# Neg vs Cal Poly CM

## 1NC

### 1

#### Agency discussions are essential to education about energy policy

Valentine 10 Scott Victor Valentine - Lee Kuan Yew School of Public Policy, National University of Singapore, Singapore, “Canada’s constitutional separation of (wind) power” Energy Policy, Volume 38, Issue 4, April 2010, http://www.sciencedirect.com/science/article/pii/S0301421509009227

Should policymakers facilitate renewable energy capacity development through distributive policies (i.e. subsidies), regulatory policies (i.e. CO2 emission caps), redistributive policies (i.e. carbon taxes) or constituent policies (i.e. green energy campaigns) (Lowi, 1972)? A preponderance of research has gone into addressing this question from various conceptual perspectives, which include popular themes such as comparing the efficacy of various policy instruments (cf. Blakeway and White, 2005; EWEA, 2005; Menza and Vachona, 2006; cf. Lipp, 2007), championing the efficacy of one specific instrument (cf. Sorrell and Sijm, 2003; cf. Mathews, 2008), assessing the impact that socio-economic dynamics have on the selection or design of policy instruments (cf. Maruyama et al., 2007; cf. Huang and Wu, 2009), investigating policy instrument selection in stakeholder networks (cf. Rowlands, 2007; cf. Mander, 2008), investigating hurdles to effective policy instruments implementation (cf. Alvarez-Farizo and Hanley, 2002), and examining challenges associated with evaluating policy instrument efficacy (cf. Mallon, 2006; cf. Vine, 2008).

Despite the proliferation of studies on policy instruments in the renewable energy policy field, there are no prominent examples of studies which investigate the impact that the federal form of government has on strategic selection of policy instruments. Federal government systems are characterized by power-sharing between the central authority and the regions comprising the federation. For federal policymakers, the manner in which power is divided can pose significant policy-making problems (Thorlakson, 2003). Specifically, federal attempts to apply coercive policy instruments in policy areas of regional or concurrent (shared) authority can generate political, legal or operational resistance by regional authorities. Even when developing policy for areas under federal jurisdiction, regional authorities have to avail their various “thrust and riposte” tactics to undermine the efficacy of disagreeable federal policies (Braun et al., 2002). Given that there are 24 nations with a federal government structure (including the major economies of the United States, Germany, Canada, Australia, Russia, India, Spain, Brazil and Mexico), a formal enquiry into the impact that federal structure has on renewable energy policy instrument development is merited.

#### VI for limits and ground---hundreds of relevant actors, from the DoE to DOD, courts, executive all conduct different energy programs and have different restrictions ---overstretches our research burden and wrecks 1NC strategy.

### 2

#### A. INTERPRETATION. A restriction must actually prevent production, not just indirectly make it more difficult. Legal interpretations in the context of a similar kind of regulation support.

New York Court of Appeals Chief Justice Pound in 33

Roscoe, Nebbia v. New York, 262 N.Y 259, 264, lexis

**The fixing of minimum prices is one of the main features of the act**. The question is whether the act, so far as it provides for fixing minimum prices for milk, is unconstitutional under New York Constitution, article 1, section 6, and United States Constitution, Fourteenth Amendment, in that it interferes with the right of the milk dealer to carry on his business in such manner as suits his convenience, without State interference as to the price at which he shall sell his milk.

He continues [New York Court of Appeals Chief Justice Pound in 33]

Roscoe, Nebbia v. New York, 262 N.Y 259, 271, lexis

**The New York law** creates no monopoly; **does not restrict production**; was adopted to meet an emergency; milk is a greater family necessity than ice.

US Supreme Court Justice Roberts in 34

(Owen, Majority opinion in Nebbia v. New York, 291 U.S. 502, 531, http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?court=us&vol=291&invol=502

Notwithstanding **the admitted power to correct existing economic ills by appropriate regulation of business, even though an indirect result may be a restriction of the freedom of contract or a modification of charges for services or the price of commodities**, the appellant urges that direct fixation of prices is a type of regulation absolutely forbidden. His position is that the Fourteenth Amendment requires us to hold the challenged statute void for this reason alone. The argument runs that the public control of rates or prices is per se unreasonable and unconstitutional, save as applied to businesses affected with a public interest; that a business so affected is one in which property is devoted to an enterprise of a sort which the public itself might appropriately undertake, or one whose owner relies on a public grant or franchise for the right to conduct the business, or in which he is bound to serve all who apply; in short, such as is commonly called a public utility; or a business in its nature a monopoly. The milk industry, it is said, possesses none of these characteristics, and, therefore, not being affected with a public interest, its charges may not be controlled by the state. Upon the soundness of this contention the appellant's case against the statute depends. We may as well say at once that the dairy industry is not, in the accepted sense of the phrase, a public utility. We think the appellant is also right in asserting that there is in this case no suggestion of any monopoly or monopolistic practice. It goes without saying that those engaged in the business are in no way dependent upon public grants or franchises for the privilege of conducting their activities. But if, as must be conceded, the industry is subject to regulation in the public interest, what constitutional principle bars the state from correcting existing [291 U.S. 502, 532] maladjustments by legislation touching prices? We think there is no such principle.

#### And incentives can only be positive motivators attached to specific outcomes

Russel Thomas, 2007 [Principal at Meritology, a consultancy that models business value and risk forinformation technology, Incentive-based Cyber Trust – A Call to Action,http://meritology.com/resources/Incentive based%20Cyber%20Trust%20Initiative%20v3.5.pdf]

“Incentive” – Our definition differs somewhat from the usual economic definition: “In economics, an incentive is any factor (financial or non-financial) that provides a motive for a particular course of action, or counts as a reason for preferring one choice to the alternatives. Since human beings are purposeful creatures, the study of incentive structures is central to the study of all economic activity (both in terms of individual decision-making and in terms of co-operation and competition within a larger institutional structure).” [13] Generally, the incentives we consider are tied to desired outcomes, so that they are a form of gain sharing or shared equity. For purposes of this paper and the proposed Initiative, “incentive ” is further qualified to include only positive incentives such as remunerative, moral, and personal incentives. We exclude negative or coercive incentives from this definition because we want to draw on and stimulate “market forces”, broadly defined. Market systems normally motivate agents through positive incentives. In contrast, coercive incentives (penalties, etc. for failures to act) are usually administered through non-market processes such as legal , regulatory, or authority institutions .

#### b.) VIOLATION: The tariff the affirmative removes isn’t a direct restriction on actual production nor is it a positive incentive for production, it’s a removal of a negative incentive

#### C. REASONS TO PREFER.

#### 1. Limits.

Their interpretation opens aff case choice to changing anything that might discourage energy production. They could improve the European economy, or stop a war with Iran. Unlimited case possibilities make negative preparation too difficult.

#### 2. Ground

The aff interpretation allows them to claim too many advantages unrelated to increasing energy production, such as protection of trade secrets. Fair ground division on this topic should be centered around increasing or decreasing energy production. Our interpretation guarantees this.

#### 3. Bright line

Their interpretation requires that you look at the intent or effects of regulations rather than on the words. Our interpretation sets a bright line -- if the words of the law mandate a limit on energy production, then it is topical to remove it. Avoiding subjective judging decisions is good for the exercise of jurisdiction. Also, any advantages based on removing restrictions would be extratopical, not reasons to vote aff.

#### D. TOPICALITY, EFFECTS T AND EXTRA T ARE VOTERS.

For reasons of education, fairness and jurisdiction.

### 3

#### The United States Supreme Court should issue a narrow ruling stating that the antidumping tariffs that are placed on solar panels manufactured in the People’s Republic of China are unconstitutional.

#### The Supreme Court can rule on international trade

Stewart 2010

(John I, Jr., partner for Cowell Moring consulting, April 20th, “Supreme Court Review of Copyright Act's "First Sale" Rule Could Have Important Consequences for Trade in Goods Subject to Intellectual Property Rights Protections”, http://www.crowell.com/NewsEvents/AlertsNewsletters/International-Trade-Bulletin/Supreme-Court-Review-of-Copyright-Act-s-First-Sale-Rule)

Yesterday, the Supreme Court granted certiorari in the case of Costco v. Omega1, a copyright dispute that could have profound implications for the ability of manufacturers engaged in global trade of IP-intensive goods to manage distribution of their goods in multiple markets. Specifically, should the Supreme Court reverse the lower court’s ruling, the practical effect will be that U.S. copyright owners whose goods are manufactured and first sold overseas may lose the right to control whether, at what price, and under what other conditions those goods subsequently are resold and imported into the United States. This would make market segmentation and destination pricing – which are strategically critical for many manufacturers of IP-intensive goods – substantially more difficult. Although the question before the Court is limited to interpretation of a provision of the Copyright Act, a broadening of the first sale rule could spill over into the patent area, affecting trade in pharmaceuticals and other products covered by patent.

### 4

#### Obama wins – Intrade and Silver

Witt 10/26 (Ryan, graduate of Washington University Law School in St. Louis and has extensive experience teaching government and politics, http://www.examiner.com/article/intrade-and-nate-silver-significantly-upgrade-obama-s-odds-for-victory)

As Election Day draws near millions of Americans are looking up the latest polls to see whether Mitt Romney or President Obama will win in November. In addition to the polls, two other projections have gained significant notoriety over the last year. One is a market called Intrade, and the other is projective model developed by statistician Nate Silver of The New York Times. Both of those predictive measurements have significantly upgraded President Obama’s odds for victory over the last 72 hours, likely in response to Obama’s improving poll numbers.¶ For those unfamiliar with Intrade, it is a trading market in which people to make predictions by buying stock in a particular event. For instance, someone can buy “stock” in the prediction that President Obama will win re-election vote count on November 6. Currently that “stock” for President Obama winning is selling a $6.29 a share. If the trader is right and the event happens they can sell each shares for $10. If the trader is wrong, and the event does not happen, their shares go down to $0. Shares can also be sold before the event happens for a profit or loss.¶ With the “Obama re-election stock” currently selling at $6.29, traders are essentially betting that Obama has a 62.9% chance of winning. That number is a significant upgrade from Obama from Wednesday morning, when Obama was trading at just $5.60. What this essentially means is that people who have actual money riding on the outcome increased Obama’s odds for victory by 10 percent.¶ The second projection is much more complicated. Nate Silver has developed fame for a website called FiveThirtyEight.com which incorporates all the polling data, and more, in order to project elections. Silver’s model is much more complex than a simple average of the polls. Silver takes into account the demographics of each state, the direction of the economy, and he also weighs each pollster differently based on their past performance.¶ According to Silver’s November 6 forecast, President Obama currently has a 73.1% chance of winning the election. Over the last 72 hours Silver has increased Obama’s odds by over 5%. Two weeks ago, on October 12, Silver had President Obama’s odds down all the way to 61.1%.¶ So while many in the media are continuing with the narrative that Mitt Romney has the momentum, Obama is trending up with the people who are putting their wallets where the mouth is, and with the statistician who has made a name for himself in projecting elections.

#### Solar tariffs are key to Obama’s “tough on China” image --- key to election.

LeVine 12 (Steve LeVine, author of The Oil and the Glory and foreign correspondent for Foreign Policy, 3-21-2012, Obama's decision to get re-elected and avoid trade war with China, Foreign Policy, oilandglory.foreignpolicy.com/posts/2012/03/21/obamas\_decision\_to\_be\_re\_elected\_and\_avoid\_trade\_war\_with\_china, accessed 9-15-2012

As it goes with having the world's most vibrant economy, China is the target of heated accusations of cheating to get there. Often it is guilty as charged, which is the case with a decision yesterday by the Obama administration to slap tariffs on Chinese solar module manufacturers after a finding that they are illegally subsidized.¶ Yet, did China in fact get off easy? The answer is yes, and the reason is President Barack Obama's conflicting duties -- to avoid a dangerous trade war with China, while also winning re-election.¶ Here briefly are the facts: In October, a group of U.S. solar panel makers filed a complaint saying that Chinese rivals were driving them out of business on the back of government subsidies. To charges that U.S. companies are subsidized, too, the plaintiffs said that, unlike their Chinese rivals, 95 percent of their product is not aimed at exports.¶ To even the playing field, they sought high tariffs on Chinese-made panels. In December, the International Trade Commission sided with the U.S. companies, and yesterday, the U.S. Commerce Department followed up with the penalty: a 2.9 percent duty on products sold by a Chinese company called SunTech, a 4.73 percent duty on Trina Solar, and 3.61 on the rest of China's solar producers and exporters.¶ No one -- not the American plaintiffs nor the Chinese defendants -- complained. The New York Times' Keith Bradsher and Matt Wald quote a Chinese official named Li Junfeng: "I'm happy that it's not a lot, but not surprised -- the Chinese government does not give too many subsidies to the companies."¶ The backdrop is layered: The Chinese juggernaut has been a key issue in the U.S. presidential campaign, as it has been in previous recent election cycles. Republicans say that Obama is soft on China, and that if they were in power, they would let Beijing know who is boss.¶ So in response, the Administration has made essentially an election-year decision. By issuing tariffs, Obama benefits from appearing arguably tough against China, while at the same time it lessens the chances of further aggravating Beijing: The tariffs are comparatively low, and they include an escape route -- if any of the penalized Chinese solar-module markers build their products in a third country, there is no tariff. "Low cost, relatively high return for Obama," Larry Sabato, a professor at the University of Virginia, told me by email.

#### Romney will bomb Iran

Tilford 12 (Robert, Military Affairs writer for the ExaminerAugust 25th, “Romney promises the American people war if elected” http://www.examiner.com/article/romney-promises-the-american-people-war-if-elected)

U.S. presidential candidate from the Republican Party Mitt Romney is promising the American people war if elected.¶ Romney told CBS news he'd be willing to go to war to stop Iran from "becoming nuclear” (see article: Romney Ready to Invade Syria, Strike Iran's Nuclear Program http://www.novinite.com/view\_news.php?id=142607 ).¶ "No question in my view that we can put all manner of pressure on the regime that's there, but they have to also know that a military option is one which we'd be willing to consider if they do not take action to dissuade a course towards nuclearization," Romney said of Iran.¶ On Face the Nation on Sunday, Mitt Romney said that if elected president “he wouldn't have to get congressional permission for a military strike on Iran” – which, of course would violate the U.S. Constitution.

#### Iran strikes causes multiple scenarios for nuclear war, CBW use and terrorist attacks.

Russell 9 (James A. Russell, managing editor of Strategic Insights, the quarterly ejournal published by the Center for Contemporary Conflict at the Naval Postgraduate School, Spring 2009, Strategic Stability Reconsidered: Prospects for Escalation and Nuclear War in the Middle East, Security Studies Center)

Iran’s response to what would initially start as a sustained stand-off bombardment (Desert Fox Heavy) could take a number of different forms that might lead to escalation by the United States and Israel, surrounding states, and non-state actors. Once the strikes commenced, it is difficult to imagine Iran remaining in a Saddam-like quiescent mode and hunkering down to wait out the attacks. Iranian leaders have unequivocally stated that any attack on its nuclear sites will result in a wider war81 – a war that could involve regional states on both sides as well as non-state actors like Hamas and Hezbollah. While a wider regional war need not lead to escalation and nuclear use by either Israel or the United States, wartime circumstances and domestic political pressures could combine to shape decision-making in ways that present nuclear use as an option to achieve military and political objectives. For both the United States and Israel, Iranian or proxy use of chemical, biological or radiological weapons represent the most serious potential escalation triggers. For Israel, a sustained conventional bombardment of its urban centers by Hezbollah rockets in Southern Lebanon could also trigger an escalation spiral. Assessing relative probability of these scenarios is very difficult and beyond the scope of this article. Some scenarios for Iranian responses that could lead to escalation by the United States and Israel are: Terrorist-type asymmetric attacks on either the U.S. or Israeli homelands by Iran or its proxies using either conventional or unconventional (chemical, biological, or radiological) weapons. Escalation is more likely in response to the use of unconventional weapons in populated urban centers. The potential for use of nuclear retaliation against terrorist type attacks is problematic, unless of course the sponsoring country takes official responsibility for them, which seems highly unlikely. Asymmetric attacks by Iran or its proxies using unconventional weapons against U.S. military facilities in Iraq and the Gulf States (Kuwait, Bahrain, UAE, Qatar); • Long-range missile strikes by Iran attacking Israel and/or U.S. facilities in Iraq and the Gulf States: • Conventional missile strikes in and around the Israeli reactor at Dimona • Airbursts of chemical or radiological agents in Israeli urban areas; • Missile strikes using non-conventional weapons against US Gulf facilities such as Al Udeid in Qatar, Al Dhafra Air Base in the UAE, and the 5th Fleet Headquarters in Manama, Bahrain. Under all scenarios involving chemical/biological attacks on its forces, the United States has historically retained the right to respond with all means at its disposal even if the attacks come from a non-nuclear weapons state.82 • The involvement of non-state actors as part of ongoing hostilities between Iran, the United States, and Israel in which Hezbollah and/or Hamas became engaged presents an added dimension for conflict escalation. While tactically allied with Iran and each other, these groups have divergent interests and objectives that could affect their involvement (or non-involvement in a wider regional war) – particularly in ways that might prompt escalation by Israel and the United States. Hezbollah is widely believed to have stored thousands of short range Iranian-supplied rockets in southern Lebanon. Attacking Israel in successive fusillades of missiles over time could lead to domestic political demands on the Israeli military to immediately stop these external attacks – a mission that might require a wide area-denial capability provided by nuclear weapons and their associated PSI overpressures, particularly if its conventional ground operations in Gaza prove in the mid- to longterms as indecisive or strategic ambiguous as its 2006 operations in Lebanon. • Another source of uncertainty is the Iran Revolutionary Guard Corps (IRGC) – referred to here as “quasi-state” actor. The IRGC manages the regime’s nuclear, chemical and missile programs and is responsible for “extraterritorial” operations outside Iran. The IRGC is considered as instrument of the state and reports directly to Supreme Leader Ayatollah Khamenei. So far, the IRGC has apparently refrained from providing unconventional weapons to its surrogates. The IRGC also, however arms and funds various Shiite paramilitary groups in Iraq and Lebanon that have interests and objectives that may or may not directly reflect those of the Iranian supreme leader. Actions of these groups in a wartime environment are another source of strategic uncertainty that could shape crisis decision-making in unhelpful ways. • The most likely regional state to be drawn into a conflict on Iran’s side in a wider regional war is Syria, which is widely reported to have well developed missile and chemical warfare programs. Direct Syrian military involvement in an Israeli-U.S./Iranian war taking the form of missile strikes or chemical attacks on Israel could serve as another escalation trigger in a nuclear-use scenario, in particular if chemical or bio-chem weapons are used by the Syrians, technically crossing the WMD-chasm and triggering a retaliatory strike using any category of WMD including nuclear weapons. • The last – and perhaps most disturbing – of these near-term scenarios is the possible use by Iran of nuclear weapons in the event of conventional strikes by the United States and Israel. This scenario is built on the assumption of a U.S. and/or Israeli intelligence failure to detect Iranian possession of a nuclear device that had either been covertly built or acquired from another source. It is possible to foresee an Iranian “demonstration” use of a nuclear weapon in such a scenario in an attempt to stop an Israeli/U.S. conventional bombardment. A darker scenario would be a direct nuclear attack by Iran on Israel, also precipitated by conventional strikes, inducing a “use them or lose them” response. In turn, such a nuclear strike would almost certainly prompt an Israeli and U.S. massive response – a potential “Armageddon” scenario.

### Solvency

#### No impact – China will side step and other countries fill in

Crooks 12 (Ed, Financial Times, “China looks to sidestep solar tariffs” 5-20-2012, <http://www.ft.com/cms/s/0/2a1da18a-a29d-11e1-a605-00144feabdc0.html#axzz26yoiAz5e>)

Chinese solar panel manufacturers are making plans to source components from Taiwan in order to get around US anti-dumping tariffs of at least 31 per cent announced by the department of commerce last week. Industry executives and analysts expect the largest Chinese solar power companies such as Suntech Power, Trina Solar and Yingli Green Energy to use components from Taiwan, Korea and other countries to maintain their position in the fast-growing US market. The US imposed anti-dumping duties on Chinese polysilicon solar cells, the components that are used to make panels, following a complaint from SolarWorld, a German company that employs 1,100 people in Oregon and California, and six other companies with US solar manufacturing operations. The 61 larger Chinese companies that co-operated with the commerce department’s investigation, including Suntech, Trina and Yingli, face tariffs of about 31 per cent on import price of their cells, while other Chinese cells will be charged a tariff of about 250 per cent. The move brought an angry reaction on Friday from the Chinese ministry of commerce, which attacked the duties as “unfair” and said they were evidence of the US tendency towards protectionism. Chinese manufacturers and American solar power generators and installers, which benefit from cheap Chinese panels, will try to overturn the preliminary decision when the US commerce department makes its final ruling in October. The duties apply only to solar cells, not to the modules that they are assembled into, enabling Chinese module manufacturers to serve the US market with cells from alternative sources. With the global solar cell market heavily oversupplied, there will be plenty of countries able to provide those cells. Taiwan has capacity to manufacture solar cells this year capable of generating 7,300 megawatts, twice the expected size of the US market, which is on course to be about 3,000MW this year. There is a further 2,000MW of cell production capacity in South Korea. The move could benefit Taiwanese cell manufacturers including Motech and Neo Solar Power. Although the Taiwanese and Korean cells are likely to be more expensive than Chinese production, the existence of substantial global excess capacity is likely to prevent large increases in prices. As a result, analysts expect some increase in the price of solar cells and modules in the US, but not by as much as the 31 per cent duty rate. The relatively modest impact on prices may also limit the effectiveness of the tariffs in helping US manufacturers, who generally have higher costs than Asian producers.

#### Independent US solar industry key to manufacturing and innovation

Hart and Gordon 12 (Melanie, Policy Analyst for Chinese Energy and Climate Policy at the Center for American Progress,  and Kate, Senior Fellow at American Progress, “5 Myths and Realities About U.S.-China Solar Trade Competition”, <http://www.americanprogress.org/issues/green/news/2012/05/16/11592/5-myths-and-realities-about-u-s-china-solar-trade-competition/>)

In reality, our nation is still a global manufacturing powerhouse. In 2010 manufacturing contributed $1.7 trillion to the U.S. economy. Manufacturing accounts for 60 percent of all U.S. exports. The United States ranks first in the world in manufacturing value added, meaning that the raw materials and processes used by the manufacturing sector result in products that add more value to the overall U.S. economy than is the case in any other country. The country was also the third-largest exporter of manufactured goods to the world in 2009. Despite drops in employment the U.S. share of global manufacturing output since 1970 has remained fairly constant at around 22 percent.¶ Clean energy investments are particularly good for manufacturing. As The Brookings Institution notes, over a quarter of all the jobs created in clean energy industries are in the manufacturing sector. Between 2004 and 2009, when federal support for wind energy was stable and installed capacity grew from 6.7 megawatts to 35,000 megawatts, manufacturing in that sector grew correspondingly, to nearly 250 facilities. By 2010 the wind sector had more than 400 U.S.-based manufacturing facilities.¶ While the solar industry has had a more turbulent time with manufacturing, perhaps in part because of unfair competition from China, domestic production in this sector also increased dramatically in 2010. According to the Solar Energy Industry Association, this demand was due primarily to strong growth in demand for solar, both globally and domestically, as well as to increases in manufacturing capacity.¶ Yet there were also some high-profile bankruptcies in the solar manufacturing arena in 2011, including Solyndra, a California-based manufacturing company that pioneered an innovative rooftop solar system that did not use polysilicon, but which went bankrupt when polysilicon prices went from an all-time high in 2008 through the floor in 2009. But the solar manufacturers that remain are, in general, those with innovative products and advanced manufacturing techniques, such as First Solar Inc. of Tempe, Arizona, and SunPower Corp. of San Jose, California.¶ What do all these stories and statistics tell us? Primarily, that solar manufacturing is indeed possible in the United States, and that location decisions of solar firms are driven in large part by strong market demand and access to innovative ideas and advanced manufacturing practices.¶ The United States is a leader in advanced manufacturing and can be a leader in strong demand for clean energy. Our country can and should be attractive to solar manufacturers so long as there is true price competition in the global marketplace. Moreover, we should be fighting hard to keep manufacturing in the United States precisely in order to maintain our competitive edge in innovation and advanced manufacturing. ¶ Manufacturing is critical to maintaining the U.S. leadership in technology and innovation—a key to strong economic growth. Manufacturing firms are more likely to innovate than firms in other industries; 22 percent of manufacturing companies are active innovators compared to only 8 percent of nonmanufacturing companies. Manufacturing firms also perform the vast majority of private research and development. Despite comprising 13.4 percent of the nation’s gross national product—the largest measure of economic growth—manufacturing companies contribute 70 percent of private R&D spending.¶ In addition to what manufacturers spend on innovation, there is increasing evidence that our capability to innovate is linked to our ability to actually, physically, manufacture. Harvard University professors Gary Pisano and Willy Shih have written about the decline of the U.S. “industrial commons”—the collective R&D, engineering, and manufacturing capabilities that mutually reinforce each other to sustain innovation. For many types of manufacturing, geographic proximity makes for a much stronger “commons.” Specifically, Pisano and Shih find that there are few high-tech industries where the feedback loop from the manufacturing process is not a factor in developing new products.¶ As an example of an industry in which innovation has followed manufacturing, they cite rechargeable batteries. Rechargeable battery manufacturing left the United States many years ago, leading to the migration of the batteries commons to Asia. Now new technologies (batteries for hybrid and electric vehicles) are being designed in Asia where the commons are located. Which begs the question, asked by a recent New York Times article on China’s increasing investment in research and development: “Our global competitiveness is based on being the origin of the newest, best ideas. How will we fare if those ideas originate somewhere else?”

#### Solar power fails – unreliable in providing electricity to the grid in peak hours, which means coal, natural gas and nuclear plants can’t be replaced

Institute for Energy Research 12 (August 13th, a not-for-profit organization that conducts intensive research and analysis on the functions, operations, and government regulation of global energy markets, California’s Flex Alert: A Case Study in Intermittent Energy, http://www.canadafreepress.com/index.php/article/48788)

California has long been a leader in promoting wind and other renewables to power the electricity grid. Recently, California has gone even further and in 2011, Gov. Jerry Brown signed a law to force an increase in the amount of renewables utilities must use to 33 percent of the state’s electricity by 2020.¶ Currently, the state is experiencing a stressed electricity grid because of high demand and because some nuclear and natural gas plants are offline. Mandated renewable energy is proving itself incapable of filling the void. This situation show how little actual value wind, solar and other politically correct renewables have in the real world work of supplying people with electricity when they need and want it.¶ California is currently experiencing a “flex alert” which strongly urges Californians to use less electricity. According to the California ISO, the operator of the region’s power grid, it is “critical” to conserve electricity today to make sure there aren’t blackouts. Here’s the graphic representing the alert:¶ Because California is rushing headlong toward more and more renewables in the electricity grid it is important to look at how renewables are contributing to keeping the electricity grid stable. For example, California has 4.297 gigawatts of installed wind capacity which could really help California balance the grid if the wind blew at the right times (spoiler alert—the wind doesn’t blow at the right times).¶ The first chart below shows the supply and demand for August 9, 2012 in the California ISO electrical grid. The actual demand is in blue and the available generation is in orange. The second chart shows the renewable generation in California at that time.¶ There are some very important things to note with respect to the renewable generation. Wind’s production peaked just before 1 am, when electricity demand was dropping as people went to bed and nighttime temperatures reduced the need for air conditioning. At the time, wind was producing 6 percent of California’s electricity, but after 1 am, wind began to falter and wind production fell by 90 percent by 11 am. At that time, wind was producing less than 100 megawatts of electricity—a mere 0.2 percent of the electricity in California.¶ This shows how wind fails to produce electricity when needed most. At 11 am, as electricity demand was rapidly increasing and electricity producing was needed most, wind was at a low ebb. Fortuitously, wind production increased in the afternoon, but by 5:30 pm, wind was only producing a little more than 1 percent of California’s total electricity.¶ Solar helped meet demand more than wind, because solar has the advantage of producing electricity when the sun is shining and households are using more power. But even solar failed to produce much electricity during the period of highest demand, producing just 2 percent of the state’s electricity at its peak. Solar production peaked at nearly 1 gigawatt at 11 am and continued to produce about 1 gigawatt until 3 pm. The problem is that the state’s highest period of demand occurred at about 5 pm, when solar’s production had fallen by over 50 percent from its peak.¶ This data shows how little value wind and solar have in producing electricity when people really need it, and should be a wake-up call to California—one of the many states with mandates—as well as the Obama administration and other promoters of wind and solar. Even though wind and solar production might be growing in California, it isn’t helping to balance the grid and keep the lights on. Electricity production has to balance electricity demand and wind and solar aren’t doing a good job contributing. Moreover, it does not matter how many wind and solar installations are built because natural gas and other reliable power plants will be required to be built to meet peak electricity demand.

#### Write your plan better –

#### a. There are two tariffs and you only remove one

Stearns 12 (Jonathan Stearns – Bloomberg – 9/6/12,

Chinese Solar-Panel Exporters Face the Threat of EU Tariffs, http://www.renewableenergyworld.com/rea/news/article/2012/09/chinese-solar-panel-exporters-face-the-threat-of-eu-tariffs

In addition to anti-dumping duties, the U.S. introduced anti-subsidy levies against China’s solar industry earlier this year.

#### b. That pisses China off just as much

Pietersen 12 (Leslie Pietersen - 9/3/12, China’s List of Solar Trade Rows Grows, http://www.engerati.com/article/china%E2%80%99s-list-solar-trade-rows-grows

In 2012 alone, China’s solar industry has pitted itself against that of the US, the EU, Japan and South Korea. Allegations center on anti-subsidy and anti-dumping violations. The latest of these, dated August 2012, follows a request by four of the country’s major polysilicon producers to launch an anti-dumping investigation into imports from the EU.

#### Market forces make solar uncompetitive

Zycher 12 (Benjamin, Pacific Research Institute Senior Fellow,, Martin V. Smith School of Business and Economics adjunct professor, associate in the Intelligence Community Associates Program of the Office of Economic Analysis, Bureau of Intelligence and Research, U.S. Department of State, former senior staff economist for the President's Council of Economic Advisers, April 19, “Zycher testimony to joint House subcommittee hearing on subsidies for renewable energy,” <http://www.aei.org/article/energy-and-the-environment/alternative-energy/zycher-testimony-to-joint-house-subcommittee-hearing-on-subsidies-for-renewable-energy/>, d/a 8-1-12, ads)

Nonetheless: Renewable electricity generally, and wind and solar power in¶ particular, is very high cost and is likely to remain so for the foreseeable future because¶ of three central factors discussed below. As a result, they have achieved only small¶ market shares. Renewable electricity generation from all non-hydroelectric sources was¶ only 3.6 percent of total U.S. generation in 2010. The Energy Information¶ Administration estimated in 2007 that the proportion in 2030 would be that very same 3.6¶ percent. The EIA more recently has increased that projection to 11 percent. But it is not clear what changes in important parameters have yielded that increase¶ in the projected market share over the course of only a few years. No sound rationale,¶ whether economic or technological, can explain this change in the official wisdom. Quite¶ to the contrary: Both economic and technological factors suggest strongly that wind and¶ solar power will remain uncompetitive, heavily dependent upon subsidies both direct and¶ indirect, and small relative to the electricity market as a whole.¶ The implementation of energy policies in the U.S. for decades has pursued energy¶ sources defined in various ways as alternative, unconventional, independent, renewable,¶ and clean, in an effort to replace such conventional fuels as oil, coal, and natural gas.¶ These longstanding efforts without exception have yielded poor outcomes, in a nutshell¶ because they must swim against the tide of market forces. That is why the only reliable¶ outcome has been one disappointment after another, and there are powerful reasons to¶ predict that the same will prove true with respect to the current enthusiasm for renewable¶ electricity.

#### Tariffs good - prevents a price a bubble burst which will happen in the status quo

Bradsher 12 (Keith, Hong Kong bureau chief of The New York Times. “Glut of Solar Panels Poses a New Threat to China,” October 4, 2012, <http://www.nytimes.com/2012/10/05/business/global/glut-of-solar-panels-is-a-new-test-for-china.html?pagewanted=all>)-mikee

But now China’s strategy is in disarray. Though worldwide demand for solar panels and wind turbines has grown rapidly over the last five years, China’s manufacturing capacity has soared even faster, creating enormous oversupply and a ferocious price war. The result is a looming financial disaster, not only for manufacturers but for state-owned banks that financed factories with approximately $18 billion in low-rate loans and for municipal and provincial governments that provided loan guarantees and sold manufacturers valuable land at deeply discounted prices. China’s biggest solar panel makers are suffering losses of up to $1 for every $3 of sales this year, as panel prices have fallen by three-fourths since 2008. Even though the cost of solar power has fallen, it still remains triple the price of coal-generated power in China, requiring substantial subsidies through a tax imposed on industrial users of electricity to cover the higher cost of renewable energy. The outcome has left even the architects of China’s renewable energy strategy feeling frustrated and eager to see many businesses shut down, so the most efficient companies may be salvageable financially. In the solar panel sector, “If one-third of them survive, that’s good, and two-thirds of them die, but we don’t know how that happens,” said Li Junfeng, a longtime director general for energy and climate policy at the National Development and Reform Commission, the country’s top economic planning agency. Mr. Li said in an interview that he wanted banks to cut off loans to all but the strongest solar panel companies and let the rest go bankrupt. But banks — which were encouraged by Beijing to make the loans — are not eager to acknowledge that the loans are bad and take large write-offs, preferring to lend more money to allow the repayment of previous loans. Many local and provincial governments also are determined to keep their hometown favorites afloat to avoid job losses and to avoid making payments on loan guarantees, he said. Mr. Li’s worries appear to be broadly shared in Beijing. “For the leading companies in the sector, if they’re not careful, the whole sector will disappear,” said Chen Huiqing, the deputy director for solar products at the China Chamber of Commerce for Import and Export of Machinery and Electronic Products. The Chinese government also wants to see the country’s more than 20 wind turbine manufacturers, many of which are losing money, consolidate to five or six. “Wind does not need so many manufacturers,” said Mr. Li, who in addition to drafting renewable energy policies is the president of the Chinese Renewable Energy Industries Association. Chinese solar company executives blame their difficulties partly on the United States’s decisions last spring to impose antidumping and anti-subsidy tariffs on solar panel imports, and on the European Union’s recent decision to start its own antidumping investigation of imports from China. “It is not a Chinese industry problem, it is a global solar industry problem,” said Rory Macpherson, a spokesman for Suntech Power, one of the largest Chinese solar panel manufacturers. “It is primarily the result of an imbalance between supply and demand, and the U.S. and E.U. trade investigations.” Mr. Li said the solar industry’s problems were the result of overcapacity in China, and not the fault of trade restrictions. Yet he insisted that if the Chinese government could turn back the clock and revisit past renewable energy decisions, it would not do anything differently. The problem lies in the eagerness of Chinese businesses to rush into any new industry that looks attractive and swamp it with investments, he said. Chinese companies and their bankers are then far more reluctant than Western companies to admit defeat for investments that prove unprofitable. Mr. Li added that banking regulators had not yet decided what to do about banks’ exposure to the solar sector. The central government tried without success to learn from local and provincial government agencies how much of the solar industry’s bank debt they have guaranteed, Mr. Li said. Chinese solar power companies are making some cutbacks. Suntech, based in Wuxi, is temporarily closing a quarter of its solar cell capacity. It will transfer a majority of the 1,500 affected workers to other operations and provide severance payments to the rest. Jiangsu province, where Suntech has its headquarters and most of its factories, issued an unusual appeal to state-owned banks several weeks ago to continue lending money to the company, a step that Mr. Li criticized as inappropriate. Mr. Macpherson of Suntech wrote in an e-mail that the Jiangsu government had not guaranteed any of the company’s debt, which totaled $2.26 billion at the end of the first quarter, including some convertible bonds in addition to bank loans. Trina Solar, one of its biggest rivals, also has said it will “streamline its operations” and shrink its work force, but did not provide details. Trina shares have dropped 85 percent in the last three years and Suntech shares have fallen more than 98 percent in the last five years. Both trade on the New York Stock Exchange. The modest cutbacks in production barely put a dent in China’s overcapacity problem. GTM Research, a renewable energy consulting firm in Boston, estimates that Chinese companies have the ability to manufacture 50 gigawatts of solar panels this year, while the Chinese domestic market is on track to absorb only 4 to 5 gigawatts. Exports will take another 18 or 19 gigawatts. The enormously expensive equipment in solar panel factories needs to be run around the clock, seven days a week, to cover costs. “You want to be up at 80 percent, so they’re half of what they need,” said Shayle Kann, the head of GTM Research, which is a unit of Greentech Media. Chinese companies have struggled even though a dozen solar companies in the United States and another dozen in Europe have gone bankrupt or closed factories since the start of last year. The bankruptcies and closures have done little to ease the global glut and price war because China by itself represents more than two-thirds of the world’s capacity.

#### Solar power fails - low energy capacity

Zycher 12 (Benjamin, Pacific Research Institute Senior Fellow, Martin V. Smith School of Business and Economics adjunct professor, associate in the Intelligence Community Associates Program of the Office of Economic Analysis, Bureau of Intelligence and Research, U.S. Department of State, former senior staff economist for the President's Council of Economic Advisers, April 19, “Zycher testimony to joint House subcommittee hearing on subsidies for renewable energy,” <http://www.aei.org/article/energy-and-the-environment/alternative-energy/zycher-testimony-to-joint-house-subcommittee-hearing-on-subsidies-for-renewable-energy/>, d/a 8-1-12, ads)

The same general problem afflicts solar power. The energy content of sunlight,¶ crudely, is about 150-400 watts per square meter, depending on location, of which about¶ 20-30 percent is convertible to electricity, depending on the particular technology.¶ Accordingly, even in theory a square meter of solar energy receiving capacity is enough¶ to power roughly one 100-watt light bulb, putting aside such issues of sunlight intensity¶ and the like. This problem of land requirements for solar thermal facilities is of sufficient¶ importance that most analyses assume a maximum plant capacity of 50-100 MW, which,¶ conservatively, would require approximately 1250 acres, or 2 square miles.¶ In short: Transformation of the unconcentrated energy content of wind and¶ sunlight into a form useable for modern applications requires massive capital investment¶ in the form of both land and wind turbines and solar receiving equipment. This means¶ that the energy that can be extracted from renewable sources, relative to that from¶ conventional forms, by its very nature is limited and expensive.¶

### China/Econ

#### No impact to the Chinese economy and the CCP solves econ collapse.

Coonan 8 (reporter for the Independent, Clifford, 10-25-8, The Irish Times, “China's stalling boom has globe worried”, http://www.irishtimes.com/newspaper/opinion/2008/1025/1224838827729.html]

All of this downbeat news feeds into a growing suspicion that China has had its cake and eaten for way too long, and that there is simply no precedent for a country growing and growing without some kind of respite. Establishing what that pause will look like and what it means to the rest of the world is the latest challenge facing global analysts. A hangover is considered inevitable and the Olympics, while meaningless economically, are widely considered the psychological trigger for China to face a slowdown. Despite all this gloom, however, writing China off is premature. The Beijing government is well placed to help protect the economy from the worst ravages of a global downturn. It has spent the last two years trying to fight inflation and cool the overheating economy, so it's a lot easier for it to take the foot off the brakes than it is to put them on in the first place. The central bank has lowered its benchmark interest rate twice in the past two months, the first time in six years. The State Council is increasing spending on infrastructure, offering tax rebates for exporters and allowing state-controlled prices for agricultural products to rise. Expect significant measures to kick-start the property market to avoid house prices falling too drastically. China has a lot of plus points to help out. Chinese banks did not issue subprime loans as a rule, and the country's €1.43 trillion in hard-currency reserves is a useful war chest to call on in a downturn. The currency is stable and there are high liquidity levels, all of which give China the most flexibility in the world to fend off the impact of the global financial crisis, says JP Morgan economist Frank Gong. China is now a globalised economy, but its domestic market is still massively underexploited, and it is to this market that the government will most likely turn. While it is a globalised economy committed to the WTO, China is also a centralised economy run by the Communist Party, and it has no real political opposition at home to stop it acting however it sees fit to stop sliding growth. Should the economy start to worsen significantly, public anger will increase, but China has been so successful in keeping a tight leash on the internet and the media that it is difficult for opposition to organise itself in a meaningful way. Recent years of surging growth in China have certainly done a lot to keep global economic data looking rosy, but perhaps China's influence has been somewhat oversold. It is not a big enough economy by itself to keep the global economy ticking over, accounting for 5 per cent of the world economy, compared to the United States with a muscular 28 per cent. And whatever about slowing growth, 9 per cent is still an admirable rate, one that European leaders gathered this weekend in Beijing for the Asian-Europe Meeting would give their eye teeth to be able to present to their constituencies.

#### Wind farm restrictions will undermine trade relations with China

CSM 10/3 (Obama blocks Chinese wind farm ownership in Oregon, www.csmonitor.com/Environment/Energy-Voices/2012/1003/Obama-blocks-Chinese-wind-farm-ownership-in-Oregon)

President Barack Obama has blocked a Chinese company from owning interests in four northern Oregon wind farms, citing national security risks given their close proximity to a United States military base where unmanned drones and electronic-warfare planes are tested. The decision marks the first time in more than 22 years that an American president has vetoed a foreign business deal in the interest of American security. While every American president has the power to void foreign transactions involving United States-based businesses under the Defense Production Act, the ability has not been exercised since President George H.W. Bush preempted the sale of Mamco Manufacturing to a Chinese-owned agency in 1990. (See more: Wind Power Layoffs Abound as Industry Threatened by Tax Credit Expiration) Owned by Chinese nationals, Rall Corp. purchased interest in the wind farms, located only miles away from the Naval Weapons Systems Training Facility in Boardman, Oregon, earlier this year. With this turn of events, the company will have to divest its interests in the wind farms immediately. The company has already filed suit against the Obama Administration, alleging that the president had “acted in an unlawful and unauthorized manner”. “By failing to provide Ralls with sufficient notice and opportunity to be heard prior to prohibiting its acquisition of the wind farms and imposing extraordinary restrictions on the use and enjoyment of its property interests, CFIUS and the president have unconstitutionally deprived Ralls of its property absent due process,” the complaint reads. The news of President Obama’s decision comes during an election campaign that has seen his opponents accuse him of being soft with China, helping the president to combat such claims, but the call is likely to further irritate already tense economic relations with China. With this risk obviously in mind, the Treasury Department statement attempted to play down the political gravity of the decision.

#### Tariffs good for the economy – encourage fairer trading practices

Hart and Gordon 12 [Melanie, Policy Analyst for Chinese Energy and Climate Policy at the Center for American Progress, and Kate, Senior Fellow at American Progress, “5 Myths and Realities About U.S.-China Solar Trade Competition”, http://www.americanprogress.org/issues/green/news/2012/05/16/11592/5-myths-and-realities-about-u-s-china-solar-trade-competition/]

If China does take retaliatory action by levying tariffs on U.S. imports or switching to non-U.S. suppliers, U.S. companies could feel a big impact. But wouldn’t allowing China to violate international trade agreements ultimately have an even bigger, and more disastrous, impact on the U.S. economy? Would it not signal that the United States has now reached the point where we are too dependent on and afraid of China to enforce trade rules that Chinese leaders have explicitly agreed to? If so, that is a dangerous position to be in, and it likely would not have a good outcome for the U.S. economy.¶ It is important to remember that the U.S.-China trade relationship is mutual—China is also dependent on and strongly affected by the United States. The fact that Chinese companies and officials are up in arms about the SolarWorld case demonstrates that U.S. trade enforcement actions impose real costs, which is exactly what they were designed to do. If the United States can consistently demonstrate that it is willing and able to impose those costs, then those actions will increase Beijing’s estimates of the risks involved in targeting U.S. markets with WTO-illegal trade policies. And perhaps, consistency in trade enforcement on our side will help convince China to start playing by the rules across all its industries, not just solar manufacturing.

#### Even massive economic decline has zero chance of war

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 chance of a recession – we’re in the clear.

Roubini 12 (Nouriel, doctorate in international economics at Harvard University,

receiving a BA in political economics at Bocconi University, he became an academic at Yale and a practicing economist at the International Monetary Fund (IMF), the Federal Reserve, World Bank, and Bank of Israel. Much of his early research focused on emerging markets. During the administration of President Bill Clinton, he was a senior economist for the Council of Economic Advisers, later moving to the United States Treasury Department as a senior adviser to Timothy Geithner, who in 2009 became Treasury Secretary, and Ian Bremmer, “$200 Oil and the Moscow-Beijing Alliance,” 3/7/12, Foreign Policy,

ttp://www.foreignpolicy.com/articles/2012/03/09/200\_oil\_roubini\_bremmer?page=0,0, RSR)

Really, since 2008, if it's not been one thing, it's been something else. We no longer believe that there's meaningful likelihood that a shock is going to send the world back into recession. That's in part true because of the strengthening of American numbers. Nouriel's right, these are not exciting growth numbers -- this isn't the robust bounce-back that we think is going to power a global economy with the kind of figures you saw before the crisis, but it's a very different environment from the last four years. That's very important in terms of getting consumer confidence back, but it's also very important in terms of the orientation of CEOs to start spending some of the major cash that they've left off the table. I think the answer that they'll start doing it -- and not just in the United States. I don't want to say they're getting ebullient, but they're less fearful about medium and long-term trajectory.

#### Single issues don’t spillover.

Clarke, Visiting Research Fellow at the East Asian Institute (EAI), National University of Singapore, ‘11

[Ryan, “Maintaining Baseline Stability in China-U.S. Relations: Alliance Structures, Rethinking Flashpoints, and Identifying New Shared Interests,” EAI Working Paper No. 158, 9-16, <http://www.eai.nus.edu.sg/EWP158.pdf>, RSR]

In recent years we have witnessed an explosion of analysis on both the future trajectories of China as well as the United States and the nature of the interactions between them with prognoses varying wildly. Some boldly predict a myopic, conflict free future in China-U.S. relations where America recognizes the inevitability of a rising China and adjusts its grand strategy, military deployments, and trade policy in order to clear the way for this predetermined geopolitical shift. For China, it obligingly adjusts its key institutions, market regulations, and foreign policy practices to be in line with the established norms of the heretofore largely undefined yet often cited “international community.” Others openly voice fears of a repeat of the events that rocked human civilization in the 19th and 20th centuries with terms such as security dilemma, security spiral, hard balancing, nationalism, and others returning into the everyday vernacular. Those who subscribe to the latter paradigm over-extrapolate from seemingly individual issues, such as Taiwan (which is actually an artifact of history), to make broad assessments of the overall direction of the China-U.S. relationship. “Test case”, “precedent”, and the like are now applied to what have previously been regarded as rather unitary issues. If defense-centric analysis becomes the dominant mode, then we had better prepare ourselves to see a constant stream of security dilemmas and escalations with no exit. No one actually desires such an outcome. This study seeks to make a humble contribution by providing a balanced, realistic, and policy-oriented analysis of the most pressing contemporary issues in the relationship between Washington and Beijing. Through this work, this study aims to highlight that while many ingrained, structural issues (Taiwan, Korean Peninsula, American alliance structures, etc…) continue to pose challenges to the relationship, there are still frontier areas in which shared interests can rationally be identified and expanded upon. There are indeed many challenges that China and America face in the future management of their relationship and there is ample space for miscalculation and escalation with unpredictable results. However, this study seeks to break out of the “wait-and-see” approaches which characterize so much analyses in Asia as well as the West.

#### Relations solve nothing – China doesn’t work with the US.

Blumenthal, Resident Fellow at AEI, ‘11

[Dan, Current commissioner and former vice chairman of the U.S.-China Economic and Security Review Commission, where he directs efforts to monitor, investigate, and provide recommendations on the national security implications of the economic relationship between the two countries. Previously, he was senior director for China, Taiwan, and Mongolia in the Secretary of Defense's Office of International Security Affairs and practiced law in New York prior to his government service. At AEI, in addition to his work on the national security implications of U.S.-Sino relations, he coordinates the Tocqueville on China project, which examines the underlying civic culture of post-Mao China. Mr. Blumenthal also contributes to AEI's Asian Outlook series and is a research associate with the National Asia Research Program, 10-31-11, The top ten unicorns of China policy”, AEI

http://www.aei.org/article/foreign-and-defense-policy/regional/asia/the-top-ten-unicorns-of-china-policy/]

9) We need China's help to solve global problems. This is further down on my list because it is not really a fantastical unicorn. It is true. What is a fantasy is that China will be helpful. We do need China to disarm North Korea. They do not want to, and North Korea is now a nuclear power. The same may soon be true with Iran. The best we can get in our diplomacy with China is to stop Beijing from being less helpful. It is a fact that the global problems would be easier to manage with Chinese help. However, China actually contributing to global order is a unicorn.

### Warming

#### No warming in SQUO – their models are incorrect and satellite data disproves.

Leake 10 (Jonathan Leake, 2-14-2010, Times Online, “World may not be warming, say scientists,” http://www.timesonline.co.uk/tol/news/environment/article7026317.ece?print=yes&randnum=1269060067737

The United Nations climate panel faces a new challenge with scientists casting doubt on its claim that global temperatures are rising inexorably because of human pollution. In its last assessment the Intergovernmental Panel on Climate Change (IPCC) said the evidence that the world was warming was “unequivocal”. It warned that greenhouse gases had already heated the world by 0.7C and that there could be 5C-6C more warming by 2100, with devastating impacts on humanity and wildlife. However, new research, including work by British scientists, is casting doubt on such claims. Some even suggest the world may not be warming much at all. “The temperature records cannot be relied on as indicators of global change,” said John Christy, professor of atmospheric science at the University of Alabama in Huntsville, a former lead author on the IPCC. The doubts of Christy and a number of other researchers focus on the thousands of weather stations around the world, which have been used to collect temperature data over the past 150 years. These stations, they believe, have been seriously compromised by factors such as urbanisation, changes in land use and, in many cases, being moved from site to site. Christy has published research papers looking at these effects in three different regions: east Africa, and the American states of California and Alabama. “The story is the same for each one,” he said. “The popular data sets show a lot of warming but the apparent temperature rise was actually caused by local factors affecting the weather stations, such as land development.” The IPCC faces similar criticisms from Ross McKitrick, professor of economics at the University of Guelph, Canada, who was invited by the panel to review its last report. The experience turned him into a strong critic and he has since published a research paper questioning its methods. “We concluded, with overwhelming statistical significance, that the IPCC’s climate data are contaminated with surface effects from industrialisation and data quality problems. These add up to a large warming bias,” he said. Such warnings are supported by a study of US weather stations co-written by Anthony Watts, an American meteorologist and climate change sceptic. His study, which has not been peer reviewed, is illustrated with photographs of weather stations in locations where their readings are distorted by heat-generating equipment. Some are next to air- conditioning units or are on waste treatment plants. One of the most infamous shows a weather station next to a waste incinerator. Watts has also found examples overseas, such as the weather station at Rome airport, which catches the hot exhaust fumes emitted by taxiing jets. In Britain, a weather station at Manchester airport was built when the surrounding land was mainly fields but is now surrounded by heat-generating buildings. Terry Mills, professor of applied statistics and econometrics at Loughborough University, looked at the same data as the IPCC. He found that the warming trend it reported over the past 30 years or so was just as likely to be due to random fluctuations as to the impacts of greenhouse gases. Mills’s findings are to be published in Climatic Change, an environmental journal. “The earth has gone through warming spells like these at least twice before in the last 1,000 years,”

#### Solar energy causes massive warming – emits highly virulent greenhouse gasses

Zehner 12 (Ozzie, University of California Berkeley Visiting Scholar, June 04, “Green Illusions: The Dirty Secrets Of Clean Energy,” <http://thegwpf.org/the-climate-record/5880-green-illusions-the-dirty-secrets-of-clean-energy-.html>, d/a 8-2-12, ads)

Hexafluoroethane has a global warming potential that is 12,000 times higher than CO2, according to the Intergovernmental Panel on Climate Change (IPCC). It is 100 percent manufactured by humans, and survives 10,000 years once released into the atmosphere. Nitrogen trifluoride is 17,000 times more virulent than CO2, and SF6, the most treacherous greenhouse gas, is over 23,000 times more threatening.¶ The solar photovoltaic industry is one of the fastest-growing emitters of these gases, which are now measurably accumulating within the earth's atmosphere according to the U.S. National Oceanic and Atmospheric Administration (NOAA). A NOAA study shows that atmospheric concentrations of SF6 have been rising exponentially. A paper published in the peer-reviewed journal Geophysical Research Letters documents that atmospheric NF3 levels have been rising 11 percent per year.¶ "If photovoltaic production grows, so will the associated side effects," claims Zehner. "Even worse, there's no evidence that solar cells offset fossil fuel use in the American context." Zehner explains that alternative energy subsidies keep retail electricity costs incrementally lower, which then spurs demand. "It's a boomerang effect," remarks Zehner. "The harder we throw alternative energy into the electrical grid, the harder demand comes back to hit us on the head. Historically, we've filled that demand by building more fossil fuel plants, not fewer."¶ Instead, Zehner advocates shifting to energy taxes and other conservation measures. He claims that even some of the most expensive options for dealing with CO2 would become cost competitive long before today's solar cell technologies.¶ "If limiting CO2 is our goal, we might be better off directing our time and resources to those options first; solar cells seem a wasteful and pricey strategy," says Zehner. "It is hard to conceive of a justification for extracting taxes from the working class to fund installations of Stone Age photovoltaic technologies high in the gold-rimmed suburbs of Arizona and California."¶ ¶ ¶

#### Solar is worse for the environment – necessity of backup power causes more emissions

Zycher 12 (Benjamin, Pacific Research Institute Senior Fellow, Martin V. Smith School of Business and Economics adjunct professor, associate in the Intelligence Community Associates Program of the Office of Economic Analysis, Bureau of Intelligence and Research, U.S. Department of State, former senior staff economist for the President's Council of Economic Advisers, April 19, “Zycher testimony to joint House subcommittee hearing on subsidies for renewable energy,” <http://www.aei.org/article/energy-and-the-environment/alternative-energy/zycher-testimony-to-joint-house-subcommittee-hearing-on-subsidies-for-renewable-energy/>, d/a 8-1-12, ads)

A cleaner environment is worth it, you say? Not so fast. As counterintuitive as it may seem, increased reliance on wind and solar power will hurt the environment, not because of such phony issues as endangered cockroaches, used by the environmental left as a tool with which to obstruct the renewable energy projects that they claim to support. Instead, this damage will be real, in the form of greater air pollution. The conventional generators needed to back up the unreliable wind and solar production will have to be cycled up and down because the system operators will be required to take wind and solar generation when it is available. This means greater operating inefficiency and more emissions. That is precisely what a recent engineering study of the effects of renewables requirements found for Colorado and Texas.¶ So we have achieved the perfect leftist trifecta: higher costs, lower reliability, and more environmental degradation. Such plagues are hardly biblical, but neither are they trivial. Will Governor Brown finally be content? Obviously not, as he now wants higher taxes to feed a Sacramento monster utterly destructive in so many dimensions.

#### Doesn’t solve fossil fuel use – subsidies spur increased energy demand

Zehner 12 (Ozzie, University of California Berkeley Visiting Scholar, June 04, “Green Illusions: The Dirty Secrets Of Clean Energy,” <http://thegwpf.org/the-climate-record/5880-green-illusions-the-dirty-secrets-of-clean-energy-.html>, d/a 8-2-12, ads)

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#### Can’t solve warming:

#### A. Too late

Hamilton 10 – Professor of Public Ethics @ ANU

Clive Hamilton, Professor of Public Ethics in Australia, 2010, “Requiem for a Species: Why We Resist the Truth About Climate Change,” pg 27-28

The conclusion that, even if we act promptly and resolutely, the world is on a path to reach 650 ppm is almost too frightening to accept. That level of greenhouse gases in the atmosphere will be associated with warming of about 4°C by the end of the century, well above the temperature associated with tipping points that would trigger further warming.58 So it seems that even with the most optimistic set of assumptions—the ending of deforestation, a halving of emissions associated with food production, global emissions peaking in 2020 and then falling by 3 per cent a year for a few decades—we have no chance of preventing emissions rising well above a number of critical tipping points that will spark uncontrollable climate change. The § Marked 15:29 § Earth's climate would enter a chaotic era lasting thousands of years before natural processes eventually establish some sort of equilibrium. Whether human beings would still be a force on the planet, or even survive, is a moot point. One thing seems certain: there will be far fewer of us. These conclusions arc alarming, co say the least, but they are not alarmist. Rather than choosing or interpreting numbers to make the situation appear worse than it could be, following Kevin Anderson and Alice Bows I have chosen numbers that err on the conservative side, which is to say numbers that reflect a more buoyant assessment of the possibilities. A more neutral assessment of how the global community is likely to respond would give an even bleaker assessment of our future. For example, the analysis excludes non-CO2, emissions from aviation and shipping. Including them makes the task significantly harder, particularly as aviation emissions have been growing rapidly and are expected to continue to do so as there is no foreseeable alternative to severely restricting the number of flights.v' And any realistic assessment of the prospects for international agreement would have global emissions peaking closer to 2030 rather than 2020. The last chance to reverse the trajectory of global emissions by 2020 was forfeited at the Copenhagen climate conference in December 2009. As a consequence, a global response proportionate to the problem was deferred for several years.

#### B. Deforestation

Howden 7(Daniel Howden, The Independent “Deforestation: The Hidden Cause of Global Warming” 14 May 2007. DOA August 15, 12 sphinx.tsf.hu/new/iny/files/1645.doc)

**Most people think of forests** only in terms of the CO2 they absorb. The rainforests of the Amazon, the Congo basin and Indonesia are thought of **as the lungs of the planet.** But **the destruction of those forests will in the next four years** alone, in the words of Sir Nicholas Stern, **pump more CO2 into the atmosphere than every flight in the history of aviation to at least 2025.¶** Indonesia became the third-largest emitter of greenhouse gases in the world last week. Following close behind is Brazil. Neither nation has heavy industry on a comparable scale with the EU, India or Russia and yet they comfortably outstrip all other countries, except the United States and China.¶ What both countries do have in common is tropical forest that is being cut and burned with staggering swiftness. Smoke stacks visible from space climb into the sky above both countries, while satellite images capture similar destruction from the Congo basin, across the Democratic Republic of Congo, the Central African Republic and the Republic of Congo.¶ According to the latest audited figures from 2003, **two billion tons of CO2 enters the atmosphere** every year **from deforestation.** That destruction amounts to 50 million acres - or an area the size of England, Wales and Scotland felled **annually.¶** The remaining standing forest is calculated to contain 1,000 billion tons of carbon, or double what is already in the atmosphere.¶ As the GCP's report concludes: **"If we lose forests, we lose the fight against climate change."**

#### C. India

**IEA 12** (International Energy Agency “Global carbon-dioxide emissions increase by 1.0 Gt in 2011 to record high” 24 May 2012 [http://www.iea.org/newsroomandevents/news/2012/may/name,27216,en.html](http://www.iea.org/newsroomandevents/news/2012/may/name%2C27216%2Cen.html) DOA 8/28/12)

**Global** carbon-dioxide (**CO2**) **emissions** from fossil-fuel combustion **reached a record high of 31.6**gigatonnes (**Gt**) **in 2011**, according to preliminary estimates from the International Energy Agency (IEA). This represents an increase of 1.0 Gt on 2010, or 3.2%. **Coal accounted for 45% of total energy-related CO2 emissions in 2011, followed by oil (35%) and natural gas (20%).**¶ The 450 Scenario of the IEA’s *World Energy Outlook 2011*, which sets out an energy pathway consistent with a 50% chance of limiting the increase in the average global temperature to 2°C, requires CO2 emissions to peak at 32.6 Gt no later than 2017, *i.e.* just 1.0 Gt above 2011 levels. The 450 Scenario sees a decoupling of CO2 emissions from global GDP, but much still needs to be done to reach that goal as the rate of growth in CO2 emissions in 2011 exceeded that of global GDP. “The new data provide further evidence that the door to a 2°C trajectory is about to close,” said IEA Chief Economist Fatih Birol.¶ **In 2011, a 6.1% increase in CO2 emissions in countries outside the OECD was only partly offset by a 0.6% reduction in emissions inside the OECD**. China made the largest contribution to the global increase, with its emissions rising by 720 million tonnes (Mt), or 9.3%, primarily due to higher coal consumption. “What China has done over such a short period of time to improve energy efficiency and deploy clean energy is already paying major dividends to the global environment”, said Dr. Birol. China’s carbon intensity — the amount of CO2 emitted per unit of GDP — fell by 15% between 2005 and 2011. Had these gains not been made, China’s CO2 emissions in 2011 would have been higher by 1.5 Gt.¶ **India’s emissions rose by** 140 Mt, or **8.7%, moving it ahead** of Russia **to become the fourth largest emitter** behind China, the United States, and the European Union. Despite these increases, per-capita CO2 emissions in China and India still remain just 63% and 15% of the OECD average respectively.

#### D. Live stock

FAO 6 ("Spotlight: Livestock Impacts on the Environment." FAO: FAO Home. Food and Agriculture Organization of the United Nations, Nov. 2006. Web. 15 August 12. <<http://www.fao.org/ag/magazine/0612sp1.htm>>.)

The livestock sector is by far the single largest anthropogenic user of land. Grazing occupies 26 percent of the Earth's terrestrial surface, while feed crop production requires about a third of all arable land. Expansion of grazing land for livestock is a key factor in deforestation, especially in Latin America: some 70 percent of previously forested land in the Amazon is used as pasture, and feed crops cover a large part of the reminder. About 70 percent of all grazing land in dry areas is considered degraded, mostly because of overgrazing, compaction and erosion attributable to livestock activity.¶ At the same time, the livestock sector has assumed an often unrecognized role in global warming. Using a methodology that considered the entire commodity chain *(see box below)*, FAO estimated that livestock are responsible for 18 percent of greenhouse gas emissions, a bigger share than that of transport. It accounts for nine percent of anthropogenic carbon dioxide emissions, most of it due to expansion of pastures and arable land for feed crops. It generates even bigger shares of emissions of other gases with greater potential to warm the atmosphere: as much as 37 percent of anthropogenic methane, mostly from enteric fermentation by ruminants, and 65 percent of anthropogenic nitrous oxide, mostly from manure.

#### Warming doesn’t extinction – newest climate simulations

Stampf 8 (Olaf, Staff Writer for Spiegel Online, “Not the End of the World as We Know It,” May 5th,[http://www.spiegel.de/international/germany/0,1518,481684,00.html](http://www.spiegel.de/international/germany/0%2C1518%2C481684%2C00.html))\

But even this moderate warming would likely have far fewer apocalyptic consequences than many a prophet of doom would have us believe. For one thing, the more paleontologists and geologists study the history of the earth's climate, the more clearly do they recognize just how much temperatures have fluctuated in both directions in the past. Even major fluctuations appear to be completely natural phenomena. Additionally, some environmentalists doubt that the large-scale extinction of animals and plants some have predicted will in fact come about. "A warmer climate helps promote species diversity," says Munich zoologist Josef Reichholf. Also, more detailed simulations have allowed climate researchers to paint a considerably less dire picture than in the past -- gone is the talk of giant storms, the melting of the Antarctic ice shield and flooding of major cities. Improved regionalized models also show that climate change can bring not only drawbacks, but also significant benefits, especially in northern regions of the world where it has been too cold and uncomfortable for human activity to flourish in the past. However it is still a taboo to express this idea in public. For example, countries like Canada and Russia can look forward to better harvests and a blossoming tourism industry, and the only distress the Scandinavians will face is the guilty conscience that could come with benefiting from global warming.

#### Warming doesn’t kill biodiversity.

Carter 11 – Robert, PhD, Adjuct Research Fellow, James Cook University, Craig Idso, PhD, Chairman at the Center for the Study of Carbon Dioxide and Global Change, Fred Singer, PhD, President of the Science and Environmental Policy Project, Susan Crockford, evolutionary biologist with a specialty in skeletal taxonomy , paleozoology and vertebrate evolution, Joseph D’Aleo, 30 years of experience in professional meteorology, former college professor of Meteorology at Lyndon State College, Indur Goklany, independent scholar, author, and co-editor of the Electronic Journal of Sustainable Development, Sherwood Idso, President of the Center for the Study of Carbon Dioxide and Global Change, Research Physicist with the US Department of Agriculture, Adjunct Professor in the Departments of Geology, Botany, and Microbiology at Arizona State University, Bachelor of Physics, Master of Science, and Doctor of Philosophy, all from the University of Minnesota, Madhav Khandekar, former research scientist from Environment Canada and is an expert reviewer for the IPCC 2007 Climate Change Panel, Anthony Lupo, Department Chair and Professor of Atmospheric Science at the University of Missouri, Willie Soon, astrophysicist at the Solar and Stellar Physics Division of the Harvard-Smithsonian Center for Astrophysics, Mitch Taylor (Canada) (“Climate Change Reconsidered 2011 Interim Report,” September, Science and Environmental Policy Project, Center for the Study of Carbon Dioxide and Global Change, Published by The Heartland Institute) Jacome

Closely tied to the prior two sections, but deserving its own treatment, is the potential effect of CO2-induced global warming on aquatic biodiversity. Some experts claim rising temperatures will suppress or reduce ecosystem species richness. We examine this hypothesis as it pertains to both freshwater and saltwater ecosystems. Working in Switzerland along an elevation gradient stretching from 210 to 2,760 meters above sea level, Rosset et al. (2010) identified 55 colline ponds with an overlying mean annual air temperature of more than 8°C, 27 montane ponds with mean annual air temperatures of 5–8°§ Marked 15:28 § C, 15 subalpine ponds in the 2.5–5°C temperature range, and 16 alpine ponds with temperatures less than 2.5°C. For all of these ponds, they evaluated species richness in five taxonomic groups: aquatic vascular plants, aquatic gastropoda, aquatic coleoptera (larvae and adults), odonata adults, and amphibia. Then, utilizing 15 environmental variables—including mean annual air temperature, which they found to be ―the best climatic variable to characterize pond thermal conditions‖—they developed generalized additive models of species richness and used them to predict richness for the end of the next century (2090–2100) based on the temperature increase predicted to occur in conjunction with the A2 emission scenario of the IPCC. The paper‘s authors found ―temperature rise could significantly increase pond species richness,‖ while noting ―for the five taxonomic groups pooled, species richness would potentially increase from 41 to 75 (+83%) in lowland ponds,‖ and ―in presently species-poor high altitude ponds, the potential increase would be particularly marked, with a proportional increase (+150%; from 14–35 species) almost double that in lowland areas.‖ Prior to the Rosset et al. study, the effects of global warming on the biodiversity of small ecosystems had been given little attention. At the regional scale, species richness had ―been shown to increase under the influence of climate warming in Europe and North America (e.g. Iverson and Prasad, 2001; Daufresne and Boet, 2007; Buisson et al., 2008).‖ And Rosset et al. write ―it is also well-known and well-described in almost every ecology textbook, that terrestrial and freshwater species richness tends to be lower in colder areas, i.e., at higher altitude or latitude (e.g. Gaston and Spicer, 2004; Nagy and Grabherr, 2009).‖ They note ―this trend has also been well-described at the local scale for plants, invertebrates, and vertebrates (reviewed in Rahbek, 1995),‖ while noting still further ―among the few existing studies, Henderson (2007) and Hiddink and ter Hofstede (2008), using time series, report an increase in fish species richness in marine ecosystems in response to climate warming,‖ and ―long-term monitoring of vegetation plots in terrestrial environments indicates an increase in local species richness (Pauli et al., 2007; Vittoz et al., 2009).‖ Clearly, the findings of Rosset et al. harmonize well with a vast body of other research conducted at many scales and across many different environments, all of which demonstrate warming tends to increase ecosystem species richness.

## 2NC

### Elections

#### Turns the aff - Romney will label China a currency manipulator – causes trade wars

Shedlock 12 (Mike Shedlock, 7-31-2012; registered investment advisor representative for SitkaPacific Capital Management, “Is global trade about to collapse? Where are oil prices headed? A chat with Mish Shedlock by James Stafford” http://energybulletin.net/stories/2012-07-31/global-trade-about-collapse-where-are-oil-prices-headed-chat-mish-shedlock

Oilprice.com: In regards to presidential elections, how do you think energy will fare under Obama and under Romney? Which sectors will benefit, and which will suffer? Mish: Mitt Romney has declared that if he’s elected he is going to label China a currency manipulator and increase tariffs on China across the board. That's something that I believe he might be able to do by mandate. If he's elected and he does follow through, I think the result will be a global trade war the likes of which we have not seen since the infamous Smoot-Hawley Tariff Act compounded problems during the Great Depression. Simply put, I think that global trade will collapse if Romney wins and he follows through on his campaign promises.

#### Turns the aff - romney will gut federal support for renewable energy

Wood 12(AOL Energy, Elisa, “Renewable Energy: More, Less or the Same under Obama or Romney?,” 9/6¶ <http://energy.aol.com/2012/09/06/renewable-energy-more-less-or-the-same-under-obama-or-romney/>)

For renewable energy, the 2012 presidential race reveals the downside of being championed.¶ President Barack Obama channeled a historic amount of money into green energy in his first term and made it a centerpiece of his jobs platform. As a result, renewable energy is big target for those taking aim at Obama.¶ "Because the Obama White House has made renewable energy an important part of the focus, it has become important for the other side to beat it up," said Arno Harris, CEO of Recurrent Energy and board chairman of the Solar Energy Industries Association.¶ The brawl is at times colorful with quips from both sides about powering cars with windmills – or maybe dogs – on their roofs. Romney's jabbed that Obama thinks he can turn back the rising oceans. And 'Solyndra' has become the 'Halliburton' of this election: a single company name that one party uses to try to encapsulate all they see wrong with the other.¶ Jokes and hyperbole aside, how far apart are Romney and Obama on renewables?¶ "There is a real difference in policy," said Andrew Holland, senior fellow for energy and climate at the American Security Project. "Romney, and now Paul Ryan [Romney's vice presidential running mate], are quite anti-renewable energy."¶Romney hasn't abandoned renewable energy. But he's also not pursuing it with the same "purposefulness," according to Dan Berwick, director of policy and business development at Borrego Solar.¶ To Incentivize or not to Incentivize?¶ In his nomination acceptance at the Republican National Convention, Romney included renewables in the list of energy resources North America must take "full advantage of" to reach energy independence. However, Romney promotes few of the market incentives the industry now enjoys. He describes a more narrow federal role, one where funding goes to basic research.

#### Attacking Iran causes full-scale war with Russia

Conway 12 January 17, 2012 Alvin Conway Author, blogger he cites Russia’s former ambassador to NATO and the Arab Times “Iranian Crisis: escalating series of troubling events sliding world towards war” <http://theextinctionprotocol.wordpress.com/2012/01/17/iranian-crisis-escalating-series-of-troubling-events-sliding-world-towards-war/>

Russian response could lead to WWIII: Russia would regard any military intervention linked to Iran’s nuclear program as a threat to its own security, Moscow’s departing ambassador to NATO warned on Friday. “Iran is our neighbor,” Dmitry Rogozin told reporters in Brussels. “And if Iran is involved in any military action, it’s a direct threat to our security.” –Arab Times

#### US-Russia war is the only scenario for nuclear extinction

Bostrom 2 Nick Bostrom Professor, Faculty of Philosophy, Oxford University“Existential Risks” Journal of Evolution and Technology, Vol. 9, No. 1 (2002). <http://www.nickbostrom.com/existential/risks.html>

A much greater existential risk emerged with the build-up of nuclear arsenals in the US and the USSR. An all-out nuclear war was a possibility with both a substantial probability and with consequences that might have been persistent enough to qualify as global and terminal. There was a real worry among those best acquainted with the information available at the time that a nuclear Armageddon would occur and that it might annihilate our species or permanently destroy human civilization.[4] Russia and the US retain large nuclear arsenals that could be used in a future confrontation, either accidentally or deliberately. There is also a risk that other states may one day build up large nuclear arsenals. Note however that a smaller nuclear exchange, between India and Pakistan for instance, is not an existential risk, since it would not destroy or thwart humankind’s potential permanently. Such a war might however be a local terminal risk for the cities most likely to be targeted. Unfortunately, we shall see that nuclear Armageddon and comet or asteroid strikes are mere preludes to the existential risks that we will encounter in the 21st century.

#### Obama wins – swing state polling lead

Silver 10/26 (Nate, does he really need a title?, http://fivethirtyeight.blogs.nytimes.com/2012/10/26/oct-25-the-state-of-the-states/#more-36719)

Thursday was a busy day for the polls, with some bright spots for each candidate. But it made clear that Barack Obama maintains a narrow lead in the polling averages in states that would get him to 270 electoral votes. Mr. Obama also remains roughly tied in the polls in two other states, Colorado and Virginia, that could serve as second lines of defense for him if he were to lose a state like Ohio.

#### Obama wins – ad war

Blumenthal 10/24 (Paul, reporter for the Huffington Post covering money and influence in politics. He previously worked as the Senior Writer for the Sunlight Foundation, http://www.huffingtonpost.com/2012/10/24/barack-obama-ads-2012\_n\_2011998.html?utm\_hp\_ref=elections-2012)

WASHINGTON -- President Barack Obama's campaign is winning the advertising war in the final month before Election Day, according to a new report from the Wesleyan Media Project.¶ This presidential race has already smashed all previous records for TV advertising, according to the political ad analysis group. Since the beginning of June, 915,000 TV ads have been run, far more than the 634,000 aired during a similar time frame in 2008.¶ So far this month, the Obama campaign and its allies have bested Mitt Romney's campaign and his coterie of well-financed super PACs, nonprofits, trade associations and party organizations. Obama and friends ran 112,730 ads from Oct. 1 to Oct. 21, whereas Romney and friends ran just 97,407 -- despite the Republicans outspending the Democrats $87 million to $77 million.¶ "One reason Obama has been able to win the air war in most media markets is that his campaign is funding most of its own advertising, which entitles his campaign to the lowest rate charged by local television stations," Travis Ridout, a co-director of the Wesleyan Media Project, said in a statement. "By contrast, many ads supporting Romney are paid for by outside groups, which must pay whatever the market will bear to get their ads on the air."¶ Data released by the Wesleyan Media Project bears this out. Independent conservative groups like the super PACs Restore Our Future and American Crossroads ran almost exactly the same number of ads as the Romney campaign did in the first 21 days of October, but spent an additional $17 million. The Obama campaign, meanwhile, was responsible for more than 90 percent of the ads airing in support of the president's reelection.¶ Obama's advantage extended to 13 of the top 15 swing-state media markets. Pro-Romney ads outnumbered pro-Obama ads only in Columbus, Ohio, and Norfolk, Va., and the gap was fewer than 200 ads in both markets. Obama ads dominated the airwaves in major markets like Denver, Las Vegas, Orlando, Fla., Reno, Nev., and Washington, D.C. In each of those five markets, Obama and his allies ran over 1,000 more ads than Romney and his allies during the first three weeks of October.

#### Events right before the election matter most.

Silver, political statistician, 10-20 (Nate, Oct. 20: Calm Day in Forecast, but Volatility Ahead, New York Times, Five Thirty Eight Blog, http://fivethirtyeight.blogs.nytimes.com/2012/10/20/oct-20-calm-day-in-forecast-but-volatility-ahead/?gwh=4BBCD1B81042084889017C63987CCFBB#more-36417, da 10-21-12)

But if the score is tied, or if it’s a one-run game, a run scored in the eighth will make a huge difference.¶ That’s where we find ourselves right now in the presidential race. This election is close and is likely to end up that way. There’s about a 50-50 chance that the election will end up within 2.5 percentage points, according to the forecast, against only a 15 percent chance that either candidate will win by five points or more.¶ For this reason, the percentage estimates in the forecast are likely to be volatile from here on out.¶ Early in the year, we’d treat as a pretty big deal if a candidate’s Electoral College win probability increased by a percentage point or more (for instance, to 63 percent from 62 percent). Now, changes like that are going to be fairly common, and there will often be larger shifts. Thursday, for example, was a good but hardly spectacular day for Mr. Obama in the polls, and that was enough to produce about a 5 percent swing toward him. Friday, however, brought a 2 percent shift back toward Mr. Romney, despite polling that seemed fairly mixed on the surface.

#### Voters will side with the candidate they trust most on energy and that is Obama now

Thomas 12 (03/21/12 Ken Thomas White House reporter with The Associated Press, covering Obama 2012. “Obama Energy Policy: President, GOP Plunge Into Politics Of Gas Prices”

http://www.huffingtonpost.com/2012/03/21/obama-energy-policy-gop-gas-prices\_n\_1370615.html)

Well aware of Republicans' criticism, Obama's advisers argue that voters take a sophisticated view toward energy and think about it as a problem demanding long-term answers. They know that talk about future solutions may not satisfy people as they endure high prices, but they're betting that voters will side with the candidate they trust the most to deal with the issue – and they're determined that that will be Obama.

**Media will focus on negatives**

**Grunwald 12** (Michael, Senior Nat'l Correspondent for Time 8/14 http://www.slate.com/articles/news\_and\_politics/interrogation/2012/08/the\_new\_new\_deal\_a\_book\_argues\_that\_president\_obama\_s\_stimulus\_has\_been\_an\_astonishing\_success.2.html)

That said, the national media should have tried to look past that, but it didn’t, because the national media sucks at covering public policy. The stimulus included $27 billion to computerize our pen-and-paper health care system, which should reduce redundant tests, dangerous drug interactions, and fatalities caused by doctors with chicken-scratch handwriting. It doubled our renewable power generation; it increased solar installations over 600 percent; it essentially launched our transition to a low-carbon economy. It provided a new model for government spending—with unprecedented transparency, unprecedented scrutiny, and unprecedented competition for the cash. Experts predicted that as much as 5 percent of it would be lost to fraud, but so far, investigators have documented less than $10 million in losses, about 0.001 percent. Despite all the controversy over the lack of shovel-ready projects, the Obama administration has met every spending deadline, and it’s kept costs so far under budget that it’s been able to finance over 3,000 additional projects with the savings. But the media coverage of the stimulus was almost exclusively gotcha stuff, usually without a real gotcha. And when the media did notice long-term investments in the stimulus, like Race to the Top or clean-energy research, it rarely mentioned the stimulus connection.¶ Except, of course, when it was noticing Solyndra. After a year of screaming headlines about crony capitalism and shady deals, even Republican investigators have admitted there’s no evidence of any political interference or other wrongdoing. A slew of independent reviews—including one led by John McCain’s finance chairman—have concluded that the clean-energy loan program is working well. Everyone knew that some of its loans would go bad. But the Solyndra scandal—which isn’t even a scandal—is probably the best-known product of the stimulus.

#### China trade pressure key to relieve Obama election pressures – plan forces him to cave on currency bashing.

Dawson and Mason 12 (Stella and Jeff, Columnists @ Reuters, 2/13, <http://www.reuters.com/article/2012/02/13/us-usa-campaign-obama-china-idUSTRE81C0DG20120213>

(Reuters) - Even as he greets China's vice president in the Oval Office on Tuesday, President Barack Obama is quietly overhauling U.S. economic policy toward Beijing, looking for new ways to extract results on issues such as market access and currency manipulation that have bedeviled him and his predecessors.¶ Obama's need to boost U.S. exports and show he can be firm with China, and his simultaneous hopes for a smooth start with Vice President Xi Jinping, who is due to become China's leader in 13 months, illustrate the conflicting tugs on Washington's China policy.¶ Making the calculus even more complicated, Xi arrives in the middle of a U.S. election year, in which Obama's dealings with Beijing are a popular punching bag for Republican presidential candidates aiming to challenge the Democratic incumbent.¶ Xi is getting the full Washington tour: visits to the State Department, Pentagon and Capitol Hill, as well as meetings with U.S. and Chinese business leaders.¶ But he won't be offered the complete red-carpet treatment. For all his power within the Chinese system, Xi is still for now No. 2, leader-in-waiting behind outgoing President Hu Jintao.¶ Obama's aides say the visit will produce few, if any, formal agreements. Rather they expect the president and Xi to size one another up. There will be firm talk from Obama on U.S. gripes, and perhaps from Xi as well.¶ While there has been progress in increasing U.S. exports to China, "we've also raised very directly instances where we believe that China is not living up to the rules of the road that all nations need to with regard to business practices," deputy national security adviser Ben Rhodes told reporters.¶ POLICY AND POLITICS¶ China is not beloved by the American electorate. Its trade and currency policies are blamed for job losses in the U.S. manufacturing sector that hit important election battleground states such as Ohio especially hard. Beating up on Beijing is an easy way for candidates from both parties to score political points.¶ Obama knows that, and he set the stage for tough talk at the Asia-Pacific summit in Hawaii in November, telling China to act like a "grown-up" by reforming trade and currency practices viewed as detrimental to the U.S. economy.¶

#### Renewables are massively unpopular –Budgetary concerns

Von Schirach 12 (Paolo, International Economic Development Consultant

May 11, “[Renewable Energy In The US – Subsidies Politically Unpopular – Natural Gas A Much Cheaper Alternative – USG Should Focus On R&D](http://schirachreport.com/index.php/2012/05/11/grim-prospects-for-renewable-energy-in-the-us-subsidies-politically-unpopular-natural-gas-a-much-cheaper-alternative-usg-should-focus-on-rd/),”

<http://schirachreport.com/index.php/2012/05/11/grim-prospects-for-renewable-energy-in-the-us-subsidies-politically-unpopular-natural-gas-a-much-cheaper-alternative-usg-should-focus-on-rd/>, d/a 7-20-12)

American enthusiasm for renewable energy, not too deep [to begin](http://schirachreport.com/index.php/2012/05/11/grim-prospects-for-renewable-energy-in-the-us-subsidies-politically-unpopular-natural-gas-a-much-cheaper-alternative-usg-should-focus-on-rd/)with, has gone away. In part this has to do with loss of interest in “climate change” and its dire consequences. Unfortunately, climate change has been and is mostly an issue of political belief, rather than upholding science. And as the intensity of the political fervor somehow waned, in large part replaced by more immediate economic fears, so did political support for all the renewable energy technologies that were supposed to create, relatively quickly it was thought, workable alternatives to carbon based energy. An additional reason for waning support is that keeping renewable energy alive means also subsidizing it for a few more years. And this is less and less politically palatable at a time of budgetary constraints at every level. Paying more for electricity simply because this kind is clean looks like an unaffordable luxury, whatever the consequences of burning more (cheaper) fossil fuels may be.

#### Pro-renewables policies will be spun as anti-fossil fuel – empirics prove.

Wood 12. [Elisa, energy reporter, "What Voters Don't Know About Energy" AOL Energy -- August 8 -- energy.aol.com/2012/08/08/what-voters-don-t-know-about-energy/?icid=trending1]

The problem is further exasperated by the tendency of political parties and special interest groups to reduce energy to simple black and white arguments that draw passion. Those who propose complex solutions find it difficult to be heard above the din.¶ Former Colorado Governor Bill Ritter discovered this firsthand when his administration embraced both renewable energy and natural gas. During Ritter's campaign for Governor, he appeared in a commercial with a wind farm, so therefore was perceived as anti-fossil fuel – even though he wasn't.¶ "What we were trying to do was promote a variety of resources. Wind was probably the biggest beneficiary, but our agenda was about clean energy broadly, including natural gas," said Ritter, who served as governor from 2007 to 2011 and is now director of the Center for the New Energy Economy at Colorado State University.¶ His image as anti-fossil fuel grew as he pushed for stiffer extraction rules for the natural gas industry. But later, when Ritter signed a bill that expanded the market for natural gas by shutting down coal-fired plants, people did not know how to peg him.¶ "We had said all along that we were in favor of this industry [natural gas] surviving and even thriving. But because we were stubborn about the extraction process being environmentally sound, we got slotted into another place," Ritter said. "It became very difficult to communicate a message that people understood. The mindset is that you are either an environmentalist or an industry person."

#### Angry voter theory means that backlash will be more salient than any gains.

Harpuder, PhD in Philosophy at Ohio State University, ‘3

[Brian, “Electoral behavior in U.S. senate elections, a simultaneous choice model,” http://etd.ohiolink.edu/send-pdf.cgi/Harpuder%20Brian%20Eric.pdf?osu1069347453]

With respect to evaluations of the economy and personal finances the research clearly shows support for the angry voter hypothesis. Citizens who are dissatisfied with the state of the national economy, angry voters, are more likely to turnout than those who are satisfied. Their dissatisfaction is expressed toward incumbents because they become more likely to vote for the challenging party. Personal financial evaluations are also shown to have a limited impact on electoral behavior.

#### Regardless of popularity, congressional approval of the plan disrupts Obama’s electoral strategy – he’s winning because of obstructionism

Williams 12 (Juan, Fox News Political Analyst, Juan, June 11, “Opinion: President Obama’s campaign takes a page from Truman’s playbook,” <http://thehill.com/opinion/columnists/juan-williams/231959-opinion-president-obamas-campaign-takes-a-page-from-trumans-playbook>, d/a 7-20-12, ads)

President Obama is already blaming lack of action from Boehner’s Republican majority in the House of Representatives for the poor economy. And that campaign strategy is just getting started. The question is how much political power accusations of “Republican obstructionism” will have with voters in the final stretch of the campaign. What is certain is that as the House, Senate and presidential campaigns enter the summer months, every argument from now on will center on what the politically paralyzed Congress has failed to do on economic issues. The trend started last week with President Clinton’s declaration that President Obama should just go ahead and give Republicans in Congress another extension of the Bush tax cuts — though not permanently — in order to avoid an end of the year economic cliff. And Washington Post columnist Ezra Klein speculated last week that one reason to vote for a Republican president was that it would eliminate all excuses and force the GOP House majority to take action on the economy. The assumption at the heart of what Klein and Clinton are saying is congressional Republicans are currently playing politics while the economy burns. Stephanie Cutter, Obama’s reelection spokeswoman, said last week there are “a million [jobs](http://thehill.com/opinion/columnists/juan-williams/231959-opinion-president-obamas-campaign-takes-a-page-from-trumans-playbook) on the table in Congress right now that they could move on.” Mitt Romney and congressional Republicans are quick to point out that the GOP-controlled House has passed some 30 “jobs” bills that have not been acted upon in the Senate. But those “jobs” bills are loaded with political poison pills for Democrats. They are not serious proposals with potential to be the basis for a deal that could be worked out in conference. The best political defense of GOP inaction on Capitol Hill comes from Ed Gillespie, senior adviser to Romney’s campaign and former chairman of the Republican National Committee. He said Congress is right to do nothing because the Obama White House has created “a hostile environment for job creation in our economy and that’s why … the only thing that’s going to change it are changing the policies, and that means changing the person in the White House.” The Obama campaign team’s response to the Gillespie defense is straight out of Harry Truman’s political playbook. In the 1948 race, the Democrat ran against a do-nothing, obstructionist Republican Congress and stunned his opponent with an upset win. The Obama team is already showing signs of going beyond the Truman playbook. In a charge unprecedented in modern American presidential politics, they are accusing Republicans in Congress, working in coordination with Romney’s campaign, of not only “rooting for failure,” but of sabotaging the economy for political gain. A recent poll by ABC/Washington Post asked Americans who they thought was more responsible for the country’s current economic problems — President Obama or President Bush. The Republican president still gets 49 percent of the blame, while the Democrat who succeeded him is held responsible by 34 percent. But a November 2011 poll by a bipartisan group found 94 percent of Americans think congressional inaction is hurting the economy. That fits with Congress’s dismal job approval ratings. That is the opening for President Obama to play Harry Truman. Why is unemployment still so high? A big part of the reason is that public sector jobs are continually being lost at the federal, state and local level. Government payrolls dropped by 13,000 in May. By contrast, the private sector added 82,000 jobs. Yet the GOP Congress refuses to invest in public sector spending to steady the fragile economy. Obama has already cut taxes and reduced the number of public sector jobs since he took office. This is not a matter of opinion. It is an economic fact. But the GOP never acknowledges it and refuses to work on his plan for creating new jobs. The facts are there to build an argument. But is it enough for President Obama to stage a revival of the 1948 campaign, when the Democrat incumbent won reelection by attacking a do-nothing Congress? This time the chant will be, “Give ‘em hell, Barack!”

#### Swing states don’t matter – overall support is key.

Bernstein, Political Scientist who contributes to the Washington Post, ‘12

[Jonathan, Star Tribune, 6-9, “Five myths about swing states”,

 http://m.startribune.com/opinion/?id=158323795&c=y]

Five myths about swing states Much of what we think we know about these key states has been knocked down by political science research. Swing states: Pundits love to talk about them, and candidates lavish attention on them. Sometimes it seems that the nominees are running for president of the United States of Ohio, Pennsylvania and Florida, and that the rest of us are just spectators. But much of what we think we know about these key states, which switch party allegiances with some frequency, has been knocked down by political science research - and sometimes, by recent history. Here are a few misperceptions about these in-demand states. 1. Swing-state polls are the key to predicting the winner. In fact, the opposite is true, especially this far from November. Generally, elections are determined by a "uniform swing." That is, if the Republican candidate does a little better overall, then he's going to do a little better in close states such as Ohio and Nevada, too. So even though the candidates will spend most of their time and money in the states they expect to matter most, it won't make much difference.

### Topicality

#### Topicality is a voting issue because of jurisdiction and you should Prefer our interpretation – restrictions must solely be access restrictions and tariff incentives are not financial incentives – that’s our Supreme Court evidence – this is best. Prefer US government investments in the context of US government action.

#### A. Limits – they allow for over 3000 different types of restriction affirmatives based of stipulations, delays, hurdles, cost, etc. Examples include permitting restrictions on methane capture, disclosure of chemicals, the type of material you use to drill for oil, whether or not you have to sign two pieces of paperwork at the state and federal level vs one to build a solar power plant in federal lands, etc. Also tariff incentives can apply to every single energy type, essentially doubling the topic. That makes in depth research impossible killing clash and an understanding of the costs and benefits of energy production.

#### B. Ground – their interpretation makes miniscule affirmatives possible that kill links to spending, politics, elections, and incentivizes us to research generic process counterplans that either hurt affirmative ground or are illegitimate.

#### C. Brightline - their interpretation requires that you look at the intent or effects of regulations rather than on the words. Our interpretation sets a bright line -- if the words of the law mandate a limit on energy production, then it is topical to remove it. Avoiding subjective judging decisions is good for the exercise of jurisdiction

#### Solar panel manufacturers are considered a separate industry from solar power producers

Molavi 2011 (Justin, Senior Analyst at IBISWORLD, “Solar Power in the US,” IBISWorld Industry Report 22111e, May, http://www.aba.com/aba/documents/CommercialInsights/IBISWorld\_Solar.pdf)

International Trade This industry is not engaged in international trade as the generation of solar energy happens within the borders of the US. Upstream suppliers of solar panels do import and export, but this industry is not included in this report. For more information on solar panel production, please refer to the Solar Panel Manufacturing industry (IBISWorld report 33441c).

#### Solar Panels are related to the production process. They are not production.

UNCTAD, 4 - UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT (“INCENTIVES”

http://unctad.org/en/docs/iteiit20035\_en.pdf

Box I.1. Types of incentives Financial incentives **· Investment grants**: “direct subsidies” to cover (part of) capital, production or marketing costs in relation to an investment project. **· Subsidized credits and credit** **guarantees**: subsidized loans/ loan guarantees/ guaranteed export credits. · **Government insurance at preferential rates/** publicly funded venture capital participating in investments involving high commercial risks. Government insurance at preferential rates, usually available to cover certain types of risks such as exchange-rate volatility, currency devaluation, or non-commercial risks such as expropriation and political turmoil (often provided through an international agency). Fiscal incentives **· Profit-based: reduction of the standard corporate income tax rate**/ profit tax rate/ tax holiday. **· Capital-investment-based**: accelerated depreciation/ investment and reinvestment allowance. **· Labour-based: reduction in social security contribution/ deductions from taxable earnings** based on the number of employees or on other labour related expenditure. **· Sales-based: corporate income tax reductions based on total sales**. · Import-based: duty exemptions on capital goods**, equipment or raw materials, parts and inputs related to the production process**; tax credits for duties paid on imported materials or supplies. · **Export-based**: export tax exemptions; duty drawback; preferential tax treatment of income from exports, income-tax reduction for special foreign-exchange-earning activities or for manufactured exports; tax credits on domestic sales in return for export performance; income-tax credits on net local content of exports; deduction of overseas expenditures and capital allowance for export industries.

---There is a distinction between removing regulations that increase cost or delay, and restrictions that deny access. That’s the Supreme Court evidence from the 1NC.

#### ---They conflate restrictions with all regulations. Restrictions refer to access and are distinct from other regulations that cover things like safety.

Bullard-8

Introduction to Homeland Security: Principles of All-Hazards Response p.267 Google Books

The pipeline and distribution segments of the oil and natural gas industries are highly regulated. Oversight includes financial, safety, and site selection regulations. The exploration and production side of the industry is less regulated, but it is affected by safety regulations and restrictions concerning property access. The sidebar "Oil and Gas as Weapons" illustrates a unique side to the oil and gas industry (sec Figure 5-8).

#### ---Restrictions distinct from safety regulations, equipment specification and drilling procedures

Fundamental Energy Fund-no date

<http://www.fundamentalasset.com/energy-fund>

Access restrictions and attractive oil prices will drive oil companies to pursue projects in deepwater with deep water drilling contractors set to be big long term beneficiaries. As oil wells become more complex there will be better pricing and higher margins for those oil services companies who can compete. The US government report into the Gulf oil spill has led to tighter safety regulations, equipment specification and drilling procedures across the offshore industry. Other governments will follow the US lead.

---Restrictions refer to access-Regulations cover things like delays and added cost

Kansas Federalist-no date

<http://www.kansasfederalist.com/081709issue.html>

Five Things Congress and the President Are Doing to Bring Back Sky-High Gas Prices Instead of clamping down on domestic energy supplies, American energy policy should embrace these ideas: Expand offshore and onshore oil production into previously restricted areas, including Alaska's Arctic National Wildlife Refuge, where an estimated 10 billion barrels of oil--16 years of current imports from Saudi Arabia--lie beneath a few thousand acres that can be accessed with minimal environmental impact; Reduce the regulatory and legal delays that can slow and sometimes stop production; Allow further progress on oil shale; and Prevent costly new anti-energy regulations from being imposed in the name of addressing global warming. Smart Energy Policy Should Be Obvious. It should be obvious, but in Washington it is often not: Discouraging domestic oil supplies with access restrictions, regulations, fees, and taxes will add to the future price at the pump, while streamlining these impediments to increased production will do the opposite. Congress and the President should be enacting measures that allow oil and gasoline to be as plentiful and affordable as possible to meet the nation's energy needs. Instead, they are doing the opposite.

#### **---Access restrictions distinct from taxes, fees, permit requirements, environmental regulations**

EIA 1

[US Natural Gas Markets - 2. Analysis of Federal Access Restrictions](http://www.eia.gov/oiaf/servicerpt/natgas/chapter2.html)

www.eia.gov/oiaf/servicerpt/natgas/chapter2.html

Under the Obama administration’s national ocean policy, domestic oil and natural gas exploration and development could be seriously curtailed and subject to a myriad of new, costly, and restrictive regulations. Access restrictions, new taxes, fees, and other assessments, more lengthy and stringent requirements for the issuance of regulatory permits related to offshore energy projects, and new air and water quality regulations could significantly harm the domestic offshore and onshore oil and natural gas sector, cause major job losses, decrease the domestic energy supply, increase energy prices, and bring about a rise in federal deficits due to reductions in federal royalty revenues. It is important to note that U.S. oil and natural gas companies have contributed $58.4 billion (44%) of the $133 billion invested by the federal government and private sector from 2000-2008 in new energy technologies designed to curb greenhouse gas emissions. In addition, since 2000, the oil and natural gas sector has been responsible for 22% of the North American investments made in non-hyrdocarbon fuels, including wind, biofuels, solar, geothermal, and landfill digester gas.

## 1NR

### CP

#### Fiat solves- it guarantees an appropriate test case to rule mandates on. fiat is a question of should, which means we assume the ruling passes and debate the merits.

#### Agency specification is good. Best in the context of energy policy where who is doing the plan is the most important question of implementation that the government faces. That’s Valentine from ASPEC.

#### Courts will be able to find a test case because there are so many cases brought before the court.

Baum 89 (Lawrence, Professor of Political Sciences at THE Ohio state, “The supreme court” p. 73-4)

In its capacity to choose from the cases brought to it, however, the Supreme Court is more typical of a legislature than of a court. All courts have some ability to screen the litigation brought to them, but few have as complete a freedom to reject cases as does the Supreme Court. Moreover, the very large number of requests for hearings allows the Court to be highly selective. The Court’s control over its agenda is greater than this hybrid position might suggest. First, the practice impact of the Court’s enforced passivity is more limited than it appears to be. As I have noted, the Court can encourage and discourage litigation of a particular type through its pattern of decisions. Moreover, because so many cases are brought to the Court, justices probably will find in these cases nearly all the questions that they would like to decide.

#### No test case needed- courts can make policy from thin air.

Zeigler 96 (Donald, Professor law at New York law school, 45 Am. U.L. Rev. 1367, THE NEW ACTIVIST COURT, lexis)

The federal courts create common law in different ways, some of which are at least as controversial as creating new constitutional rights. Although no general federal common law exists, n103 an ever-growing body of specialized federal common law has emerged. n104 Judge Henry J. Friendly has identified several techniques that courts use to create common law including: "spontaneous generation as in the cases of government contracts or interstate controversies, implication of a private federal cause of action from a statute providing other sanctions, construing a jurisdictional grant as a command to fashion federal law, and the normal judicial filling of statutory interstices." n105 The fourth of these techniques, the courts filling in statutory interstices, is probably the least controversial because it is unavoidable. Legislators simply cannot anticipate all questions about the meaning [\*1383]  and application of statutes. n106 The other three techniques, however, have been very controversial. n107 "Spontaneous generation" is a diplomatic way of saying that a court makes up the law, either out of thin air, or by borrowing it from whatever source it chooses. Boyle v. United Technologies Corp. n108 uses this technique in adopting a new federal defense that a private corporation can use to defend against a state tort claim. n109 In the process, the Court denied relief to the family of an airman who suffered a "tragic and unnecessary death." n110

4. No test case good

a. Key to negative ground- there are an infinite number of ways pass energy policy, meaning we can’t have a test case prepped for every affirmative. it preserves our court counterplan ground.

b. In-depth education- allows us to get over minute implementation details to debate the merits of the plan.

c. Counter interpretation- test case fiat is only good if it’s over a topic-related issue- solves all their offense because they get their disad and solvency takeout ground.

#### Reason to reject the arg, not the team.

### Solvency

#### The tariff is key to level the playing field – plan kills innovation

Yin 12 (Yin 12 Clifton, Clean Energy Policy Analyst at the Information Technology and Innovation Foundation, “Tariffs Well-Justified in Fighting Green Mercantilism”, 8/10, <http://theenergycollective.com/cliftonyin/101771/tariffs-well-justified-fighting-green-mercantilism>

But the situation is far more nuanced than CASE might indicate. “Competition is a good thing,” Claudia Kemfert of the German Institute for Economic Research observes, “but it has to be fair, which is not how things are right now.” In fact, ITIF has covered the issue of China’s green mercantilist policies extensively, noting in a previous blog post that the country “employs nearly all types of mercantilist policies to artificially drive down the price of clean energy technologies” and devoting entire reports, Green Mercantilism: Threat to the Clean Energy Economyand Enough is Enough: Confronting Chinese Innovation Mercantilismto the subject. It was also recently noted on the blog that a Chinese city has taken the troubling, unprecedented step of helping pay off the debt of a local solar wafer manufacturer.¶ Tariffs can thus not only level the playing field so U.S. and European clean energy companies can compete fairly, but also discourage countries from employing poor trade practices in the first place. More importantly, they can “increase the incentive for emerging [clean energy] technologies, new ideas, and more innovative firms to remain or enter the market,” a previous ITIF blog post states, which is essential if clean energy is to become cost competitive with fossil fuels. The previous blog post summarizes the challenge well in regard to the solar market, but the argument is applicable to clean energy in general and bears repeating here:¶ We need solar to be cheaper than fossil fuels so it can be globally deployed to reduce carbon emissions to near-zero by mid-century. How far can government subsidies – Chinese or otherwise – of first-generation solar PV take us to that goal? It simply can’t. If we allow Chinese green mercantilism to decimate the U.S. solar manufacturing industry, we would be left with a few firms producing potentially subpar technology when what in fact need are second, third, and fourth generation designs to meet our climate goals. China’s ability to rapidly take a technology to scale is still important and could be helpful to accelerate new technology market deployment, but only if it doesn’t stifle global clean energy innovation.¶ The choice is twofold: we can allow China to play by different rules to benefit from artificially lower priced solar PV in the short-term, but less innovation over time or we can level the playing field and allow technological progress and innovation to lower costs and grow the industry. Choosing the former may be great in the short-term, but puts the industry at a disadvantage in the long-term. Instead, if we’re serious about addressing climate change and growing a robust industry that continues innovating and producing jobs…the latter choice is the right one.

#### Their plan does nothing—the tariff is on solar cells, not panels—and even if it was, China can circumvent

Crooks 12 (Ed Crooks, US Industry and Energy Editor at the Financial Times, Financial Times, “China looks to sidestep solar tariffs,” <http://www.ft.com/intl/cms/s/0/2a1da18a-a29d-11e1-a605-00144feabdc0.html#axzz26knSIf7Y><http://www.americanprogress.org/issues/green/news/2012/05/16/11592/5-myths-and-realities-about-u-s-china-solar-trade-competition/>, 20 May 2012)

Industry executives and analysts expect the largest Chinese solar power companies such as Suntech Power, Trina Solar and Yingli Green Energy to use components from Taiwan, Korea and other countries to maintain their position in the fast-growing US market.¶ The US imposed anti-dumping duties on Chinese polysilicon solar cells, the components that are used to make panels, following a complaint from SolarWorld, a German company that employs 1,100 people in Oregon and California, and six other companies with US solar manufacturing operations.¶ The 61 larger Chinese companies that co-operated with the commerce department’s investigation, including Suntech, Trina and Yingli, face tariffs of about 31 per cent on import price of their cells, while other Chinese cells will be charged a tariff of about 250 per cent.¶ The move brought an angry reaction on Friday from the Chinese ministry of commerce, which attacked the duties as “unfair” and said they were evidence of the US tendency towards protectionism.¶ Chinese manufacturers and American solar power generators and installers, which benefit from cheap Chinese panels, will try to overturn the preliminary decision when the US commerce department makes its final ruling in October.¶ The duties apply only to solar cells, not to the modules that they are assembled into, enabling Chinese module manufacturers to serve the US market with cells from alternative sources.¶ With the global solar cell market heavily oversupplied, there will be plenty of countries able to provide those cells.¶ Taiwan has capacity to manufacture solar cells this year capable of generating 7,300 megawatts, twice the expected size of the US market, which is on course to be about 3,000MW this year.¶ There is a further 2,000MW of cell production capacity in South Korea. The move could benefit Taiwanese cell manufacturers including Motech and Neo Solar Power.¶ Although the Taiwanese and Korean cells are likely to be more expensive than Chinese production, the existence of substantial global excess capacity is likely to prevent large increases in prices.¶ As a result, analysts expect some increase in the price of solar cells and modules in the US, but not by as much as the 31 per cent duty rate.

#### Multiple barriers to solar growth – transmission costs and low capacity factors

Zycher 12 (Benjamin, Pacific Research Institute Senior Fellow, Martin V. Smith School of Business and Economics adjunct professor, associate in the Intelligence Community Associates Program of the Office of Economic Analysis, Bureau of Intelligence and Research, U.S. Department of State, former senior staff economist for the President's Council of Economic Advisers, March 27, “Renewable Energy Subsidies Should Be Abandoned,” <http://www.finance.senate.gov/imo/media/doc/Zycher%20Senate%20Finance%20renewables%20incentives%20testimony%203-27-12.pdf>, d/a 8-1-12, ads)

Policy preferences for renewable electricity at both the federal and state levels are¶ substantial, in the form of both direct and indirect financial subsidies, and other forms of¶ support as well.1 The relative magnitudes of the federal subsidies given various forms of¶ electricity, as estimated by the Energy Information Administration, are instructive.2 For¶ 2010, nonhydroelectric renewable power generation, again, was 3.6 percent of all¶ generation; but it received 53.5 percent of all federal financial support for the electric¶ power sector. Wind power, providing 2.3 percent of generation, received 42 percent of¶ such support. This combination of substantial policy support and meager market¶ competitiveness suggests the presence of important impediments to the growth of¶ renewable power. The technical literature reveals three central problems that have not¶ received widespread attention in the popular discussion; they can be denoted as:¶ The unconcentrated energy content of renewable energy sources.¶ Location (or siting)---that is, geographic---limitations and resulting transmission¶ costs.¶ Relatively low availability (“capacity factors”) over time combined with the¶ intermittent nature of wind flows and sunlight.3¶

### China

#### China is still pissed, regardless of whether the tariffs actually happen

Bloomberg 12 (9/28/12, Jennifer M. Freedman, WTO to Probe U.S. Anti-Subsidy Duties on Chinese Imports, http://www.bloomberg.com/news/2012-09-28/wto-to-probe-u-s-anti-subsidy-duties-on-chinese-imports.html)

The World Trade Organization will decide whether U.S. anti-subsidy duties affecting $7.3 billion of Chinese products such as solar panels, thermal paper, wind towers and steel wire violate global commerce rules.¶ The Geneva-based trade arbiter agreed yesterday to set up a panel of judges to investigate China’s allegation that the U.S. acted “inconsistently with WTO rules and rulings in many aspects” during probes to determine whether Chinese companies received illegal government aid.¶ The two governments have stepped up WTO complaints and rhetoric over access to the others’ markets this year as the global economic crisis crimps trade. The Obama administration says China keeps its currency undervalued and engages in unfair tactics that have led to chronic U.S. trade deficits and the loss of millions of American jobs.¶ Cracking down on China has emerged as a key campaign issue in the U.S. presidential race, with Republican candidate Mitt Romney blaming President Barack Obama for the loss of U.S manufacturing jobs and criticizing him for not declaring China a currency manipulator. Obama has said his administration has lodged trade complaints against China at almost twice the rate of his Republican predecessor, George W. Bush.¶ China’s Complaint¶ China lodged its complaint on May 25, just eight days after the U.S. Commerce Department imposed duties of as much as 250 percent on Chinese solar imports, siding with companies including SolarWorld AG (SWV) that said the goods were sold below the cost of production, a practice known as dumping.¶ The Commerce Department also made a preliminary finding in March that China illegally subsidizes exporters of crystalline silicon photovoltaic cells and solar panels. The U.S. applied tariffs on Chinese producers and exporters including Suntech Power Holdings Co. (STP) and Trina Solar Ltd. (TSL)¶ The European Union has also threatened to impose duties on solar panels from China by starting an inquiry into whether Chinese manufacturers of the products are dumping them in the EU. The probe covers 21 billion euros ($27 billion) of imports of crystalline silicon photovoltaic modules or panels and cells and wafers used in them.

#### Alt causes – Iran/NK prolif, Arab Spring and Indo-Pak relations.

Bader 12 (Jeffrey, John C. Whitehead Senior Fellow in International Diplomacy, Foreign Policy, John L. Thornton China Center, “China and the United States: Nixon's Legacy after 40 Years,” Brookings, 2-23,

<http://www.brookings.edu/opinions/2012/0223_china_nixon_bader.aspx>, RSR]

The common interests on which Nixon and Mao sought to cooperate were international issues. In their day, the dominant ones were Vietnam and Indochina, Korea, south Asia, and resistance to Soviet expansionism. Since then, up to and including the Obama administration, American presidents have sought to work with the Chinese on the major international issues, either in the United Nations Security Council or elsewhere where the Chinese have influence. The record on such issues in recent years has been mixed. The United States and China have agreed on opposition to the Iranian and North Korean nuclear weapons programs, but have differed on tactics to reverse them. They have worked together to preserve peace in the Korean peninsula and in the Taiwan Strait. They see the Arab Spring, and more recently the Syrian uprising, through very different lenses, which will be a source of tension as the region remains in turmoil and the forces of change and status quo come into violent conflict. We have a common interest in preventing Pakistan from becoming a long-term source of instability and base for terrorism, but differing perspectives on Pakistan’s relationship with India. The good news is however deep our differences on some of these issues, none has led, or shows signs of leading, to conflict between us.

### Warming

#### NF3 stays in the atmosphere longer and is far more potent than C02

Scripps Institution of Oceanography 8 (Scripps Institution of Oceanography at the University of California at San Diego, The National Research Council has ranked Scripps first in faculty quality among oceanography programs nationwide, October 23, “Potent Greenhouse Gas More Prevalent in Atmosphere than Previously Assumed,” <http://scrippsnews.ucsd.edu/Releases/?releaseID=933/>, d/a 8-2-12, ads)

Compound used in manufacture of flat panel televisions, computer displays, microcircuits, solar panels is 17,000 times more potent greenhouse gas than carbon dioxide¶ Scripps Institution of Oceanography University of California, San Diego¶ A powerful greenhouse gas is at least four times more prevalent in the atmosphere than previously estimated, according to a team of researchers at Scripps Institution of Oceanography at UC San Diego. Using new analytical techniques, a team led by Scripps geochemistry professor Ray Weiss made the first atmospheric measurements of nitrogen trifluoride (NF3), which is thousands of times more effective at warming the atmosphere than an equal mass of carbon dioxide. The amount of the gas in the atmosphere, which could not be detected using previous techniques, had been estimated at less than 1,200 metric tons in 2006. The new research shows the actual amount was 4,200 metric tons. In 2008, about 5,400 metric tons of the gas was in the atmosphere, a quantity that is increasing at about 11 percent per year. "Accurately measuring small amounts of NF3 in air has proven to be a very difficult experimental problem, and we are very pleased to have succeeded in this effort," Weiss said. The research will be published Oct. 31 inGeophysical Research Letters, a journal of the American Geophysical Union (AGU). Emissions of NF3 were thought to be so low that the gas was not considered to be a significant potential contributor to global warming. It was not covered by the Kyoto Protocol, the 1997 agreement to reduce greenhouse gas emissions signed by 182 countries. The gas is 17,000 times more potent as a global warming agent than a similar mass of carbon dioxide. It survives in the atmosphere about five times longer than carbon dioxide. Current NF3 emissions, however, contribute only about 0.04 percent of the total global warming effect contributed by current human-produced carbon dioxide emissions. Nitrogen trifluoride is one of several gases used during the manufacture of liquid crystal flat-panel displays, thin-film photovoltaic cells and microcircuits. Many industries have used the gas in recent years as an alternative to perfluorocarbons, which are also potent greenhouse gases, because it was believed that no more than 2 percent of the NF3 used in these processes escaped into the atmosphere.

Prefer our studies – decades of research confirms NF3 is a significant threat

Scripps Institution of Oceanography 8 (Scripps Institution of Oceanography at the University of California at San Diego, The National Research Council has ranked Scripps first in faculty quality among oceanography programs nationwide, October 23, “Potent Greenhouse Gas More Prevalent in Atmosphere than Previously Assumed,” <http://scrippsnews.ucsd.edu/Releases/?releaseID=933/>, d/a 8-2-12, ads)

The Scripps team analyzed air samples gathered over the past 30 years, working under the auspices of the NASA-funded Advanced Global Atmospheric Gases Experiment (AGAGE) network of ground-based stations. The network was created in the 1970s in response to international concerns about chemicals depleting the ozone layer. It is supported by NASA as part of its congressional mandate to monitor ozone-depleting trace gases, many of which are also greenhouse gases. Air samples are collected at several stations around the world. The Scripps team analyzed samples from coastal clean-air stations in California and Tasmania for this research. The researchers found concentrations of the gas rose from about 0.02 parts per trillion in 1978 to 0.454 parts per trillion in 2008. The samples also showed significantly higher concentrations of NF3 in the Northern Hemisphere than in the Southern Hemisphere, which the researchers said is consistent with its use predominantly in Northern Hemisphere countries. The current observed rate of increase of NF3 in the atmosphere corresponds to emissions of about 16 percent of the amount of the gas produced globally. In response to the growing use of the gas and concerns that its emissions are not well known, scientists have recently recommended adding it to the list of greenhouse gases regulated by Kyoto. "As is often the case in studying atmospheric emissions, this study shows a significant disagreement between 'bottom-up' emissions estimates and the actual emissions as determined by measuring their accumulation in the atmosphere," Weiss said. "From a climate perspective, there is a need to add NF3 to the suite of greenhouse gases whose production is inventoried and whose emissions are regulated under the Kyoto Protocol, thus providing meaningful incentives for its wise use." "This result reinforces the critical importance of basic research in determining the overall impact of the information technology industry on global climate change, which has already been estimated to be equal to that of the aviation industry," added Larry Smarr, director of the California Institute for Telecommunications at UCSD, who was not involved in the Scripps study. Michael Prather is a UC Irvine atmospheric chemist who predicted earlier this year that based on the rapidly increasing use of NF3, larger amounts of the gas would be found in the atmosphere. Prather said the new Scripps study provides the confirmation needed to establish reporting requirements for production and use of the gas.

#### Solar causes NF3 increases – that causes extreme warming

Conniff 8 (Richard, Guggenheim fellow, National Magazine Award-winning writer, has written for Yale e360 about [carbon offsets](http://e360.yale.edu/content/feature.msp?id=2067) and clean coal, November 13, “The Greenhouse Gas That Nobody Knew,” <http://e360.yale.edu/content/feature.msp?id=2085>, d/a 8-2-12, ads)

When industry began using NF3 in high-tech manufacturing, it was hailed as a way to fight global warming. But new research shows that this gas has 17,000 times the warming potential of carbon dioxide and is rapidly increasing in the atmosphere – and that's turning an environmental success story into a public relations disaster.¶ Hypothetical question: You’re heartsick about global warming, so you’ve just paid $25,000 to put a solar system on the roof of your home. How do you respond to news that it was manufactured with a chemical that is 17,000 times stronger than carbon dioxide as a cause of global warming? It may sound like somebody’s idea of a bad joke. But last month, a study from the Scripps Institution of Oceanography reported that nitrogen trifluoride (NF3), with a global warming potential of 17,000, is now present in the atmosphere at four times the expected level and rapidly rising. Use of NF3 is currently booming, for products from computer chips and flats-screen LCDs to thin-film solar photovoltaics, an economical and increasingly popular solar power format. Moreover, the Kyoto Protocol, which limits a half-dozen greenhouse gases, does not cover NF3. The United Nations Framework Convention on Climate Change now lists it among five major new greenhouse gases likely to be included in the next phase of global warming regulation, after 2012. And while that may be reassuring, it also suggests the complicated character of the global warming problem.¶

#### NF3 stays in the atmosphere for over 500 years

Conniff 8 (Richard, Guggenheim Fellow, National Magazine Award-winning writer, has written for Yale e360 about [carbon offsets](http://e360.yale.edu/content/feature.msp?id=2067) and clean coal, November 13, “The Greenhouse Gas That Nobody Knew,” <http://e360.yale.edu/content/feature.msp?id=2085>, d/a 8-2-12, ads)

To tear apart that layer of crud and clean the vacuum chamber, manufacturers were using powerful fluorinated greenhouse gases. The usual choice, hexafluorethane, or C2F6 sounds better at first than NF3. In global warming terms, it’s only about 12,000 times worse than carbon dioxide. But C2F6 is difficult to break down, and roughly 60 percent of what goes into the vacuum chamber ends up in the atmosphere. With NF3, estimates suggested that under optimal conditions, roughly 98 percent of what goes into the vacuum chamber is destroyed there. So when the semiconductor industry announced a voluntary partnership with the EPA to reduce greenhouse-gas emissions by 10 percent from 1995 levels between 1999 and 2010, NF3 became the replacement technology of choice. Makers of flat-screen displays soon announced a similar program. In 2002, the EPA gave a Climate Protection Award to the largest NF3 producer, Pennsylvania-based Air Products and Chemicals Inc., for its work in reducing emissions. Then last summer, a paper calling NF3 “the greenhouse gas missing from Kyoto” attracted widespread press attention. Co-authors Michael J. Prather and Juno Hsu of the University of California at Irvine noted that NF3 is one of the most potent greenhouse gases known and persists in the atmosphere for 550 years.¶

#### Plan net increases warming – reductions in C02 are minimal compared to external emissions

Weiss et al 8 (Ray, Scripps Institution of Oceanography Professor of Geochemistry, Jens Muhle, Peter K. Salameh, and Christina M. Harth, Scripps Institution of Oceanography, October 31, “Nitrogen trifluoride in the global atmosphere,” <http://www.agu.org/journals/gl/gl0820/2008GL035913/2008GL035913.pdf>, d/a 8-2-12, ads)

Nitrogen trifluoride (NF3) has come into increasing¶ use in the electronics industry, mainly for equipment cleaning,¶ for the etching of microcircuits, and for manufacturing¶ liquid crystal flat panel displays and thin-film photovoltaic¶ cells. As a replacement for perfluorocarbon (PFC) gases in¶ these applications, NF3 is largely destroyed during the¶ manufacturing process, resulting in reduced emissions to¶ the atmosphere [Robson et al., 2006; Lee et al., 2007]. On¶ the other hand, the global warming potential (GWP) of NF3¶ on a 100-year time horizon, about 17,000 times that of¶ carbon dioxide, is greater than the GWPs of the PFCs it¶ replaces and thus NF3 has a greater impact on Earth’s¶ climate per unit mass of emissions [Forster et al., 2007;¶ Prather and Hsu, 2008].

#### Production process causes more warming

De Decker 8(Kris, Low-tech Magazine Contributor March 03, “The ugly side of solar panels,” [http://www.energybulletin.net/authors/Kris+De+Decker](http://www.energybulletin.net/authors/Kris%2BDe%2BDecker), d/a 8-2-12, ads)

Producing electricity from solar cells reduces air pollutants and greenhouse gases by about 90 percent in comparison to using conventional fossil fuel technologies, [claims](http://www.sciencedaily.com/releases/2008/02/080225090826.htm) a study called "[Emissions from Photovoltaic Life Cycles](http://pubs.acs.org/doi/full/10.1021/es071763q)", to be published this month in “Environmental Science & Technology”. Good news, it seems, until one reads the report itself. The researchers come up with a solid set of figures. However, they interpret them in a rather optimistic way. Some recalculations (skip this article if you get annoyed by numbers) produce striking conclusions.¶ Solar panels don’t come falling out of the sky – they have to be manufactured. [Similar to computer chips](http://www.lowtechmagazine.com/2009/06/embodied-energy-of-digital-technology.html), this is a dirty and energy-intensive process. First, raw materials have to be mined: quartz sand for silicon cells, metal ore for thin film cells. Next, these materials have to be treated, following different steps (in the case of silicon cells these are purification, crystallization and wafering). Finally, these upgraded materials have to be manufactured into solar cells, and assembled into modules. All these processes produce air pollution and heavy metal emissions, and they consume energy - which brings about more air pollution, heavy metal emissions and also greenhouse gases.

#### Warming doesn’t kill biodiversity.

Carter 11 – Robert, PhD, Adjuct Research Fellow, James Cook University, Craig Idso, PhD, Chairman at the Center for the Study of Carbon Dioxide and Global Change, Fred Singer, PhD, President of the Science and Environmental Policy Project, Susan Crockford, evolutionary biologist with a specialty in skeletal taxonomy , paleozoology and vertebrate evolution, Joseph D’Aleo, 30 years of experience in professional meteorology, former college professor of Meteorology at Lyndon State College, Indur Goklany, independent scholar, author, and co-editor of the Electronic Journal of Sustainable Development, Sherwood Idso, President of the Center for the Study of Carbon Dioxide and Global Change, Research Physicist with the US Department of Agriculture, Adjunct Professor in the Departments of Geology, Botany, and Microbiology at Arizona State University, Bachelor of Physics, Master of Science, and Doctor of Philosophy, all from the University of Minnesota, Madhav Khandekar, former research scientist from Environment Canada and is an expert reviewer for the IPCC 2007 Climate Change Panel, Anthony Lupo, Department Chair and Professor of Atmospheric Science at the University of Missouri, Willie Soon, astrophysicist at the Solar and Stellar Physics Division of the Harvard-Smithsonian Center for Astrophysics, Mitch Taylor (Canada) (“Climate Change Reconsidered 2011 Interim Report,” September, Science and Environmental Policy Project, Center for the Study of Carbon Dioxide and Global Change, Published by The Heartland Institute) Jacome

Closely tied to the prior two sections, but deserving its own treatment, is the potential effect of CO2-induced global warming on aquatic biodiversity. Some experts claim rising temperatures will suppress or reduce ecosystem species richness. We examine this hypothesis as it pertains to both freshwater and saltwater ecosystems. Working in Switzerland along an elevation gradient stretching from 210 to 2,760 meters above sea level, Rosset et al. (2010) identified 55 colline ponds with an overlying mean annual air temperature of more than 8°C, 27 montane ponds with mean annual air temperatures of 5–8°§ Marked 15:28 § C, 15 subalpine ponds in the 2.5–5°C temperature range, and 16 alpine ponds with temperatures less than 2.5°C. For all of these ponds, they evaluated species richness in five taxonomic groups: aquatic vascular plants, aquatic gastropoda, aquatic coleoptera (larvae and adults), odonata adults, and amphibia. Then, utilizing 15 environmental variables—including mean annual air temperature, which they found to be ―the best climatic variable to characterize pond thermal conditions‖—they developed generalized additive models of species richness and used them to predict richness for the end of the next century (2090–2100) based on the temperature increase predicted to occur in conjunction with the A2 emission scenario of the IPCC. The paper‘s authors found ―temperature rise could significantly increase pond species richness,‖ while noting ―for the five taxonomic groups pooled, species richness would potentially increase from 41 to 75 (+83%) in lowland ponds,‖ and ―in presently species-poor high altitude ponds, the potential increase would be particularly marked, with a proportional increase (+150%; from 14–35 species) almost double that in lowland areas.‖ Prior to the Rosset et al. study, the effects of global warming on the biodiversity of small ecosystems had been given little attention. At the regional scale, species richness had ―been shown to increase under the influence of climate warming in Europe and North America (e.g. Iverson and Prasad, 2001; Daufresne and Boet, 2007; Buisson et al., 2008).‖ And Rosset et al. write ―it is also well-known and well-described in almost every ecology textbook, that terrestrial and freshwater species richness tends to be lower in colder areas, i.e., at higher altitude or latitude (e.g. Gaston and Spicer, 2004; Nagy and Grabherr, 2009).‖ They note ―this trend has also been well-described at the local scale for plants, invertebrates, and vertebrates (reviewed in Rahbek, 1995),‖ while noting still further ―among the few existing studies, Henderson (2007) and Hiddink and ter Hofstede (2008), using time series, report an increase in fish species richness in marine ecosystems in response to climate warming,‖ and ―long-term monitoring of vegetation plots in terrestrial environments indicates an increase in local species richness (Pauli et al., 2007; Vittoz et al., 2009).‖ Clearly, the findings of Rosset et al. harmonize well with a vast body of other research conducted at many scales and across many different environments, all of which demonstrate warming tends to increase ecosystem species richness.

#### Deforestation

Howden 7(Daniel Howden, The Independent “Deforestation: The Hidden Cause of Global Warming” 14 May 2007. DOA August 15, 12 sphinx.tsf.hu/new/iny/files/1645.doc)

**Most people think of forests** only in terms of the CO2 they absorb. The rainforests of the Amazon, the Congo basin and Indonesia are thought of **as the lungs of the planet.** But **the destruction of those forests will in the next four years** alone, in the words of Sir Nicholas Stern, **pump more CO2 into the atmosphere than every flight in the history of aviation to at least 2025.¶** Indonesia became the third-largest emitter of greenhouse gases in the world last week. Following close behind is Brazil. Neither nation has heavy industry on a comparable scale with the EU, India or Russia and yet they comfortably outstrip all other countries, except the United States and China.¶ What both countries do have in common is tropical forest that is being cut and burned with staggering swiftness. Smoke stacks visible from space climb into the sky above both countries, while satellite images capture similar destruction from the Congo basin, across the Democratic Republic of Congo, the Central African Republic and the Republic of Congo.¶ According to the latest audited figures from 2003, **two billion tons of CO2 enters the atmosphere** every year **from deforestation.** That destruction amounts to 50 million acres - or an area the size of England, Wales and Scotland felled **annually.¶** The remaining standing forest is calculated to contain 1,000 billion tons of carbon, or double what is already in the atmosphere.¶ As the GCP's report concludes: **"If we lose forests, we lose the fight against climate change."**

#### C. India

**IEA 12** (International Energy Agency “Global carbon-dioxide emissions increase by 1.0 Gt in 2011 to record high” 24 May 2012 [http://www.iea.org/newsroomandevents/news/2012/may/name,27216,en.html](http://www.iea.org/newsroomandevents/news/2012/may/name%2C27216%2Cen.html) DOA 8/28/12)

**Global** carbon-dioxide (**CO2**) **emissions** from fossil-fuel combustion **reached a record high of 31.6**gigatonnes (**Gt**) **in 2011**, according to preliminary estimates from the International Energy Agency (IEA). This represents an increase of 1.0 Gt on 2010, or 3.2%. **Coal accounted for 45% of total energy-related CO2 emissions in 2011, followed by oil (35%) and natural gas (20%).**¶ The 450 Scenario of the IEA’s *World Energy Outlook 2011*, which sets out an energy pathway consistent with a 50% chance of limiting the increase in the average global temperature to 2°C, requires CO2 emissions to peak at 32.6 Gt no later than 2017, *i.e.* just 1.0 Gt above 2011 levels. The 450 Scenario sees a decoupling of CO2 emissions from global GDP, but much still needs to be done to reach that goal as the rate of growth in CO2 emissions in 2011 exceeded that of global GDP. “The new data provide further evidence that the door to a 2°C trajectory is about to close,” said IEA Chief Economist Fatih Birol.¶ **In 2011, a 6.1% increase in CO2 emissions in countries outside the OECD was only partly offset by a 0.6% reduction in emissions inside the OECD**. China made the largest contribution to the global increase, with its emissions rising by 720 million tonnes (Mt), or 9.3%, primarily due to higher coal consumption. “What China has done over such a short period of time to improve energy efficiency and deploy clean energy is already paying major dividends to the global environment”, said Dr. Birol. China’s carbon intensity — the amount of CO2 emitted per unit of GDP — fell by 15% between 2005 and 2011. Had these gains not been made, China’s CO2 emissions in 2011 would have been higher by 1.5 Gt.¶ **India’s emissions rose by** 140 Mt, or **8.7%, moving it ahead** of Russia **to become the fourth largest emitter** behind China, the United States, and the European Union. Despite these increases, per-capita CO2 emissions in China and India still remain just 63% and 15% of the OECD average respectively.

#### D. Live stock

FAO 6 ("Spotlight: Livestock Impacts on the Environment." FAO: FAO Home. Food and Agriculture Organization of the United Nations, Nov. 2006. Web. 15 August 12. <<http://www.fao.org/ag/magazine/0612sp1.htm>>.)

The livestock sector is by far the single largest anthropogenic user of land. Grazing occupies 26 percent of the Earth's terrestrial surface, while feed crop production requires about a third of all arable land. Expansion of grazing land for livestock is a key factor in deforestation, especially in Latin America: some 70 percent of previously forested land in the Amazon is used as pasture, and feed crops cover a large part of the reminder. About 70 percent of all grazing land in dry areas is considered degraded, mostly because of overgrazing, compaction and erosion attributable to livestock activity.¶ At the same time, the livestock sector has assumed an often unrecognized role in global warming. Using a methodology that considered the entire commodity chain *(see box below)*, FAO estimated that livestock are responsible for 18 percent of greenhouse gas emissions, a bigger share than that of transport. It accounts for nine percent of anthropogenic carbon dioxide emissions, most of it due to expansion of pastures and arable land for feed crops. It generates even bigger shares of emissions of other gases with greater potential to warm the atmosphere: as much as 37 percent of anthropogenic methane, mostly from enteric fermentation by ruminants, and 65 percent of anthropogenic nitrous oxide, mostly from manure.