# Round 1

## Case

### Air-Emission Rules Bad---Certainty

#### The air emission rules create regulatory uncertainty and will lead to further regulation

Mack et al. 12 – Joel Mack is a partner in Latham & Watkins' Houston office. Davon Collins is an associate in the firm's New York office. Sara Orr and Ben Lawless\* are associates in the Washington, D.C., office. May 11th, 2012, “A 1st for Fracking: EPA’s Air Emissions Regulations,” www.lw.com/thoughtLeadership/a-first-for-fracking

Notably, although the rule does not regulate methane directly, there are indications that methane — a potent greenhouse gas — may have been the true target of the new regulations. This might explain why the EPA **declined to grant any exemptions from green completion requirements for wells with demonstrated low or de minimis VOC emissions**.The EPA claimed that, given VOC variability among gas wells, such an exemption would be “inappropriate” due to implementation concerns.[34] In addition, the EPA has noted in its supporting comments for the rule that it intends “to continue to evaluate the appropriateness of regulating methane with an **eye toward taking additional steps if appropriate**.”[35] Thus, the rule is likely a harbinger of further greenhouse gas regulation of the upstream and midstream oil and gas industries. Additionally, the rule may reflect the EPA’s increasing scrutiny of hydraulic fracturing as the EPA assesses the scope of its statutory authority to regulate hydraulic fracturing under the Safe Drinking Water Act’s Underground Injection Control program.[36] Therefore, as the oil and gas industry begins to comply with this rule and the greenhouse gas reporting rule issued by the EPA in November 2010, **companies should closely evaluate** their greenhouse gas emissions and hydraulic fracturing **operations for likely regulatory targets and be prepared to engage in future rulemaking processes.**

#### No regulatory certainty

Osa & Palmer 11 – RICHARD OSA is a Senior Atmospheric Scientist at Stantec Consulting, Inc., and holds the Qualified Environmental Professional certification. Mr. Osa has over 30 years of environmental consulting experience, including Clean Air Act legislative and regulatory analysis. He has managed air quality projects throughout North America, including permitting efforts in most of the US EPA regions. AND\*\*\* TODD PALMER is a lawyer and technical consultant at Michael Best and Friedrich, a Midwestern law firm. Mr. Palmer has over 19 years of varied industry experience and specifically focused much of his legal career on Clean Air Act matters. December 2011, "Analysis of EPA's proposed clean air restrictions on oil and gas operations," [www.worldoil.com/December-2011-Analysis-of-EPAs-proposed-clean-air-restrictions-on-oil-and-gas-operations.html](http://www.worldoil.com/December-2011-Analysis-of-EPAs-proposed-clean-air-restrictions-on-oil-and-gas-operations.html)

The proposed rules lack clarity as to the regulatory consequences stemming from a well workover. As mentioned, NSPS requirements generally apply to newly constructed or modified existing emission units. The term “modification” generally encompasses activities that result in an increase in the maximum emission rate of an emission unit. Well workovers will increase the production rate of a particular well, which in turn can result in an increase in the emission rate attributable to the well itself, as well as downstream transmission and storage units. The proposed rules lack clarity as to whether well workovers will be considered a modification triggering NSPS requirements, and if so, what are the regulatory obligations for interconnected, ancillary emission sources.

### No Air Pollution Impact

#### No air pollution impact

Schwartz 6 Joel Schwartz is a visiting fellow at AEI and a Professor of Environmental Epidemiology at Harvard. "Getting Real on Air Pollution and Health," June 14, AEI, http://www.aei.org/article/energy-and-the-environment/contaminants/air/getting-real-on-air-pollution-and-health/

The EPA attributes well over 90 percent of the benefits of its clean air programs to improvements in human health. Thus, a key policy question is whether EPA's health-benefit claims are credible. Even as public health authorities and environmental activists become more strident in raising health alarms, evidence continues to mount that air pollution at contemporary low levels is causing little or no harm, even in the most polluted areas of the country.**¶** More sober estimates in the EPA's own technical analyses belie the scary claims it puts out for public consumption. Writing in the journal Environmental Health Perspectives, EPA scientists estimated that going from 2002 ozone levels, which were by far the highest of the past several years, to nationwide compliance with the stringent new federal eight-hour ozone standard would reduce respiratory-related hospital admissions and emergency room visits by no more than a few tenths of a percent.¶ Claims of an air pollution-asthma link by health experts have also been undermined by recent research. While the prevalence of asthma has nearly doubled in America during the past 25 years, air pollution of all kinds has sharply declined around the nation at the same time, making air pollution an implausible culprit.**¶** Government-funded research by scientists from the University of Southern California supports this finding. The authors of the Children's Health Study reported that children who grew up in areas with higher air pollution, including areas with the worst air pollution in the nation by far, had a lower risk of developing asthma. The researchers also found that ozone had no effect on lung development, even though the study included areas that exceeded the federal ozone standard more than 100 days per year. And even in a community with uniquely high soot levels--more than twice the current federal health standard--soot was associated with only a 1 percent to 2 percent decline in lung capacity.¶ The most serious claim about air pollution is that it prematurely kills tens of thousands of Americans each year. This claim is based on small statistical correlations between pollution levels and risk of death. But correlation doesn't necessarily mean causation**,** as demonstrated recently by a number of embarrassing reversals of conventional medical wisdom.¶ The air pollution-mortality claim deserves even greater skepticism. First, it is based on the same unreliable correlation methods that have led medical authorities astray in other areas. Second, even though pollution is weakly correlated with higher premature mortality on average, it seems to protect against death in about one-third of cities. How could pollution kill people in some cities and save them in others? More likely, both results are chance correlations rather than real effects. Third, in laboratory experiments, researchers have been unable to kill animals by exposing them to air pollution at levels many times greater than ever occur in the United States.

## Topicality

#### We meet – we reduce restrictions on energy production

Orford 12 – Adam D. Orford, J.D. from Columbia University School of Law, editor in chief of the Columbia Journal of Environmental Law, May 29th, 2012, "EPA To Regulate Air Emissions from Hydraulic Fracturing As Industry Comes Under Scrutiny" [www.martenlaw.com/newsletter/20120529-air-emissions-from-hydraulic-fracturing](http://www.martenlaw.com/newsletter/20120529-air-emissions-from-hydraulic-fracturing)

**EPA’s new rules** phase out 40 C.F.R Part 60, subparts KKK and LLL (dealing with equipment leaks and SO2 emissions at natural gas production facilities), incorporating and expanding on the prior restrictions in new subpart OOOO (NSPS for natural gas production, transmission, and distribution). The rules also revise 40 C.F.R. Part 63, Subparts HH and HHH (NESHAPs for natural gas production, transmission, and storage facilities). The new regulations will consume many pages of the Federal Register,[17] are highly technical, and should be consulted directly regarding specific requirements. The remainder of this article describes the new green completion rule, and summarizes the more significant new fugitive emissions controls.

#### Counter-interpretation – restrictions are conditions on action

Plummer 29 J., Court Justice, MAX ZLOZOWER, Respondent, v. SAM LINDENBAUM et al., Appellants Civ. No. 3724COURT OF APPEAL OF CALIFORNIA, THIRD APPELLATE DISTRICT100 Cal. App. 766; 281 P. 102; 1929 Cal. App. LEXIS 404September 26, 1929, Decided, lexis

The word "restriction," when used in connection with the grant of interest in real property, is construed as being the legal equivalent of "condition." Either term may be used to denote a limitation upon the full and unqualified enjoyment of the right or estate granted. The words "terms" and "conditions" are often used synonymously when relating to legal rights. "Conditions and restrictions" are that which limits or modifies the existence or character of something; a restriction or qualification. It is a restriction or limitation modifying or destroying the original act with which it is connected, or defeating, terminating or enlarging an estate granted; something which defeats or qualifies an estate; a modus or quality annexed by him that hath an estate, or interest or right to the same, whereby an estate may be either defeated, enlarged, or created upon an uncertain event; a quality annexed to land whereby an estate may be defeated; a qualification or restriction annexed to a deed or device, by virtue of which an estate is made to vest, to be enlarged or defeated upon the happening or not happening of a particular event, or the performance or nonperformance of a particular act.

## 2AC Capitalism Kritik

#### Capitalism is sustainable – self-correcting

Seabra 12 (Leo, has a background in Communication and Broadcasting and a broad experience which includes activities in Marketing, Advertising, Sales and Public Relations, 2/27, “Capitalism can drive Sustainability and also innovation,” http://seabraaffairs.wordpress.com/2012/02/27/capitalism-can-drive-sustainability-and-also-innovation/)

There are those who say that if the world does not change their habits, even the end of economic growth, and assuming alternative ways of living, will be a catastrophe. “Our lifestyles are unsustainable. Our expectations of consumption are predatory.Either we change this, or will be chaos”. Others say that the pursuit of unbridled economic growth and the inclusion of more people in consumption is killing the Earth. We have to create alternative because economic growth is pointing to the global collapse. “What will happen when billions of Chinese decide to adopt the lifestyle of Americans?” I’ll disagree if you don’t mind… **They might be** wrong. Completely wrong .. Even very intelligent people wrongly interpret the implications of what they observe when they lose the perspective of time. In the vast scale of time (today, decades, not centuries) it is the opposite of what expected, because they start from a false assumption: the future is the extrapolation of this. But not necessarily be. How do I know? Looking at history. What story? The history of innovation, this thing generates increases in productivity, wealth, quality of life in an unimaginable level. **It is innovation that will defeat pessimism as it always did**. It was innovation that made life today is incomparably better than at any other time in human history. And will further improve. Einstein, who was not a stupid person, believed that capitalism would generate crisis, instability, and growing impoverishment. He said: “The economic anarchy of capitalist society as it exists today is, in my opinion, the true source of evil.” The only way to eliminate this evil, he thought, was to establish socialism, with the means of production are owned by the company. A centrally controlled economy would adjust the production of goods and services the needs of people, and would distribute the work that needed to be done among those in a position to do so. This would guarantee a livelihood to every man, women and children. Each according to his possibilities. To each according to their needs. And guess what? What happened was the opposite of what Einstein predicted. Who tried the model he suggested, impoverished, screwed up. Peter Drucker says that almost of all thinking people of the late nineteenth century thought that Marx was right: there would be increased exploitation of workers by employers. They would become poorer, until one day, the thing would explode. Capitalist society was considered inherently unsustainable. It is more or less the same chat today. **Bullshit. Capitalism, with all appropriate regulations, self-corrects. It is an adaptive system that learns and changes by design. The design is just for the system to learn and change.** There was the opposite of what Einstein predicted, and held the opposite of what many predict, but the logic that “unlike” only becomes evident over time. It wasn’t obvious that the workers are those whom would profit from the productivity gains that the management science has begun to generate by organizing innovations like the railroad, the telegraph, the telephone .. to increase the scale of production and cheapen things. The living conditions of workers today are infinitely better than they were in 1900. They got richer, not poorer .. You do not need to work harder to produce more (as everyone thought), you can work less and produce more through a mechanism that is only now becoming apparent, and that brilliant people like Caetano Veloso still ignores. The output is pursuing growth through innovation, growth is not giving up. More of the same will become unsustainable to the planet, but most of it is not what will happen, will happen more different, than we do not know what is right. More innovative. Experts, such as Lester Brown, insist on statements like this: if the Chinese also want to have three cars for every four inhabitants, as in the U.S. today, there will be 1.1 billion cars there in 2030, and there is no way to build roads unless ends with the whole area used for agriculture. You will need 98 million barrels of oil per day, but the world only produces about 90 million today, and probably never produce much more. The mistake is to extrapolate today’s solutions for the future. We can continue living here for 20 years by exploiting the same resources that we explore today? Of course not. But the other question is: how can we encourage the stream of innovations that will enable the Chinese, Indians, Brazilians, Africans .. to live so as prosperous as Americans live today? Hey, wake up … what can not stop the engine of innovation is that the free market engenders. This system is self correcting, that is its beauty. We do not need to do nothing but ensure the conditions for it to work without distortion. The rest he does himself. It regulates itself.

#### Capitalism is inevitable

Wood 2 (Ellen M., Ph.D in political science from UCLA, The Origin of Capitalism, pg. 4-6)

These question-begging explanations have their origina in classical political economy and Enlightenment conceptions of progress. Together, they give an account of historical development in which the mergence and growth to maturity of capitalism are already prefigured in the earliest manifestations of human rationality, in the technological advances that began when Homo Sapiens first wielded a tool, and in the acts of exchange human beings have practised since time immemorial. History’s journey to that final destination, to ‘commercial society’ or capitalism, has, to be sure, been long and arduous, and many obstacles hace stood in its way. But its progress has nonetheless been natural and inevitable. Nothing more is required, then, to explain the ‘rise of capitalism’ than an account of how many obstacles to its forward movement have been lifted- sometimes gradually, sometimes suddenly, with revolutionary violence. In more accounts of capitalism and its origin, there really *is* no origin. Capitalism seems always to be there, somewhere; and it only needs to be released from its chains- for instance, from the fetters of feudalism- to be allowed to grow and mature. Typically, these fetters are political: the parasitic powers of lordship, or the restrictions of an autocratic state. Sometimes they are cultural or ideological: perhaps the wrong religion. These contraints confine the free movement of ‘economic’ actors, the free expression of econmic rationality. The ‘economic’ in these formulations is identified with exchange or markets; and it is here that we can detect the assumption that the seeds of capitalism are contained in the most primitive acts of exchange, in any form of trade or market activity. That assumption is typically connected With the other presupposition: that history has been an almost natural process of technological development. One way or another, capitalism more or less **naturally appears when** and where **expanding markets and technological development reach the right level**, allowing sufficient wealth to be accumulated so that is can be profitably reinvested. Many Marxist explanations are fundamentally the same- with the addition of bourgeois revolutions to help break the fetters. The effect of these explanation is to stress the continuity between non-capitalist and capitalist societies, and to deny the disguise of the specificity of capitalism. Exchange has existed more or less forever, and it seems that the capitalist market is just more of the same. In this kind of argument, because capitalism’s specific and unique need constantly to revolutionize the forces of production is just an extension and an acceleration of universal and transhistorical, almost natural, tendencies, industrialization is the inevitable outcome of humanity’smost basic inclinations. So the lineage of capitalism passes naturally from the earliest Babylonian merchant through the medieval burgher to the early modern bourgeois and finally to the industrial capitalist. There is similar logic in certain Marxist versions of this story, even though the narrative in more recent version often shifts from the town to the countryside, and merchants are replaced by rural commodity producers, small or ‘middling’ farmers waiting for the opportunity to blossom into full-blown capitalists. In this kind of narrative, petty commodity production, released from the bonds of feudalism, grows more or less naturally into capitalism, and petty commodity producers, just given the chance, will take the capitalist road. Central to these conventional accounts of history are certain assumptions, explicit or implicit, about human nature and about how human beings will behave, if only given the chance. They will, so the story goes, always avail themselves of the opportunity to maximize profits through acts of exchange, and in order to realize that natural inclination, they will always find ways of improving the organization and instruments of work in order to enhance the productivity of labor.

#### Action with policy relevance is key when survival is at stake

Norton 5 (Bryan G, professor of philosophy at the Georgia Institute of Technology, “Sustainability: A Philosophy of Adaptive Ecosystem Management”, University of Chicago Press, November 1, 2005, pp. 151-154)

Pragmatists pay attention to the particularities of unique situations. In action-forcing situations, it is often possible to provide helpful, if context- sensitive, guidance to decide what to accept as certain enough to guide action and what is not so certain and therefore requires further study. These decisions, which occur within a value-laden context, allow us to use agreements about values—however limited and situation-specific—to accept certain goals as consensus goals. Then we can pursue observations and management experiments to reduce debilitating uncertainty regarding techniques to achieve those goals. Shared values and goals can, in this way, sometimes serve as the solid ground on which to stand to undertake experimentation with means to achieve the goals, thereby reducing uncertainty about system functioning. At other times, of course, beliefs about the system and its behavior seem undeniable, and we can stand on these planks to deliberate about realistic and wise goals. The epistemology of adaptive management thus provides for gradual progress and improvement of both our belief system and our preferences and values, by using experience to triangulate between temporarily accepted beliefs and values. The most controversial aspect of this knowledge- seeking strategy, perhaps, is the idea that in concrete situations shared values can sometimes serve as a solid basis upon which to pursue mission-oriented science to reduce uncertainty about outcomes of our choices. To explore this idea, it is essential that we understand environmental values in such a way that through successive applications of our method, values can be improved over time. In this and the remaining chapters in part 2,1 provide such a context-sensitive approach that can serve to bootstrap both our values and our factual understanding of management situations simultaneously.¶ Likening our epistemological problem to a ride on Neuraths boat, which is required to stay afloat indefinitely while repairs are made, we can understand our problem as one of deciding which of our beliefs to accept as strong enough and which should be submitted to immediate and critical review and testing. Sailors on the boat are motivated by their desire to survive, and so they undertake the repairs on the boat with great deliberation and care. They must not only make important technical judgments regarding which planks are becoming weak with age and rot, but they must also make judicious choices regarding which planks must, given the importance of their function, be given priority. Analogously, as adaptive managers, we are driven by the desire to stay afloat and to prosper as a community, and we must similarly decide carefully what beliefs to accept as given, which should be doubted, and which points of uncertainty are of highest priority, given the shared goals of the community. Like Neuraths sailors, we must make such epistemological judgments under pressure; if we guess wrong and stand on a weak board to fix a stronger one, we face danger, if we stand on a strong board and fix a weak one, we could still face danger if, for example, we choose to fix weak boards of no direct importance to the seaworthiness of the vessel and ignore others that might fail catastrophically. We must, like Justice Holmes's judge, act in a way that fulfills several social demands, including the demand that the present decision be both consistent with precedent and legal tradition and also responsive to the new demands of a new situation.¶ The particular context of a real management dilemma—a context always suffused with value—can be very important for pragmatists in determining which beliefs should be accepted, however provisionally, and which should be submitted to more intense scrutiny by observation and experiment. The necessity of acting—and refraining from action is itself an action—enforces a kind of discipline, a discipline felt in a particular **situation with** real values at stake. In some situations, for example when the very existence of the community is threatened, decisions can be seen against a backdrop of unquestioned values (community survival); in these situations consensus on values may be far stronger than consensus on science. Epistemological decisions, in situations where decisions are forced and important values are at stake, thus involve judgments of importance as well as truth. We can only examine our whole belief system and try to find some beliefs we can temporarily place beyond doubt. Given the goal of management, we first concentrate on beliefs that are most important to the ongoing voyage, postponing examination of others until later: we keep our ship afloat, gradually transforming it plank by plank. Similarly, adaptive managers sometimes, by hypothesis, help themselves to a platform of beliefs in order to question the goals that should be pursued; and at other times we assume our goals are worthy ones and proceed to test appropriate scientific hypotheses related to the attainment of those goals. Optimistically, the adaptive manager believes that this platform, which shifts over time and in the process of many trials, yields **improved understanding** and improved goals **through** an alternation between **action** and reflection. This may be the only effective way to respond to wicked problems as they arise in a community with diverse and sometimes competing values.¶ Of course one might object that this whole process is circular and that no "true" justification of goals or actions takes place. We assume facts to support values, and we then stand on the values to support the importance of scientific research to reduce uncertainty and to allow actions to support those values. Now we play our epistemological trump card—the ability of diverse communities, if they operate in an open, democratic mode—to focus attention on weak assumptions and unjustifiable principles. In open public debate and open public processes, when well-informed stakeholders have free access to information and to political institutions, diverse members of a community will have an incentive to identify weaknesses—scientific, economic, and moral—in policies proposed by competing groups. If a process can be created that mimics the process the repairmen on Neuraths boat must develop if they are to survive, then we can give up the dry dock of a priori, self-evident truths and trust science and the observational method, especially if empowered by a strong sense of shared community values, to identify weak planks and keep the boat afloat. So a reasonable way to proceed, in an adaptive management framework, is to inspire stakeholders and participants to challenge and question both the beliefs of science and the proposed goals and values. Democracy, in this sense, can be a powerful engine of truth-seeking. A diverse population, in adaptive management as well as in Darwinian evolution, increases adaptability, by exploring a variety of available options, winnowing out the weak assumptions, and pursuing the most justifiable goals within a particular situation.

#### Economic methodology is key to accurate predicitons

Beabout 8 – Gregory R. Beabout 2008 is an adjunct fellow of the Center for Economic Personalism and Associate Professor of Philosophy at Saint Louis University Challenges to Using the Principle of Subsidiarity for Environmental Policy; 5 U. St. Thomas L.J. 210 (2008)

Economics offers many insights into how the world around us works, much more than would be possible to summarize even in a full-length law review article with many footnotes.5 From among those many insights, I have selected three "propositions" that demonstrate the fundamental points that economics is necessary, but not sufficient, to address environmental issues and that economics is necessary, but not sufficient, to reconcile the obligations of faith toward the poor and the need to protect the environment.¶ By "propositions" I mean fundamental truths about human behavior and the natural world that we ignore at our peril, truths as basic as the laws of gravity or humanity's susceptibility to sin. We can write statutes or regulations that ignore these-and Congress, legislatures, and regulators the world over frequently do-but such measures risk the same fatal results as bridges built without accounting for gravity. These propositions I will offer are economic "theory," but they are theory in the sense that the laws of gravity are a theory and are founded upon economic insights spanning hundreds of years of careful analyses, testing of hypotheses, and rigorous debates. That does not mean all economists agree on all policy implications or that every prediction by an economist comes true. It does mean that the core principles of the discipline are not mere matters of opinion and that economics is not a "point of view" to be accorded equal weight with folk tales or political preferences. All theories of how the world works are not equal -some work better than others and the ones that work deserve greater weight in policy debates than the ones that do not. Economics' great strength is that it is a concise and powerful theory that explains the world remarkably well. Those who ignore its insights are doomed to fail.¶ Science fiction author Robert Heinlein coined the phrase "TANSTAAFL" as a shorthand way of saying "There Ain't No Such Thing As A Free Lunch" in his classic 1966 science fiction novel The Moon is a Harsh Mistress, in which he described a revolution by residents of lunar colonies against oppressive governments on Earth in 2076.6 Heinlein had the revolutionaries emblazon TANSTAAFL on their flag and wove the principle through the free lunar society he imagined-a place where even air cost people money.¶ "No free lunch" means that everything costs something. Everything. No exceptions. At a minimum, if I spend my time doing one activity, I cannot spend that time doing something else. Economists refer to the idea that resources devoted to one activity are unavailable for other activities as "opportunity cost." If we do X, we cannot use those resources to do Y. The failure to recognize that there is an opportunity cost to committing resources to any given use can have disastrous consequences because when we do not recognize that our actions have costs we cannot intelligently consider our alternatives. And if we cannot assess the costs and benefits of our alternatives, we cannot make reasoned choices among them.7 In short, tradeoffs matter, and we need to pay attention to them.

#### Extinction outweighs ethics

Bok 88 (Sissela Bok, Professor of Philosophy @ Brandeis University, 1988, Applied Ethical Theory, ed. Rosenthal and Shehadi, pg. 203)

The same argument can be made for Kant’s other formulations of the Categorical Imperative: “So act as to use humanity, both in your own person and in the person of every other, always at the same time as an end, never simply as a means”; and “So act as if you were always through your actions a law-making member in a universal kingdom of Ends.” No one with a concern for humanity could consistently will to risk eliminating humanity in the person of himself and every other or to risk the death of all members in a universal Kingdom of Ends for the sake of justice. To risk their collective death for the sake of following one’s conscience would be as Rawls said, “irrational, crazy,” And to say that one did not intend such a catastrophe, but that one merely failed to stop other persons from bringing it about would be beside the point when the end of the world was at stake. For although it is true that we cannot be held responsible for most of the wrongs that others commit, the Latin maxim presents a case where we would have to take such a responsibility seriously – perhaps to the point of deceiving, bribing, even killing an innocent person, in order that the world not perish. To avoid self-contradiction, the Categorical imperative would, therefore, have to rule against the Latin maxim on account of its cavalier attitude toward the survival of mankind. But the ruling would then produce a rift in the application of the Categorical Imperative. Most often the Imperative would ask us to disregard all unintended but foreseeable consequences, such as the death of innocent persons, whenever concern for such consequences conflicts with concern for acting according to duty. But, in the extreme case, we might have to go against even the strictest moral duty precisely because of the consequences.

#### The alternative is rooted in the ivory tower – their call to do nothing is elitist

Greaber& Shukaitis 7 – anthropologist and research fellow at Leicester (David Graeber and Stevphen Shukaitis, anthropologist and lecturer at Goldsmiths College, London, former associate prof Anthropology at Yale, and research fellow at the University of Leicester Centre for Philosophy and Political Economy, “Constituent Imagination: Militant Investigations, Collective Theorization,” February 2007, pg. 22-23)

The figures more or less speak for themselves. Baudrillard is considered canonical and more regularly cited in all disciplines, even if many authors often only cite him in order to disagree with him. Debord is seen as a minor figure in art or literary studies, and is almost unknown outside them. Raoul Vaneigem might as well never have been born.This is interesting for any number of reasons. If you ask a scholar in, say, a cultural studies department what they think of the Situationists, you are likely to witness some kind of intellectual brush of the hand. The usual response is a dismissal of them as silly ‘50s or ‘60s Marxists, along the lines of the Frankfurt School who believed that capitalism was an all-powerful system of production and consumers were hapless dupes being fed manufactured fantasies. Eventually, you will then be told, students of popular culture came to realize **this position was elitist and puritanical.** After all, if one examines how real working people actually live, one will discover that they construct the meaning of their lives largely out of consumer goods but that they do it **in their own creative**, subversive **fashion and not as passive dupes of marking executives**. In other words, **real proletarians don’t need some French bohemian pamphleteer to call on them to subvert the system,** **they’re already doing it** on their own. Hence, this sort of literature is an insult to those in whose name it claims to speak. It doesn’t deserve to be taken seriously. This is one reason we think the case of Baudrillard is so telling. After all, if Debord and Venigem are being elitist, Baudrillard is obviously a thousand times more so. Debord and Vaneigem at least thought it was possible to strike back against the spectacle. Baudrillard is obviously a thousand times more so. Debord and Vanigem at least thought it was possible to strike back against the spectacle. Baudrillard no longer does. For him, we are nothing but helpless dupes and there’s nothing we can do about it; except, perhaps, to step back and admire our own cleverness for at least (unlike the pathetic fools still insisting they can change things) having figured that out. Yet Baudrillard remains an academic superstar. One as to ask: if the cultural studies folks are right to dismiss the Situationists as elitists with contempt for the real lives of non-academics, why is that non-academics continue to buy their books? Why is it that non-academics are pretty much the *only* people who continue to buy their books? Because it’s not just info-shops. Since the late ’70s, Situationist ideas, slogans and forms of analysis have become so thoroughly inscribed in the sensibilities of punk rock that it’s almost impossible to listen for very long to certain strains of counter-cultural music without hearing some catchy phrase taken directly from the works of Raoul Vaneigem. The Situationists have managed to become *part* of popular culture while cultural studies has remained completely trapped in the academy. It is these practices of do-it-yourself cultural production that Ben Holtzman, Craig Hughges, and Kevin Van Meter describe in this volume as forms for developing post-capitalist social relations in the present. The obvious conclusion is that it’s precisely Baudrillard’s elitism that makes him palatable for academics, because it’s the kind of elitism that **tells** its **readers not to do anything.** It’s okay to argue that it’s not necessary to change the world through political action. It’s okay to argue it’s not possible. What’s not okay – or anyway, what’s considered tiresome and uninteresting – is to write works that cannot be read as anything but a call to action. Debaord *can* be read simply as a theorist, though it requires a good deal of willful blindness. In the case of Vaneigem it’s nearly impossible. Hence, in the eyes of the academy: Deboard is a minor figure and Vaneigem does not exist.

#### Lefty environmental alarmism fails---we must create sustainable energy by pursuing (oil/coal/natural gas) to solve---only the aff offers a middle-ground whereas their alt disadvantages everyone except the small intellectual elite

Bradley 3 Robert, president of the Institute for Energy Research in Houston and an adjunct scholar of the Cato Institute. He received the Julian Simon Memorial Award for 2002 and is author, most recently, of Climate Alarmism Reconsidered, published by the Institute of Economic Affairs in London, "Energy Realism Overtaking Energy Alarmism" October 1, news.heartland.org/newspaper-article/2003/10/01/energy-realism-overtaking-energy-alarmism?quicktabs\_4=1

In the 1970s and 1980s, energy policy debates in the U.S. were mostly over the regulation of oil and natural gas prices and allocation. Energy shortages and price spikes led many to adopt an “energy-is-bad, energy conservation is good” position.¶ In the early 1990s, the energy policy debate shifted to energy “sustainability.” Depletion, pollution, reliability (security), and anthropogenic (man-made) climate change are the four sustainability issues. The last, climate change, is by far the most important of the four for the future of carbon-based energies.¶ Where does the energy sustainability debate stand as of mid-2003? The intellectual momentum has shifted to the optimists who see environmental progress as the norm and who believe that the market’s improvement process will effectively solve new problems along the way.¶ What has changed to mute energy alarmism? Six trends have been especially important.¶ (1) Eco-Energy Planners No Longer in Power¶ First, the end of the Clinton/Gore era has taken the eco-energy planners out of the seat of power and put them on the sidelines where few outside of their choir are listening. Gone is the Gore-led President’s Council on Sustainable Development, which marginalized the opposition--the sound science, realism-based, free-market environmentalists. Instead, Bush and Cheney released their National Energy Policy: Report of the National Energy Policy Development Group (May 2001), which set a pro-development tone for the “official” debate. High oil and gas prices since then have also added momentum to the cause of resource and infrastructure development over conservationism.¶ Where did the leaders of eco-energy interventionism go? Tapping into a huge reservoir of funding from such left-of-center foundations as Rockefeller, Turner, MacArthur, Packard, and Pew, they are scattered around at different “green” groups. In particular, they are administering and advising two energy groups in their political exile:¶ The Energy Future Coalition (http://www.energyfuturecoalition.org). Its White Paper on a new energy future concludes, “We aim at ambitious but achievable goals: cutting U.S. oil consumption and carbon emissions by a third from current levels over the next 25 years, and sharply increasing access to modern energy services in the developing world.”¶ This CO2 reduction target is more draconian than the Bush-rejected U.S. obligation under the Kyoto Protocol of 7 percent below 1990 levels. It is drastically below the “business as usual” forecast from the U.S. Energy Information Administration (EIA)--a 42 percent increase (1.5 percent per year) in CO2 emissions from 2000 to 2025. Oil usage, meanwhile, is forecast by the EIA to grow 1.6 percent per year, or 47 percent in the same 25 years.¶ This indeed would be a new energy future--and one that would require extensive government planning and re-direction of today’s consumer-driven energy sector. Energy rationing would be a likely result.¶ The National Commission on Energy Policy (http://www.energycommission.org/about/). Co-chaired by Harvard environmentalist John Holdren, it will release its study in late 2004 or early 2005. Expect no surprises. There will be alarms about carbon dioxide emissions with recommendation of a plethora of activist policies to forcefully redirect energy sources away from carbon fuels and reduce total energy usage.¶ **Consumers are not buying into energy alarmism from these energy scare groups. The public wants affordable, reliable, plentiful energy today and tomorrow**. No amount of private foundation money will change this--so long as the climate and energy realists document the facts and present them in terms of common-sense free-market principles to the public, industry, and other groups.¶ (2) Doomsayers Have Been Exposed¶ A new voice, Björn Lomborg, has exposed the shaky intellectual foundations of doom-and-gloom environmentalism in a way that has captured international media interest. Julian Simon could not do this in his lifetime, but Lomborg--who originally set out to refute Simon but ended up agreeing with him after intensive investigation with a working group--has done so!¶ The Lomborg phenomenon began with his book, The Skeptical Environmentalist: Measuring the True State of the World (Cambridge University Press, 2001), which received favorable publicity in such quarters as the New York Times and Washington Post as well as other publications around the world. The doomsayers ignored the book at first (their strategy is to assert, not debate) but suddenly found themselves losing out by their silence.¶ A spate of vitriolic attacks on Lomborg followed, despite his affable, scholarly demeanor and politically correct credentials as a former member of Greenpeace, vegetarian, and openly gay.¶ The media’s reaction to Lomborg has forced his critics to come to the intellectual table to refute him with facts and theory**. Cracks of dissent have opened among the liberal environmentalists’ ranks**. A well-known European climate alarmist, Michael Grubb, wrote in a book review for Science magazine, “To any modern professional, it is no news at all that the 1972 Limits to Growth study was mostly wrong or that Paul Ehrlich and Lester Brown have perennially exaggerated the problems of food supply.”¶ Contrary to Grubb’s assertion, it is big news that an environmental alarmist should acknowledge the flaws in work published by Ehrlich and Brown, two of the most revered names in the environmentalist movement.¶ In the face of that statement, what do Lomborg’s critics do--attack Grubb, stay silent and lick their wounds, or prominently announce, as Laurel did to Hardy, “I’m better now”? They stayed silent. Still, the monolithic front of intellectual environmentalism is under severe pressure thanks to Lomborg.¶ (3) Heightened Concern over Third-World Poverty¶ Poverty from a lack of modern energy and clean water has been elevated to a major international sustainability problem, reducing the urgency of addressing perceived long-run problems such as man-made climate change. Real development, not “sustainable development” as defined by western environmentalist groups, gained the upper hand at the United Nations’ World Summit on Sustainable Development held in Johannesburg last year. And it has continued this way, thanks in part to the influence of Lomborg.¶ Development as a competing environmental paradigm is the major theme of a new book by Jack Hollander. The Real Environmental Crisis: Why Poverty, Not Affluence, Is the Environment’s Number One Enemy, takes false alarmism to task and urges that the environment can best be improved by focusing on real, here-and-now problems like poverty in the Third World. Hollander is professor emeritus of energy and resources at the University of California at Berkeley, a bastion of energy and climate alarmism. His book is another signal that major changes are afoot.¶ Science, the flagship publication of the American Association for the Advancement of Science, whose members compose the environmental science community, is prone to views expressing energy and climate alarmism. Yet a December 6, 2002 editorial, titled “In Praise of Petroleum?” asked an obvious question:¶ Does it make sense to ask the poor to take on novel devices and fuels that have never been tried elsewhere? … **Rather than excluding petroleum, some of this one-time gift from nature ought actually to be reserved to help fulfill our obligation to bring the health and welfare of all people to a reasonable level: an** essential goal of sustainable development**, no matter how defined**.¶ (4) Even Alarmists Are Facing Reality¶ Climate and energy realities are breaking through in mainstream analysis, further cracking the anti-carbon environmentalist cartel. A major study published in Science by 18 authors, “Advanced Technology Paths to Global Climate Stability: Energy for a Greenhouse Planet,” forthrightly concluded that the technology does not exist to shift from carbon energies to low-carbon ones. The mass quantities are not available, and what supply there could be cannot be produced at an acceptable cost

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to society.¶ “**Revolutionary changes in the technology of energy production, distribution, storage, and conversion” are required, changes that “cannot be simply regulated” into being**. This view, authored within the energy-alarmist community, contradicts the mantra of environmental groups that are urging more and more short-term regulation and subsidies for renewable energy and energy conservation to address what they see as the carbon problem.¶ The same study takes the wind out of the Kyoto Protocol:¶ Paradoxically, Kyoto is too weak and too strong: Too strong because its initial cuts are perceived as an economic burden by some (the United States withdrew for this stated reason); too weak because much greater emission reductions will be needed and we lack the technology to make them.¶ (5) Side Effects of Renewables Split the Environmental Movement¶ Discontent with politically correct renewable energies, particularly wind power, is beginning to set in among anti-development environmentalists. A June 5 New York Times article, for example, reported proposed U.S. wind farm projects have created “huge turbulence with the environmental movement.” The article continued,¶ The growing [wind] industry has caused a kind of identity crisis among people who think of themselves as pro-environment, forcing them to choose between the promise of clean, endlessly renewable energy and the perils of imposing giant man-made structures on nature.¶ A highly publicized debate over a proposed 420 megawatt project off the coast of southern New England (powered by GE turbines that stand 100 meters tall on land and up to 75 meters when offshore) has pitted local environmentalists against their national brethren. Asks one writer for Renewable Energy World: “Will the real environmentalist please stand up?”¶ (6) Seeking Relevance in the Center¶ The sixth, and by no means least important, trend causing the country’s movement away from energy alarmism is the **intellectual left’s overall shift toward the center, in a quest for policy relevance**.¶ Consider the transition being made by John Holdren, holder of the Teresa and John Heinz professorship in environmental policy at Harvard University. In the 1970s Holdren, along with Paul and Anne Ehrlich, wrote:¶ A massive campaign must be launched to restore a high-quality environment in North America and to de-develop the United States. ... Resources and energy must be diverted from frivolous and wasteful uses in overdeveloped countries to filling the genuine needs of underdeveloped countries. This effort must be largely political.¶ Such a view if stated today would rupture Holdren’s standing as a collaborator in the energy policy debate. Instead Holdren opens his 2000 “Memorandum to the President” with this statement: “A reliable and affordable supply of energy is absolutely critical to maintaining and expanding economic prosperity where such prosperity already exists and to creating it where it does not.”¶ This sea change gives moral sanction to energy as an improving consumer product, not just a political product in the quest for “sustainability.” Such pragmatism is by no means limited to Holdren. Al Gore contradicted the energy policy outlines of his book, Earth in the Balance, when he stated on the campaign trail for the U.S. Presidency in 2000:¶ I think we need to bring gasoline prices down. . . . I have made it clear in this campaign that I am not calling for any tax increase on gasoline, on oil, on natural gas, or anything else. I am calling for tax cuts to stimulate the production of new sources of domestic energy and new technologies to improve efficiency.¶ More Work to Do¶ This is not to say that the battle between anti-growth alarmists and free-market realists is about to be won with direct political ramifications. There are a number of negative trends that require the best efforts of the climate and energy realists to turn the great climate and carbon alarm into just a shrill noise that gets lost in the night. But it does suggest that energy realists are winning in ways that have not occurred before.¶ What work remains to be done? Energy alarmism is being used as a tool to try to portray Republicans and President Bush as anti-environment. Yet carbon dioxide constraints on energy are anti-consumer, particularly to lower-income consumers. The premier energy-environmental think tank, Resources for the Future (RFF), speaks with one voice for regulating carbon dioxide despite a solid intellectual case for keeping the lid closed on this Pandora’s Box. RFF should stop speaking with one voice on such a two-sided issue or be held accountable when regulation begins and the highly predictable negative consequences follow.¶ By engaging in climate alarmism, European-based major oil companies have given false sanction to the intellectual and political left and opened themselves to charges of “greenwashing” given their massive, growing hydrocarbon operations. Meanwhile, their paltry investments in wind and solar are proving to be financially underperforming.¶ Finally, the Bush administration is proving too timid to officially reject government-sponsored programs for voluntary greenhouse gas reductions--programs that are likely to create the institutions and incentives to result in mandatory programs later on. Being “a little pregnant” is not a strategy that can last.¶ Overall, the debate over energy and climate alarmism is winnable for the proponents of energy and climate realism. Even in a worst-case situation where the U.S. adopts carbon dioxide (CO2) regulation, the program(s) will be so messy and watered down that virtually everyone will be left unsatisfied. There will be higher energy prices and gross inefficiencies reminiscent of earlier abandoned regulatory schemes. There will be a pound of corporate welfare for every ounce of real emission reductions, giving corporate critics on the Left plenty to lament.¶ More urgent environmental priorities will be left with fewer resources. In short, virtually **everybody will be worse off except for a small intellectual elite. Proponents of energy policy activism must ask themselves: Is this worth fighting for?**

## 2ac --- Memo/Guidance Doc CP

#### The counterplan is a reduction – restrictions must be enforced – if it’s on paper but not enforced it is NOT a restriction

Berger 1 Justice Opinion, INDUSTRIAL RENTALS, INC., ISAAC BUDOVITCH and FLORENCE BUDOVITCH, Appellants Below, Appellants, v. NEW CASTLE COUNTY BOARD OF ADJUSTMENT and NEW CASTLE COUNTY DEPARTMENT OF LAND USE, Appellees Below, Appellees. No. 233, 2000SUPREME COURT OF DELAWARE776 A.2d 528; 2001 Del. LEXIS 300April 10, 2001, Submitted July 17, 2001, Decided lexis

We disagree. Statutes must be read as a whole and all the words must be given effect. 3 The word "restriction" means "a limitation (esp. in a deed) placed on the use or enjoyment of property." 4 If a deed restriction has been satisfied, and no longer limits the use or enjoyment of the property, then it no longer is a deed restriction -- even though the paper on which it was written remains. [\*\*6] Thus, the phrase "projects containing deed restrictions requiring phasing…," in Section 11.130(A)(7) means presently existing deed restrictions. As of June 1988, the Acierno/Marta Declaration contained no remaining deed restrictions requiring phasing to coincide with improvements to the transportation system. As a result, the Acierno/Marta projects should not have been included in the scope of the Budovitches' TIS.

#### Obama is Velcro – he’ll get blame for the CP

**Nicholas & Hook 10** Peter and Janet, Staff Writers---LA Times, “Obama the Velcro president”, LA Times, 7-30, http://articles.latimes.com/2010/jul/30/nation/la-na-velcro-presidency-20100730/3

If Ronald Reagan was the classic Teflon president, Barack Obama is made of Velcro.¶ Through two terms, Reagan eluded much of the responsibility for recession and foreign policy scandal. In less than two years, Obama has become **ensnared in blame**.¶ Hoping to **better insulate Obama**, White House aides have sought to **give other Cabinet officials a higher profile** and additional public exposure. They are also crafting new ways to explain the president's policies to a skeptical public.¶ **But Obama remains the colossus of his administration** — to a point where trouble anywhere in the world is often his to solve.¶ The president is on the hook to repair the Gulf Coast oil spill disaster, stabilize Afghanistan, help fix Greece's ailing economy and do right by Shirley Sherrod, the Agriculture Department official fired as a result of a misleading fragment of videotape¶ What's **not sticking to Obama** is a legislative track record that his recent predecessors might envy. **Political dividends** from passage of a healthcare overhaul or a financial regulatory bill **have been fleeting**.¶ Instead, voters are measuring his presidency by a more immediate yardstick: Is he creating enough jobs? So far the verdict is no, and that has taken a toll on Obama's approval ratings. Only 46% approve of Obama's job performance, compared with 47% who disapprove, according to Gallup's daily tracking poll.¶ "I think the accomplishments are very significant, but I think most people would look at this and say, 'What was the plan for jobs?' " said Sen. Byron L. Dorgan (D-N.D.). "The agenda he's pushed here has been a very important agenda, but it hasn't translated into dinner table conversations."¶ Reagan was able to glide past controversies with his popularity largely intact. He maintained his affable persona as a small-government advocate while seeming above the fray in his own administration.¶ Reagan was untarnished by such calamities as the 1983 terrorist bombing of the Marines stationed in Beirut and scandals involving members of his administration. In the 1986 Iran-Contra affair, most of the blame fell on lieutenants.¶ Obama lately has tried to rip off the Velcro veneer. In a revealing moment during the oil spill crisis, he reminded Americans that his powers aren't "limitless." He told residents in Grand Isle, La., that he is a flesh-and-blood president, not a comic-book superhero able to dive to the bottom of the sea and plug the hole.¶ "I can't suck it up with a straw," he said.¶ But as a candidate in 2008, he set sky-high expectations about what he could achieve and what government could accomplish.¶ Clinching the Democratic nomination two years ago, Obama described the moment as an epic breakthrough when "we began to provide care for the sick and good jobs to the jobless" and "when the rise of the oceans began to slow and our planet began to heal."¶ Those towering goals remain a long way off. And most people would have preferred to see Obama focus more narrowly on the "good jobs" part of the promise.¶ A recent Gallup poll showed that 53% of the population rated unemployment and the economy as the nation's most important problem. By contrast, only 7% cited healthcare — a single-minded focus of the White House for a full year.¶ At every turn, Obama makes the argument that he has improved lives in concrete ways.¶ Without the steps he took, he says, the economy would be in worse shape and more people would be out of work. There's evidence to support that. Two economists, Mark Zandi and Alan Blinder, reported recently that without the stimulus and other measures, gross domestic product would be about 6.5% lower.¶ Yet, Americans aren't apt to cheer when something bad doesn't materialize.¶ Unemployment has been rising — from 7.7% when Obama took office, to 9.5%. Last month, more than 2 million homes in the U.S. were in various stages of foreclosure — up from 1.7 million when Obama was sworn in.¶ "Folks just aren't in a mood to hand out gold stars when unemployment is hovering around 10%," said Paul Begala, a Democratic pundit.¶ **Insulating the president from bad news has proved impossible**. Other White Houses have tried doing so with more success. **Reagan's Cabinet officials often took the blame, shielding the boss**.¶ But **the Obama administration is about one man**. Obama is the White House's chief spokesman, policy pitchman, fundraiser and negotiator. **No Cabinet secretary has emerged as an adequate surrogate**. Treasury Secretary Timothy F. Geithner is seen as a tepid public speaker; Energy Secretary Steven Chu is prone to long, wonky digressions and has rarely gone before the cameras during an oil spill crisis that he is working to end.¶ So, **more falls to Obama, reinforcing the Velcro effect: Everything sticks to him**. He has opined on virtually everything in the hundreds of public statements he has made: nuclear arms treaties, basketball star LeBron James' career plans; Chelsea Clinton's wedding.¶ Few audiences are off-limits. On Wednesday, he taped a spot on ABC's "The View," drawing a rebuke from Democratic Pennsylvania Gov. Edward G. Rendell, who deemed the appearance unworthy of the presidency during tough times.¶ "Stylistically he creates some of those problems," Eddie Mahe, a Republican political strategist, said in an interview. "His favorite pronoun is 'I.' When you position yourself as being all things to all people, the ultimate controller and decision maker with the capacity to fix anything, you set yourself up to be blamed when it doesn't get fixed or things happen."¶ A new White House strategy is to forgo talk of big policy changes that are easy to ridicule. Instead, aides want to market policies as more digestible pieces. So, rather than tout the healthcare package as a whole, advisors will talk about smaller parts that may be more appealing and understandable — such as barring insurers from denying coverage based on preexisting conditions.¶ But at this stage, it may be late in the game to downsize either the president or his agenda.

### CP triggers endless litigation---destroys signal and makes rollback likely

David L. Franklin 10, Professor of Law at DePaul, November 2010, “ARTICLE: Legislative Rules, Nonlegislative Rules, and the Perils of the Short Cut,” The Yale Law Journal, 120 Yale L.J. 276, p. lexis

There is perhaps no more vexing conundrum in the field of administrative law than the problem of defining a workable distinction between legislative and nonlegislative rules. The problem is relatively easy to state. Under standard doctrine, these two types of rules differ from one another in both a substantive and a procedural sense. Substantively, legislative rules are designed to have binding legal effect on both the issuing agency and the regulated public; procedurally, the Administrative Procedure Act (APA) requires such rules to undergo the expensive and time-consuming process known as notice-and-comment rulemaking before being promulgated. n1 Nonlegislative rules, by contrast, are not meant to have binding legal effect, and are exempted from notice and comment by the APA as either "interpretative rules" or "general statements of policy." n2

So far, so good. The problem arises when we leave the airy realm of theory and enter the untidy arena of litigation. Here is the usual sequence of events: a federal agency issues some sort of pronouncement - a guidance, a circular, an advisory - without using notice and comment; parties that believe that they are adversely affected by the new pronouncement go to court, perhaps before it has even been enforced against anyone; the challengers argue that the pronouncement is in fact a legislative rule and is therefore procedurally invalid for failure to undergo notice and comment.

Even by the standards of administrative law - a field in which uniform, predictable rules of black-letter law are hard to come by - the resulting litigation is considered notoriously difficult. The problem is not just that the Supreme Court has not supplied a test for distinguishing between the two types of rules, or that the APA does not define the exempt categories of interpretative rules and general statements of policy. The problem runs deeper: it turns out to be maddeningly hard to devise a test that reliably determines which rules are legislative in nature and which are not. Currently, courts do their best by examining the text, structure, and history of the rule, its relationship to existing statutes and rules, and the manner in which it has been enforced (if at all) in an effort to ascertain whether the rule was intended to have binding legal effect or instead was merely designed to clarify existing law or to inform the public and lower-level agency employees about the agency's intentions. Given the amount of indeterminacy built into this inquiry, it is no wonder that courts have labeled the distinction between legislative and [\*279] nonlegislative rules "tenuous," "baffling," and "enshrouded in considerable smog." n3

### The EPA will rollback the CP---and it doesn’t sovle perception advantages

Anthony 92 THEIR AUTHOR (Robert A., Foundation Professor of Law – George Mason University School of Law, “Interpretive Rules, Policy Statements, Guidances, Manuals, And The Like Should Federal Agencies Use Them To Bind The Public?”, Duke Law Journal, June, 41 Duke L.J. 1311, Lexis)

To countenance nonlegislative documents that bind is inevitably to expand the agency's discretion in a most undesirable way. Although the public is bound the agency is not bound, as it would be had it used legislative rules. 29 It is easier for the agency to deviate from or change positions taken in policy statements, memoranda and the like than it is to deviate from or change those adopted through legislative processes. 30 Additionally, it may be observed generally that nonlegislative documents often are less clear and definite than legislative rules, and may enable the agency to operate at a lower level of visibility, with greater discretion and with **fewer checks** from the public and the courts.

## Fiscal Cliff

#### No Middle East war

Salem 11—Director of the Carnegie Middle East Center. PhD from Harvard (Paul, 'Arab Spring' Has Yet to Alter Region's Strategic Balance, carnegie-mec.org/publications/?fa=43907)

Despite their sweeping repercussions for both domestic and international players, the Arab uprisings have not led to a dramatically new regional order or a new balance of power. This could change, particularly if developments in Syria continue to escalate.

While Iran has welcomed uprisings against Western-backed regimes in Egypt and Tunisia, it dealt harshly with its own protesters and has been worried about recent events in Syria. Moreover, countries that threw out pro-Western dictators are not moving closer to Iran.

Egypt's and Tunisia’s future foreign policies are more likely to resemble Turkey's in becoming more independent while remaining allied with the West. And Iran's soft power has decreased as its regime looks increasingly repressive and new models of revolutionary success have emerged in Tunisia, Egypt, and other parts of the Arab world.

Turkey, for its part, bungled the opportunity to take advantage of this historic shift to bolster its influence in the Arab world. The Arab uprisings are effectively calling for the Arab world to be more like Turkey: democratic, with a vibrant civil society, political pluralism, secularism alongside Islam, and a productive and fairly balanced economy. However, after expressing clear support for Egyptian protesters, Turkey has hedged its bets in Libya and Syria.

Turkey has over $15 billion in business contracts with Moammar Kadafi's Libya and has built a close relationship with Syrian President Bashar Assad. Turkey's foreign policy of "zero problems" with neighbors is becoming harder to implement as peoples and governments in the neighborhood are increasingly on opposite sides.

Although Arab public opinion has held Turkey in very high esteem in past years, recent events have tarnished that image. This could have been Turkey's moment in the Middle East; the moment was lost.

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Saudi Arabia has been taken aback by the loss of old allies and remains worried about increased Iranian influence, but has maintained its sphere of influence. Its military intervention in Bahrain shows that Riyadh is extremely worried not only about Iranian influence but about the wave of democratic change, and still has not figured out a way to achieve a balance between addressing growing demands by citizens for better governance and social justice, while keeping Iranian influence out of the Gulf Cooperation Council.

Although the United States has generally suffered setbacks from the events of the past months, it is adjusting quickly to the new realities and stands to remain a key player in the coming period. It has not lost its leverage despite the demise of its main Egyptian and Tunisian allies, and has expressed support for protests after realizing they were not dominated by radical groups and that they echoed Western values.

Emerging global powers such as Russia, China, India and Brazil have had mixed reactions to the "Arab Spring." All were reluctant to approve Western-led military intervention in Libya, expressing concerns ranging from the risk of higher oil prices to a potential spillover effect on their shores.

As for Israel, even though its peace treaty with Egypt will remain in place, it no longer has any friends in the region after the departure of Egyptian President Hosni Mubarak, its declining relations with Turkey and growing unrest in Jordan. The recent Fatah-Hamas accord underlines Israel's predicament. Two difficult challenges lie ahead: The Palestinian Authority's unilateral move to declare Palestinian statehood by the end of the year and a potential Palestinian popular uprising encouraged by the success of neighboring populations.

Although the Arab Spring has been largely about internal democracy and reform, it has affected all of the major regional and international actors. However, so far there has been no major shift in the balance of power or the basic pattern of regional relations.

### 2AC No Pass

#### Won’t pass – parties want 2013 deal

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The national security establishment has focused primarily on the potential cuts to the Pentagon, which would total some $500 billion over the next decade. In their third debate, Mitt Romney warned Barack Obama that such cuts would devastate the military, leading the president to promise: "It will not happen." But the likelihood of cuts to defense spending cannot be considered in isolation from all the other elements of the fiscal cliff, and with the election behind us, it's time to admit there is a strong possibility that sequestration will take effect -- because both the president and Congress could benefit politically.¶ continues ¶ Continued gridlock during the lame duck session remains a high probability, and budget talks will likely involve a significant amount of brinksmanship among negotiators trying to maximize their own gains -- brinksmanship that could well end in failure, preventing a deal and driving the nation off the fiscal cliff.¶ As noted above, the tight legislative calendar in the lame duck session and the large number of weighty issues on the docket makes it very likely negotiations on any sizable deal will continue until the last possible moment. If talks break down at that point, the time left to agree to a delay would be very short. Efforts to broker a delay agreement would probably have to be moving at the same time as efforts to agree on a grand bargain. But lawmakers looking for a deal would likely shun simultaneous efforts, lest the possibility of delay remove the time pressure needed to reach a bargain.¶ Although President Obama has strongly opposed sequestration as a way to reduce the deficit, it remains unclear whether he would support legislation to undo it without an agreement on new sources of revenue. In August, he told a Virginia newspaper, "If the choice is between sequester going through or tax cuts continuing for millionaires and billionaires, I think it's pretty clear what the American people would choose." But the president also clearly stated during the final presidential debate that sequestration "will not happen." Although his spokesmen walked back that language the following day, it remains unclear to what degree Obama sees sequestration as an unacceptable outcome. Republicans leaders, on the other hand, have demonstrated their equally strong opposition to new taxes.¶ Some legislators from both parties might see advantage in letting the nation go off the fiscal cliff and allowing the sequester cuts to take effect. According to press reports, some Republicans have promised to slow down the legislative process to ensure that there is no deal to delay the cuts. For Republicans deficit hawks, ensuring that Congress reduces government spending, whatever the consequences, is the highest priority. Grover Norquist, the influential head of Americans for Tax Reform, recently stated, "Sequestration is not the worst thing"; and Rep. Jim Jordan (R-Ohio), who chairs the conservative Republican Study Committee, has said, "The only thing worse than cutting national defense is not having any scheduled cuts at all take place." For Democrats, going off the fiscal cliff would improve their bargaining position with Republicans -- taxes would rise significantly and defense spending would be cut.¶ In a perverse twist of logic, both parties might benefit from the new baselines created by going off the fiscal cliff. Allowing the Bush-era tax cuts to expire would automatically raise taxes on the majority of Americans to pre-2001 levels, which would reduce the deficit by $3.7 trillion over the next decade. With sequestration in force, spending would be cut by about $1 trillion over 10 years, carved equally out of defense and non-defense discretionary accounts. Ironically, these new baselines might actually break the partisan deadlock because Republican lawmakers could then vote in favor of a tax "cut," and as revenues increase, more Democratic lawmakers may be willing to vote to "increase" spending on defense programs.¶ Of course, this would be high-stakes game of chicken for both the White House and Congress. It would seriously disrupt planning throughout the Department of Defense and defense industry, shake market confidence in the United States, and slow U.S. economic growth. But recent reports have indicated that the effects of defense sequestration, tax hikes and spending cuts would be slower and less damaging in the short term than the rhetoric would suggest -- leaving room to go off the cliff and cut a deal early in the 113th Congress without causing lasting damage to the economy, national security, or domestic programs. Lawmakers from both parties might therefore see going off the cliff as a practical way of reaching a broader consensus in 2013 about balancing the nation's revenues and expenditures.

#### Won’t pass – gridlock

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Although structural factors seem to favor a deal, the 112th Congress's political gridlock -- it has passed the fewest laws of any session since World War II -- as well as the extremely short time available to forge a large, complicated piece of legislation almost certainly means that Congress and the president will not strike a grand bargain before January 2.¶ At first glance, the prospects for such a deal seem higher than at any point during the past two years. President Obama's bargaining power has increased now that he has received a clear mandate for the next four years. Additionally, allowing tax breaks to expire means that taxes will increase, which many Republicans oppose. For their part, Democrats want to prevent large cuts to domestic discretionary spending, and they have an incentive to cut a big deal before the nation hits the debt ceiling again, likely early in 2013. Leaders from both parties oppose the sequestration defense cuts. And, of course, neither side wants the country to plunge back into recession.¶ The fundamental problem is that most Republicans do not support any tax increases and most Democrats do not support significant cuts to government services. What's more, even if Congress were inclined to compromise, the logistics of passing a grand bargain are daunting. There are only seven weeks until this congressional session ends. Some time will be taken up preparing for the 113th Congress, and many departing members will focus on making arrangements for their post-Congress lives rather than legislating. In that context, Congress would have to draft legislation; debate and pass it in committees; debate and pass it in both houses; come up with a compromise agreement between the two chambers; redraft the compromise; and then pass the conference report. Then the president would have to sign that bill into law.¶ Barring an unforeseen change, the cumulative effect of partisan gridlock and a lack of time should squelch expectations for a grand bargain in the lame duck.

### 2AC Obama Good Agenda

#### Political capital not key

Beckmann 11 - Assistant Professor Department of Political Science & Center for the Study of Democracy @ U. C., Irvine

Practicing Presidential Leadership: A Model of Presidents’ Positive Power in U.S. Lawmaking, Journal of Theoretical Politics January 2011 23: 3-20

For political scientists, however, the resources allocated to formulating and implementing the White House’s lobbying offensive appears puzzling, if not altogether misguided. Far from highlighting presidents’ capacity to marshal legislative proposals through Congress, the prevailing wisdom now stresses contextual factors as predetermining his agenda’s fate on Capitol Hill. Indeed, from the particular “political time” in which he happens to take office (Skowronek (1993)) to the state of the budget (Brady and Volden (1998); Peterson (1990)), the partisan composition of Congress (Bond and Fleisher (1990); Edwards (1989); see also Gilmour (1995); Groseclose and McCarty (2001); Sinclair (2006)) to the preferences of specific “pivotal” voters (Brady and Volden, 1998; Krehbiel, 1998), current research suggests a president’s congressional fortunes are basically beyond his control. The implication is straightforward, as Bond and Fleisher indicate: . . . presidential success is determined in large measure by the results of the last election. If the last election brings individuals to Congress whose local interests and preferences coincide with the president’s, then he will enjoy greater success. If, on the other hand, most members of Congress have preferences different from the president’s, then he will suffer more defeats, and no amount of bargaining and persuasion can do much to improve his success. (1990, 13).

#### Winners win

Marshall and Prins 11 (BRYAN W, Miami University and BRANDON C, University of Tennessee & Howard H. Baker, Jr. Center for Public Policy, “Power or Posturing? Policy Availability and Congressional Influence on U.S. Presidential Decisions to Use Force”, Sept, Presidential Studies Quarterly 41, no. 3)

Presidents rely heavily on Congress in converting their political capital into real policy success. Policy success not only shapes the reelection prospects of presidents, but it also builds the president’s reputation for political effectiveness and fuels the prospect for subsequent gains in political capital (Light 1982). Moreover, the president’s legislative success in foreign policy is correlated with success on the domestic front. On this point, some have largely disavowed the two-presidencies distinction while others have even argued that foreign policy has become a mere extension of domestic policy (Fleisher et al. 2000; Oldfield and Wildavsky 1989) Presidents implicitly understand that there exists a linkage between their actions in one policy area and their ability to affect another. The use of force is no exception; in promoting and protecting U.S. interests abroad, presidential decisions are made with an eye toward managing political capital at home (Fordham 2002).

#### **Republicans love the plan**

Hopf 9-18 – Jim Hopf is a senior nuclear engineer with more than 20 years of experience in shielding and criticality analysis and design for spent fuel dry storage and transportation systems. He has been involved in nuclear advocacy for 10+ years, and is a member of the ANS Public Information Committee. He is a regular contributor to the ANS Nuclear Cafe. September 18th, 2012, "The party platforms on energy-and nuclear"ansnuclearcafe.org/category/nuclear-regulatory-commission/

Republicans on energy¶ The Republican party platform favors an “all-of-the-above” energy strategy that involves responsible development of all our energy resources, and results in a domestic, secure energy supply that is stable, reliable, and affordable. Other general goals of the strategy include the creation of jobs, spurring economic growth, lower energy prices, and a strengthened domestic energy industry. The platform states that it does not support, however, policies that “pick winners and losers” through government intervention in the energy industry.¶ With respect to environmental regulations, the platform is generally **opposed to federal environmental regulations and the** E**nvironmental** P**rotection** A**gency,** preferring regulation by the states as well as an approach to achieving environmental goals that is more cooperative (vs. punitive) with industry.¶ With respect to coal, the platform support the development of new “environmentally responsible” coal plants, as well as research and development into clean coal technology and technologies to convert coal into liquid fuel or gas (that can be cleanly burned). The platform states that it is opposed to President Obama’s “war on coal”, since there is no economic replacement for coal (the largest electricity source) and reductions in coal use will result in the loss of large amounts of jobs in that sector. It states that the GOP is opposed to any type of carbon dioxide–limiting legislation such as cap-and-trade**. It also opposes the EPA’s regulation of greenhouse gases, and supports legislation that specifically bars the EPA from doing so.** It also appears to be generally opposed to stricter limits on other coal pollutants as well.¶ With respect to oil and gas, the platform claims that the use of imported oil is undesirable in that some of the money sent overseas may wind up in the hands of nations, or other groups, that want to harm the United States. The main response, favored in the platform, is the opening up of offshore areas, federal lands, and the Arctic National Wildlife Refuge to oil and gas development. In addition to reducing oil imports and increasing energy security, the platform states that the resulting domestic oil and gas development will result in large numbers of new jobs. It also explicitly states its support for the Keystone XL oil pipeline (from Canada to refineries in the United States) for similar reasons, and it criticized Obama for opposing the pipeline. It also expressed support for natural gas fracking and opposed new federal regulations on the practice, saying that state regulations are sufficient.

### Pounders

### 2AC---PNTR Pounder

#### PNTR pounds the link

Abrams 11-9-12, Jim, AP, “House to take up Russia trade bill next week”, http://seattletimes.com/html/politics/2019644976\_apusrussiatrade.html

One of the first actions of the lame-duck Congress is an expected vote to give U.S. exporters greater access to Russia's newly opened markets.¶ Business groups have been clamoring for months for Congress to remove Cold War-era trade restrictions now that Russia is a member of the World Trade Organization. Because of those restrictions, American exporters are alone among the more than 150 WTO members in not being able to take advantage of the lower tariffs, intellectual property protections and other market-opening steps required by membership in the trade organization.¶ Before the election, House Republican leaders refused to bring up the legislation giving Russia permanent normal trade relations, blaming the White House for not being more assertive in promoting a bill that could be interpreted as being pro-Russian.¶ Although the bill requires no concessions on the U.S. side and could significantly increase U.S. exports to the world's ninth-largest economy, there was reluctance to vote on it in the run-up to the election when Russia was cracking down on dissidents, appeared to be an obstacle to ending the bloodshed in Syria and was being called the U.S.'s "No. 1 geopolitical foe" by Republican presidential candidate Mitt Romney.¶ The House, returning to Washington next week after some six weeks on the campaign trail, plans to take up the legislation that would extend permanent normal trade relations to Russia and another former Soviet state, Moldova. Senate Democratic leaders have stressed the importance of the issue and said they hope to take the legislation up soon after it passes the House. The Obama administration is a strong supporter.¶ To make the bill more palatable to critics of Russia's human rights record, both the House and Senate plan to combine the trade bill with legislation that imposes sanctions on Russian officials involved in human rights violations. That bill is named after Russian lawyer Sergei Magnitsky, who died in a Russian jail in 2009 after allegedly being subject to torture.¶ There are differences between the House and Senate approaches to the Magnitsky measure that need to be worked out.

### 2AC---Cyber-security Pounder

#### Cyber-security pounds the link

Romm 11-7-12, Tony, Politico, “Obama 2.0 will revitalize tech agenda”, http://www.politico.com/news/stories/1112/83491.html

The reelection of President Barack Obama along with another politically divided Congress means the tech policy battles from the past few years are going to intensify, even if a few of the faces fighting are about to change.¶ During a second term, Obama can capitalize on new momentum to push his agenda to boost the country’s cybersecurity defenses, improve the nation’s wireless system and develop rules to assuage consumers’ online privacy fears.¶ But greeting Obama 2.0, so to speak, will be a new cast of characters with a familiar story — a Congress with some fresh faces, yet the partisanship that’s stymied tech legislation in sessions past.¶ With the election results still fresh, there are some early takeaways for tech.¶ The administration can double down on its tech policy program¶ This election didn’t hinge on tech and telecom issues, but it’s safe to say Obama’s return to the White House means the administration is going to forge ahead to ensure its plans — many years in the making — soon come to fruition.¶ That’s especially the case with cybersecurity, a matter that has stalled for years on Capitol Hill. If anything, Tuesday’s outcome may serve as a green light for the White House as it weighs a draft executive order to improve the digital defenses of power plants, water systems and other forms of critical infrastructure.

## No impact

#### Defense industry is chill w/ sequestration

Adams 10/17—Professor of International Relations at the School of International Service, American University and a Distinguished Fellow at the Stimson Center. (Gordon, The Fiscal Slide, [www.foreignpolicy.com/articles/2012/10/17/the\_fiscal\_slide](http://www.foreignpolicy.com/articles/2012/10/17/the_fiscal_slide))

Then, there is the matter of procurement and what some see as the almost cataclysmic level of devastation that such harsh cuts would impose on the defense industry. Except they won't. It turns out the industry is pretty healthy, it has been for a decade, and it is working on contracts that have been funded in prior budget years, which are exempt from sequestration.¶ As the director of defense procurement put it: "The vast majority of our contracts are fully funded, so there's no need to terminate existing contracts unless the product is no longer needed." Lockheed treasurer Ken Possenriede agreed that sequestration was not a near-term problem: "If sequestration happens, just based on our normal business rhythm, we're comfortable from a cash-on-hand standpoint that we'll endure that."

#### No impact---won’t hurt economy

Khimm 10/26 Suzy, Washington Post, "What happens if we go over the fiscal cliff briefly", 2012, www.washingtonpost.com/blogs/ezra-klein/wp/2012/10/26/what-happens-if-we-go-over-the-fiscal-cliff-briefly/

Economists agree that it would take a little while for the fallout to take effect. But their prediction of the ultimate damage depends on how soon policymakers are able to come to a deal thereafter, and what it would look like. And on that, they have significant differences.¶ Mark Zandi, chief economist of Moody’s Analytics, doesn’t think there’d be much damage in the immediate days and weeks after the Dec. 31 deadline. ”I don’t think there is a substantial economic risk in going over the cliff briefly if it appears policymakers are moving towards a deal, particularly if it is a grand bargain,” he said, pointing out that the Treasury Department could forestall tax withholding changes and government agencies could temporarily put off big budget cuts.¶ That said, Zandi acknowledges that the risks to both the financial markets and the broader economy would continue to grow “with each passing day there is no deal.” And Congress would have to come to a deal within a few weeks to prevent real and possibly lasting damage, he explains: ”If policymakers can come to terms by mid-January, I think there will be no meaningful impact on the economy, but if by early February there isn’t a deal, the first quarter will likely be negative, and if there is no deal by mid-March, when the Treasury is no longer able to navigate around the debt ceiling, then the economy will descend back into recession.”

# Round 4

### Russia

#### **US production frees up Middle East exports for Europe**

Hulbert 12 – Matthew Hulbert, writer for Forbes, July 5th, 2012, "Why America Can Make or Break A New Global Gas World" [www.forbes.com/sites/matthewhulbert/2012/08/05/why-america-can-make-or-break-a-new-global-gas-world/print/](http://www.forbes.com/sites/matthewhulbert/2012/08/05/why-america-can-make-or-break-a-new-global-gas-world/print/)

With that in mind, we’ll start off by taking a brief look at the ‘climatic conditions’ that have made global gas convergence a serious debate, examining reduced OECD demand and meteoric unconventional gains in the US. That’s freed up vast swathes of LNG tankers from the Middle East **that should have hit US ports to find their way to European hubs instead.** European utilities contracted to expensive Russian pipeline gas have been bleeding customers and cash ever since, constantly being undercut by new market entrants using spot purchases to good effect over term prices. As a result, European wholesale hubs are seriously challenging Russo-German border prices, and as yet, no conclusive winner has emerged given conflicting ‘fundamentals’ in play. But this battle over pricing models isn’t just being waged in Europe; it increasingly divides Asia as well. To add the Pacific dimension, we then turn to China: Beijing has been notoriously stubborn signing oil-indexed contracts over the past two years, irrespective of the vendors involved. It’s put itself in a great pricing position as it has plenty of options to source its gas. Nobody is going to make a dud move signing up overpriced contracts with the prospect of new export giants emerging in the next five to ten years: Least of all, the Middle Kingdom.

### AT: Resource Estimates

#### EIA’s wrong – relies on faulty assessment of Marcellus’ gas yield

Inman 12 Mason, National Geographic News, Feb 29, "Estimates Clash for How Much Natural Gas in the United States", news.nationalgeographic.com/news/energy/2012/03/120301-natural-gas-reserves-united-states/

However, geologist Terry Engelder of Pennsylvania State University argued that the recent EIA estimate is too conservative, given the data on which the agency based its conclusions.¶ Engelder is often given credit for spurring the shale gas rush in the Marcellus with early estimates that the formation held large amounts of natural gas. In his most recent published estimate, from 2009, he figured the Marcellus could in the long run yield 489 tcf, a number in the same ballpark as the EIA's 2011 estimate.¶ More recently, he has obtained production data from leaseholders for a small number of wells, to see how much they produce, and to update his estimate.¶ Engelder's earlier estimate was based on very limited data available at the time. "That's a pretty challenging thing to do," he said, "to take just 50 wells and try to project what a field might do that might ultimately end up having 100,000 to 300,000 wells."¶ With new data on production from 16 Pennsylvania counties, Engelder has updated his estimate. Though he has yet to publish the results, "half the counties are doing better than predicted, and half of them are not doing quite as well as predicted," he said. "But on average, it is just right where we were with that 2009 estimate."¶ Engelder said the geological analysis by the USGS—which was a crucial input for the EIA's reassessment of the potential for Marcellus shale gas—is problematic.¶ A key problem, Engelder said, was that the USGS assessment broke up the Marcellus into thousands of parcels, and then assumed that only 37 percent of them would yield significant natural gas. Engelder thinks that a lot more of the parcels will be productive.

#### Geologists disagree – EIA’s numbers are conservative

Inman 12 Mason, National Geographic News, Feb 29, "Estimates Clash for How Much Natural Gas in the United States", news.nationalgeographic.com/news/energy/2012/03/120301-natural-gas-reserves-united-states/

Although the government's new estimate for total U.S. natural gas resources—2,214 trillion cubic feet (tcf)—is a third higher than its 2008 estimate, the shale gas markdown underscores the uncertainties around this new supply source. In an interview with National Geographic News, the EIA has offered a sneak preview of the more detailed explanation it will publish in April on why its shale gas estimate plummeted.¶ But with other geologists convinced that EIA's new numbers are too conservative, it is certain that there will be plenty of debate ahead on the size of the energy windfall from shale gas.

#### There’s a huge amount of natural gas resources – and estimates keep increasing

Moniz et al. 11 – Ernest J. Moniz, Cecil and Ida Green Professor of Physic and Engineering Systems at MIT, and director of the MIT Energy Initiative, AND\*\*\* Henry D. Jacoby, professor of management at MIT, AND\*\*\* Anthony J.M. Meggs, engineer at MIT, June 9th, 2011, "The Future of Natural Gas," an interdisciplinary study, web.mit.edu/mitei/research/studies/documents/natural-gas-2011/NaturalGas\_Report.pdf

Figure 2.14b also demonstrates the considerable potential of shale supplies. Using a 2007 cost base, a substantial portion of the estimated shale resource base is economic at prices between $4/MMBtu and $8/MMBtu. As we see in the current U.S. gas markets, some of the shale resources will displace higher-cost conventional gas in the short to medium term, exerting downward pressure on gas prices. **Despite the** relative **maturity of the U.S. gas supply**, estimates of remaining resources have continued to grow over time — with an accelerating trend in recent years, mainly attributable to unconventional gas, especially in the shales. The PGC, which evaluates the U.S. gas resource on a biannual cycle, provides perhaps **the best historical basis for looking at resource growth over time.** According to this data, remaining resources have grown by 77% since 1990, despite a cumulative production volume during that time of 355 Tcf.¶ As a subset of this growth process, the application of horizontal drilling and hydraulic fracturing technology to the shales has caused resource estimates to grow over a five-year period from a relatively minor 35 Tcf (NPC, 2003), to a current estimate of 615 Tcf (PGC, 2008), with a range of 420 to 870 Tcf. This resource growth is a testament to the power of technology application in the development of resources, and also provides an illustration of the large uncertainty inherent in all resource estimates.

#### Tons of shale reserves left

Crooks 11 Ed, Energy Editor for the Financial Times, "US shale gas bonanza: New wells to draw on", October 5, www.ft.com/intl/cms/s/0/067a0a38-ef39-11e0-918b-00144feab49a.html#axzz26bKfcgif

Within the past two years, the industry has woken up to the prospect that the rock layer stretching across the north-east of the continent from Kentucky to Ontario is rich in oil, gas and the “natural gas liquids” such as ethane and propane that are used as feedstock for the chemicals industry. Leading companies – including Chesapeake Energy, ExxonMobil and Hess – have between them spent billions of dollars building land holdings with drilling rights.¶ Estimates of the Utica shale’s reserves are imprecise but Aubrey McClendon, Chesapeake chief executive, has said he thinks the region could hold 25bn barrels of oil and gas: almost as much as the entire proved reserves remaining in the North Sea. Chesapeake is already reporting “very strong initial drilling results” from its first Utica wells in eastern Ohio and western Pennsylvania.¶ The implications for long-depressed rust belt US states are momentous. The east Ohio tractor boom is one small harbinger of what many people believe is an impending economic revolution.¶ For decades, as factory employment declined inexorably and US pre-eminence in manufacturing was eroded, its industry has been looking for a lifeline. Now it may have found one, in the shape of shale gas and oil: resources that were long thought impossible to access commercially but have been unlocked by techniques perfected during the past decade.¶ Many other countries, including China, are also thought to hold large shale gas reserves. Britain was gripped last month by reports of a huge discovery in Lancashire in north-west England. The US, however, is way out in front in terms of knowing how to extract the gas. That knowledge creates a crucial competitive advantage that American companies are determined to exploit, not just in gas and oil extraction but in chemicals, steel and other sectors.¶ By creating fast-growing markets for production equipment and services, and providing cheap energy and raw materials, the shale producers are holding out the promise of an American industrial renaissance. “It’s a phenomenal opportunity,” says Andrew Liveris, the chief executive of Dow Chemical, who is a vocal supporter of US manufacturing. “This is a gift that American entrepreneurs, the wildcatters, the oil and gas drillers, have given the country: 100 years of natural gas supply. There’s no country on the planet that wouldn’t love to get that, and then use it.”

#### 200 years of reserves left

Faulkner 11 Chris, Founder/President/CEO of Breitline Oil and Gas, "Shale Reserves Mean Security for US and Its Oil and Gas Industry", November 29, www.usnews.com/debate-club/is-fracking-a-good-idea/shale-reserves-mean-security-for-us-and-its-oil-and-gas-industry

Today, all of the shallower reserves have been exploited, but the United States still has a wealth of reserves trapped in layers of shale rock. In fact, this country has enough natural gas to power itself for the next 200 years. We can access those reserves through hydraulic fracturing or "fracking."

#### LNG exports boost energy and the economy – they bring in billions of dollars thousands of jobs

Lomax 12 – Simon Lomax is the Senior Vice President at FTI Consulting, a former energy reporter at Bloomberg News, senior editor at Argus Media Inc., and has worked on energy and environmental policy in the U.S. House of Representatives as a congressional fellow with the American Political Science Association, April 23rd, 2012, "A Pro-Export Policy Must Include Energy" energy.nationaljournal.com/2012/04/what-should-us-policy-be-on-en.php

Our elected officials applaud other industries that make goods and services here and sell them abroad, because those exports **support millions of jobs and inject hundreds of billions of dollars into the U.S. economy.** In fact, as President Obama has noted, we need even more exports to put jobless and underemployed Americans back to work and get the economy back on track, because **“[n]inety-five percent of the world’s customers and the world’s fastest-growing markets are outside our borders.**” Obama has set a goal of doubling U.S. exports, and reaching it will require the active involvement of all America’s industries, including the energy sector.¶ The good news is a surge in American energy production, especially natural gas from shale-rock formations, means we can keep energy affordable at home and boost our energy exports to bring billions of dollars of new trade **revenue** into the country and create thousands of new jobs. The growing international market for liquefied natural gas, as nations in Europe and Asia look for reliable alternatives to coal and nuclear power plants, is particularly promising. That’s a big reason behind the federal government’s recent decision to approve the construction of the $10 billion Sabine Pass LNG export terminal in Louisiana.¶ The two-step federal review, conducted by the Department of Energy and the Federal Energy Regulatory Commission, concluded that growing America’s share of the global LNG market is good for the country. FERC’s April 16 decision is in line with the DOE’s judgment that LNG exports will spur higher domestic gas production “that could be used for domestic requirements if market conditions warrant such use, and this will tend to enhance U.S. domestic energy.” FERC also concluded LNG exports will bring about “increased economic activity and job creation, **support for continued** natural gas **exploration, and increased tax revenues**” for local, state and federal governments. In other words, more economic growth, more jobs, more energy and more revenue to help close local, state and federal budget shortfalls.

#### LNG exports won’t affect domestic prices – we have a surplus of gas

Lomax 12 – Simon Lomax is the Senior Vice President at FTI Consulting, a former energy reporter at Bloomberg News, senior editor at Argus Media Inc., and has worked on energy and environmental policy in the U.S. House of Representatives as a congressional fellow with the American Political Science Association, April 23rd, 2012, "A Pro-Export Policy Must Include Energy" energy.nationaljournal.com/2012/04/what-should-us-policy-be-on-en.php

Since the start of the federal review in 2010, opponents of LNG exports have tried to derail the Sabine Pass project – which would create thousands of jobs in the construction phase alone – by arguing overseas sales will increase the price of domestic natural gas. This claim was thoroughly examined during the review, and rejected, because it **was “not supported by factual studies or analyses,”** according to the DOE. But the DOE went even further to knock down the anti-export argument. It concluded that **LNG export volumes will be so small relative to America’s massive natural gas resource – roughly 100 years’ worth – that they’re “**unlikely to alter the pricing mechanism **for domestic natural gas production.”**¶ In effect, the DOE-FERC review process concluded that U.S. natural gas resources are large enough that new export demand will be met with gas production over and above what’s required to meet domestic demand. That’s important for at least two reasons. First, as any observer of the natural gas market will tell you, we already have a surplus**.** According to a recent report from the Associated Press, “[s]o much natural gas is being produced that soon there may be nowhere left to put the country’s swelling surplus.” Second, the DOE-FERC conclusion matches the approach taken by outside studies on LNG exports that find **no significant impact on domestic prices due to overseas sales**.¶ For instance, the Deloitte Center for Energy Solutions finds average gas prices would increase by less than 2 percent if the country exports 6 billion cubic feet a day of gas in the form of LNG. The Brookings Institution also finds that 6 bcf a day of exports – roughly 2 bcf from Sabine Pass and another 4 bcf from two additional projects with applications before both the DOE and FERC – will have “modest impacts on domestic prices.”¶ So rather than try to make better arguments in future DOE-FERC reviews, LNG export opponents are trying to change the rules. They want to abolish the nation’s current natural gas policy – yes, the U.S. has a policy, and it’s working – and legislate a blanket ban on LNG exports. They argue the government should try to depress prices by walling off the U.S. natural gas industry from international markets. By this logic, exporting even a small volume of a domestically produced commodity will cause economic hardship at home.¶ Of course, this argument defies both common sense and experience. For instance, America’s farmers export huge volumes of agricultural commodities over and above what’s needed to supply the domestic market. Yet Americans enjoy some of the most affordable food in the world, according to data from the U.S. Department of Agriculture. Would anyone in Washington seriously tell the nation’s farmers they can no longer sell wheat, corn, soybeans or other food products to other countries?¶ Of course not. If the answer is that obvious for agricultural producers, it should be just as obvious for energy producers.

### Solvency

#### No exports

Boman 11/2 Karen Boman - Rigzone Staff, "Romney, Obama Seen Favoring U.S. LNG Exports," 11/2/12 [rigzone.com/news/oil\_gas/a/121794/Romney\_Obama\_Seen\_Favoring\_US\_LNG\_Exports](http://rigzone.com/news/oil_gas/a/121794/Romney_Obama_Seen_Favoring_US_LNG_Exports)

However, some **U.S. politicians and environmentalist groups have called for the U.S.** Department of Energy (DOE) **to delay approving U.S. LNG exports** over concerns that more LNG exports would result in more hydraulic fracturing.¶ Congressman Ed Markey (D-Mass.) has also **spoken out against LNG exports, saying that LNG exports would raise domestic gas prices.** A preliminary analysis by the U.S. Energy Information Administration (EIA) indicated exports would raise domestic gas prices, peaking by 14 percent or $.70 per million cubic feet (Mcf) if 1 billion cubic feet per day (Bcf/d) is added from 2015 to 2021, or 6 Bcf/d.¶ Markey earlier this year introduced legislation that would prohibit the Federal Energy Regulatory Commission (FERC) from approving LNG export facility applications until 2025. <http://www.rigzone.com/news/article.asp?a_id=115173>¶ Additionally, **large industrial consumers of gas have warned that LNG exports would take away supply that could be used as a feedstock in** the **manufacturing** and chemical sectors.¶ "**We** continue to see the existing law as highly favorable to LNG exports but expect political sentiment to further trend against exports," according to an Oct. 2 FBR analysts' note.¶ While FBR maintains its expectation of 6-8 Bcf/d of low-hanging fruit for export approvals in the foreseeable future, growing risks of **project delays exist from litigants seeking to slow down the process.**

#### There’s a large US gas supply and production is high now

Hudson 10-2 – Dale Hudson, analyst for Reuters, October 2nd, 2012, "U.S. natgas futures slide 2 pct after fresh 2012 high" [www.reuters.com/article/2012/10/02/markets-nymex-natgas-idUSL1E8L24B120121002](http://www.reuters.com/article/2012/10/02/markets-nymex-natgas-idUSL1E8L24B120121002)

NEW YORK, Oct 5 (Reuters) - U.S. natural gas futures traded mixed early on Friday, with front-month contracts pressured by the previous day's bearish inventory report and milder mid-month weather forecasts despite cool temperatures over the next week that should stir demand. ¶ Recent gains - the front contract has climbed 20 percent over the previous eight sessions - have been backed by forecasts for much cooler weather for the Midwest and East late this week and next week.¶ But **with inventories at record highs for this time of year and production at or near an all-time peak**, most fundamental traders remain skeptical of the upside, particularly with more moderate temperatures expected by mid-month.¶ "Pressure will continue to come from coal's competition with gas for electricity generation ... and forecasts for above-normal temps going into the fall and early-winter time frames," EOXLive's Tom Pawlicki said in a report. ¶ At 9:15 a.m. EDT (1315 GMT), front-month gas futures on the New York Mercantile Exchange were down 2.6 cents at $3.38 per million British thermal units after trading between $3.376 and $3.435. Most deferred months were up slightly.¶ The front contract posted a 2012 high of $3.546 on Tuesday.¶ Private forecaster MDA EarthSat expects temperatures in the Northeast and Midwest, key gas-consuming regions, to average normal or below normal for the next week or so, then moderate to seasonal or above seasonal levels by mid-October.¶ Competition from low-priced coal could also curb buying. As gas prices push well above $3, they become less competitive with coal and some utilities that were burning cheaper gas to generate power may switch back.¶ Loss of that demand, which helped prop up gas prices all summer, could force more gas into a well-supplied market.¶ Most analysts agree gas prices need to be well below $3 this autumn to ensure switching demand. ¶ Producers, too, could be tempted if prices move much higher, opting to hook up wells that have been drilled but not flowing because gas prices below $3 were unattractive. ¶ BEARISH STORAGE REPORT¶ Data on Thursday from the U.S. Energy Information Administration showed that domestic gas inventories rose last week by 77 billion cubic feet to 3.653 trillion cubic feet. ¶ Most traders viewed the build as bearish, noting it came in well above the Reuters poll estimate of 71 bcf. ¶ But others noted it cut the surplus relative to last year by 24 bcf to 272 bcf, or 8 percent above the same week in 2011. It also slightly trimmed the excess versus the five-year average, reducing that surplus by 1 bcf to 281 bcf, or 8 percent. ¶ A huge inventory surplus, which peaked in late March at nearly 900 bcf above a year earlier, has been cut by 69 percent as record heat this summer slowed weekly storage builds.¶ But inventories are still at record highs for this time of year and likely to end the stock-building season above last year's all-time peak of 3.852 tcf.¶ At 86 percent full, storage is hovering at a level not normally reached until the last week of October and still offers a huge cushion that can help offset any weather-related spikes in demand or supply disruptions from storms.¶ Early injection estimates for next week's EIA report range from 76 bcf to 98 bcf versus a year-earlier build of 108 bcf and the five-year average increase for the week of 84 bcf. ¶ PRODUCTION ALSO HIGH¶ Traders awaited the next Baker Hughes drilling rig report due later on Friday.¶ Drilling for natural gas has been in a near-steady decline for almost a year, with the gas-directed rig count down some 54 percent since last October and posting a 13-year low last week.¶ But so far production shows few, if any, signs of slowing.¶ But while pure gas drilling has become largely uneconomical at current prices, gas produced from more-profitable shale oil and shale gas liquids wells has kept output stubbornly high.¶ EIA gross natural gas production data on Friday showed that July output climbed 0.4 percent from June to 72.58 bcf per day, not far below January's record high of 72.74 bcfd.

#### Reject their environmental hysteria claims – fracking is safe and key to energy independence

Driessen 12 – Paul Driessen, writer for the Washington Times, March 23rd, 2012, "DRIESSEN: Facts, not fears, should govern fracking" [www.washingtontimes.com/news/2012/mar/23/facts-not-fears-should-govern-fracking/?page=all](http://www.washingtontimes.com/news/2012/mar/23/facts-not-fears-should-govern-fracking/?page=all)

Amid these positive developments, the Sierra Club and other environmental pressure groups are spreading unfounded fears about this proven technology. Using words like “reckless,” “dangerous” and “poisonous,” they say unregulated companies are operating with little concern for ecological values and causing cancer, earthquakes and groundwater contamination.¶ The claims have fanned borderline hysteria and prompted Maryland, New York and other states to launch drawn-out studies or impose moratoriums that will postpone drilling and the benefits it would bring. Facts are sorely needed.¶ Drilling and fracking have been regulated carefully and effectively by states for decades. As studies by the University of Texas and various state agencies have documented, there never has been a confirmed case of groundwater contamination caused by fracking. Even Environmental Protection Agency (EPA) Administrator Lisa P. Jackson acknowledged that to a congressional panel.¶ These analysts, drilling companies and even an Environmental Defense Fund expert now say fracking has not played a role in any of the rare cases where methane has gotten into drinking water.¶ Instead, the cause generally has been a failure of “well integrity” - the result of improper cementing between the well borehole and the steel “casing” and pipes that go down through aquifers and thousands of feet deeper into gas-laden shale formations.¶ The solution is rather straightforward: better standards and procedures for cementing vertical pipes in place, and testing them initially and periodically to ensure there are no leaks.¶ Fracking fluids likewise fail to match the “toxic” and “cancerous” opprobrium alleged by anti-drilling campaigns. More than 99.5 percent of the fluids consist of water and sand. The other 0.5 percent is chemicals to keep sand particles suspended in the liquid, fight bacterial growth and improve gas production.¶ Although industrial chemicals once were used, almost all of today’s are vegetable oil and chemicals used in cheese, beer, canned fish, dairy desserts, shampoo and other food and cosmetic products.¶ As to “earthquakes,” barely detectable “tremors” have been measured occasionally near fracking operations and wastewater-disposal injection wells. However, calling these snap, crackle and pop noises and movements “earthquakes” is akin to giving that label to rumblings from trains and cement trucks.¶ **Fracking could** help **provide a far more secure, affordable, dependable and clean future than** ever would be possible **with wind or solar** power.¶ By expanding oil and gas development, it could make North **America the world’s** new energy hub**.** Middle Eastern sheiks, mullahs and ministers of the Organization of Petroleum Exporting Countries would lose economic, political and strategic power. Threats of Russian pipeline closures would no longer intimidate Eastern European countries. Politicians everywhere would waste less money on “renewable” energy boondoggles.¶ Meanwhile, though, fear campaigns are preventing some of Maryland’s poorest counties and families from enjoying the economic benefits of Marcellus Shale development. Baltimore’s Sage Policy Group calculated that fracking in Western Maryland could reduce energy costs, create thousands of jobs and generate millions of dollars annually in revenue for the state and Allegany and Garrett counties.¶ Other studies have calculated similar benefits for New York, Ohio, England, Poland and other regions that are blessed with shale deposits.¶ Hydraulic fracturing technologies are proven. Regulations to protect drinking water are in place and improving steadily. Louisiana, North Dakota, Pennsylvania, Texas and other states are showing the way forward.¶ Those that have not yet opened their doors to responsible drilling, fracking and production need to replace anti-hydrocarbon agendas and fears with facts, optimism and science-based regulations.

### 2AC Restrictions Topicality

#### We meet – we reduce restrictions on energy production

Orford 12 – Adam D. Orford, J.D. from Columbia University School of Law, editor in chief of the Columbia Journal of Environmental Law, May 29th, 2012, "EPA To Regulate Air Emissions from Hydraulic Fracturing As Industry Comes Under Scrutiny" [www.martenlaw.com/newsletter/20120529-air-emissions-from-hydraulic-fracturing](http://www.martenlaw.com/newsletter/20120529-air-emissions-from-hydraulic-fracturing)

**EPA’s new rules** phase out 40 C.F.R Part 60, subparts KKK and LLL (dealing with equipment leaks and SO2 emissions at natural gas production facilities), incorporating and expanding on the prior restrictions in new subpart OOOO (NSPS for natural gas production, transmission, and distribution). The rules also revise 40 C.F.R. Part 63, Subparts HH and HHH (NESHAPs for natural gas production, transmission, and storage facilities). The new regulations will consume many pages of the Federal Register,[17] are highly technical, and should be consulted directly regarding specific requirements. The remainder of this article describes the new green completion rule, and summarizes the more significant new fugitive emissions controls.

#### EPA air emissions regulations prohibit energy production

Osa & Palmer 11 – RICHARD OSA is a Senior Atmospheric Scientist at Stantec Consulting, Inc., and holds the Qualified Environmental Professional certification. Mr. Osa has over 30 years of environmental consulting experience, including Clean Air Act legislative and regulatory analysis. He has managed air quality projects throughout North America, including permitting efforts in most of the US EPA regions. AND\*\*\* TODD PALMER is a lawyer and technical consultant at Michael Best and Friedrich, a Midwestern law firm. Mr. Palmer has over 19 years of varied industry experience and specifically focused much of his legal career on Clean Air Act matters. December 2011, "Analysis of EPA's proposed clean air restrictions on oil and gas operations," [www.worldoil.com/December-2011-Analysis-of-EPAs-proposed-clean-air-restrictions-on-oil-and-gas-operations.html](http://www.worldoil.com/December-2011-Analysis-of-EPAs-proposed-clean-air-restrictions-on-oil-and-gas-operations.html)

Like other industries, oil and gas facilities have also been prohibited from emitting pollutants at rates or concentrations that exceed EPA-defined national ambient air quality standards—ambient concentrations of a pollutant that are deemed protective of human health and the environment. States and local units of government are empowered to impose emission limits on facilities within their jurisdictions to protect these air quality standards.

#### Counter-interpretation – restrictions are conditions on action

Plummer 29 J., Court Justice, MAX ZLOZOWER, Respondent, v. SAM LINDENBAUM et al., Appellants Civ. No. 3724COURT OF APPEAL OF CALIFORNIA, THIRD APPELLATE DISTRICT100 Cal. App. 766; 281 P. 102; 1929 Cal. App. LEXIS 404September 26, 1929, Decided, lexis

The word "restriction," when used in connection with the grant of interest in real property, is construed as being the legal equivalent of "condition." Either term may be used to denote a limitation upon the full and unqualified enjoyment of the right or estate granted. The words "terms" and "conditions" are often used synonymously when relating to legal rights. "Conditions and restrictions" are that which limits or modifies the existence or character of something; a restriction or qualification. It is a restriction or limitation modifying or destroying the original act with which it is connected, or defeating, terminating or enlarging an estate granted; something which defeats or qualifies an estate; a modus or quality annexed by him that hath an estate, or interest or right to the same, whereby an estate may be either defeated, enlarged, or created upon an uncertain event; a quality annexed to land whereby an estate may be defeated; a qualification or restriction annexed to a deed or device, by virtue of which an estate is made to vest, to be enlarged or defeated upon the happening or not happening of a particular event, or the performance or nonperformance of a particular act.

### 2AC Capitalism Kritik

#### Permutation do both

#### We can also do the plan and reject energy security in other instances – no reason why the plan is the linchpin

#### Capitalism is sustainable – self-correcting

Seabra 12 (Leo, has a background in Communication and Broadcasting and a broad experience which includes activities in Marketing, Advertising, Sales and Public Relations, 2/27, “Capitalism can drive Sustainability and also innovation,” http://seabraaffairs.wordpress.com/2012/02/27/capitalism-can-drive-sustainability-and-also-innovation/)

There are those who say that if the world does not change their habits, even the end of economic growth, and assuming alternative ways of living, will be a catastrophe. “Our lifestyles are unsustainable. Our expectations of consumption are predatory.Either we change this, or will be chaos”. Others say that the pursuit of unbridled economic growth and the inclusion of more people in consumption is killing the Earth. We have to create alternative because economic growth is pointing to the global collapse. “What will happen when billions of Chinese decide to adopt the lifestyle of Americans?” I’ll disagree if you don’t mind… **They might be** wrong. Completely wrong .. Even very intelligent people wrongly interpret the implications of what they observe when they lose the perspective of time. In the vast scale of time (today, decades, not centuries) it is the opposite of what expected, because they start from a false assumption: the future is the extrapolation of this. But not necessarily be. How do I know? Looking at history. What story? The history of innovation, this thing generates increases in productivity, wealth, quality of life in an unimaginable level. **It is innovation that will defeat pessimism as it always did**. It was innovation that made life today is incomparably better than at any other time in human history. And will further improve. Einstein, who was not a stupid person, believed that capitalism would generate crisis, instability, and growing impoverishment. He said: “The economic anarchy of capitalist society as it exists today is, in my opinion, the true source of evil.” The only way to eliminate this evil, he thought, was to establish socialism, with the means of production are owned by the company. A centrally controlled economy would adjust the production of goods and services the needs of people, and would distribute the work that needed to be done among those in a position to do so. This would guarantee a livelihood to every man, women and children. Each according to his possibilities. To each according to their needs. And guess what? What happened was the opposite of what Einstein predicted. Who tried the model he suggested, impoverished, screwed up. Peter Drucker says that almost of all thinking people of the late nineteenth century thought that Marx was right: there would be increased exploitation of workers by employers. They would become poorer, until one day, the thing would explode. Capitalist society was considered inherently unsustainable. It is more or less the same chat today. **Bullshit. Capitalism, with all appropriate regulations, self-corrects. It is an adaptive system that learns and changes by design. The design is just for the system to learn and change.** There was the opposite of what Einstein predicted, and held the opposite of what many predict, but the logic that “unlike” only becomes evident over time. It wasn’t obvious that the workers are those whom would profit from the productivity gains that the management science has begun to generate by organizing innovations like the railroad, the telegraph, the telephone .. to increase the scale of production and cheapen things. The living conditions of workers today are infinitely better than they were in 1900. They got richer, not poorer .. You do not need to work harder to produce more (as everyone thought), you can work less and produce more through a mechanism that is only now becoming apparent, and that brilliant people like Caetano Veloso still ignores. The output is pursuing growth through innovation, growth is not giving up. More of the same will become unsustainable to the planet, but most of it is not what will happen, will happen more different, than we do not know what is right. More innovative. Experts, such as Lester Brown, insist on statements like this: if the Chinese also want to have three cars for every four inhabitants, as in the U.S. today, there will be 1.1 billion cars there in 2030, and there is no way to build roads unless ends with the whole area used for agriculture. You will need 98 million barrels of oil per day, but the world only produces about 90 million today, and probably never produce much more. The mistake is to extrapolate today’s solutions for the future. We can continue living here for 20 years by exploiting the same resources that we explore today? Of course not. But the other question is: how can we encourage the stream of innovations that will enable the Chinese, Indians, Brazilians, Africans .. to live so as prosperous as Americans live today? Hey, wake up … what can not stop the engine of innovation is that the free market engenders. This system is self correcting, that is its beauty. We do not need to do nothing but ensure the conditions for it to work without distortion. The rest he does himself. It regulates itself.

#### Capitalism is inevitable

Wood 2 (Ellen M., Ph.D in political science from UCLA, The Origin of Capitalism, pg. 4-6)

These question-begging explanations have their origina in classical political economy and Enlightenment conceptions of progress. Together, they give an account of historical development in which the mergence and growth to maturity of capitalism are already prefigured in the earliest manifestations of human rationality, in the technological advances that began when Homo Sapiens first wielded a tool, and in the acts of exchange human beings have practised since time immemorial. History’s journey to that final destination, to ‘commercial society’ or capitalism, has, to be sure, been long and arduous, and many obstacles hace stood in its way. But its progress has nonetheless been natural and inevitable. Nothing more is required, then, to explain the ‘rise of capitalism’ than an account of how many obstacles to its forward movement have been lifted- sometimes gradually, sometimes suddenly, with revolutionary violence. In more accounts of capitalism and its origin, there really *is* no origin. Capitalism seems always to be there, somewhere; and it only needs to be released from its chains- for instance, from the fetters of feudalism- to be allowed to grow and mature. Typically, these fetters are political: the parasitic powers of lordship, or the restrictions of an autocratic state. Sometimes they are cultural or ideological: perhaps the wrong religion. These contraints confine the free movement of ‘economic’ actors, the free expression of econmic rationality. The ‘economic’ in these formulations is identified with exchange or markets; and it is here that we can detect the assumption that the seeds of capitalism are contained in the most primitive acts of exchange, in any form of trade or market activity. That assumption is typically connected With the other presupposition: that history has been an almost natural process of technological development. One way or another, capitalism more or less **naturally appears when** and where **expanding markets and technological development reach the right level**, allowing sufficient wealth to be accumulated so that is can be profitably reinvested. Many Marxist explanations are fundamentally the same- with the addition of bourgeois revolutions to help break the fetters. The effect of these explanation is to stress the continuity between non-capitalist and capitalist societies, and to deny the disguise of the specificity of capitalism. Exchange has existed more or less forever, and it seems that the capitalist market is just more of the same. In this kind of argument, because capitalism’s specific and unique need constantly to revolutionize the forces of production is just an extension and an acceleration of universal and transhistorical, almost natural, tendencies, industrialization is the inevitable outcome of humanity’smost basic inclinations. So the lineage of capitalism passes naturally from the earliest Babylonian merchant through the medieval burgher to the early modern bourgeois and finally to the industrial capitalist. There is similar logic in certain Marxist versions of this story, even though the narrative in more recent version often shifts from the town to the countryside, and merchants are replaced by rural commodity producers, small or ‘middling’ farmers waiting for the opportunity to blossom into full-blown capitalists. In this kind of narrative, petty commodity production, released from the bonds of feudalism, grows more or less naturally into capitalism, and petty commodity producers, just given the chance, will take the capitalist road. Central to these conventional accounts of history are certain assumptions, explicit or implicit, about human nature and about how human beings will behave, if only given the chance. They will, so the story goes, always avail themselves of the opportunity to maximize profits through acts of exchange, and in order to realize that natural inclination, they will always find ways of improving the organization and instruments of work in order to enhance the productivity of labor.

#### Action with policy relevance is key when survival is at stake

Norton 5 (Bryan G, professor of philosophy at the Georgia Institute of Technology, “Sustainability: A Philosophy of Adaptive Ecosystem Management”, University of Chicago Press, November 1, 2005, pp. 151-154)

Pragmatists pay attention to the particularities of unique situations. In action-forcing situations, it is often possible to provide helpful, if context- sensitive, guidance to decide what to accept as certain enough to guide action and what is not so certain and therefore requires further study. These decisions, which occur within a value-laden context, allow us to use agreements about values—however limited and situation-specific—to accept certain goals as consensus goals. Then we can pursue observations and management experiments to reduce debilitating uncertainty regarding techniques to achieve those goals. Shared values and goals can, in this way, sometimes serve as the solid ground on which to stand to undertake experimentation with means to achieve the goals, thereby reducing uncertainty about system functioning. At other times, of course, beliefs about the system and its behavior seem undeniable, and we can stand on these planks to deliberate about realistic and wise goals. The epistemology of adaptive management thus provides for gradual progress and improvement of both our belief system and our preferences and values, by using experience to triangulate between temporarily accepted beliefs and values. The most controversial aspect of this knowledge- seeking strategy, perhaps, is the idea that in concrete situations shared values can sometimes serve as a solid basis upon which to pursue mission-oriented science to reduce uncertainty about outcomes of our choices. To explore this idea, it is essential that we understand environmental values in such a way that through successive applications of our method, values can be improved over time. In this and the remaining chapters in part 2,1 provide such a context-sensitive approach that can serve to bootstrap both our values and our factual understanding of management situations simultaneously.¶ Likening our epistemological problem to a ride on Neuraths boat, which is required to stay afloat indefinitely while repairs are made, we can understand our problem as one of deciding which of our beliefs to accept as strong enough and which should be submitted to immediate and critical review and testing. Sailors on the boat are motivated by their desire to survive, and so they undertake the repairs on the boat with great deliberation and care. They must not only make important technical judgments regarding which planks are becoming weak with age and rot, but they must also make judicious choices regarding which planks must, given the importance of their function, be given priority. Analogously, as adaptive managers, we are driven by the desire to stay afloat and to prosper as a community, and we must similarly decide carefully what beliefs to accept as given, which should be doubted, and which points of uncertainty are of highest priority, given the shared goals of the community. Like Neuraths sailors, we must make such epistemological judgments under pressure; if we guess wrong and stand on a weak board to fix a stronger one, we face danger, if we stand on a strong board and fix a weak one, we could still face danger if, for example, we choose to fix weak boards of no direct importance to the seaworthiness of the vessel and ignore others that might fail catastrophically. We must, like Justice Holmes's judge, act in a way that fulfills several social demands, including the demand that the present decision be both consistent with precedent and legal tradition and also responsive to the new demands of a new situation.¶ The particular context of a real management dilemma—a context always suffused with value—can be very important for pragmatists in determining which beliefs should be accepted, however provisionally, and which should be submitted to more intense scrutiny by observation and experiment. The necessity of acting—and refraining from action is itself an action—enforces a kind of discipline, a discipline felt in a particular **situation with** real values at stake. In some situations, for example when the very existence of the community is threatened, decisions can be seen against a backdrop of unquestioned values (community survival); in these situations consensus on values may be far stronger than consensus on science. Epistemological decisions, in situations where decisions are forced and important values are at stake, thus involve judgments of importance as well as truth. We can only examine our whole belief system and try to find some beliefs we can temporarily place beyond doubt. Given the goal of management, we first concentrate on beliefs that are most important to the ongoing voyage, postponing examination of others until later: we keep our ship afloat, gradually transforming it plank by plank. Similarly, adaptive managers sometimes, by hypothesis, help themselves to a platform of beliefs in order to question the goals that should be pursued; and at other times we assume our goals are worthy ones and proceed to test appropriate scientific hypotheses related to the attainment of those goals. Optimistically, the adaptive manager believes that this platform, which shifts over time and in the process of many trials, yields **improved understanding** and improved goals **through** an alternation between **action** and reflection. This may be the only effective way to respond to wicked problems as they arise in a community with diverse and sometimes competing values.¶ Of course one might object that this whole process is circular and that no "true" justification of goals or actions takes place. We assume facts to support values, and we then stand on the values to support the importance of scientific research to reduce uncertainty and to allow actions to support those values. Now we play our epistemological trump card—the ability of diverse communities, if they operate in an open, democratic mode—to focus attention on weak assumptions and unjustifiable principles. In open public debate and open public processes, when well-informed stakeholders have free access to information and to political institutions, diverse members of a community will have an incentive to identify weaknesses—scientific, economic, and moral—in policies proposed by competing groups. If a process can be created that mimics the process the repairmen on Neuraths boat must develop if they are to survive, then we can give up the dry dock of a priori, self-evident truths and trust science and the observational method, especially if empowered by a strong sense of shared community values, to identify weak planks and keep the boat afloat. So a reasonable way to proceed, in an adaptive management framework, is to inspire stakeholders and participants to challenge and question both the beliefs of science and the proposed goals and values. Democracy, in this sense, can be a powerful engine of truth-seeking. A diverse population, in adaptive management as well as in Darwinian evolution, increases adaptability, by exploring a variety of available options, winnowing out the weak assumptions, and pursuing the most justifiable goals within a particular situation.

#### Economic methodology is key to accurate predicitons

Beabout 8 – Gregory R. Beabout 2008 is an adjunct fellow of the Center for Economic Personalism and Associate Professor of Philosophy at Saint Louis University Challenges to Using the Principle of Subsidiarity for Environmental Policy; 5 U. St. Thomas L.J. 210 (2008)

Economics offers many insights into how the world around us works, much more than would be possible to summarize even in a full-length law review article with many footnotes.5 From among those many insights, I have selected three "propositions" that demonstrate the fundamental points that economics is necessary, but not sufficient, to address environmental issues and that economics is necessary, but not sufficient, to reconcile the obligations of faith toward the poor and the need to protect the environment.¶ By "propositions" I mean fundamental truths about human behavior and the natural world that we ignore at our peril, truths as basic as the laws of gravity or humanity's susceptibility to sin. We can write statutes or regulations that ignore these-and Congress, legislatures, and regulators the world over frequently do-but such measures risk the same fatal results as bridges built without accounting for gravity. These propositions I will offer are economic "theory," but they are theory in the sense that the laws of gravity are a theory and are founded upon economic insights spanning hundreds of years of careful analyses, testing of hypotheses, and rigorous debates. That does not mean all economists agree on all policy implications or that every prediction by an economist comes true. It does mean that the core principles of the discipline are not mere matters of opinion and that economics is not a "point of view" to be accorded equal weight with folk tales or political preferences. All theories of how the world works are not equal -some work better than others and the ones that work deserve greater weight in policy debates than the ones that do not. Economics' great strength is that it is a concise and powerful theory that explains the world remarkably well. Those who ignore its insights are doomed to fail.¶ Science fiction author Robert Heinlein coined the phrase "TANSTAAFL" as a shorthand way of saying "There Ain't No Such Thing As A Free Lunch" in his classic 1966 science fiction novel The Moon is a Harsh Mistress, in which he described a revolution by residents of lunar colonies against oppressive governments on Earth in 2076.6 Heinlein had the revolutionaries emblazon TANSTAAFL on their flag and wove the principle through the free lunar society he imagined-a place where even air cost people money.¶ "No free lunch" means that everything costs something. Everything. No exceptions. At a minimum, if I spend my time doing one activity, I cannot spend that time doing something else. Economists refer to the idea that resources devoted to one activity are unavailable for other activities as "opportunity cost." If we do X, we cannot use those resources to do Y. The failure to recognize that there is an opportunity cost to committing resources to any given use can have disastrous consequences because when we do not recognize that our actions have costs we cannot intelligently consider our alternatives. And if we cannot assess the costs and benefits of our alternatives, we cannot make reasoned choices among them.7 In short, tradeoffs matter, and we need to pay attention to them.

#### Threats real and not constructed—rational risk assessment goes aff

Knudsen 1– PoliSci Professor at Sodertorn (Olav, Post-Copenhagen Security Studies, Security Dialogue 32:3)

Moreover, I have a problem with the underlying implication that it is unimportant whether states 'really' face dangers from other states or groups. In the Copenhagen school, threats are seen as coming mainly from the actors' own fears, or from what happens when the fears of individuals turn into paranoid political action. In my view, this emphasis on the subjective is a **misleading conception of threat**, in that it discounts an independent existence for what- ever is perceived as a threat. Granted, political life is often marked by misperceptions, mistakes, pure imaginations, ghosts, or mirages, but such phenomena **do not occur simultaneously** to large numbers of politicians, and **hardly most of the time**. During the Cold War, threats - in the sense of plausible possibilities of danger - referred to 'real' phenomena, and they **refer to 'real' phenomena** now. The objects referred to are often not the same, but that is a different matter. Threats have to be dealt with both ín terms of perceptions and in terms of the phenomena which are perceived to be threatening. The point of Waever’s concept of security is not the potential existence of danger somewhere but the use of the word itself by political elites. In his 1997 PhD dissertation, he writes, ’One can View “security” as that which is in language theory called a speech act: it is not interesting as a sign referring to something more real - it is the utterance itself that is the act.’24 The deliberate disregard of objective factors is even more explicitly stated in Buzan & WaeVer’s joint article of the same year.” As a consequence, the phenomenon of threat is reduced to a matter of pure domestic politics.” It seems to me that the security dilemma, as a central notion in security studies, then loses its foundation. Yet I see that Waever himself has no compunction about referring to the security dilemma in a recent article." This discounting of the objective aspect of threats shifts security studies to insignificant concerns. What has long made 'threats' and ’threat perceptions’ important phenomena in the study of IR is the implication that **urgent action may be required**. Urgency, of course, is where Waever first began his argument in favor of an alternative security conception, because a convincing sense of urgency has been the chief culprit behind the abuse of 'security' and the consequent ’politics of panic', as Waever aptly calls it.” Now, here - in the case of urgency - another baby is thrown out with the Waeverian bathwater. When real situations of urgency arise, those situations are challenges to democracy; they are actually at the core of the problematic arising with the process of making security policy in parliamentary democracy. But in Waever’s world, threats are merely more or less persuasive, and the claim of urgency is just another argument. I hold that instead of 'abolishing' threatening phenomena ’out there’ by reconceptualizing them, as Waever does, we should continue paying attention to them, because **situations with a credible claim to urgency will keep coming back** and then we need to know more about how they work in the interrelations of groups and states (such as civil wars, for instance), not least to find adequate democratic procedures for dealing with them.

#### No risk of continual war making – institutional safeguards check

Allen Buchanan 7, Professor of Philosophy and Public Policy at Duke, 2007 (Preemption: military action and moral justification, pg. 128)

The intuitively plausible idea behind the 'irresponsible act' argument is that, other things being equal, the higher the stakes in acting and in particular the greater the moral risk, the higher are the *epistemic requirements* for justified action. The decision to go to war is generally a high stakes decision par excellence and the moral risks are especially great, for two reasons. First, unless one is justified in going to war, one's deliberate killing of enemy combatants will he murder, indeed mass murder. Secondly, at least in large-scale modem war, it is a virtual certainty that one will kill innocent people even if one is justified in going to war and conducts the war in such a way as to try to minimize harm to innocents. Given these grave moral risks of going to war, quite apart from often substantial prudential concerns, some types of justifications for going to war may simply be too subject to abuse and error to make it justifiable to invoke them. The 'irresponsible act' objection is not a consequentialist objection in any interesting sense. It does not depend upon the assumption that every particular act of going to war preventively has unacceptably bad consequences (whether in itself or by virtue of contributing lo the general acceptance of a principle allowing preventive war); nor does it assume that it is always wrong lo rely on a justification which, if generally accepted, would produce unacceptable consequences. Instead, the "irresponsible act' objection is more accurately described as an agent-centered argument and more particularly an argument from moral epistemic responsibility. The 'irresponsible act' objection to preventive war is highly plausible if— but only if—one assumes that the agents who would invoke the preventive-war justification are, as it were, *on their own* in making the decision to go to war preventively. In other words, the objection is incomplete unless the context of decision-making is further specified. Whether the special risks of relying on the preventive-war justification are unacceptably high will depend, *inter alia,* upon whether the decision-making process includes effective provisions for redu­cing those special risks. Because the special risks are at least in significant part epistemic—due to the inherently speculative character of the preventive war-justification—the epistemic context of the decision is crucial. Because institutions can improve the epistemic performance of agents, it is critical to know what the institutional context of the preventive-war decision is, before we can regard the 'irresponsible agent' objection as conclusive. Like the 'bad practice' argument, this second objection to preventive war is inconclusive because it does not consider— and rule out—the possibility that well-designed institutions for decision-making could address the problems that would otherwise make it irresponsible for a leader to invoke the preventive-war justification.

#### Lefty environmental alarmism fails---we must create sustainable energy by pursuing (oil/coal/natural gas) to solve---only the aff offers a middle-ground whereas their alt disadvantages everyone except the small intellectual elite

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In the 1970s and 1980s, energy policy debates in the U.S. were mostly over the regulation of oil and natural gas prices and allocation. Energy shortages and price spikes led many to adopt an “energy-is-bad, energy conservation is good” position.¶ In the early 1990s, the energy policy debate shifted to energy “sustainability.” Depletion, pollution, reliability (security), and anthropogenic (man-made) climate change are the four sustainability issues. The last, climate change, is by far the most important of the four for the future of carbon-based energies.¶ Where does the energy sustainability debate stand as of mid-2003? The intellectual momentum has shifted to the optimists who see environmental progress as the norm and who believe that the market’s improvement process will effectively solve new problems along the way.¶ What has changed to mute energy alarmism? Six trends have been especially important.¶ (1) Eco-Energy Planners No Longer in Power¶ First, the end of the Clinton/Gore era has taken the eco-energy planners out of the seat of power and put them on the sidelines where few outside of their choir are listening. Gone is the Gore-led President’s Council on Sustainable Development, which marginalized the opposition--the sound science, realism-based, free-market environmentalists. Instead, Bush and Cheney released their National Energy Policy: Report of the National Energy Policy Development Group (May 2001), which set a pro-development tone for the “official” debate. High oil and gas prices since then have also added momentum to the cause of resource and infrastructure development over conservationism.¶ Where did the leaders of eco-energy interventionism go? Tapping into a huge reservoir of funding from such left-of-center foundations as Rockefeller, Turner, MacArthur, Packard, and Pew, they are scattered around at different “green” groups. In particular, they are administering and advising two energy groups in their political exile:¶ The Energy Future Coalition (http://www.energyfuturecoalition.org). Its White Paper on a new energy future concludes, “We aim at ambitious but achievable goals: cutting U.S. oil consumption and carbon emissions by a third from current levels over the next 25 years, and sharply increasing access to modern energy services in the developing world.”¶ This CO2 reduction target is more draconian than the Bush-rejected U.S. obligation under the Kyoto Protocol of 7 percent below 1990 levels. It is drastically below the “business as usual” forecast from the U.S. Energy Information Administration (EIA)--a 42 percent increase (1.5 percent per year) in CO2 emissions from 2000 to 2025. Oil usage, meanwhile, is forecast by the EIA to grow 1.6 percent per year, or 47 percent in the same 25 years.¶ This indeed would be a new energy future--and one that would require extensive government planning and re-direction of today’s consumer-driven energy sector. Energy rationing would be a likely result.¶ The National Commission on Energy Policy (http://www.energycommission.org/about/). Co-chaired by Harvard environmentalist John Holdren, it will release its study in late 2004 or early 2005. Expect no surprises. There will be alarms about carbon dioxide emissions with recommendation of a plethora of activist policies to forcefully redirect energy sources away from carbon fuels and reduce total energy usage.¶ **Consumers are not buying into energy alarmism from these energy scare groups. The public wants affordable, reliable, plentiful energy today and tomorrow**. No amount of private foundation money will change this--so long as the climate and energy realists document the facts and present them in terms of common-sense free-market principles to the public, industry, and other groups.¶ (2) Doomsayers Have Been Exposed¶ A new voice, Björn Lomborg, has exposed the shaky intellectual foundations of doom-and-gloom environmentalism in a way that has captured international media interest. Julian Simon could not do this in his lifetime, but Lomborg--who originally set out to refute Simon but ended up agreeing with him after intensive investigation with a working group--has done so!¶ The Lomborg phenomenon began with his book, The Skeptical Environmentalist: Measuring the True State of the World (Cambridge University Press, 2001), which received favorable publicity in such quarters as the New York Times and Washington Post as well as other publications around the world. The doomsayers ignored the book at first (their strategy is to assert, not debate) but suddenly found themselves losing out by their silence.¶ A spate of vitriolic attacks on Lomborg followed, despite his affable, scholarly demeanor and politically correct credentials as a former member of Greenpeace, vegetarian, and openly gay.¶ The media’s reaction to Lomborg has forced his critics to come to the intellectual table to refute him with facts and theory**. Cracks of dissent have opened among the liberal environmentalists’ ranks**. A well-known European climate alarmist, Michael Grubb, wrote in a book review for Science magazine, “To any modern professional, it is no news at all that the 1972 Limits to Growth study was mostly wrong or that Paul Ehrlich and Lester Brown have perennially exaggerated the problems of food supply.”¶ Contrary to Grubb’s assertion, it is big news that an environmental alarmist should acknowledge the flaws in work published by Ehrlich and Brown, two of the most revered names in the environmentalist movement.¶ In the face of that statement, what do Lomborg’s critics do--attack Grubb, stay silent and lick their wounds, or prominently announce, as Laurel did to Hardy, “I’m better now”? They stayed silent. Still, the monolithic front of intellectual environmentalism is under severe pressure thanks to Lomborg.¶ (3) Heightened Concern over Third-World Poverty¶ Poverty from a lack of modern energy and clean water has been elevated to a major international sustainability problem, reducing the urgency of addressing perceived long-run problems such as man-made climate change. Real development, not “sustainable development” as defined by western environmentalist groups, gained the upper hand at the United Nations’ World Summit on Sustainable Development held in Johannesburg last year. And it has continued this way, thanks in part to the influence of Lomborg.¶ Development as a competing environmental paradigm is the major theme of a new book by Jack Hollander. The Real Environmental Crisis: Why Poverty, Not Affluence, Is the Environment’s Number One Enemy, takes false alarmism to task and urges that the environment can best be improved by focusing on real, here-and-now problems like poverty in the Third World. Hollander is professor emeritus of energy and resources at the University of California at Berkeley, a bastion of energy and climate alarmism. His book is another signal that major changes are afoot.¶ Science, the flagship publication of the American Association for the Advancement of Science, whose members compose the environmental science community, is prone to views expressing energy and climate alarmism. Yet a December 6, 2002 editorial, titled “In Praise of Petroleum?” asked an obvious question:¶ Does it make sense to ask the poor to take on novel devices and fuels that have never been tried elsewhere? … **Rather than excluding petroleum, some of this one-time gift from nature ought actually to be reserved to help fulfill our obligation to bring the health and welfare of all people to a reasonable level: an** essential goal of sustainable development**, no matter how defined**.¶ (4) Even Alarmists Are Facing Reality¶ Climate and energy realities are breaking through in mainstream analysis, further cracking the anti-carbon environmentalist cartel. A major study published in Science by 18 authors, “Advanced Technology Paths to Global Climate Stability: Energy for a Greenhouse Planet,” forthrightly concluded that the technology does not exist to shift from carbon energies to low-carbon ones. The mass quantities are not available, and what supply there could be cannot be produced at an acceptable cost to society.¶ “**Revolutionary changes in the technology of energy production, distribution, storage, and conversion” are required, changes that “cannot be simply regulated” into being**. This view, authored within the energy-alarmist community, contradicts the mantra of environmental groups that are urging more and more short-term regulation and subsidies for renewable energy and energy conservation to address what they see as the carbon problem.¶ The same study takes the wind out of the Kyoto Protocol:¶ Paradoxically, Kyoto is too weak and too strong: Too strong because its initial cuts are perceived as an economic burden by some (the United States withdrew for this stated reason); too weak because much greater emission reductions will be needed and we lack the technology to make them.¶ (5) Side Effects of Renewables Split the Environmental Movement¶ Discontent with politically correct renewable energies, particularly wind power, is beginning to set in among anti-development environmentalists. A June 5 New York Times article, for example, reported proposed U.S. wind farm projects have created “huge turbulence with the environmental movement.” The article continued,¶ The growing [wind] industry has caused a kind of identity crisis among people who think of themselves as pro-environment, forcing them to choose between the promise of clean, endlessly renewable energy and the perils of imposing giant man-made structures on nature.¶ A highly publicized debate over a proposed 420 megawatt project off the coast of southern New England (powered by GE turbines that stand 100 meters tall on land and up to 75 meters when offshore) has pitted local environmentalists against their national brethren. Asks one writer for Renewable Energy World: “Will the real environmentalist please stand up?”¶ (6) Seeking Relevance in the Center¶ The sixth, and by no means least important, trend causing the country’s movement away from energy alarmism is the **intellectual left’s overall shift toward the center, in a quest for policy relevance**.¶ Consider the transition being made by John Holdren, holder of the Teresa and John Heinz professorship in environmental policy at Harvard University. In the 1970s Holdren, along with Paul and Anne Ehrlich, wrote:¶ A massive campaign must be launched to restore a high-quality environment in North America and to de-develop the United States. ... Resources and energy must be diverted from frivolous and wasteful uses in overdeveloped countries to filling the genuine needs of underdeveloped countries. This effort must be largely political.¶ Such a view if stated today would rupture Holdren’s standing as a collaborator in the energy policy debate. Instead Holdren opens his 2000 “Memorandum to the President” with this statement: “A reliable and affordable supply of energy is absolutely critical to maintaining and expanding economic prosperity where such prosperity already exists and to creating it where it does not.”¶ This sea change gives moral sanction to energy as an improving consumer product, not just a political product in the quest for “sustainability.” Such pragmatism is by no means limited to Holdren. Al Gore contradicted the energy policy outlines of his book, Earth in the Balance, when he stated on the campaign trail for the U.S. Presidency in 2000:¶ I think we need to bring gasoline prices down. . . . I have made it clear in this campaign that I am not calling for any tax increase on gasoline, on oil, on natural gas, or anything else. I am calling for tax cuts to stimulate the production of new sources of domestic energy and new technologies to improve efficiency.¶ More Work to Do¶ This is not to say that the battle between anti-growth alarmists and free-market realists is about to be won with direct political ramifications. There are a number of negative trends that require the best efforts of the climate and energy realists to turn the great climate and carbon alarm into just a shrill noise that gets lost in the night. But it does suggest that energy realists are winning in ways that have not occurred before.¶ What work remains to be done? Energy alarmism is being used as a tool to try to portray Republicans and President Bush as anti-environment. Yet carbon dioxide constraints on energy are anti-consumer, particularly to lower-income consumers. The premier energy-environmental think tank, Resources for the Future (RFF), speaks with one voice for regulating carbon dioxide despite a solid intellectual case for keeping the lid closed on this Pandora’s Box. RFF should stop speaking with one voice on such a two-sided issue or be held accountable when regulation begins and the highly predictable negative consequences follow.¶ By engaging in climate alarmism, European-based major oil companies have given false sanction to the intellectual and political left and opened themselves to charges of “greenwashing” given their massive, growing hydrocarbon operations. Meanwhile, their paltry investments in wind and solar are proving to be financially underperforming.¶ Finally, the Bush administration is proving too timid to officially reject government-sponsored programs for voluntary greenhouse gas reductions--programs that are likely to create the institutions and incentives to result in mandatory programs later on. Being “a little pregnant” is not a strategy that can last.¶ Overall, the debate over energy and climate alarmism is winnable for the proponents of energy and climate realism. Even in a worst-case situation where the U.S. adopts carbon dioxide (CO2) regulation, the program(s) will be so messy and watered down that virtually everyone will be left unsatisfied. There will be higher energy prices and gross inefficiencies reminiscent of earlier abandoned regulatory schemes. There will be a pound of corporate welfare for every ounce of real emission reductions, giving corporate critics on the Left plenty to lament.¶ More urgent environmental priorities will be left with fewer resources. In short, virtually **everybody will be worse off except for a small intellectual elite. Proponents of energy policy activism must ask themselves: Is this worth fighting for?**

### 2AC States CP

#### Perm do both – shields the link to politics

Overby 3 – A. Brooke, Professor of Law, Tulane University School of Law, “Our New Commercial Law Federalism.” Temple University of the Commonwealth System of Higher Education Temple Law Review, Summer, 2003 76 Temp. L. Rev. 297 Lexis

We held in New York that Congress cannot compel the States to enact or enforce a federal regulatory program. Today we hold that Congress cannot circumvent that prohibition by conscripting the States' officers directly. The Federal Government may neither issue directives requiring the States to address particular problems, nor command the States' officers, or those of their political subdivisions, to administer or enforce a federal regulatory program. It matters not whether policymaking is involved, and no case-by-case weighing of the burdens or benefits is necessary; such commands are fundamentally incompatible with our constitutional system of dual sovereignty.n65 The concerns articulated in New York and echoed again in Printz addressed the erosion of the lines of political accountability that could result from federal commandeering.n66 Federal authority to compel implementation of a national legislative agenda through the state legislatures or officers would blur or launder the federal provenance of the legislation and shift political consequences and costs thereof to the state legislators. Left unchecked, Congress could foist upon the states **expensive or** unpopular programs yet shield itself from accountability to citizens**.** While drawing the line between constitutionally permissible optional implementation and impermissible mandatory implementation does not erase these concerns with accountability, it does ameliorate them slightly.

### 2AC Oil Prices DA

#### Prices down now

Reuters 11/5/12 [“Oil dips near $105 after Sandy hits demand,” http://in.reuters.com/article/2012/11/05/us-markets-oil-idINBRE89U12F20121105]

(Reuters) - Oil prices dipped towards $105 a barrel on Monday as investors remained cautious ahead of the U.S. presidential election and eyed demand destruction after Superstorm Sandy, whilst a stronger dollar also weighed.¶ Front-month Brent futures were down 28 cents at $105.40 a barrel at 1419 GMT, near three-month lows, while U.S. crude was up 6 cents at $84.92 a barrel.¶ Traders and analysts said a combination of demand worries linked to Sandy and the eurozone debt crisis, and investor nervousness about ramping up exposure to riskier assets ahead of the U.S. election, was keeping oil prices under pressure.¶ "The demand figures are just not there for oil," said Rob Montefusco, a broker at Sucden Financial in London.¶ Instead investors preferred perceived safe-havens such as the dollar, which was up 0.23 percent against a basket of currencies .DXY at 1411 GMT. A stronger dollar makes commodities priced in dollars more expensive for buyers using other currencies.

#### Price collapse inevitable

Paikin 12 Zach Paikin is a columnist for Canada's iPolitics and contributes research on international affairs to several Washington-based think tanks and institutes, April 11, 2012, “Coping in an increasingly competitive global economy”, http://www.ipolitics.ca/2012/04/11/zach-paikin-coping-with-less-revenues-in-an-increasingly-competitive-global-economy/

It gets worse. **The price of oil is about to collapse due to the increasing extraction of unconventional oil**. Roughly 250 billion barrels of oil shale — and possibly as much as twice that figure — have been discovered in Israel and will begin to flow into the global market in about a decade **at an estimated $30-40 per barrel**, merely one third of the current price of oil. This gives Israel the third largest oil shale reserves in the world after the United States and China. The U.S. has already become a net exporter of gasoline and could surpass both Russia and Saudi Arabia as the world’s largest supplier of oil in the near future thanks to its unconventional oil reserves.¶ **The upcoming decline in the price of oil will result in the near-total collapse of non-diversified economies**, such as the Middle East’s oil-exporting countries. For instance, roughly 75 per cent of Saudi Arabia’s governmental revenue and 90 per cent of its export earnings come from the oil industry. Natural gas doesn’t provide these Mid-East states with much solace: Canadian exports of natural gas to the United States last year alone accounted for half the rate of all natural gas exports from the Middle East and North Africa.

#### **Natural gas and oil prices are decoupled**

Webber 12 – Michael Webber is the Josey Centennial Fellow in Energy Resources, Co-Director of the Clean Energy Incubator at the Austin Technology Incubator, and Associate Professor of Mechanical Engineering at The University of Texas at Austin. He has authored more than 150 scientific articles, columns, books and book chapters. Michael's education includes a B.A. with High Honors (Plan II Liberal Arts) and B.S. with High Honors (Aerospace Engineering) from The University of Texas at Austin, and an M.S. (Mechanical Engineering) and Ph.D. (Mechanical Engineering, Minor in Electrical Engineering) from Stanford University, where he was a National Science Foundation Fellow from 1995-1998. May 2012, "The Looming Natural Gas Transition in the United States," www.c2es.org/docUploads/natural-gas-transition-us.pdf

One of the most important recent trends has been the decoupling of natural gas and petroleum prices. Figure 4 shows the U.S. prices for natural gas and petroleum (wellhead, and WTI Cushing, respectively) from 1988 to 2012.4 5 While natural gas and petroleum prices have roughly tracked each other in the U.S. for decades, their **trends started to diverge in 2009 as global oil supplies remained tight, yet shale gas production increased.** This recent divergence has been particularly stark, as it’s driven by the simultaneous downward swing in natural gas prices and upward swing in petroleum prices. For many years, the ratio in prices (per million BTU, or MMBTU) between petroleum and natural gas oscillated nominally in the range of 1–2, averaging 1.6 for 2000– 2008. However, after the divergence began in 2009, this spread became much larger, averaging 4.2 for 2011 and, remarkably, achieving ratios greater than 9 spanning much of the first quarter of 2012 (for example, natural gas costs approximately $2/MMBTU today, whereas petroleum costs $18/MMBTU).

#### Non-unique – domestic oil drilling now

Bernton 12 Hal Bernton, writer for the Seattle Times, June 18, 2012, “Arctic drilling could contribute to US oil resurgence”, http://bangordailynews.com/2012/06/18/business/arctic-drilling-could-contribute-to-us-oil-resurgence/

The push into the Arctic comes amid a major resurgence of a U.S. oil industry that once appeared stuck in long-term decline. Within the past five years, new technologies exploiting oil fields in North Dakota, Texas and other states have contributed to a 15 percent rise in U.S. production since 2008.¶ Producing oil in the offshore Arctic could provide another significant boost.¶ Federal estimates of the potential oil reserves in the Beaufort and Chukchi seas off Alaska’s North Slope indicate there could be 25 billion barrels, an amount greater than the crude produced at the giant Prudhoe Bay onshore field during the past 30 years.

#### No impact on world oil prices

Nordhaus 11 William D, Sterling Professor of Economics; Cowles Foundation, Yale University, October 27, “Energy: Friend or Enemy?,” http://www.nybooks.com/articles/archives/2011/oct/27/energy-friend-or-enemy/?pagination=false

If we look at both the rhetoric and substance of oil policy, particularly oil dependency, much thinking is misguided because of misconceptions about the nature of oil dependency. We can usefully think of the oil market as a single integrated world market—like a giant bathtub of oil. In the bathtub view, there are spigots from Saudi Arabia, Russia, and other producers that introduce oil into the inventory. And there are drains from which the United States, China, and other consumers draw oil. Nevertheless, the dynamics of the price and quantity are determined by the sum of these demands and supplies, and are independent of whether the faucets and drains are labeled “US,” “Russia,” or “China.” In other words, prices are determined by global supply and demand, and the composition of supply and demand is irrelevant.7¶ Why is crude oil an integrated world market? The reasons are that the costs of transporting oil are low, different crude oils are largely interchangeable, and the different crudes can be blended. This means that crude oil is fungible, like dollar bills. A shortfall in one region can be made up by shipping a similar oil there from elsewhere in the world. US oil policies make no more sense than trying to lower the water level in one end of the bathtub by taking a few cups of water from that end.¶ We know that the world oil market is unified because there is a single price of crude oil that holds no matter what the source. For example, we can look at whether prices (with corrections for gravity and sulfur) in fact move together. A good test of this view would be to ask whether a benchmark crude price predicts the movement of other prices. Looking at crude oil from twenty-eight different regions around the world from 1977 to 2009, I found that a 10.00 percent change in the price of the “Brent” crude oil—a blend of crude often used as a benchmark for price—led to a 9.99 percent change in the price of other crude oils. These correlations among crude oil prices are markedly higher than are observed for virtually any other traded good or service.¶ The implication of the bathtub view is profound. It means that virtually no important oil issue involves US dependency on foreign oil. Whether we consider pollution, macroeconomic impacts, price volatility, supply interruptions, or Middle East politics, our vulnerability depends upon the global market. It does not depend upon the fraction of our consumption that is imported.¶ I will use two examples to illustrate this point. A first hardy perennial is the idea that we should limit our consumption to oil from “secure sources.” This might mean concentrating on Canada and Mexico, or perhaps relying only on our own output, or we might even exclude Alaska lest it someday decide to secede.¶ These policies make no sense in an integrated world oil market. Suppose that the United States limited its imports to completely reliable sources—ones that would never, ever cut off supplies—and specifically prohibited imports from unreliable country A. This would lead country A to send its oil to other countries. In an integrated world market, the result would be simply to reallocate production from non-A countries to the United States to make up the shortfall here and eliminate the excess there. Unless a country actually changes its flow into the world bathtub, there will be no impact on the United States of sourcing imports from secure regions only.

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#### Economy collapsing now

Lyudmila Alexandrova 11-7, ITAR-TASSRussia and India Report, “Russian economy already in crisis”, <http://indrus.in/articles/2012/11/06/russian_economy_already_in_crisis_18885.html>

The latest developments in the Russian economy make it unmistakably evident that the crisis is already here and large-scale counter-measures must be taken now, analysts say. They believe that government investments, budget deficit and a reduction in military spending would help push up economic growth rates.¶ The Economic Forecasting Institute of the Russian Academy of Sciences has published a quarterly macroeconomic preview to offer its vision of the causes of the slow-down of economic activity in Russia. The experts believe that “the ongoing developments in the economy can **already be described as a crisis** – of mechanisms of growth and economic management.” They blame the crisis on shrinking foreign demand and on harsher monetary, credit and budgetary policies.¶ “The current developments already require large-scale anti-crisis measures and an active economic policy,” the document says. The resource base of Russia’s commercial banks should be increased in order to maintain the current overheating of the retail loans market and provide credits for companies. The other growth mechanism that should be employed is a build-up of government and quasi-government investment (companies that are entirely or partially owned by the state provide up to 40 percent of capital investments).¶ As a matter of fact, the institute’s experts believe that the macroeconomic postulate price stability should enjoy priority over quick economic growth is very wrong, says the daily Kommersant. The authors of the analysis warn that today is not the right time for more monetary experiments.¶ The Economic Forecasting Institute expects a growth of oil prices to $122 per barrel in 2015, but at the same time it predicts a slowdown of economic growth to 2.2 percent and a stable inflation of six percent in the same year. In other words, the think tank foresees no forthcoming changes to the structure of the economy or the quality of the business and investment climate. They point to the **likelihood of a reduction in the accumulation of capital assets, low growth in labour productivity and lack of an influx of direct investments**. This is precisely what they describe as the crisis of economic management.¶ Experts at the Development Centre of the Higher School of Economics see eye to eye with their EFI colleagues. According to their estimates, the **quarterly rates of the GDP growth in Russia have been steady on the decline** since the middle of last year. The bad investment climate and slowly growing demand has caused investment to shrink since the beginning of the year, while the rate of capital flight has been soaring. The next outflow of capital has already exceeded 90 billion dollars and no end of this trend is in sight.¶The macroeconomic forecast contained in the draft budget for three years to come is unrealistic, experts at the Higher School of Economics said. Economic growth in the country may grind to a halt by the end of this year. Even if the world economy keeps rising slowly and oil prices stay high, Russia will show a GDP growth rate of **no more than 1.3 percent** in 2015.

#### Low prices cause diversification

Moiseev 12 Alexey Moiseev is head of macroeconomic analysis at VTB Capital, July 6, 2012, “Modernisation is Russia's cure for 'Dutch disease'”, http://www.telegraph.co.uk/sponsored/russianow/business/9382538/russia-dutch-disease.html

Russia has experienced the full effects of the de-industrialisation syndrome known as “Dutch disease”**.**¶Any country trying to diversify will always face major challenges if it tries to do so when commodity prices are high**.** In such an environment,return on capital in the commodity sectors will typically be much higher than elsewhere in the economy, causing capital to drift away from manufacturing sectors towards commodity production **and trading. This de-industrialisation is known as “Dutch disease” and was named after a similar trend noted in the Netherlands after natural gas was discovered in the North Sea.¶ Russia has experienced the full effects of this well-known syndrome.** The government made every effort to prevent, or at the very least to slow, the decline in other sectors of the economy brought about by the loss of capital. The main technique used was the imposition ofextremely high mineral resourceextraction taxes and export tariffs on the oil sector.¶ This worked for a short period, but became far less successful when the government started increasing social spending significantly in the run-up to the 2007-08 election.Higher spending resulted in higher inflation, which put vastly increased wage pressures on the non-resource orientated private sector, dramatically eroding its competitiveness**.**

#### Diversification leads to stability

VOA 11 Voice of America, November 7, 2011, “IMF: Russia Must Reduce Oil Dependence, Diversify”, http://www.voanews.com/content/imf-russia-must-reduce-oil-dependence-133449298/169363.html

The head of the International Monetary Fund (IMF) says that Russia, the world's largest oil producer, needs to reduce its reliance on oil revenues and diversify its economy to keep it stable.¶ The IMF's managing director, Christine Lagarde, said Tuesday in Moscow that even though Russia has enacted fiscal reforms in recent years, it still faces "important vulnerabilities." She said the country's budget deficit, excluding oil revenues, has more than tripled, and that Russia needs to move "toward a more vibrant and diversified economy."

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#### Russian stability does not depend on its economy

Goodrich and Zeihan 9 [Lauren Goodrich, Stratfor's Director of Analysis and Senior Eurasia analyst, and Peter Zeihan, Vice President of Analysis at Stratfor, “The Financial Crisis and the Six Pillars of Russian Strength,” March 3 2009, <http://www.stratfor.com/weekly/20090302_financial_crisis_and_six_pillars_russian_strength>]

Politics: It is no secret that the Kremlin uses an iron fist to maintain domestic control. There are few domestic forces the government cannot control or balance. The Kremlin understands the revolutions (1917 in particular) and collapses (1991 in particular) of the past, and it has control mechanisms in place to prevent a repeat. This control is seen in every aspect of Russian life, from one main political party ruling the country to the lack of diversified media, limits on public demonstrations and the infiltration of the security services into nearly every aspect of the Russian system. This domination was fortified under Stalin and has been re-established under the reign of former President and now-Prime Minister Vladimir Putin. This political strength is based on neither financial nor economic foundations. Instead, it is based within the political institutions and parties, on the lack of a meaningful opposition, and with the backing of the military and security services. Russia's neighbors, especially in Europe, cannot count on the same political strength because their systems are simply not set up the same way. The stability of the Russian government and lack of stability in the former Soviet states and much of Central Europe have also allowed the Kremlin to reach beyond Russia and influence its neighbors to the east. Now as before, when some of its former Soviet subjects -- such as Ukraine -- become destabilized, Russia sweeps in as a source of stability and authority, regardless of whether this benefits the recipient of Moscow's attention

### 2AC Fiscal Cliff

#### Won’t pass – gridlock

Barno 11/7— retired Lieutenant General of the United States Army. Master’s in National Security and Strategic Studies from Georgetown University—Dr. Nora Bensahel is Deputy Director of Studies and a Senior Fellow at the Center for a New American Security—AND Joel Smith and Jacob Stokes; Research Assistants at the Center for a New American Security (Brace Yourself, [www.foreignpolicy.com/articles/2012/11/07/brace\_yourself?page=full](http://www.foreignpolicy.com/articles/2012/11/07/brace_yourself?page=full))

Although structural factors seem to favor a deal, the 112th Congress's political gridlock -- it has passed the fewest laws of any session since World War II -- as well as the extremely short time available to forge a large, complicated piece of legislation almost certainly means that Congress and the president will not strike a grand bargain before January 2.¶ At first glance, the prospects for such a deal seem higher than at any point during the past two years. President Obama's bargaining power has increased now that he has received a clear mandate for the next four years. Additionally, allowing tax breaks to expire means that taxes will increase, which many Republicans oppose. For their part, Democrats want to prevent large cuts to domestic discretionary spending, and they have an incentive to cut a big deal before the nation hits the debt ceiling again, likely early in 2013. Leaders from both parties oppose the sequestration defense cuts. And, of course, neither side wants the country to plunge back into recession.¶ The fundamental problem is that most Republicans do not support any tax increases and most Democrats do not support significant cuts to government services. What's more, even if Congress were inclined to compromise, the logistics of passing a grand bargain are daunting. There are only seven weeks until this congressional session ends. Some time will be taken up preparing for the 113th Congress, and many departing members will focus on making arrangements for their post-Congress lives rather than legislating. In that context, Congress would have to draft legislation; debate and pass it in committees; debate and pass it in both houses; come up with a compromise agreement between the two chambers; redraft the compromise; and then pass the conference report. Then the president would have to sign that bill into law.¶ Barring an unforeseen change, the cumulative effect of partisan gridlock and a lack of time should squelch expectations for a grand bargain in the lame duck.

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#### No impact on the economy – empirically denied

Hulbert 10/26 Mark, MaretWatch, "A contrarian take on fiscal cliff worries", 2012, www.marketwatch.com/story/a-contrarian-take-on-fiscal-cliff-worries-2012-10-26?mod=mw\_streaming\_stream

CHAPEL HILL, N.C. (MarketWatch) — Fears of falling off the fiscal cliff have become this Halloween season’s nightmare scenario.¶ And that scenario is very scary indeed — double-digit drops in the stock market, an economic recession if not depression, and so forth.¶ But when lots of investors become gripped by the same scary scenario, my contrarian instincts kick into gear, leading me to explore the possibility that things might not be as bad as they otherwise seem.¶ Here’s a list of reasons why we might not want to be freaked out by the fiscal cliff:¶ There’s more than one way of jumping off the fiscal cliff, and not all of them would be particularly scary. As my colleague Rob Schroeder pointed out early this week, our politicians in Washington could send the U.S. over the cliff only temporarily, or decide to kick the can down the road altogether. “Of 5 ‘fiscal cliff’ outcomes only 1 is disaster,” he argues. ( Read full story. )¶ In any case, the markets appear to be giving very low probability to the most disastrous of scenarios — a full-scale jump off the fiscal cliff, precipitating a sharp economic slowdown. To be sure, there is no Intrade contract exactly associated with that scenario; the closest is a contract tied to the U.S. economy slipping into a recession in 2013. Intrade currently assigns just a 29.6% probability to such a recession, which is lower than this contract’s average level over the last six months.¶ Another straw in the wind in this regard comes from analyzing the performance of tax harvesting strategies. If investors were certain that tax rates would be appreciably higher in 2013 than they are now, then they presumably would be selling from their taxable accounts those of their holdings in which they have the biggest unrealized gains — and holding on to their positions in which they have big unrealized losses. For both reasons, momentum strategies would have become less profitable in recent weeks — something for which there is no clear evidence.¶ Another thing worth keeping in mind is that we’ve been down this road before. Remember the government budget crisis in 1995, which followed the 1994 midterm elections in which the Republican party won control of both the House and the Senate? That crisis led two separate government shutdowns: One in mid-November 1995 and the other from mid-December 1995 through early January 1996. And yet, far from crashing, the Dow Jones Industrial Average DJIA +0.14% gained several percent during those shutdowns.¶ The summer of 2011 appears to be a counter-example, since the political stalemate in Washington led to the downgrade of the U.S. government’s credit rating, which in turn precipitated a very scary drop in the market. But the market learned from that experience: The Dow had recovered from all of that drop within a few short months, and the world continued to lend money to the U.S. government at rock-bottom rates. In fact, the U.S. 10-year Treasury note yield XX:TNX -4.27% is today nearly 100 basis points lower than where it stood at the time of Uncle Sam’s credit downgrade.

#### No impact – January deal solves

Chait 11/8—NY Mag (Jonathan, Erskine Bowles Bids to Spoil Obama Second Term, nymag.com/daily/intel/2012/11/erskine-bowles-bids-to-spoil-obama-second-term.html)

That is totally false.¶ Going over the fiscal cliff and then doing nothing for another year would mean a huge tax hike and spending cut. But waiting until January would mean extremely gradual tax increases and spending cuts, ones that would not even begin to take place immediately, because Obama has the ability to delay their implementation. And even after they're implemented, the effect would be gradual, and could subsequently be canceled out. It’s like saying if you go three weeks without food you’ll die so if dinner isn’t on the table at 6 o'clock sharp terrible consequences will follow.¶ The reason many liberals want to wait until January is that it would make a deal much easier to strike, and ensure that the result is on more liberal terms. Once the entire Bush tax cuts have expired, President Obama would no longer have to pry revenue out of tax-hating Republicans. He’ll have all the revenue he wants and more. He could offer them a tax cut. He’ll likewise have huge defense cuts to bargain away.

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#### Global economy resilient

Zakaria 9 – PhD in pol sci from Harvard. Editor of Newsweek, BA from Yale, PhD in pol sci, Harvard. He serves on the board of Yale University, The Council on Foreign Relations, The Trilateral Commission, and Shakespeare and Company. Named "one of the 21 most important people of the 21st Century" (Fareed, The Secrets of Stability, 12 December 2009, http://www.fareedzakaria.com/articles/articles.html)

One year ago, the world seemed as if it might be coming apart. The global financial system, which had fueled a great expansion of capitalism and trade across the world, was crumbling. All the certainties of the age of globalization—about the virtues of free markets, trade, and technology—were being called into question. Faith in the American model had collapsed. The financial industry had crumbled. Once-roaring emerging markets like China, India, and Brazil were sinking. Worldwide trade was shrinking to a degree not seen since the 1930s.¶ Pundits whose bearishness had been vindicated predicted we were doomed to a long, painful bust, with cascading failures in sector after sector, country after country. In a widely cited essay that appeared in The Atlantic this May, Simon Johnson, former chief economist of the International Monetary Fund, wrote: "The conventional wisdom among the elite is still that the current slump 'cannot be as bad as the Great Depression.' This view is wrong. What we face now could, in fact, be worse than the Great Depression."¶ Others predicted that these economic shocks would lead to political instability and violence in the worst-hit countries. At his confirmation hearing in February, the new U.S. director of national intelligence, Adm. Dennis Blair, cautioned the Senate that "the financial crisis and global recession are likely to produce a wave of economic crises in emerging-market nations over the next year." Hillary Clinton endorsed this grim view. And she was hardly alone. Foreign Policy ran a cover story predicting serious unrest in several emerging markets.¶ Of one thing everyone was sure: nothing would ever be the same again. Not the financial industry, not capitalism, not globalization.¶ One year later, how much has the world really changed? Well, Wall Street is home to two fewer investment banks (three, if you count Merrill Lynch). Some regional banks have gone bust. There was some turmoil in Moldova and (entirely unrelated to the financial crisis) in Iran. Severe problems remain, like high unemployment in the West, and we face new problems caused by responses to the crisis—soaring debt and fears of inflation. But overall, things look nothing like they did in the 1930s. The predictions of economic and political collapse have not materialized at all.¶ A key measure of fear and fragility is the ability of poor and unstable countries to borrow money on the debt markets. So consider this: the sovereign bonds of tottering Pakistan have returned 168 percent so far this year. All this doesn't add up to a recovery yet, but it does reflect a return to some level of normalcy. And that rebound has been so rapid that even the shrewdest observers remain puzzled. "The question I have at the back of my head is 'Is that it?' " says Charles Kaye, the co-head of Warburg Pincus. "We had this huge crisis, and now we're back to business as usual?"¶ This revival did not happen because markets managed to stabilize themselves on their own. Rather, governments, having learned the lessons of the Great Depression, were determined not to repeat the same mistakes once this crisis hit. By massively expanding state support for the economy—through central banks and national treasuries—they buffered the worst of the damage. (Whether they made new mistakes in the process remains to be seen.) The extensive social safety nets that have been established across the industrialized world also cushioned the pain felt by many. Times are still tough, but things are nowhere near as bad as in the 1930s, when governments played a tiny role in national economies.¶ It's true that the massive state interventions of the past year may be fueling some new bubbles: the cheap cash and government guarantees provided to banks, companies, and consumers have fueled some irrational exuberance in stock and bond markets. Yet these rallies also demonstrate the return of confidence, and confidence is a very powerful economic force. When John Maynard Keynes described his own prescriptions for economic growth, he believed government action could provide only a temporary fix until the real motor of the economy started cranking again—the animal spirits of investors, consumers, and companies seeking risk and profit.¶ Beyond all this, though, I believe there's a fundamental reason why we have not faced global collapse in the last year. It is the same reason that we weathered the stock-market crash of 1987, the recession of 1992, the Asian crisis of 1997, the Russian default of 1998, and the tech-bubble collapse of 2000. The current global economic system is inherently more resilient than we think. The world today is characterized by three major forces for stability, each reinforcing the other and each historical in nature.

#### No economic decline war

Jervis 11 – Robert Jervis 11, Professor in the Department of Political Science and School of International and Public Affairs at Columbia University, December 2011, “Force in Our Times,” Survival, Vol. 25, No. 4, p. 403-425

Even if war is still seen as evil, the security community could be dissolved if severe conflicts of interest were to arise. Could the more peaceful world generate new interests that would bring the members of the community into sharp disputes? 45 A zero-sum sense of status would be one example, perhaps linked to a steep rise in nationalism. More likely would be a worsening of the current economic difficulties, which could itself produce greater nationalism, undermine democracy and bring back old-fashioned beggar-my-neighbor economic policies. While these dangers are real, it is hard to believe that the conflicts could be great enough to lead the members of the community to contemplate fighting each other. It is not so much that economic interdependence has proceeded to the point where it could not be reversed – states that were more internally interdependent than anything seen internationally have fought bloody civil wars. Rather it is that even if the more extreme versions of free trade and economic liberalism become discredited, it is hard to see how without building on a preexisting high level of political conflict leaders and mass opinion would come to believe that their countries could prosper by impoverishing or even attacking others. Is it possible that problems will not only become severe, but that people will entertain the thought that they have to be solved by war? While a pessimist could note that this argument does not appear as outlandish as it did before the financial crisis, an optimist could reply (correctly, in my view) that the very fact that we have seen such a sharp economic down-turn without anyone suggesting that force of arms is the solution shows that even if bad times bring about greater economic conflict, it will not make war thinkable.

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#### Natural gas is key to the fiscal cliff

CNBC 11-7 – “Cheap US Energy Can Help Solve ‘Fiscal Cliff’: Pickens,” 11/7/12, http://www.cnbc.com/id/49730576

Cheap US Energy Can Help Solve ‘Fiscal Cliff’: Pickens¶ Billionaire energy investor Boone Pickens told CNBC’s "Closing Bell" on Wednesday that **energy policy can be an important part of any solution to** the country’s fiscal problems. ¶ After House Speaker John Boehner indicated Republicans in the House were open to looking at taxes and tax reform to fix the "fiscal cliff," Pickens said, “To me the solution is some of those things and you could put energy in there.” ¶ Pickens has long been a proponent of weaning the U.S. off OPEC oil in favor of the natural gas and other resources that can be found across North America. ¶ “Our industry has done an unbelievably good job of providing the cheapest energy in the world to the United States," Pickens said. "We have the cheapest oil [CLCV1 86.07 0.98 (+1.15%) ] by 15 percent, the cheapest natural gas [NGCV1 3.503 -0.105 (-2.91%) ] by 75 percent and the cheapest gasoline [RBCV1 2.6992 0.0919 (+3.52%) ] by 50 percent.” ¶ With the cheapest energy available in the world, Pickens expects industry to come back to the U.S. and help bolster growth. ¶ “But you’re going to have to have some leadership from Washington to understand the resources, understand what the resources can do and then sell it to the world,” he added.

#### Plan’s bipartisan – perceived as green energy

Murray 10 – Matthew Murray, staff of Roll Call, Capitol Hill Newspaper, October 14th, 2010, "Natural Gas Lobby Drills for Democratic Allies" www.rollcall.com/issues/56\_38/-50704-1.html

Natural gas firms are lobbying Members for federal investment incentives such as the Promoting Natural Gas and Electric Vehicles Act, a bill that is scheduled for a Nov. 17 cloture vote.¶ Ahead of its new advocacy push, the industry has enlisted nontraditional political allies, such as Democratic Congressional leaders, and its companies have formed a new trade group. The industry has also been giving more campaign contributions to the majority party.¶ A Democratic lobbyist who works on energy legislation said **new technological advances have “broadened the field” on the political front for natural gas companies**. The companies have also been successful at playing up the commodity’s green reputation among Democrats.¶ “There has certainly been a lot more interest,” the lobbyist said. “There are a lot of Democrats who definitely think natural gas is a lot more environmentally friendly alternative.”¶ The American Gas Association has been more generous to the party, giving $120,000 to Democrats since 2009, including contributions to House Energy and Commerce Chairman Henry Waxman (Calif.), House Majority Leader Steny Hoyer (Md.), Energy and Commerce Chairman Emeritus John Dingell (Mich.) and Senate Rules Chairman Charles Schumer (N.Y.).¶ According to CQ MoneyLine, contributions to Democrats represented 46 percent of AGA’s overall political giving this cycle, a dramatic increase from the previous two-year period. In 2007-08, the trade group gave 36 percent of its campaign gifts to Democrats and gave 28 percent in the previous cycle, campaign records show.¶ The trade association represents large utility companies such as Ameren Corp. and Nicor Inc.¶ AGA lobbyist Charles Fritts said the industry is “lucky” Senate Majority Leader Harry Reid is putting so much attention on natural gas. The utilities lobby also is supporting the Nevada Democrat’s bill that would create incentives for developing natural-gas-fired vehicles, a product line that is unlikely to come to market without a federal government investment, Fritts said.¶ “The natural gas vehicle market hasn’t cracked into the big time,” he said. “It’s been a very hard sell.”¶ ¶ Switching Loyalties¶ For the first time in 16 years, a trade group representing natural gas pipeline providers has shifted the majority of its campaign contributions to Democrats. According to CQ MoneyLine, the Interstate Natural Gas Association of America has given $33,500 to Democrats this cycle, which is almost 60 percent of its total political giving.¶ Campaign finance records show the trade association gave 51 percent of its donations in the last cycle to Republican candidates and political action committees, the same ratio of contributions to the GOP that the organization’s PAC has averaged since 1980.¶ “We’re looking for allies on both sides of the aisle,” INGAA lobbyist Martin Edwards said. “In a Democratic Congress, it’s important to look for allies on the Democratic side of the aisle. We’ve certainly done that, and we tend to focus our contributions to folks who have been proven supporters on gas-related issues.”¶ Edwards also credited the “improbable relationship” between T. Boone Pickens and Reid as a major boon for the natural gas industry. In 2008, the Texas oilman launched his “Pickens Plan,” an energy blueprint that encourages lawmakers to move national energy consumption away from foreign oil in favor of natural gas and electric vehicles.¶ Once a prominent Republican donor, Pickens told reporters last week that he has pledged not to make federal campaign contributions and to work with Members of both parties. Pickens also said Reid will be able to move an alternative fuels subsidy bill during the lame-duck session, in part because of the promise.¶ Pickens declined through a spokeswoman to be interviewed for this article.¶ Regan Lachapelle, a Reid spokeswoman, said in an e-mail Wednesday that “Democrats recognize that the responsible development and use of our significant domestic natural gas resources can make our nation more secure and provide a good bridge to a job-creating, clean energy future.”¶ ¶ Tapping Democrats’ Support¶ America’s Natural Gas Alliance, which represents independent producers, is also attempting to make its pitch to Members from both parties. The organization registered a PAC this summer but is not expected to make any contributions until after Election Day.¶ “We feel that the compelling benefits of natural gas have strong bipartisan appeal,” spokesman Daniel Whitten said in a statement. “So we feel that the advantages natural gas offers, not just for transportation, but also power generation and industrial uses, crosses partisan lines and is an essential component of any forward-looking energy policy.”¶ Unlike with oil and coal, **environmental groups are tepidly blessing legislation that would encourage investment in natural gas facilities, undoubtedly making it easier for Democrats to offer their support**.

#### **Natural gas lobby outweighs**

McNulty 9 – Sheila McNulty, writer for the Financial Times, October 8, 2009, "US natural gas lobby gaining traction in Washington, DC" blogs.ft.com/energy-source/2009/10/08/us-natural-gas-gaining-traction-in-dc/#axzz28WzBP8fw

It has taken several months of intense lobbying, but the US natural gas industry is gaining traction in Washington. Not only have those behind the Boxer-Kerry climate bill being debated in the Senate assured the industry that its goals will be represented in the bill. But Representatives from Oklahoma and Pennsylvania – Dan Boren and Tim Murphy – have created a Congressional Natural Gas Caucus to boost the profile of natural gas.¶ Rod Lowman, President of America’s Natural Gas Alliance, the group of natural gas companies formed to make the industry’s case to the Senate, has this to say:¶ Congressmen Boren and Murphy, whose districts are both home to large supplies of natural gas and to producers, suppliers, utilities and end users that rely on it, have already begun recruiting other members of Congress. A growing number of states are focused on the new politics of natural gas.¶ Lest one should underestimate the potential for influence here, Mr Lowman noted that **natural gas is produced in 32 states and employs nearly 3m people across the country. That means there are** 32 governors, 64 senators and 324 members of Congress **from natural gas producing states who could potentially back the industry,** he says.¶ If the natural gas industry can gain traction with Congress, the industry might be smiling more than the coal industry did following the passage of the Waxman-Markey climate bill in the House.¶ And that might be best for environmentalists.¶ For Amy Myers Jaffe, energy expert at Rice University, says that, given all the giveaways to the coal industry in the Waxman-Markey bill, those hoping to limit the impact of global warming might well consider the country better off without the passage of that bill. If the US essentially grandfather’s coal, she says, that would be worse than doing nothing.

#### Winners win

Marshall and Prins 11 (BRYAN W, Miami University and BRANDON C, University of Tennessee & Howard H. Baker, Jr. Center for Public Policy, “Power or Posturing? Policy Availability and Congressional Influence on U.S. Presidential Decisions to Use Force”, Sept, Presidential Studies Quarterly 41, no. 3)

Presidents rely heavily on Congress in converting their political capital into real policy success. Policy success not only shapes the reelection prospects of presidents, but it also builds the president’s reputation for political effectiveness and fuels the prospect for subsequent gains in political capital (Light 1982). Moreover, the president’s legislative success in foreign policy is correlated with success on the domestic front. On this point, some have largely disavowed the two-presidencies distinction while others have even argued that foreign policy has become a mere extension of domestic policy (Fleisher et al. 2000; Oldfield and Wildavsky 1989) Presidents implicitly understand that there exists a linkage between their actions in one policy area and their ability to affect another. The use of force is no exception; in promoting and protecting U.S. interests abroad, presidential decisions are made with an eye toward managing political capital at home (Fordham 2002).

#### Political capital not key

Beckmann 11 - Assistant Professor Department of Political Science & Center for the Study of Democracy @ U. C., Irvine

Practicing Presidential Leadership: A Model of Presidents’ Positive Power in U.S. Lawmaking, Journal of Theoretical Politics January 2011 23: 3-20

For political scientists, however, the resources allocated to formulating and implementing the White House’s lobbying offensive appears puzzling, if not altogether misguided. Far from highlighting presidents’ capacity to marshal legislative proposals through Congress, the prevailing wisdom now stresses contextual factors as predetermining his agenda’s fate on Capitol Hill. Indeed, from the particular “political time” in which he happens to take office (Skowronek (1993)) to the state of the budget (Brady and Volden (1998); Peterson (1990)), the partisan composition of Congress (Bond and Fleisher (1990); Edwards (1989); see also Gilmour (1995); Groseclose and McCarty (2001); Sinclair (2006)) to the preferences of specific “pivotal” voters (Brady and Volden, 1998; Krehbiel, 1998), current research suggests a president’s congressional fortunes are basically beyond his control. The implication is straightforward, as Bond and Fleisher indicate: . . . presidential success is determined in large measure by the results of the last election. If the last election brings individuals to Congress whose local interests and preferences coincide with the president’s, then he will enjoy greater success. If, on the other hand, most members of Congress have preferences different from the president’s, then he will suffer more defeats, and no amount of bargaining and persuasion can do much to improve his success. (1990, 13).

# Round 5

### Solvency

#### There’s a large US gas supply and production is high now

Hudson 10-2 – Dale Hudson, analyst for Reuters, October 2nd, 2012, "U.S. natgas futures slide 2 pct after fresh 2012 high" [www.reuters.com/article/2012/10/02/markets-nymex-natgas-idUSL1E8L24B120121002](http://www.reuters.com/article/2012/10/02/markets-nymex-natgas-idUSL1E8L24B120121002)

NEW YORK, Oct 5 (Reuters) - U.S. natural gas futures traded mixed early on Friday, with front-month contracts pressured by the previous day's bearish inventory report and milder mid-month weather forecasts despite cool temperatures over the next week that should stir demand. ¶ Recent gains - the front contract has climbed 20 percent over the previous eight sessions - have been backed by forecasts for much cooler weather for the Midwest and East late this week and next week.¶ But **with inventories at record highs for this time of year and production at or near an all-time peak**, most fundamental traders remain skeptical of the upside, particularly with more moderate temperatures expected by mid-month.¶ "Pressure will continue to come from coal's competition with gas for electricity generation ... and forecasts for above-normal temps going into the fall and early-winter time frames," EOXLive's Tom Pawlicki said in a report. ¶ At 9:15 a.m. EDT (1315 GMT), front-month gas futures on the New York Mercantile Exchange were down 2.6 cents at $3.38 per million British thermal units after trading between $3.376 and $3.435. Most deferred months were up slightly.¶ The front contract posted a 2012 high of $3.546 on Tuesday.¶ Private forecaster MDA EarthSat expects temperatures in the Northeast and Midwest, key gas-consuming regions, to average normal or below normal for the next week or so, then moderate to seasonal or above seasonal levels by mid-October.¶ Competition from low-priced coal could also curb buying. As gas prices push well above $3, they become less competitive with coal and some utilities that were burning cheaper gas to generate power may switch back.¶ Loss of that demand, which helped prop up gas prices all summer, could force more gas into a well-supplied market.¶ Most analysts agree gas prices need to be well below $3 this autumn to ensure switching demand. ¶ Producers, too, could be tempted if prices move much higher, opting to hook up wells that have been drilled but not flowing because gas prices below $3 were unattractive. ¶ BEARISH STORAGE REPORT¶ Data on Thursday from the U.S. Energy Information Administration showed that domestic gas inventories rose last week by 77 billion cubic feet to 3.653 trillion cubic feet. ¶ Most traders viewed the build as bearish, noting it came in well above the Reuters poll estimate of 71 bcf. ¶ But others noted it cut the surplus relative to last year by 24 bcf to 272 bcf, or 8 percent above the same week in 2011. It also slightly trimmed the excess versus the five-year average, reducing that surplus by 1 bcf to 281 bcf, or 8 percent. ¶ A huge inventory surplus, which peaked in late March at nearly 900 bcf above a year earlier, has been cut by 69 percent as record heat this summer slowed weekly storage builds.¶ But inventories are still at record highs for this time of year and likely to end the stock-building season above last year's all-time peak of 3.852 tcf.¶ At 86 percent full, storage is hovering at a level not normally reached until the last week of October and still offers a huge cushion that can help offset any weather-related spikes in demand or supply disruptions from storms.¶ Early injection estimates for next week's EIA report range from 76 bcf to 98 bcf versus a year-earlier build of 108 bcf and the five-year average increase for the week of 84 bcf. ¶ PRODUCTION ALSO HIGH¶ Traders awaited the next Baker Hughes drilling rig report due later on Friday.¶ Drilling for natural gas has been in a near-steady decline for almost a year, with the gas-directed rig count down some 54 percent since last October and posting a 13-year low last week.¶ But so far production shows few, if any, signs of slowing.¶ But while pure gas drilling has become largely uneconomical at current prices, gas produced from more-profitable shale oil and shale gas liquids wells has kept output stubbornly high.¶ EIA gross natural gas production data on Friday showed that July output climbed 0.4 percent from June to 72.58 bcf per day, not far below January's record high of 72.74 bcfd.

### 2AC Warming DA

#### Asia pollution offsets any US action – global warming is inevitable

Knappenberger 12 – Mr. Paul Knappenberger is the Assistant Director of the Cato Institute’s Center for the Study of Science. He holds an M.S. degree in Environmental Sciences (1990) from the University of Virginia as well as a B.A. degree in Environmental Sciences (1986) from the same institution.His over 20 years of experience as a climate researcher have included 10 years with the Virginia State Climatology Office and 13 years with New Hope Environmental Services, Inc. June 7th, 2012, "Asian Air Pollution Warms U.S More than Our GHG Emissions (More futility for U.S. EPA)" www.masterresource.org/2012/06/asian-air-pollution-warming/

“The whims of foreign nations, not to mention Mother Nature, can completely offset any climate changes induced by U.S. greenhouse gas emissions reductions…. So, what’s the point of forcing Americans into different energy choices?”¶ A new study provides evidence that air pollution emanating from Asia will warm the U.S. as much or more than warming from U.S. greenhouse gas (GHG) emissions. The implication? **Efforts by the** U.S. **Environmental Protection Agency** (and otherwise) **to mitigate anthropogenic climate change is** moot.¶ If the future temperature rise in the U.S. is subject to the whims of Asian environmental and energy policy, then what sense does it make for Americans to have their energy choices regulated by efforts aimed at mitigating future temperature increases across the country—efforts which will have less of an impact on temperatures than the policies enacted across Asia?¶ Maybe **the EPA should reconsider the perceived effectiveness of its greenhouse gas emission regulations**—at least when it comes to impacting temperatures across the U.S.¶ New Study¶ A new study just published in the scientific journal Geophysical Research Letters is authored by a team led by Haiyan Teng from the National Center for Atmospheric Research, in Boulder, Colorado. The paper is titled “Potential Impacts of Asian Carbon Aerosols on Future US Warming.”¶ Skipping the details of this climate modeling study and cutting to the chase, here is the abstract of the paper:¶ This study uses an atmosphere-ocean fully coupled climate model to investigate possible remote impacts of Asian carbonaceous aerosols on US climate change. We took a 21st century mitigation scenario as a reference, and carried out three sets of sensitivity experiments in which the prescribed carbonaceous aerosol concentrations over a selected Asian domain are increased by a factor of two, six, and ten respectively during the period of 2005–2024.¶ The resulting enhancement of atmospheric solar absorption (only the direct effect of aerosols is included) over Asia induces tropospheric heating anomalies that force large-scale circulation changes which, averaged over the twenty-year period, **add as much as an** additional 0.4°C warming **over the eastern US during winter** and over most of the US during summer. Such remote impacts are confirmed by an atmosphere stand-alone experiment with specified heating anomalies over Asia that represent the direct effect of the carbon aerosols.¶ Usually, when considering the climate impact from carbon aerosol emissions (primarily in the form of black carbon, or soot), the effect is thought to be largely contained to the local or regional scale because the atmospheric lifetime of these particulates is only on the order of a week (before they are rained out). Since Asia lies on the far side of the Pacific Ocean—a distance which requires about a week for air masses to navigate—we usually aren’t overly concerned about the quality of Asian air or the quantity of junk that they emit into it. By the time it gets here, it has largely been naturally scrubbed clean.¶ But in the Teng et al. study, the authors find that, according to their climate model, the local heating of the atmosphere by the Asian carbon aerosols (which are quite good at absorbing sunlight) can **impart changes to the character of the larger-scale atmospheric circulation patterns.** And these changes to the broader atmospheric flow produce an effect on the weather patterns in the U.S. and thus induce a change in the climate here characterized by “0.4°C [surface air temperature] warming on average over the eastern US during winter and over almost the entire US during summer” averaged over the 2005–2024 period.¶ While most of the summer warming doesn’t start to kick in until Asian carbonaceous aerosol emissions are upped in the model to 10 times what they are today, the winter warming over the eastern half of the country is large (several tenths of a °C) even at twice the current rate of Asian emissions.¶ Now let’s revisit just how much “global warming” that stringent U.S. greenhouse gas emissions reductions may avoid averaged across the country.¶ In my Master Resource post “Climate Impacts of Waxman-Markey (the IPCC-based arithmetic of no gain)” I calculated that a more than 80% reduction of greenhouse gas emissions in the U.S. by the year 2050 would result in a reduction of global temperatures (from where they otherwise would be) of about 0.05°C. Since the U.S. is projected to warm slightly more than the global average (land warms faster than the oceans), a 0.05°C of global temperature reduction probably amounts to about 0.075°C of temperature “savings” averaged across the U.S., by the year 2050.¶ Comparing the amount of warming in the U.S. saved by reducing our greenhouse gas emissions by some 80% to the amount of warming added in the U.S. by increases in Asian black carbon (soot) aerosol emissions (at least according to Teng et al.) and there is no clear winner. Which points out the anemic effect that U.S. greenhouse gas reductions will have on the climate of the U.S. and **just how easily the whims of foreign nations, not to mention Mother Nature, can completely offset any climate changes induced by our greenhouse gas emissions reductions**.¶ And even if the traditional form of air pollution (e.g., soot) does not increase across Asia (a slim chance of that), greenhouse gases emitted there certainly will. For example, at the current growth rate, new greenhouse gas emissions from China will completely subsume an 80% reduction in U.S. greenhouse gas emission in just over a decade. Once again, pointing out that a reduction in domestic greenhouse gases is for naught, at least when it comes to mitigating climate change.¶ So, what’s the point, really, of forcing Americans into different energy choices? As I have repeatedly pointed out, nothing we do here (when it comes to greenhouse gas emissions) will make any difference either domestically, or globally, when it comes to influences on the climate. What the powers-that-be behind emissions reduction schemes in the U.S. are hoping for is that 1) it doesn’t hurt us too much, and 2) that China and other large developing nations will follow our lead.¶ Both outcomes seem dubious at time scales that make a difference.

#### The environment is resilient but nuclear war turns it

Schweickart 10 – David Schweickart 10 is Professor at Loyola University Chicago. He holds a Ph.D. in Mathematics (University of Virginia), and a Ph.D. in Philosophy (Ohio State University). “Is Sustainable Capitalism Possible?” Procedia Social and Behavioral Sciences 41 (2010) 6739–6752

It is not true either that the various ecological crises we are facing will bring about “the end of the world.” Consider the projections of the Stern Review, the recently released report commissioned by the British Government. If nothing is done, we risk “major disruption to economic and social activity, later in this century and the next, on a scale similar to those associated with the great wars and economic depression of the first half of the 20th century.”¶ This is serious. Some sixty million people died in World War Two. The Stern Review estimates as many as 200 million people could be permanently displaced by rising sea level and drought. But this is not “the end of the world.” Even if the effects are far worse, resulting in billions of deaths—a highly unlikely scenario—there would still be lots of us left. If three-quarters of the present population perished, that would still leave us with 1.6 billion people—the population of the planet in 1900. ¶ I say this not to minimize the potentially horrific impact of relentless environmental destruction, but to caution against exaggeration. We are not talking about **thermonuclear war**—which could have extinguished us as a species. (It still might.) And we shouldn’t lose sight of the fact that millions of people on the planet right now, caught up in savage civil wars or terrorized by U.S. bombers (which dropped some 100,000 lbs. of explosives on a Baghdad neighborhood during one ten-day period in January 2008—the amount the fascists used to level the Basque town of Guernica during the Spanish Civil War), are faced with conditions more terrible than anyone here is likely to face in his or her lifetime due to environmental degradation.

### 2AC Hegemony

#### US contains Russian aggression- Other countries want US protection

Kagan 12 **–** senior fellow in foreign policy at the Brookings Institution (Robert “The world America Made”)

What role the United States played in hastening the collapse of the Soviet system will always be a subject of contention. Undoubtedly, it played some role, both in containing the Soviet empire militarily and in out performing it economically and technologically. Nor was the turn to democracy throughout eastern Europe primarily America’s doing. The peoples of the former Warsaw Pact nations had long yearned for liberation from the Soviet Union, which also meant liberation from communism. They wanted to join the rest of Europe, which offered an economic and social model that was even more attractive than that of the United States. That they uniformly chose democratic forms of government, however, was not simply the aspiration for freedom or comfort. It also reﬂected the desires of eastern and central European peoples to place themselves under the American security umbrella. The strategic, the economic, the political, and the ideological were thus inseparable. Those nations that wanted to be part of NATO, and later the European Union, knew they stood no chance if they did not present democratic credentials. These democratic transitions, which turned the third wave into a democratic tsunami, need not have occurred had the world been conﬁgured differently. The fact that a democratic, united, and prosperous western Europe was even there as a powerful magnet to its eastern neighbors was due to American actions after World War I.

#### Heg collapses causes terrorism and prolif

**Arbatov 7** Alexei, corresponding member of the Russian Academy of Sciences, member of the Editorial Board of Russia in Global Affairs, “Is a New Cold War Imminent,” Russia in Global Affairs, No. 2, July-September 2007, <http://eng.globalaffairs.ru/numbers/20/1130.html>

However, the low probability of a new Cold War and the collapse of American unipolarity (as a political doctrine, if not in reality) cannot be a cause for complacency. Multipolarity, existing objectively at various levels and interdependently, holds many difficulties and threats. For example, if the Russia-NATO confrontation persists, it can do much damage to both parties and international security. Or, alternatively, if Kosovo secedes from Serbia, this may provoke similar processes in Abkhazia, South Ossetia and Transdniestria, and involve Russia in armed conflicts with Georgia and Moldova, two countries that are supported by NATO. Another flash point involves Ukraine. In the event of Kiev’s sudden admission into the North Atlantic Alliance (recently sanctioned by the U.S. Congress), such a move may divide Ukraine and provoke mass disorders there, thus making it difficult for Russia and the West to refrain from interfering. Meanwhile, U.S. plans to build a missile defense system in Central and Eastern Europe may cause Russia to withdraw from the INF Treaty and resume programs for producing intermediate-range missiles. Washington may respond by deploying similar missiles in Europe, which would dramatically increase the vulnerability of Russia’s strategic forces and their control and warning systems. This could make the stage for **nuclear confrontation** even tenser. Other “centers of power” would immediately derive benefit from the growing Russia-West standoff, using it in their own interests. China would receive an opportunity to occupy even more advantageous positions in its economic and political relations with Russia, the U.S. and Japan, and would consolidate its influence in Central and South Asia and the Persian Gulf region. India, Pakistan, member countries of the Association of Southeast Asian Nations and some exalted regimes in Latin America would hardly miss their chance, either. A multipolar world that is not moving toward nuclear disarmament is a world of an expanding Nuclear Club. While Russia and the West continue to argue with each other, states that are capable of developing nuclear weapons of their own will jump at the opportunity. **The probability of nuclear weapons being used** in a regional conflict **will increase significantly**. International Islamic extremism and terrorism will increase dramatically; this threat represents the reverse side of globalization. The situation in Afghanistan, Central Asia, the Middle East, and North and East Africa will further destabilize. The wave of militant separatism, trans-border crime and terrorism will also infiltrate Western Europe, Russia, the U.S., and other countries. The surviving disarmament treaties (the Non-Proliferation Treaty, the Conventional Armed Forces in Europe Treaty, and the Comprehensive Nuclear Test Ban Treaty) will collapse. In a worst-case scenario, there is the chance that an adventuresome regime will initiate a missile launch against territories or space satellites of one or several great powers with a view to triggering an exchange of nuclear strikes between them. Another **high probability** is the threat of a **terrorist act with the use of a nuclear device** in one or several major capitals of the world.

#### Transition causes war

Schmitt 7 – Gary J. Schmitt 7 (June 22, “To Be, or Not to Be . . . an Empire”, A former staff director of the Senate Select Committee on Intelligence, Gary Schmitt was executive director of the President's Foreign Intelligence Advisory Board (PFIAB) during President Reagan's second term. As director of AEI's program on advanced strategic studies, Schmitt's work will focus on longer-term strategic issues that will affect America's security at home and its ability to lead abroad., Professional Experience -Executive director, Project for the New American Century (a foreign and defense policy think tank), 1997-2005-Adjunct professor, Paul H. Nitze School of Advanced International Studies (SAIS), The Johns Hopkins University, 1996-97-Consultant, U.S. Department of Defense, 1992-1993-Fellow, The National Interest; the Brookings Institution; and the National Strategy Information Center, 1988-1996-Executive director, the President's Foreign Intelligence Advisory Board, the White House, 1984-1988 -Minority staff director, 1982-1984; professional staff member, 1981-1984, Senate Select Committee on Intelligence-Research faculty, White Burkett Miller Center for Public Policy, University of Virginia, 1977-1979, http://www.aei.org/scholars/filter.,scholarID.103/scholar.asp)

An additional problem, perhaps tied to the way the book is structured, is that Layne spends the majority of his time criticizing the argument for primacy without giving the reader much of a handle on the particulars of his own preferred strategy. As a result, we do not know whether his model of "offshore balancing" is more British in style--that is, fairly active in playing the decisive power broker among the other competing states--or more passive in content, such as the United States in the 1920s and 1930s. If the former, a key problem with the strategy is that it requires a far more calculating style of statecraft than the United States has ever had. And even if we had Henry Kissinger upon Henry Kissinger to carry it out, would the American people really let their government play this particular game of international politics, shifting partners based on power relations rather than on the character of the states themselves? The disappearance of the United States as a security guarantor **is likely to lead to more competition** among states **and to the creation of a more chaotic** and fluid international **environment.** Britain had a hard enough time playing this role in its day, **finding itself in numerous conflicts** regardless. If the latter, the passive offshore balancing approach leads to the question of whether such a strategy results in putting off a security challenge until it may be far more difficult to deal with. Layne's bet, at least in the case of Iran and China today, is that if the United States would only get out of the way, other powers would naturally begin to meet the challenge. It is possible, but doing so might create even more destabilizing competition among other regional powers or lead those same powers to acquiesce to China or Iran's new hegemony, fueling their ambitions rather than lessening them. The history of international relations suggests that most great crises result from neglecting to address more minor ones early on. As Thayer argues, it is probably less costly to nip these threats in the bud to than wait for them to become full-blown security crises.

#### US engagement is inevitable – it’s only a question of effectiveness

Kagan 11 – Robert Kagan 11 is a contributing editor to The Weekly Standard and a senior fellow in foreign policy at the Brookings Institution. "The Price of Power" Jan 24 Vol 16 No18 www.weeklystandard.com/articles/price-power\_533696.html?page=3

In theory, the United States could refrain from intervening abroad. But, in practice, will it? Many assume today that the American public has had it with interventions, and Alice Rivlin certainly reflects a strong current of opinion when she says that “much of the public does not believe that we need to go in and take over other people’s countries.” That sentiment has often been heard after interventions, especially those with mixed or dubious results. It was heard after the four-year-long war in the Philippines, which cost 4,000 American lives and untold Filipino casualties. It was heard after Korea and after Vietnam. It was heard after Somalia. Yet the reality has been that after each intervention, the sentiment against foreign involvement has faded, and the United States has intervened again. ¶ Depending on how one chooses to count, the United States has undertaken roughly 25 overseas interventions since 1898: Cuba, 1898 The Philippines, 1898-1902 China, 1900 Cuba, 1906 Nicaragua, 1910 & 1912 Mexico, 1914 Haiti, 1915 Dominican Republic, 1916 Mexico, 1917 World War I, 1917-1918 Nicaragua, 1927 World War II, 1941-1945 Korea, 1950-1953 Lebanon, 1958 Vietnam, 1963-1973 Dominican Republic, 1965 Grenada, 1983 Panama, 1989 First Persian Gulf war, 1991 Somalia, 1992 Haiti, 1994 Bosnia, 1995 Kosovo, 1999 Afghanistan, 2001-present Iraq, 2003-present¶ That is one intervention every 4.5 years on average. Overall, the United States has intervened or been engaged in combat somewhere in 52 out of the last 112 years, or roughly 47 percent of the time. Since the end of the Cold War, it is true, the rate of U.S. interventions has increased, with an intervention roughly once every 2.5 years and American troops intervening or engaged in combat in 16 out of 22 years, or over 70 percent of the time, since the fall of the Berlin Wall. ¶ The argument for returning to “normal” begs the question: What is normal for the United States? The historical record of the last century suggests that it is not a policy of nonintervention. This record ought to raise doubts about the theory that American behavior these past two decades is the product of certain unique ideological or doctrinal movements, whether “liberal imperialism” or “neoconservatism.” Allegedly “realist” presidents in this era have been just as likely to order interventions as their more idealistic colleagues. George H.W. Bush was as profligate an intervener as Bill Clinton. He invaded Panama in 1989, intervened in Somalia in 1992—both on primarily idealistic and humanitarian grounds—which along with the first Persian Gulf war in 1991 made for three interventions in a single four-year term. Since 1898 the list of presidents who ordered armed interventions abroad has included William McKinley, Theodore Roose-velt, William Howard Taft, Woodrow Wilson, Franklin Roosevelt, Harry Truman, Dwight Eisenhower, John F. Kennedy, Ronald Reagan, George H.W. Bush, Bill Clinton, and George W. Bush. One would be hard-pressed to find a common ideological or doctrinal thread among them—unless it is the doctrine and ideology of a mainstream American foreign policy that leans more toward intervention than many imagine or would care to admit. ¶ Many don’t want to admit it, and the only thing as consistent as this pattern of American behavior has been the claim by contemporary critics that it is abnormal and a departure from American traditions. The anti-imperialists of the late 1890s, the isolationists of the 1920s and 1930s, the critics of Korea and Vietnam, and the critics of the first Persian Gulf war, the interventions in the Balkans, and the more recent wars of the Bush years have all insisted that the nation had in those instances behaved unusually or irrationally. And yet the behavior has continued.¶ To note this consistency is not the same as justifying it. The United States may have been wrong for much of the past 112 years. Some critics would endorse the sentiment expressed by the historian Howard K. Beale in the 1950s, that “the men of 1900” had steered the United States onto a disastrous course of world power which for the subsequent half-century had done the United States and the world no end of harm. But whether one lauds or condemns this past century of American foreign policy—and one can find reasons to do both—the fact of this consistency remains. It would require not just a modest reshaping of American foreign policy priorities but a sharp departure from this tradition to bring about the kinds of changes that would allow the United States to make do with a substantially smaller force structure. ¶ Is such a sharp departure in the offing? It is no doubt true that many Americans are unhappy with the on-going warfare in Afghanistan and to a lesser extent in Iraq, and that, if asked, a majority would say the United States should intervene less frequently in foreign nations, or perhaps not at all. It may also be true that the effect of long military involvements in Iraq and Afghanistan may cause Americans and their leaders to shun further interventions at least for a few years—as they did for nine years after World War I, five years after World War II, and a decade after Vietnam. This may be further reinforced by the difficult economic times in which Americans are currently suffering. The longest period of nonintervention in the past century was during the 1930s, when unhappy memories of World War I combined with the economic catastrophe of the Great Depression to constrain American interventionism to an unusual degree and produce the first and perhaps only genuinely isolationist period in American history. ¶ So are we back to the mentality of the 1930s? It wouldn’t appear so. There is no great wave of isolationism sweeping the country. There is not even the equivalent of a Patrick Buchanan, who received 3 million votes in the 1992 Republican primaries. Any isolationist tendencies that might exist are severely tempered by continuing fears of terrorist attacks that might be launched from overseas. Nor are the vast majority of Americans suffering from economic calamity to nearly the degree that they did in the Great Depression. ¶ Even if we were to repeat the policies of the 1930s, however, it is worth recalling that the unusual restraint of those years was not sufficient to keep the United States out of war. On the contrary, the United States took actions which ultimately led to the greatest and most costly foreign intervention in its history. Even the most determined and in those years powerful isolationists could not prevent it. ¶ Today there are a number of obvious possible contingencies that might lead the United States to substantial interventions overseas, notwithstanding the preference of the public and its political leaders to avoid them. Few Americans want a war with Iran, for instance. But it is not implausible that a president—indeed, this president—might find himself in a situation where military conflict at some level is hard to avoid. The continued success of the international sanctions regime that the Obama administration has so skillfully put into place, for instance, might eventually cause the Iranian government to lash out in some way—perhaps by attempting to close the Strait of Hormuz. Recall that Japan launched its attack on Pearl Harbor in no small part as a response to oil sanctions imposed by a Roosevelt administration that had not the slightest interest or intention of fighting a war against Japan but was merely expressing moral outrage at Japanese behavior on the Chinese mainland. Perhaps in an Iranian contingency, the military actions would stay limited. But perhaps, too, they would escalate. One could well imagine an American public, now so eager to avoid intervention, suddenly demanding that their president retaliate. Then there is the possibility that a military exchange between Israel and Iran, initiated by Israel, could drag the United States into conflict with Iran. Are such scenarios so farfetched that they can be ruled out by Pentagon planners? ¶ Other possible contingencies include a war on the Korean Peninsula, where the United States is bound by treaty to come to the aid of its South Korean ally; and possible interventions in Yemen or Somalia, should those states fail even more than they already have and become even more fertile ground for al Qaeda and other terrorist groups. And what about those “humanitarian” interventions that are first on everyone’s list to be avoided? Should another earthquake or some other natural or man-made catastrophe strike, say, Haiti and present the looming prospect of mass starvation and disease and political anarchy just a few hundred miles off U.S. shores, with the possibility of thousands if not hundreds of thousands of refugees, can anyone be confident that an American president will not feel compelled to send an intervention force to help?¶ Some may hope that a smaller U.S. military, compelled by the necessity of budget constraints, would prevent a president from intervening. More likely, however, it would simply prevent a president from intervening effectively. This, after all, was the experience of the Bush administration in Iraq and Afghanistan. Both because of constraints and as a conscious strategic choice, the Bush administration sent too few troops to both countries. The results were lengthy, unsuccessful conflicts, burgeoning counterinsurgencies, and loss of confidence in American will and capacity, as well as large annual expenditures. Would it not have been better, and also cheaper, to have sent larger numbers of forces initially to both places and brought about a more rapid conclusion to the fighting? The point is, it may prove cheaper in the long run to have larger forces that can fight wars quickly and conclusively, as Colin Powell long ago suggested, than to have smaller forces that can’t. Would a defense planner trying to anticipate future American actions be wise to base planned force structure on the assumption that the United States is out of the intervention business? Or would that be the kind of penny-wise, pound-foolish calculation that, in matters of national security, can prove so unfortunate?¶ The debates over whether and how the United States should respond to the world’s strategic challenges will and should continue. Armed interventions overseas should be weighed carefully, as always, with an eye to whether the risk of inaction is greater than the risks of action. And as always, these judgments will be merely that: judgments, made with inadequate information and intelligence and no certainty about the outcomes. No foreign policy doctrine can avoid errors of omission and commission. But history has provided some lessons, and for the United States the lesson has been fairly clear: The world is better off, and the United States is better off, in the kind of international system that American power has built and defended.

#### Decline’s not inevitable – it’s a choice

Kagan 12 (Robert, senior fellow in foreign policy at the Brookings Institution and a columnist, 1/11, “Not Fade Away”, http://www.tnr.com/article/politics/magazine/99521/america-world-power-declinism?passthru=ZDkyNzQzZTk3YWY3YzE0OWM5MGRiZmIwNGQwNDBiZmI)

BUT THERE IS a danger. It is that in the meantime, while the nation continues to struggle, Americans may convince themselves that decline is indeed inevitable, or that the United States can take a time-out from its global responsibilities while it gets its own house in order. To many Americans, accepting decline may provide a welcome escape from the moral and material burdens that have weighed on them since World War II. Many may unconsciously yearn to return to the way things were in 1900, when the United States was rich, powerful, and not responsible for world order.¶ The underlying assumption of such a course is that the present world order will more or less persist without American power, or at least with much less of it; or that others can pick up the slack; or simply that the benefits of the world order are permanent and require no special exertion by anyone. Unfortunately, the present world order—with its widespread freedoms, its general prosperity, and its absence of great power conflict—is as fragile as it is unique. Preserving it has been a struggle in every decade, and will remain a struggle in the decades to come. Preserving the present world order requires constant American leadership and constant American commitment.¶ In the end, the decision is in the hands of Americans. Decline, as Charles Krauthammer has observed, is a choice. It is not an inevitable fate—at least not yet. Empires and great powers rise and fall, and the only question is when. But the when does matter. Whether the United States begins to decline over the next two decades or not for another two centuries will matter a great deal, both to Americans and to the nature of the world they live in.

## Courts CP

### 2AC Courts CP

#### **No solvency for natural gas court rulings – they cause uncertainty**

Neese 5 – Angela Neese is a Candidate for Juris Doctor, University of Colorado School of Law, 2005; B.S.B.A., University of Denver, 2005, ““THE BATTLE BETWEEN THE COLORADO OIL AND GAS CONSERVATION COMMISSION AND LOCAL GOVERNMENTS: A CALL FOR A NEW AND COMPREHENSIVE APPROACH” 76 U. Colo. L. Rev. 561, lexis nexis

C. Case-by-Case Analysis¶ These two leading Colorado Supreme Court decisions, Bowen/Edwards and Voss, were decided over a decade ago, and yet these cases "leave many questions unanswered." n185 For example, the court did not adequately define "operational conflict," n186 and "it left to speculation the type of local regulation which will offend the principles articulated in those cases." n187 What these Colorado Supreme Court decisions did, in effect, was create a regime in which each occurrence of stringent local regulation of the oil and gas industry must be examined by the courts on a case-by-case basis. Because the court held that state preemption of local regulation is not total, "each provision of a local oil and gas regulation must be examined to determine whether it presents a conflict." n188 For the past decade, the Colorado Supreme Court has declined to hear any further cases on the issue of state preemption of local government oil and gas regulation, thereby foreclosing any possibility of providing more direct guidelines for the COGCC and local governments. As a result, this case-by-case system of preemption analysis has **led to more than a decade worth of costly litigation**, with no end in sight. The case-by-case regime leads to a high degree of unpredictability and puts **natural gas developers and local governments constantly at odds**. n189 The litigation that often results, when the industry and the local governments are forced to look to the courts to determine which regulations are controlling, is costly to the industry (and thus to natural gas consumers) and to local governments (and thus to the taxpayers). n190¶ The lack of predictability, the high costs of litigation, and the resulting delays in production are proof that the Colorado Supreme Court has done the state a disservice by not providing a workable framework on the issue of state preemption of oil and gas regulation. n191 Bowen/Edwards is considered the determinative case as to preemption, yet both sides cite this case in their briefs and point to the same language as suggestive that they will prevail. n192 The lack of clear guidelines under the current Colorado [\*585] case law results in a number of unanswered questions that will likely lead to future legal battles.

#### Courts link to politics

Harrison 5 (Lindsay Harrison, Lecturer in Law at the University of Miami School of Law "Does the Court Act As "Political Cover" for the Other Branches?"; 11/18/05; <http://legaldebate.blogspot.com/2005/11/does-court-act-as-political-cover-for.html>)

Does the Court Act as "Political Cover" for the Other Branches? While the Supreme Court may have historically been able to act as political cover for the President and/or Congress, that is not true in a world post-Bush v. Gore. The Court is seen today as a politicized body, and especially now that we are in the era of the Roberts Court, with a Chief Justice hand picked by the President and approved by the Congress, it is highly unlikely that Court action will not, at least to some extent, be blamed on and/or credited to the President and Congress. The Court can still get away with a lot more than the elected branches since people don't understand the technicalities of legal doctrine like they understand the actions of the elected branches; this is, in part, because the media does such a poor job of covering legal news. Nevertheless, it is preposterous to argue that the Court is entirely insulated from politics, and equally preposterous to argue that Bush and the Congress would not receive at least a large portion of the blame for a Court ruling that, for whatever reason, received the attention of the public.

### Fiscal Cliff

## 2AC Obama Good Agenda

#### Expanding domestic natural gas is key to a fiscal cliff deal

CNBC 11-7 – “Cheap US Energy Can Help Solve ‘Fiscal Cliff’: Pickens,” 11/7/12, http://www.cnbc.com/id/49730576

Cheap US Energy Can Help Solve ‘Fiscal Cliff’: Pickens¶ Billionaire energy investor Boone Pickens told CNBC’s "Closing Bell" on Wednesday that **energy policy can be an important part of any solution to** the country’s fiscal problems. ¶ After House Speaker John Boehner indicated Republicans in the House were open to looking at taxes and tax reform to fix the "fiscal cliff," Pickens said, “To me the solution is some of those things and you could put energy in there.” ¶ Pickens has long been a proponent of weaning the U.S. off OPEC oil in favor of the natural gas and other resources that can be found across North America. ¶ “Our industry has done an unbelievably good job of providing the cheapest energy in the world to the United States," Pickens said. "We have the cheapest oil [CLCV1 86.07 0.98 (+1.15%) ] by 15 percent, the cheapest natural gas [NGCV1 3.503 -0.105 (-2.91%) ] by 75 percent and the cheapest gasoline [RBCV1 2.6992 0.0919 (+3.52%) ] by 50 percent.” ¶ With the cheapest energy available in the world, Pickens expects industry to come back to the U.S. and help bolster growth. ¶ “But you’re going to have to have some leadership from Washington to understand the resources, understand what the resources can do and then sell it to the world,” he added.

#### Political capital not key

Beckmann 11 - Assistant Professor Department of Political Science & Center for the Study of Democracy @ U. C., Irvine

Practicing Presidential Leadership: A Model of Presidents’ Positive Power in U.S. Lawmaking, Journal of Theoretical Politics January 2011 23: 3-20

For political scientists, however, the resources allocated to formulating and implementing the White House’s lobbying offensive appears puzzling, if not altogether misguided. Far from highlighting presidents’ capacity to marshal legislative proposals through Congress, the prevailing wisdom now stresses contextual factors as predetermining his agenda’s fate on Capitol Hill. Indeed, from the particular “political time” in which he happens to take office (Skowronek (1993)) to the state of the budget (Brady and Volden (1998); Peterson (1990)), the partisan composition of Congress (Bond and Fleisher (1990); Edwards (1989); see also Gilmour (1995); Groseclose and McCarty (2001); Sinclair (2006)) to the preferences of specific “pivotal” voters (Brady and Volden, 1998; Krehbiel, 1998), current research suggests a president’s congressional fortunes are basically beyond his control. The implication is straightforward, as Bond and Fleisher indicate: . . . presidential success is determined in large measure by the results of the last election. If the last election brings individuals to Congress whose local interests and preferences coincide with the president’s, then he will enjoy greater success. If, on the other hand, most members of Congress have preferences different from the president’s, then he will suffer more defeats, and no amount of bargaining and persuasion can do much to improve his success. (1990, 13).

#### Won’t pass – parties want 2013 deal

Barno 11/7—retired Lieutenant General of the United States Army. Master’s in National Security and Strategic Studies from Georgetown University—Dr. Nora Bensahel is Deputy Director of Studies and a Senior Fellow at the Center for a New American Security—AND Joel Smith and Jacob Stokes; Research Assistants at the Center for a New American Security (David, Brace Yourself, [www.foreignpolicy.com/articles/2012/11/07/brace\_yourself?page=full](http://www.foreignpolicy.com/articles/2012/11/07/brace_yourself?page=full))

The national security establishment has focused primarily on the potential cuts to the Pentagon, which would total some $500 billion over the next decade. In their third debate, Mitt Romney warned Barack Obama that such cuts would devastate the military, leading the president to promise: "It will not happen." But the likelihood of cuts to defense spending cannot be considered in isolation from all the other elements of the fiscal cliff, and with the election behind us, it's time to admit there is a strong possibility that sequestration will take effect -- because both the president and Congress could benefit politically.¶ continues ¶ Continued gridlock during the lame duck session remains a high probability, and budget talks will likely involve a significant amount of brinksmanship among negotiators trying to maximize their own gains -- brinksmanship that could well end in failure, preventing a deal and driving the nation off the fiscal cliff.¶ As noted above, the tight legislative calendar in the lame duck session and the large number of weighty issues on the docket makes it very likely negotiations on any sizable deal will continue until the last possible moment. If talks break down at that point, the time left to agree to a delay would be very short. Efforts to broker a delay agreement would probably have to be moving at the same time as efforts to agree on a grand bargain. But lawmakers looking for a deal would likely shun simultaneous efforts, lest the possibility of delay remove the time pressure needed to reach a bargain.¶ Although President Obama has strongly opposed sequestration as a way to reduce the deficit, it remains unclear whether he would support legislation to undo it without an agreement on new sources of revenue. In August, he told a Virginia newspaper, "If the choice is between sequester going through or tax cuts continuing for millionaires and billionaires, I think it's pretty clear what the American people would choose." But the president also clearly stated during the final presidential debate that sequestration "will not happen." Although his spokesmen walked back that language the following day, it remains unclear to what degree Obama sees sequestration as an unacceptable outcome. Republicans leaders, on the other hand, have demonstrated their equally strong opposition to new taxes.¶ Some legislators from both parties might see advantage in letting the nation go off the fiscal cliff and allowing the sequester cuts to take effect. According to press reports, some Republicans have promised to slow down the legislative process to ensure that there is no deal to delay the cuts. For Republicans deficit hawks, ensuring that Congress reduces government spending, whatever the consequences, is the highest priority. Grover Norquist, the influential head of Americans for Tax Reform, recently stated, "Sequestration is not the worst thing"; and Rep. Jim Jordan (R-Ohio), who chairs the conservative Republican Study Committee, has said, "The only thing worse than cutting national defense is not having any scheduled cuts at all take place." For Democrats, going off the fiscal cliff would improve their bargaining position with Republicans -- taxes would rise significantly and defense spending would be cut.¶ In a perverse twist of logic, both parties might benefit from the new baselines created by going off the fiscal cliff. Allowing the Bush-era tax cuts to expire would automatically raise taxes on the majority of Americans to pre-2001 levels, which would reduce the deficit by $3.7 trillion over the next decade. With sequestration in force, spending would be cut by about $1 trillion over 10 years, carved equally out of defense and non-defense discretionary accounts. Ironically, these new baselines might actually break the partisan deadlock because Republican lawmakers could then vote in favor of a tax "cut," and as revenues increase, more Democratic lawmakers may be willing to vote to "increase" spending on defense programs.¶ Of course, this would be high-stakes game of chicken for both the White House and Congress. It would seriously disrupt planning throughout the Department of Defense and defense industry, shake market confidence in the United States, and slow U.S. economic growth. But recent reports have indicated that the effects of defense sequestration, tax hikes and spending cuts would be slower and less damaging in the short term than the rhetoric would suggest -- leaving room to go off the cliff and cut a deal early in the 113th Congress without causing lasting damage to the economy, national security, or domestic programs. Lawmakers from both parties might therefore see going off the cliff as a practical way of reaching a broader consensus in 2013 about balancing the nation's revenues and expenditures.

#### No impact on the economy – empirically denied

Hulbert 10/26 Mark, MaretWatch, "A contrarian take on fiscal cliff worries", 2012, www.marketwatch.com/story/a-contrarian-take-on-fiscal-cliff-worries-2012-10-26?mod=mw\_streaming\_stream

CHAPEL HILL, N.C. (MarketWatch) — Fears of falling off the fiscal cliff have become this Halloween season’s nightmare scenario.¶ And that scenario is very scary indeed — double-digit drops in the stock market, an economic recession if not depression, and so forth.¶ But when lots of investors become gripped by the same scary scenario, my contrarian instincts kick into gear, leading me to explore the possibility that things might not be as bad as they otherwise seem.¶ Here’s a list of reasons why we might not want to be freaked out by the fiscal cliff:¶ There’s more than one way of jumping off the fiscal cliff, and not all of them would be particularly scary. As my colleague Rob Schroeder pointed out early this week, our politicians in Washington could send the U.S. over the cliff only temporarily, or decide to kick the can down the road altogether. “Of 5 ‘fiscal cliff’ outcomes only 1 is disaster,” he argues. ( Read full story. )¶ In any case, the markets appear to be giving very low probability to the most disastrous of scenarios — a full-scale jump off the fiscal cliff, precipitating a sharp economic slowdown. To be sure, there is no Intrade contract exactly associated with that scenario; the closest is a contract tied to the U.S. economy slipping into a recession in 2013. Intrade currently assigns just a 29.6% probability to such a recession, which is lower than this contract’s average level over the last six months.¶ Another straw in the wind in this regard comes from analyzing the performance of tax harvesting strategies. If investors were certain that tax rates would be appreciably higher in 2013 than they are now, then they presumably would be selling from their taxable accounts those of their holdings in which they have the biggest unrealized gains — and holding on to their positions in which they have big unrealized losses. For both reasons, momentum strategies would have become less profitable in recent weeks — something for which there is no clear evidence.¶ Another thing worth keeping in mind is that we’ve been down this road before. Remember the government budget crisis in 1995, which followed the 1994 midterm elections in which the Republican party won control of both the House and the Senate? That crisis led two separate government shutdowns: One in mid-November 1995 and the other from mid-December 1995 through early January 1996. And yet, far from crashing, the Dow Jones Industrial Average DJIA +0.14% gained several percent during those shutdowns.¶ The summer of 2011 appears to be a counter-example, since the political stalemate in Washington led to the downgrade of the U.S. government’s credit rating, which in turn precipitated a very scary drop in the market. But the market learned from that experience: The Dow had recovered from all of that drop within a few short months, and the world continued to lend money to the U.S. government at rock-bottom rates. In fact, the U.S. 10-year Treasury note yield XX:TNX -4.27% is today nearly 100 basis points lower than where it stood at the time of Uncle Sam’s credit downgrade.

### Death

#### Death reps cause an empathic

#### shift---this is especially crucial in the context of policy debates and advocacy simulations

Recuber 11 Timothy Recuber is a doctoral candidate in sociology at the Graduate Center of the City. University of New York. He has taught at Hunter College in Manhattan "CONSUMING CATASTROPHE: AUTHENTICITY AND EMOTION IN MASS-MEDIATED DISASTER" gradworks.umi.com/3477831.pdf

Perhaps, then, what distant consumers express when they sit glued to the television watching a disaster replayed over and over, when they buy t-shirts or snow globes, when they mail teddy bears to a memorial, or when they tour a disaster site, is a deep, maybe subconscious, longing for those age-old forms of community and real human compassion that emerge in a place when disaster has struck. It is a longing in some ways so alien to the world we currently live in that it requires catastrophe to call it forth, even in our imaginations. Nevertheless, the actions of unadulterated goodwill that become commonplace in harrowing conditions represent the truly authentic form of humanity that all of us, to one degree or another, chase after in contemporary consumer culture every day. And while it is certainly a bit foolhardy to seek authentic humanity through disaster-related media and culture, the sheer strength of that desire has been evident in the public’s response to all the disasters, crises and catastrophes to hit the United States in the past decade. The millions of television viewers who cried on September 11, or during Hurricane Katrina and the Virginia Tech shootings, and the thousands upon thousands who volunteered their time, labor, money, and even their blood, as well as the countless others who created art, contributed to memorials, or adorned their cars or bodies with disaster-related paraphernalia— despite the fact that many knew no one who had been personally affected by any of these disasters—all attest to a desire for real human community and compassion

that is woefully unfulfilled by American life under normal conditions today. ¶ In the end, the consumption of disaster doesn’t make us unable or unwilling to engage with disasters on a communal level, or towards progressive political ends—it makes us feel as if we already have, simply by consuming. It is ultimately less a form of political anesthesia than a simulation of politics, a Potemkin village of communal sentiment, that fills our longing for a more just and humane world with disparate acts of cathartic consumption. Still, the positive political potential underlying such consumption—the desire for real forms of connection and community—remains the most redeeming feature of disaster consumerism. Though that desire is frequently warped when various media lenses refract it, diffuse it, or reframe it to fit a political agenda, its overwhelming strength should nonetheless serve notice that people want a different world than the one in which we currently live, with a different way of understanding and responding to disasters. They want a world where risk is not leveraged for profit or political gain, but sensibly planned for with the needs of all socio-economic groups in mind. They want a world where preemptive strategies are used to anticipate the real threats posed by global climate change and global inequality, rather than to invent fears of ethnic others and justify unnecessary wars. They want a world where people can come together not simply as a market, but as a public, to exert real agency over the policies made in the name of their safety and security. And, when disaster does strike, they want a world where the goodwill and compassion shown by their neighbors, by strangers in their communities, and even by distant spectators and consumers, will be matched by their own government. Though this vision of the world is utopian, it is not unreasonable, and if contemporary American culture is ever to give us more than just an illusion of safety, or empathy, or authenticity, then it is this vision that we must advocate on a daily basis, not only when disaster strikes.

#### The K causes genocide

Dollimore 98 (Jonathan, Sociologist at University of Sussex, 1998 Death, Desire and Loss in Western Culture. Page 221)

The ideology of death is the corollary of the ideology of God, in that it is invoked to justify not only unfreedom, (renunciation, quietism, defeatism), but also, and inseparably, domination: the ‘masochistic’ exaltation of one’s own death, says Marcuse, entails also the death of others. Moreover, the ideology of death implies acceptance of an existing repressive political order, and marks the birth of a philosophical morality which rationalizes it. In this respect, although Marcuse implausibly imagines that the ontological affirmation of death comes to a close in the philosophy of Heidegger, he anticipates a prolonged later debate when he discerns in Heidegger’s work an ‘ideological exhortation to death’ appearing ‘at the very time when the political ground was prepared for the corresponding reality of death – the gas chambers and concentration camps of Auschwitz, Buchenwald, Dachau, and Bergen-Belsen’ (p.69)

### Kritik 2

#### Debates about energy policy inculcate portable skills that lead to better policy

Mitchell 10 (Gordon R, Associate Professor and Director of Graduate Studies in the Department of Communication at the University of Pittsburgh, where he also directs the William Pitt Debating Union, “SWITCH-SIDE DEBATING MEETS DEMAND-DRIVEN RHETORIC OF SCIENCE”, <http://www.pitt.edu/~gordonm/JPubs/Mitchell2010.pdf>)

An additional dimension of nuance emerging from this avenue of analysis pertains to the precise nature of the deliberative goals set by bridge. Program descriptions notably eschew Kettering-style references to democratic citizen empowerment, yet feature deliberation prominently as a key ingredient of strong intelligence tradecraft. This caveat is especially salient to consider when it comes to the second category of rhetorically informed critical work invited by the contingent aspect of specific debate initiatives. To grasp this layer it is useful to appreciate how the name of the bridge project constitutes an invitation for those outside the intelligence community to participate in the analytic outreach effort. According to Doney, bridge “provides an environment for Analytic Outreach—a place where IC analysts can reach out to expertise elsewhere in federal, state, and local government, in academia, and industry. New communities of interest can form quickly in bridge through the ‘web of trust’ access control model—access to minds outside the intelligence community creates an analytic force multiplier.”48 This presents a moment of choice for academic scholars in a position to respond to Doney’s invitation; it is an opportunity to convert scholarly expertise into an “analytic force multiplier.”¶ In reflexively pondering this invitation, it may be valuable for scholars to read Greene and Hicks’s proposition that **switch-side debating should be viewed as a** cultural technology in light of Langdon Winner’s maxim that “technological artifacts have politics.”49 In the case of bridge, politics are informed by the history of intelligence community policies and practices. Commenter Thomas Lord puts this point in high relief in a post offered in response to a news story on the topic: “[W]hy should this thing (‘bridge’) be? . . . [The intelligence community] on the one hand sometimes provides useful information to the military or to the civilian branches and on the other hand it is a dangerous, out of control, relic that by all external appearances is not the slightest bit reformed, other than superficially, from such excesses as became exposed in the cointelpro and mkultra hearings of the 1970s.”50 A debate scholar need not agree with Lord’s full-throated criticism of the intelligence community (he goes on to observe that it bears an alarming resemblance to organized crime) to understand that participation in the community’s Analytic Outreach program may serve the ends of deliberation, but not necessarily democracy, or even a defensible politics. Demand-driven rhetoric of science necessarily raises questions about what’s driving the demand, questions that scholars with relevant expertise would do well to ponder carefully before embracing invitations to contribute their argumentative expertise to deliberative projects. By the same token, it would be prudent to bear in mind that the technological determinism about switch-side debate endorsed by Greene and Hicks may tend to flatten reflexive assessments regarding the wisdom of supporting a given debate initiative—as the next section illustrates, manifest differences among initiatives warrant context-sensitive judgments regarding the normative political dimensions featured in each case.¶ Public Debates in the EPA Policy Process¶ The preceding analysis of U.S. intelligence community debating initiatives highlighted how analysts are challenged to navigate discursively the heteroglossia of vast amounts of different kinds of data flowing through intelligence streams. Public policy planners are tested in like manner when they attempt to stitch together institutional arguments from various and sundry inputs ranging from expert testimony, to historical precedent, to public comment. Just as intelligence managers find that algorithmic, formal methods of analysis often don’t work when it comes to the task of interpreting and synthesizing copious amounts of disparate data, public-policy planners encounter similar challenges.¶ In fact, **the argumentative turn in public-policy planning elaborates an approach to public-policy analysis that foregrounds** deliberative interchange and critical thinking **as alternatives to “decisionism**,” the formulaic application of “objective” decision algorithms to the public policy process. Stating the matter plainly, Majone suggests, “whether in written or oral form, argument is central **in all stages of the policy process**.” Accordingly, he notes, “**we miss a great deal if we try to understand policy-making solely in terms of power, influence, and bargaining, to the exclusion of debate and argument**.”51 One can see similar rationales driving Goodwin and Davis’s EPA debating project, where debaters are invited to conduct on-site public debates covering resolutions crafted to reflect key points of stasis in the EPA decision-making process. For example, in the 2008 Water Wars debates held at EPA headquarters in Washington, D.C., resolutions were crafted to focus attention on the topic of water pollution, with one resolution focusing on downstream states’ authority to control upstream states’ discharges and sources of pollutants, and a second resolution exploring the policy merits of bottled water and toilet paper taxes as revenue sources to fund water infrastructure projects. In the first debate on interstate river pollution, the team of Seth Gannon and Seungwon Chung from Wake Forest University argued in favor of downstream state control, with the Michigan State University team of Carly Wunderlich and Garrett Abelkop providing opposition. In the second debate on taxation policy, Kevin Kallmyer and Matthew Struth from University of Mary Washington defended taxes on bottled water and toilet paper, while their opponents from Howard University, Dominique Scott and Jarred McKee, argued against this proposal. Reflecting on the project, Goodwin noted how the intercollegiate **debaters’ ability to act as “honest brokers” in the policy arguments** contributed positively to **internal** EPA deliberation **on both issues**.52 Davis observed that since the invited debaters “didn’t have a dog in the fight**,” they were able to give voice to previously buried arguments that some EPA subject matter experts felt reticent to elucidate because of their institutional affiliations**.53¶ Such findings are consistent with the views of policy analysts advocating the argumentative turn in policy planning. As Majone claims, “Dialectical confrontation between generalists and experts often succeeds in bringing out unstated assumptions, conflicting interpretations of the facts, and the risks posed by new projects.”54 Frank Fischer goes even further in this context, explicitly appropriating rhetorical scholar Charles Willard’s concept of argumentative “epistemics” to flesh out his vision for policy studies: Uncovering the epistemic dynamics of public controversies would allow for a more enlightened understanding of what is at stake in a particular dispute, making possible a sophisticated evaluation of the various viewpoints and merits of different policy options. In so doing, the differing, often tacitly held contextual perspectives and values could be juxtaposed; the viewpoints and demands of experts, special interest groups, and the wider public could be directly compared; and the dynamics among the participants could be scrutizined. **This would by no means** sideline or even **exclude scientific assessment; it would only situate it within** the framework of a **more comprehensive evaluation**.55¶ As Davis notes, institutional constraints present within the EPA communicative milieu can complicate efforts to provide a full airing of all relevant arguments pertaining to a given regulatory issue. Thus, intercollegiate **debaters can play key roles in retrieving and amplifying positions that might otherwise remain sedimented in the policy process**. The dynamics entailed in this symbiotic relationship are underscored by deliberative planner John Forester, who observes, “If planners and public administrators are to make democratic political debate and argument possible, they will need strategically located allies to avoid being fully thwarted by the characteristic self-protecting behaviors of the planning organizations and bureaucracies within which they work.”56 Here, an institution’s need for “strategically located allies” to support deliberative practice constitutes the demand for rhetorically informed expertise, setting up what can be considered a demand-driven rhetoric of science. As an instance of rhetoric of science scholarship, this type of “switch-side public debate”57 differs both from insular contest tournament debating, where the main focus is on the pedagogical benefit for student participants, and first-generation rhetoric of science scholarship, where critics concentrated on unmasking the rhetoricity of scientific artifacts circulating in what many perceived to be purely technical spheres of knowledge production.58 **As a form of demand-driven rhetoric of science, switch-side debating connects directly with the communication field’s performative tradition of argumentative engagement in public controversy**—a different route of theoretical grounding than rhetorical criticism’s tendency to locate its foundations in the English field’s tradition of literary criticism and textual analysis.59¶ Given this genealogy, it is not surprising to learn how Davis’s response to the EPA’s institutional need for rhetorical expertise took the form of a public debate proposal, shaped by Davis’s dual background as a practitioner and historian of intercollegiate debate. Davis competed as an undergraduate policy debater for Howard University in the 1970s, and then went on to enjoy substantial success as coach of the Howard team in the new millennium. In an essay reviewing the broad sweep of debating history, Davis notes, “Academic debate began at least 2,400 years ago when the scholar Protagoras of Abdera (481–411 bc), known as the father of debate, conducted debates among his students in Athens.”60 As John Poulakos points out, “older” Sophists such as Protagoras taught Greek students the value of dissoi logoi, or pulling apart complex questions by debating two sides of an issue.61 The few surviving fragments of Protagoras’s work suggest that his notion of dissoi logoi stood for the principle that “two accounts [logoi] are present about every ‘thing,’ opposed to each other,” and further, that humans could “measure” the relative soundness of knowledge claims by engaging in give-and-take where parties would make the “weaker argument stronger” to activate the generative aspect of rhetorical practice, a key element of the Sophistical tradition.62¶ Following in Protagoras’s wake, Isocrates would complement this centrifugal push with the pull of synerchésthé, a centripetal exercise of “coming together” deliberatively to listen, respond, and form common social bonds.63 Isocrates incorporated Protagorean dissoi logoi into synerchésthé, a broader concept that he used flexibly to express interlocking senses of (1) inquiry, as in groups convening to search for answers to common questions through discussion;64 (2) deliberation, with interlocutors gathering in a political setting to deliberate about proposed courses of action;65 and (3) alliance formation, a form of collective action typical at festivals,66 or in the exchange of pledges that deepen social ties.67¶ Returning once again to the Kettering-informed sharp distinction between debate and deliberation, one sees in Isocratic synerchésthé, as well as in the EPA debating initiative, a fusion of debate with deliberative functions. Echoing a theme raised in this essay’s earlier discussion of intelligence tradecraft , such a fusion troubles categorical attempts to classify debate and deliberation as fundamentally opposed activities. The significance of such a finding is amplified by the frequency of attempts in the deliberative democracy literature to insist on the theoretical bifurcation of debate and deliberation as an article of theoretical faith.¶ Tandem analysis of the EPA and intelligence community debating initiatives also brings to light dimensions of contrast at the third level of Isocratic synerchésthé, alliance formation. The intelligence community’s Analytic Outreach initiative invites largely one-way communication flowing from outside experts into the black box of classified intelligence analysis. On the contrary, the EPA debating program gestures toward a more expansive project of deliberative alliance building. In this vein, Howard University’s participation in the 2008 EPA Water Wars debates can be seen as the harbinger of a trend by historically black colleges and universities (hbcus) to catalyze their debate programs in a strategy that evinces Davis’s dual-focus vision. On the one hand, Davis aims to recuperate Wiley College’s tradition of competitive excellence in intercollegiate debate, depicted so powerfully in the feature film The Great Debaters, by starting a wave of new debate programs housed in hbcus across the nation.68 On the other hand, Davis sees potential for these new programs to complement their competitive debate programming with participation in the EPA’s public debating initiative.¶ This dual-focus vision recalls Douglas Ehninger’s and Wayne Brockriede’s vision of “total” debate programs that blend switch-side intercollegiate tournament debating with forms of public debate designed to contribute to wider communities beyond the tournament setting.69 Whereas the political telos animating Davis’s dual-focus vision certainly embraces background assumptions that Greene and Hicks would find disconcerting—notions of liberal political agency, the idea of debate using “words as weapons”70—there is little doubt that the project of pursuing environmental protection by tapping the creative energy of hbcu-leveraged dissoi logoi diff ers significantly from the intelligence community’s effort to improve its tradecraft through online digital debate programming. Such difference is especially evident in light of the EPA’s commitment to extend debates to public realms, with the attendant possible benefits unpacked by Jane Munksgaard and Damien Pfister:¶ **Having a** public **debater argue against their convictions**, or confess their indecision on a subject and subsequent embrace of argument as a way to seek clarity, **could shake up the prevailing view of debate as a war of words**. Public uptake of the possibility of switch-sides debate may help lessen the polarization of issues inherent in prevailing debate formats because students are no longer seen as wedded to their arguments. This could transform public debate from a tussle between advocates, with each public debater trying to convince the audience in a Manichean struggle about the truth of their side, **to a more inviting exchange focused on the content of the other’s argumentation and the process of deliberative exchange**.71¶ Reflection on the EPA debating initiative reveals a striking convergence among (1) the expressed need for dissoi logoi by government agency officials wrestling with the challenges of inverted rhetorical situations, (2) theoretical claims by scholars regarding the centrality of argumentation in the public policy process, and (3) **the practical wherewithal of** intercollegiate **debaters to tailor** public **switch-side debating performances in specific ways requested by agency collaborators**. These points of convergence both underscore previously articulated theoretical assertions regarding the relationship of debate to deliberation, as well as deepen understanding of the political role of deliberation in institutional decision making. But they also suggest how decisions by rhetorical scholars about whether to contribute switch-side debating acumen to meet demand-driven rhetoric of science initiatives ought to involve careful reflection. Such an approach mirrors the way policy planning in the “argumentative turn” is designed to respond to the weaknesses of formal, decisionistic paradigms of policy planning with situated, contingent judgments informed by reflective deliberation.

#### Academic debate over energy percolates from the public to the academy – as intellectuals and communicators we have a unique opportunity to influence others

Crist 4 (Eileen, Professor at Virginia Tech in the Department of Science and Technology, “Against the social construction of nature and wilderness”, Environmental Ethics 26;1, p 13-6, http://www.sts.vt.edu/faculty/crist/againstsocialconstruction.pdf)

Yet, constructivist analyses of "nature" favor remaining in the comfort zone of **zestless agnosticism** and **noncommittal meta-discourse**. As David Kidner suggests, this intellectual stance may function as a mechanism against facing the devastation of the biosphere—an undertaking long underway but gathering momentum with the imminent bottlenecking of a triumphant global consumerism and unprecedented population levels. Human-driven extinction—in the ballpark of Wilson's estimated 27,000 species per year—is so unthinkable a fact that choosing to ignore it may well be the psychologically risk-free option.¶ **Nevertheless, this is the** opportune **historical** moment **for** intellectuals in the humanities and social sciences **to join forces with** conservation **scientists** in order **to** help **create the consciousness shift and** policy changes **to stop this irreversible destruction. Given this outlook, how** students in the human sciences **are** trained **to regard scientific knowledge, and what kind of** messages percolate to the public from the academy **about the nature of scientific findings,** matter immensely. The "agnostic stance" of constructivism toward "scientific claims" about the environment—a stance supposedly mandatory for discerning how scientific knowledge is "socially assembled"[32]—is, to borrow a legendary one-liner, **striving to interpret the world at an hour that is pressingly calling us to change it.**

#### Rejecting predictions is worse---causes the gut-checks of policy-makers to fill the void

Fitzsimmons 7 Michael, Defense Analyst in DC, “The Problem of Uncertainty in Strategic Planning”, Survival, Winter 06/07

But handling even this weaker form of uncertainty is still quite challeng- ing. If not sufficiently bounded, a high degree of variability in planning factors can exact a significant price on planning. The complexity presented by great variability strains the cognitive abilities of even the most sophisticated decision- makers.15 And even a robust decision-making process sensitive to cognitive limitations necessarily sacrifices depth of analysis for breadth as variability and complexity grows. It should follow, then, that in planning under conditions of risk, variability in strategic calculation should be carefully tailored to available analytic and decision processes. Why is this important? What harm can an imbalance between complexity and cognitive or analytic capacity in strategic planning bring? Stated simply, where analysis is silent or inadequate, **the personal beliefs of decision-makers** **fill the void**. As political scientist Richard Betts found in a study of strategic sur- prise, in ‘an environment that lacks clarity, abounds with conflicting data, and allows no time for rigorous assessment of sources and validity, ambiguity allows intuition or wishfulness to drive interpretation ... The greater the ambiguity, the greater the impact of preconceptions.’16 The decision-making environment that Betts describes here is one of political-military crisis, not long-term strategic planning. But a strategist who sees uncertainty as the central fact of his environ- ment brings upon himself some of the pathologies of crisis decision-making. He invites ambiguity, takes conflicting data for granted and **substitutes a priori scepticism about the validity of prediction** for time pressure as a rationale for discounting the importance of analytic rigour. It is important not to exaggerate the extent to which data and ‘rigorous assessment’ can illuminate strategic choices. Ambiguity is a fact of life, and scepticism of analysis is necessary. Accordingly, the intuition and judgement of decision-makers will always be vital to strategy, and attempting to subordinate those factors to some formulaic, deterministic decision-making model would be both undesirable and unrealistic. All the same, there is danger in the opposite extreme as well. Without careful analysis of what is relatively likely and what is relatively unlikely, what will be the possible bases for strategic choices? A decision-maker with no faith in prediction is left with little more than a set of worst-case scenarios and his existing beliefs about the world to confront the choices before him. Those beliefs may be more or less well founded, but if they are not made explicit and subject to analysis and debate regarding their application to particular strategic contexts, they remain only beliefs and premises, rather than rational judgements. Even at their best, such decisions are likely to be poorly understood by the organisations charged with their implementation. At their worst, such decisions may be poorly understood by the decision-makers themselves.

#### IR nuclear war gaming key to good predictions and effective policy-making

Han 10 – Dong-ho Han, Ph.D. Candidate in Political Science at the University of Nebraska-Lincoln, January 26, 2010, “Scenario Construction and Implications for IR Research: Connecting Theory to a Real World of Policy Making,” online: http://www.allacademic.com/one/isa/isa10/index.php?cmd=Download+Document&key=unpublished\_manuscript&file\_index=1&pop\_up=true&no\_click\_key=true&attachment\_style=attachment&PHPSESSID=3e890fb59257a0ca9bad2e2327d8a24f

Another example of the use of scenario analysis by defense planners can be found in a series of papers by the Rand Corporation that deal with ongoing national security issues and develop national security policies for the United States government. A recent article by Brian Jackson and David Frelinger entitled “Emerging Threats and Security Planning,” one of a series, deals with issues such as the security threats the U.S. government faces now and suggests **how to discern “true” threats from “false” threats**.57 Coping with a variety of emerging threats means not just focusing on traditional and conventional ways of thinking but also concentrating on unconventional and unusual modes of reasoning, often based on fanciful thinking that scenario planning most seeks to inspire.

Again, a series of papers at the Rand Corporation have dealt with diverse national security issues and tried to devise various national security policies for the U.S. government on the basis of scenario thinking and analysis. One of the early efforts in this domain could be found in a work on **how nuclear war might start** from the perspective of the early twenty-first century.58 In these papers various scenarios have been unfolded ranging from the possibility of nuclear warfare to emerging threats and new technological innovations in the military and industrial domains. The diverse usages of scenarios in government think tanks like Rand suggest that scenarios could have potential to be used for not only articulating alternative possibilities in a certain issue area but also applying various thoughts of different outcomes into a real world of policy making. In a word, **scenario-based planning could make a difference in** **such diverse areas as business, military, economics, and politics.**

Common and effective usage of scenario planning in other fields such as business, military, and even education strategic planning, strengthened by **scenario-oriented methodological approaches**, has **considerable implications** for the development of the field of IR in terms of the possible **connection of theory and policy**. If IR scholars could derive more practical insights from these fields of studies, their research could be more fruitful in the arena of real world policy making. **This is why we need a discussion of the necessity of introducing scenario analysis** in our field, the topic of the following section.

4. Why the Study of International Politics Needs Scenario Analysis

Is the rationale for using scenarios in other disciplines still relevant for the study of international politics? Or do we have to find some other reasons for using the scenario methodology in our field?59 The potential relevance of the scenario method to the field of IR can be found in various efforts of IR scholars to use a variety of theoretical insights in order **to think about an unknown future**.

As the previous section suggested, the scenario methodology has been primarily developed in the areas of military planning and strategic management. In the field of IR a few scholars have reevaluated the importance of scenario analysis as a social science methodology.60 These scholars contend that the scenario-building method could make a **unique contribution to IR research** because of the alternatives to a “scientific” approach it offers to mainstream IR theorizing.

#### No risk of continual war making – institutional safeguards check

Allen Buchanan 7, Professor of Philosophy and Public Policy at Duke, 2007 (Preemption: military action and moral justification, pg. 128)

The intuitively plausible idea behind the 'irresponsible act' argument is that, other things being equal, the higher the stakes in acting and in particular the greater the moral risk, the higher are the *epistemic requirements* for justified action. The decision to go to war is generally a high stakes decision par excellence and the moral risks are especially great, for two reasons. First, unless one is justified in going to war, one's deliberate killing of enemy combatants will he murder, indeed mass murder. Secondly, at least in large-scale modem war, it is a virtual certainty that one will kill innocent people even if one is justified in going to war and conducts the war in such a way as to try to minimize harm to innocents. Given these grave moral risks of going to war, quite apart from often substantial prudential concerns, some types of justifications for going to war may simply be too subject to abuse and error to make it justifiable to invoke them. The 'irresponsible act' objection is not a consequentialist objection in any interesting sense. It does not depend upon the assumption that every particular act of going to war preventively has unacceptably bad consequences (whether in itself or by virtue of contributing lo the general acceptance of a principle allowing preventive war); nor does it assume that it is always wrong lo rely on a justification which, if generally accepted, would produce unacceptable consequences. Instead, the "irresponsible act' objection is more accurately described as an agent-centered argument and more particularly an argument from moral epistemic responsibility. The 'irresponsible act' objection to preventive war is highly plausible if— but only if—one assumes that the agents who would invoke the preventive-war justification are, as it were, *on their own* in making the decision to go to war preventively. In other words, the objection is incomplete unless the context of decision-making is further specified. Whether the special risks of relying on the preventive-war justification are unacceptably high will depend, *inter alia,* upon whether the decision-making process includes effective provisions for redu­cing those special risks. Because the special risks are at least in significant part epistemic—due to the inherently speculative character of the preventive war-justification—the epistemic context of the decision is crucial. Because institutions can improve the epistemic performance of agents, it is critical to know what the institutional context of the preventive-war decision is, before we can regard the 'irresponsible agent' objection as conclusive. Like the 'bad practice' argument, this second objection to preventive war is inconclusive because it does not consider— and rule out—the possibility that well-designed institutions for decision-making could address the problems that would otherwise make it irresponsible for a leader to invoke the preventive-war justification.

# Round 7

## Manufacturing

### 2AC Block

#### Volatility wrecks the fertilizer industry

IECA 3 [Industrial Energy Consumers of America, nonprofit organization created to promote the interests of manufacturing companies for which the availability, use and cost of energy, power or feedstock play a significant role in their ability to compete, July 22 2003, “IMPACT OF THE U.S. NATURAL GAS CRISIS ON THE NORTH AMERICAN NITROGEN FERTILIZER INDUSTRY,” http://www.ieca-us.com/wp-content/uploads/072203Fertilizerbriefing.pdf]

Natural gas is the principal and only economically feasible feedstock raw material used for producing anhydrous ammonia, the building block product for nitrogen fertilizer. The fertilizer industry accounts for approximately three percent of the total natural gas consumed in the United States, while natural gas costs at current price levels account for nearly 90 percent of the cost to produce ammonia. ¶ Natural gas is the primary feedstock in the production of virtually all commercial nitrogen fertilizers in the United States. It is important to be very clear about this: natural gas is not simply an energy source for us; it is the raw material from which nitrogen fertilizers are made. The production process involves a catalytic reaction between ¶ elemental nitrogen derived from the air with hydrogen derived from natural gas. The primary product from this reaction is anhydrous ammonia (NH3). Anhydrous ammonia is used directly as a commercial fertilizer or as the basic building block for producing virtually all other forms of nitrogen fertilizers such as urea, ammonium nitrate and nitrogen solutions, as well as diammonium phosphate and mono-ammonium phosphate.¶ The volatility and high level of U.S. natural gas prices, virtually unprecedented in the history of our country, has resulted in the permanent closure of almost 20 percent of U.S. nitrogen fertilizer capacity and the idling of an additional 25 percent. ¶ By the end of December 2000, the U.S. nitrogen operating rate fell to below 70 percent of capacity. By the end of January 2001, operating rates dropped to an all-time low of only 46 percent. To put this into perspective, the average U.S. operating rate during the 1990s was 92 percent. ¶ During the gas spike in late February and early March of 2003, working capital requirements for one Mid-Western nitrogen manufacturer to buy gas for its operations nearly doubled--an increase of nearly $40 million in one month.2¶ Impact on U.S. Farmers¶ Natural gas prices began to steadily increase during calendar year 2000, rising from an average of $2.36 per MMBtu in January to over $6.00 per MMBtu in December 2000 and to a record $10 per MMBtu in January 2001 (Figure 3). In turn, this forced fertilizer production costs to unprecedented levels. Ammonia production costs, for example, spiked up from approximately $100 per ton to $170 per ton by June 2000, to $220 per ton in December 2000, and to an average of over $350 per ton in January 2001. ¶ The sharp rise in natural gas prices and the resulting curtailment of U.S. fertilizer production also has had a dramatic impact on fertilizer prices throughout the marketing chain and, in particular, at the farm level. Nitrogen prices at the farm level, for example, jumped this year to near-record high levels. According to U.S. Department of Agriculture data, the U.S. average farm-level price for ammonia jumped this spring to $373 per ton compared to an average spring price last year of $250. Similarly, urea prices have climbed from $191 to $261 and UAN prices from $127 to $161 in the same time period. This translates into an increase in cost to a typical Midwest corn farmer of $10 to $15 per acre. It is important to understand that most U.S. nitrogen fertilizer is consumed within a very short time frame in the fall and spring application seasons.

#### Solves food crises

The Fertilizer Institute 9 [Trade Group representing the fertilizer industry, “The U.S. Fertilizer Industry and Climate Change Policy,” April 2 2009, http://www.kochfertilizer.com/pdf/TFI2009ClimateChange.pdf]

Fertilizer nutrients – nitrogen, phosphorus and potassium – are all naturally occurring elements that are “fed” to plants and crops for healthy and abundant food and fiber production. They are currently responsible for 40 to 60 percent of the world’s food supply. Harvest after harvest, fertilizers replenish our soils by replacing the nutrients removed by each season’s crop. Each year, the world’s population grows by 80 million and fertilizers – used in an environmentally sensitive way – are critical to ensuring that our nation’s farmers grow an adequate supply of nutritious food for American and international consumers.¶ As consumers around the world demand improved diets, the global demand for fertilizers is growing rapidly. Under these circumstances, U.S. farmers compete with farmers from around the world for a limited supply of nutrients. For example, over 85 percent of our potash and over 50 percent of the nitrogen used on U.S. farms is now imported from other countries.¶ The United States needs a strong domestic fertilizer industry to ensure this valuable resource is available for a stable food production system. Today, the world’s food supply, as represented by the grain stocks-to-use ratio, is near its lowest level in 35 years. In six of the last seven years, consumption of grains and oilseeds has exceeded production. Many experts believe that we are just one natural disaster or substandard world harvest away from a full-scale food crisis.

## Energy Leverage

#### **Russian gas leverage kills NATO**

Ghlaeb 11 – Alexander Ghaleb, director of the Strategic Securities Institute, holds a B.BA. in international business from George Washington University, an M.A. in strategic security studies from the National Defense University ,and he is an energy security Ph.D. student in the Department of Environmental Sciences and Policy at the Central European University. Ghaleb is a U.S. Army captain who has studied at top European universities in Germany, France, and Hungary. October 18th, 2011, "Natural Gas as an Instrument of Russian State Power" [www.strategicstudiesinstitute.army.mil/pubs/display.cfm?pubID=1088](http://www.strategicstudiesinstitute.army.mil/pubs/display.cfm?pubID=1088)

The slow re-emergence of Russia as a world power **despite its weak military force** is of critical significance for the strategic interests of the United States in Europe. Since the Cold War, Russia has been perceived as a broken nation that no longer represents a threat to the North Atlantic Alliance. This monograph emphasizes that Russia overcame this major vulnerability by developing the capacity to use unilateral economic sanctions in the form of gas pricing and gas disruptions against many European North Atlantic Treaty Organization (NATO) member states. It agrees with many scholars and politicians alike who fear that Russia will leverage its monopoly of natural gas to gain political concessions. The author suggests it is only a matter of time **until Russia will use natural gas as an instrument of coercion to** disrupt NATO’s decisionmaking process.¶ A key aim of this monograph is to explain why the rapid global transition from oil to natural gas will redefine the way policymakers and strategic security scholars look at the scarcity of natural gas in Europe. What is unique about this monograph is that it analyzes the oil and gas markets separately and illustrates, with examples, why in Europe natural gas is a more potent instrument of coercion than oil. Despite these revelations, only 1 month after the German Government announced its plans to abandon nuclear power by 2022, in July 2011 German Chancellor Angela Merkel disclosed that Germany will need to import more Russian natural gas to make up for the loss of over 10 gigawatts of generation capacity. Almost simultaneously, Germany’s largest energy utilities group, RWE, and the Russian state-controlled gas giant, Gazprom, have agreed to form a strategic partnership. The author argues that situations like these create a delicate state of affairs that will ultimately undermine the de facto power of NATO in the contemporary security environment, particularly vis-àvis Russia, unless the dependency on Russian natural gas is promptly addressed.

#### NATO prevents global nuclear war

Brzezinski 9 – Zbigniew Brzezinski 9, former U.S. National Security Advisor, the Robert E. Osgood Professor of American Foreign Policy at Johns Hopkins University's School of Advanced International Studies, September/October 2009, “An Agenda for NATO,” Foreign Affairs

And yet, it is fair to ask: Is NATO living up to its extraordinary potential? NATO today is without a doubt the most powerful military and political alliance in the world. Its 28 members come from the globe’s two most productive, technologically advanced, socially modern, economically prosperous, and politically democratic regions. Its member states’ 900 million people account for only 13 percent of the world’s population but 45 percent of global GDP. ¶ NATO’s potential is not primarily military. Although NATO is a collective-security alliance, its actual military power comes predominantly from the United States, and that reality is not likely to change anytime soon. NATO’s real power derives from the fact that it combines the United States’ military capabilities and economic power with Europe’s collective political and economic weight (and occasionally some limited European military forces). Together, that combination makes NATO globally significant. It must therefore remain sensitive to the importance of safeguarding the geopolitical bond between the United States and Europe as it addresses new tasks.¶ The basic challenge that NATO now confronts is that there are historically unprecedented risks to global security. Today’s world is threatened neither by the militant fanaticism of a territorially rapacious nationalist state nor by the coercive aspiration of a globally pretentious ideology embraced by an expansive imperial power. The paradox of our time is that the world, increasingly connected and economically interdependent for the first time in its entire history, is experiencing intensifying popular unrest made all the more menacing by the growing accessibility of weapons of mass destruction - not just to states but also, potentially, to extremist religious and political movements. Yet there is no effective global security mechanism for coping with the growing threat of violent political chaos stemming from humanity’s recent political awakening.¶ The three great political contests of the twentieth century (the two world wars and the Cold War) accelerated the political awakening of mankind, which was initially unleashed in Europe by the French Revolution. Within a century of that revolution, spontaneous populist political activism had spread from Europe to East Asia. On their return home after World Wars I and II, the South Asians and the North Africans who had been conscripted by the British and French imperial armies propagated a new awareness of anticolonial nationalist and religious political identity among hitherto passive and pliant populations. The spread of literacy during the twentieth century and the wide-ranging impact of radio, television, and the Internet accelerated and intensified this mass global political awakening. ¶ In its early stages, such new political awareness tends to be expressed as a fanatical embrace of the most extreme ethnic or fundamentalist religious passions, with beliefs and resentments universalized in Manichaean categories. Unfortunately, in significant parts of the developing world, bitter memories of European colonialism and of more recent U.S. intrusion have given such newly aroused passions a distinctively anti-Western cast. Today, the most acute example of this phenomenon is found in an area that stretches from Egypt to India. This area, inhabited by more than 500 million politically and religiously aroused peoples, is where NATO is becoming more deeply embroiled. ¶ Additionally complicating is the fact that the dramatic rise of China and India and the quick recovery of Japan within the last 50 years have signaled that the global center of political and economic gravity is shifting away from the North Atlantic toward Asia and the Pacific. And of the currently leading global powers—the United States, the EU, China, Japan, Russia, and India—at least two, or perhaps even three, are revisionist in their orientation. Whether they are “rising peacefully” (a self-confident China), truculently (an imperially nostalgic Russia) or boastfully (an assertive India, despite its internal multiethnic and religious vulnerabilities), they all desire a change in the global pecking order. The future conduct of and relationship among these three still relatively cautious revisionist powers will further intensify the strategic uncertainty.¶ Visible on the horizon but not as powerful are the emerging regional rebels, with some of them defiantly reaching for nuclear weapons. North Korea has openly flouted the international community by producing (apparently successfully) its own nuclear weapons - and also by profiting from their dissemination. At some point, its unpredictability could precipitate the first use of nuclear weapons in anger since 1945. Iran, in contrast, has proclaimed that its nuclear program is entirely for peaceful purposes but so far has been unwilling to consider consensual arrangements with the international community that would provide credible assurances regarding these intentions. In nuclear-armed Pakistan, an extremist anti-Western religious movement is threatening the country’s political stability.

## 2AC Restrictions Topicality

#### We meet – we reduce restrictions on energy production

Orford 12 – Adam D. Orford, J.D. from Columbia University School of Law, editor in chief of the Columbia Journal of Environmental Law, May 29th, 2012, "EPA To Regulate Air Emissions from Hydraulic Fracturing As Industry Comes Under Scrutiny" [www.martenlaw.com/newsletter/20120529-air-emissions-from-hydraulic-fracturing](http://www.martenlaw.com/newsletter/20120529-air-emissions-from-hydraulic-fracturing)

**EPA’s new rules** phase out 40 C.F.R Part 60, subparts KKK and LLL (dealing with equipment leaks and SO2 emissions at natural gas production facilities), incorporating and expanding on the prior restrictions in new subpart OOOO (NSPS for natural gas production, transmission, and distribution). The rules also revise 40 C.F.R. Part 63, Subparts HH and HHH (NESHAPs for natural gas production, transmission, and storage facilities). The new regulations will consume many pages of the Federal Register,[17] are highly technical, and should be consulted directly regarding specific requirements. The remainder of this article describes the new green completion rule, and summarizes the more significant new fugitive emissions controls.

#### EPA air emissions regulations prohibit energy production

Osa & Palmer 11 – RICHARD OSA is a Senior Atmospheric Scientist at Stantec Consulting, Inc., and holds the Qualified Environmental Professional certification. Mr. Osa has over 30 years of environmental consulting experience, including Clean Air Act legislative and regulatory analysis. He has managed air quality projects throughout North America, including permitting efforts in most of the US EPA regions. AND\*\*\* TODD PALMER is a lawyer and technical consultant at Michael Best and Friedrich, a Midwestern law firm. Mr. Palmer has over 19 years of varied industry experience and specifically focused much of his legal career on Clean Air Act matters. December 2011, "Analysis of EPA's proposed clean air restrictions on oil and gas operations," [www.worldoil.com/December-2011-Analysis-of-EPAs-proposed-clean-air-restrictions-on-oil-and-gas-operations.html](http://www.worldoil.com/December-2011-Analysis-of-EPAs-proposed-clean-air-restrictions-on-oil-and-gas-operations.html)

Like other industries, oil and gas facilities have also been prohibited from emitting pollutants at rates or concentrations that exceed EPA-defined national ambient air quality standards—ambient concentrations of a pollutant that are deemed protective of human health and the environment. States and local units of government are empowered to impose emission limits on facilities within their jurisdictions to protect these air quality standards.

#### On means “toward an activity”

Dictionary.com - <http://dictionary.reference.com/browse/on>

on¶    [on, awn] Show IPA¶ preposition¶ 1.¶ so as to be or remain supported by or suspended from: Put your package down on the table; Hang your coat on the hook.¶ 2.¶ so as to be attached to or unified with: Hang the picture on the wall. Paste the label on the package.¶ 3.¶ so as to be a covering or wrapping for: Put the blanket on the baby. Put aluminum foil on the lamb chops before freezing them.¶ 4.¶ in connection, association, or cooperation with; as a part or element of: to serve on a jury.¶ 5.¶ so as to be a supporting part, base, backing, etc., of: a painting on canvas; mounted on cardboard; legs on a chair.¶ EXPAND¶ adverb¶ 31.¶ in, into, or onto a position of being supported or attached: Sew the buttons on.¶ 32.¶ in, into, or onto a position of covering or wrapping: Put your raincoat on.¶ 33.¶ fast to a thing, as for support: Hold on!¶ 34.¶ toward a place, point, activity, or object: to look on while others work.¶ 35.¶ forward, onward, or along, as in any course or process: further on.

#### Counter-interpretation – restrictions are conditions on action

Plummer 29 J., Court Justice, MAX ZLOZOWER, Respondent, v. SAM LINDENBAUM et al., Appellants Civ. No. 3724COURT OF APPEAL OF CALIFORNIA, THIRD APPELLATE DISTRICT100 Cal. App. 766; 281 P. 102; 1929 Cal. App. LEXIS 404September 26, 1929, Decided, lexis

The word "restriction," when used in connection with the grant of interest in real property, is construed as being the legal equivalent of "condition." Either term may be used to denote a limitation upon the full and unqualified enjoyment of the right or estate granted. The words "terms" and "conditions" are often used synonymously when relating to legal rights. "Conditions and restrictions" are that which limits or modifies the existence or character of something; a restriction or qualification. It is a restriction or limitation modifying or destroying the original act with which it is connected, or defeating, terminating or enlarging an estate granted; something which defeats or qualifies an estate; a modus or quality annexed by him that hath an estate, or interest or right to the same, whereby an estate may be either defeated, enlarged, or created upon an uncertain event; a quality annexed to land whereby an estate may be defeated; a qualification or restriction annexed to a deed or device, by virtue of which an estate is made to vest, to be enlarged or defeated upon the happening or not happening of a particular event, or the performance or nonperformance of a particular act.

## 2AC SEP CP

#### The counterplan is a reduction – restrictions must be enforced – if it’s on paper but not enforced it is NOT a restriction

Berger 1 Justice Opinion, INDUSTRIAL RENTALS, INC., ISAAC BUDOVITCH and FLORENCE BUDOVITCH, Appellants Below, Appellants, v. NEW CASTLE COUNTY BOARD OF ADJUSTMENT and NEW CASTLE COUNTY DEPARTMENT OF LAND USE, Appellees Below, Appellees. No. 233, 2000SUPREME COURT OF DELAWARE776 A.2d 528; 2001 Del. LEXIS 300April 10, 2001, Submitted July 17, 2001, Decided lexis

We disagree. Statutes must be read as a whole and all the words must be given effect. 3 The word "restriction" means "a limitation (esp. in a deed) placed on the use or enjoyment of property." 4 If a deed restriction has been satisfied, and no longer limits the use or enjoyment of the property, then it no longer is a deed restriction -- even though the paper on which it was written remains. [\*\*6] Thus, the phrase "projects containing deed restrictions requiring phasing…," in Section 11.130(A)(7) means presently existing deed restrictions. As of June 1988, the Acierno/Marta Declaration contained no remaining deed restrictions requiring phasing to coincide with improvements to the transportation system. As a result, the Acierno/Marta projects should not have been included in the scope of the Budovitches' TIS.

#### **No one will take the exemption, and the SEP is not enough money to fund OTEC**

Brown 11 – Mr. Brown holds an MBA from New York University and a BA from Brown University. Matthew Brown is President of InterEnergy Solutions, a consulting firm that focuses on clean energy policy and finance. 2011, "Brief #1: Funding Mechanisms for Energy Efficiency"ase.org/resources/brief-1-funding-mechanisms-energy-efficiency

Funds are not predictable because they depend on fines that state environmental agencies issue, as well as on the interest that industry may or may not have in paying for a particular project. Companies sometimes view SEPs as a cumbersome alternative **to simply paying a fine and moving on with business operations.¶** **Not likely to provide large amounts of funding.**

#### **The SEP will not be approved – their author**

Bonorris 7 – Steven Bonorris, Editor, The Public Law Research Institute University of California, Hastings College of the Law, 2007, [http://www.ecy.wa.gov/services/enforce/settlements/ABAHastingsSEPreport.pdf](http://www.ecy.wa.gov/services/enforce/settlements/ABAHastingsSEPreport.pdf-http://www.ecy.wa.gov/services/enforce/settlements/ABAHastingsSEPreport.pdf)

Legal Principles¶ 1. A SEP will not be approved if the violator is otherwise legally required to perform¶ the proposed activity.¶ 2. SEPs should have a clear relationship to the violation. This relationship exists if the project reduces the overall environmental or public health impacts or risks to¶ which the violation contributes, or is designed to reduce the likelihood of similar violations in the future. A SEP may not be directly related to the violation if the¶ project is either: ¶ a. A pollution prevention project that provides significant environmental benefit; or¶ b. Some other multi-media or facility-wide activity that provides widespread¶ environmental benefit.

#### No solvency --- causes regulatory uncertainty

Steven Bonorris 7, Associate Director for Research, Public Law Research Institute, UC Hastings College of the Law, 1/25/7, “Supplemental Environmental Projects: A Fifty State Survey with Model Practices,” <http://www.ecy.wa.gov/services/enforce/settlements/ABAHastingsSEPreport.pdf>The capacity for underdeterrence is particularly acute as the SEP cost itself is a new source of regulatory uncertainty: usually, SEP costs are assessed and reported by the violator, and **the regulator has no mechanism for confirming the** reported figures. 187 Opportunistic violators may overestimate SEP costs in order to receive greater relief from the calculated penalty, or they may underreport the business benefits of SEPs. 188 In order to track SEP implementation, many state SEP policies require the submission of detailed cost estimates and certifications of progress, as well as provide for stipulated penalties for SEPs that end up costing less than estimated. However, the literature has not quantified the efficacy of these measures against opportunistic violators. 189

OTEC fails

Energy Bulletin, “A warm bath of energy: ocean thermal energy conversion,” 6/5/06, <http://www.energybulletin.net/node/16811>

Given all the fantastic promise OTEC presents, the amount of useful energy that can be obtained from each cubic meter of sea water is relatively small. The quantity of water that would have to be processed to produce a significant amount of useful energy would be enormous. Deep cold water intake tubes 11 meters (36 feet) in diameter with pumps of the same scale are proposed for 100 megawatt units. "The discharge flow from 60,000 MW (0.6 percent of present world consumption) of OTEC plants would be equivalent to the combined discharge from all rivers flowing into the Atlantic and Pacific Oceans (361,000 m3 s-1)." [3] OTEC is a technology of oceanic magnitude.To ameliorate the enormous problems of Global Warming, Peak Oil, Fresh Water, and Food supplies, we are going to need proportionally large solutions. Our task would be easier if we could reverse Human Population pressures. OTEC may be one of our best hopes for the environmentally clean, sustainable solutions we need to solve our global energy and environmental problems - or at least a substantial chunk of them. In combination with other renewable sources, efficiency gains, conservation and adequate voluntary population management, we may be able to maintain a semblance of world civilization.  Perhaps we can still save our Nautilus.

### AT: OTEC---Links to Politics

#### **SEPs violate separation of powers – their author again**

Bonorris 7 – Steven Bonorris, Editor, The Public Law Research Institute University of California, Hastings College of the Law, 2007, [http://www.ecy.wa.gov/services/enforce/settlements/ABAHastingsSEPreport.pdf](http://www.ecy.wa.gov/services/enforce/settlements/ABAHastingsSEPreport.pdf-http://www.ecy.wa.gov/services/enforce/settlements/ABAHastingsSEPreport.pdf)

The use of SEPs, even with formal guidelines, implicates other, less obvious concerns.

These include the possibility that private or regulatory interests may reap the benefits of SEPs

to the exclusion of the public interest. And because SEPs may dramatically reduce the

amount of cash penalty paid, regulators must ensure that the use of SEPs in settlements does

not weaken the deterrent effect of environmental laws – at a minimum, state SEP policies

should recapture a significant portion of the economic benefit of noncompliance. Moreover,

SEPs can complicate relations between the executive and legislative branches of state

government, or the **separation of powers**. Assertive use of SEPs in settlements may amount

to the funding of environmental programs not expressly authorized by state legislatures.

#### Nuclear war

Hemesath 2k – J.D./M.S.F.S. Georgetown, 2k (J.D./M.S.F.S. Georgetown University Law Center, School of Foreign Service, 2001; B.A. University of California at Los Angeles, 1996.88 Geo. L. J. 2473. Lexis Nexis Academic)

Politically, nuclear weapons wield such powerful and unique symbolic effects n70 that a decision regarding their offensive use--outside the context of a declared war or defensive maneuver--may fall under the ambit of congressional control as an act tantamount to a declaration of war. n71 Such political consequences may place the nuclear decision beyond mere tactical strategy intended for the judgement of the Commander in Chief alone. Professor Louis Henkin believes that Congress has the authority to decide the essential character of a war, and specifically, whether the conflict should be escalated to a nuclear level or not. n72 President Lyndon Johnson admitted that the decision to go nuclear is a "political decision of the highest order." n73 That nuclear engagement connotes a political decision, as opposed to a mere choice of weaponry, may place the nuclear decision beyond the scope of military decisions normally reserved for the President alone.¶ Regardless, **proponents of the Executive position insist that nuclear weapons** [\*2484] **are not constitutionally unique**. n74 In support of their claim, nothing in the text of the Constitution indicates a special classification for particularly destructive weaponry, nor does the Constitution allow the Congress to override the President's choice of weapons. n75 Decisions regarding the type of weapons used in war are considered tactical--of a type supposed to be well within the scope of the Commander in Chief's power. n76 Furthermore, no congressional law or judicial decision has drawn an instructive distinction between nuclear and conventional weaponry. n77 Such a distinction would require artificial constructions distinguishing weapons systems that, despite differences of magnitude and technology, are basically designed to do the same thing.¶ However, the lack of textual references to nuclear weapons in the Constitution does not adequately resolve the question of nuclear war authority. Although nuclear weapons as weapons are indistinguishable in literal constitutional terms, their uniquely pernicious and lingering effects may nevertheless define their offensive use as a quintessential act of war and thus constitutionally place them within the sphere of congressional war power via the War Powers Clause. As critics have noted, there currently exists no source of constitutional authority or judicial reasoning that would resolve this debate in favor of either side. n78

## 2AC QER CP

#### CP fails – no assurance the recommendations will succeed

Bingaman 11 – Jeff Bingaman, 11/15/11, Democratic Senator and Chairman of the Subcommittee on Energy and Natural Resources, “HEARING BEFORE THE COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE, <http://www.gpo.gov/fdsys/pkg/CHRG-112shrg72188/pdf/CHRG-112shrg72188.pdf>

The CHAIRMAN. Thank you both for your excellent testimony. Let me start with a few questions. This whole issue of the QTR, the first Quadrennial Technology Review, which is what Dr. Koonin has described to us and what has now been developed, and the distinction between that and a Quadrennial Energy Review, I think is one that we really need to think about, and both of you have commented on it. I guess that, from my perspective, a concern I would have is that if we just stick with a Quadrennial Technology Review, how do we ensure that the conclusions from that actually make their way into policy?

#### QERs already get submitted every year

Marburger 10 – Lindsey Marburger, 11/30/10, manages the Earth Systems Program, overseeing Federation of American Scientists' work in building technologies, energy efficiency and energy technology training and safety, and systems resource analysis, “PCAST Federal Energy Policy Report Released”, <http://www.fas.org/blog/nutshell/2010/11/pcast-federal-energy-policy-report-released/>

**The QER is** not a new idea. Rather, it is a timescale change. The Section 7321 of US Code (Title 42, 84, VIII, 7321) **already legally obligates the President to produce and submit** to Congress a biennial National Energy Policy Plan. The comprehensive plan is to be developed with the participation of “consumers, small businesses, and a **wide range** of other interests, including those of **individual citizens** who have no financial interest in the energy industry.” The last plan produced was the Bush Administration’s controversial 2001 report, Reliable, Affordable, and Environmentally Sound Energy for America’s Future.

#### Counterplan links to politics – it requires Congressional approval

Marburger 10 – Lindsey Marburger, 11/30/10, manages the Earth Systems Program, overseeing Federation of American Scientists' work in building technologies, energy efficiency and energy technology training and safety, and systems resource analysis, “PCAST Federal Energy Policy Report Released”, <http://www.fas.org/blog/nutshell/2010/11/pcast-federal-energy-policy-report-released/>

While changing the timescale from two years to four years will decrease the time burden on the DOE and the OOP, **it will** not **fundamentally change the fact that the energy review process will still depend upon annual** Congressional appropriations for funding **as well as continued OOP compliance.** In order to ensure the success of the QER, the relevant legislation must both fund the entire four year process outright and include provisions compelling Congress and of Executive branch to act upon the results and recommendations of the QER.

#### No solvency

Koonan 11 – Steven E. Koonan, 11/15/11, Undersecretary for Science at the Department of Energy, “HEARING

BEFORE THE COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE, <http://www.gpo.gov/fdsys/pkg/CHRG-112shrg72188/pdf/CHRG-112shrg72188.pdf>

However, as you think about the broader QER, I would urge some caution. One of the reasons the QTR turned out as well as it did was that we thought through the goals, the framing and the process before beginning execution. **A QER dealing with technology and policy will be far more complex with many possible goals and many more participants.**¶ I don’t believe that we know how to do it right at the moment, and, because it needs to be done right, **it should not be done in haste**. Structuring and organizing the interagency effort will require flexibility the first time through, and no doubt there will be a lot of learning going on. So please bear in mind as you think about legislation.

## 2AC Fiscal Cliff

#### Expanding domestic natural gas is key to a fiscal cliff deal

CNBC 11-7 – “Cheap US Energy Can Help Solve ‘Fiscal Cliff’: Pickens,” 11/7/12, http://www.cnbc.com/id/49730576

Cheap US Energy Can Help Solve ‘Fiscal Cliff’: Pickens¶ Billionaire energy investor Boone Pickens told CNBC’s "Closing Bell" on Wednesday that **energy policy can be an important part of any solution to** the country’s fiscal problems. ¶ After House Speaker John Boehner indicated Republicans in the House were open to looking at taxes and tax reform to fix the "fiscal cliff," Pickens said, “To me the solution is some of those things and you could put energy in there.” ¶ Pickens has long been a proponent of weaning the U.S. off OPEC oil in favor of the natural gas and other resources that can be found across North America. ¶ “Our industry has done an unbelievably good job of providing the cheapest energy in the world to the United States," Pickens said. "We have the cheapest oil [CLCV1 86.07 0.98 (+1.15%) ] by 15 percent, the cheapest natural gas [NGCV1 3.503 -0.105 (-2.91%) ] by 75 percent and the cheapest gasoline [RBCV1 2.6992 0.0919 (+3.52%) ] by 50 percent.” ¶ With the cheapest energy available in the world, Pickens expects industry to come back to the U.S. and help bolster growth. ¶ “But you’re going to have to have some leadership from Washington to understand the resources, understand what the resources can do and then sell it to the world,” he added.

#### Won’t pass – parties want 2013 deal

Barno 11/7—retired Lieutenant General of the United States Army. Master’s in National Security and Strategic Studies from Georgetown University—Dr. Nora Bensahel is Deputy Director of Studies and a Senior Fellow at the Center for a New American Security—AND Joel Smith and Jacob Stokes; Research Assistants at the Center for a New American Security (David, Brace Yourself, [www.foreignpolicy.com/articles/2012/11/07/brace\_yourself?page=full](http://www.foreignpolicy.com/articles/2012/11/07/brace_yourself?page=full))

The national security establishment has focused primarily on the potential cuts to the Pentagon, which would total some $500 billion over the next decade. In their third debate, Mitt Romney warned Barack Obama that such cuts would devastate the military, leading the president to promise: "It will not happen." But the likelihood of cuts to defense spending cannot be considered in isolation from all the other elements of the fiscal cliff, and with the election behind us, it's time to admit there is a strong possibility that sequestration will take effect -- because both the president and Congress could benefit politically.¶ continues ¶ Continued gridlock during the lame duck session remains a high probability, and budget talks will likely involve a significant amount of brinksmanship among negotiators trying to maximize their own gains -- brinksmanship that could well end in failure, preventing a deal and driving the nation off the fiscal cliff.¶ As noted above, the tight legislative calendar in the lame duck session and the large number of weighty issues on the docket makes it very likely negotiations on any sizable deal will continue until the last possible moment. If talks break down at that point, the time left to agree to a delay would be very short. Efforts to broker a delay agreement would probably have to be moving at the same time as efforts to agree on a grand bargain. But lawmakers looking for a deal would likely shun simultaneous efforts, lest the possibility of delay remove the time pressure needed to reach a bargain.¶ Although President Obama has strongly opposed sequestration as a way to reduce the deficit, it remains unclear whether he would support legislation to undo it without an agreement on new sources of revenue. In August, he told a Virginia newspaper, "If the choice is between sequester going through or tax cuts continuing for millionaires and billionaires, I think it's pretty clear what the American people would choose." But the president also clearly stated during the final presidential debate that sequestration "will not happen." Although his spokesmen walked back that language the following day, it remains unclear to what degree Obama sees sequestration as an unacceptable outcome. Republicans leaders, on the other hand, have demonstrated their equally strong opposition to new taxes.¶ Some legislators from both parties might see advantage in letting the nation go off the fiscal cliff and allowing the sequester cuts to take effect. According to press reports, some Republicans have promised to slow down the legislative process to ensure that there is no deal to delay the cuts. For Republicans deficit hawks, ensuring that Congress reduces government spending, whatever the consequences, is the highest priority. Grover Norquist, the influential head of Americans for Tax Reform, recently stated, "Sequestration is not the worst thing"; and Rep. Jim Jordan (R-Ohio), who chairs the conservative Republican Study Committee, has said, "The only thing worse than cutting national defense is not having any scheduled cuts at all take place." For Democrats, going off the fiscal cliff would improve their bargaining position with Republicans -- taxes would rise significantly and defense spending would be cut.¶ In a perverse twist of logic, both parties might benefit from the new baselines created by going off the fiscal cliff. Allowing the Bush-era tax cuts to expire would automatically raise taxes on the majority of Americans to pre-2001 levels, which would reduce the deficit by $3.7 trillion over the next decade. With sequestration in force, spending would be cut by about $1 trillion over 10 years, carved equally out of defense and non-defense discretionary accounts. Ironically, these new baselines might actually break the partisan deadlock because Republican lawmakers could then vote in favor of a tax "cut," and as revenues increase, more Democratic lawmakers may be willing to vote to "increase" spending on defense programs.¶ Of course, this would be high-stakes game of chicken for both the White House and Congress. It would seriously disrupt planning throughout the Department of Defense and defense industry, shake market confidence in the United States, and slow U.S. economic growth. But recent reports have indicated that the effects of defense sequestration, tax hikes and spending cuts would be slower and less damaging in the short term than the rhetoric would suggest -- leaving room to go off the cliff and cut a deal early in the 113th Congress without causing lasting damage to the economy, national security, or domestic programs. Lawmakers from both parties might therefore see going off the cliff as a practical way of reaching a broader consensus in 2013 about balancing the nation's revenues and expenditures.

#### Key to the semiconductor industry

Delpy and Pike 10 – Professor David Delpy FRS, chief executive at Oxford Economics, AND\*\*\* Dr. Richard Pike, Ph.D. in chemical sciences, September 2010, “The economic benefits of chemistry research to the UK,” http://www.rsc.org/images/Economic\_Benefits\_of\_Chemistry\_Sep\_2010\_tcm18-191337.pdf

Electronics – Chemistry research has contributed towards many of the advances in the electronics industry, not least the development of semiconductor materials which are the foundation of modern electronics, including radio, computers and telephones. Consumers are looking for progressive miniaturisation and mobility of devices but at the same time demand faster processing speeds and denser storage capacity. UK-based chemistry research is enhancing the future of electronic technologies. Quantum dots, a particular class of semiconductors, are the result of fundamental ¶ research in the UK and have applicability in lighting, display technology, photovoltaics and biomedicine, and offer the advantage of extremely low energy use. The future of these devices lies in the ability of chemists who are able to manipulate molecules leading to the development of selfrepairing ‘molecular machines’ and nano-sized factories fuelled by chemical and light energy, offering for example the prospect of reaching past wireless communication to devices powered from the material used in their casings. Other aspects of chemistry research which have potential electronic applications in the future include chemical nanowires and carbon nanotubes, which are able to address many of the limitations (due to metals) which cause premature device failures in contemporary electronics. Chemistry-based advances will also reduce the dependence of electronics upon finite metal resources and precious metals, as well as increase the ability to recover and recycle metals from e-waste.

#### Political capital not key

Beckmann 11 - Assistant Professor Department of Political Science & Center for the Study of Democracy @ U. C., Irvine

Practicing Presidential Leadership: A Model of Presidents’ Positive Power in U.S. Lawmaking, Journal of Theoretical Politics January 2011 23: 3-20

For political scientists, however, the resources allocated to formulating and implementing the White House’s lobbying offensive appears puzzling, if not altogether misguided. Far from highlighting presidents’ capacity to marshal legislative proposals through Congress, the prevailing wisdom now stresses contextual factors as predetermining his agenda’s fate on Capitol Hill. Indeed, from the particular “political time” in which he happens to take office (Skowronek (1993)) to the state of the budget (Brady and Volden (1998); Peterson (1990)), the partisan composition of Congress (Bond and Fleisher (1990); Edwards (1989); see also Gilmour (1995); Groseclose and McCarty (2001); Sinclair (2006)) to the preferences of specific “pivotal” voters (Brady and Volden, 1998; Krehbiel, 1998), current research suggests a president’s congressional fortunes are basically beyond his control. The implication is straightforward, as Bond and Fleisher indicate: . . . presidential success is determined in large measure by the results of the last election. If the last election brings individuals to Congress whose local interests and preferences coincide with the president’s, then he will enjoy greater success. If, on the other hand, most members of Congress have preferences different from the president’s, then he will suffer more defeats, and no amount of bargaining and persuasion can do much to improve his success. (1990, 13).

#### Winners win

Marshall and Prins 11 (BRYAN W, Miami University and BRANDON C, University of Tennessee & Howard H. Baker, Jr. Center for Public Policy, “Power or Posturing? Policy Availability and Congressional Influence on U.S. Presidential Decisions to Use Force”, Sept, Presidential Studies Quarterly 41, no. 3)

Presidents rely heavily on Congress in converting their political capital into real policy success. Policy success not only shapes the reelection prospects of presidents, but it also builds the president’s reputation for political effectiveness and fuels the prospect for subsequent gains in political capital (Light 1982). Moreover, the president’s legislative success in foreign policy is correlated with success on the domestic front. On this point, some have largely disavowed the two-presidencies distinction while others have even argued that foreign policy has become a mere extension of domestic policy (Fleisher et al. 2000; Oldfield and Wildavsky 1989) Presidents implicitly understand that there exists a linkage between their actions in one policy area and their ability to affect another. The use of force is no exception; in promoting and protecting U.S. interests abroad, presidential decisions are made with an eye toward managing political capital at home (Fordham 2002).

#### No impact – January deal solves

Chait 11/8—NY Mag (Jonathan, Erskine Bowles Bids to Spoil Obama Second Term, nymag.com/daily/intel/2012/11/erskine-bowles-bids-to-spoil-obama-second-term.html)

That is totally false.¶ Going over the fiscal cliff and then doing nothing for another year would mean a huge tax hike and spending cut. But waiting until January would mean extremely gradual tax increases and spending cuts, ones that would not even begin to take place immediately, because Obama has the ability to delay their implementation. And even after they're implemented, the effect would be gradual, and could subsequently be canceled out. It’s like saying if you go three weeks without food you’ll die so if dinner isn’t on the table at 6 o'clock sharp terrible consequences will follow.¶ The reason many liberals want to wait until January is that it would make a deal much easier to strike, and ensure that the result is on more liberal terms. Once the entire Bush tax cuts have expired, President Obama would no longer have to pry revenue out of tax-hating Republicans. He’ll have all the revenue he wants and more. He could offer them a tax cut. He’ll likewise have huge defense cuts to bargain away.

#### **Republicans love the plan**

Hopf 9-18 – Jim Hopf is a senior nuclear engineer with more than 20 years of experience in shielding and criticality analysis and design for spent fuel dry storage and transportation systems. He has been involved in nuclear advocacy for 10+ years, and is a member of the ANS Public Information Committee. He is a regular contributor to the ANS Nuclear Cafe. September 18th, 2012, "The party platforms on energy-and nuclear"ansnuclearcafe.org/category/nuclear-regulatory-commission/

Republicans on energy¶ The Republican party platform favors an “all-of-the-above” energy strategy that involves responsible development of all our energy resources, and results in a domestic, secure energy supply that is stable, reliable, and affordable. Other general goals of the strategy include the creation of jobs, spurring economic growth, lower energy prices, and a strengthened domestic energy industry. The platform states that it does not support, however, policies that “pick winners and losers” through government intervention in the energy industry.¶ With respect to environmental regulations, the platform is generally **opposed to federal environmental regulations and the** E**nvironmental** P**rotection** A**gency,** preferring regulation by the states as well as an approach to achieving environmental goals that is more cooperative (vs. punitive) with industry.¶ With respect to coal, the platform support the development of new “environmentally responsible” coal plants, as well as research and development into clean coal technology and technologies to convert coal into liquid fuel or gas (that can be cleanly burned). The platform states that it is opposed to President Obama’s “war on coal”, since there is no economic replacement for coal (the largest electricity source) and reductions in coal use will result in the loss of large amounts of jobs in that sector. It states that the GOP is opposed to any type of carbon dioxide–limiting legislation such as cap-and-trade**. It also opposes the EPA’s regulation of greenhouse gases, and supports legislation that specifically bars the EPA from doing so.** It also appears to be generally opposed to stricter limits on other coal pollutants as well.¶ With respect to oil and gas, the platform claims that the use of imported oil is undesirable in that some of the money sent overseas may wind up in the hands of nations, or other groups, that want to harm the United States. The main response, favored in the platform, is the opening up of offshore areas, federal lands, and the Arctic National Wildlife Refuge to oil and gas development. In addition to reducing oil imports and increasing energy security, the platform states that the resulting domestic oil and gas development will result in large numbers of new jobs. It also explicitly states its support for the Keystone XL oil pipeline (from Canada to refineries in the United States) for similar reasons, and it criticized Obama for opposing the pipeline. It also expressed support for natural gas fracking and opposed new federal regulations on the practice, saying that state regulations are sufficient.

#### Semiconductors are key to US nuclear modernization

Chandratre et al. 7 – V.B. Chandratre et al 7, Menka Tewani, R.S. Shastrakar, V. Shedam,¶ S. K. Kataria and P. K. Mukhopadhyay¶ Electronics Division,¶ Bhabha Atomic Research Centre ¶ “AN APPROACH TO MODERNIZING NUCLEAR¶ INSTRUMENTATION: SILICON-BASED SENSORS,¶ ASIC AND HMC” October, http://www.barc.ernet.in/publications/nl/2007/200710-2.pdf

Modernization of nuclear instrumentation is pursued for realizing the goal of¶ compact portable nuclear instruments, detector mount electronics and related instrumentation that can be¶ designed, developed and manufactured, to mitigate contemporary instrumentation challenges.¶ The activity aims at indigenous design and development of crucial components of nuclear instrumentation.¶ Efforts are also undertaken to develop the critical microelectronics technologies to fulfill the gaps in nuclear instruments “ end to end”. The activity’s objective has been¶ fulfilled by working in close collaboration with semiconductor foundries and¶ HMC (Hybrid Micro Circuits) facilities. Various ASIC, sensors, IP cores, HMC, display devices¶ and critical instrumentation modules developed, are discussed.¶ The design and development of nuclear instruments require a variety of high performance components and¶ sensors. Till recently these components were available¶ and activity based on this approach has grown mature,¶ with good expertise in related areas but has availability¶ and obsolescence issues. As the technologies have moved¶ up, various competing devices, techniques and¶ technologies are available today. It’s important and as¶ well prudent to catch up with these cutting edge¶ developments, for a very strong reason that we have¶ not been able to catch up with previous technology¶ movements. Technology updates are difficult and have¶ higher lead times with steeper learning curve. The¶ Electronics Division has taken a modest initiative in¶ fulfilling the gap in this area. Care has been taken to¶ develop critical instrumentation by an approach of “mix¶ and match”, integrating the newer development in the¶ existing instrumentation on the basis of merit and¶ requirements. Nuclear instrumentation has been a strong driver for¶ technology developments worldwide. The low / medium¶ energy instrumentation requirements we meet fairly with¶ combination of NIM, CAMAC, FASTBUS and VME-based¶ instrumentation. With use of the sensors of higher¶ granularity, higher event rate, imaging and tracking¶ requirements coupled with complex trigger mechanism,¶ the approach has changed to low power detector mount¶ electronics or monolithic sensor with electronics. Rapid¶ developments in semiconductor technology have aided¶ in realizing this concept.

#### No impact on defense

Korb 9/9 Lawrence Korb is a former assistant secretary of defense in the Reagan administration and is a senior fellow at the Center for American Progress. “Cuts Would Not Affect Security,” 2012, NYT, http://www.nytimes.com/roomfordebate/2012/09/09/how-big-should-the-defense-budget-be/cuts-would-not-affect-security

But the United States can afford defense cuts, **without undermining national securit**y, for four reasons:¶ First, the United States has just gone through an enormous defense buildup. The budget increased, in real terms, for an unprecedented 13 straight years between 1998 and 2012. Even during the Reagan buildup, defense spending grew for only four years before dropping back to more sustainable levels.¶ Second, the cuts being discussed are smaller than they seem. The first $500 billion **come from projected growth**, so the budget will fall by just $6 billion next year and then grow at about the same pace as inflation. **Even with sequestration, defense spending would be brought back** **only** **to its 2006 level** in real terms -- more than we spent on average under Presidents Ronald Reagan and George H. W. Bush.¶ Third, ending this indiscriminate growth will force the Pentagon to manage its funds more carefully. Over the past decade, the Pentagon squandered $46 billion on weapons it later canceled, and let half its procurement programs balloon beyond their original budgets.¶ Finally, we face a world with relatively few major threats. And even with sequestration-size cuts, **we would still account for more than 40 percent of the world’s defense spending**, and our allies would account for about half of the rest.

#### Nuclear primacy solves nuclear war

Lieber & Press 9 - Keir A. Lieber, Assistant Professor of Political Science at the University of Notre Dame, and Daryl G. Press, Associate Professor of Political Science at the University of Pennsylvania, November-December 2009, “The Nukes We Need: Preserving the American Deterrent,” Foreign Affairs, p. 50-51

This second criticism has merit. Nevertheless, the benefits of maintaining effective counterforce capabilities trump the costs. Strong counterforce capabilities should make adversaries expect that escalating a conventional war will lead to a disarming attack, not a cease-fire. Beyond deterrence, these capabilities will provide a more humane means of protecting allies who are threatened by nuclear attack and give U.S. leaders the ability to pursue regime change if an adversary acts in a truly egregious fashion. Moreover, some danger of escalation is unavoidable because the style of U.S. conventional operations will inevitably blind, rattle, and confuse U.S. adversaries. If the United States has powerful counterforce tools, these may dissuade its enemies from escalating in desperate times, and U.S. leaders would have a much more acceptable option if deterrence fails. The nuclear forces the U**nited** S**tates** builds today must be able to act as a reliable deterrent, even in much darker times. Many of those who recommend a much smaller U.S. nuclear arsenal—and assign little importance to a nuclear counterforce option—fail to consider the great difficulties of maintaining deterrence during conventional wars. The U.S. nuclear arsenal should retain sufficient counterforce capabilities to make adversaries think very carefully before threatening to use, putting on alert, or actually using a nuclear weapon. Any nuclear arsenal should also give U.S. leaders options they can stomach employing in these high-risk crises. Without credible and effective options for responding to attacks on allies or U.S. forces, the United States will have difficulty deterring such attacks. Unless the United States maintains potent counterforce capabilities, U.S. adversaries may conclude—perhaps correctly—that the United States’ strategic position abroad rests largely on a bluff.

#### No impact on the economy – empirically denied

Hulbert 10/26 Mark, MaretWatch, "A contrarian take on fiscal cliff worries", 2012, www.marketwatch.com/story/a-contrarian-take-on-fiscal-cliff-worries-2012-10-26?mod=mw\_streaming\_stream

CHAPEL HILL, N.C. (MarketWatch) — Fears of falling off the fiscal cliff have become this Halloween season’s nightmare scenario.¶ And that scenario is very scary indeed — double-digit drops in the stock market, an economic recession if not depression, and so forth.¶ But when lots of investors become gripped by the same scary scenario, my contrarian instincts kick into gear, leading me to explore the possibility that things might not be as bad as they otherwise seem.¶ Here’s a list of reasons why we might not want to be freaked out by the fiscal cliff:¶ There’s more than one way of jumping off the fiscal cliff, and not all of them would be particularly scary. As my colleague Rob Schroeder pointed out early this week, our politicians in Washington could send the U.S. over the cliff only temporarily, or decide to kick the can down the road altogether. “Of 5 ‘fiscal cliff’ outcomes only 1 is disaster,” he argues. ( Read full story. )¶ In any case, the markets appear to be giving very low probability to the most disastrous of scenarios — a full-scale jump off the fiscal cliff, precipitating a sharp economic slowdown. To be sure, there is no Intrade contract exactly associated with that scenario; the closest is a contract tied to the U.S. economy slipping into a recession in 2013. Intrade currently assigns just a 29.6% probability to such a recession, which is lower than this contract’s average level over the last six months.¶ Another straw in the wind in this regard comes from analyzing the performance of tax harvesting strategies. If investors were certain that tax rates would be appreciably higher in 2013 than they are now, then they presumably would be selling from their taxable accounts those of their holdings in which they have the biggest unrealized gains — and holding on to their positions in which they have big unrealized losses. For both reasons, momentum strategies would have become less profitable in recent weeks — something for which there is no clear evidence.¶ Another thing worth keeping in mind is that we’ve been down this road before. Remember the government budget crisis in 1995, which followed the 1994 midterm elections in which the Republican party won control of both the House and the Senate? That crisis led two separate government shutdowns: One in mid-November 1995 and the other from mid-December 1995 through early January 1996. And yet, far from crashing, the Dow Jones Industrial Average DJIA +0.14% gained several percent during those shutdowns.¶ The summer of 2011 appears to be a counter-example, since the political stalemate in Washington led to the downgrade of the U.S. government’s credit rating, which in turn precipitated a very scary drop in the market. But the market learned from that experience: The Dow had recovered from all of that drop within a few short months, and the world continued to lend money to the U.S. government at rock-bottom rates. In fact, the U.S. 10-year Treasury note yield XX:TNX -4.27% is today nearly 100 basis points lower than where it stood at the time of Uncle Sam’s credit downgrade.

#### No economic decline war

Jervis 11 – Robert Jervis 11, Professor in the Department of Political Science and School of International and Public Affairs at Columbia University, December 2011, “Force in Our Times,” Survival, Vol. 25, No. 4, p. 403-425

Even if war is still seen as evil, the security community could be dissolved if severe conflicts of interest were to arise. Could the more peaceful world generate new interests that would bring the members of the community into sharp disputes? 45 A zero-sum sense of status would be one example, perhaps linked to a steep rise in nationalism. More likely would be a worsening of the current economic difficulties, which could itself produce greater nationalism, undermine democracy and bring back old-fashioned beggar-my-neighbor economic policies. While these dangers are real, it is hard to believe that the conflicts could be great enough to lead the members of the community to contemplate fighting each other. It is not so much that economic interdependence has proceeded to the point where it could not be reversed – states that were more internally interdependent than anything seen internationally have fought bloody civil wars. Rather it is that even if the more extreme versions of free trade and economic liberalism become discredited, it is hard to see how without building on a preexisting high level of political conflict leaders and mass opinion would come to believe that their countries could prosper by impoverishing or even attacking others. Is it possible that problems will not only become severe, but that people will entertain the thought that they have to be solved by war? While a pessimist could note that this argument does not appear as outlandish as it did before the financial crisis, an optimist could reply (correctly, in my view) that the very fact that we have seen such a sharp economic down-turn without anyone suggesting that force of arms is the solution shows that even if bad times bring about greater economic conflict, it will not make war thinkable.

#### No Middle East war

Salem 11—Director of the Carnegie Middle East Center. PhD from Harvard (Paul, 'Arab Spring' Has Yet to Alter Region's Strategic Balance, carnegie-mec.org/publications/?fa=43907)

Despite their sweeping repercussions for both domestic and international players, the Arab uprisings have not led to a dramatically new regional order or a new balance of power. This could change, particularly if developments in Syria continue to escalate.¶ While Iran has welcomed uprisings against Western-backed regimes in Egypt and Tunisia, it dealt harshly with its own protesters and has been worried about recent events in Syria. Moreover, countries that threw out pro-Western dictators are not moving closer to Iran.¶ Egypt's and Tunisia’s future foreign policies are more likely to resemble Turkey's in becoming more independent while remaining allied with the West. And Iran's soft power has decreased as its regime looks increasingly repressive and new models of revolutionary success have emerged in Tunisia, Egypt, and other parts of the Arab world. ¶ Turkey, for its part, bungled the opportunity to take advantage of this historic shift to bolster its influence in the Arab world. The Arab uprisings are effectively calling for the Arab world to be more like Turkey: democratic, with a vibrant civil society, political pluralism, secularism alongside Islam, and a productive and fairly balanced economy. However, after expressing clear support for Egyptian protesters, Turkey has hedged its bets in Libya and Syria.¶ Turkey has over $15 billion in business contracts with Moammar Kadafi's Libya and has built a close relationship with Syrian President Bashar Assad. Turkey's foreign policy of "zero problems" with neighbors is becoming harder to implement as peoples and governments in the neighborhood are increasingly on opposite sides.¶ Although Arab public opinion has held Turkey in very high esteem in past years, recent events have tarnished that image. This could have been Turkey's moment in the Middle East; the moment was lost. ¶ Saudi Arabia has been taken aback by the loss of old allies and remains worried about increased Iranian influence, but has maintained its sphere of influence. Its military intervention in Bahrain shows that Riyadh is extremely worried not only about Iranian influence but about the wave of democratic change, and still has not figured out a way to achieve a balance between addressing growing demands by citizens for better governance and social justice, while keeping Iranian influence out of the Gulf Cooperation Council.¶ Although the United States has generally suffered setbacks from the events of the past months, it is adjusting quickly to the new realities and stands to remain a key player in the coming period. It has not lost its leverage despite the demise of its main Egyptian and Tunisian allies, and has expressed support for protests after realizing they were not dominated by radical groups and that they echoed Western values. ¶ Emerging global powers such as Russia, China, India and Brazil have had mixed reactions to the "Arab Spring." All were reluctant to approve Western-led military intervention in Libya, expressing concerns ranging from the risk of higher oil prices to a potential spillover effect on their shores. ¶ As for Israel, even though its peace treaty with Egypt will remain in place, it no longer has any friends in the region after the departure of Egyptian President Hosni Mubarak, its declining relations with Turkey and growing unrest in Jordan. The recent Fatah-Hamas accord underlines Israel's predicament. Two difficult challenges lie ahead: The Palestinian Authority's unilateral move to declare Palestinian statehood by the end of the year and a potential Palestinian popular uprising encouraged by the success of neighboring populations.¶ Although the Arab Spring has been largely about internal democracy and reform, it has affected all of the major regional and international actors. However, so far there has been no major shift in the balance of power or the basic pattern of regional relations.

#### Won’t pass – gridlock

Barno 11/7— retired Lieutenant General of the United States Army. Master’s in National Security and Strategic Studies from Georgetown University—Dr. Nora Bensahel is Deputy Director of Studies and a Senior Fellow at the Center for a New American Security—AND Joel Smith and Jacob Stokes; Research Assistants at the Center for a New American Security (Brace Yourself, [www.foreignpolicy.com/articles/2012/11/07/brace\_yourself?page=full](http://www.foreignpolicy.com/articles/2012/11/07/brace_yourself?page=full))

Although structural factors seem to favor a deal, the 112th Congress's political gridlock -- it has passed the fewest laws of any session since World War II -- as well as the extremely short time available to forge a large, complicated piece of legislation almost certainly means that Congress and the president will not strike a grand bargain before January 2.¶ At first glance, the prospects for such a deal seem higher than at any point during the past two years. President Obama's bargaining power has increased now that he has received a clear mandate for the next four years. Additionally, allowing tax breaks to expire means that taxes will increase, which many Republicans oppose. For their part, Democrats want to prevent large cuts to domestic discretionary spending, and they have an incentive to cut a big deal before the nation hits the debt ceiling again, likely early in 2013. Leaders from both parties oppose the sequestration defense cuts. And, of course, neither side wants the country to plunge back into recession.¶ The fundamental problem is that most Republicans do not support any tax increases and most Democrats do not support significant cuts to government services. What's more, even if Congress were inclined to compromise, the logistics of passing a grand bargain are daunting. There are only seven weeks until this congressional session ends. Some time will be taken up preparing for the 113th Congress, and many departing members will focus on making arrangements for their post-Congress lives rather than legislating. In that context, Congress would have to draft legislation; debate and pass it in committees; debate and pass it in both houses; come up with a compromise agreement between the two chambers; redraft the compromise; and then pass the conference report. Then the president would have to sign that bill into law.¶ Barring an unforeseen change, the cumulative effect of partisan gridlock and a lack of time should squelch expectations for a grand bargain in the lame duck.

#### PNTR pounds the link

Abrams 11-9-12, Jim, AP, “House to take up Russia trade bill next week”, http://seattletimes.com/html/politics/2019644976\_apusrussiatrade.html

One of the first actions of the lame-duck Congress is an expected vote to give U.S. exporters greater access to Russia's newly opened markets.¶ Business groups have been clamoring for months for Congress to remove Cold War-era trade restrictions now that Russia is a member of the World Trade Organization. Because of those restrictions, American exporters are alone among the more than 150 WTO members in not being able to take advantage of the lower tariffs, intellectual property protections and other market-opening steps required by membership in the trade organization.¶ Before the election, House Republican leaders refused to bring up the legislation giving Russia permanent normal trade relations, blaming the White House for not being more assertive in promoting a bill that could be interpreted as being pro-Russian.¶ Although the bill requires no concessions on the U.S. side and could significantly increase U.S. exports to the world's ninth-largest economy, there was reluctance to vote on it in the run-up to the election when Russia was cracking down on dissidents, appeared to be an obstacle to ending the bloodshed in Syria and was being called the U.S.'s "No. 1 geopolitical foe" by Republican presidential candidate Mitt Romney.¶ The House, returning to Washington next week after some six weeks on the campaign trail, plans to take up the legislation that would extend permanent normal trade relations to Russia and another former Soviet state, Moldova. Senate Democratic leaders have stressed the importance of the issue and said they hope to take the legislation up soon after it passes the House. The Obama administration is a strong supporter.¶ To make the bill more palatable to critics of Russia's human rights record, both the House and Senate plan to combine the trade bill with legislation that imposes sanctions on Russian officials involved in human rights violations. That bill is named after Russian lawyer Sergei Magnitsky, who died in a Russian jail in 2009 after allegedly being subject to torture.¶ There are differences between the House and Senate approaches to the Magnitsky measure that need to be worked out.

#### Cyber-security pounds the link

Romm 11-7-12, Tony, Politico, “Obama 2.0 will revitalize tech agenda”, http://www.politico.com/news/stories/1112/83491.html

The reelection of President Barack Obama along with another politically divided Congress means the tech policy battles from the past few years are going to intensify, even if a few of the faces fighting are about to change.¶ During a second term, Obama can capitalize on new momentum to push his agenda to boost the country’s cybersecurity defenses, improve the nation’s wireless system and develop rules to assuage consumers’ online privacy fears.¶ But greeting Obama 2.0, so to speak, will be a new cast of characters with a familiar story — a Congress with some fresh faces, yet the partisanship that’s stymied tech legislation in sessions past.¶ With the election results still fresh, there are some early takeaways for tech.¶ The administration can double down on its tech policy program¶ This election didn’t hinge on tech and telecom issues, but it’s safe to say Obama’s return to the White House means the administration is going to forge ahead to ensure its plans — many years in the making — soon come to fruition.¶ That’s especially the case with cybersecurity, a matter that has stalled for years on Capitol Hill. If anything, Tuesday’s outcome may serve as a green light for the White House as it weighs a draft executive order to improve the digital defenses of power plants, water systems and other forms of critical infrastructure.

#### **Natural gas lobby outweighs**

McNulty 9 – Sheila McNulty, writer for the Financial Times, October 8, 2009, "US natural gas lobby gaining traction in Washington, DC" blogs.ft.com/energy-source/2009/10/08/us-natural-gas-gaining-traction-in-dc/#axzz28WzBP8fw

It has taken several months of intense lobbying, but the US natural gas industry is gaining traction in Washington. Not only have those behind the Boxer-Kerry climate bill being debated in the Senate assured the industry that its goals will be represented in the bill. But Representatives from Oklahoma and Pennsylvania – Dan Boren and Tim Murphy – have created a Congressional Natural Gas Caucus to boost the profile of natural gas.¶ Rod Lowman, President of America’s Natural Gas Alliance, the group of natural gas companies formed to make the industry’s case to the Senate, has this to say:¶ Congressmen Boren and Murphy, whose districts are both home to large supplies of natural gas and to producers, suppliers, utilities and end users that rely on it, have already begun recruiting other members of Congress. A growing number of states are focused on the new politics of natural gas.¶ Lest one should underestimate the potential for influence here, Mr Lowman noted that **natural gas is produced in 32 states and employs nearly 3m people across the country. That means there are** 32 governors, 64 senators and 324 members of Congress **from natural gas producing states who could potentially back the industry,** he says.¶ If the natural gas industry can gain traction with Congress, the industry might be smiling more than the coal industry did following the passage of the Waxman-Markey climate bill in the House.¶ And that might be best for environmentalists.¶ For Amy Myers Jaffe, energy expert at Rice University, says that, given all the giveaways to the coal industry in the Waxman-Markey bill, those hoping to limit the impact of global warming might well consider the country better off without the passage of that bill. If the US essentially grandfather’s coal, she says, that would be worse than doing nothing.