# Round 1 vs Pepperdine ER

## 1AC

Same as uploaded on wiki for ASU.

## 2AC

### A-Spec

#### We meet – We use all three branches.

#### Limits – There are over 1000 agents in the USFG. Spec explodes the topic.

#### Ground – Non-spec provides them with links to all of the branches and prevents aff spiking – key to predictable ground

#### They justify Agent PICs which are bad

#### Steals all aff ground – 99% of the counterplan is the 1AC

#### Destroys offense – any offense we read links to the plan as well

#### Unpredictable – infinite number of things to PIC out of

#### Voter for fairness.

#### Aspec is not a voter

#### A. No abuse, don't vote on potential abuse. They read \_\_\_\_ other off cases meaning that there is actually no abuse.

#### B. Competing interpretations bad – arbitrary race to the bottom

### Waste

#### Reprocessing facilities are safe – they’re designed to satisfy all relevant standards.

IAEA, ‘8

[International Atomic Energy Agency, “Spent Fuel Reprocessing Options”, August 2008, RSR]

Existing reprocessing facilities have been designed and constructed to satisfy all relevant national and international standards for the safekeeping of nuclear materials. The key to achieving safeguarding is accountability and transparency, resulting from communications and co-operation between the operator and safeguarding authorities. Today, specific approaches are implemented in reprocessing plants, tailored to take maximum benefit from the features of these plants, such as automation, computerised systems and remote monitoring. Based on the past experience at La Hague and Sellafield, new designs can incorporate smaller material balance zones and can utilize improved technology for the measurement of processes [24]. The new reprocessing plant at Rokkasho-Mura in Japan is an interesting case in point, with implementation of extensive safeguards measures largely automated to such extent that three-quarters of data collection are reported to be performed unattended [76].

### T – Substantial

#### 1. We meet: Plan substantially increases tax credit for reprocessing.

#### Also, they misunderstand the aff. It’s not a 20% increase in the tax credit, but a flat 20% tax credit. There is no tax credit in the SQUO, meaning plan increases more than 50% of 0.

#### 2. Counter-interpretation: “Substantially” means to a great or significant extent.

Oxford, 11. http://oxforddictionaries.com/definition/substantially

#### 3. We meet the CI: we provide the assistance that the MB lacks in the SQUO.

#### 4. Our interp good:

A. Fairness: as long as the aff makes a significant change, the neg should have no problems generating links. They can still gain offense on things like politics and relations because they’re based off the perception and impacts of the aff.

B. Education: as long as the aff makes a significant change, we’ll always be learning about the topic

C. Skills: we’re not squirrelly: our interp allows for all of us to develop our debate skills in a unique way that requires them to strategically consider the aff instead of running generic args.

#### 5. Their interp is bad:

A. It’s arbitrary. Not applicable in general to subsidies. Just to that specific. Clase

B. No brightline: No clue what 50% means. Don’t know if it is 50% of subsidies or 50% of nuclear power plants.

#### 6. Competing interpretations are bad: Race to the bottom: they’re just trying to limit out one more case

#### 7. Prefer reasonability: as long as we’re reasonably topical, there’s no reason to pull the trigger. Don’t vote on potential abuse.

### XO CP

#### Perm do both.

#### **Links to elections -** Public percieves XOs - Presidents are afraid of making XOs for fear of angering the public

Ouyang 12 (How Public Opinion Constrains Presidential Unilateral Action¶ Yu Ouyang∗¶ 1602 Patterson Office Tower¶ Department of Political Science University of Kentucky Lexington, KY 40506¶ August 6, 2012, http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2108245)

I argue that public opinion and public support for the presidency represent important constraints on the presidents’ ability to make policies unilaterally and therefore are important components to the broader understanding of presidential unilateral power. In particular, I argue that institutional support for the presidency represents an important constraint influencing how and whether presidents act unilaterally. Whereas other scholars examine the importance of constraints—Congress and the Supreme Court (Howell 2003, 2005; Howell and Lewis 2002; Howell and Pevehouse 2007), I argue that, in many instances, public support for the president and the presidency also constrains the use of unilateral actions. By utilizing a concept long established in political science but rarely applied to the presidency—diffuse support, I examine the relationship between unilateral action and diffuse support. In short, I argue that diffuse support for the presidency—a set of affective and favorable attitudes toward the political system as well as the institutions within it—represents a constraint on the extent to which presidents will act unilaterally. I proceed in three parts. First, I examine the extant literature on unilateral powers and the circumstances under which presidents may decide to act unilaterally. To link the presidential unilateral powers literature with that on diffuse support, I examine how scholars can view unilateral actions within the framework of a constrained political environment by assessing how scholars applied the diffuse support argument to explain¶ 4¶ judicial decision-making. By taking such an approach, I intend to lessen the disconnect between how Supreme Court scholars explained judicial decision-making and how presidential scholars can use a similar framework to test theories of presidential unilateral action. Next, I present a discussion of the empirical models as well as the theoretically-important variables within those models. Last, I discuss the empirical results and what they contribute to the present knowledge on presidential unilateral action. To briefly summarize, the public represents an important constraint on how presidents may act unilaterally. Specifically, presidents are less likely to make public policies unilaterally when the presidency itself has high levels of institutional support.

#### Their evidence is about shielding the link to Congress, not about elections.

#### XO CPs are a voting issue. 1.) Artificially competitive. Justifies perm do the plan and XO on another issue. 2.) Unpredictable – infinite number of functionally competitive CPs. 3.) Kill our offense – do the entirety of the aff.

#### Conditionality is a voting issue – being able to kick positions at will destroys argumentative responsibility, skews the 2AC, the focal point of all aff offense, because we have to spend more time answering things than they do kicking them, and justifies aff conditionality to be reciprocal.

#### <Perm do the plan and XO on another issue. Solves your net benefit>

#### No solvency:

#### a.)Take years to happen

Mayer 01 (Kenneth, Proff. Of Polt. Science Univ. of Wisconsin, Princeton Univ., “With the Stroke of a Pen: Executive Orders and Presidential Power”, p. 61, http://www.questiaschool.com/read/103282967?title=With%20the%20Stroke%20of%20a%20Pen%3a%20Executive%20Orders%20and%20Presidential%20Power) CBC

In contemporary practice, executive orders typically either originate from the advisory structures within the Executive Office of the President or percolate up from executive agencies desirous of presidential action. For particularly complex or far-reaching orders, the White House will solicit comment and suggestions from affected agencies on wording and substantive content. Simple executive orders navigate this process in a few weeks; complex orders can take years, and can even be derailed over an inability to obtain the necessary consensus or clearances.

#### b.) Don’t have the same impact a legislation- empirically proven

Paul Light, Brookings, THE PRESIDENT’S AGENDA: DOMESTIC POLICY CHOICE FROM KENNEDY TO CLINTON, 1999, p. 117-8 (PDAF0739)

First**, the executive option is generally reserved for routine decisions; it is not perceived as a suitable alternative for major initiatives**. Executive orders, for example, offer a very limited and temporary alternative for policy initiatives**. According to one study of over eleven thousand orders** (Schramm 1977), **less than 7 percent could be classified as having a discretionary impact;** but 70 percent dealt with routine problems in an “ordinary problem context.” Moreover, nearly three-fifths of all orders focused on the civil service or the Department of the Interior land policies " rarely topics of concern for the White House staff. This is not to argue that all orders are minor; **rather the bulk of executive orders have only limited policy impact.** As one OMB officer observed: Nixon’s administrative strategy was quite limited, and the media’s response remarkable. The Democrats were very concerned about Nixon’s administrative maneuvers, but most of us believed that the approach was both short-sighted and temporary. **Executive orders and rule making do not lead to the same results as legislation.** Nixon’s administrative strategy was very limited in the long run. It was like a temporary filling. [continues…] Second, **executive action is often viewed as a short-term solution**. **Even when Presidents use executive orders to accomplish major policy goals." Kennedy’s equal opportunity orders, for example," the staff recognized the need for eventual legislative action**. The Kennedy staff interpreted the civil rights orders as a product of the legislative stalemate. According to one assistant, “The President had to issue the orders. We just could not justify moving a major bill in 1961. We understood that we couldn’t make any long term impact with the orders, but that was about all we could do.” **The White House staffs viewed legislative action as having greater impact and legitimacy.** Once again, Nixon’s “administrative Presidency” serves as an example As one HEW officer suggested, “The President’s decision to dismantle the OEO (the Office of Economic Opportunity\_ and tighten welfare regulations simple didn’t have the same force as legislation. **Executive action is easier to fight and easier to undermine**. The career civil service is not inclined to agree with executive action if the executive action doesn’t agree with them.

#### c.) Coordinated political action key - necessary to remove the perceptual ban on reprocessing.

Adams, ‘8

[Rod, “What Do You Do About the Waste? Recycle and Reuse”, Clean Technica, 5-29-2008,

<http://cleantechnica.com/2008/05/29/what-do-you-do-about-the-waste-recycle-and-reuse/>, RSR]

The US used to have a plan to recycle our fuel as well, but a great deal of marketing and pressure by people that do not like the idea of using plutonium as a source of commercial heat resulted in President Ford issuing a presidential order to temporarily halt nuclear fuel recycling in 1976. President Carter, a man who claimed to be a nuclear engineer, made that ban permanent in the hopes that forcing US companies to avoid fuel recycling would cause others to abandon the very logical idea. That effort did not work as planned, but the people who had invested large amounts of time and money into building three recycling plants in the US only to have them shut down with the stroke of a pen decided “once bitten, twice shy.” Though President Reagan removed the ban, President Clinton essentially reinstated it and no commercial company has been willing to build a facility and risk having it turn into a white elephant after an election

#### d.) Coordinated national policy key – necessary to get private companies on board who fear political backlash, not just from the president. That’s Selyukh.

#### e.) Congress is necessary – overcomes regulatory process.

Fertel, Senior Vice President and Chief Nuclear Officer at the Nuclear Energy Institute, ‘5

[Marvin, CQ Congressional Testimony, “NUCLEAR POWER'S PLACE IN A NATIONAL ENERGY POLICY,” 4/28, lexis]

Industry and government will be prepared to meet the demand for new emission-free baseload nuclear plants in the 2010 to 2020 time frame only through a sustained focus on the necessary programs and policies between now and then. As it has in the past, strong Congressional oversight will be necessary to ensure effective and efficient implementation of the federal government's nuclear energy programs, and to maintain America's leadership in nuclear technology development and its influence over important diplomatic initiatives like nonproliferation. Such efforts have provided a dramatic contribution to global security, as evidenced by the U.S.-Russian nonproliferation agreement to recycle weapons-grade material from Russia for use in American reactors. Currently, more than 50 percent of U.S. nuclear power plant fuel depends on converted Russian warhead material. Nowhere is continued congressional oversight more important than with DOE's program to manage the used nuclear fuel from our nuclear power plants. Continued progress toward a federal used nuclear fuel repository is necessary to support nuclear energy's vital role in a comprehensive national energy policy and to support the remediation of DOE defense sites. Since enactment of the 1982 Nuclear Waste Policy Act, DOE's federal repository program has repeatedly overcome challenges, and challenges remain before the Yucca Mountain facility can begin operation. But as we address these issues, it is important to keep the overall progress of the program in context. There is international scientific consensus that a deep geologic repository is the best solution for long-term disposition of used military and commercial nuclear power plant fuel and high-level radioactive byproducts. The Bush administration and Congress, with bipartisan support, affirmed the suitability of Yucca Mountain for a repository in 2002. Over the past three years, the Energy Department and its contractors have made considerable progress providing yet greater confirmation that this is the correct course of action and that Yucca Mountain is an appropriate site for a national repository. --During the past year, federal courts have rejected significant legal challenges by the state of Nevada and others to the Nuclear Waste Policy Act and the 2002 Yucca Mountain site suitability determination. These challenges questioned the constitutionality of the Yucca Mountain Development Act and DOE's repository system, which incorporates both natural and engineered barriers to contain radioactive material safely. In the coming year, Congress will play an essential role in keeping this program on schedule, by taking the steps necessary to provide increased funding for the project in fiscal 2006 and in future years. Meeting DOE's schedule for initial repository operation requires certainty in funding for the program. This is particularly critical in view of projected annual expenditures that will exceed $1 billion beginning in fiscal 2007. Meeting these budget requirements calls for a change in how Congress provides funds to the project from monies collected for the Nuclear Waste Fund. The history of Yucca Mountain funding is evidence that the current funding approach must be modified. Consumer fees (including interest) committed to the Nuclear Waste Fund since its f6rmation in 1983 total more than $24 billion. Consumers are projected to pay between $750 million to $800 million to the fund each year, based on electricity generated at the nation's 103 reactors. This is more than $2 million per day. Although about $8 billion has been used for the program, the balance in the fund is nearly $17 billion. In each of the past several years, there has been a gap between the annual fees paid by consumers of electricity from nuclear power plants and disbursements from the fund for use by DOE at Yucca Mountain. Since the fund was first established, billions of dollars paid by consumers of electricity from nuclear power plants to the Nuclear Waste Fund-intended solely for the federal government's used fuel program-in effect have been used to decrease budget deficits or increase surpluses. The industry believes that Congress should change the funding mechanism for Yucca Mountain so that payments to the Nuclear Waste Fund can be used only for the project and be excluded from traditional congressional budget caps. Although the program should remain subject to congressional oversight, Yucca Mountain appropriations should not compete each year for funding with unrelated programs when Congress directed a dedicated funding stream for the project. The industry also believes that it is appropriate and necessary to consider an alternative perspective on the Yucca Mountain project. This alternative would include an extended period for monitoring operation of the repository for up to 300 years after spent fuel is first placed underground. The industry believes that this approach would provide ongoing assurance and greater confidence that the repository is performing as designed, that public safety is assured, and that the environment is protected. It would also permit DOE to apply evolving innovative technologies at the repository. Through this approach, a scientific monitoring program would identify additional scientific information that can be used in repository performance models. The project then could update the models, and make modifications in design and operations as appropriate. Congressional committees like this one can help ensure that DOE does not lose sight of its responsibility for used nuclear fuel management and disposal, as stated by Congress in the Nuclear Waste Policy Act of 1982. The industry fully supports the fundamental need for a repository so that used nuclear fuel and the byproducts of the nation's nuclear weapons program are securely managed in an underground, specially designed facility. World-class science has demonstrated that Yucca Mountain is the best site for that facility. A public works project of this magnitude will inevitably face challenges. Yet, none is insurmountable. DOE and its contractors have made significant progress on the project and will continue to do so as the project enters the licensing phase. Congressional oversight also can play a key role in maintaining and encouraging the stability of the NRC's regulatory process. Such stability is essential for our 103 operating nuclear plants and equally critical in licensing new nuclear power plants. Congress played a key role several years ago in encouraging the NRC to move toward a new oversight process for the nation's nuclear plants, based on quantitative performance indicators and safety significance. Today's reactor oversight process is designed to focus industry and NRC resources on equipment, components and operational issues that have the greatest importance to, and impact on, safety. The NRC and the industry have worked hard to identify and implement realistic security requirements at nuclear power plants. In the three-and-a-half years since 9/11, the NRC has issued a series of requirements to increase security and enhance training for security programs. The industry complied-fully and rapidly. In the days and months following Sept. 11, quick action was required. Orders that implemented needed changes quickly were necessary. Now, we should return to the orderly process of regulating through regulations. The industry has spent more than $1 billion enhancing security since September 2001. We've identified and fixed vulnerabilities. Today, the industry is at the practical limit of what private industry can do to secure our facilities against the terrorist threat. NRC Chairman Nils Diaz and other commissioners have said that the industry has achieved just about everything that can be reasonably achieved by a civilian force. The industry now needs a transition period to stabilize the new security requirements. We need time to incorporate these dramatic changes into our operations and emergency planning programs and to train our employees to the high standards of our industry-and to the appropriately high expectations of the NRC. Both industry and the NRC need congressional oversight to support and encourage this kind of stability. CONCLUSION Electricity generated by America's nuclear power plants over the past half-century has played a key part in our nation's growth and prosperity. Nuclear power produces over 20 percent of the electricity used in the United States today without producing air pollution. As our energy demands continue to grow in years to come, nuclear power should play an even greater role in meeting our energy and environmental needs. The nuclear energy industry is operating its reactors safely and efficiently. The industry is striving to produce more electricity from existing plants. The industry is also developing more efficient, next-generation reactors and exploring ways to build them more cost-effectively. The public sector, including the oversight committees of the U.S. Congress, can help maintain the conditions that ensure Americans will continue to reap the benefits of our operating plants, and create the conditions that will spur investment in America's energy infrastructure, including new nuclear power plants. One important step is passage of comprehensive energy legislation that recognizes nuclear energy's contributions to meeting our growing energy demands, ensuring our nation's energy security and protecting our environment. Equally important, however, is the need to ensure effective and efficient implementation of existing laws, like the Nuclear Waste Policy Act, and to provide federal agencies with the resources and oversight necessary to discharge their statutory responsibilities in the most efficient way possible. The commercial nuclear power sector was born in the United States, and nations around the world continue to look to this nation for leadership in this technology and in the issues associated with nuclear power. Our ability to influence critical international policies in areas like nuclear nonproliferation, for example, depends on our ability to maintain a leadership role in prudent deployment, use and regulation of nuclear energy technologies here at home, in the United States, and on our ability to manage the technological and policy challenges-like waste management-that arise with all advanced technologies.

#### Turn: Aggressive presidential power deteriorates rule of law and undermines American democracy.

Shane, 2009: [Peter M. - Chair in Law at the Ohio State University’s Moritz College of Law, internationally recognized authority on constitutional and administrative law. May 2009, Excerpt from “Madison’s Nightmare: How Executive Power Threatens American Democracy,” <http://www.press.uchicago.edu/Misc/Chicago/749396.html>

Other presidentialist legal thinkers, including advocates for presidentialism under Democratic Administrations, have argued that presidentialism is such good governmental practice that either we should read the Constitution in a more modern vein in order to mandate presidentialism or we should welcome practices of legislative and judicial deference to the President that allow government to behave in a presidentialist fashion. The historical record, however, does not bear out the claims for presidentialism as good practice. If we look at the functioning of our national executive when behaving most consistently with the tenets of presidentialism, we frequently find that the assumption of unilateral presidential authority prompts a narrowness in consultation, and a defensiveness and rigidity in outlook, that degrade the quality of executive decision making. Furthermore, as might have been predicted, presidentialism operates as an ethos of government in a way that undermines other critical values, such as allegiance to the rule of law and respect for coequal branches and divergent political outlooks. As discussed in chapters 4 and 5, the results, made dramatically manifest in the “Bush 43” Administration, have included dangerously irresponsible government lawyering and a fetishizing of presidential prerogative in ways that defy common sense and the public interest. When presidentialist practice is analyzed clearly, it seems to rest on ideas about democracy and the rule of law that are unattractive and deeply unpersuasive. Of course, the nation sometimes benefits from unilateral presidential action—Washington’s proclamation of neutrality, Lincoln’s Emancipation Proclamation, and the resolution of the Cuban missile crisis are but three celebrated examples of the many undoubtedly available. But the realization of these benefits does not require anything like the wholesale adoption of aggressive presidentialism, either as constitutional theory or prevailing government practice. In all but the most exceptional circumstances, searching congressional oversight, robust presidential accountability to the rule of law, and a pluralist approach to policy development within the executive branch are all consistent with the level of executive branch energy we need in order to thrive as a nation. The ambitions of the unilateral presidency cannot be squared with either the presidency envisioned by our Constitution or contemporary needs. Its proponents may argue that the historical conception ought to be replaced with a new unilateral presidency because a more autonomous, less fettered presidency actually works better in the national interest than does a presidency subject to strong checks and balances. But time and time again, it has become evident that Presidents, left relatively unchecked by dialogue with and accountability to the other two branches, behave disastrously. The new unilateral presidency is thus not appealing either as constitutional interpretation or as good institutional design. To put the point another way, the Framers got this right. It is now critical to restore checks and balances to robust health and reinvigorate American democracy so that no narrow faction of the American polity can dominate policy making throughout all our institutions of national government

#### Rule of law key to freedom and prevents nuclear extinction.

Charles S. Rhyne, Law Day Speech for Voice of America delivered on the first Law Day, May 1, 1958

Law and courts exist to protect every citizen of the United States in his person and property and in his individual rights and privileges under the Constitution. The ultimate power to change or expand the law in our system remains with its source, the people. They can elect as lawmakers those who will vote for wise laws and vote out of office those who do not. They can also amend the Constitution as experience dictates the necessity of change. In these days of soul-searching and re-evaluation and inventorying of basic concepts and principles brought on by the expansion of man’s vision to the new frontiers and horizons of outer space, we want the people of the world to know that we in America have an unshakable belief in the most essential ingredient of our way of life—the rule of law. The law we honor is the basis and foundation of our nation’s freedom and the freedom for the individual which exists here. And to Americans our freedom is more important than our very lives. The rule of law has been the bulwark of our democracy. It has afforded protection to the weak, the oppressed, the minorities, the unpopular; it has made it possible to achieve responsiveness of the government to the will of people. It stands as the very antithesis of Communism and dictatorship. When we talk about “justice” under our rule of law, the absence of such justice behind the Iron Curtain is apparent to all. When we talk about “freedom” for the individual, Hungary is recalled to the minds of all men. And when we talk about peace under law—peace without the bloodbath of war—we are appealing to the foremost desire of all peoples everywhere. The tremendous yearning of all peoples for peace can only be answered by the use of law to replace weapons in resolving international disputes. We in our country sincerely believe that mankind’s best hope for preventing the tragic consequences of nuclear-satellite-missile warfare is to persuade the nations of the entire world to submit all disputes to tribunals of justice for all adjudication under the rule of law. We lawyers of America would like to join lawyers from every nation in the world in fashioning an international code of law so appealing that sentiment will compel its general acceptance. Man’s relation to man is the most neglected field of study, exploration and development in the world community. It is also the most critical. The most important basic fact of our generation is that the rapid advance of knowledge in science and technology has forced increased international relationships in a shrunken and indivisible world. Men must either live together in peace or in modern war we will surely die together. History teaches that the rule of law has enabled mankind to live together peacefully within nations and it is clear that this same rule of law offers our best hope as a mechanism to achieve and maintain peace between nations. The lawyer is the technician in man’s relationship to man. There exists a worldwide challenge to our profession to develop law to replace weapons before the dreadful holocaust of nuclear war overtake our people.

### Elections DA

#### Case turns the DA. High oil prices trigger US economic collapse. Every other economic indicator is up. That’s Zakaria. This impact is verified by 40 years of data. That’s Li.

#### Romney wins now – national polls and independents.

Geraghty, Contributor, 10-25

[Jim, “Obama ‘Wins’ Debate, But Somehow Romney Wins the Undecideds”, The National Review, 10-25-12,

<http://www.nationalreview.com/campaign-spot/331597/obama-wins-debate-somehow-romney-wins-undecideds>, RSR]

President Obama scored a modest win in the third presidential debate, according to the latest Washington Post-ABC News tracking poll, but it’s Republican Mitt Romney who moved the needle among likely voters — including independents — with his debate performances. Overall, the contest remains unchanged from Tuesday, with 49 percent of likely voters nationally backing Romney, and 48 percent supporting Obama. But as was the case after the first and second debates, more voters say they have better, not worse, opinions of the former Massachusetts governor when assessing the three debates. Most say the president’s debate performances did not change their views of him, a continuing challenge for an incumbent stuck with an approval rating in dangerous territory: 50 percent of likely voters approve of how he’s handling the job, 49 percent disapprove. Looking at handling the economy as a broad issue, Romney’s lead among independents has swelled to 56 to 39 percent in the new poll, an advantage that helps him to a sizable, 12-point lead over Obama when it comes to their voting preferences. Obama won independent and other voters by eight percentage points in 2008.

#### Romney wins now – best polls and swing states.

Chambers 10-24 (Dean, Arlington Conservative, “Mitt Romney 54 percent 359 electoral votes projected at UnSkewed Polls site”, http://www.examiner.com/article/mitt-romney-54-percent-359-electoral-votes-projected-at-unskewed-polls-site)

While the Gallup tracking poll released today shows Romney leading the race 50 percent to 46 percent, other major polls and projections are also suggesting Mitt Romney will be the next president of the United States. Calling it the “Unskewed Projection” of the 2012 presidential race, QStarNews has released today via UnSkewedPolls.com a detail prediction of the race by popular vote in all states and nationally as well as a projection by electoral votes. The report projects Mitt Romney will defeat President Obama by a 54 percent to 46 percent by national popular vote and 359 electoral votes for Romney to 179 electoral votes for Obama. The projection includes a chart predicting the popular vote and vote percentages for all the states as well as vote data from all states from the last four presidential elections. The QStarNews/UnSkewedPolls.com projection of the race is based on analyzing and predicting the popular vote in each of the 50 states and the District of Columbia by assessing the votes in the last four elections, the political profile, demographic changes, current and recent polls including the QStarNews polls as well information regarding the targeting of those states by the Obama and Romney campaigns this year. The QStarNews/UnSkewedPolls.com predicts that overall turnout nationally will be about 105 percent of what it was in 2008 and the electorate will be made up of 34.8 percent Republicans, 35.2 percent Democrats and 30.0 percent independents. The reports projects that a total of 130,955,000 voters will vote in the election this year. Romney is shown winning all 11 of the key swing states, as also projected in the latest QStarNews poll of swing states, in the QStarNews/UnSkewedPolls.com projection. Those states include Colorado, Florida, Iowa, Michigan, Nevada, New Hampshire, North Carolina, Ohio, Pennsylvania, Virginia and Wisconsin. Most observers of this election and their projections consider Michigan and Pennsylvania to be more likely to be won in November by President Obama. The map above shows the electoral college projection from this QStarNews/UnSkewedPolls.com report. Mitt Romney is projected to win 359 electoral votes while President Obama is expected to win the remaining 179 electoral votes. While many will be surprised to see Romney winning Oregon, Minnesota, Michigan and Pennsylvania, the other surprises are how close states like Connecticut, New Jersey and Maine end up in popular since those states have been fairly safely in the Obama column in most projections and polls up to now. QStarNews reports this “definitive projection” will be highly accurate because of the methodology used to produce the numbers on which it is based. QStarNews was quite accurate in projecting the 2010 elections for Congress, senators and governors.

#### Romney’s winning Nevada now, and it’s key to the election.

Myers, Las Vegas Review Journal reporter, 10-22 (Laura; Las Vegas Journal Review; Heavy early voting favors Democrats on eve of Romney, Obama Nevada visits; 22 October 2012; http://www.lvrj.com/news/heavy-early-voting-favors-democrats-on-eve-of-romney-obama-nevada-visits-175333751.html, da 10-23-12)

Obama's and Romney's focus on the Silver State in the final two weeks before Nov. 6 shows how important Nevada is to both of their strategies to gain the 270 Electoral College votes needed to win. Nevada delivers only six of those votes but could make the difference if the race comes down to the wire.¶ The stakes high, early voting got off to a booster-rocket start, setting records Saturday and Sunday in both Clark and Washoe counties.¶ Statewide, about 81,130 people voted early, and more than 24,640 absentee ballots were counted, for a total weekend turnout of nearly 106,000, or 8 percent of the electorate, the secretary of state's office reported.¶ By party, Democrats racked up more than 51,120 voters statewide compared with more than 37,800 for Republicans - an advantage of about 13,320, according to figures posted Monday. More than 16,840 cast ballots as third party or non partisan voters. They could play a decisive role in the close election.¶ In Clark County, Registrar of Voters Larry Lomax said record early voting happened Saturday and Sunday across the Las Vegas Valley for a total of 59,190 ballots cast, including about 31,400 Democrats and 18,100 Republicans . Four years ago, more than 45,000 first-weekend ballots were cast in Clark.¶ "After the first two or three days, we're on track to surpass early voting" for 2008, Lomax said Monday afternoon. By then, another 17,000 Nevadans had cast ballots. In 2008, more than two-thirds of voters in Clark County and statewide cast ballots early, Lomax said.¶ In Washoe County, a record 14,475 ballots were cast over the weekend, compared with 9,036 four years ago.¶ At the start of early voting, the Democrats had a big voter registration advantage over the Republicans of about 90,000 voters statewide and 127,000 in Clark County, where 70 percent of the population lives.¶ That compares with four years ago, when the Democrats enjoyed a 100,000 voter registration advantage in Nevada and Obama won by 12 percentage points - or about the same early voting advantage he had back then.¶ Although Republicans are running behind again this year, a GOP strategist noted Monday that the party is doing far better than in 2008. The strategist also said Republicans have historically tightened the gap each day of the two-week early voting period, which ends Nov. 2.¶ For example, in 2008 Republicans were more than 16,000 voters behind Democrats after the first weekend of early voting, said Darren Littell, communications director for the GOP's Team Nevada. By the last day of early voting, Republicans nearly matched Democrats' daily tally, election records show.¶ "The big picture is, we cut into their lead," he said. "We did better the first day this year than we did on our first day in '08. And we did better the second day. And as the days go on we'll do even better."¶ Littell said Republicans are focused now on turning out "low propensity" voters while Democrats are looking to bank "high propensity" voters ahead of Election Day, or those who would vote no matter when.¶ On Election Day, Littell said Republicans will have a higher turnout than Democrats, as they historically do, and the GOP will need to spend less energy getting out voters who might not normally go to the polls.¶ "I don't think anybody ever disputed in either campaign that this was going to be a close, hard-fought battle," Littell said. "But I think they've underestimated our ground game."

#### Plan gives Obama Nevada - massively supported by Nevada voters

Whaley ’12

(Sean Whaley, “Gov. Sandoval Says Nevada Does Not Want Nuclear Waste, But New Poll Shows Support For Research Facility”, Nevada News Bureau, 3-12-2012, <http://www.nevadanewsbureau.com/2012/03/12/gov-sandoval-says-nevada-does-not-want-nuclear-waste-but-new-poll-shows-support-for-research-facility/>)

Sandoval’s letter comes just as a new poll commissioned by Nevadans 4 Carbon Free Energy shows support for Yucca Mountain as a research park for the study of reprocessing nuclear spent fuel. The poll of 500 likely Nevada voters, taken in late February by Public Opinion Strategies, showed 62 percent in support of the research park versus 34 percent who said Yucca Mountain should be closed entirely. The question posed was whether respondents would prefer to: “Open Yucca Mountain for the study and potential reprocessing of nuclear waste into usable energy because of the jobs and money such a project would bring to the state . . .” Or: “Close Yucca Mountain altogether to help protect Nevada’s environment.” “UNR, UNLV, and many national labs around the country are conducting research on how to utilize innovative technologies now available to reprocess spent fuel, so bringing them all together to develop the best technology for commercial reprocessing makes sense,” said Gene Humphrey, the head of Nevadans 4 Carbon Free Energy (NV4CFE), a non-profit organization that supports building the research park. “Since several national laboratories are already doing work at the Nevada Test Site, it seems like the logical location to continue the legacy of nuclear exploration. But this project could generate a new form of clean energy, establish new export industries and create thousands of jobs for Nevadans.”

#### No link – no reason plan is associated with Obama

#### Plan key to Florida which is key to the election – addresses voter concerns regarding energy and the economy.

Whitman and Avilla, ‘12

[Christine and Karen, “Nuclear energy = green jobs, economic growth in Fla., beyond”, The Orlando Sentinel, 6-22-12,

http://articles.orlandosentinel.com/2012-06-22/opinion/os-ed-nuclear-energy-florida-jobs-062212-20120621\_1\_nuclear-energy-green-jobs-hispanic-community, RSR]

We all know how critical Florida is to the outcome of this year's election. This week, as Orlando hosts the annual conference of the National Association of Latino Elected and Appointed Officials, all eyes are on the presidential candidates as they speak to Hispanic elected officials — and by extension, to their constituents — about the issues that are top of mind for voters. Notably, the conference addresses two issues also of paramount concern to all Floridians: energy and the economy. From our perspective, these issues are deeply intertwined — and one way that Floridians and the state's thriving Hispanic community can advocate for economic growth through renewed investment in clean energy is by supporting nuclear energy. We need to let the candidates know that Americans are relying on the next president for clean, sustainable energy policies that benefit us all. As we look toward diversifying America's energy portfolio and building out the energy generated by renewables, candidates should look to nuclear energy as one proven way to effectively meet growing demand. In doing so, they are registering their support for well-paying jobs, sustained economic growth and clean, affordable energy options.

#### Funding now. Worthington ev. says subsidies now. Even if no new reactors, there’s already the perception of Obama pushing.

#### Turn: The public loves nuclear—newest polling and be skeptical of their link authors

Westenhaus 9-30

[Brian, editor of the popular energy technology site New Energy and Fuel, “Confidence in Nuclear Power is on the Rise Again,” <http://oilprice.com/Alternative-Energy/Nuclear-Power/Confidence-in-Nuclear-Power-is-on-the-Rise-Again.html>, AM]

The Nuclear Energy Institute announced a September telephone survey in a press release suggesting almost two thirds of U.S. adults favor the use of nuclear energy as one of the ways to provide electricity in the United States. This latest survey found that Americans strongly favoring nuclear energy outnumber those strongly opposed by a two-to-one ratio, 29% versus 14%. The new numbers improve on a poll conducted in September 2011, six months after the Fukushima accident, when 62% of American favored nuclear energy, with 35% opposed. The new survey shows confidence is improving. Just over three quarters of respondents agree that nuclear energy facilities operating in the United States are ‘safe and secure,’ while only 19% think they are not. Eighty percent of Americans opposed to 16% believe “we should learn the lessons from the Japanese accident and continue to develop advanced nuclear energy plants to meet America’s growing electricity demand.” In a shock to the political system and the anti nuclear crowd a large majority (81%) of those surveyed favor the renewal of operating licenses of facilities that continue to meet federal safety standards, while 74% believe electric utilities should prepare now so they will be ready to build new nuclear power plants in the next decade if needed.

#### Turn: The plan will be spun as job creation.

Ling, NYT Staff Writer, ‘9

[Katherine, New York Times, 5-19-2009, “Is the solution to the U.S. nuclear waste problem in France?”,

<http://www.nytimes.com/cwire/2009/05/18/18climatewire-is-the-solution-to-the-us-nuclear-waste-prob-12208.html?pagewanted=all> Published, RCM]

The outgoing Bush administration tested the political reaction to reprocessing in 2006 and found 11 communities that showed interest in having a reprocessing facility. The approach promised high-paying jobs for hosting a regional intermediate highly radioactive nuclear waste site, a sort of "energy park."

#### Fiat should be determined by the least restrictive means – – currently congress is holding ‘pro forma’ sessions until after the election – no legislative business can occur

Cox 9/24 (Ramsey Cox (writer for The Hill) September 24, 2012 “Congress to hold pro forma sessions until November” http://thehill.com/blogs/floor-action/senate/251313-congress-to-hold-pro-forma-sessions-until-november)

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

### Violent Spaces K

#### Our interpretation is that debate should be a question of the aff plan versus a competitive policy option.

#### This is key to ground and predictability – infinite number of possible kritik alternatives or things the negative could reject explodes the research burden. That’s a voting issue.

#### Failure to engage in political solutions to the problem of racism allow the right to reappropriate racist rhetoric into new policies of racial exclusion. Their denunciation of racism and insistence on the priority of race over politics guarantees continued racism.

Winant 2006

(Howard, Temple University, "Race and Racism: Towards a Global Future." Ethnic and Racial Studies. Vol. 29, no. 5 (September 2006), pp. 986-1003. http://www.tandf.co.uk/journals/routledge/01419870.html)

These contradictions are indications of the uncertainties of the current moment in racial politics. The necessarily brief review presented here suggests that a new racial hegemony has by no means been secured. There are fundamental instabilities in the ideologies of colourblindness, racial ‘differentialism’, and ‘nonracialism’. Racial biologism is prospering; is it still a ‘backdoor to eugenics’ (Duster 2003 [1990])? Race/gender/class ‘intersectionality’ denotes the instability in practice both at ‘micro-social’ and at ‘macro-social’ levels not only of race and racism, but also of other axes of oppression. The link between racism and empire was wrongly considered terminated; instead it has been reinvented, principally through US neoconservatism. In fact none of the ‘posts-‘ post-civil rights, post-apartheid, post-coloniality is sufficiently ‘post’; none denotes a full break with the conditions their very names contain; all necessitate uneasy and continuous adjustments, both on the level of policy and politics, and on that of personal experience and identity, to the ongoing operation of racial conflicts. So what is the meaning of these racial contradictions for the future? What do they suggest about the development of a new racial justice agenda, both globally and locally? Although the intellectual endeavour required to rethink global racial conditions is rather daunting, the political and personal commitments we ‘movement scholars’ have undertaken do not permit us to desist from trying to make sense of the current world racial situation and of our role within it. Neither do they allow us to ‘stop thinking about tomorrow’, as the popular song would have it. Simply reasserting the continuing significance of race, while not mistaken, nevertheless has serious limits. Such an approach is insufficiently pragmatist, as well as deficient in its democratic commitments. As we learn from racial formation theory and critical race theory, race is a flexible concept that is constantly being reshaped in practical political activity. That the civil rights movement and the racial nationalisms of the 1960s were absorbed and rearticulated in a new racial hegemony was not only a contradictory outcome, one that combined some real achievements with some painful defeats; it was also a valuable lesson about racial politics.

#### Case outweighs: by failing to solve the impending waste crisis, they allow waste on-site and Yucca Mountain to eventually blow up, leading to extinction and the destruction of the entire environment. No reason why reorienting ourselves to the world would resolve the waste crisis.

#### Perm do both: Embrace their criticism through our policy making framework. A policy focus is key to challenge structures of white supremacy.

Themba-Nixon 00, Executive Director of The Praxis Project, a nonprofit organization helping communities use media and policy advocacy

Makani, July 31, Colorlines, Changing the Rules: What Public Policy Means for Organizing, Vol 3.2)

 “This is all about policy," a woman complained to me in a recent conversation. "I'm an organizer." The flourish and passion with which she made the distinction said everything. **Policy is for** wonks, sell-out politicians, and **ivory-tower eggheads**. **Organizing is what real**, grassroots **people do**. Common as it may be, **this distinction doesn't bear out in the real world**. Policy is more than law. It is any written agreement (formal or informal) that specifies how an institution, governing body, or community will address shared problems or attain shared goals. It spells out the terms and the consequences of these agreements and is the codification of the body's values-as represented by those present in the policymaking process. **Given who's usually present**, **most policies reflect the political agenda of powerful elites**. Yet, policy can be a force for change-especially when we bring our base and community organizing into the process. In essence, **policies are the codification of power relationships** and resource allocation. Policies are the rules of the world we live in. Changing the world means changing the rules. So, **if organizing is about changing the rules and building power**, **how can organizing be separated from policies**? **Can we** really speak truth to power, fight the right, stop corporate abuses, or **win racial justice without contesting** the rules and the rulers, **the policies and the policymakers**? **The answer is no**-and double no **for people of color**. Today, **racism subtly dominates** nearly every aspect of **policymaking**. From ballot propositions to city funding priorities, policy is increasingly about the control, de-funding, and disfranchisement of communities of color. Take the public conversation about welfare reform, for example. Most of us know it isn't really about putting people to work. The right's message was framed around racial stereotypes of lazy, cheating "welfare queens" whose poverty was "cultural." But the new welfare policy was about moving billions of dollars in individual cash payments and direct services from welfare recipients to other, more powerful, social actors. Many of us were too busy to tune into the welfare policy drama in Washington, only to find it washed up right on our doorsteps. Our members are suffering from workfare policies, new regulations, and cutoffs. Families who were barely getting by under the old rules are being pushed over the edge by the new policies. Policy doesn't get more relevant than this. And so we got involved in policy-as defense. Yet we have to do more than block their punches. We have to start the fight with initiatives of our own. Those who do are finding offense a bit more fun than defense alone. Living wage ordinances, youth development initiatives, even gun control and alcohol and tobacco policies are finding their way onto the public agenda, thanks to focused community organizing that leverages power for community-driven initiatives. - Over 600 local policies have been passed to regulate the tobacco industry. Local coalitions have taken the lead by writing ordinances that address local problems and organizing broad support for them. - Nearly 100 gun control and violence prevention policies have been enacted since 1991. - Milwaukee, Boston, and Oakland are among the cities that have passed living wage ordinances: local laws that guarantee higher than minimum wages for workers, usually set as the minimum needed to keep a family of four above poverty. These are just a few of the examples that demonstrate how organizing for local policy advocacy has made inroads in areas where positive national policy had been stalled by conservatives. Increasingly, the local policy arena is where the action is and where activists are finding success. Of course, corporate interests-which are usually the target of these policies-are gearing up in defense. Tactics include front groups, economic pressure, and the tried and true: cold, hard cash. Despite these barriers, grassroots organizing can be very effective at the smaller scale of local politics. At the local level, we have greater access to elected officials and officials have a greater reliance on their constituents for reelection. For example, getting 400 people to show up at city hall in just about any city in the U.S. is quite impressive. On the other hand, 400 people at the state house or the Congress would have a less significant impact. Add to that the fact that all 400 people at city hall are usually constituents, and the impact is even greater. Recent trends in government underscore the importance of local policy. Congress has enacted a series of measures devolving significant power to state and local government. Welfare, health care, and the regulation of food and drinking water safety are among the areas where states and localities now have greater rule. Devolution has some negative consequences to be sure. History has taught us that, for social services and civil rights in particular, the **lack of clear federal standards and mechanisms for accountability lead to** uneven enforcement and even **discriminatory implementation of policies**. Still, there are real opportunities for advancing **progressive initiatives** in this more localized environment. Greater local control can mean greater community power to shape and implement important social policies that were heretofore out of reach. To do so will **require careful attention to the mechanics of** local **policymaking** and a clear blueprint of what we stand for. Much of the work of framing what we stand for takes place in the shaping of demands. **By getting into the policy arena** in a proactive manner, **we can take our demands to the next level**. Our demands can become law, with real consequences if the agreement is broken. After all the organizing, press work, and effort, a group should leave a decisionmaker with more than a handshake and his or her word. Of course, **this work requires** a certain amount of **interaction with** "the suits," as well as struggles with **the bureaucracy**, **the technical language**, and the all-too-common resistance by decisionmakers. Still, if it's worth demanding, it's worth having in writing-whether as law, regulation, or internal policy. From ballot initiatives on rent control to laws requiring worker protections, organizers are leveraging their power into written policies that are making a real difference in their communities. Of course, **policy work is** just one tool in our box.

#### Status quo waste siting is a form of radioactive colonialism. Native Americans have to contend with the worst waste, which saps them of an infrastructure to address dire problems.

Bullard and Johnson, Director of the Environmental Justice Resource Center and Assistant Professor of Sociology at Clark Atlanta University, ‘9

 (Robert D. and Glenn S., “Environmental Justice: Grassroots Activism and Its Impact on Public Policy Decision Making,” *Environmental Sociology: from Analysis to Action*, Second Edition, p.62-63, accessed 7-10-09, AJP)

There is a direct correlation between exploitation of land and exploitation of people. It should not be a surprise to anyone to discover that Native Americans have to contend with some of the worst pollution in the United States (Beasley, 1990b;Kay,1991;Taliman,1992;Tomsho,1990).Native American nations have become prime targets for waste trading (Angel,1992;Geddicks,1993).More than three dozen Indian reservations have been targeted for landfills, incinerators, and other waste facilities (Kay,1991).The vast majority of these waste proposals have been defeated by grassroots groups on the reservations. However, “radioactive colonialism” is alive and well (Churchill & LaDuke,1983). Radioactive colonialism operates in energy production (mining of uranium) and disposal of wastes on Indian lands. The legacy of institutional racism has left many sovereign Indian nations without an economic infrastructure to address poverty, unemployment, inadequate education and health care, and a host of other social problems. Some industry and governmental agencies have exploited the economic vulnerability of Indian nations. For example, of the 21 applicants for the DOE’s monitored retrievable storage (MRS) grants,16 were Indian tribes (Taliman,1992a). The 16 tribes lined up for $100,000 grants from the DOE to study the prospect of “temporarily” storing nuclear waste for a half century under its MRS program. It is the Native American tribes’ sovereign right to bid for the MRS proposals and other industries. However, there are clear ethical issues involved when the U.S. government contracts with Indian nations that lack the infrastructure to handle dangerous wastes in a safe and environmentally sound manner. Delegates at the Third Annual Indigenous Environmental Council Network Gathering (held in Cello Village, Oregon, on June 6,1992) adopted a resolution of “No nuclear waste on Indian lands.”

#### This discursive erasure of cultural and spiritual values attached to Yucca creates a nuclear sacrifice zone, exterminating Native lands and peoples

Kuletz, Prof. of American Studies @ U of Canterbury, 98

[Valerie, The Tainted Desert: Environmental Ruin in the American West, pg. 12-13, RSR]

In this Indian country two landscapes – Indian and nuclear – meet at nearly every point of the nuclear cycle, from uranium mining to weapons testing to the disposal of nuclear waste. For example: Nuclearism in this large region began in the early 1940s with the mining and milling of uranium ore largely on Navajo, Hopi, Pueblo and Ute Mountain Ute land in the Navajoan desert. This uranium fueled the atomic bomb developed at Los Alamos, located adjacent and near traditional Pueblo lands on the Pajarito Plateau of New Mexico. In 1945, the first testing of the atomic bomb occurred at Alamagordo (now White Sands), New Mexico, near the Mescalero Apache reservation. In the 1950s, ancestral lands of the Western Shoshone and Southern Paiute at the intersection of the Great Basin and Mojave deserts were seized by the federal government, in violation of the 1863 Treaty of Ruby Valley, for use as the nation’s testing fields for nuclear weapons (the Nevada Test Site) – an area where more nuclear bombs have been detonated than on any other single, similar size region on the globe. Today, the only above-ground, temporary nuclear waste storage facilities under consideration have been on the Nevada Test Site and the Mescalero Apache, Skull Valley Goshute, and Fort Mcdermitt Paiute-Shoshone reservations. The nation’s moderate-level nuclear waste storage, called WIPP (for Waste Isolation Pilot Project), is in the same general region as the Mescalero Apache reservation in the Chihuahuan desert. Radioactive waste from research at Los Alamos National Laboratory is now stored at “Area G”, which borders the San Ildefonso Pueblo and is near the Santa Clara Pueblo’s lands. Low-level nuclear waste is targeted for disposal in the Mojave Desert’s Ward Valley, home of the Fort Mojave Indians and the Chemehuevi of the Colorado River Indian tribes. Finally, the proposed premiere site for the nation’s high-level nuclear waste repository is Yucca Mountain – “holy land” to the Western Shoshone, Southern Paiute, and Owens Valley Paiute. The discursive map demonstrates how the development, testing, and waste storage of nuclear materials in the highly militarized landscapes of the western United States might be understood as a form of environmental racism. At the very least, it sets the stage for asking how land use, racism, power and internal colonialism intersect in this region. This mapping not only makes visible the millions of acres that were removed from access for weapons testing and development in the postwar years, it also reveals the peoples affected and displaced by these activities. Once revealed, the nuclear landscape can be perceived and experienced differently; it can be seen as one landscape superimposed upon another: a landscape of national sacrifice, an expendable landscape, over what many North American Indians understand as a geography of the sacred, a geography where spiritual and cultural life are woven directly into the landscape itself.

#### Reject alts are a voting issue- infinitely regressive and moot the 1ac when they morph into piks in the block. No solvency advocate to do the alt means you reject it.

#### Alt fails: Environmental justice is defined by perspectives of intrinsic whiteness and elitism, creating an exclusionary silence in racial issues.

Yamamoto and Lyman 1 (Eric K, Hawaii Law School law prof., and Jen-L W, UC Berkeley visiting law prof., University of Colorado Law Review, 72 U. Colo. L. Rev. 311, Spring, p. 347-348, ln)

Critical race theory also facilitates interrogation of the often unexamined influences of whiteness on environmental law, policy, and practice. According to Peter Manus, the environmental movement, from which environmental justice springs in part, "is determined by the norms or perceptions of white mainstream America." 210 Manus thus attributes the tension between environmentalism and other social justice movements to environmentalism's "elitist roots, conceived § Marked 09:37 § of and implemented primarily from a white, male, and mainstream perspective" and to its resulting "proclivity to immerse itself in pure science, as opposed to human science, and to express itself in command-and-control regulation, as opposed to consensus." 211 To what extent, if at all, is this true? Critical race theory helps us grapple with this question by unpacking whiteness. In law, whiteness is the racial referent - "inequality" means "not equal to white." Whiteness is the norm. 212 Yet whiteness itself, until recently, has been largely unexplored. Critical race theorists and historians are now unraveling the often hidden strands of white influence and privilege and the ways in which whiteness (as a norm and as a racial identity) dramatically, yet quietly, shapes all racial relationships. 213 Joe Feagin observes the following about the influence of Anglo law, religion, and language. [\*348] From the 1700s to the present, ... immigrant assimilation has been seen as one-way, as conformity to the Anglo-Protestant culture: "If there is anything in American life which can be described as an overall American culture ... it can best be described ... as the middle-class cultural patterns of largely white Protestant, Anglo-Saxon origins." 214 White influence is so pervasive that it often goes unnoticed. It is, according to Barbara Flagg, "transparent": In this society, the white person has an everyday option not to think of herself in racial terms at all. In fact, whites appear to pursue that option so habitually that it may be a defining characteristic of whiteness ... . I label the tendency for whiteness to vanish from whites' self-perception the transparency phenomenon. 215 Integral to this transparency is "the very vocabulary we use to talk about discrimination." 216 "Evil racist individuals" discriminate; by implication, all others do not. This vocabulary hides "power systems and the privilege that is their natural companion." 217 Critical race theory thus pushes environmental justice proponents to examine the white racism (and sometimes the racism by other groups) that undergirds the environmental problems affecting Native communities and communities of color. It also challenges proponents to closely interrogate the influence of whiteness in environmental law, policy, and practice, and its effect, in turn, on established approaches to environmental justice controversies.

#### The environmental justice movement can’t solve racism – it denies the uniqueness and culture of individual identity groups.

Yamamoto and Lyman 1 (Eric K, Hawaii Law School law prof., and Jen-L W, UC Berkeley visiting law prof., University of Colorado Law Review, 72 U. Colo. L. Rev. 311, Spring, p. 323, ln)

Finally, the established framework tends to assume that all racial and indigenous groups, and therefore racial and indigenous group needs, are the same. 62 In general, it assumes that in terms of cultural needs and political-legal remedies, one size fits all. This simplifying assumption is rooted in the longstanding perception of many disciplines that race is fixed and biologically determined rather than socially constructed and that it is, therefore, largely devoid of cultural content. It is also rooted in the related perception that skin color and hair type are the reason for ill-treatment by some, but are otherwise irrelevant to social interactions - that beyond biological distinctions, all people (and groups) are essentially the same. 63 A number of courts and environmental justice scholars make this simplifying assumption about race and culture.

#### Reject identity politics – recreates its own harms.

Minow, Professor of Law @ Harvard, 1997

[Martha, Not Only For Myself: Identity, Politics, and the Law, p. 22-23]

This book explores issues of identity politics not as questions of tactics but instead as clues to collective social experiences in the United States as the twentieth century closes. Amid assertions and rejections of group membership and struggles for both liberty and equality, some people worry about a fragmenting, disuniting America while others urge a more finely categorized collection of subgroups.65 Both approaches imply that some notion of identity—whether broad like "American" or narrower like "bisexual biracial"—can do important work in addressing issues of politics, justice, and orderly social change. I will suggest instead that preoccupations with identity replicate, rather than resolve, conflicting conceptions of individual freedom and social meaning, self-creation and patterns beyond personal control. For none of us have individual identities except by reference to collective social experiences, and yet all of us retain some degrees of freedom for self-invention out of the found materials of biographical and social life. The questions worth attention, I suggest, do not concern fixing or selecting the right identities for use in politics and law but instead ask how to strike a productive stance toward the paradoxes of individual and social meaning.66 Practice with paradox can decrease a tendency to seize one or another side, only to be hit by the other side in arguments with others, or with ourselves.67 Noticing and thinking about paradoxes of identity can reduce the likelihood of polarized discussions while also reorienting attention from desires to fix or solve issues of identity toward attending to the circumstances that make identities seem so salient.

## 1AR

### Violent Spaces K

#### Their anti-politics will collapse into the racism they criticize.

Hogan ‘7

(Michael, Honorary Associate of Government and International Relations, University of Sydney, Australian Review of Public Affairs, Vol. 8, No. 1, August, p. 5-6)

The issues of ethnicity and concern for economic security came together in one of the most destructive tendencies of the 1920s and 1930s—the rise of anti-Semitism. Why is the economy in chaos? Blame the Jews. Again, this was a fundamentally anti-political ideology. Effective liberal politics seeks to find solutions that will protect the rights of minorities, while anti-politics too often seeks solutions by finding someone to blame and looking for conspiracies. That is part of the attraction of an authoritarian regime; only a dictator (so the popular thinking goes) can punish the culprits and root out the conspiracies which have infiltrated the institutions of democracy and capitalism.

### XO CP

#### Data disproves hegemony impacts

Fettweis, 11

Christopher J. Fettweis, Department of Political Science, Tulane University, 9/26/11, Free Riding or Restraint? Examining European Grand Strategy, Comparative Strategy, 30:316–332, EBSCO

It is perhaps worth noting that there is no evidence to support a direct relationship between the relative level of U.S. activism and international stability. In fact, the limited data we do have suggest the opposite may be true. During the 1990s, the United States cut back on its defense spending fairly substantially. By 1998, the United States was spending $100 billion less on defense in real terms than it had in 1990.51 To internationalists, defense hawks and believers in hegemonic stability, this irresponsible “peace dividend” endangered both national and global security. “No serious analyst of American military capabilities,” argued Kristol and Kagan, “doubts that the defense budget has been cut much too far to meet America’s responsibilities to itself and to world peace.”52 On the other hand, if the pacific trends were not based upon U.S. hegemony but a strengthening norm against interstate war, one would not have expected an increase in global instability and violence. The verdict from the past two decades is fairly plain: The world grew more peaceful while the United States cut its forces. No state seemed to believe that its security was endangered by a less-capable United States military, or at least none took any action that would suggest such a belief. No militaries were enhanced to address power vacuums, no security dilemmas drove insecurity or arms races, and no regional balancing occurred once the stabilizing presence of the U.S. military was diminished. The rest of the world acted as if the threat of international war was not a pressing concern, despite the reduction in U.S. capabilities. Most of all, the United States and its allies were no less safe. The incidence and magnitude of global conflict declined while the United States cut its military spending under President Clinton, and kept declining as the Bush Administration ramped the spending back up. No complex statistical analysis should be necessary to reach the conclusion that the two are unrelated. Military spending figures by themselves are insufficient to disprove a connection between overall U.S. actions and international stability. Once again, one could presumably argue that spending is not the only or even the best indication of hegemony, and that it is instead U.S. foreign political and security commitments that maintain stability. Since neither was significantly altered during this period, instability should not have been expected. Alternately, advocates of hegemonic stability could believe that relative rather than absolute spending is decisive in bringing peace. Although the United States cut back on its spending during the 1990s, its relative advantage never wavered. However, even if it is true that either U.S. commitments or relative spending account for global pacific trends, then at the very least stability can evidently be maintained at drastically lower levels of both. In other words, even if one can be allowed to argue in the alternative for a moment and suppose that there is in fact a level of engagement below which the United States cannot drop without increasing international disorder, a rational grand strategist would still recommend cutting back on engagement and spending until that level is determined. Grand strategic decisions are never final; continual adjustments can and must be made as time goes on. Basic logic suggests that the United States ought to spend the minimum amount of its blood and treasure while seeking the maximum return on its investment. And if the current era of stability is as stable as many believe it to be, no increase in conflict would ever occur irrespective of U.S. spending, which would save untold trillions for an increasingly debt-ridden nation. It is also perhaps worth noting that if opposite trends had unfolded, if other states had reacted to news of cuts in U.S. defense spending with more aggressive or insecure behavior, then internationalists would surely argue that their expectations had been fulfilled. If increases in conflict would have been interpreted as proof of the wisdom of internationalist strategies, then logical consistency demands that the lack thereof should at least pose a problem. As it stands, the only evidence we have regarding the likely systemic reaction to a more restrained United States suggests that the current peaceful trends are unrelated to U.S. military spending. Evidently the rest of the world can operate quite effectively without the presence of a global policeman. Those who think otherwise base their view on faith alone.

### Elections DA

#### Romney’s already come out in support of nuclear

Wood 9/13/12

Elisa, energy columnist for AOL, “What Obama and Romney Don't Say About Energy,” <http://energy.aol.com/2012/09/13/what-obama-and-romney-dont-say-about-energy/>, AM

Fossil fuels and renewable energy have become touchy topics in this election, with challenger Mitt Romney painting President Barack Obama as too hard on the first and too fanciful about the second – and Obama saying Romney is out of touch with energy's future. But two other significant resources, nuclear power and energy efficiency, are evoking scant debate. What gives? Nuclear energy supplies about 20 percent of US electricity, and just 18 months ago dominated the news because of Japan's Fukushima Daiichi disaster – yet neither candidate has said much about it so far on the campaign trail. Romney mentioned nuclear power only seven times in his recently released white paper, while he brought up oil 150 times. Even wind power did better with 10 mentions. He pushes for less regulatory obstruction of new nuclear plants, but says the same about other forms of energy. Obama's campaign website highlights the grants made by his administration to 70 universities for research into nuclear reactor design and safety. But while it is easy to find his ideas on wind, solar, coal, natural gas and oil, it takes a few more clicks to get to nuclear energy. The Nuclear Energy Institute declined to discuss the candidates' positions pre-election. However, NEI's summer newsletter said that both "Obama and Romney support the use of nuclear energy and the development of new reactors."

#### **Romney will win Ohio—independents, voter turnout, GOP trends, and renewed enthusiasm**

Jordan 10/25 (Josh, small-business market-research consultant, “

Why Romney Doesn’t Need a Poll Lead in Ohio,” [http://www.nationalreview.com/corner/331593/why-romney-doesnt-need-poll-lead-ohio-josh-jordan#](http://www.nationalreview.com/corner/331593/why-romney-doesnt-need-poll-lead-ohio-josh-jordan), NP)

But even with Obama currently enjoying a 2.1 point lead, Romney is still in great shape to win Ohio on Election Day. Here are some of the reasons for the optimism coming from Boston these days:¶ Romney’s strength with independents keeps growing: Last week when Obama led the Real Clear Politics average by 2.5 points, Romney led among independents by an average of 8.7 points. Romney has since increased that lead with independents to 12.3 points, which is why he’s been able to cut Obama’s overall lead even as the polls have leaned more Democratic. In 2008 Obama beat McCain with independents by eight points. It would be almost impossible for Obama to win Ohio while suffering a 20-point swing among independents.¶ The polls give Democrats a better turnout advantage than they had in 2008: As I explained in my last Ohio post, in 2008 Democrats beat Republicans in turnout by five points. The current polls show an average of D+6.6. A D+5 turnout in 2008 gave Obama a 4.5-point victory, while he is currently leading by only 2.1 points on an even greater D+6.6 turnout. Again, we know it should be very difficult for Democrats to match their 2008 turnout, let alone increase it.¶ History suggests late deciders will break against the incumbent:888 This is a rule that always receives some skepticism, but it’s very likely to benefit Romney at least some on Election Day. In 2004, late deciders broke against George W. Bush heavily, even though he was a wartime president. John Kerry beat Bush by 25 points among voters who decided in the last month, 28 points among voters that decided in the three days prior to Election Day, and 22 points among day-of deciders. Those voters were 20 percent of the Ohio electorate; while this year there are expected to be fewer late deciders, Obama cannot afford to lose among by those margins and still win.¶ In Ohio, Republicans tend to outperform their share of the national vote: In the last nine elections, the GOP has outperformed in Ohio. With Romney currently running just ahead of Obama nationally, it seems much more likely that Obama’s lead in Ohio has more to do with the higher party-ID advantage than a dramatic shift in Ohio from the past nine elections.¶ Strength with crossover voters in Ohio: In addition to Romney’s strength with independents, in the past two elections the GOP candidate has won over more Democrat votes than he’s lost Republican ones. Obama’s Ohio win in 2008 was based entirely on his strength with independents and the wave turnout, both of which are highly unlikely to be repeated in 2012. If Romney wins with independents by anywhere near the current average he has and takes more crossover voters than Obama does, Obama would need to exceed 2008 turnout greatly to win.¶ So, with less than two weeks until Election Day we will all know the results soon enough, but as more Ohio polls come in, it is important to remember that the picture for Romney in Ohio is better than many pundits would have us believe. It only takes a quick look at Romney’s rallies to remind us it’s not 2008 anymore, as Republicans have reclaimed the enthusiasm advantage that led to such sweeping 2008 victories for Democrats. That GOP enthusiasm has become contagious since the debates, and it is exactly what has Team Obama so afraid these days. All they have left to hang their hopes on is a slim lead in the polls, and even that might not be enough on Election Day.

#### The plan creates jobs in key swing states like Ohio and Pennsylvania -- boosts reelection probability.

Korte, ‘12

[Gregory, USA Today, “Politics stands in the way of nuclear plant's future,” 4-27-12 http://www.usatoday.com/money/industries/energy/story/2012-04-13/usec-centrifuges-loan-guarantees/54560118/1]

The stakes are high: It's an election year, and Ohio is a swing state. USEC estimates the project at its peak will generate 3,158 jobs in Ohio, and 4,284 elsewhere. Pike County, home to the centrifuges, has a 13% unemployment rate — the highest in Ohio. The median household income is about $40,000. The average job at USEC pays $77,316. Centrifuge parts are stacked up in Piketon. "It's as shovel-ready as they come," says spokeswoman Angela Duduit. Indeed, the project has enjoyed bipartisan support. A USA TODAY review of DOE records shows that no fewer than 46 members of Congress — 32 Republicans and 14 Democrats — have pressured the Obama administration to approve the loan guarantee for USEC. "Quick action is paramount," said one bipartisan letter. "It is imperative that this application move forward now," said another. The congressional support comes from states such as Ohio, Pennsylvania, Tennessee, Kentucky, West Virginia, Missouri, Alabama, Indiana, Maryland, North Carolina and South Carolina— an almost exact overlay of the states that would benefit from the 7,442 jobs the company says would be created.