee Report Places U.S. Gas Reserves At 2.07 Quadrillion Cubic Feet,” http://www.oilandgasinvestor.com/item/Potential-Gas-Committee-Report-Places-US-Gas-Reserves-207-Quadrillion-Cubic-Feet\_41197

A report issued by natural gas think tank the Potential Gas Committee estimated gas resources in the U.S. have surged by 35% due in large part to new technologies that have unlocked huge new domestic supplies of the clean fuel.

These results confirm industry and Department of Energy estimates of a 100-year supply of natural gas, which continues to grow as technology improves, and underscore the tremendous opportunities gas offers in terms of protecting America’s national security interests, meeting carbon regulations and serving as a critical foundation for renewable energy expansion.

Highlights of the report include an increase in gas supplies that is the largest in the 44-year history of reports from the Potential Gas Committee. Estimated gas reserves rose to 2.07 quadrillion cubic feet in 2008, from 1.5 quadrillion cubic feet in 2006 when the last report was issued.

Natural gas accounts for about a quarter of the nation's total energy use, and 22% of electrical production. The U.S. Energy Department estimates that demand for natural gas will rise by 13% by 2030.

America’s Natural Gas Alliance chairman David Trice says, “This is just the latest in a string of authoritative reports confirming the abundance of natural gas in America. It’s time for our national energy policy and market place decisions to reflect that this affordable, clean, and abundant resource is here now and can power America for the next century. Quite simply, we have gas in North America—lots of it—and it can dramatically reduce greenhouse gas emissions and help secure a clean energy future.”

#### b) Their “historical data” warrant goes neg

NGSA 13 – Natural Gas Supply Association, Winter 2012-13, “Understanding the Size of US Natural Gas Resources,” http://www.ngsa.org/Assets/understanding%20the%20size%20of%20natural%20gas%20resources%20in%20the%20united%20states.pdf

PGC resource categories. The Potential Gas Committee’s three resource categories reflect the geologic and engineering data available in the formations being assessed, both traditional and coal bed methane (CBM). Assessors apply probabilistic principles and work on a formation-by-formation basis, determining a minimum, a maximum and a mean estimate.

• Probable — existing fields (excluding proved reserves)

• Possible — new fields in productive formation

• Speculative — new fields in formation that has not yet produced

History shows us more to be discovered. Recently critics have suggested that natural gas estimates should only include a portion of the probable category of resources, along with proved reserves. This would mean assuming no new fields will ever be discovered, even in existing formations that are known to be productive but have not been fully explored.

Natural gas experts reject that approach and instead point to history and the time-tested understanding that there will be more fields discovered in producing formations and unexplored formations.

#### Steel industry strong now – rising demand

RNCOS 11-5-12

RNCOS specializes in Industry intelligence and creative solutions for contemporary business segments. Our professionals analyze the industry and its various components, with a comprehensive study of the changing market behavior. Our accuracy and data precision proves beneficial in terms of pricing and time management that assist the intending consultants in meeting their objectives in a cost-effective and timely manner.

http://beforeitsnews.com/business/2012/11/consumption-of-long-products-to-boost-us-steel-industry-2465718.html

The US steel industry is one of the world’s largest steel industries, both in terms of production and consumption. In the US, consumption of long products is expected to gain share in the coming years backed by rising demand from the construction industry. By the end of 2015, it is expected that long products will account for more than one-fourth share in total apparent steel consumption. In addition, the demand for flat steel is also growing in the country. In future, with a rising demand for steel in various application areas, apparent steel consumption is projected to grow at a CAGR of 6% during 2012-2015. According to our new research report, “US Steel Industry Outlook to 2015”, the US steel industry has been playing an important role in the overall economic development. This can be attributed to the increased production and consumption level in 2011 with respect to the previous year. The consumption section in the report covers the consumption by type of product, which represents long products that account for a majority share in total steel consumption in the country. Further, the report covers information about finished steel consumption by product including stainless steel sheet or strip, plate, bar, rod, and wire.

#### Our fleet can take anyone’s—no challengers

Work 12 Robert O, United States Under Secretary of the Navy and VP of Strategic Studies @ Center for Strategic and Budgetary Assessments, "The Coming Naval Century," May, Proceedings Magazine - Vol. 138/5/1311, US Naval Institute, www.usni.org/magazines/proceedings/2012-05/coming-naval-century

For those in the military concerned about the impact of such cuts, I would simply say four things:¶ • Any grand strategy starts with an assumption that all resources are scarce, requiring a balancing of commitments and resources. As political commentator Walter Lippmann wrote: “The nation must maintain its objectives and its power in equilibrium, its purposes within its means, and its means equal to its purposes.”¶ • The upcoming defense drawdown will be less severe than past post–World War II drawdowns. Accommodating cuts will be hard, but manageable.¶ • At the end of the drawdown, the United States will still have the best and most capable armed forces in the world. The President well appreciates the importance of a world-class military. “The United States remains the only nation able to project and sustain large-scale military operations over extended distances,” he said. “We maintain superior capabilities to deter and defeat adaptive enemies and to ensure the credibility of security partnerships that are fundamental to regional and global security. In this way our military continues to underpin our national security and global leadership, and when we use it appropriately, our security and leadership is reinforced.”¶ • Most important, as the nation prioritizes what is most essential and brings into better balance its commitments and its elements of national power, we will see the beginning of a Naval Century—a new golden age of American sea power.¶ The Navy Is More Than Ships¶ Those who judge U.S. naval power solely by the number of vessels in the Navy’s battle force are not seeing the bigger picture. Our battle force is just one component—albeit an essential one—of a powerful National Fleet that includes the broad range of capabilities, capacities, and enablers resident in the Navy, Marine Corps, and Coast Guard. It encompasses our special-mission, prepositioning, and surge-sealift fleets; the ready reserve force; naval aviation, including the maritime-patrol and reconnaissance force; Navy and Marine special operations and cyber forces; and the U.S. Merchant Marine. Moreover, it is crewed and operated by the finest sailors, Marines, Coast Guardsmen, civilian mariners, and government civilians in our history, and supported by a talented and innovative national industrial base.¶ If this were not enough, the heart of the National Fleet is a Navy–Marine Corps team that is transforming itself from an organization focused on platforms to a total-force battle network that interconnects sensors, manned and unmanned platforms with modular payloads, combat systems, and network-enabled weapons, as well as tech-savvy, combat-tested people into a cohesive fighting force. This Fleet and its network would make short work of any past U.S. Fleet—and of any potential contemporary naval adversary.

#### Trade doesn’t solve war

May 5**—**Professor Emeritus (Research) in the Stanford University School of Engineering and a senior fellow with the Institute for International Studies at Stanford University. Former co-director of Stanford University's Center for International Security and Cooperation. Principal Investigator for the DHS. (Michael, “The U.S.-China Strategic Relationship,” September 2005, http://www.ccc.nps.navy.mil/si/2005/Sep/maySep05.asp)

However important and beneficial this interdependence may be from an economic point of view, it is not likely to be a significant factor for strategic stability. Famously, economists before World War I sounded clear warnings that Europe had become economically interdependent to an extent that war there would ruin Europe. The war was fought nevertheless, Europe was duly ruined, and the ensuing political consequences haunted Europe to the end of World War II. Other cases exist. Modern war has been an economic disaster. Economic realities, including economic interdependence, play little role in whether a country goes to war or not. Economic myths certainly do and they usually affect strategic stability quite negatively. This is another reason why domestic perceptions matter: they determine which myths are believed.

#### No Obama protectionism

Lamont 10(James, Geithner vows to block protectionism, 7 April 2010, http://www.ft.com/cms/s/0/370f8d52-421b-11df-9ac4-00144feabdc0.html)

Tim Geithner, US Treasury secretary, said during a two-day visit to India that protectionist measures to prevent jobs from migrating outside the country would do more harm to the US than good. “We are not going to go down that path,” promised Mr Geithner. “We know that it would make us weaker, not stronger.” He also said that the administration of Barack Obama, president, would not seek to curb the investments of US companies overseas as “our fortunes are tied with the world”. There have been proposals to trim the tax privileges of US companies that operate internationally. “American companies are long in the world,” Mr Geithner told Indian business leaders at a discussion hosted by the Confederation of Indian Industry. “They are good at what much of the world needs. A huge part of the basic economic challenge we face is to give stronger in- centive for private investment, help support innovation and try to make sure there is more investment and stronger exports globally.” Mr Geithner said Mr Obama was “deeply committed” to trying to build a consensus among Americans for more open trade to support the recovery. “We have got the worst labour market since the Great Depression,” the Treasury secretary said. “Most Americans are still going through an incredibly difficult economic series of challenges and yet we’ve been very successful in working to keep our markets open under all that pressure.”

## 2NC

#### Production and price will find a natural equilibrium---makes shale sustainable and solves the impact to the advantage

Market Watch 11 – “Is shale gas production and investment sustainable?,” 12/2/11, http://blogs.marketwatch.com/thetell/2011/12/02/is-shale-gas-production-and-investment-sustainable/

The short answer to whether shale natural gas production and investment is sustainable is “yes,” according to Dimitris Kapsis, chief energy officer at American Utility Management.

Production and investment growth in shale gas will likely last for at least the next decade or two and possibly beyond, he said. Investment will also include “research for safer and more efficient production processes and technology.”

And once the U.S. economic recovery takes hold, demand for natural gas should increase, providing a lift to prices, he said.

Natural gas prices were trading lower Friday, with the January contract NG12F down 1.5% at $3.59 per million British thermal units on the New York Mercantile Exchange.

But Kapsis doesn’t expect pricing to “stay this depressed past 2013.” Prices won’t likely fall much further, either, because that will cause production shutdowns and “cause price spikes instead of sustainable methodic price growth.”

He believes pricing could stabilize around the $7 mark, “which should be acceptable by a healthy economy and fairly profitable for the producers.”

#### US LNG exports cause a global transition from oil indexation to spot pricing

Hulbert 12 (Matthew Hulbert - Lead Analyst at European Energy Review, government consultant, Senior Research Fellow @ Netherlands Institute for International Relations, working on energy and political risk. Senior Energy Analyst at Datamonitor for global utilities. “Why America Can Make or Break A New Global Gas World,” 8/05/2012 http://www.forbes.com/sites/matthewhulbert/2012/08/05/why-america-can-make-or-break-a-new-global-gas-world)

The same debate is raging in the US. Despite the phenomenal breakthroughs in American shale developments, the front runner of the revolution now risks becoming a victim of its own success in terms of Henry Hub prices dropping so low, that full cycle economics for US shale gas plays have become negative. Unless prices organically firm, or US producers learn the dark art of supply restraint, current output levels will be difficult to maintain or enhance for American consumers. Companies will fold; fields will be mothballed, with Chesapeake providing the best ‘poster boy’ example of how precarious shale gas economics have become. The quick fix option to get Henry Hub back at a sustainable $4-7/MMbtu level (and by far the most lucrative for some of the mid-cap players involved), is to sign up international LNG contracts. That’s exactly what’s being done, with some of the larger IOCs (Royal Dutch Shell, BP and ExxonMobil) also aggressively pushing for LNG exports to capitalise on huge spreads, not to mention preventing further write-downs on shale assets. It’s not like Chinese champions working on US plays would have any ideological opposition to such a prospect. In total, FERC has around 125bcm/y of LNG applications currently awaiting approval – even on a ‘bad day’ 40-50bcm exports should be very feasible by 2020. That would make the US the third largest LNG player in the world. It’s also going to be the crucial factor over the next five years to decide where gas markets are heading. America will be decisive for future pricing models, whether they shift to gas (rather than oil) fundamentals. US LNG could be the straw that breaks oil indexation back.

#### Spot pricing causes short term volatility---Russia floods the market to crowd out producers and engages in collusion to drive up future prices

Hulbert 12 (Matthew Hulbert - Lead Analyst at European Energy Review, government consultant, Senior Research Fellow @ Netherlands Institute for International Relations, working on energy and political risk. Senior Energy Analyst at Datamonitor for global utilities. “Why America Can Make or Break A New Global Gas World,” 8/05/2012 http://www.forbes.com/sites/matthewhulbert/2012/08/05/why-america-can-make-or-break-a-new-global-gas-world)

But it’s not all bad news for Russia. The first point is that most consumers (especially continental Europeans) are labouring under the illusion that spot markets mean cheap prices. What they miss, is that setting gas prices based on gas fundamentals has got nothing to do with being cheap – it’s purely about achieving a cost reflective price for whatever the markets (and fundamentals) suggest gas should be. Gas on gas competition might well have positive medium term effects on price given marginal costs of production are generally cheaper than oil. But there are never any guarantees. If anything, prices could initially be far more volatile than those associated with piped gas given the cyclical nature of the beast, not to mention adapting to new upstream investment regimes unable to fall back on the oil ‘certainties’ of old. But assuming these initial hurdles are jumped and gas markets are politically allowed to bed in, that’s where the real fun and games start. As much as consumers think they’ve taken the political sting out of gas producers tails, spot markets could actually give producers far more leverage to manipulate prices, either on a collective or bilateral basis. When you take a quick look at the map, it’s clear to see supply side dynamics are essentially oligopolistic in Europe, a position that Russia might decide to capitalise on. The question is whether Russia would have the nerve to go for it, or be able to take the ideological leap of faith needed to explore and exploit a potentially lucrative new world of gas benchmarks?

Much would depend on pricing pressures involved and how far convergence has got, but the lower prices go, the more compelling prospect supply side collusion would become. Warning shots along such lines have been repeatedly fired by the GECF (even if often behind closed doors) with Russia, Algeria, Iran and Venezuela all wanting to recalibrate markets back towards producer interests. Obviously someone would have to shoulder initial opportunity costs and absorb likely free riding, enforce quotas and restrict new market entry at the fringe. They would also need to find a swing producer, that many have long thought would be Qatar, but actually, flags up a huge opportunity for Russia here.

Instead of issuing empty threats to flood markets or decimate upstream investments, independent gas benchmarks might just provide Moscow with sufficient incentive to do what it should always have done: get to grips with the fact that US shale has made Russia a price taker in Europe (and Asia), and start developing LNG prospects to reclaim control of global gas fundamentals. Despite sitting on over 30% of global gas supplies, Russian LNG production accounts for less than 5% of global share. Moscow has let itself become a fringe player in a global gas world. A ridiculous statement when you consider Russia is the gas equivalent to Saudi Arabia for oil. Developing Shtokman, Sakhalin and indeed Bazhenov and Achimov fields will undoubtedly put some people’s nose out of joint, but given Russia’s own unconventional reserves are estimated to be ten times larger than the whole of Europe, it still has the time (and potential) to break anybody in the field on volume to dictate long term prices. If global gas benchmarks are the way of the future, then we should at least be aware that Russia has the potential to play a pivotal role as the swing LNG producer of the world. The initial 62 million tonnes of LNG Shtokman and Sakhalin should hold, tells us as much.

Not only could Russia lean far heavier on Qatar, Australia, Algeria, West African and burgeoning Latin American LNG production to align short term prices, it would set the stage for a serious approach towards a gas cartel as the logical conclusion of independent global gas prices. Worst of all, Russia’s swing status would be built on the shoulders of a well-supplied, but largely isolated US market. If the US goes native, Europe fails to develop indigenous supplies, and Asia soaks up excess supplies, then Russia can have lots of fun applying its own logic of ‘gas on gas’ competition. That should certainly give Europe something to think about at the wrong end of the Eurasian pipeline. But you never know, if Brussels asks the Chinese politely, the clever chaps in Beijing might have a plan C. Beijing LNG ‘freedom carriers’ making their way to Europe by 2025 might just be a better bet than hoping the US delivers on its global gas potential. Ironic times indeed.

#### Causes Russian resurgence and collapses the global economy

Fang et al 12 (Songying Fang - Ph.D. Assistant Professor of Political Science Rice University. Amy Myers Jaffe - Fellow in Energy Studies JamesA. Baker III Institute for Public Policy Rice University. TedTemzelides, Ph.D., Prof of Economics. “New Alignments? The Geopolitics of Gas and Oil Cartels and the Changing Middle East,” January 2012, <http://www.bakerinstitute.org/publications/EF-pub-GasOilCartels-012312.pdf>)

Ill this study, we investigate three related questions raised by the above observations. First, what is the likelihood that Russia will be successful in creating new coalitions in energy markets in the near future? Russia’s aggressive use of its own energy exports as a tool of statecraft and diplomatic leverage in recent years has reintroduced fears of an “energy weapon” that could be wielded in international discourse. It has been argued that tightening energy markets could raise the benefits and possible chances of success for an energy exporting country that, alone or in combination with others, is trying to wrest political concessions by threatening to cut off energy supplies. Such an event would present a challenge for the international economy, and it could even lead to military conflict.2

#### History is on our side

Martin 6—prof pol sci, U France. Chair in Economics at the Paris School of Economics. Former economist at the Federal Reserve Bank of New York. Former assistant professor at the Graduate Institute of International Studies. Visiting researcher at Princeton. PhD from Georgetown. (Phillipe, “Make Trade not War?,” 12 April 2006, http://www.ecore.be/Papers/1177063947.pdf)

Does globalization pacify international relations? The “liberal” view in political science argues that increasing trade flows, and the spread of free markets and democracy should limit the incentive to use military force in interstate relations. This vision, which can partly be traced back to Kant’s Essay on Perpetual Peace (1795), has been very influential: the main objective of the European trade integration process was to prevent the killing and destruction of the two World Wars from ever happening again1. Figure 1 suggests 2 however that on the 1870-2001 period, the correlation between trade openness and military conflicts is not a clear cut one. The first era of globalization, at the end of the XIXth century, was a period of rising trade openness and of multiple military conflicts, culminating with World War I. Then, the interwar period was characterized by a simultaneous collapse of world trade and conflicts. After World War II, world trade increased rapidly while the number of conflicts decreased (although the risk of a global conflict was obviously high). There is no clear evidence that the 1990s, during which trade flows increased dramatically, was a period of lower prevalence of military conflicts even taking into account the increase in the number of sovereign states.

# Russia

## 1NC

#### Structural barriers prevent instability

Weitz 12 (Richard, writes a weekly column on Asia-Pacific strategic and security issues. He is director of the Center for Political-Military Analysis and a Senior Fellow at the Hudson Institute. His commentaries have appeared in the International Herald Tribune, The Guardian and Wall Street Journal (Europe), among other publications. “Stabilizing the Stans”, 6/1, http://www.project-syndicate.org/commentary/stabilizing-the-stans)

Social disorder in Tunisia, Egypt, Libya, and other Arab countries has invariably led observers to regard Central Asia’s autocracies as potentially vulnerable to similar upheaval. Some Central Asian leaders have been in power for many years, and only Kyrgyzstan, the most impoverished of the five, has developed a competitive multi-party political system. Elsewhere, political parties are weak or are tools of the regime. But other factors make the Arab scenario less plausible in Central Asia. ­­Security forces are more closely aligned with ruling elites; independent political groups and social-media networks are less well developed; economic performance remains high in some countries; and a previous wave of revolutions produced disappointing results in Ukraine and Kyrgyzstan.

#### Alliance doesn’t solve foreign policy challenges

Techau10/6/11Jan**,** director of Carnegie Europe, the European centre of the Carnegie Endowment for International Peace, “The Dirty Secret of US European relations” http://carnegieendowment.org/2011/10/06/dirty-secret-of-u-s-european-relations/8l1h

For the internal psychology of the transatlantic relationship, this is undoubtedly good news. The more interesting question, however, seems to be whether all this new love translates into a more meaningful partnership on shared foreign-policy challenges. Here the answer is less clear. While cooperation on issues such as the Middle East, Iran and terrorism was and is constructive, one of the most crucial items on the Euro-American agenda remains untouched by the improved atmosphere: transatlantic burden sharing in the field of security and defense. Here, Europeans have for the last sixty years been in a position of utter dependence on the Washington’s willingness and ability to guarantee their security. And even though the global strategic framework has drastically changed since the beginning of this transatlantic bargain in the 1950s, Europeans still conduct their defense planning as if American generosity were the most naturally abundant and easily accessible political commodity. By doing so, they increase their reliance on U.S. guarantees, and they become less and less interesting as an ally for their American counterparts. All attempts to wake Europeans up and make them rethink their priorities have died away without much impact.¶ It would be easy to blame President Obama for not using his popularity with allies intelligently enough to induce them to get their act together. But the European passivity on security and defense issues goes far beyond the reach of even the most popular American president. By and large, Europeans are unaware of their utter dependency; they don’t feel particularly threatened, they hold a deep mistrust in all things military, and they have learned to look at the world without regard to strategic considerations. Despite Libya, their willingness for an active approach to the world around them and for intervention on behalf of values and interests is small. Their political leaders—to the extent that they are aware of today’s realities—shy away from the enormous budgetary and political costs that a realistic security and defense posture would create.The dirty little secret of transatlantic relations is that, under these circumstances, they will undoubtedly become a whole lot less boring very soon. Both America and Europe are broke. Their ability to shape the world around them is getting weaker. The global center of gravity is shifting towards the Pacific. Americans are ultimately better suited to master this process of relative decline. But it is in Washington’s fundamental interest to keep Europe safe and stable, to keep its best allies strong and to defend the enormous economic investments it has placed in the old world. Obsessing about perceptions and sympathy ratings will soon look like frivolous luxury. The ball is in the European court. For Americans, a Europe with a grown-up strategic culture will be more important than one that produces high approval ratings for the United States. For Europeans, investing in a relevant and workable transatlantic future will be more important than an American president they find easy to like.

#### EU/US relations resilient

Joyner 11—editor of the Atlantic Council. PhD in pol sci (James, Death of Transatlantic Relationship Wildly Exaggerated, 14 June 2011, www.acus.org/new\_atlanticist/death-transatlantic-relationship-wildly-exaggerated)

The blistering farewell speech to NATO by U.S. defense secretary Robert Gates warning of a "dim, if not dismal" future for the Alliance drew the Western public's attention to a longstanding debate about the state of the transatlantic relationship. With prominent commenters voicing concern about much more than just a two-tiered defensive alliance, questioning whether the U.S.-Europe relationship itself is past its prime, doubts that the Western alliance that has dominated the post-Cold War world are reaching a new high.¶ But those fears are overblown, and may be mistaking short-term bumps in the relationship for proof of a long-term decline that isn't there. Gates' frustration with the fact that only five of the 28 NATO allies are living up to their commitment to devote 2 percent of GDP to defense, which has hindered their ability to take on even the likes of Muammar Qaddafi's puny force without American assistance is certainly legitimate and worrying.¶ Though the U.S.-Europe partnership may not be living up to its potential, it is not worthless, and that relationship continues to be one of the strongest and most important in the world. Gates is an Atlanticist whose speech was, as he put it, "in the spirit of solidarity and friendship, with the understanding that true friends occasionally must speak bluntly with one another for the sake of those greater interests and values that bind us together." He wants the Europeans, Germany in particular, to understand what a tragedy it would be if NATO were to go away.¶ Most Europeans don't see their security as being in jeopardy and political leaders are hard pressed to divert scarce resources away from social spending -- especially in the current economic climate -- a dynamic that has weakened NATO but, despite fears to the contrary, not the greater Transatlantic partnership.¶It would obviously have been a great relief to the U.S. if European governments had shouldered more of the burden in Afghanistan. This disparity, which has only increased as the war has dragged on and the European economies suffered, is driving both Gates' warning and broader fears about the declining relationship. But it was our fight, not theirs; they were there, in most cases against the strong wishes of the people who elected them to office, because we asked. We'd have fought it exactly the same way in their absence. In that light, every European and Canadian soldier was a bonus.¶ Libya, however, is a different story. The Obama administration clearly had limited interest in entering that fight - Gates himself warned against it -- and our involvement is due in part to coaxing by our French and British allies. The hope was to take the lead in the early days, providing "unique assets" at America's disposal, and then turn the fight over to the Europeans. But, as Gates' predecessor noted not long after the ill-fated 2003 invasion of Iraq, you go to war with the army you have, not the one you wish you had.¶ The diminished capabilities of European militaries, spent by nearly a decade in Afghanistan, should be of no surprise. NATO entered into Libya with no real plan for an end game beyond hoping the rebels would somehow win or that Qaddafi would somehow fall. That failure, to be fair, is a collective responsibility, not the fault of European militaries alone.¶ But the concern goes deeper than different defensive priorities. Many Europeans worry that the United States takes the relationship for granted, and that the Obama administration in particular puts a much higher priority on the Pacific and on the emerging BRICS (Brazil, Russia, India, China, and South Africa) economies.¶ New York Times columist Roger Cohen recently wrote that this is as it should be: "In so far as the United States is interested in Europe it is interested in what can be done together in the rest of the world." In Der Spiegel, Roland Nelles and Gregor Peter Schmitz lamented, "we live in a G-20 world instead of one led by a G-2."¶ It's certainly true that, if it ever existed, the Unipolar Moment that Charles Krauthammer and others saw in the aftermath of the Soviet collapse is over. But that multipolar dynamic actually makes transatlantic cooperation more, not less, important. A hegemon needs much less help than one of many great powers, even if it remains the biggest.¶ Take the G-20. Seven of the members are NATO Allies: the US, Canada, France, Germany, Italy, the UK, and Turkey. Toss in the EU, and you have 40 percent of the delegation. If they can form a united front at G-20 summits, they are much more powerful than if each stands alone. Add in four NATO Partner countries (Russia, Japan, Australia, and South Korea) and you're up to 60 percent of the delegation -- a comfortable majority for the U.S.-European partnership and its circle of closest allies.¶ Granted, it's unlikely that we'll achieve consensus among all 12 states on any one issue, let alone most issues. But constantly working together toward shared goals and values expands a sense of commonality.¶ And, like so many things, projects end. Indeed, that's generally the goal. The transatlantic military alliance that formed to defeat fascism remained intact after victory; indeed, it expanded to include its former German and Italian adversaries. NATO outlasted the demise of its raison d'être, the Soviet threat, and went on to fight together --along with many of its former adversaries -- in Bosnia, Kosovo, Afghanistan, and Libya. Is there seriously any doubt that other challenges will emerge in the future in which the Americans and its European allies might benefit from working together?

#### No impact

Stent 3 – Angela E. Stent, professor of government and foreign service, and director of the Center for Eurasian, Russian and East European Studies at Georgetown University, Winter 2003, World Policy Journal, p. 75-76

Using extensive interviews with participants in all three administrations, and memoirs by former officials, they paint a compelling picture of officials often overwhelmed by the challenge of an entirely new reality. The unexpected collapse of communism and of the Soviet Union, coming just after the Gulf War, left them with no road map to understand how Russia and other post-Soviet states might develop. Nightmare scenarios suggested themselves: nuclear war between Russia and Ukraine; weapons proliferation on a terrifying scale; Yugoslav-type ethnically based civil war on the territory of the former Soviet Union; mass starvation; economic collapse—the ominous possibilities were endless. That these “dogs did not bark” is testimony to the unwillingness of people in the post-Soviet space to engage in armed conflict and to Western assistance that staved off famine and economic collapse. The failure of catastrophic scenarios to come about is one indicator of success—but if one were to measure America’s contribution to transforming Russia in more positive ways, the evidence is more mixed. If a minimalist definition of success was the absence of catastrophe, the maximalist definition was the creation of a fully functioning democracy in Russia with a transparent market economy and the rule of law. That has not happened yet, and it is unclear when it will. So far, there is no consensus about what would constitute a realistic timetable for Russia’s democratic development.

#### The Russian economy is strong and resilient

AP 11 [Actuarial Post, “Russian recovery continues to gather momentum,” July 19 2011, <http://www.actuarialpost.co.uk/article/russian-recovery-continues-to-gather-momentum-623.htm>]

Baring Asset Management (Barings), the international investment management firm, believes Russia will become an increasingly attractive market to investors over the next 18 months as its economic recovery continues to gather pace on the back of higher public sector investment and consumer spending.

Matthias Siller, manager of the Baring Russia Fund also believes that over the next 18 months, Russia's political backdrop will have a positive influence on investment opportunities in the country. This year, Russia's Parliamentary elections will take place and in 2012, the Presidential election. Siller explains: "The elections will naturally result in an increase in social spending on infrastructure and on housing as the government tries to secure support. Aggressive fiscal loosening will also put more money in people's pockets and boost consumer confidence, supporting growth."

In terms of GDP growth Barings believes this will remain solid, although Russia's economic recovery has been slower to gain momentum compared to other emerging European nations. Siller says: "Russia's late cyclical recovery means that whilst consumer spending is only just starting to pick up, its monetary pressures are less strained than other European countries. Consumer spending, supported by a revival in retail loan growth since early 2010, points toward a strong, sustained recovery. Evidence of growth in consumption can be seen in rising new car sales which for example are well above Turkey's."

Barings believes the Russian economy has been relatively resilient to the financial crisis, and currently its budget deficit forecasts are significantly better than some other European emerging economies. While other European governments' support of growth via deficit spending comes to an end, Russia is an exception to the trend. A deficit spending increase in Russia will continue to underpin wage growth and consumption. Barings also expects privatisation efforts to increase and generate more growth for businesses.

#### Russia has abandoned aggression in favor of cooperation

Sawczak 11 [Dr. Peter Sawczak, Adjunct Research Fellow at Monash University, “Obama’s Russia Policy: The Wages and Pitfalls of the Reset,” peer reviewed paper presented at the 10th Biennial Conference of the Australasian Association for Communist and Post-Communist Studies, Feb 3-4 2011, <http://cais.anu.edu.au/sites/default/files/Sawczak_Obama.pdf>]

As a measure of their optimism, US officials like to point – cautiously – to a discernible shift in Russian foreign policy towards a more pragmatic, cooperative approach. Whether or not the Obama administration can claim credit for this, the United States has at least shown Russia the dividends which could flow from enhanced cooperation. This is most palpably reflected in the Russian foreign policy paper leaked in May 2010, which identifies a “need to strengthen relations of mutual interdependence with the leading world powers, such as the European Union and the US,” 5 as well as, more indirectly, in Medvedev’s modernisation agenda. The fact that Russia has sought, in the tragic circumstances attending commemoration ceremonies at Katyn, rapprochement with Poland and moved to demarcate its border with Norway, in addition to partnering with the US on arms control, Iran and Afghanistan, suggests to US policy-makers that a rethink, however tenuous, is underway. Noteworthy also is the fact that Russia, gladdened by the emergence of more compliant leaders in Ukraine and Kyrgyzstan, has been remarkably restrained of late in its dealings closer to home, not having waged any major gas wars, threatened leaders, or incited civil war.

## 2NC

#### No extinction

Posner 5—Senior Lecturer, U Chicago Law. Judge on the US Court of Appeals 7th Circuit. AB from Yale and LLB from Harvard. (Richard, Catastrophe, http://goliath.ecnext.com/coms2/gi\_0199-4150331/Catastrophe-the-dozen-most-significant.html)

Yet the fact that Homo sapiens has managed to survive every disease to assail it in the 200,000 years or so of its existence is a source of genuine comfort, at least if the focus is on extinction events. There have been enormously destructive plagues, such as the Black Death, smallpox, and now AIDS, but none has come close to destroying the entire human race. There is a biological reason. Natural selection favors germs of limited lethality; they are fitter in an evolutionary sense because their genes are more likely to be spread if the germs do not kill their hosts too quickly. The AIDS virus is an example of a lethal virus, wholly natural, that by lying dormant yet infectious in its host for years maximizes its spread. Yet there is no danger that AIDS will destroy the entire human race. The likelihood of a natural pandemic that would cause the extinction of the human race is probably even less today than in the past (except in prehistoric times, when people lived in small, scattered bands, which would have limited the spread of disease), despite wider human contacts that make it more difficult to localize an infectious disease.

#### AIDS epidemic is slowing—rhetoric of global spread is pure hype

Washington Post 7 (11/20, U.N. to Cut Estimate Of AIDS Epidemic, http://www.washingtonpost.com/wp-dyn/content/article/2007/11/19/AR2007111900978\_pf.html)

The United Nations' top AIDS scientists plan to acknowledge this week that they have long overestimated both the size and the course of the epidemic, which they now believe has been slowing for nearly a decade, according to U.N. documents prepared for the announcement. AIDS remains a devastating public health crisis in the most heavily affected areas of sub-Saharan Africa. But the far-reaching revisions amount to at least a partial acknowledgment of criticisms long leveled by outside researchers who disputed the U.N. portrayal of an ever-expanding global epidemic. The latest estimates, due to be released publicly Wednesday, put the number of annual new HIV infections at 2.5 million, a cut of more than 40 percent from last year's estimate, documents show. The worldwide total of people infected with HIV - estimated a year ago at nearly 40 million and rising - now will be reported as 33 million. Having millions fewer with a lethal contagious disease is good news. Some researchers, however, contend that persistent overestimates in the widely quoted U.N. reports have long skewed funding decisions and obscured potential lessons about how to slow the spread of HIV. Critics have also said that U.N. officials overstated the extent of the epidemic to help gather political and financial support for combating AIDS. "There was a tendency toward alarmism, and that fit perhaps a certain fundraising agenda," said Helen Epstein, author of The Invisible Cure: Africa, the West, and the Fight Against AIDS. "I hope these new numbers will help refocus the response in a more pragmatic way." In documents obtained by The Washington Post, U.N. officials say the revisions stemmed mainly from better measurements rather than fundamental shifts in the epidemic. Among the reasons for the overestimate is methodology; U.N. officials traditionally based their national HIV estimates on infection rates among pregnant women receiving prenatal care. As a group, such women were younger, more urban, wealthier and likely to be more sexually active than populations as a whole, according to recent studies. The United Nations' AIDS agency, known as UNAIDS and led by Belgian scientist Peter Piot since its founding in 1995, has been a major advocate for increasing spending to combat the epidemic. Over the past decade, global spending on AIDS has grown by a factor of 30, reaching as much as $10 billion a year. But in its role in tracking the spread of the epidemic and recommending strategies to combat it, UNAIDS has drawn criticism in recent years from Epstein and others who have accused it of being politicized and not scientifically rigorous. For years, UNAIDS reports have portrayed an epidemic that threatened to burst beyond its epicenter in southern Africa to generate widespread illness and death in other countries. In China alone, one report warned, there would be 10 million infections - up from 1 million in 2002 - by the end of the decade. Piot often wrote personal prefaces to those reports warning of the dangers of inaction, saying in 2006 that "the pandemic and its toll are outstripping the worst predictions." But by then, several years' worth of newer, more accurate studies already offered substantial evidence that the agency's tools for measuring and predicting the course of the epidemic were flawed.

#### No impact

David E. Hoffman 10/22/12, contributing editor to Foreign Policy and the author of The Dead Hand: The Untold Story of the Cold War Arms Race and Its Dangerous Legacy, which won the 2010 Pulitzer Prize for general non-fiction, "Hey, Big Spender," Foreign Policy, www.foreignpolicy.com/articles/2012/10/22/hey\_big\_spender?page=full

Despite tensions that flare up, the United States and Russia are no longer enemies; the chance of nuclear war or surprise attack is nearly zero. We trade in each other's equity markets. Russia has the largest audience of Facebook users in Europe, and is open to the world in a way the Soviet Union never was.

#### Cold war calculations no longer apply – neither side would consider war

Cartwright et al 12 [Gen (Ret) James Cartwright, former Vice Chairman of the Joint Chiefs of Staff; Amb. Richard Burt, former ambassador to Germany and chief negotiator of START; Sen. Chuck Hagel; Amb. Thomas Pickering, former ambassador to the UN; Gen. (Ret.) Jack Sheehan, former Supreme Allied Commander Atlantic for NATO and Commander-in-Chief for the U.S. Atlantic Command; GLOBAL ZERO U.S. NUcLEAR POLicy cOMMiSSiON REPORT, http://orepa.org/wp-content/uploads/2012/05/cartwright-report.pdf]

These illustrative next steps are possible and desirable for five basic reasons. First, mutual nuclear deterrence based on the threat of nuclear retaliation to attack is no longer a cornerstone of the U.S.-Russian security relationship. Security is mainly a state of mind, not a physical condition, and mutual assured destruction (MAD) no longer occupies a central psychological or political space

in the U.S.-Russian relationship. To be sure, there remains a physical-technical side of MAD in our relations, but it is increasingly peripheral. Nuclear planning for Cold War-style nuclear conflict between our countries, driven largely by inertia and vested interests left over from the Cold War, functions on the margins using outdated scenarios that are implausible today. There is no conceivable situation in the contemporary world in which it would be in either country’s national security interest to initiate a nuclear attack against the other side. Their current stockpiles (roughly 5,000 nuclear weapons each in their active deployed and reserve arsenals) vastly exceed what is needed to satisfy reasonable requirements of deterrence between the two countries as well as vis-à-vis third countries whose nuclear arsenals pale in comparison quantitatively.

# China Coal DA

#### U.S. coal exports to China are low, but downward pressure on domestic demand expands them massively

Bryan Walsh 12, Senior Editor at TIME, May 31, 2012, “Drawing Battle Lines Over American Coal Exports to Asia,” online: http://science.time.com/2012/05/31/drawing-battle-lines-over-american-coal-exports-to-asia/

But across the Pacific Ocean, the demand for coal has never been hotter, with China burning 4.1 billion tons in 2010 alone, far more than any other country in the world. That insatiable demand forced China in 2009 to become a net coal importer for the first time, in part because congested rail infrastructure raised the cost of transporting coal from the mines of the country’s northwest to its booming southern cities. In April, Chinese coal imports nearly doubled from a year earlier. Right now Australia and Indonesia supply much of China’s foreign coal. U.S. coal from the Powder River Basin could be a perfect addition to the Chinese market. Montana and Wyoming are just short train trips to ports on the Pacific Northwest coast, and from there it’s a container ship away from Asian megacities where coal doesn’t have to compete with cheap natural gas and air-pollution regulations are far weaker than in the U.S. To a wounded Big Coal, China is a potential savior.¶ As I write in the new edition of TIME, there’s just one problem: right now, ports on the West Coast lack the infrastructure needed to transfer coal from railcars into container ships. (Just 7 million of the 107 million tons of U.S.-exported coal left the country via Pacific Ocean ports last year.) That’s why coal companies like Peabody and Ambre Energy are ready to spend millions to build coal-export facilities at a handful of ports in Washington and Oregon. If all those plans go forward, as much as 150 million tons of coal could be exported from the Northwest annually—-nearly all of it coming from the Powder -River -Basin and headed to Asia. Even if the U.S. kept burning less and less coal at home, it would have a reason to keep mining it.

#### Utilities will switch from gas to coal in 2013, but the plan locks in low gas prices and reverses switching

Keith Schaefer 12, Publisher, the Oil & Gas Investments Bulletin, 10/4/12, “The Swing Vote That Could Switch Natural Gas Back to Coal,” http://oilprice.com/Energy/Natural-Gas/The-Swing-Vote-That-Could-Switch-Natural-Gas-Back-to-Coal.html

So, as natural gas prices are now rising-up to $3.50/mmBtu (1 mmBtu ~ 1.1 mcf), coal prices have dropped to around US$52 per ton from US$78 per ton, the equivalent of US$2.03 per mmBtu.

The $1.40+ per mmBtu discount to natural gas this week is the largest relative price difference since August 2011, according to Reuters data—providing, on paper at least, lots of incentive for electricity producers to start switching back and reducing natural gas demand—potentially a lot.

However, the tipping price point for fuel switching depends on the utility and the age of the generator.

A Reversal for Natural Gas Prices?

The U.S. Energy Information Administration (EIA) predicts natural gas consumption, which is estimated to rise by 5% this year from 2011 on power generation demand, will reverse in 2013 as prices rise and utilities switch back to coal.

“Because of the projected increase in natural gas prices relative to coal, EIA expects the recent trend of substituting coal-fired electricity generation with natural gas generation to slow and likely reverse over the next year,” the agency said in its September short-term energy

“EIA expects that coal-fired electricity generation will increase by nine percent in 2013, while natural gas generation will fall by about 10 percent.”

The other side of the coin is voiced by Ziff Energy analysts in Calgary, Alberta, who argue rising volumes of natural gas – produced as associated gas with shale oil and natural gas liquids, as well as shale gas – will conspire to put a ceiling on prices, despite low drilling activity on both sides of the border.

#### U.S. exports lock in expanded Chinese coal capacity---causes warming over the tipping point

Thomas M. Power 12, Research Professor and Professor Emeritus, Department of Economics, University of Montana; Principal, Power Consulting; February 2012, “The Greenhouse Gas Impact of Exporting Coal from the West Coast: An Economic Analysis,” <http://www.sightline.org/wp-content/uploads/downloads/2012/02/Coal-Power-White-Paper.pdf>

The cumulative impact of these coal port proposals on coal consumption in Asia could be much larger than even that implied by the two pending proposals. If Arch, Peabody, and other western U.S. coal producers’ projections of the competitiveness of western coal in Asia are correct, facilitating the opening of the development of West Coast coal ports could have a very large impact on the supply of coal to China and the rest of Asia.

6.4 The Long-term Implications of Fueling Additional Coal-Fired Electric Generation

Although the economic life of coal-fired generators is often given as 30 or 35 years, a permitted, operating, electric generator is kept on line a lot longer than that, as long as 50 or more years through ongoing renovations and upgrades. Because of that long operating life, the impact of the lower Asian coal prices and costs triggered by PRB coal competing with other coal sources cannot be measured by the number of tons of coal exported each year. Those lower coal costs will lead to commitments to more coal being burned for a half-century going forward.

That time-frame is very important. During exactly this time frame, the next half-century, the nations of the world will have to get their greenhouse gas emission stabilized and then reduced or the concentrations of greenhouse gases in the atmosphere may pass a point that will make it very difficult to avoid massive, ongoing, negative climate impacts. Taking actions now that encourage fifty-years of more coal consumption around the world is not a minor matter. Put more positively, allowing coal prices to rise (and more closely approximate their full cost, including “external” costs) will encourage extensive investments in improving the efficiency with which coal is used and the shift to cleaner sources of energy. This will lead to long-term reductions in greenhouse gas emissions that will also last well into the next half-century. 57

#### Extinction

Flournoy 12 – Citing Feng Hsu, PhdD NASA Scientist @ the Goddard Space Flight Center, Don FLournoy, PhD and MA from UT, former Dean of the University College @ Ohio University, former Associate Dean at SUNY and Case Institute of Technology, Former Manager for Unviersity/Industry Experiments for the NASA ACTS Satellite, currently Professor of Telecommunications @ Scripps College of Communications, Ohio University, “Solar Power Satellites,” January 2012, Springer Briefs in Space Development, p. 10-11

In the Online Journal of Space Communication , Dr. Feng Hsu, a  NASA scientist at Goddard Space Flight Center, a research center in the forefront of science of space and Earth, writes, “The evidence of global warming is alarming,” noting the potential for a catastrophic planetary climate change is real and troubling (Hsu 2010 ) . Hsu and his NASA colleagues were engaged in monitoring and analyzing climate changes on a global scale, through which they received first-hand scientific information and data relating to global warming issues, including the dynamics of polar ice cap melting. After discussing this research with colleagues who were world experts on the subject, he wrote: I now have no doubt global temperatures are rising, and that global warming is a serious problem confronting all of humanity. No matter whether these trends are due to human interference or to the cosmic cycling of our solar system, there are two basic facts that are crystal clear: (a) there is overwhelming scientific evidence showing positive correlations between the level of CO2 concentrations in Earth’s atmosphere with respect to the historical fluctuations of global temperature changes; and (b) the overwhelming majority of the world’s scientific community is in agreement about the risks of a potential catastrophic global climate change. That is, if we humans continue to ignore this problem and do nothing, if we continue dumping huge quantities of greenhouse gases into Earth’s biosphere, humanity will be at dire risk (Hsu 2010 ) . As a technology risk assessment expert, Hsu says he can show with some confidence that the planet will face more risk doing nothing to curb its fossil-based energy addictions than it will in making a fundamental shift in its energy supply. “This,” he writes, “is because the risks of a catastrophic anthropogenic climate change can be potentially the extinction of human species, a risk that is simply too high for us to take any chances” (Hsu 2010 )

#### Chinese emissions are sufficient to cause extinction

John Copeland Nagle 11, the John N. Matthews Professor, Notre Dame Law School, Spring 2011, “How Much Should China Pollute?,” Vermont Journal of Environmental Law, 12 Vt. J. Envtl. L. 591

Third, the rest of the world suffers because of the inability of China and the United States to agree on a method for reducing their greenhouse gas emissions. Even if the rest of the world were to reach such an agreement, the failure to include China and the United States would doom the project from the start. Together, China and the United States account for forty-one percent of the world's greenhouse gas emissions. [FN19] Left unchecked, China's emissions alone could result in many of the harms associated with climate change. [FN20] That is why many observers believe that “[t]he decisions taken in Beijing, more than anywhere else, [will] determine whether humanity thrive[s] or perishe[s].”

# SEP CP

#### TEXT: The United States Federal Government should establish that the penalty for violating restrictions on energy production of natural gas in the Outer Continental Shelf may include entry into a Supplemental Environmental Project.

#### Implementation of the Supplemental Environmental Projects should follow the 1991 *Policy on the Use of Supplemental Environmental Projects in EPA Settlements*, and any conflicting federal laws and regulations should be modified to provide a narrow exemption for the above penalty.

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

CPR 8 – The Center for Progressive Reform, a nonprofit research and educational organization with a network of Member Scholars working to protect health, safety, and the environment through analysis and commentary, 2008, “Environmental Enforcement,” <http://progressiveregulation.org/perspectives/environEnforce.html>

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

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

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

State environmental agencies actually carry out the majority of enforcement activity in this country because most states have received authority from EPA to administer federal environmental laws under EPA oversight (see CPR Perspective on Devolution) States also administer and enforce their own state laws. As in other areas of environmental regulation, the quality of state enforcement programs vary considerably. Some states carefully follow EPA mandates and vigorously enforce environmental requirements. In other states, enforcement is relatively lax, and agencies rarely respond to violations with penalties.

Citizen enforcement also is a feature of most federal environmental statutes. The statutes allow citizens to sue companies for violations when the government fails to do so and various, often strict, procedural conditions are met. Traditionally, Congress has viewed citizen enforcement as an important supplement to agency enforcement and an important prod to agency regulators.

What People are Fighting About

In recent years there has been a sharp debate over the future direction of environmental enforcement. Many states and regulated entities advocate a more business-friendly, conciliatory enforcement strategy, one that does not emphasize enforcement actions and penalties as the keys to securing compliance. In their view, businesses are likely to comply without resort to sanctions because of adherence to social and political norms, market forces, and other factors.

Thus, many states have reduced funding for inspections. enforcement cases and similar activities, and shifted resources toward compliance assistance programs. Some have created “customer service centers” for regulated entities. Many states do not follow EPA guidance for responding to violations with “timely and appropriate” enforcement actions. Many impose only limited penalties on violators, penalties that typically are far lower than those assessed by EPA in similar circumstances. Many states fail to recover economic benefit when assessing penalties--a core element of deterrence theory. In the past decade, almost one-half of the states have enacted environmental audit privilege or immunity laws that preclude penalties for violations voluntarily disclosed and corrected by regulated entities as a result of environmental audits. These laws also keep materials contained in environmental audits secret and exempt from public disclosure.

At the same time, EPA has to some degree deemphasized traditional enforcement and used its limited resources to provide more compliance assistance to small businesses and other regulated sectors. It has also searched for positive incentives for companies that carry out self-policing efforts. Until very recently, however, EPA has continued to demand that the states impose sanctions, conduct inspections, and bring enforcement actions as the main tools for deterring firms from violating the law. EPA also resisted the most far-reaching efforts of states to weaken enforcement of environmental laws. Funding shortfalls and emerging policy changes in such areas as whether new sources must obtain new permits have taken their toll and EPA’s commitment to deterrence-based enforcement appears to be weakening.

In reaction to these changes, environmental groups, contend that government enforcement is too lax, that too often fines for violating environmental requirements have become no more than a routine cost of doing business for regulated entities, and that the government lacks the resources to pursue most violations. They would like to more vigorously enforce environmental violations. During the past decade or so, however, the Supreme Court has erected a series of hurdles to citizen enforcement of environmental laws. The Court has imposed restrictions on who has standing to bring suit, what type of illegal conduct can be challenged, when a decision is “ripe” for suit, when government agencies can be sued, and when attorneys fees can be awarded to successful plaintiffs’ attorneys. These court-imposed obstacles have significantly undermined the role envisioned by Congress for citizen enforcers.

#### The SEP penalty causes industry noncompliance --- triggers the same industry response as the aff, while preserving the restriction

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

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

#### Adopting the ’91 guidelines is key

Kenneth T. Kristl 7, Associate Professor of Law and Director of the Environmental and Natural Resources Law Clinic, Widener University School of Law, “MAKING A GOOD IDEA EVEN BETTER: RETHINKING THE LIMITS ON SUPPLEMENTAL ENVIRONMENTAL PROJECTS,” Vermont Law Review, Vol. 31, 2007, <http://lawreview.vermontlaw.edu/files/2012/02/kristl.pdf>

If in fact the mitigation percentage is ultimately meaningless, why have it in the SEP Policy at all? Perhaps because it allows EPA to create the illusion that it is being “tough” on violators, consistent with the Policy’s strong assertions about the importance of “substantial monetary penalties” and deterring non-compliance. 254 One must question, however, whether the illusion is worth the price if that price is to discourage defendants from seeking to propose SEPs because of the perceived “discount” their SEP dollars will receive. The fact that almost 90% of defendants have chosen not to do SEPs strongly suggests that this discouragement of SEP participation is not merely theoretical. If EPA is really serious about encouraging more SEPs, it needs to explore why nearly 90% of defendants are turning away from what EPA says it wants to encourage. The better solution is to get rid of the 80% cap on the mitigation percentage and **re-adopt the 100% ceiling in the 1991 SEP Policy**. Such a cap would allow EPA to treat mediocre projects less favorably but would **incentivize and reward defendants who develop proposals that deliver solid environmental benefits**. More importantly, it would remove the “second class” stigma that SEPs inevitably get when SEP dollars are “discounted.” Such a change is much more likely to **increase SEP participation rates, and** thereby **allow more environmental benefits from SEPs.**

CONCLUSION

Having defendants agree to undertake Supplemental Environmental Projects holds great promise for providing environmental benefits beyond those arising from mere compliance with the law or governmental programs. If EPA is seriously committed to its stated goal of increasing the use of SEPs above the historically low participation levels, it needs to examine critically the restraints its own policies impose on such projects. The insistence on nexus and a mitigation percentage ceiling found in EPA’s approach toward SEPs both lack legal or economic justification and work to shackle SEPs in ways that **forfeit potential benefits**. Careful reexamination of nexus and the mitigation percentage ceiling justify removal of these concepts from EPA’s policies. Such a change is **simple to implement** and would unshackle SEPs, likely increase their use in environmental enforcement cases, and make the good idea of SEPs even better by **increasing the environmental benefits** that enforcement activity can bring.

#### Establishing SEP penalties solves inevitable environmental crisis

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

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

#### Extinction

Clark and Downes 6

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

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

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

The Economics of Biodiversity Conservation

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

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