# 1NC

## 1

#### Energy production means extraction of [oil / gas]

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(Beverly M., 46 Okla. L. Rev. 745)

In such a royalty clause, as a precondition of sale, the oil and gas must be physically removed from the ground. n93 In fact, the oil and gas industry and most courts define production in terms of physical severance of the minerals from the ground. n94 When a pipeline makes take-or-pay payments, unless recoupment gas is physically taken, there is no production and thus no royalty owed. Obviously it would be easier to seek royalty payments under a royalty clause in which the terms "produced" or "production" are not used. n95

Restrictions on production must mandate a decrease in the quantity produced

Anell 89

Chairman, WTO panel

 "To examine, in the light of the relevant GATT provisions, the matter referred to the

CONTRACTING PARTIES by the United States in document L/6445 and to make such findings as will assist the CONTRACTING PARTIES in making the recommendations or in giving the rulings provided for in Article XXIII:2." 3. On 3 April 1989, the Council was informed that agreement had been reached on the following composition of the Panel (C/164): Composition Chairman: Mr. Lars E.R. Anell Members: Mr. Hugh W. Bartlett Mrs. Carmen Luz Guarda CANADA - IMPORT RESTRICTIONS ON ICE CREAM AND YOGHURT Report of the Panel adopted at the Forty-fifth Session of the CONTRACTING PARTIES on 5 December 1989 (L/6568 - 36S/68)

http://www.wto.org/english/tratop\_e/dispu\_e/88icecrm.pdf

The United States argued that Canada had failed to demonstrate that it effectively restricted domestic production of milk. The differentiation between "fluid" and "industrial" milk was an artificial one for administrative purposes; with regard to GATT obligations, the product at issue was raw milk from the cow, regardless of what further use was made of it. The use of the word "permitted" in Article XI:2(c)(i) required that there be a limitation on the total quantity of milk that domestic producers were authorized or allowed to produce or sell. The provincial controls on fluid milk did not restrict the quantities permitted to be produced; rather dairy farmers could produce and market as much milk as could be sold as beverage milk or table cream. There were no penalties for delivering more than a farmer's fluid milk quota, it was only if deliveries exceeded actual fluid milk usage or sales that it counted against his industrial milk quota. At least one province did not participate in this voluntary system, and another province had considered leaving it. Furthermore, Canada did not even prohibit the production or sale of milk that exceeded the Market Share Quota. The method used to calculate direct support payments on within-quota deliveries assured that most dairy farmers would completely recover all of their fixed and variable costs on their within-quota deliveries. The farmer was permitted to produce and market milk in excess of the quota, and perhaps had an economic incentive to do so. 27. The United States noted that in the past six years total industrial milk production had consistently exceeded the established Market Sharing Quota, and concluded that the Canadian system was a regulation of production but not a restriction of production. Proposals to amend Article XI:2(c)(i) to replace the word "restrict" with "regulate" had been defeated; what was required was the reduction of production. The results of the econometric analyses cited by Canada provided no indication of what would happen to milk production in the absence not only of the production quotas, but also of the accompanying high price guarantees which operated as incentives to produce. According to the official publication of the Canadian Dairy Commission, a key element of Canada's national dairy policy was to promote self-sufficiency in milk production. The effectiveness of the government supply controls had to be compared to what the situation would be in the absence of all government measures.

The plan changes how energy is produced, rather than restricting how much is produced

This conflation ruins the topic:

1. Including regulations is a limits disaster

Doub 76

 Energy Regulation: A Quagmire for Energy Policy

Annual Review of Energy

Vol. 1: 715-725 (Volume publication date November 1976)

DOI: 10.1146/annurev.eg.01.110176.003435LeBoeuf, Lamb, Leiby & MacRae, 1757 N Street NW, Washington, DC 20036

http://0-www.annualreviews.org.library.lausys.georgetown.edu/doi/pdf/10.1146/annurev.eg.01.110176.003435

 Mr. Doub is a principal in the law firm of Doub and Muntzing, which he formed in 1977. Previously he was a partner in the law firm of LeBoeuf, Lamb, Leiby and MacRae. He was a member of the U.S. Atomic Energy Commission in 1971 - 1974. He served as a member of the Executive Advisory Committee to the Federal Power Commission in 1968 - 1971 and was appointed by the President of the United States to the President's Air Quality Advisory Board in 1970. He is a member of the American Bar Association, Maryland State Bar Association, and Federal Bar Association. He is immediate past Chairman of the U.S. National Committee of the World Energy Conference and a member of the Atomic Industrial Forum. He currently serves as a member of the nuclear export policy committees of both the Atomic Industrial Forum and the American Nuclear Energy Council. Mr. Doub graduated from Washington and Jefferson College (B.A., 1953) and the University of Maryland School of Law in 1956. He is married, has two children, and resides in Potomac, Md. He was born September 3, 1931, in Cumberland, Md.

FERS began with the recognition that federal energy policy must result from concerted efforts in all areas dealing with energy, not the least of which was the manner in which energy is regulated by the federal government. Energy selfsufficiency is improbable, if not impossible, without sensible regulatory processes, and effective regulation is necessary for public confidence. Thus, the President directed that "a comprehensive study be undertaken, in full consultation with Congress, to determine the best way to organize all energy-related regulatory activities of the government." An interagency task force was formed to study this question. With 19 different federal departments and agencies contributing, the task force spent seven months deciphering the present organizational makeup of the federal energy regulatory system, studying the need for organizational improvement, and evaluating alternatives. More than 40 agencies were found to be involved with making regulatory decisions on energy. Although only a few deal exclusively with energy, most of the 40 could significantly affect the availability and/or cost of energy. For example, in the field of gas transmission, there are five federal agencies that must act on siting and land-use issues, seven on emission and effluent issues, five on public safety issues, and one on worker health and safety issues-all before an onshore gas pipeline can be built. The complexity of energy regulation is also illustrated by the case of Standard Oil Company (Indiana), which reportedly must file about 1000 reports a year with 35 different federal agencies. Unfortunately, this example is the rule rather than the exception.

2. Precision: Only direct prohibition is a restriction – key to predictability

Sinha 6

<http://www.indiankanoon.org/doc/437310/>

 Supreme Court of India Union Of India & Ors vs M/S. Asian Food Industries on 7 November, 2006 Author: S.B. Sinha Bench: S Sinha, Mark, E Katju CASE NO.: Writ Petition (civil) 4695 of 2006 PETITIONER: Union of India & Ors. RESPONDENT: M/s. Asian Food Industries DATE OF JUDGMENT: 07/11/2006 BENCH: S.B. Sinha & Markandey Katju JUDGMENT: J U D G M E N T [Arising out of S.L.P. (Civil) No. 17008 of 2006] WITH CIVIL APPEAL NO. 4696 OF 2006 [Arising out of S.L.P. (Civil) No. 17558 of 2006] S.B. SINHA, J :

 We may, however, notice that this Court in State of U.P. and Others v. M/s. Hindustan Aluminium Corpn. and others [AIR 1979 SC 1459] stated the law thus:

"It appears that a distinction between regulation and restriction or prohibition has always been drawn, ever since Municipal Corporation of the City of Toronto v. Virgo. Regulation promotes the freedom or the facility which is required to be regulated in the interest of all concerned, whereas prohibition obstructs or shuts off, or denies it to those to whom it is applied. The Oxford English Dictionary does not define regulate to include prohibition so that if it had been the intention to prohibit the supply, distribution, consumption or use of energy, the legislature would not have contented itself with the use of the word regulating without using the word prohibiting or some such word, to bring out that effect."

## 3

#### Productionist energy strategies crowd out democratization of energy, promoting technical fixes in LIEU of social transformation

Byrne et al 9

[http://bst.sagepub.com/content/29/2/81.full.pdf+html](http://bst.sagepub.com/content/29/2/81.full.pdf%2Bhtml)

Center for Energy and Environmental Policy Established in 1980 at the University of Delaware, the Center is a leading institution for interdisciplinary graduate education, research, and advocacy in energy and environmental policy. CEEP is led by Dr. John Byrne, Distinguished Professor of Energy & Climate Policy at the University. For his contributions to Working Group III of the Intergovernmental Panel on Climate Change (IPCC) since 1992, he shares the 2007 Nobel Peace Prize with the Panel's authors and review editors.

Whether the response to our energy and climate challenges should be nuclear or some other option, contemporary debates about these issues have almost entirely focused on them as technology questions. With a looming climate crisis caused in large part by the energy sector,2 one might hope that social concerns would rival technical ones. But so far, this has not been the case. Instead, technology fixes of various kinds appear to have the momentum. An unexpected ally supporting technology-based answers has emerged in middle class environmentalism. Backed by the Sierra Club and others who have partnered with renewable energy business lobbies such as the American Wind Energy Association (AWEA), mainstream environmentalism is calling for a renewable energy version of the Manhattan Project (see, e.g., AWEA, 2008; Wilson, 2008). Although the choice of technology differs, the prescriptions of Tierney and large environmental organizations agree on several points. There is consensus that a quick end to modern use of fossil fuels is necessary; the sooner, the better. As a business proposal, this naturally spells good news for the two industries. A second shared belief is that the new energy order must represent a dramatic shift to electricity, powering everything from home heating to factories and vehicles with electrons. A third component of the shared ideology is to construct the new Manhattan Project on the foundations of the modern electric grid. Ubiquitous, sophisticated, and, above all, centralized in architecture from technical design to management, the grid represents our best hope, according to the renewable energy and nuclear power proponents, for speedy, large action. Other strategies are thought to be impractical and costly if they require a different infrastructure; time and money are in short supply, precluding a solution before environmental and, now, economic calamity hits. As the two industries vie for primacy in creating a green energy system, many see a cause for celebration. Whoever wins, a low-carbon future sustained by green jobs and a green economy of consumption and production awaits. Indeed, a breathtaking confidence bubbles forth as the global financial meltdown and ecosystem collapse are both forecast to be overcome. In the hearts and minds of enthusiasts, there can be no excuse for inaction (compare AWEA, 2008 and Tucker, 2008). For all the celebration, though, there is a disconcerting feature: the energy revolution summoned by the two camps appears to proceed without serious social change. The hard path preference to supply energy rather than transform society-energy relations informs the new vision. Curiously, the leaders of the revolt are to be the same actors who built the modern (now disgraced) energy scheme. Huge electric utilities, megatechnical companies such as Siemens and General Electric (making nuclear plants and giant wind turbines), and finance mammoths like Goldman Sachs and J. P. Morgan Stanley (who have been equally prepared to underwrite nuclear and renewable energy monuments as long as the dollar amounts are in the billions) are to save the planet, maintain economic growth, and, of course, make money. The prospect of yet another corporate-led technology revolution (alongside the “dot.com,” “information highway,” “biotechnology,” and “microelectronic” revolutions of recent times), in this instance to decarbonize the energy sector, is welcomed by some and skeptically viewed by others. Still, momentum rests with the oddly allied proponents of the new energy order. Why? Embedded in the urgent call-to-action is a shared, near-desperate sense that without a “Manhattan Project for 2009” (Wilson, 2008), collapse is certain. One might think this would lead to an expectation of social sacrifice. However, the middle class roots of the call-to-action work against such a result, shifting attention instead to technology as the source of salvation. As discussed below, the modern energy system gained and has retained political power through this promise. In combination, a curious mix of social fatalism and technological positivism define the current aspiration for an energy revolution and its search for the answer that can avert ruin . . . and yet also forego major social change.

#### The system’s nsustainable – debt, offshoring, financialization, eco – only shift from EMPIRE to MULTITUDES averts extinction

Shor 10

<http://www.stateofnature.org/locatingTheContemporary.html>

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Attributing the debilitation of the U.S. economy to a mortgage crisis or the collapse of the housing market misses the truly epochal crisis in the world economy and, indeed, in capitalism itself. As economist Michael Hudson contends, "the financial 'wealth creation' game is over. Economies emerged from World War II relatively free of debt, but the 60-year global run-up has run its course. Financial capitalism is in a state of collapse, and marginal palliatives cannot revive it." According to Hudson, among those palliatives is an ironic variant of the IMF strategies imposed on developing nations. "The new twist is a variant on the IMF 'stabilization' plans that lend money to central banks to support their currencies - for long enough to enable local oligarchs and foreign investors to move their savings and investments offshore at a good exchange rate." The continuity between these IMF plans and even the Obama administration's fealty to Wall Street can be seen in the person of Lawrence Summers, now the chief economic advisor to Obama. As further noted by Hudson, "the Obama bank bailout is arranged much like an IMF loan to support the exchange rate of foreign currency, but with the Treasury supporting financial asset prices for U.S. banks and other financial institutions ... Private-sector debt will be moved onto the U.S. Government balance sheet, where "taxpayers" will bear losses." [4] So, here we have another variation of the working poor getting sapped by the economic elite! In fact, one estimate of U.S. federal government support to the elite financial institutions is in the range of $10 trillion dollars, a heist of unimaginable proportions. [5] Given the massive indebtedness of the United States, its reliance of foreign support of that debt by countries like China, which has close to $2 trillion tied up in treasury bills and other investments, a long-term crisis of profitability, overproduction, and offshoring of essential manufacturing, it does not appear that the United States and, perhaps, even the capitalist system can avoid collapse. Certainly, there are Marxist economists and world-systems analysts who are convinced that the collapse is inevitable, albeit it may take several generations to complete. The question becomes whether a dying system can be resuscitated or, if something else can be put in its place. One of the most prominent world systems scholars, Immanuel Wallerstein, puts the long-term crisis of capitalism and the alternatives in the following perspective: Because the system we have known for 500 years is no longer able to guarantee long-term prospects of capital accumulation, we have entered a period of world chaos. Wild (and largely uncontrollable) swings in the economic, political, and military situations are leading to a systemic bifurcation, that is, to a world collective choice about the kind of new system the world will construct over the next fifty years. The new system will not be a capitalist system, but it could be one of two kinds: a different system that is equally or more hierarchical and inequalitarian, or one that is substantially democratic and equalitarian. [6] What Wallerstein overlooks is the possibility that a global crisis of capitalism with its continuous overexploitation and maldistribution of essential resources, such as water, could lead to a planetary catastrophe. [7] While Wallerstein and many of the Marxist critics of capitalism correctly identify the long-term structural crisis of capitalism and offer important insights into the need for more democratic and equalitarian systems, they often fail to realize other critical predicaments that have plagued human societies in the past and persist in even more life-threatening ways today. Among those predicaments are the power trips of civilization and environmental destructiveness. Such power trips can be seen through the sedimentation of power-over in the reign of patriarchal systems and an evolutionary selection for that power-over which contaminates society and social relationships. Certainly, many of those predicaments can also be attributed to a 5000 year history of the intersection of empire and civilization. Anthropologist Kajsa Ekholm Friedman analyzes that intersection and its impact in the Bronze Age as an "imperialist project..., dependent upon trade and ultimately upon war." [8] However, over the long rule of empire and especially within the last 500 years of the global aspirations of various empires, "no state or empire," observes historian Eric Hobsbawm, "has been large, rich, or powerful enough to maintain hegemony over the political world, let alone to establish political and military supremacy over the globe." [9] While war and trade still remain key components of the imperial project today and pretensions for global supremacy persist in the United States, what is just as threatening to the world as we know it is the overexploitation and abuse of environmental resources. Jared Diamond brilliantly reveals how habituated attitudes and values precluded the necessary recognition of environmental degradation which, in turn, led to the collapse of vastly different civilizations, societies, and cultures throughout recorded history. [10] He identifies twelve contemporary environmental challenges which pose grave dangers to the planet and its inhabitants. Among these are the destruction of natural habitats (rainforests, wetlands, etc.); species extinction; soil erosion; depletion of fossil fuels and underground water aquifers; toxic pollution; and climate change, especially attributable to the use of fossil fuels. [11] U.S. economic imperialism has played a direct role in environmental degradation, whether in McDonald's resource destruction of rainforests in Latin America, Coca-Cola's exploitation of underground water aquifers in India, or Union Carbide's toxic pollution in India. Beyond the links between empire and environmental destruction, unless we also clearly understand and combat the connections between empire and unending growth with its attendant "accumulation by dispossession", we may very well doom ourselves to extinction. According to James Gustave Speth, Dean of the Yale School of Forestry and Environmental Studies, the macro obsession with growth is also intimately related to our micro habituated ways of living. "Parallel to transcending our growth fetish," Speth argues, "we must move beyond our consumerism and hyperventilating lifestyles ... This reluctance to challenge consumption has been a big mistake, given the mounting environmental and social costs of American "affluenza," extravagance and wastefulness." [12] Of course, there are significant class and ethnic/racial differences in consumerism and lifestyle in the United States. However, even more vast differences and inequities obtain between the U.S. and the developing world. It is those inequities that lead Eduardo Galeano to conclude that "consumer society is a booby trap. Those at the controls feign ignorance, but anybody with eyes in his head can see that the great majority of people necessarily must consume not much, very little, or nothing at all in order to save the bit of nature we have left." [13] Finally, from Vandana Shiva's perspective, "unless worldviews and lifestyles are restructured ecologically, peace and justice will continue to be violated and, ultimately, the very survival of humanity will be threatened." [14] For Shiva and other global agents of resistance, the ecological and peace and justice imperatives require us to act in the here and now. Her vision of "Earth Democracy" with its emphasis on balancing authentic needs with a local ecology provides an essential guidepost to what we all can do to stop the ravaging of the environment and to salvage the planet. As she insists, "Earth Democracy is not just about the next protest or next World Social Forum; it is about what we do in between. It addresses the global in our everyday lives, our everyday realities, and creates change globally by making change locally." [15] The local, national, and transnational struggles and visions of change are further evidence that the imperial project is not only being contested but also being transformed on a daily basis. According to Mark Engler, "The powerful will abandon their strategies of control only when it grows too costly for them to do otherwise. It is the concerted efforts of people coming together in local communities and in movements spanning borders that will raise the costs. Empire becomes unsustainable ... when the people of the world resist." [16] Whether in the rural villages of Brazil or India, the jungles of Mexico or Ecuador, the city squares of Cochabama or Genoa, the streets of Seattle or Soweto, there has been, and continues to be, resistance around the globe to the imperial project. If the ruling elite and many of the citizens of the United States have not yet accepted the fact that the empire is dying and with it the concentric circles of economic, political, environmental, and civilizational crises, the global multitudes have been busy at work, digging its future grave and planting the seeds for another possible world. [17]

#### Reject the aff’s neoliberal ideology

#### Energy debates should focus on CRITIQUE of broad structures INSTEAD of producitivist fixes. Our ROLE OF THE BALLOT is best EVEN IF they win some truth claims – we must SHIFT THE FRAME

Zehner 12

Green illusions,

Ozzie Zehner is the author of Green Illusions and a visiting scholar at the University of California, Berkeley. His recent publications include public science pieces in Christian Science Monitor, The American Scholar, Bulletin of the Atomic Scientists, The Humanist, The Futurist, and Women’s Studies Quarterly. He has appeared on PBS, BBC, CNN, MSNBC, and regularly guest lectures at universities. Zehner’s research and projects have been covered by The Sunday Times, USA Today, WIRED, The Washington Post, Business Week and numerous other media outlets. He also serves on the editorial board of Critical Environmentalism. Zehner primarily researches the social, political and economic conditions influencing energy policy priorities and project outcomes. His work also incorporates symbolic roles that energy technologies play within political and environmental movements. His other research interests include consumerism, urban policy, environmental governance, international human rights, and forgeries. Zehner attended Kettering University (BS -Engineering) and The University of Amsterdam (MS/Drs – Science and Technology Studies). His research was awarded with honors at both institutions. He lives in San Francisco.

Since this book represents a critique of alternative energy, it may seem an unlikely manual for alternative-energy proponents. But it is. Building alternative-energy infrastructure atop America's present economic, social, and cultural landscape is akin to building a sandcastle in a rising tide. A taller sand castle won't help. The first steps in this book sketch a partial blueprint for making alternative-energy technologies relevant into the future. Technological development alone will do little to bring about a durable alternative-energy future. Reimagining the social conditions of energy use will. Ultimately, we have to ask ourselves if environmentalists should be involved in the business of energy production (of any sort) while so many more important issues remain vastly underserved. Over the next several decades, it's quite likely that our power production cocktail will look very much like the mix of today, save for a few adjustments in market share. Wind and biofuel generation will become more prevalent and the stage is set for nuclear power as well, despite recent catastrophes. Nevertheless, these changes will occur over time—they will seem slow. Every power production mechanism has side effects and limitations of its own, and a global shift to new forms of power production simply means that humanity will have to deal with new side effects and limitations in the future. This simple observation seems to have gotten lost in the cheerleading for alternative-energy technologies. The mainstream environmental movement should throw down the green energy pom-poms and pull out the bifocals. It is entirely reasonable for environmentalists to criticize fossil-fuel industries for the harms they instigate. It is, however, entirely unreasonable for environmentalists to become spokespeople for the next round of ecological disaster machines such as solar cells, ethanol, and battery-powered vehicles. Environmentalists pack the largest punch when they instead act as power production watchdogs (regardless of the production method); past environmentalist pressures have cleaned the air and made previously polluted waterways swimmable. This watchdog role will be vital in the future as biofuels, nuclear plants, alternative fossil fuels, solar cells, and other energy technologies import new harms and risks. Beyond a watchdog role, environmentalists yield the greatest progress when addressing our social fundamentals, whether by supporting human rights, cleaning up elections, imagining new economic structures, strengthening communities, revitalizing democracy, or imagining more prosperous modes of consumption. Unsustainable energy use is a symptom of suboptimal social conditions. Energy use will come down when we improve these conditions: consumption patterns that lead to debt and depression; commercials aimed at children; lonely seniors stuck in their homes because they can no longer drive; kids left to fend for themselves when it comes to mobility or sexuality; corporate influence trumping citizen representation; measurements of the nation's health in dollars rather than well-being; a media concerned with advertising over insight, and so on. These may not seem like environmental issues, and they certainly don't seem like energy policy issues, but in reality they are the most important energy and environmental issues of our day. Addressing them won't require sacrifice or social engineering. They are congruent with the interests of many Americans, which will make them easier to initiate and fulfill. They are entirely realistic (as many are already enjoyed by other societies on the planet). They are, in a sense, boring. In fact, the only thing shocking about them is the degree to which they have been underappreciated in contemporary environmental thought, sidelined in the media, and ignored by politicians. Even though these first steps don't represent a grand solution, they are necessary preconditions if we intend to democratically design and implement more comprehensive solutions in the future. Ultimately, clean energy is less energy. Alternative-energy alchemy has so greatly consumed the public imagination over recent decades that the most vital and durable environmental essentials remain overlooked and underfunded. Today energy executives hiss silver-tongued fairy tales about clean-coal technologies, safe nuclear reactors, and renewable sources such as solar, wind, and biofuels to quench growing energy demands, fostering the illusion that we can maintain our expanding patterns of energy consumption without consequence. At the same time, they claim that these technologies can be made environmentally, socially, and politically sound while ignoring a history that has repeatedly shown otherwise. If we give in to accepting their conceptual frames, such as those pitting production versus production, or if we parrot their terms such as clean coal, bridge fuels, peacetime atom, smart growth, and clean energy, then we have already lost. We forfeit our right to critical democratic engagement and instead allow the powers that be to regurgitate their own terms of debate into our open upstretched mouths. Alternative-energy technologies don't clean the air. They don't clean the water. They don't protect wildlife. They don't support human rights. They don't improve neighborhoods. They don't strengthen democracy. They don't regulate themselves. They don't lower atmospheric carbon dioxide. They don't reduce consumption. They produce power. That power can lead to durable benefits, but only given the appropriate context. Ultimately, it's not a question of whether American society possesses the technological prowess to construct an alternative-energy nation. The real question is the reverse. Do we have a society capable of being powered by alternative energy? The answer today is clearly no. But we can change that. Future environmentalists will drop solar, wind, biofuels, nuclear, hydrogen, and hybrids to focus instead on women's rights, consumer culture, walkable neighborhoods, military spending, zoning, health care, wealth disparities, citizen governance, economic reform, and democratic institutions. As environmentalists and global citizens, it's not enough to say that we would benefit by shifting our focus. Our very relevance depends on it.

## 4

#### Hagel will get confirmed thanks entirely to Obama political capital – but it could still come undone

Washington Times 1/8/2013

(http://www.washingtontimes.com/news/2013/jan/8/little-enthusiasm-on-capitol-hill-for-hagel-nomina/#ixzz2HUcSjUfS)

Even before it became official Monday, Mr. Hagel’s nomination had kicked up a cloud of consternation from those on the right who questioned his commitment to Israel and his willingness to get tough with sanctions on Iran over its nuclear program.

Those on the left aren’t overjoyed, either. They would rather have worked with one of their own at the Pentagon, and have questions about criticism in 1998 of a Clinton administration nominee for an ambassadorship for being “openly, aggressively gay.” Mr. Hagel has since apologized, and Democrats appear to be giving him a pass — at least for now.

But Mr. Obama chose his former Senate colleague anyway, **putting the full weight of the presidency behind his selection and risking the political capital it takes to win confirmation battles in the world’s most exclusive club**.

The president “has his hands full at the moment — why would he take on one more chore in dealing with Congress?” said Stephen Hess, a veteran staffer of the Eisenhower and Nixon administrations and presidential scholar at the Brookings Institution. “I guess partly because he really wants this guy.”

Sources familiar with the confirmation process say the **White House would not have nominated Mr. Hagel if it were not certain the votes were there to confirm him**, **although recent history suggests that sometimes even the “safest” picks can unravel during the confirmation process**.

#### [plan destroys political capital]

#### Hagel confirmation breaks the Washington consensus on Iran

Gray and Miller, writers for Buzzfeed, 1/6/2013

(Rosie and Zeke, “Obama Upends Iran Debate By Picking Chuck Hagel,” http://www.buzzfeed.com/rosiegray/obama-updends-iran-debate-by-picking-chuck-hagel)

Their hope — and their foes’ fear — is that Hagel’s confirmation could mean that views outside what is considered the mainstream on Israel and Iran **begin to replace the more hawkish Washington consensus**. A Hagel confirmation could change the terms of the debate on the Middle East by challenging the Republican Party with the views of one of its own. And **Hagel**, a Republican whose views were altered by the Iraq war, **has the potential to affect the prospect of a war with Iran**, some argue.

Administration officials, in public and in private, do not make this case, though they say they’re eager to engage the debate.

“If the Republicans are going to look at Chuck Hagel, a decorated war hero and Republican who served two terms in the Senate, and vote no because he bucked the party line on Iraq, then they are so far in the wilderness that they’ll never get out,” said one administration official.

The official also contested the notion that the choice Hagel — who voted in the Senate against Iran sanctions — means anything in particular about the Administration’s policy on Iran.

“Senator Hagel supports the President's sanctions regime on Iran, and has always said that all options should be on the table, including military force as a last resort,” the official said, also saying that Hagel “will continue to carry out President Obama’s unprecedented security cooperation with Israel.”

**But the way in which the lines have been drawn means that** — **whatever Hagel’s role in making policy** — **the fight over his confirmation will shape it**. A bipartisan coalition of pro-Israel members of Congress and activists, as well as allies with other agendas, helped derail the nomination of a career diplomat with friendly relationship with Arab regimes, Chas Freeman, to an obscure intelligence advisory council.

If you aren't listening closely, it can be difficult to detect the gaps between Barack Obama's eagerness to avoid the use of force with Iran; the somewhat noisier concerns of Senate Democrats about Iran's nuclear program; and the sense among some Republicans and some Israeli leaders that **American bombs should start falling now**.

#### That avoids Middle East war and economic meltdown

Hussain, writer and analyst on Middle East politics, 9/12/2012

(Murtaza, “Why war with Iran would spell disaster,”

http://www.aljazeera.com/indepth/opinion/2012/09/201291194236970294.html)

After a decade of exhausting and demoralising conflict between the United States and two of the weakest, most impoverished countries in the world, Iraq and Afghanistan, many within the US political establishment are calling for the country to engage in yet another conflict; this time with a relatively powerful enemy in Iran.

In the past week alone, top Republican figures such as John McCain and Joseph Lieberman have called for increasing belligerence towards the Iranian regime, bringing the two countries closer to the **brink of armed conflict**.

The heightening standoff with Iran over its nuclear programme, curious in itself for its recent rapid escalation given that leading American and Israeli intelligence estimates have both concluded that Iran has neither developed nor is planning to develop nuclear weapons, is leading to increasingly belligerent rhetoric out of Washington calling for war with Iran.

Leading members of the House and Congress from both parties as well as the closest advisers to Republican presidential candidate Mitt Romney have called for attacking Iran, with some high-ranking GOP advisers even suggesting that the time is now for a Congressional resolution formally declaring war on the country.

Romney and many other leading Republican figures have called for pre-emptive war against Iran, and have continually upped the ante in terms of threats of military action throughout the election campaign. This alarming and potentially highly consequential rhetoric is occurring in a context where the American people are still recovering from the disastrous war in Iraq and winding down the US occupation of Afghanistan, while at the same time coping with the worst economic drought since the Great Depression.

Public statements claiming that the extent of the conflict would be limited to targeted airstrikes on Iranian nuclear facilities are utterly disingenuous, ignoring the escalating cycle of retribution that such "limited" conflicts necessarily breed. As did the war in Libya start off with calls only for a benign "no-fly zone" to protect civilians and seamlessly turned into an all-out aerial campaign to topple Muammar Gaddafi, any crossing of the military threshold with Iran would also likely result in a far bigger conflagration than the public has been prepared for by their leaders.

War with Iran would be no quick and clean affair, as many senior political and military figures have pointed out it would make the Iraq and Afghanistan wars, which cost trillions of dollars and the lives of thousands of soldiers and civilians, seem like "a cakewalk".

The fact that it is becoming increasingly likely, inevitable in the eyes of many, and that it is high on the agenda of so many leading political figures warrants exploration of what such a conflict would really entail.

Conflict on an unprecedented scale

Not a war of weeks or months, but a "generations-long war" is how no less a figure than former Mossad chief Efraim Halevy describes the consequences of open conflict with Iran. In comparison with Iraq and Afghanistan, both countries with relatively small populations which were already in a state of relative powerlessness before they were invaded, Iran commands the eighth largest active duty military in the world, as well as highly trained special forces and guerilla organisations which operate in countries throughout the region and beyond.

 Retired US General John Abizaid has previously described the Iranian military as "the most powerful in the Middle East" (exempting Israel), and its highly sophisticated and battle-hardened proxies in Lebanon and Iraq have twice succeeded in defeating far stronger and better funded Western military forces.

Any attack on Iran would assuredly lead to the activation of these proxies in neighbouring countries to attack American interests and would create a situation of **borderless war unprecedented in any past US conflicts in the Middle East**.

None of this is to suggest that the United States would not "win" a war with Iran, but given the incredibly painful costs of Iraq and Afghanistan; wars fought again weak, poorly organised enemies lacking broad influence, politicians campaigning for war with Iran are leading the American people into a battle which will be guaranteed to make the past decade of fighting look tame in comparison.

A recent study has shown that an initial US aerial assault on Iran would require hundreds of planes, ships and missiles in order to be completed; a military undertaking itself unprecedented since the first Gulf War and representative of only the first phase of what would likely be a long drawn-out war of attrition.

For a country already nursing the wounds from the casualties of far less intense conflicts and still reeling from their economic costs, the sheer battle fatigue inherent in a large-scale war with Iran would stand to greatly exacerbate these issues.

Oil shocks and the American economy

The **fragile American economic recovery would be completely upended** were Iran to target global energy supplies in the event of war, an act which would be both catastrophic and highly likely if US Iran hawks get their way. Not only does the country itself sit atop some of the largest oil and natural gas reserves on the planet, its close proximity to the shipping routes and oil resources of its neighbours means that in the event of war, its first response would likely be to choke off the global supply of crude; a tactic for which its military defences have in fact been specifically designed.

The Strait of Hormuz, located in the Persian Gulf is the shipping point for more than 20 per cent of the world's petroleum. Iran is known to have advanced Silkworm missile batteries buried at strategic points around the strait to make it impassable in the event of war, and has developed "swarming" naval tactics to neutralise larger, less mobile ships such as those used by the US Navy.

While Iran could never win in straightforward combat, it has developed tactics of asymmetrical warfare that can effectively inflict losses on a far stronger enemy and render the strait effectively closed to naval traffic.

The price of oil would immediately skyrocket, by some estimates upwards several hundred dollars a barrel, shattering the already tenuous steps the US and other Western economies are taking towards recovery. Former National Security Adviser Zbigniew Brzezinski has said a war with Iran could drag out years and would have economic consequences "devastating for the average American"; but these facts are conspicuously absent in public discussion of the war.

Every conflict has blowback, but if US politicians are attempting to maneouver the country into a conflict of such potentially devastating magnitude, potentially sacrificing ordinary Americans' economic well-being for years to come, it would behoove them to speak frankly about these costs and not attempt to obfuscate or downplay them in order to make their case.

Conflict across borders

Finally, a war with Iran would be not be like conflicts in Iraq, Afghanistan and Libya where the fighting was constrained to the borders of the country in question. Despite widespread resentment towards the country due to the perception of it as a regionally imperialist power as well sectarian animosity towards it as Shia Muslim theocracy, Iran maintains deep links throughout the Middle East and South Asia and can count on both popular support as well as assistance from its network of armed proxies in various countries.

In a report for Haaretz, Ahmed Rashid noted that an attack on Iran would likely inflame anti-American sentiment throughout the region, across both Shia and Sunni Muslim communities. Despite Iran's poor human rights record and bellicose leadership, polls have consistently shown that Iranian and Iranian-backed leaders such as Mahmoud Ahmadinejad and Hassan Nasrallah remain among the most popular figures throughout the Arab and Muslim world.

This popularity comes not necessarily out of respect for Iranian ideology, but from a perception that Iran is the only assertive power in the region and is the target of aggression from the United States and its allies.

In Rashid's analysis, **both the Middle East and South Asia** would become unsafe for American citizens and their interests for years to come; popular anger would reach a level which would render these area effectively off-limits and would cause grave and immediate danger to both American businesses and troops based in the region.

Again, this would be a situation quite different from the other wars of the past decade, fought against isolated regimes without the ability to call upon large and often well-funded numbers of regional sympathisers; a fact also rarely mentioned by war advocates.

Not a political game

Going to war with Iran would be an elective decision for the United States, but it is for too grave and consequential a choice to be left up to the whims of politicians seeking to win the approval of lobby groups and one-up each other to appeal to influential campaign donors who would like to see a war with Iran.

Make no mistake, **the possibility of war is very real** and has become eminently more so in recent months. Many of the same politicians and political advisers responsible for engineering the Iraq War have returned to public life and are at the forefront of pushing a new American conflict with Iran.

#### Nuclear war

James A. **Russell,** Senior Lecturer, National Security Affairs, Naval Postgraduate School, ‘9 (Spring) “Strategic Stability Reconsidered: Prospects for Escalation and Nuclear War in the Middle East” IFRI, Proliferation Papers, #26, http://www.ifri.org/downloads/PP26\_Russell\_2009.pdf

Strategic stability in the region is thus undermined by various factors: (1) asymmetric interests in the bargaining framework that can introduce unpredictable behavior from actors; (2) the presence of non-state actors that introduce unpredictability into relationships between the antagonists; (3) incompatible assumptions about the structure of the deterrent relationship that makes the bargaining framework strategically unstable; (4) perceptions by Israel and the United States that its window of opportunity for military action is closing, which could prompt a preventive attack; (5) the prospect that Iran’s response to pre-emptive attacks could involve unconventional weapons, which could prompt escalation by Israel and/or the United States; (6) the lack of a communications framework to build trust and cooperation among framework participants. These systemic weaknesses in the coercive bargaining framework all suggest that escalation by any the parties could happen either on purpose or as a result of miscalculation or the pressures of wartime circumstance. Given these factors, it is disturbingly easy to imagine scenarios under which a conflict could quickly escalate in which the regional antagonists would consider the use of chemical, biological, or nuclear weapons. It would be a mistake to believe the nuclear taboo can somehow magically keep nuclear weapons from being used in the context of an unstable strategic framework. Systemic asymmetries between actors in fact suggest a certain increase in the probability of war – a war in which escalation could happen quickly and from a variety of participants. Once such a war starts, events would likely develop a momentum all their own and decision-making would consequently be shaped in unpredictable ways. The international community must take this possibility seriously, and muster every tool at its disposal to prevent such an outcome, which would be an unprecedented disaster for the peoples of the region, with substantial risk for the entire world.

## 4

#### The United States Federal Government should establish that the penalty for violating restrictions on energy production of crude oil for companies engaged in joint ventures with Canadian based energy producers in the United States area of the Beaufort Sea is entry into a Supplemental Environmental Project.

Implementation of the Supplemental Environmental Program should nullify additional legal penalties from the violating action, and any conflicting federal laws and regulations should be modified to provide a narrow exemption for the above penalty.

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

Center for Progressive Regulation, 2008, Environmental Enforcement, progressiveregulation.org/perspectives/environEnforce.html

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

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

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

#### The CP’s SEP penalty is just that—it causes the same industry response as the aff, without lifting the restriction

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

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

#### Independently, establishing SEP penalties solves inevitable environmental crisis

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

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

## 5

#### The United States federal government should ratify the United Nations Law of the Sea Treaty.

## 6

#### The United States federal should substantially reduce restrictions on energy production of crude oil for companies engaged in joint ventures with Canadian based energy producers in the United States area of the Beaufort Sea.

## 7

Domestic coal demand is increasing now due to rising gas prices

Platts 12 [Bob Matyi, “Alliance says is regaining coal customers as US gas prices rise,” December 4, http://www.platts.com/RSSFeedDetailedNews/RSSFeed/Coal/6870003]

Rising US natural gas prices are translating into additional coal sales business for Alliance Resource Partners, a company official said Tuesday.¶ "We're seeing some of our customers coming back to us this year and asking for additional deliveries of coal," Brian Cantrell, the chief financial officer of the Tulsa, Oklahoma-based company, told the Wells Fargo Pipeline, MLP and Energy Symposium in New York.¶ In recent months, gas prices have been trending upward from historically low levels early this year, Cantrell said.¶ Analysts say that when gas hits about $3.50/MMBtu, coal becomes more competitive, encouraging electric utilities that moved to gas months ago to **switch back to coal**. NYMEX January gas futures settled at $3.539/MMBtu Tuesday.¶ While Alliance, the third-largest coal producer in the eastern US, is feeling good these days about its prospects, Cantrell said the outlook for some coal producers may be more cloudy.¶ Utilities, he said, are still choked with huge inventories, totaling as much as 185 million st to 195 million st, thanks in part to the mild winter of 2011-12.¶ "We think it will work its way through the system while demand picks up" in 2013, he said. However, much of the increased demand will be filled by existing inventory.¶ "In our case, given our contract book, we should be just fine," he said. "But if you're open for the market, 2013 will continue to be a challenge."

Further gas price drops crush the domestic coal market

Reuters 12 [“More US coal plants to retire due to green rules-study,” October 8, http://www.reuters.com/article/2012/10/08/utilities-brattle-coal-idUSL1E8L851620121008]

The economists said natural gas prices would play a major factor in determining the number of coal plants to retire.¶ **Retirements would drop to between 21,000 and 35,000 MW if natural gas prices increased by just $1 per million** British thermal units (mm**Btu**) relative to April 2012 forward prices.¶ If gas prices fell by $1, the economists projected coal retirements would increase to between 115,000 and 141,000 MW.¶ Natural gas prices in April bottomed at $1.90 per mmBtu. Over the past decade, natural gas has traded in a wide range from less than $2 to more than $15, averaging about $6. The current spot cost is $3.35.

Decreasing domestic demand shifts coal to an export industry

Tristan Brown, Lawyer and professor of graduate-level courses on the law and policy, economics, and global issues surrounding the biorenewables sector, 12/12/12 [“'NIMBYism' Is Unlikely To Derail U.S. Coal Exports,” Seeking Alpha, http://seekingalpha.com/article/999191-nimbyism-is-unlikely-to-derail-u-s-coal-exports]

**The first response of any natural resource industry to a decrease in domestic consumption is to increase exports, particularly when global consumption of the commodity is increasing**. These exports must also be restricted if carbon leakage is to be avoided. Treaty obligations and international relations prevent the Obama administration from directly restricting U.S. coal exports, leaving it the alternative of indirectly restricting exports by imposing restrictions on trade infrastructure bottlenecks. The U.S. is not an island nation, however, and is obliged by treaty not to restrict trade with the country that it also happens to share one of the longer land borders in the world with: Canada. Barring a complete rejection of globalization and the closure America's borders, the Obama administration will find that indirectly imposing restrictions on the export of coal via one route just causes it to follow another route. Global demand for the commodity is growing too rapidly to prevent it from being utilized.¶

Floods the Chinese market – locks in coal use and rapid warming

Thomas Power, Ph.D., Research Professor and Professor Emeritus, Department of Economics, University of Montana, February 2012, The Greenhouse Gas Impact of Exporting Coal from the West Coast, http://www.sightline.org/wp-content/uploads/downloads/2012/02/Coal-Power-White-Paper.pdf

In the previous sections of this report, we have dealt with a set of interconnected economic arguments that have been used by some to suggest that exporting Powder River Basin coal through West Coast ports will have no impact on Asian coal consumption. We have showed that that will not be the economic outcome because PRB coal can gain market share in Asia only by underselling existing suppliers including domestic Chinese coal suppliers. Firms like Arch and Peabody will have to compete against other nations currently supplying Chinese markets as well as other American coal companies who will also be seeking a share of that Asian market. That competition will put downward pressure on Asian coal prices, pushing them lower than they would otherwise have been. The lower prices and costs brought on by that competition will encourage a greater commitment to coal-fired generation in Asia and will discourage the adoption of coal- and electricity-displacing improvements in technology. Asian coal consumption will be increased over what it otherwise would have been if PRB coal was not actively competing for a share of Asian coal markets. In addition to this particular argument that PRB coal exports through West Coast ports will not have any impact on Asian coal consumption, other arguments have been made to insist that the pending coal port proposals will have trivially small environmental impacts. We now take up with those other arguments. The analysis that follows yields the following conclusions: • The impacts will be much larger than the annual capacity of the port indicates because access to this coal will encourage investments in new coal-burning facilities in Asia and their associated 30- to 50-year demand for coal. The impacts from those long-term investments will accumulate as will the burden on the global climate system. It will also lead to cumulative impacts in Wyoming and Montana where the coal will be strip-mined as well as along the routes of the coal trains and in the port cities. • It has been argued that whatever the impact associated with the state of Washington facilitating the export and burning of coal overseas, that impact will be small compared to all the coal being burned in Asia and all of the greenhouse gases being released worldwide. For that reason, those impacts can be appropriately ignored. This type of argument reflects a “free rider” mentality that can be the source of the often-discussed “Tragedy of the Commons” in which everyone ignores the relatively small impacts they have individually as they seek to get as much of the benefits as they individually can from exploiting an open access common property resource, in this case, the earth’s atmosphere. As a result, that open access resource may be over- used and damaged with the result that almost everyone is worse off. This is a serious and widely recognized economic problem. • This outcome can be avoided through a wide variety of cooperative behavior. One way individuals can indicate their interest in a cooperative solution to what otherwise could be individually destructive behavior involves individuals signaling their intentions to take their own impacts into account and take actions to reduce those impacts. That type of behavior can lay the basis, ultimately, for negotiated agreements to protect the threatened open access common property resource. • The state of Washington’s public policies on climate change and greenhouse gas reduction as well as other pollution reduction efforts can be interpreted as exactly this sort of signaling of its willingness to cooperate with others to avoid a “tragedy of the commons” outcome. Ignoring the increase in coal consumption caused by the state facilitating the export of coal to Asia could undermine Washington’s existing policies to reduce its own carbon footprint and encourage others to do the same. That would not be an insignificant outcome. 6.3 Other Coal Export Proposals in the Northwest In evaluating the impact of coal exports on Asian coal consumption, the region will not only be considering the two pending coal export plans—there are very likely to be others. In Oregon, Ambre Energy, through its subsidiary Coyote Island Terminal LLC, has entered into a one year lease option agreement with the Port of Morrow for potential coal handling.56 Other Wyoming and Montana coal mines are exploring coal exports Oregon, Washington and British Columbia. Two Washington ports that have been approached by coal exporters, Tacoma and Kalama, have decided, for now, not to open their ports to coal exports. To the extent that Washington ports begin competing with each other for coal exports, Tacoma and Kalama may reconsider. There is also evidence that other ports and counties are actively negotiating with coal exporters, including St. Helens, OR, Coos Bay, OR, and Everett, WA. The cumulative impact of these coal port proposals on coal consumption in Asia could be much larger than even that implied by the two pending proposals. If Arch, Peabody, and other western U.S. coal producers’ projections of the competitiveness of western coal in Asia are correct, facilitating the opening of the development of West Coast coal ports could have a very large impact on the supply of coal to China and the rest of Asia. Although the economic life of coal-fired generators is often given as 30 or 35 years, a permitted, operating, electric generator is kept on line a lot longer than that, as long as 50 or more years through ongoing renovations and upgrades. Because of that long operating life, the impact of the lower Asian coal prices and costs triggered by PRB coal competing with other coal sources cannot be measured by the number of tons of coal exported each year. Those lower coal costs will lead to commitments to more coal being burned for a half-century going forward. That time-frame is very important. During exactly this time frame, the next half-century, the nations of the world will have to get their greenhouse gas emission stabilized and then reduced or the concentrations of greenhouse gases in the atmosphere may pass a point that will make it very difficult to avoid massive, ongoing, negative climate impacts. Taking actions now that encourage fifty-years of more coal consumption around the world is not a minor matter. Put more positively, allowing coal prices to rise (and more closely approximate their full cost, including “external” costs) will encourage extensive investments in improving the efficiency with which coal is used and the shift to cleaner sources of energy. This will lead to long-term reductions in greenhouse gas emissions that will also last well into the next half-century.57

Extinction

**Flournoy 12** (Citing Dr. Feng Hsu, a NASA scientist at the Goddard Space Flight Center, in 2012, Don Flournoy, PhD and MA from the University of Texas, Former Dean of the University College @ Ohio University, Former Associate Dean @ State University of New York and Case Institute of Technology, Project Manager for University/Industry Experiments for the NASA ACTS Satellite, Currently Professor of Telecommunications @ Scripps College of Communications @ Ohio University, Citing Dr. "Solar Power Satellites," Chapter 2: What Are the Principal Sunsat Services and Markets?, January, Springer Briefs in Space Development, Book)

In the Online Journal of Space Communication, Dr. Feng Hsu, a NASA scientist at Goddard Space Flight Center, a research center in the forefront of science of space and Earth, writes, “The evidence of global warming is alarming,” noting the potential for a catastrophic planetary climate change is real and troubling (Hsu 2010). Hsu and his NASA colleagues were engaged in monitoring and analyzing cli- mate changes on a global scale, through which they received first-hand scientific information and data relating to global warming issues, including the dynamics of polar ice cap melting. After discussing this research with colleagues who were world experts on the subject, he wrote: I now have no doubt global temperatures are rising, and that global warming is a serious problem confronting all of humanity. No matter whether these trends are due to human interference or to the cosmic cycling of our solar system, there are two basic facts that are crystal clear: (a) there is overwhelming scientific evidence showing positive correlations between the level of CO2 concentrations in Earth’s atmosphere with respect to the historical fluctuations of global temperature changes; and (b) the overwhelming majority of the world’s scientific community is in agreement about the risks of a potential catastrophic global climate change. That is, if we humans continue to ignore this problem and do noth- ing, if we continue dumping huge quantities of greenhouse gases into Earth’s biosphere, humanity will be at dire risk (Hsu 2010). As a technology risk assessment expert, Hsu says he can show with some confi- dence that the planet will face more risk doing nothing to curb its fossil-based energy addictions than it will in making a fundamental shift in its energy supply. “This,” he writes, “is because the risks of a catastrophic anthropogenic climate change can be potentially the extinction of human species, a risk that is simply too high for us to take any chances” (Hsu 2010). It was this NASA scientist’s conclusion that humankind must now embark on the next era of “sustainable energy consumption and re-supply, the most obvious source of which is the mighty energy resource of our Sun” (Hsu 2010) (Fig. 2.1).

## arctic

No arctic conflict

Dyer 12 (Gwynne Dyer, OC is a London-based independent Canadian journalist, syndicated columnist and military historian., His articles are published in 45 countries, 8/4/2012, "Race for Arctic Mostly Rhetoric", www.winnipegfreepress.com/opinion/columnists/race-for-arctic-mostly-rhetoric-164986566.html)

Russian television contacted me last night asking me to go on a program about the race for Arctic resources. The ice is melting fast, and it was all the usual stuff about how there will be big strategic conflicts over the seabed resources -- especially oil and gas -- that become accessible when it's gone. The media always love conflict, and now that the Cold War is long gone, there's no other potential military confrontation between the great powers to worry about. Governments around the Arctic Ocean are beefing up their armed forces for the coming struggle, so where are the flashpoints and what are the strategies? It's great fun to speculate about possible wars. In the end I didn't do the interview because the Skype didn't work, so I didn't get the chance to rain on their parade. But here's what I would said to the Russians if my server hadn't gone down at the wrong time. First, you should never ask the barber if you need a haircut. The armed forces in every country are always looking for reasons to worry about impending conflict, because that's the only reason their governments will spend money on them. Sometimes they will be right to worry, and sometimes they will be wrong, but right or wrong, they will predict conflict. Like the barbers, it's in their professional interest to say you need their services. So you'd be better off to ask somebody who doesn't have a stake in the game. As I don't own a single warship, I'm practically ideal for the job. And I don't think there will be any significant role for the armed forces in the Arctic, although there is certainly going to be a huge investment in exploiting the region's resources. There are three separate "resources" in the Arctic. On the surface, there are the sea lanes that are opening up to commercial traffic along the northern coasts of Russia and Canada. Under the seabed, there are potential oil and gas deposits that can be drilled once the ice retreats. And in the water in between, there is the planet's last unfished ocean. The sea lanes are mainly a Canadian obsession, because the government believes the Northwest Passage that weaves between Canada's Arctic islands will become a major commercial artery when the ice is gone. Practically every summer, Prime Minister Stephen Harper travels north to declare his determination to defend Canada's Arctic sovereignty from -- well, it's not clear from exactly whom, but it's a great photo op. Canada is getting new Arctic patrol vessels and building a deep-water naval port and Arctic warfare training centre in the region, but it's all much ado about nothing. The Arctic Ocean will increasingly be used as a shortcut between the North Atlantic and the North Pacific, but the shipping will not go through Canadian waters. Russia's "Northern Sea Route" will get the traffic, because it's already open and much safer to navigate. Then there's the hydrocarbon deposits under the Arctic seabed, which the U.S. Geological Survey has forecast may contain almost one-fourth of the world's remaining oil and gas resources. But from a military point of view, there's only a problem if there is some disagreement about the seabed boundaries. There are only four areas where the boundaries are disputed. Two are between Canada and its eastern and western neighbours in Alaska and Greenland, but there is zero likelihood of a war between Canada and the United States or Denmark (which is responsible for Greenland's defence). In the Bering Strait, there is a treaty defining the seabed boundary between the United States and Russia, signed in the dying days of the Soviet Union, but the Russian Duma has refused to ratify it. The legal uncertainty caused by the dispute, however, is more likely to deter future investment in drilling there than lead to war. And then there was the seabed-boundary dispute between Norway and Russia in the Barents Sea, which led Norway to double the size of its navy over the past decade. But last year, the two countries signed an agreement dividing the disputed area right down the middle and providing for joint exploitation of its resources. So no war between NATO (of which Norway is a member) and the Russian Federation. Which leaves the fish, and it's hard to have a war over fish. The danger is rather that the world's fishing fleets will crowd in and clean the fish out, as they are currently doing in the Southern Ocean around Antarctica. If the countries with Arctic coastlines want to preserve this resource, they can only do so by creating an international body to regulate the fishing. And they will have to let other countries fish there, too, with agreed catch limits, since they are mostly international waters. They will be driven to co-operate, in their own interests. So no war over the Arctic. All we have to worry about now is the fact the ice is melting, which will speed global warming (because open water absorbs far more heat from the sun than highly reflective ice), and ultimately melt the Greenland icecap and raise sea levels worldwide by seven metres. But that's a problem for another day.

No escalation – disagreements remain limited

Weitz 11 (Richard, senior fellow at the Hudson Institute and a World Politics Review senior editor 9/27/2011, “Global Insights: Putin not a Game-Changer for U.S.-Russia Ties,” <http://www.scribd.com/doc/66579517/Global-Insights-Putin-not-a-Game-Changer-for-U-S-Russia-Ties>)

Fifth, there will inevitably be areas of conflict between Russia and the United States regardless of who is in the Kremlin. Putin and his entourage can never be happy with having NATO be Europe's most powerful security institution, since Moscow is not a member and cannot become one. Similarly, the Russians will always object to NATO's missile defense efforts since they can neither match them nor join them in any meaningful way. In the case of Iran, Russian officials genuinely perceive less of a threat from Tehran than do most Americans, and Russia has more to lose from a cessation of economic ties with Iran -- as well as from an Iranian-Western reconciliation. On the other hand, these conflicts can be managed, since they will likely **remain limited and compartmentalized**. Russia and the West **do not have fundamentally conflicting vital interests of the kind countries would go to war over**. And as the Cold War demonstrated, nuclear weapons are a great pacifier under such conditions. Another novel development is that Russia is much more integrated into the international economy and global society than the Soviet Union was, and Putin's popularity depends heavily on his economic track record. Beyond that, there are objective criteria, such as the smaller size of the Russian population and economy as well as the difficulty of controlling modern means of social communication, that will constrain whoever is in charge of Russia.

**No extinction**

Easterbrook 3(Gregg, senior fellow at the New Republic, “We're All Gonna Die!”, <http://www.wired.com/wired/archive/11.07/doomsday.html?pg=1&topic=&topic_set>=)

If we're talking about doomsday - the end of human civilization - many scenarios simply don't measure up. A single nuclear bomb ignited by terrorists, for example, would be awful beyond words, but life would go on. People and machines might converge in ways that you and I would find ghastly, but from the standpoint of the future, they would probably represent an adaptation. Environmental collapse might make parts of the globe unpleasant, but considering that the biosphere has survived ice ages, it wouldn't be the final curtain. Depression, which has become 10 times more prevalent in Western nations in the postwar era, might grow so widespread that vast numbers of people would refuse to get out of bed, a possibility that Petranek suggested in a doomsday talk at the Technology Entertainment Design conference in 2002. But Marcel Proust, as miserable as he was, wrote *Remembrance of Things Past* while lying in bed.

## canada

#### Relations are up, resilient, and plagued by problems they don’t solve

Andre de Nesnera, VOA News, December 11, ‘4, The Epoch Times, “Some Trade Issues Divide US, Canada,” <http://english.epochtimes.com/news/4-12-11/24897.html>

President Bush recently visited Canada, his first trip abroad since his re-election. The two neighboring countries are strong allies and have deep ties that bind them. But there are some issues, especially dealing with trade, that still divide Ottawa and Washington. Trade is the most important component of U.S.-Canada relations. Each country is the other’s biggest trading customer. Eighty-four percent of Canada’s exports go the United States and Canada buys more than 70 percent of its imports from its neighbor. So it was no surprise that when President Bush visited Canada, trade issues - and especially contentious trade issues - were high on the agenda in discussions with Canadian Prime Minister Paul Martin. Charles Doran is Director of Canadian Studies at the Johns Hopkins School of Advanced International Studies in Washington, DC. He says one major disagreement between the two countries deals with Washington’s tariffs on the import of Canadian softwood lumber, such as pine. “There is a huge amount of trade in lumber between Canada and the United States. Canadians sell a large amount, billions of dollars, and the argument has been on the part of a small group of producers in the United States that Canada has subsidized this. Now the NAFTA (North American Free Trade Agreement) and the World Trade Organization, in dispute resolution panels, have denied that there is unfair subsidy. But in fact, every President for some time has been unable to unravel the legal challenges and so on, to get rid of that issue,” he says. Following the Bush-Martin meeting, the softwood lumber issue remains unresolved. Professor Doran says another problem stems from the US action to ban beef imports from Canada because of mad cow disease. “There was one cow found in Alberta with this disease, but the consequence of that has been enormous in the sense that trade for beef, for the United States and Canada has been affected and third markets like Japan and Europe. They are trying to get around this problem. They are trying to establish common standards, but it’s hard to believe, it’s almost hard to imagine how one cow could cause that much catastrophe to this industry in North America,” he says. Canadian statistics indicate that the 18-month ban has cost the Canadian beef industry more than $4 billion in lost revenues. That issue, too, still remains to be solved following the Bush-Martin summit. Tied to those two trade issues, is the question of security along the Canadian-American border - at nearly 9,000 kilometers the world’s longest undefended frontier. Both countries have stepped up cooperation in the security field, especially after the terrorist attacks of September 11, 2001. Kim Nossel, Director of Political Studies at Queen’s University in Kingston, Ontario, says Americans and Canadians are approaching the border security issue from different angles. “From the American perspective, there is the concern about the porousness of that long, undefended border and the ease with which one could in fact get across the border. From a Canadian perspective, the major concern is an absolute fear that there will be a terrorist incident in the United States that will openly and manifestly have come from Canada, that will lead to, essentially, a closing of the border. And of course that border and the openness of that border is absolutely crucial for Canadian wealth.” Experts say Ottawa and Washington have to find a delicate balance between the free flow of commerce and legitimate security concerns. Gill Troy is a U.S.-Canada expert at McGill University in Montreal. He says despite various disagreements between the two countries, one overriding issue must be kept in mind. “Even if there is an agreement to disagree, even if the United States says: ‘look, we can’t do this because of internal constituency pressures or external trade pressures,’ the awareness that nevertheless, while we might part on some issues, we are still fundamentally friends, we are still fundamentally linked in so many ways - economically, ideologically, intellectually, culturally, socially - is important,” he says. Experts agree that President Bush’s trip to Canada was an attempt to improve relations between the two countries - relations that were strained in recent years, during the tenure of Canadian Prime Minister Jean Chretien. Analysts say based on the recent Bush-Martin meeting, things are looking up.

#### Cyberattacks impossible – empirics and defenses solve

**Rid 12** (Thomas Rid, reader in war studies at King's College London, is author of "Cyber War Will Not Take Place" and co-author of "Cyber-Weapons.", March/April 2012, “Think Again: Cyberwar”, http://www.foreignpolicy.com/articles/2012/02/27/cyberwar?page=full)

"Cyberwar Is Already Upon Us." No way. "Cyberwar is coming!" John Arquilla and David Ronfeldt predicted in a celebrated Rand paper back in 1993. Since then, it seems to have arrived -- at least by the account of the U.S. military establishment, which is busy competing over who should get what share of the fight. Cyberspace is "a domain in which the Air Force flies and fights," Air Force Secretary Michael Wynne claimed in 2006. By 2012, William J. Lynn III, the deputy defense secretary at the time, was writing that cyberwar is "just as critical to military operations as land, sea, air, and space." In January, the Defense Department vowed to equip the U.S. armed forces for "conducting a combined arms campaign across all domains -- land, air, maritime, space, and cyberspace." Meanwhile, growing piles of books and articles explore the threats of cyberwarfare, cyberterrorism, and how to survive them. Time for a reality check: Cyberwar is still more hype than hazard. Consider the definition of an act of war: It has to be potentially violent, it has to be purposeful, and it has to be political. The cyberattacks we've seen so far, from Estonia to the Stuxnet virus, simply don't meet these criteria. Take the dubious story of a Soviet pipeline explosion back in 1982, much cited by cyberwar's true believers as the most destructive cyberattack ever. The account goes like this: In June 1982, a Siberian pipeline that the CIA had virtually booby-trapped with a so-called "logic bomb" exploded in a monumental fireball that could be seen from space. The U.S. Air Force estimated the explosion at 3 kilotons, equivalent to a small nuclear device. Targeting a Soviet pipeline linking gas fields in Siberia to European markets, the operation sabotaged the pipeline's control systems with software from a Canadian firm that the CIA had doctored with malicious code. No one died, according to Thomas Reed, a U.S. National Security Council aide at the time who revealed the incident in his 2004 book, At the Abyss; the only harm came to the Soviet economy. But did it really happen? After Reed's account came out, Vasily Pchelintsev, a former KGB head of the Tyumen region, where the alleged explosion supposedly took place, denied the story. There are also no media reports from 1982 that confirm such an explosion, though accidents and pipeline explosions in the Soviet Union were regularly reported in the early 1980s. Something likely did happen, but Reed's book is the only public mention of the incident and his account relied on a single document. Even after the CIA declassified a redacted version of Reed's source, a note on the so-called Farewell Dossier that describes the effort to provide the Soviet Union with defective technology, the agency did not confirm that such an explosion occurred. The available evidence on the Siberian pipeline blast is so thin that it shouldn't be counted as a proven case of a successful cyberattack. Most other commonly cited cases of cyberwar are even less remarkable. Take the attacks on Estonia in April 2007, which came in response to the controversial relocation of a Soviet war memorial, the Bronze Soldier. The well-wired country found itself at the receiving end of a massive distributed denial-of-service attack that emanated from up to 85,000 hijacked computers and lasted three weeks. The attacks reached a peak on May 9, when 58 Estonian websites were attacked at once and the online services of Estonia's largest bank were taken down. "What's the difference between a blockade of harbors or airports of sovereign states and the blockade of government institutions and newspaper websites?" asked Estonian Prime Minister Andrus Ansip. Despite his analogies, the attack was no act of war. It was certainly a nuisance and an emotional strike on the country, but the bank's actual network was not even penetrated; it went down for 90 minutes one day and two hours the next. The attack was not violent, it wasn't purposefully aimed at changing Estonia's behavior, and no political entity took credit for it. The same is true for the vast majority of cyberattacks on record. Indeed, there is no known cyberattack that has caused the loss of human life. No cyberoffense has ever injured a person or damaged a building. And if an act is not at least potentially violent, it's not an act of war. Separating war from physical violence makes it a metaphorical notion; it would mean that there is no way to distinguish between World War II, say, and the "wars" on obesity and cancer. Yet those ailments, unlike past examples of cyber "war," actually do kill people. "A Digital Pearl Harbor Is Only a Matter of Time." Keep waiting. U.S. Defense Secretary Leon Panetta delivered a stark warning last summer: "We could face a cyberattack that could be the equivalent of Pearl Harbor." Such alarmist predictions have been ricocheting inside the Beltway for the past two decades, and some scaremongers have even upped the ante by raising the alarm about a cyber 9/11. In his 2010 book, Cyber War, former White House counterterrorism czar Richard Clarke invokes the specter of nationwide power blackouts, planes falling out of the sky, trains derailing, refineries burning, pipelines exploding, poisonous gas clouds wafting, and satellites spinning out of orbit -- events that would make the 2001 attacks pale in comparison. But the empirical record is less hair-raising, even by the standards of the most drastic example available. Gen. Keith Alexander, head of U.S. Cyber Command (established in 2010 and now boasting a budget of more than $3 billion), shared his worst fears in an April 2011 speech at the University of Rhode Island: "What I'm concerned about are destructive attacks," Alexander said, "those that are coming." He then invoked a remarkable accident at Russia's Sayano-Shushenskaya hydroelectric plant to highlight the kind of damage a cyberattack might be able to cause. Shortly after midnight on Aug. 17, 2009, a 900-ton turbine was ripped out of its seat by a so-called "water hammer," a sudden surge in water pressure that then caused a transformer explosion. The turbine's unusually high vibrations had worn down the bolts that kept its cover in place, and an offline sensor failed to detect the malfunction. Seventy-five people died in the accident, energy prices in Russia rose, and rebuilding the plant is slated to cost $1.3 billion. Tough luck for the Russians, but here's what the head of Cyber Command didn't say: The ill-fated turbine had been malfunctioning for some time, and the plant's management was notoriously poor. On top of that, the key event that ultimately triggered the catastrophe seems to have been a fire at Bratsk power station, about 500 miles away. Because the energy supply from Bratsk dropped, authorities remotely increased the burden on the Sayano-Shushenskaya plant. The sudden spike overwhelmed the turbine, which was two months shy of reaching the end of its 30-year life cycle, sparking the catastrophe. If anything, the Sayano-Shushenskaya incident highlights how difficult a devastating attack would be to mount. The plant's washout was an accident at the end of a complicated and unique chain of events. Anticipating such vulnerabilities in advance is extraordinarily difficult even for insiders; creating comparable coincidences from cyberspace would be a daunting challenge at best for outsiders. If this is the most drastic incident Cyber Command can conjure up, perhaps it's time for everyone to take a deep breath. "Cyberattacks Are Becoming Easier." Just the opposite. U.S. Director of National Intelligence James R. Clapper warned last year that the volume of malicious software on American networks had more than tripled since 2009 and that more than 60,000 pieces of malware are now discovered every day. The United States, he said, is undergoing "a phenomenon known as 'convergence,' which amplifies the opportunity for disruptive cyberattacks, including against physical infrastructures." ("Digital convergence" is a snazzy term for a simple thing: more and more devices able to talk to each other, and formerly separate industries and activities able to work together.) Just because there's more malware, however, doesn't mean that attacks are becoming easier. In fact, potentially damaging or life-threatening cyberattacks should be more difficult to pull off. Why? Sensitive systems generally have built-in redundancy and safety systems, meaning an attacker's likely objective will not be to shut down a system, since merely forcing the shutdown of one control system, say a power plant, could trigger a backup and cause operators to start looking for the bug. To work as an effective weapon, malware would have to influence an active process -- but not bring it to a screeching halt. If the malicious activity extends over a lengthy period, it has to remain stealthy. That's a more difficult trick than hitting the virtual off-button. Take Stuxnet, the worm that sabotaged Iran's nuclear program in 2010. It didn't just crudely shut down the centrifuges at the Natanz nuclear facility; rather, the worm subtly manipulated the system. Stuxnet stealthily infiltrated the plant's networks, then hopped onto the protected control systems, intercepted input values from sensors, recorded these data, and then provided the legitimate controller code with pre-recorded fake input signals, according to researchers who have studied the worm. Its objective was not just to fool operators in a control room, but also to circumvent digital safety and monitoring systems so it could secretly manipulate the actual processes. Building and deploying Stuxnet required extremely detailed intelligence about the systems it was supposed to compromise, and the same will be true for other dangerous cyberweapons. Yes, "convergence," standardization, and sloppy defense of control-systems software could increase the risk of generic attacks, but the same trend has also caused defenses against the most coveted targets to improve steadily and has made reprogramming highly specific installations on legacy systems more complex, not less.

Food shortage doesn’t cause war – best studies

Allouche 11, research Fellow – water supply and sanitation @ Institute for Development Studies, frmr professor – MIT, ‘11

(Jeremy, “The sustainability and resilience of global water and food systems: Political analysis of the interplay between security, resource scarcity, political systems and global trade,” Food Policy, Vol. 36 Supplement 1, p. S3-S8, January)

The question of resource scarcity has led to many debates on whether scarcity (whether of food or water) will lead to conflict and war. The underlining reasoning behind most of these discourses over food and water wars comes from the Malthusian belief that there is an imbalance between the economic availability of natural resources and population growth since while food production grows linearly, population increases exponentially. Following this reasoning, neo-Malthusians claim that finite natural resources place a strict limit on the growth of human population and aggregate consumption; if these limits are exceeded, social breakdown, conflict and wars result. Nonetheless, it seems that most empirical studies do not support any of these neo-Malthusian arguments. Technological change and greater inputs of capital have dramatically increased labour productivity in agriculture. More generally, the neo-Malthusian view has suffered because during the last two centuries humankind has breached many resource barriers that seemed unchallengeable.

Lessons from history: alarmist scenarios, resource wars and international relations

In a so-called age of uncertainty, a number of alarmist scenarios have linked the increasing use of water resources and food insecurity with wars. The idea of water wars (perhaps more than food wars) is a dominant discourse in the media (see for example Smith, 2009), NGOs (International Alert, 2007) and within international organizations (UNEP, 2007). In 2007, UN Secretary General Ban Ki-moon declared that ‘water scarcity threatens economic and social gains and is a potent fuel for wars and conflict’ (Lewis, 2007). Of course, this type of discourse has an instrumental purpose; security and conflict are here used for raising water/food as key policy priorities at the international level.

In the Middle East, presidents, prime ministers and foreign ministers have also used this bellicose rhetoric. Boutrous Boutros-Gali said; ‘the next war in the Middle East will be over water, not politics’ (Boutros Boutros-Gali in Butts, 1997, p. 65). The question is not whether the sharing of transboundary water sparks political tension and alarmist declaration, but rather to what extent water has been a principal factor in international conflicts. The evidence seems quite weak. Whether by president Sadat in Egypt or King Hussein in Jordan, none of these declarations have been followed up by military action.

The governance of transboundary water has gained increased attention these last decades. This has a direct impact on the global food system as water allocation agreements determine the amount of water that can used for irrigated agriculture. The likelihood of conflicts over water is an important parameter to consider in assessing the stability, sustainability and resilience of global food systems.

None of the various and extensive databases on the causes of war show water as a casus belli. Using the International Crisis Behavior (ICB) data set and supplementary data from the University of Alabama on water conflicts, Hewitt, Wolf and Hammer found only seven disputes where water seems to have been at least a partial cause for conflict (Wolf, 1998, p. 251). In fact, about 80% of the incidents relating to water were limited purely to governmental rhetoric intended for the electorate (Otchet, 2001, p. 18).

As shown in The Basins At Risk (BAR) water event database, more than two-thirds of over 1800 water-related ‘events’ fall on the ‘cooperative’ scale (Yoffe et al., 2003). Indeed, if one takes into account a much longer period, the following figures clearly demonstrate this argument. According to studies by the United Nations Food and Agriculture Organization (FAO), organized political bodies signed between the year 805 and 1984 more than 3600 water-related treaties, and approximately 300 treaties dealing with water management or allocations in international basins have been negotiated since 1945 (FAO, 1978 and FAO, 1984).

The fear around water wars have been driven by a Malthusian outlook which equates scarcity with violence, conflict and war. There is however no direct correlation between water scarcity and transboundary conflict. Most specialists now tend to agree that the major issue is not scarcity per se but rather the allocation of water resources between the different riparian states (see for example Allouche, 2005, Allouche, 2007 and [Rouyer, 2000] ). Water rich countries have been involved in a number of disputes with other relatively water rich countries (see for example India/Pakistan or Brazil/Argentina). The perception of each state’s estimated water needs really constitutes the core issue in transboundary water relations. Indeed, whether this scarcity exists or not in reality, perceptions of the amount of available water shapes people’s attitude towards the environment (Ohlsson, 1999). In fact, some water experts have argued that scarcity drives the process of co-operation among riparians (Dinar and Dinar, 2005 and Brochmann and Gleditsch, 2006).

In terms of international relations, the threat of water wars due to increasing scarcity does not make much sense in the light of the recent historical record. Overall, the water war rationale expects conflict to occur over water, and appears to suggest that violence is a viable means of securing national water supplies, an argument which is highly contestable.

The debates over the likely impacts of climate change have again popularised the idea of water wars. The argument runs that climate change will precipitate worsening ecological conditions contributing to resource scarcities, social breakdown, institutional failure, mass migrations and in turn cause greater political instability and conflict (Brauch, 2002 and Pervis and Busby, 2004). In a report for the US Department of Defense, Schwartz and Randall (2003) speculate about the consequences of a worst-case climate change scenario arguing that water shortages will lead to aggressive wars (Schwartz and Randall, 2003, p. 15). Despite growing concern that climate change will lead to instability and violent conflict, the evidence base to substantiate the connections is thin ( [Barnett and Adger, 2007] and Kevane and Gray, 2008).

#### Public won’t demand retaliation

Smith and Herron 5, \*Professor, University of Oklahoma, \* University of Oklahoma Norman Campus, (Hank C. Jenkins-Smith, Ph.D., and Kerry G., "United States Public Response to Terrorism: Fault Lines or Bedrock?" Review of Policy Research 22.5 (2005): 599-623, <http://works.bepress.com/cgi/viewcontent.cgi?article=1000&context=hjsmith>)

Our final contrasting set of expectations relates to the degree to which the public will support or demand retribution against terrorists and supporting states. Here our data show that support for using conventional United States military force to retaliate against terrorists initially averaged above midscale, but did not reach a high level of demand for military action. Initial support declined significantly across all demographic and belief categories by the time of our survey in 2002. Furthermore, panelists both in 2001 and 2002 preferred that high levels of certainty about culpability (above 8.5 on a scale from zero to ten) be established before taking military action. Again, we find the weight of evidence supporting revisionist expectations of public opinion.

Overall, these results are inconsistent with the contention that highly charged events will result in volatile and unstructured responses among mass publics that prove problematic for policy processes. The initial response to the terrorist strikes demonstrated a broad and consistent shift in public assessments toward a greater perceived threat from terrorism, and greater willingness to support policies to reduce that threat. But even in the highly charged context of such a serious attack on the American homeland, the overall public response was quite measured. On average, the public showed very little propensity to undermine speech protections, and initial willingness to engage in military retaliation moderated significantly over the following year.

Perhaps most interesting is that the greatest propensity to change beliefs between 2001 and 2002 was evident among the best-educated and wealthiest of our respondents— hardly the expected source of volatility, but in this case they may have represented the leading edge of belief constraints reasserting their influence in the first year following 9/11. This post-9/11 change also reflected an increasing delineation of policy preferences by ideological and partisan positions. Put differently, those whose beliefs changed the most in the year between surveys also were those with the greatest access to and facility with information (the richest, best educated), and the nature of the changes was entirely consistent with a structured and coherent pattern of public beliefs. Overall, we find these patterns to be quite reassuring, and consistent with the general findings of the revisionist theorists of public opinion. Our data suggest that while United States public opinion may exhibit some fault lines in times of crises, it remains securely anchored in bedrock beliefs.

#### Yucca is safe

**Senate Report 6**

Committee on Environment and Public Works, “Yucca Mountain: The Most Studied Real Estate on the Planet”, March, <http://epw.senate.gov/repwhitepapers/YuccaMountainEPWReport.pdf>

From the science of 1986, which indicated that Yucca Mountain was the best of nine potential U.S. sites for geologic disposal of nuclear waste, to the science of 1998, which validated the expectation that “remote, desert regions of the Southwest are well-suited for a geologic repository”, to the science of 2002, demonstrating that a geologic repository at Yucca Mountain can protect public health and safety in accordance with stringent regulations – confidence in this particular site as the solution to meeting U.S. nuclear waste disposal needs has been continually on the increase. More is known about Yucca Mountain than any other parcel of real estate on the planet. This knowledge extends well below the surface through miles of tunnels and dozens of drillings. It has been confirmed in the laboratory, reviewed by independent experts, and validated against information from analogous sites around the world. Through all that has been gained by 20 years and $8.6 billion dollars of world leading scientific research, one thing has remained constant – the more we examine Yucca Mountain, the better it looks. There is certainly no reason in science not to move forward directly with this project.

# 2NC

## Limits – Link 2NC

Federal Energy regs are FIVE MILLION RESEARCH HOURS

Tugwell 88

 The Energy Crisis and the American Political Economy:

Politics and Markets in the Management of Natural Resources

 Previously, Dr. Tugwell was the executive director of the Heinz Endowments of Pittsburgh, the founder and president of the Environment Enterprises Assistance Fund, and as a senior consultant for International Projects and Programs at PG&E Enterprises. He served as a deputy assistant administrator at USAID (1980-1981) and as a senior analyst for the energy program at the U.S. Office of Technology Assessment (1979-1980). Dr. Tugwell was also a professor at Pomona College and an adjunct distinguished professor at the Heinz School of Carnegie Mellon University. Additionally, he serves on the Advisory Board and International Committee of the American Council on Renewable Energy and on the Joint Board of Councilors of the China-U.S. Center for Sustainable Development. He also serves on the Board of Eucord (European Cooperative for International Development). Dr. Tugwell received a PhD in political science from Columbia University.

 Finally, administering energy regulations proved a costly and cumbersome endeavor, exacting a price all citizens had to pay. As the energy specialist Paul MacAvoy has noted: "More than 300,000 firms were required to respond to controls, ranging from the three dozen major refining companies to a quarter of a million retailers of petroleum products. The respondents had to file more than half a million reports each year, which probably took more than five mil- lion man-hours to prepare, at an estimated cost alone of $80 mil- lion."64 To these expenditures must be added the additional costs to the government of collecting and processing these reports, monitor- ing compliance, and managing the complex process associated with setting forth new regulations and adjudicating disputes. All to- gether, it seems likely that the administrative costs, private and public, directly attributable to the regulatory process also exceeded $1 billion a year from 1974 to 1980.^

All energy regulation is too big – it’s torture

Edwards 80

 JUDGES: Before EDWARDS, LEAR and WATKINS, JJ. OPINION BY: EDWARDS

 AYOU BOUILLON CORPORATION, ET AL. v. ATLANTIC RICHFIELD COMPANY

 No. 13229 Court of Appeal of Louisiana, First Circuit 385 So. 2d 834; 1980 La. App. LEXIS 3972; 67 Oil & Gas Rep. 240 May 5, 1980 PRIOR HISTORY: [\*\*1] ON APPEAL FROM THE 18TH JUDICIAL DISTRICT COURT, PARISH OF IBERVILLE, HONORABLE EDWARD N. ENGOLIO, JUDGE.

 Comprehending the applicability and complexity of federal energy regulation necessitates both a stroll down the tortuous legislative path and a review of legal challenges so numerous as to require the establishment of a Temporary Emergency Court of Appeals.

## at: ci

Restrictions must be a formal prohibition, not an INDUCEMENT

Groves 97

 GROVES 97

Sourcebook on Intellectual Property Law

 Dr Peter J Groves, LLB, MA, PhD, MITMA, Solicitor

 Then I come to the word 'restrict', A person though not prohibited is restricted from using something if he is permitted to use it to a certain extent or subject to certain conditions but otherwise obliged not to use it, but I do not think that a person is properly said to be restricted from using something by a condition the effect of which is to offer him some inducement not to use it, or in some other way to influence his choice. To my mind, the more natural meaning here is restriction of the licensee's right to use the article and I am fortified in that opinion by two considerations. If I am right in thinking that 'require' and 'prohibit' refer to legal obligations to buy or not to use, I see nothing to suggest that 'restrict' is used in quite a different sense which has nothing to do with legal obligation but which relates to financial disadvantage. And, second, to say that the effect will be to restrict seems to me much more appropriate if restriction refers to restriction of the licensee's right to use than it would be if restriction refers to an inducement not to use. The legality of the condition has to be determined at the time when the licence is granted and if the terms of the conditions are such as to restrict the licensee's right to use an article in certain circumstances then it can properly be said that its effect will be to restrict him from using it. But if, as in the present case, all that can be said is that the effect of the condition in some circumstances will be to offer a financial advantage, which may be considerable or may be small, if the licensee uses the licensor's goods, I do not see how it can be said that its effect will be to restrict the licensee from using other goods. The licensee may be influenced by this financial advantage or he may, perhaps for good reason, choose to disregard it; it is impossible to say in advance what the effect will be.

#### Their regulation creates an economic choice that companies are free to make – it is not a prohibition

Thompson Trott and Tallman 3

 TOPA EQUITIES LTD v. CITY OF LOS ANGELES TOPA EQUITIES, LTD., Plaintiff-Appellant, v. CITY OF LOS ANGELES, Defendant-Appellee, Coalition for Economic Survival;  Maria Lourdes Lara;  Tai Park, Intervenors-Appellees. No. 02-56034. Argued and Submitted June 4, 2003. -- September 08, 2003 Before THOMPSON, TROTT, and TALLMAN, Circuit Judges. Susan S. Azad and Kathryn M. Davis, Latham & Watkins, Los Angeles, CA, for the plaintiff-appellant.Harry J. Kelly, Nixon Peabody, Washington, DC, for the amici curiae in support of plaintiff-appellant.Kenneth T. Fong, Los Angeles City Attorney's Office, Los Angeles, CA, for the defendant-appellee.Kenyon F. Dobberteen, Legal Aid Foundation of Los Angeles, Los Angeles, CA, for the intervenors-appellees.David Pallack and Min Chang, Neighborhood Legal Services of Los Angeles County, Pacoima, CA, James R. Grow and Craig Castellanet, National Housing Law Project, Oakland, CA, Deanna Kitamura, Western Center on Law and Poverty, Los Angeles, CA, for the amici curiae in support of defendant-appellee. OPINION

<http://caselaw.findlaw.com/us-9th-circuit/1371163.html>

 The terms “restrict or inhibit” which appear in § 4122(a) are not defined by the statute;  therefore, we construe them “in accordance with [their] ordinary or natural meaning.”  United States v. Velte, 331 F.3d 673, 677 (9th Cir.2003) (internal quotation marks omitted).   The Fourth Edition of Webster's New World College Dictionary (2002) defines “restrict” as to “put certain limitations on;” it defines “inhibit” as “to hold back or keep from some action” and “to prohibit;  forbid.” LARSO neither prohibits nor limits TOPA's ability to prepay its federally subsidized mortgage.   TOPA is free to prepay its subsidized mortgage and leave the federal program if it wishes.   If it does so, it becomes subject to the 1990 LARSO amendments the same as any other apartment owner with existing tenants.   If TOPA chooses to prepay its subsidized mortgage and replace it, the interest rate it will pay on its replacement mortgage will no doubt exceed the interest rate it was paying on its subsidized mortgage.   But this is an economic choice TOPA is free to make.

## 2nc at: arctic conflict

No opportunity and coop solves – prefer experts

Young, Professor – Institutional and International Governance, Environmental Institutions @ UCSB, Arctic expert, PhD – Yale, ‘11

(Oran R, “The future of the Arctic: cauldron of conflict or zone of peace?” *International Affairs* 87:1, p. 185-193)

Popular accounts of the Arctic’s jurisdictional issues are regularly couched in terms of provocative phrases like the afore-mentioned ‘who owns the Arctic’ or ‘use it or lose it’. But these phrases turn out to be highly misleading in this context. There are virtually no disputes in the Arctic regarding sovereignty over northern lands; no one has expressed a desire to redraw the map of the Arctic with regard to the terrestrial boundaries of the Arctic states. Most of the disagreements are to do with jurisdiction over marine areas where the idea of ownership in the ordinary sense is irrelevant. While some of these disagreements are of long standing and feature relatively entrenched positions, they are not about establishing ownership, and they do not indicate that some level of ‘use’ is required to avoid the erosion of sovereignty. There is little prospect that these disputes will spawn armed clashes. As both Michael Byers and Shelagh Grant make clear in their excellent analyses of Arctic sovereignty, recent efforts to address matters involving sovereignty in the Arctic are marked by a spirit of rule-based problem-solving, rather than an escalating spiral of politically charged claims and counterclaims. The process of delineating jurisdictional boundaries regarding the seabed beyond the limits of Exclusive Economic Zones (EEZs) is taking place in conformity with the rules and procedures set forth in Article 76 of UNCLOS. Norway and Russia have signed an international treaty resolving their differences regarding jurisdictional boundaries in the Barents Sea. There are signs that Canada and the United States are interested in a similar approach with regard to the Beaufort Sea. The Russians, whose much ballyhooed 2007 initiative to plant the Russian flag on the seabed at the North Pole is widely discussed in the books under review, have acted in conformity with the relevant rules of international law in addressing jurisdictional matters and repeatedly expressed their readiness to move forward in a cooperative manner in this realm. There are, of course, significant sensitivities regarding the legal status of the Northern Sea Route and especially the Northwest Passage. But given that commercial traffic on these routes is likely to be limited during the near future, and that the use of these routes will require the active cooperation of the coastal states, regardless of their formal legal status, opportunities arise for devising pragmatic arrangements governing the use of these waterways. The progress now being made regarding the development of a mandatory Polar Code covering Arctic shipping is good news. The fact that ‘hot spots’ in the search for oil and gas in the Arctic are located, for the most part, in areas that are not subject to jurisdictional disputes is also helpful. Overall, it seems fair to conclude that the Arctic states are living up to their promises to deal with jurisdictional issues in the region in a peaceful manner.

#### Major powers want to cooperate

Byers, Law and Politics Professor and senior expert on Arctic politics – University of British Columbia, 4/2/’10

(Michael, “Interview: Expert decodes Arctic conflict,” UPI, <http://www.upi.com/Science_News/Resource-Wars/2010/04/02/Interview-Expert-decodes-Arctic-conflict/UPI-36031270235949/>)

Q. China is a country that has major interests in the Arctic.

A. Yes, and these are all about shipping. China has become the dominant export country in the world. We are talking about significant shortcuts -- up to 6,000 miles -- from China to Europe, so yes, they're looking at this with great interest.

At the same time China does not want a Wild West situation in the Arctic. It will worry about piracy, the need for search and rescue, the need for ports of refuge that ships can sail to in the case of emergencies. China will want the Arctic Ocean countries to provide a basic support system for shipping, so it has every incentive to work with the Arctic Ocean countries rather than against them.

Q. What about the Arctic's vast oil and gas resources? China has a growing hunger for these resources and would be happy to tap into the Arctic fields. Is there potential for a conflict?

A. I don't think so. China is very much part of the international economy. They buy oil and gas on the global market and also invest in oil- and gas-producing countries. You don't need sovereignty in order to access oil and gas -- you need money for foreign investment and money to purchase oil and gas on the market. We're not in a 19th-century situation anymore.

Q. But military activities have increased in the region. And there are observers who fear a potential military conflict over resources in the Arctic.

A. That's unrealistic. If you look at the statements by government officials -- in most instances, the military buildup is directed at non-state threats.

When they talk about their Arctic rights they almost always talk about rights that are already within their jurisdiction if they are an arctic ocean country like Russia. Or in the case of China, they are talking about rights in the internationalized areas that will remain in the central Arctic Ocean.

I understand that potential for conflict sells more newspapers but my sense is that countries like Russia and China have enough problems elsewhere and therefore don't want to create problems in the Arctic.

#### Arctic countries will mediate conflicts

Trenin, director – Carnegie Moscow Center, ‘10

(Dmitri, “The Arctic: A View From Moscow,” <http://www.carnegieendowment.org/files/arctic_cooperation.pdf>)

The Arctic countries have taken several practical steps over the past two years that testify to their goodwill. The Arctic Council and other forums have hosted multilateral talks. In 2008, the Arctic countries signed the Ilulissat Declaration on the principles for cooperation in the region, and they are conducting intensive bilateral negotiations among themselves. Russia’s relations with Denmark have warmed considerably, as have its ties with Norway. It has also begun building closer relations with Canada, and the “reset” of U.S.–Russian relations announced in 2009 has started to bear real fruit. Seen in this context, declarations from Russia, Canada, and other countries in 2007–2008 concerning the need for an increased military presence in the Arctic no longer seem relevant. The Arctic countries’ agendas are now focused on issues like the cost of servicing ships along the Northern Sea Route and payment for transit through territorial waters. As we saw when the volcanic eruption in Iceland in April threw European air traffic into chaos, the globe’s northern regions have become a new area requiring close geopolitical cooperation, above all between countries such as Russia and Canada. If we were to see the Arctic instead as an arena for global rivalries, all sides would lose.

## AT: Environment (Biodiversity)

#### Won’t collapse the environment

The Washington Post, August 29, 1997, “Diversity Is Not Enough to Ensure Hardy Ecosystems,” p. A03, l/n

Ecologists have long maintained that diversity is one of nature’s greatest strengths, but new research suggests that diversity alone does not guarantee strong ecosystems. In findings that could intensify the national debate over endangered species and habitat conservation, three new studies suggest that a greater abundance of plant and animal varieties does not always translate to better ecological health. At least equally important, the research found, are the types of species and how they function together. “Having a long list of Latin names isn’t always better than a shorter list of Latin names,” said Stanford University biologist Peter Vitousek, co-author of one of the studies published in the journal Science. Separate experiments in California, Minnesota and Sweden found that diversity often had little bearing on the performance of ecosystems -- at least as measured by the growth and health of native plants. In fact, the communities with the greatest biological richness were often the poorest when it came to productivity and the cycling of nutrients. One study compared plant life on 50 remote islands in northern Sweden that are prone to frequent wildfires from lightning strikes. Scientist David Wardle of Landcare Research in Lincoln, New Zealand, and colleagues at the Swedish University of Agricultural Sciences, found that islands dominated by a few species of plants recovered more quickly than nearby islands with greater biological diversity. Similar findings were reported by University of Minnesota researchers who studied savannah grasses, and by Stanford’s Vitousek and colleague David Hooper, who concluded that functional characteristics of plant species were more important than the number of varieties in determining how ecosystems performed. “In aiming to protect natural ecosystems, we cannot just manage for species variety alone,” the Stanford researchers wrote. British plant ecologist J.P. Grime, in a commentary summarizing the research, said there is not yet “convincing evidence that species diversity and ecosystem function are consistently and causally related.” “It could be argued,” he added, “that the tide is turning against the notion of high biodiversity as a controller of ecosystem function and insurance against ecological collapse.”

# 1NR

## addon

#### Obama’s so called weakness is locked-in cause he’s so weakness

**World Outline**, postgraduate student in international affairs at King’s College, **1/24**/2012

[“How valuable is multilateral diplomacy in a post-9/11 world?,” http://worldoutline.wordpress.com/2012/01/24/how-valuable-is-multilateral-diplomacy-in-a-post-911-world/]

At the turn of the last century, 189 world leaders convened at the Millennium Summit and approved the Millennium Declaration which outlined eight specific goals that the United Nations was to achieve by 2015.[4] Yet, just a year later the 9/11 terrorist attacks tilted the world upon its head. The Security Council was rallied into action after the attacks and unanimously backed the United States against the threat which had caused so much devastation.[5] However, a wounded United States became increasingly relentless and unilateral in their ‘War on Terror’; when the Security Council refused to authorise a US attack upon an allegedly nuclear-armed Iraq, the United States, led by George. W. Bush, launched the assault anyway without UN approval.[6] This has been referred to as the ‘crisis of multilateralism’, as the United States undermined the very institution of which it is the biggest financial contributor and the most influential player.[7] If the founding member of the UN was refusing to follow the guidelines of the institution then why should other states follow the rules? This act set a worrying precedent for the rest of the world and, as Kofi Annan asserted, ‘undermined confidence in the possibility of collective responses to our common problems’.[8] Other instances of American unilateralism are Bush’s abstention from the Human Rights Council, his refusal to sign the Kyoto Protocol and the US departure from the Comprehensive Test Ban Treaty. The United States was losing sight of the benefits that multilateral diplomacy has to offer. However, the arrival of Barack Obama at the Oval Office has **revived multilateral values within US foreign policy**. The Obama administration has realised that it must now engage with the UN and this has marked a ‘**transitional moment in the history of multilateralism**’.[9] In his 2010 National Security Strategy, Obama acknowledged the fact that the US had been successful after the Second World War by pursuing their interests within multilateral forums such as the United Nations and not outside of them.[10] The global financial crisis of 2008 and the European Union’s sovereign debt crisis have demonstrated just how interdependent the economies of the western world are and these crises have created an age of austerity in which multilateralism is needed more than ever before.[11] The US has overstretched its resources and is now currently winding down two wars in Afghanistan and Iraq; they have realised that they simply do not have the means to conduct their foreign affairs exclusively anymore. **Clear indications of Washington’s improved multilateral engagement with the UN** since Obama’s inauguration, **and the changing attitude in US foreign policy**, are the economic sanctions negotiated over Iran, Obama’s decision for the US to join the Human Rights Council and, more specifically, its participation in the recent Libya mission. In Libya, the US provided support for the mission, yet played a subdued role in the campaign, allowing its European counterparts to take the lead. In contrast to his predecessor, Obama is displaying pragmatism rather than sentimentalism in his search for partners, making alliances in order to adapt to the emerging multipolar world; this is typified by Obama’s recent visit to the Asia-Pacific and his tour of South America (Brazil, Chile and El Salvador) in 2010. For the time being, US unipolarity looks to be a thing of the past; its **foreign policy is changing from Bush’s unilateralism at the start of the century to a more multilateral approach at the beginning of a new decade** under Obama.[12] This is the **correct precedent** that the most powerful nation in the world should be setting for other states to follow. The fact that the US is now engaging with the UN to counter global problems has restored the credibility that the UN had lost after the Iraq debacle and, by setting this example, **other nations will follow suit** and the international community as a whole can only benefit. From this change in US foreign policy, it is clear that multilateral diplomacy is of more value today than it was a decade ago.

## ptx

#### Miscalc

Fraser, former PM of Australia, 7/4/’11

(Malcom, “Dealing with nuclear terror means plants and weapons,” Taipei Times)

Recent history is peppered with a litany of false alerts and near misses, each unforeseen, each a combination of technical and human failure. The growing potential for a nuclear disaster by cyber attack adds to the existential danger.

We now know that just 100 relatively “small” Hiroshima-size nuclear weapons, less than one-thousandth of the global nuclear arsenal, could lift millions of tonnes of dark smoke high into the atmosphere. There, it would abruptly cool and darken the planet, slashing rainfall and food production in successive years — and thus causing worldwide starvation on a scale never before witnessed.

This could result from the arsenals of any of the 10 currently nuclear-armed states, with the exception of North Korea.

Intent, miscalculation, technical failure, cyber attack, or accident could cause the nuclear escalation of a conflict between India and Pakistan, in the Middle East (embroiling Israel’s nuclear weapons), or on the Korean Peninsula. Such outcomes are at least as plausible or likely — if not more so — than a massive earthquake and tsunami causing widespread damage to four Japanese nuclear reactors and their adjacent spent-fuel ponds.

Extinction

Kemp 10

Geoffrey Kemp, Director of Regional Strategic Programs at The Nixon Center, served in the White House under Ronald Reagan, special assistant to the president for national security affairs and senior director for Near East and South Asian affairs on the National Security Council Staff, Former Director, Middle East Arms Control Project at the Carnegie Endowment for International Peace, 2010, The East Moves West: India, China, and Asia’s Growing Presence in the Middle East, p. 233-4

The second scenario, called Mayhem and Chaos, is the opposite of the first scenario; everything that can go wrong does go wrong. The world economic situation weakens rather than strengthens, and India, China, and Japan suffer a major reduction in their growth rates, further weakening the global economy. As a result, energy demand falls and the price of fossil fuels plummets, leading to a financial crisis for the energy-producing states, which are forced to cut back dramatically on expansion programs and social welfare. That in turn leads to political unrest: and nurtures different radical groups, including, but not limited to, Islamic extremists. The internal stability of some countries is challenged, and there are more “failed states.” Most serious is the collapse of the democratic government in Pakistan and its takeover by Muslim extremists, who then take possession of a large number of nuclear weapons. The danger of war between India and Pakistan increases significantly. Iran, always worried about an extremist Pakistan, expands and weaponizes its nuclear program. That further enhances nuclear proliferation in the Middle East, with Saudi Arabia, Turkey, and Egypt joining Israel and Iran as nuclear states. Under these circumstances, the potential for nuclear terrorism increases, and the possibility of a nuclear terrorist attack in either the Western world or in the oil-producing states may lead to a further devastating collapse of the world economic market, with a tsunami-like impact on stability. In this scenario, major disruptions can be expected, with dire consequences for two-thirds of the planet’s population.

## at: impact d

#### Hagel’s categorically different from the alternatives

Lobe, Washington bureau chief for the Inter Press Service, 5/9/2012

(Jim, “Hagel Update: Crocker Endorses Hagel, Flournoy Signed PNAC Letter,” <http://www.lobelog.com/hagel-update-crocker-endorses-hagel-flournoy-signed-pnac-letter/>)

Meanwhile, outgoing Democratic Rep. Barney Frank denounced Hagel in categorical terms based on the comments he made about Amb. Hormel’s nomination back in 1998. As noted by other commentators, Frank had spoken out in favor of Hagel as a prospective Pentagon chief when his name first surfaced, and frankly, his opposition now seems somewhat bizarre, particularly given Hormel’s acceptance of Hagel’s apology. Andrew Sullivan is particularly good on this. But what also seems bizarre about Frank’s denunciation is his nearly three-year-old campaign, along with Ron Paul, to make serious cuts — the degree contemplated by the sequester — to the defense budget over the next ten years. I would imagine that **few people would be better placed to sell such cuts politically than Hagel**, **a former Republican Senator and two-time Purple Heart recipient**? Certainly, **neither of the two candidates tipped as alternatives to Hagel** — Deputy Defense Secretary Ashton Carter or former Undersecretary of Defense for Policy Michele Flournoy — **would have the political credibility to do the job**, especially **with a Republican-dominated House**. The facts that neither one has actually served in the military and that both have long worked and, to some extent, depended for their professional advancement on the “military-industrial complex”, make it far less likely that they would be willing to seriously challenge that complex’s interests. **Hagel**, **on the other hand**, **has precisely the independence and political stature to do so**. So the question is whether Frank considers an obnoxious 15-year-old statement for which Hagel has tendered an (accepted) apology more important than reducing the defense budget by a meaningful amount? It’s very difficult to figure out unless 1) the Massachusetts congressman considers the apology insincere, or, as M.J. Rosenberg suggested to Phil Weiss, that he is doing the bidding of the Israel lobby which had tried (for the most part unsuccessfully) to mobilize LGBT groups against Hagel’s nomination.

#### Hagel prevents US intervention in Syria

Phil Stewart, 1/7/13, Analysis: As Pentagon chief, Hagel likely to favor sizable Afghan drawdown, www.reuters.com/article/2013/01/07/us-obama-nominations-hagel-idUSBRE9060WL20130107

A decorated Vietnam veteran acutely aware of the limits of military power, Chuck Hagel is likely to favor a sizable drawdown in Afghanistan, more frugal spending at the Pentagon and extreme caution when contemplating the use of force in places like Iran or Syria. Obama's decision to nominate Hagel - a Republican former senator who split with his party to oppose the Iraq war - as U.S. defense secretary came despite a public lobbying campaign against his candidacy in recent weeks by a host of critics, some of whom seized upon past remarks to argue he is anti-Israel. Hagel's supporters deny that, but are bracing for a tough confirmation battle in the Senate. Obama, as he announced the nomination, called Hagel the kind of leader U.S. forces deserve and pointed to his sacrifices in the Vietnam War, where he earned two Purple Hearts - the decoration for troops wounded in battle. "Chuck knows that war is not an abstraction," Obama said. "He understands that sending young Americans to fight and bleed in the dirt and mud, that's something we only do when it's absolutely necessary." Hagel, who would be the first Vietnam veteran to take the job, would succeed Defense Secretary Leon Panetta, 74, who is retiring from public life after a more than four-decade career in government that included leading the CIA during the covert raid to kill al Qaeda leader Osama bin Laden in 2011. The blunt, 66-year-old Hagel will need to take over where Panetta leaves off, orchestrating a drawdown in U.S. forces in Afghanistan intended to bring the combat mission to a close by the end 2014. Hagel and Panetta were due to dine together on Monday night to discuss the transition. The Afghan drawdown's pace is an open question, as is the size of the residual force the United States will leave behind. Obama is again showing his readiness to veto the military brass, considering a lower range of options - keeping between 3,000 and 9,000 troops in Afghanistan - than his top commander in Afghanistan proposed, one U.S. official told Reuters. Hagel has not yet commented on the matter, but Obama would likely not choose a Pentagon chief who fundamentally disagreed with him on that or other key issues. Hagel, who fought alongside his own brother and suffered shrapnel wounds in Vietnam and burns to his face, has made no secret of his reservations about what the military can accomplish in Afghanistan. "We can't impose our will. The Russians found that out in Afghanistan. We've been involved in two very costly wars that have taught us a lesson once again," Hagel told PBS's "Tavis Smiley" show last year. Unsurprisingly, he also is extremely cautious about what could be done in Syria. "I don't think America wants to be in the lead on this," he told Foreign Policy magazine in May.

#### Escalates globally—draws in major powers

American Dream 11

American Dream, 6/28/11, Could We Actually See A War Between Syria And Turkey?, endoftheamericandream.com/archives/could-we-actually-see-a-war-between-syria-and-turkey

In recent days, there have been persistent rumors that we could potentially be on the verge of a military conflict between Syria and Turkey. As impossible as such a thing may have seemed just a few months ago, it is now a very real possibility. Over the past several months, we have seen the same kind of "pro-democracy" protests erupt in Syria that we have seen in many of the other countries in the Middle East. The Syrian government has no intention of being toppled by a bunch of protesters and has cracked down on these gatherings harshly. There are reports in the mainstream media that say that over 1,300 people have been killed and more than 10,000 people have been arrested since the protests began. Just like with Libya, the United States and the EU are strongly condemning the actions that the Syrian government has taken to break up these protests. The violence in Syria has been particularly heavy in the northern sections of the country, and thousands upon thousands of refugees have poured across the border into neighboring Turkey. Syria has sent large numbers of troops to the border area to keep more citizens from escaping. Turkey has responded by reinforcing its own troops along the border. Tension between Turkey and Syria is now at an all-time high. So could we actually see a war between Syria and Turkey? A few months ago anyone who would have suggested such a thing would have been considered crazy. But the world is changing and the Middle East is a powder keg that is just waiting to explode. Since the Syrian government began cracking down on the protests, approximately 12,000 Syrians have flooded into Turkey. The Turkish government is deeply concerned that Syria may try to strike these refugees while they are inside Turkish territory. Troop levels are increasing on both sides of the border and tension is rising. One wrong move could set off a firestorm. The government of Turkey is demanding that Syrian military forces retreat from the border area. The government of Syria says that Turkey is just being used to promote the goals of the U.S. and the EU. Syria also seems to be concerned that Turkey may attempt to take control of a bit of territory over the border in order to provide a "buffer zone" for refugees coming from Syria. What makes things even more controversial is that the area where many of the Syrian refugees are encamped actually used to belong to Syria. In fact, many of the maps currently in use inside Syria still show that the area belongs to Syria. War between Syria and Turkey has almost happened before. Back in the 1990s, the fact that the government of Syria was strongly supporting the Kurds pushed the two nations dangerously close to a military conflict. Today, the border between Syria and Turkey is approximately 850 kilometers long. The military forces of both nations are massing along that border. One wrong move could set off a war. Right now, it almost sounds as though the U.S. government is preparing for a war to erupt in the region. U.S. Secretary of State Hillary Clinton recently stated that the situation along the border with Turkey is "very worrisome" and that we could see "an escalation of conflict in the area". Not only that, but when you study what Clinton and Obama have been saying about Syria it sounds very, very similar to what they were saying about Libya before the airstrikes began. In a recent editorial entitled "There Is No Going Back in Syria", Clinton wrote the following.... Finally, the answer to the most important question of all -- what does this mean for Syria's future? -- is increasingly clear: There is no going back. Syrians have recognized the violence as a sign of weakness from a regime that rules by coercion, not consent. They have overcome their fears and have shaken the foundations of this authoritarian system. Syria is headed toward a new political order -- and the Syrian people should be the ones to shape it. They should insist on accountability, but resist any temptation to exact revenge or reprisals that might split the country, and instead join together to build a democratic, peaceful and tolerant Syria. Considering the answers to all these questions, the United States chooses to stand with the Syrian people and their universal rights. We condemn the Assad regime's disregard for the will of its citizens and Iran's insidious interference. "There is no going back"? "Syria is headed toward a new political order"? It almost sounds like they are already planning the transitional government. The EU has been using some tough language as well. A recent EU summit in Brussels issued a statement that declared that the EU "condemns in the strongest possible terms the ongoing repression and unacceptable and shocking violence the Syrian regime continues to apply against its own citizens. By choosing a path of repression instead of fulfilling its own promises on broad reforms, the regime is calling its legitimacy into question. Those responsible for crimes and violence against civilians shall be held accountable." If you take the word "Syrian" out of that statement and replace it with the word "Libyan" it would sound exactly like what they were saying about Gadhafi just a few months ago. The EU has hit Syria with new economic sanctions and it is also calling on the UN Security Council to pass a resolution condemning the crackdown by the Syrian government. It seems clear that the U.S. and the EU want to see "regime change" happen in Syria. The important thing to keep in mind in all of this is that Turkey is a member of NATO. If anyone attacks Turkey, NATO has a duty to protect them. If Syria attacked Turkey or if it was made to appear that Syria had attacked Turkey, then NATO would have the justification it needs to go to war with Syria. If NATO goes to war with Syria, it is very doubtful that Iran would just sit by and watch it happen. Syria is a very close ally to Iran and the Iranian government would likely consider an attack on their neighbor to be a fundamental threat to their nation. In fact, there are already reports in the international media that Iran has warned Turkey that they better not allow NATO to use their airbases to attack Syria. So if it was NATO taking on Syria and Iran, who else in the Middle East would jump in? Would Russia and China sit by and do nothing while all of this was going on? Could a conflict in the Middle East be the thing that sets off World War III? Let's certainly hope not. More war in the Middle East would not be good for anyone. Unfortunately, tensions are rising to frightening levels throughout the region. Even if things between Syria and Turkey cool off, that doesn't mean that war won't break out some place else. Riots and protests continue to sweep across the Middle East and the entire region has been arming for war for decades. Eventually something or someone is going to snap. When it does, let us just hope that World War III does not erupt as a result.

## pc key

#### That’s a reason PC’s key

Stirewalt, writer for Fox News, 1/7/2013

(Chris, “Obama Antagonizes with Hagel Pick,” http://www.foxnews.com/politics/2013/01/07/obama-antagonizes-with-hagel-pick/#ixzz2HIw1d0GW)

With Republicans still resentful of Hagel’s ostentatious opposition of Bush-era policies and support for Obama’s two presidential runs, confirmation would have been tricky enough. But the queasy feelings of pro-Israel Democrats on the tough-talking Vietnam vet will make it so much worse.

Maryland Sen. Ben Cardin, a dutiful Democrat if ever there was one, told the soon-to-be-former cable news network Current TV on Sunday that there are “some statements that [Hagel] needs to clarify” and called the nomination “controversial.”

Coming from Cardin, ranked in the 10 most liberal senators by National Journal, that’s the equivalent of a cannon shot across Obama’s bow.

**It will take lots of time and effort to drag Hagel**, **opinionated and confrontational**, **across the finish line**. **The president can get it done**, **but the ordeal will be frightful and expend plenty of political capital**.

#### This window is critical for confirmation - each senator matters

Linda Feldman, Christian Science Monitor, 1/7/13, www.csmonitor.com/USA/Politics/2013/0107/Chuck-Hagel-why-Obama-is-using-political-capital-on-Pentagon-pick-video

Chuck Hagel: why Obama is using political capital on Pentagon pick (+video) President Obama just made it by one 'fiscal cliff,' with more to come. But he has shown he won't shy away from a fight in nominating former Republican Sen. Chuck Hagel to run the Pentagon. At first blush, former Sen. Chuck Hagel of Nebraska seems an odd pick for secretary of Defense. He is a Republican, a point that frustrates Democrats who would rather see one of their own in this key Cabinet slot. But, to many Republicans, he’s a RINO – a Republican in Name Only – owing in part to his opposition to the Iraq war and to his general wariness toward foreign entanglements. Mr. Hagel has also irritated Democrats with past anti-gay comments (for which he has since apologized). And he has riled members of both parties with his criticism of pro-Israel groups and his stance toward Iran, including opposition to some sanctions. In a way, Mr. Hagel is a man without a party. Many Washington analysts predict a tough confirmation fight in the Senate. But to President Obama, who announced Hagel’s selection Monday, he is someone worth fighting for. “Chuck Hagel is the leader that our troops deserve,” Mr. Obama said. “He is an American patriot.” Hagel would be the first enlisted man, and the first Vietnam veteran, to head the Pentagon. He “bears the scars and the shrapnel” from his military service, Obama noted. The president takes the “man without a party” argument and turns it on its head, returning to his first-term promise to rise above party politics. “Chuck represents the bipartisan tradition that we need more of in Washington,” Obama said. “For his independence and commitment to consensus, he's earned the respect of national security and military leaders, Republicans and Democrats, including me.” Some Senate Democrats have endorsed Hagel, and at least three Republican senators have come out against him, while others of both parties have expressed skepticism. Democrats have a 55-45 majority in the Senate, but Republicans could decide to filibuster – which would require 60 votes to overcome. And there’s no guarantee that all the Democrats vote with the president. So why is Obama willing to have this fight, after watching one of his top prospects for secretary of State – UN Ambassador Susan Rice – remove her name from contention over what would have been a contentious confirmation battle, had she been nominated? (Her combative style and in particular misstatements about the Sept. 11 attack on the US mission in Benghazi, Libya, riled Republicans.) Administration officials say Obama had not necessarily settled on Ambassador Rice for State, but her withdrawal left the impression that the president’s choice had been preemptively defeated. So it may, in fact, be partly because of Rice that Obama is proceeding with Hagel. The president does not want to look weak again. He also expressed clear personal affection for Hagel in his statement Monday. As Senate colleagues, the two had traveled together in Iraq and Afghanistan. Hagel is also close to Vice President Biden, a longtime Senate colleague. Hagel has already served the Obama administration in other capacities, including as co-chair of the president's Intelligence Advisory Board. Now that Hagel has been nominated for the Pentagon, it is crucial that the next stage – courtesy calls to key Senate members – goes well. It is especially imperative that he reassure senators on his commitment to Israel.

#### Obama spending capital and that’s critical to Hagel’s confirmation

Spetalnick, Reuters, 1/8/2012

(Matt, http://news.yahoo.com/analysis-obama-shows-combativeness-entering-second-term-risks-060419718--business.html)

With word of Hagel's impending selection circulating over the weekend, Republican Senator Lindsey Graham - one of Rice's critics - called it an "in-your-face" nomination by Obama.

A former Obama aide, speaking on condition of anonymity, said this was an opportunity to lay down a clear second-term marker - "no more Mr. Nice Guy, no more pushovers" - as a message to political friends and foes alike.

"This is clearly a president who feels somewhat unencumbered by electoral politics, thinks he has political capital to spend, and is not wasting any time about it," said Costas Panagopoulos, a political scientist at Fordham University in New York.

The White House is confident that Hagel can weather the storm and win confirmation in the Democratic-led Senate - presidential picks for senior security posts are rarely denied.

But Republican strategist John Feehery said Obama was taking a gamble that could backfire, especially in light of resistance from some of the president's fellow Democrats to Hagel, a maverick moderate Republican. He bonded with Obama in the Senate over their mutual opposition to the Iraq war.

"The president is betting a big percentage of his chips," Feehery said. "Presidents do tend to over-read their mandates sometimes. The question is whether that's the case now."

## pounders

#### Hearing is later this month

CNN, 1-9

“Pentagon readies fight for Hagel nomination,” <http://www.theskanner.com/article/Pentagon-Readies-Hagel-For-Confirmation-Fight-2013-01-09>

He also took issue with votes Hagel cast in the Senate blocking a set of sanctions against Iran, which other Republicans have homed in on as Hagel prepares for confirmation hearings that are set to begin **later this month**.

#### Obama won’t invest political capital in gun control—White House will ask Congress to lead

Miller and Stanton, 1-8

Zeke Miller and Greg Stanton, Buzzfeed politics writers,1-8,”Chances of gun control dim in Washington,” Buzzfeed,
 http://www.buzzfeed.com/zekejmiller/chances-of-gun-control-dim-in-washington

Obama has tasked Vice President Joe Biden to lead a taskforce in response to the shooting, which killed 26 students and educators at the Sandy Hook Elementary School, but his group isn’t scheduled to report its findings until the end of the month — by which time the administration’s focus will be turning once again to fiscal issues. Democrats predict the Biden group’s report will deal heavily with mental health issues, and largely leave gun control issues to Congress.

“The President has already urged Congress when it comes back to work to take up initiatives — legislation to ban assault weapons, to ban high-capacity magazines, and to improve our background checks system because it does have loopholes,” White House Press Secretary Jay Carney said Monday. Obama endorsed those proposals in the week after the shooting and has expressed support for the legislation on the Hill but hasn’t yet invested political capital in making it a reality.

Items under discussion by the Biden floated Sunday in The Washington Post included a national gun database, something White House officials said was under discussion, even as Capitol Hill sources said it would be a far heavier lift on their side of Pennsylvania Avenue.

Of course, no matter how intense the administration’s support for gun control legislation is, there is still almost no chance anything significant will pass in the next two years. Indeed, unless it has to do with federal spending, the debt, or taxes, little of anything is likely to make it to Obama’s desk, at least in the foreseeable future.

Over the next several months, Congress will first deal with the debt ceiling, then repeal or replacement of the so-called “sequester” package of spending cuts, and then a government shutdown fight.

None of those are going to be as easy for Democrats and Republicans to figure out as the fiscal cliff. And even if the two parties do find a way to navigate those waters without sending the country into an economic crisis, the partisan bad blood, and intraparty stress, could well mean that compromise is all but dead in Washington.

And if you think these fiscal issues are partisan, wait until you see what happens if Democrats try to revive the assault weapons ban or other controversial gun control measure.

Speaker John Boehner may not have quite the number of members he had in the 112th Congress, but his conference is now even more conservative, and they will continue to set the agenda in the House. House Republicans remain squarely in the pro-gun — and pro-NRA — camp, so there is virtually no chance legislation will make it to the floor of the House.

When asked what was more likely, passage of gun control legislation or Boehner, a devout Catholic, suddenly becoming a pagan, a senior GOP leadership aide quipped that it is “probably the latter.”

Even in the Senate where there is significant Democratic support for something, it remains unclear whether gun control advocates can get a measure through the upper chamber.

Although Senate Majority Leader Harry Reid has indicated some willingness to address guns, he is still a fierce supporter of gun rights, and Republicans can easily filibuster anything that doesn’t have broad bipartisan support.

More fundamentally, it looks as if Democrats are expecting Obama to take the lead on the issue. Leadership aides said the chances of something passing will depend on what Biden comes up with, and Democrats more broadly argued they will need the president’s bully pulpit to move legislation.

But for now the White House isn’t seeing it that way.

"This isn't being led by the administration," another Democratic operative who has worked on gun control issues in the past said. "Congress has already led the way with what they hope will be passable.”

#### GOP can’t oppose immigration

Dallas News, 12/31/12, William McKenzie: 2013 is upon us with big issues, www.dallasnews.com/opinion/latest-columns/20121231-william-mckenzie-2013-is-upon-us-with-big-issues.ece

Plenty of House Republicans will object to a comprehensive overhaul of immigration laws. But other members of their party, such as George W. and Jeb Bush, have spoken out since the election for a humane immigration reform. And numerous Republicans realize that the GOP must do better with Hispanics. Boehner should capitalize on this moment and risk even more of his standing for better immigration laws, including giving illegal immigrants the chance to legalize their status.

#### It’s posturing—no bill or vote for months

Josh Voorhees, Slate, 1/3/13, White House (Quietly) Promises Immigration Push, www.slate.com/blogs/the\_slatest/2013/01/03/obama\_s\_immigration\_plans\_white\_house\_officials\_suggest\_early\_2013\_won\_t.html

However, just because the administration is declaring that an unofficial launch to the immigration push is imminent doesn't mean anyone should expect major action anytime soon. The aides who laid out the plans to HuffPo cautioned that it would probably take about two months to cobble together a bipartisan bill, and then another few before either chamber votes on it. That would mean that if all goes as planned (something that is far from certain) it would likely be early or mid-summer before any concrete actions are taken.

## link

Increasing gas production causes massive political backlash – perceived as threatening coal

The Economist 10 [“An unconventional glut,” March 11, http://www.economist.com/node/15661889]

The path of demand in gas's new age is hard to predict, but abundant new sources could bring about profound change in patterns of energy consumption. Some of the downward pressure on price will ease: despite sedate growth, the LNG glut should dissipate, probably by 2014, says Mr Harris; and low prices will kill more projects, clearing the inventory. France's Total thinks global demand will recover strongly enough to require another 100m tonnes a year of LNG by 2020, on top of plants already planned. However, the Energy Information Administration, the statistical arm of America's Department of Energy, predicts decades of relatively weak prices.¶ If this is correct, it makes sense, for both environmental and economic reasons, for the country to gasify its power generation, half of which comes from coal-fired plants. This could be done cheaply and quickly, because America's total gas-fired capacity (as opposed to production) already exceeds that for coal. Put a price of only $30 a tonne on carbon, say supporters, and natural gas would quickly displace coal, because gas-fired power stations emit about half as much carbon as the cleanest coal plants. The IEA agrees that penalising carbon emissions would benefit natural gas at the expense of dirtier fuels.¶ There would be political obstacles. The coal lobby remains strong in Washington, DC. Climate legislation struggling through Congress even includes provisions to protect “clean coal”, a term covering an array of measures, so far uncommercial, to reduce emissions from burning the black stuff. Ironically, oil companies that were once suspicious of proposals to control carbon now regard a carbon price or even a carbon tax as a potential boon to their new gas businesses.¶ A more radical idea, and one that would have ramifications for the global oil sector, is to gasify transport. T. Boone Pickens, a corporate raider turned energy speculator, has launched a campaign to promote this, and has support from the gas industry. By converting North America's fleet of 18-wheeled trucks to natural gas, says Randy Eresman, boss of EnCana, a Canadian gas company, America could halve its imports of Middle Eastern oil. EnCana is promoting “natural gas transportation corridors”: highways served by filling stations offering natural gas.¶ All this is some way off. The coal industry will not surrender the power sector without a fight. The gasification of transport, if it happens, could also take a less direct form, with cars fuelled by electricity generated from gas.

Coal industry backlash costs capital

RL Miller, attorney and environment writer with Climate Hawks, 12 [“The Rage Of A Dying Dinosaur: Coal’s Decline In The U.S.” Climate Progress, August 23, http://thinkprogress.org/climate/2012/06/23/504331/the-rage-of-a-dying-dinosaur-coals-decline-in-the-us/]

A dinosaur backed into a corner by a pack of smaller dinosaurs may be mortally wounded, but it’s big and angry enough to do some serious damage in its death throes. The coal industry, long accustomed to being the Tyrannosaurus Rex of American politics, is on the ropes, battered by forces outside its control, but angry enough to damage people while it searches for an escape route.¶ Long term use of coal in the US is declining: “The share of U.S. electricity that comes from coal is forecast to fall below 40% for the year, its lowest level since World War II. Four years ago, it was 50%. By the end of this decade, it is likely to be near 30%.”¶ Coal’s decline is widely attributed to three reasons, which I’ve cleverly named EPA — Environmental Protection Agency, Price, Activists. One is far less important than the other two.¶ Congressional Republicans blame the EPA, but every time I’ve looked at “EPA regulations force this coal plant shutdown” cries, I’ve found a decrepit old plant shut down most months because maintenance costs are too high. EPA regulations are a relatively minor factor in coal plant shutdowns.¶ Most business analysts attribute coal’s fall to price. Coal’s price in the United States has stayed fairly stable, but prices of alternatives have plummeted. Natgas is at $2.50/MBTU – it was $9-10 during Bush years. Utilities are actively planning to replace older coal fired plants to natural gas. Things are so bad for Old King Coal that it’s fighting with two of its usual strong allies.¶ The electric utilities, formerly joined at the hip with coal, are now bailing on coal:¶ many now recognize that expending the political capital to fight for plants built in the middle of last century is not worth it — especially when they can construct combined cycle natural gas facilities with relative regulatory ease while releasing roughly half of the emissions in the meantime.¶ A perfect storm is pulling the coal sector under:¶ For example, “American Electric Power, meanwhile, has been one of the most vocal critics of EPA regs. But at the same time, it has admitted — according to Tierney’s paper — that its coal plants are running much less than intended because it is cheaper to operate the natural gas facilities.”

## winners win

#### Winners win is wrong -- Obama votes neg

Jackie Calmes, NYTimes, 11/12/12, In Debt Talks, Obama Is Ready to Go Beyond Beltway, mobile.nytimes.com/2012/11/12/us/politics/legacy-at-stake-obama-plans-broader-push-for-budget-deal.xml

That story line, stoked by Republicans but shared by some Democrats, holds that Mr. Obama is too passive and deferential to Congress, a legislative naïf who does little to nurture personal relationships with potential allies - in short, not a particularly strong leader. Even as voters re-elected Mr. Obama, those who said in surveys afterward that strong leadership was the most important quality for a president overwhelmingly chose Mr. Romney.

George C. Edwards III, a leading scholar of the presidency at Texas A & M University who is currently teaching at Oxford University, dismissed such criticisms as shallow and generally wrong. Yet Mr. Edwards, whose book on Mr. Obama's presidency is titled "Overreach," said, "He didn't understand the limits of what he could do."

"They thought they could continuously create opportunities and they would succeed, and then there would be more success and more success, and we'd build this advancing-tide theory of legislation," Mr. Edwards said. "And that was very naïve, very silly. Well, they've learned a lot, I think."

"Effective leaders," he added, "exploit opportunities rather than create them."

The budget showdown is an opportunity. But like many, it holds risks as well as potential rewards.

"This election is the second chance to be what he promised in 2008, and that is to break the gridlock in Washington," said Kenneth M. Duberstein, a Reagan White House chief of staff, who voted for Mr. Obama in 2008 and later expressed disappointment. "But it seems like this is a replay of 2009 and 2010, when he had huge majorities in the House and Senate, rather than recognizing that 'we've got to figure out ways to work together and it's not just what I want.' "

For now, at least, Republican lawmakers say they may be open to raising the tax bill for some earners. "We can increase revenue without increasing the tax rates on anybody in this country," said Representative Tom Price, Republican of Georgia and a leader of House conservatives, on "Fox News Sunday." "We can lower the rates, broaden the base, close the loopholes."

The challenge for Mr. Obama is to use his postelection leverage to persuade Republicans

 - or to help Speaker John A. Boehner persuade Republicans - that a tax compromise is in their party's political interest since most Americans favor compromise and higher taxes on the wealthy to reduce annual deficits.

Some of the business leaders the president will meet with on Wednesday are members of the new Fix the Debt coalition, which has raised about $40 million to urge lawmakers and their constituents to support a plan that combines spending cuts with new revenue. That session will follow Mr. Obama's meeting with labor leaders on Tuesday.

His first trip outside Washington to engage the public will come after Thanksgiving, since Mr. Obama is scheduled to leave next weekend on a diplomatic trip to Asia. Travel plans are still sketchy, partly because his December calendar is full of the traditional holiday parties.

Democrats said the White House's strategy of focusing both inside and outside of Washington was smart. "You want to avoid getting sucked into the Beltway inside-baseball games," said Joel Johnson, a former adviser in the Clinton White House and the Senate. "You can still work toward solutions, but make sure you get out of Washington while you are doing that."

The president must use his leverage soon, some Democrats added, because it could quickly wane as Republicans look to the 2014 midterm elections, when the opposition typically takes seats from the president's party in Congress.