# 1NC

## 1

#### 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."

## 2

#### Wind’s a silver bullet that props up consumption

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.

If environmentalists suspected anything funny about the 20% Wind Energy by 2030 report, they didn't say anything about it in public. Instead, fifty environmental groups and research institutes, including the Natural Resources Defense Council, Sierra Club, and Lawrence Berkeley National Laboratory opted to double-down their windy bets by formally backing the study. When the nation's smartest and most dedicated research scientists, physicists, and environmentalists roll over to look up googly-eyed at any corporate energy production report, it's worthy of our attention. This love affair, however, is harmful to the environmentalists' cause for a number of reasons. First, fetishizing overly optimistic expectations for wind power takes attention away from another grave concern of environmental groups—reducing dirty coal use. Even if the United States could attain 20 percent wind energy by 2030, the achievement alone might not remove a single fossil-fuel plant from the grid. There is a common misconception that building additional alternative-energy capacity will displace fossil-fuel use; however, over past years, this hasn't been the case. Producing more energy simply increases supply, lowers cost, and stimulates additional energy consumption. Incidentally, some analysts argue that the mass deployment of wind turbines in Europe has not decreased the region's carbon footprint by even a single gram. They point to Spain, which prided itself on being a solar and wind power leader over the last two decades only to see its greenhouse gas emissions rise 40 percent over the same period. Second, the pomp and circumstance around wind diverts attention from competing solutions that possess promising social and ecological value. In a cash-strapped economy, we have to consider the trade-offs. As journalist Anselm Waldermann points out, "when it comes to climate change, investments in wind and solar energy are not very efficient. Preventing one ton of co2 emissions requires a relatively large amount of money. Other measures, especially building renovations, cost much less—and have the same effect."45

The third problem is the problem with all myths. When they don't come true, people grow cynical. Inflated projections today endanger the very legitimacy of the environmental movement tomorrow. Every energy-production technology carries its own yoke of drawbacks and limitations. However, the allure of a magical silver bullet can bring harms one step closer. Illusory diversions act to prop up and stabilize a system of extreme energy consumption and waste. Hype surrounding wind energy might even shield the fossil-fuel establishment—if clean and abundant energy is just over the horizon, then there is less motivation to clean up existing energy production or use energy more wisely. It doesn't help when the government maintains two ledgers of incompatible expectations. One set, based on fieldwork and historical trends, is used internally by people in the know. The second set, crafted from industry speculation and "unconstrained" by history, is disseminated via press releases, websites, and even by the president himself to an unwitting public. It may be time for mainstream environmental organizations to take note of this incongruence, put away the clean energy pom-poms, and get back to work speaking up for global ecosystems, which are hurt, not helped, by additional energy production. Because as we shall see, the United States doesn't have an energy crisis. It has a consumption crisis. Flashy diversions created through the disingenuous grandstanding of alternative-energy mechanisms act to obscure this simple reality.

#### Reject the aff’s neoliberal ideology

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

Shor 10

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

Fran Shor teaches in the History Department at Wayne State University. He is the author of Dying Empire: US Imperialism and Global Resistance (Routledge 2010).

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]

## 3

#### Obama will dominate debt ceiling negotiations now—fiscal cliff fights prove his capital is critical

John Judis, The New Republic, 1/3/13, Obama Wasn't Rolled. He Won!, www.tnr.com/blog/plank/111573/obama-didnt-get-rolled-the-fiscal-cliff-in-fact-he-won

Secondly, Obama scored a major political triumph by getting Republicans to agree to raise back tax rates on the wealthy. Since 1978, Republicans have focused their popular appeal on the premise that cutting taxes on the wealthy – and secondarily everyone else -- will encourage growth. By putting Republicans in a position where, in order to protect tax cuts for the wealthy, they had to risk increasing taxes for everyone by letting the country go over the cliff, Obama and the Democrats robbed them of what has been their defining issue. They are now left with advocating spending cuts, which, as it turns out, are only popular in the abstract.

In negotiating over the fiscal cliff, Obama also did something that he failed to do during the summer of 2011: He campaigned publicly. He framed the issues. He put the Republicans on the defensive in a way that he failed to do during much of his first term. Fifty years ago, perhaps, a Democratic president could have relied on constituent groups, led by the labor movement, to carry the battle for liberal initiatives, but while these groups are important, they don’t carry the same kind of clout they used to. And they don’t have the money to compete with Republican and conservative groups. But the President can command the public’s attention, and Obama did--right up through the final days of voting.

There are arguments to be made about whether Obama got enough from the negotiations. Could he have held out for a $250,000 floor on increased tax rates? Perhaps, but he had to make some concession and he retained the central political principle, while keeping three-fourths of the promised revenue. More important, could Obama have gotten an agreement on the debt ceiling or the sequester instead of postponing these battles? That’s a more serious issue, but my sense is that with Republicans still controlling the House, Obama did not have the power to force Senate and House Republicans into a last minute deal on these issues without making very unfortunate concessions on spending and taxes.

With a new House and Senate, Obama stands a good chance of winning these battles in the months to come -- if he continues to conduct these negotiations as political campaigns and not as backroom Washington affairs. The fiscal cliff deal took tax rates out of the discussion. What’s left are spending cuts. If Obama allows the Republicans and obnoxious groups like Fix the Debt to frame the issues, he’ll be in trouble. And he did seem to fall into this trap briefly when he proposed changing the cost of living index for Social Security. But if he reminds the public that what the Republicans and their allies want to do is cut their Medicare and Social Security, he and the Democrats should be in good shape.

As for the Republicans, the debate over the fiscal cliff, like the debate last year over the debt limit, revealed serious divisions within the party and its rank-and-file that Obama and the Democrats could exploit over the next months. There are at least three different kinds of divisions that have become visible. First is between the Senate and the House. Senate Republicans, who are in a minority, have proven more amenable to compromise on fiscal issues. Unlike most Republican House members, many senators can’t count on being re-elected by solid Republicans majorities. McConnell himself comes from a state where Democrats still hold most of the state offices.

Secondly, there is a regional division in the party between the deep South, which contains many of the diehard House Republicans, and the Republicans from the Northeast, industrial Midwest, and the Far West. In the House vote on the fiscal cliff, Republican House members from the deep South opposed it by 83 to 10, while Republicans from the Northeast favored it by 24 to one, and those from the Far West by 17 to eight. After the Republican leadership refused to bring a Sandy hurricane relief bill to the floor before the end of the session – effectively killing it – New York Republican Peter King called on New York and New Jersey Republicans to withhold donations to the GOP. New Jersey Governor Chris Christe blew his top at the House Republicans.

Third, there is a division among Republican lobbies, political organizations and interest groups that surfaced in the wake of the election and once again this week. It’s not easy to define, but it runs between pro-business conservatives, on the one hand, and the right-wing libertarians of the Tea Party and Club for Growth and their billionaire funders. Grover Norquist and Americans for Tax Reform gave their approval the Senate bill. The Chamber of Commerce grudgingly endorsed the final bill, and the National Federation of Independent Business said the tax provisions were acceptable. The Club for Growth, the Koch Brothers’ Americans for Prosperity, FreedomWorks (which itself has fallen under the sway of its most ideological elements), and the Tea Party Patriots opposed any compromise.

These divisions don’t necessarily augur the kind of formal split that wrecked the Whig Party in the 1850s. Nor do they suggest widespread defection of Republicans into the Democratic Party as happened during the 1930s. There is still far too much distance between, say, McConnell and Democratic Majority Leader Harry Reid. But they do suggest that a process of erosion is under way that will weaken the Republicans’ ability to maintain a united front against Democratic initiatives. That could happen in the debates over the sequester and debt ceiling if Obama and the Democrats make the kind of public fuss that they did over fiscal cliff.

#### Unpopular

Kozubek 11 (Jim Kozubek. Synaptic Dynamics, Inc., a University of Connecticut startup company, 11/4/2011, "Airborne Wind Energy Industry Struggles To Fly", idealab.talkingpointsmemo.com/2011/11/airborne-wind-energy-industry-struggles-to-take-off.php)

“It is important to the overall U.S. airborne wind energy effort that Makani Power is successful in carrying out the work for the grant awarded” says PJ Shepard, secretary for industry group Airborne Wind Energy Consortium, and a spokesperson for California-based Sky WindPower, another company developing such a glider.

One hurdle the nascent industry has to surmount, as most emerging technologies and industries do, is regulation. The Federal Aviation Administration is currently weighing a decision as to whether to allow such tethered gliders to operate. So far a ruling appears at least a year away, Shepard said.

For its part, Makani to date has burned through most of its working capital, and is nearing completion of its 18-month ARPA-E grant-funded pilot project. And while the nascent industry awaits an FAA ruling, investors have been skittish of sinking capital into technology.

Sky WindPower was named by TIME Magazine as one of the top 50 top inventions of 2008, but has yet to land investment capital; Dmitri Cherny, founder of energy glider developer Highest Wind, was the darling of New Hampshire’s Speed Venture Summit in 2009, only to come away empty-handed from scores of meetings in venture capital circuits in New Hampshire and South Carolina.

“There have been only a few limited proofs of aspects of whole concepts because these are expensive undertakings requiring more than just angel and vc support,” Shepard said. “As with development of all new energy supplies and the systems to support the capture of energy that have preceded this new energy field, governments will have to provide additional support.”

Whether justified or not, the current environment for that kind of support doesn’t look encouraging. The emerging clean tech sector now faces a more skeptical public and congress in the wake of the bankruptcy of the solar panel company Solyndra. And DOE and ARPA-E’s loan programs are under investigation by the department’s inspector general.

#### That kills the deal—Obama’s focusing capital on debt talks

Chris Cillizza, Aaron Blake, 12/11/12, What Susan Rice can tell us about Obama’s second term, www.washingtonpost.com/blogs/the-fix/wp/2012/12/11/what-susan-rice-can-tell-us-about-obamas-second-term/

President Obama continues to mull whether to nominate Susan Rice to be Secretary of State. How he decides on that question will tell us a lot about how he plans to approach his second term in office. Two things have become abundantly clear since the election: 1) Obama likes Rice quite a bit and seems inclined to pick her as the successor to outgoing Secretary of State Hillary Clinton, and 2) Opposition to Rice on Capitol Hill is real and lasting. (Sen. John McCain’s move to the Foreign Relations committee makes that abundantly clear.) Given those two realities, what does Obama do? Down one path, he nominates Rice despite the fact that Republicans like McCain (Ariz.), Sen. Lindsey Graham (S.C.) and even Susan Collins (Maine) have made clear that doing so will mean a nasty confirmation fight, and in spite of the fact that many Democrats are (privately) leery of having to vote on a pick who has generated controversy even before she is nominated. (Remember that Senate Democrats have to defend 20 seats to 14 for Republicans in 2014, including those in hostile territory like Louisiana, Arkansas, South Dakota and West Virginia.) That is best described as the damn-the-torpedos path — in two ways. First, the Rice nomination would likely land right in the middle of the final fiscal cliff negotiations and could poison any good will built up with congressional Republicans. It would also make clear to Republicans that Obama the deal-cutter is gone, upping the ante even more on the fiscal cliff talks. Even if Obama does wait until early 2013 to pick a nominee, he would have to massage it around his inauguration in late January and the coming debt ceiling fight scheduled for late February. Either way, it wouldn’t be easy. Second, it would put Senate Democrats out on a limb they have made abundantly clear they don’t want to be on. That would be a clear signal to his party that Obama is, first and foremost, all about Obama — something congressional Democrats have long suspected. If Obama does go forward with Rice, rallying his party to some of his preferred second-term initiatives could get very complicated. In short: The reservoir of good will would be drained very quickly. Then there is the path of least resistance. In that scenario, Obama goes with Massachusetts Sen. John Kerry as Secretary of State and finds another, less controversial post for Rice. A nomination fight at the start of his second term is almost certainly dodged — people like Collins have relentlessly insisted that Kerry would be confirmed without any trouble — but Obama could (and likely would) be painted in some circles as toothless. A narrative would build — although it’s not clear whether it would be sustained — that Obama was giving in (again) to Republicans and we might even see a few “Is the liberal base abandoning Obama” stories. After all, Obama is a month removed from a convincing reelection victory, and Republicans are in the midst of an examination of their party and its principles. Now is a time to be bold, not a time to capitulate to the threats of the likes of McCain, the argument from the left will go. (The Arizona senator remains a loathed figure by the Democratic base following his 2008 bid for president.) It’s not clear how widespread that dissatisfaction might be. Bypassing Rice for Kerry is different than bypassing Rice for, say, McCain. Undoubtedly there would be some element of the liberal left unhappy, but how many “real people” would sour on Obama and his policies if he made the switch? On the other hand, stepping back from the brink on Rice would also likely be taken as a signal that the ever-pragmatic Obama wants to spend his political capital on things like fixing the nation’s debt problem and reforming the country’s immigration system rather than on a Cabinet nominee — even one as prominent as Secretary of State.

#### Negotiation failure causes debt ceiling failure and global economic collapse—Obama will take us over before capitulating to the GOP

Ezra Klein, WaPo, 1/2/13, Calm down, liberals. The White House won., www.washingtonpost.com/blogs/wonkblog/wp/2013/01/02/calm-down-liberals-the-white-house-got-a-good-deal-on-the-fiscal-cliff/

All of which is leaving me a little unnerved. Because after diving deep into the arguments that Democrats and Republicans are using to justify this deal to their members, I actually think the White House got a pretty good outcome, and I think they’re well positioned going into the next negotiation. All arguments, on all sides of the issue, come down to the debt ceiling. The liberals just don’t believe the White House can hold firm against the GOP’s threats to push the country into default. The conservatives, well, they believe the exact same thing. I disagree. As I see it, there are now three possible outcomes in the debt-ceiling fight: 1) The White House is right, and they’ll be able to enforce a roughly 1:1 ratio of tax increases to spending cuts in the next deal; 2) The Republicans are right, and they’ll be able to get major spending cuts solely in return for raising the debt ceiling; 3) Both sides are wrong, and we breach the debt ceiling, unleashing economic havoc. Of these three possibilities, I see #1 as the likeliest, #3 as the second-most likely, and #2 as vanishing unlikely. That is to say, I think it’s far more plausible that we breach the debt ceiling than that the White House agrees to raise the debt ceiling as part of a deal that includes huge spending cuts but no significant tax increases. But likelier than either outcome is that Republicans agree to a deal that includes revenue-generating tax reform. Here’s why. First, Republicans make a big show of being unreasonable, but they’re not nearly as crazy as the tea party would have you believe. In the end, they weren’t even willing to go over the fiscal cliff. The debt ceiling would do far more damage to the economy than the fiscal cliff, and Republicans would receive far more of the blame. Many thought President Obama actually wanted to go over the fiscal cliff in order to raise taxes, and so it was possible Republicans could’ve portrayed the breakdown in negotiations as a Democratic strategy. No one thinks that the White House wants to breach the debt ceiling, and so Republicans will take all the blame. Second, there’s no evidence yet that the Republicans will even be able to name their price on the debt ceiling. House Speaker John Boehner has his dollar-for-dollar principle, which implies more than a trillion dollars in cuts to raise the debt ceiling through 2014. But Republicans haven’t named anywhere near a trillion dollars of further cuts in any of the fiscal cliff negotiations. They’ve been afraid to take direct aim at Social Security and Medicare, and while they can call for deep cuts to Medicaid, everyone knows that’s a nonstarter for the White House in the age of Obamacare. Meanwhile, domestic discretionary spending has already been cut to the bone, and Republicans want to increase defense spending. So what’s their demand going to be, exactly? Will they force America into default on behalf of spending cuts they can’t name? Third, a consequence of the 2012 presidential election, in which Mitt Romney argued for capping deductions and exclusions to pay for his tax cuts, and of the early fiscal cliff negotiations, in which Boehner argued for raising revenue through tax reform, is that Republican policy elites, in my experience, really don’t hate revenue-raising tax reform all that much. Raising any revenues is a bit of a problem for them as it permits the growth of government, but it’s really raising tax rates where they’ve talked themselves into hardline opposition. So they may be willing to strike a deal on this. Fourth, I don’t think the White House has a shred of credibility when they say they won’t negotiate over the debt ceiling. They may not call what they’re about to do negotiating over the debt ceiling, but that’ll be what they’re doing. That said, I’m quite convinced that they don’t intend to be held hostage over the debt ceiling. As a former constitutional law professor, the president sees himself as a steward of the executive branch and is deeply hostile to setting the precedent that congressional minorities can hold presidents hostage through the debt ceiling. At some point in the coming talks, Boehner or McConnell or both are going to realize that the White House really, seriously will not accept a bargain in which what they “got” was an increase in the debt limit, and so they’re going to have to decide at that point whether to crash the global economy. Fifth, the constellation of economic interest groups that converge on Washington understands the debt ceiling better than they did in 2011, are becoming more and more tired of congress’s tendency to negotiate by threatening to trigger economic catastrophes, and is getting better at knowing who to blame. It’s not a meaningless sign that John Engler, the former Republican Governor of Michigan who now leads the Business Roundtable, called for a five-year solution to the debt ceiling. It’s worth keeping this in perspective: All it means is that the White House can potentially demand a perfectly reasonable compromise of one dollar in revenue-generating tax reform for every dollar in spending cuts. When you add in the fiscal cliff deal, and the 2011 Budget Control Act, that’ll still mean that the total deficit reduction enacted over the last few years tilts heavily towards spending, particularly once you account for reduced war costs. But that is, arguably, another reason that the White House isn’t in such a bad position here: They’ve set up a definition of success that will sound reasonable to most people — a dollar in tax reform for a dollar in spending cuts — while the Republicans have a very unreasonable sounding definition, in which they get huge cuts to Medicare or they force the United States into default. So while it’s possible that the White House will crumble, rendering itself impotent in negotiations going forward, and while it’s possible that the we’ll breach the debt ceiling, both possibilities seem less likely than Republicans agreeing to a deal that pairs revenue-generating tax reform with spending cuts.

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.

## 4

#### Helium supply on the brink now---no excess global capacity

Walter Nelson 12, Director, Helium Sourcing and Supply Chain Air Products and Chemicals, Inc, 7/20/12, Helium: Supply Shortages Impacting our Economy, National Defense and Manufacturing, Congressional Documents & Publications, p. lexis

There have been planned and unplanned maintenance outages at natural gas processing plants, as well as continuing pipeline allocations on the BLM system during well maintenance that have restricted the supply of crude helium to the U.S. refiners. In Algeria and Qatar, production of helium has decreased due to the fragile worldwide economy, as well as maintenance work at gas palnts. In addition, new helium refining projects have been slow to develop. The delayed start-up of one particular plant in Wyoming has postponed access to major new supplies of helium. Combined, these issues have reduced the global helium supply by as much as 5% to 10%.

On top of this, the industry will experience an unprecedented helium shortage this summer. Beyond the developments cited above, there are currently three US plant outages or curtailments that are severely limiting the short-term supply of helium today. First, one company reduced its helium production in Wyoming by approximately 20% beginning early June while performing critical maintenance activities. Full production is not expected to resume until sometime later this summer. The impact of this curtailment is almost five percent of global supply capacity. Second, the crude helium enrichment plant that supplies the BLM pipeline system was shut down July 15th for a planned 10 day safety critical outage. During this outage helium deliveries are limited to pipeline inventory reducing global supply capacity by an additional 25%. Third, a nautral gas plant in Kansas experienced an unplanned helium equipment outage at the end of June and that outage continued through this week. The impact of this outage was another five percent reduction in global supply capacity. In helium circles this has been "the perfect storm."

The combination of these issues has resulted in a significant short-term reduction in global helium supply capacity over the summer months. Global inventories would have normally served as a buffer during short-term outage events, minimizing the supply impacts. Unfortunately that's not the case this time. Air Products has had to allocate our customers and I suspect that all helium suppliers have had to do the same. We are caught in a cruch not of our making.

We expect some relief soon. Most of the maintenance outages will be completed within weeks, in the U.S. and abroad.That said, it will most probably take months for the global helium supply chains to recover from these summer outages.

Helium supplies will continue to remain tight through 2012 and into 2013, when new helium production is expected in Wyoming and Qatar. The Wyoming project is expected to add four percent helium capacity and the Qatar II project may add up to 18% capacity. Only after these two new plants are operational in 2013 and existing plants are running back at full output will the global supply begin to fully stabilize.

#### Plan causes massive increase in helium demand

Cahoon ‘11

Troy, US air force Captain, Air Force Institute of Technology, Presented to the Faculty Department of Aeronautics and Astronautics Graduate School of Engineering and Management Air Force Institute of Technology Air University Air Education and Training Command In Partial Fulfillment of the Requirements for the Degree of Master of Science in Aeronautical Engineering, “AIRBORNE WIND ENERGY: IMPLEMENTATION AND DESIGN FOR THE U.S. AIR FORCE,” <http://www.dtic.mil/dtic/tr/fulltext/u2/a539255.pdf>, AM

Another challenge is that the balloon system requires a very large amount of helium. This helium is a very significant portion of the startup and operating costs. Helium also tends to leak over time. But if the balloon membrane is designed well, the leakage rate can be kept down to about 6% per year.11

#### Helium supply constraints destroy U.S. leadership in basic scientific discovery

Phuan Ong 12, the Eugene Higgins Professor of Physics Director, Princeton Center for Complex Materials Department of Physics Princeton University, 7/20/12, Helium: Supply Shortages Impacting our Economy, National Defense and Manufacturing, Congressional Documents & Publications, p. lexis

The 2 main reasons why liquid helium is vital for research are:

1) Helium is the only fluid available for cooling samples to temperatures close to absolute zero. All objects follow the universal laws of quantum mechanics. However, at room temperature, large thermal agitations of molecules and atoms largely obscure or destroy the manifestations of quantum physics. Hence quantum behavior seems bizarre and unfamiliar to all of us. Cooling a sample suppresses the thermal agitations, allowing the quantum phenomena to become apparent. Put more directly, liquid helium is the "royal road" to discovery.

2) Helium is used to cool the superconducting wires in superconducting magnets. At present, superconducting magnets using niobium-tin (and tentatively high-Tc cuprates) provide the only known means for producing intense magnetic fields over human-sized volumes. They have to be cooled to 4 Kelvin above absolute zero to remain superconducting. With increasing demands worldwide (in research, MRI machines and in future transport), the demand for liquid helium is expected to rise sharply.

To mix metaphors, we may say that liquid helium is the vital "oxygen" that nourishes the large, dynamic U.S. research community. Disrupting this vital flow will deliver a crippling body blow to a large segment of the community, and jeopardize the leadership role of the U.S. in the coming decades. Increasingly, the pre-eminence of the U.S. in this field of physics has come under stiff challenges from groups in Germany, Japan, Netherlands, China and S. Korea. These countries have steeply increased their investments in these areas and "grown" a new generation of physicists, mostly trained in the U.S. The investment stems from the universal consensus that, in contrast to many other fundamental scientific areas, the results here underpin important future technologies.

In an increasingly flat world, it is prudent for the U.S. to safeguard the availability of this valuable national resource. From the RandD viewpoint, strong fluctuations in the price of helium or in the supply would be very harmful to the U.S. national interest.

#### Science leadership’s key to the sustainability and perceived legitimacy of U.S. hegemony---it blunts resentment of the power gap

Damon Coletta 9, Professor of Political Science at the United States Air Force Academy, September 2009, “Science, Technology, and the Quest for International Influence,” http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA536133&Location=U2&doc=GetTRDoc.pdf

Less appreciated is how scientific progress facilitates diplomatic strategy in the long run, how it contributes to Joseph Nye‘s soft power, which translates to staying power in the international arena. One possible escape from the geopolitical forces depicted in Thucydides‘ history for all time is for the current hegemon to maintain its lead in science, conceived as a national program and as an enterprise belonging to all mankind.

Beyond the new technologies for projecting military or economic power, the scientific ethos conditions the hegemon‘s approach to social-political problems. It effects how the leader organizes itself and other states to address well-springs of discontent—material inequity, religious or ethnic oppression, and environmental degradation. The scientific mantle attracts others‘ admiration, which softens or at least complicates other societies‘ resentment of power disparity. Finally, for certain global problems—nuclear proliferation, climate change, and financial crisis—the scientific lead ensures robust representation in transnational epistemic communities that can shepherd intergovernmental negotiations onto a conservative, or secular, path in terms of preserving international order.

In today‘s order, U.S. hegemony is yet in doubt even though military and economic indicators confirm its status as the world‘s lone superpower. America possesses the material wherewithal to maintain its lead in the sciences, but it also desires to bear the standard for freedom and democracy. Unfortunately, patronage of basic science does not automatically flourish with liberal democracy.

The free market and the mass public impose demands on science that tend to move research out of the basic and into applied realms. Absent the lead in basic discovery, no country can hope to pioneer humanity‘s quest to know Nature. There is a real danger U.S. state and society could permanently confuse sponsorship of technology with patronage of science, thereby delivering a self-inflicted blow to U.S. leadership among nations.

## 5

#### The United States Federal Government should maintain its airspace restrictions on airborne wind energy systems in the United States for military purposes.

#### The United States Federal Government should establish that the penalty for violating airspace restrictions on airborne wind energy systems 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.

## 6

#### The United States Federal Government should obtain small modular reactors for the military and deploy those reactors as needed to forward bases.

#### The United States Federal Government should substantially increase investment in smart microgrid technology for its military and accelerate implementation of the SPIDERS project.

#### SMR’s solve fuel dependence

Andres, 11

Richard Andres, Professor of National Security Strategy at the National War College and a Senior Fellow and Energy and Environmental Security and Policy Chair in the Center for Strategic Research, Institute for National Strategic Studies, at the National Defense University, and Hanna Breetz, doctoral candidate in the Department of Political Science at The Massachusetts Institute of Technology, Small Nuclear Reactorsfor Military Installations:Capabilities, Costs, andTechnological Implications, www.ndu.edu/press/lib/pdf/StrForum/SF-262.pdf

Operational Vulnerability. Operational energy use represents a second serious vulnerability for the U.S. military. In recent years, the military has become significantly more effective by making greater use of technology in the field. The price of this improvement has been a vast increase in energy use. Over the last 10 years, for instance, the Marine Corps has more than tripled its operational use of energy. Energy and water now make up 70 percent of the logistics burden for troops operating in forward locations in the wars in Afghanistan and Iraq. This burden represents a severe vulnerability and is costing lives. In 2006, troop losses from logistics convoys became so serious that Marine Corps Major General Richard Zilmer sent the Pentagon a “Priority 1” request for renewable energy backup.11 This unprecedented request put fuel convoy issues on the national security agenda, triggering several high-level studies and leading to the establishment of the Power Surety Task Force, which fast-tracked energy innovations such as mobile power stations and super-insulating spray foam. Currently, the Marine Corps is considering a goal of producing all nonvehicle energy used at forward bases organically and substantially increasing the fuel efficiency of vehicles used in forward areas.

Nevertheless, attempts to solve the current energy use problem with efficiency measures and renewable sources are unlikely to fully address this vulnerability. Wind, solar, and hydro generation along with tailored cuts of energy use in the field can reduce the number of convoys needed to supply troops, but these measures will quickly reach limits and have their own challenges, such as visibility, open exposure, and intermittency. Deploying vehicles with greater fuel efficiency will further reduce convoy vulnerability but will not solve the problem**.**

A strong consensus has been building within planning circles that small reactors have the potential to significantly reduce liquid fuel use and, consequently, the need for convoys to supply power at forward locations. Just over 30 percent of operational fuel used in Afghanistan today goes to generating electricity. Small reactors could easily generate all electricity needed to run large forward operating bases. This innovation would, for instance, allow the Marine Corps to meet its goal of selfsufficient bases. Mobile reactors also have the potential to make the Corps significantly lighter and more mobile by reducing its logistics tail.

Another way that small reactors could potentially be used in the field is to power hydrogen electrolysis units to generate hydrogen for vehicles.12 At forward locations, ground vehicles currently use around 22 percent imported fuel. Many ground transport vehicles can be converted to run on hydrogen, considerably reducing the need for fuel convoys. If the wars in Iraq and Afghanistan are indicative of future operations, and fuel convoys remain a target for enemy action, using small reactors at forward locations has the potential to save hundreds or thousands of U.S. lives.

## heg

Military can’t integrate renewable fuels

Kuntz, Colonel – Army National Guard of the United States, and Fittipaldi, project advisor – ODASA (ESOH), ‘7

(Gordon and John, “Use of Renewable Energy in Contingency Operations,” AEPI and USAWC Research Paper, March)

Although there are many advantages in using renewable energy systems, there are likewise some disadvantages. Initial investment and system costs for renewable energy systems can be somewhat higher than conventional systems. Renewable energy systems are weather dependent37 to some extent and can have a decrease in performance with inclement weather, including low wind speed for turbine systems, low or limited sunlight with photovoltaic energy systems, and excessive moisture with biomass generators or waste to energy conversion systems38. By themselves, renewable energy systems may not exclusively meet energy demands of military operations. With today’s technology, it is highly unlikely that renewable energy systems will totally replace use of conventional fossil fuel powered generator systems.

Commensurate with the limited use of renewable energy systems in CONOPS, there is limited field testing of renewable energy systems and underlying questions about their durability. Manufacturers may have a **limited ability to produce** renewable energy systems for the military, since meeting military specifications and system specific maintenance needs can ultimately mean increasing delivery time for ordered renewable energy systems. **Little if any formal education or training exists** for Commanders to increase their knowledge and confidence about renewable energy systems. Feedback from interviews and references indicates Commanders lack clear understanding of and confidence in the effectiveness and benefits of using renewable energy systems, which in turn limits expanding their use. Significant effort will be required to incorporate institutional, doctrinal, and operational changes necessary to fully integrate renewable energy systems into current and future Warfighting mentality.

The military won’t buy AWE

Murdoch, senior advisor, Sayler, and Crotty, research associates – CSIS, 10/18/’12

(Clark, Kelley, and Ryan, “The Defense Budget’s Double Whammy: Drawing Down While Hollowing Out from Within,” <http://csis.org/files/publication/121018_Murdoch_DefenseBudget_Commentary.pdf>)

Thus, this drawdown will be **much more serious** than those of years past. Why? Because the aggregate impact of inflation in the cost of personnel, health care, operations and maintenance (O&M), and acquisitions results in a defense dollar that “buys” less and less capability.

This internal cost inflation is driving DoD toward a **zero-sum trade-off between personnel end-strength and modernization** (see Figure 2).

Among the largest contributors to internal cost inflation is the military personnel (including health care) account. As DoD’s own “Defense Budget Priorities and Choices: January 2012” has noted, “the cost of military personnel has grown at an unsustainable rate over the last decade…Within the base budget alone…personnel costs increased by nearly 90 percent or about 30 percent above inflation [since 2001], while the number of military personnel has increased by only about 3 percent.”

Operations and maintenance (O&M) costs have similarly ballooned over the past few decades. The Congressional Budget Office (CBO) reports in “Long-Term Implications of the 2012 Future Years Defense Program” that O&M costs per active-duty service member doubled from $55,000 to $105,000 (in constant 2012 dollars) between 1980 and 2001. These costs rose to $147,000 in DoD’s 2012 base-budget request and were projected to “grow at more than one and one-half times the historical (pre-2001) rate through the Future Years Defense Program (FYDP) period, reaching $161,000 in 2016.” While the rate of growth is expected to slow beyond 2016, CBO expects per capita O&M costs to reach $209,000 by 2030.

In combination, **inflation in these accounts will squeeze out** all funding **for** modernization (**procurement** and **research**, **development, test, and evaluation** [RDT&E]) in 2020, as depicted in Figure 2, if current trends are allowed to continue. This will, in the absence of extensive reform, force DoD to choose between sustaining end-strength and sustaining modernization. It cannot do both.

The Zero-Sum Trade-Off

The CSIS study team calculates that restoring modernization’s share of the FY2021 defense budget to 32 percent (the level of effort in the FY2001 budget) would require cutting end-strength by 455,000 active-duty service members, leaving the services with an end-strength of 845,000 (see Figure 3). This zero-sum trade-off will produce far more severe and disruptive consequences than is generally recognized by the department, requiring, at the very least, a wholesale recalibration of U.S. defense strategy and force posture.

The Squeeze on Discretionary Spending

This choice between modernization and end-strength will almost certainly remain even if sequestration is averted by congressional action. This is because discretionary spending tradespace (for both defense and nondefense accounts) is being squeezed out by mandatory spending—which includes spending on veteran benefits, income security, social security, Medicare, and Medicaid—and interest payments. And given Democratic aversion to entitlement cuts and Republican antipathy to tax increases, the defense budget, which constitutes 54 percent of discretionary spending, will likely be forced to absorb additional reductions under any scenario. (Estimates of the scale of alternatives to sequestration range from a total of $1 trillion to $1.5 trillion. Senate Armed Services Committee chairman Carl Levin has suggested that an additional $100 billion reduction over 10 years would be “realistic”.)

Regardless of the distribution of any cuts, however, mandatory spending and interest payments are expected to consume the entirety of the U.S. budget by 2036, leaving no discretionary tradespace for either defense or nondefense accounts (see Figure 4).

#### It would take 20 years

Levitan 12 (Dave Levitan is a freelance journalist based in Philadelphia who writes about energy, the environment, and health. His articles have been published by Reuters, SolveClimate, IEEE Spectrum, and Psychology Today. In previous articles for Yale Environment 360, he has written about the potential of self-driving cars and about vehicle-to-grid technology involving electric cars., "High-Altitude Wind Energy: Huge Potential — And Hurdles", e360.yale.edu/feature/high\_altitude\_wind\_energy\_huge\_potential\_and\_hurdles/2576/)

But scaling up past the prototype stage won’t be easy. Experts in the industry think that without strong government support, installing even one gigawatt of airborne power (50 GW of standard, terrestrial wind are already installed in the U.S.) could take 20 years or more, an eternity when drastic emissions reductions are the goal. With a relatively modest government investment of $100 million per year, that one gigawatt goal could be attained in fewer than 10 years, wind industry executives say. Some larger companies such as Honeywell and 3M have shown some interest, but the major traditional wind power developers — Siemens, GE, Vestas, and others — have so far left the airborne designs to the startups. Without major investment, some of the specific engineering challenges may be difficult to overcome. According to an industry survey by the nonprofit energy analysis group Near Zero, the biggest remaining issue is reliability: In order to be viable, airborne devices would need to stay aloft for long periods of time with little maintenance required.

Cyber war infeasible

Clark, MA candidate – Intelligence Studies @ American Military University, senior analyst – Chenega Federal Systems, 4/28/’12

(Paul, “The Risk of Disruption or Destruction of Critical U.S. Infrastructure by an Offensive Cyber Attack,” American Military University)

The Department of Homeland Security worries that our critical infrastructure and key resources (CIKR) may be exposed, both directly and indirectly, to multiple threats because of CIKR reliance on the global cyber infrastructure, an infrastructure that is under routine cyberattack by a “spectrum of malicious actors” (National Infrastructure Protection Plan 2009). CIKR in the extremely large and complex U.S. economy spans multiple sectors including agricultural, finance and banking, dams and water resources, public health and emergency services, military and defense, transportation and shipping, and energy (National Infrastructure Protection Plan 2009). The disruption and destruction of public and private infrastructure is part of warfare, without this infrastructure conflict cannot be sustained (Geers 2011). Cyber-attacks are desirable because they are considered to be a relatively “low cost and long range” weapon (Lewis 2010), but prior to the creation of Stuxnet, the first cyber-weapon, the ability to disrupt and destroy critical infrastructure through cyber-attack was theoretical. The movement of an offensive cyber-weapon from conceptual to actual has forced the United States to question whether offensive cyber-attacks are a significant threat that are able to disrupt or destroy CIKR to the level that national security is seriously degraded. It is important to understand the risk posed to national security by cyber-attacks to ensure that government responses are appropriate to the threat and balance security with privacy and civil liberty concerns. The risk posed to CIKR from cyber-attack can be evaluated by measuring the threat from cyber-attack against the vulnerability of a CIKR target and the consequences of CIKR disruption. As the only known cyber-weapon, Stuxnet has been **thoroughly analyzed** and **used as a model** for predicting future cyber-weapons. The U.S. electrical grid, a key component in the CIKR energy sector, is a target that has been analyzed for vulnerabilities and the consequences of disruption predicted – the electrical grid has been used in multiple attack scenarios including a classified scenario provided to the U.S. Congress in 2012 (Rohde 2012). Stuxnet will serve as the weapon and the U.S. electrical grid will serve as the target in this risk analysis that concludes that there is a low risk of disruption or destruction of critical infrastructure from a an offensive cyber-weapon because of the complexity of the attack path, the limited capability of non-state adversaries to develop cyber-weapons, and the existence of multiple methods of mitigating the cyber-attacks. To evaluate the threat posed by a Stuxnet-like cyber-weapon, the complexity of the weapon, the available attack vectors for the weapon, and the resilience of the weapon must be understood. The complexity – how difficult and expensive it was to create the weapon – identifies the relative cost and availability of the weapon; inexpensive and simple to build will be more prevalent than expensive and difficult to build. Attack vectors are the available methods of attack; the larger the number, the more severe the threat. For example, attack vectors for a cyberweapon may be email attachments, peer-to-peer applications, websites, and infected USB devices or compact discs. Finally, the resilience of the weapon determines its availability and affects its usefulness. A useful weapon is one that is resistant to disruption (resilient) and is therefore available and reliable. These concepts are seen in the AK-47 assault rifle – a simple, inexpensive, reliable and effective weapon – and carry over to information technology structures (Weitz 2012). The evaluation of Stuxnet identified malware that is “unusually complex and large” and required code written in multiple languages (Chen 2010) in order to complete a variety of specific functions contained in a “vast array” of components – **it is one of the most complex threats ever analyzed by Symantec** (Falliere, Murchu and Chien 2011). To be successful, Stuxnet required a **high** **level of technical knowledge across multiple disciplines**, a laboratory with the target equipment configured for testing, and a foreign intelligence capability to collect information on the target network and attack vectors (Kerr, Rollins and Theohary 2010). The malware also needed careful monitoring and maintenance because it could be easily disrupted; as a result Stuxnet was developed with a high degree of configurability and was upgraded multiple times in less than one year (Falliere, Murchu and Chien 2011). Once introduced into the network, the cyber-weapon then had to utilize four known vulnerabilities and four unknown vulnerabilities, known as zero-day exploits, in order to install itself and propagate across the target network (Falliere, Murchu and Chien 2011). Zero-day exploits are **incredibly difficult to find** and fewer than twelve out of the 12,000,000 pieces of malware discovered each year utilize zero-day exploits and this rarity makes them valuable, zero-days can fetch $50,000 to $500,000 each on the black market (Zetter 2011). The use of four rare exploits in a single piece of malware is “unprecedented” (Chen 2010). Along with the use of four unpublished exploits, Stuxnet also used the “first ever” programmable logic controller rootkit, a Windows rootkit, antivirus evasion techniques, intricate process injection routines, and other complex interfaces (Falliere, Murchu and Chien 2011) all **wrapped up in “layers of encryption** like Russian nesting dolls” (Zetter 2011) – including custom encryption algorithms (Karnouskos 2011). As the malware spread across the now-infected network it had to utilize additional vulnerabilities in proprietary Siemens industrial control software (ICS) and hardware used to control the equipment it was designed to sabotage. Some of these ICS vulnerabilities were published but some were unknown and **required such a high degree of inside knowledge** that there was speculation that a Siemens employee had been involved in the malware design (Kerr, Rollins and Theohary 2010). The unprecedented technical complexity of the Stuxnet cyber-weapon, along with the extensive technical and financial resources and foreign intelligence capabilities required for its development and deployment, indicates that the malware was likely developed by a nation-state (Kerr, Rollins and Theohary 2010). Stuxnet had very limited attack vectors. When a computer system is connected to the public Internet a host of attack vectors are available to the cyber-attacker (Institute for Security Technology Studies 2002). Web browser and browser plug-in vulnerabilities, cross-site scripting attacks, compromised email attachments, peer-to-peer applications, operating system and other application vulnerabilities are all vectors for the introduction of malware into an Internetconnected computer system. Networks that are not connected to the public internet are “air gapped,” a technical colloquialism to identify a physical separation between networks. Physical separation from the public Internet is a common safeguard for sensitive networks including classified U.S. government networks. If the target network is air gapped, infection can only occur through physical means – an infected disk or USB device that **must be physically introduced** into a possibly access controlled environment and connected to the air gapped network. The first step of the Stuxnet cyber-attack was to initially infect the target networks, a difficult task given the probable disconnected and well secured nature of the Iranian nuclear facilities. Stuxnet was introduced via a USB device to the target network, a method that suggests that the attackers were familiar with the configuration of the network and knew it was not connected to the public Internet (Chen 2010). This assessment is supported by two rare features in Stuxnet – having all necessary functionality for industrial sabotage fully embedded in the malware executable along with the ability to self-propagate and upgrade through a peer-to-peer method (Falliere, Murchu and Chien 2011). Developing an understanding of the target network configuration was a significant and daunting task based on Symantec’s assessment that Stuxnet repeatedly targeted a total of five different organizations over nearly one year (Falliere, Murchu and Chien 2011) with physical introduction via USB drive being the only available attack vector. The final factor in assessing the threat of a cyber-weapon is the resilience of the weapon. There are two primary factors that make Stuxnet **non-resilient**: the complexity of the weapon and the complexity of the target. Stuxnet was highly customized for sabotaging specific industrial systems (Karnouskos 2011) and needed a large number of very complex components and routines in order to increase its chance of success (Falliere, Murchu and Chien 2011). The **malware required eight vulnerabilities** in the Windows operating system **to succeed** and therefore would have failed if those vulnerabilities had been properly patched; four of the eight vulnerabilities were known to Microsoft and subject to elimination (Falliere, Murchu and Chien 2011). Stuxnet also required that two drivers be installed and required two stolen security certificates for installation (Falliere, Murchu and Chien 2011); driver installation would have failed if the stolen certificates had been revoked and marked as invalid. Finally, the configuration of systems is ever-changing as components are upgraded or replaced. There is no guarantee that the network that was mapped for vulnerabilities had not changed in the months, or years, it took to craft Stuxnet and successfully infect the target network. Had specific components of the target hardware changed – the targeted Siemens software or programmable logic controller – the attack would have failed. Threats are less of a threat when identified; this is why zero-day exploits are so valuable. Stuxnet went to great lengths to hide its existence from the target and utilized multiple rootkits, data manipulation routines, and virus avoidance techniques to stay undetected. The malware’s actions occurred only in memory to avoid leaving traces on disk, it masked its activities by running under legal programs, employed layers of encryption and code obfuscation, and uninstalled itself after a set period of time, all efforts to avoid detection because its authors knew that detection meant failure. As a result of the complexity of the malware, the changeable nature of the target network, and the chance of discovery, Stuxnet is not a resilient system. It is a fragile weapon that required an investment of time and money to constantly monitor, reconfigure, test and deploy over the course of a year. There is concern, with Stuxnet developed and available publicly, that the world is on the brink of a storm of highly sophisticated Stuxnet-derived cyber-weapons which can be used by hackers, organized criminals and terrorists (Chen 2010). As former counterterrorism advisor Richard Clarke describes it, there is concern that the technical brilliance of the United States “has created millions of potential monsters all over the world” (Rosenbaum 2012). Hyperbole aside, technical knowledge spreads. The techniques behind cyber-attacks are “constantly evolving and making use of lessons learned over time” (Institute for Security Technology Studies 2002) and the publication of the Stuxnet code may make it easier to copy the weapon (Kerr, Rollins and Theohary 2010). **However**, this is something of a zero-sum game because know**ledge works both ways** and cyber-security techniques are also evolving, and “understanding attack techniques more clearly is the first step toward increasing security” (Institute for Security Technology Studies 2002). Vulnerabilities are discovered and patched, intrusion detection and malware signatures are expanded and updated, and monitoring and analysis processes and methodologies are expanded and honed. Once the element of surprise is lost, weapons and tactics are less useful, this is the core of the argument that “uniquely surprising” **stratagems like Stuxnet are single-use**, like Pearl Harbor and the Trojan Horse, the “very success [of these attacks] precludes their repetition” (Mueller 2012). This paradigm has already been seen in the “son of Stuxnet” malware – named Duqu by its discoverers – that is based on the same modular code platform that created Stuxnet (Ragan 2011). With the techniques used by Stuxnet now known, other variants such as Duqu are being discovered and countered by security researchers (Laboratory of Cryptography and System Security 2011). It is obvious that the effort required to create, deploy, and maintain Stuxnet and its variants is massive and it is not clear that the rewards are worth the risk and effort. Given the location of initial infection and the number of infected systems in Iran (Falliere, Murchu and Chien 2011) it is believed that Iranian nuclear facilities were the target of the Stuxnet weapon. A significant amount of money and effort was invested in creating Stuxnet but yet the expected result – assuming that this was an attack that expected to damage production – was minimal at best. Iran claimed that Stuxnet caused only minor damage, probably at the Natanz enrichment facility, the Russian contractor Atomstroyeksport reported that no damage had occurred at the Bushehr facility, and an unidentified “senior diplomat” suggested that Iran was forced to shut down its centrifuge facility “for a few days” (Kerr, Rollins and Theohary 2010). Even the most optimistic estimates believe that Iran’s nuclear enrichment program was only delayed by months, or perhaps years (Rosenbaum 2012). The actual damage done by Stuxnet is not clear (Kerr, Rollins and Theohary 2010) and the primary damage appears to be to a higher number than average replacement of centrifuges at the Iran enrichment facility (Zetter 2011). Different targets may produce different results. The Iranian nuclear facility was a difficult target with limited attack vectors because of its isolation from the public Internet and restricted access to its facilities. What is the probability of a successful attack against the U.S. electrical grid and what are the potential consequences should this critical infrastructure be disrupted or destroyed? An attack against the electrical grid is a reasonable threat scenario since power systems are “a high priority target for military and insurgents” and there has been a trend towards utilizing commercial software and integrating utilities into the public Internet that has “increased vulnerability across the board” (Lewis 2010). Yet the increased vulnerabilities are mitigated by an increased detection and deterrent capability that has been “honed over many years of practical application” now that power systems are using standard, rather than proprietary and specialized, applications and components (Leita and Dacier 2012). The security of the electrical grid is also enhanced by increased awareness after a smart-grid hacking demonstration in 2009 and the identification of the Stuxnet malware in 2010; as a result the public and private sector are working together in an “unprecedented effort” to establish robust security guidelines and cyber security measures (Gohn and Wheelock 2010).

#### Data disproves hegemony impacts

Fettweis, 11

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

It is perhaps worth noting that there is no evidence to support a direct relationship between the relative level of U.S. activism and international stability. In fact, the limited data we do have suggest the opposite may be true. During the 1990s, the United States cut back on its defense spending fairly substantially. By 1998, the United States was spending $100 billion less on defense in real terms than it had in 1990.51 To internationalists, defense hawks and believers in hegemonic stability, this irresponsible “peace dividend” endangered both national and global security. “No serious analyst of American military capabilities,” argued Kristol and Kagan, “doubts that the defense budget has been cut much too far to meet America’s responsibilities to itself and to world peace.”52 On the other hand, if the pacific trends were not based upon U.S. hegemony but a strengthening norm against interstate war, one would not have expected an increase in global instability and violence.

The verdict from the past two decades is fairly plain: The world grew more peaceful while the United States cut its forces. No state seemed to believe that its security was endangered by a less-capable United States military, or at least none took any action that would suggest such a belief. No militaries were enhanced to address power vacuums, no security dilemmas drove insecurity or arms races, and no regional balancing occurred once the stabilizing presence of the U.S. military was diminished. The rest of the world acted as if the threat of international war was not a pressing concern, despite the reduction in U.S. capabilities. Most of all, the United States and its allies were no less safe. The incidence and magnitude of global conflict declined while the United States cut its military spending under President Clinton, and kept declining as the Bush Administration ramped the spending back up. No complex statistical analysis should be necessary to reach the conclusion that the two are unrelated.

Military spending figures by themselves are insufficient to disprove a connection between overall U.S. actions and international stability. Once again, one could presumably argue that spending is not the only or even the best indication of hegemony, and that it is instead U.S. foreign political and security commitments that maintain stability. Since neither was significantly altered during this period, instability should not have been expected. Alternately, advocates of hegemonic stability could believe that relative rather than absolute spending is decisive in bringing peace. Although the United States cut back on its spending during the 1990s, its relative advantage never wavered.

However, even if it is true that either U.S. commitments or relative spending account for global pacific trends, then at the very least stability can evidently be maintained at drastically lower levels of both. In other words, even if one can be allowed to argue in the alternative for a moment and suppose that there is in fact a level of engagement below which the United States cannot drop without increasing international disorder, a rational grand strategist would still recommend cutting back on engagement and spending until that level is determined. Grand strategic decisions are never final; continual adjustments can and must be made as time goes on. Basic logic suggests that the United States ought to spend the minimum amount of its blood and treasure while seeking the maximum return on its investment. And if the current era of stability is as stable as many believe it to be, no increase in conflict would ever occur irrespective of U.S. spending, which would save untold trillions for an increasingly debt-ridden nation.

It is also perhaps worth noting that if opposite trends had unfolded, if other states had reacted to news of cuts in U.S. defense spending with more aggressive or insecure behavior, then internationalists would surely argue that their expectations had been fulfilled. If increases in conflict would have been interpreted as proof of the wisdom of internationalist strategies, then logical consistency demands that the lack thereof should at least pose a problem. As it stands, the only evidence we have regarding the likely systemic reaction to a more restrained United States suggests that the current peaceful trends are unrelated to U.S. military spending. Evidently the rest of the world can operate quite effectively without the presence of a global policeman. Those who think otherwise base their view on faith alone.

## afghanistan

Instability is inevitable but wont escalate

Finel 9 [Dr. Bernard I. Finel, an Atlantic Council contributing editor, is a senior fellow at the American Security Project, “Afghanistan is Irrelevant,” Apr 27 http://www.acus.org/new\_atlanticist/afghanistan-irrelevant]

It is now a deeply entrenched conventional wisdom that the decision to “abandon” Afghanistan after the Cold War was a tragic mistake. In the oft-told story, our “abandonment” led to civil war, state collapse, the rise of the Taliban, and inevitably terrorist attacks on American soil. This narrative is now reinforced by dire warnings about the risks to Pakistan from instability in Afghanistan. Taken all together, critics of the Afghan commitment now find themselves facing a nearly unshakable consensus in continuing and deepen our involvement in Afghanistan. The problem with the consensus is that virtually every part of it is wrong. Abandonment did not cause the collapse of the state. Failed states are not always a threat to U.S. national security. And Pakistan’s problems have little to do with the situation across the border. First, the collapse of the Afghan state after the Soviet withdrawal had little to do with Western abandonment. Afghanistan has always been beset by powerful centrifugal forces. The country is poor, the terrain rough, the population divided into several ethnic groups. Because of this, the country has rarely been unified even nominally and has never really had a strong central government. The dominant historical political system in Afghan is warlordism. This is not a consequence of Western involvement or lack thereof. It is a function of geography, economics, and demography. Second, there is no straight-line between state failure and threats to the United States. Indeed, the problem with Afghanistan was not that it failed but rather that it “unfailed” and becameruled by the Taliban. Congo/Zaire is a failed state. Somalia is a failed state. There are many parts of the globe that are essentially ungoverned. Clearly criminality, human rights abuses, and other global ills flourish in these spaces. But the notion that any and all ungoverned space represents a core national security threat to the United States is simply unsustainable. Third, the problem was the Taliban regime was not that it existed. It was that it was allowed to fester without any significant response or intervention. We largely sought to ignore the regime — refusing to recognize it despite its control of 90% of Afghan territory. Aside from occasional tut-tutting about human rights violations and destruction of cultural sites, the only real interaction the United States sought with the regime was in trying to control drugs. Counter-drug initiatives are not a sound foundation for a productive relationship for reasons too numerous to enumerate here. Had we recognized the Taliban and sought to engage the regime, it is possible that we could have managed to communicate red lines to them over a period of years. Their failure to turn over bin Laden immediately after 9/11 does not necessarily imply an absolute inability to drive a wedge between the Taliban and al Qaeda over time. Fourth, we are now told that defeating the Taliban in Afghanistan is imperative in order to help stabilize Pakistan. But, most observers seem to think that Pakistan is in worse shape now — with the Taliban out of power and American forces in Afghanistan — than it was when the Taliban was dominant in Afghanistan. For five years from 1996 to 2001, the Taliban ruled Afghanistan and the Islamist threat to Pakistan then was unquestionably lower. This is not surprising actually. Insurgencies are at their most dangerous — in terms of threat of contagion — when they are fighting for power. The number of insurgencies that actually manage to sponsor insurgencies elsewhere after taking power is surprising low. The domino theory is as dubious in the case of Islamist movements as it was in the case of Communist expansion. There is a notion that “everything changed on 9/11.” We are backing away as a nation from that concept in the case of torture. Perhaps we should also come to realize that our pre-9/11 assessment of the strategic value and importance of Afghanistan was closer to the mark that our current obsession with it. We clearly made some mistakes in dealing with the Taliban regime. But addressing those mistakes through better intelligence, use of special forces raids, and, yes, diplomacy is likely a better solution than trying to build and sustain a reliable, pro-Western government in Kabul with control over the entire country.

No Pakistan collapse

Bandow 9 – Senior Fellow @ Cato, former special assistant to Reagan (11/31/09, Doug, “Recognizing the Limits of American Power in Afghanistan,” Huffington Post, http://www.cato.org/pub\_display.php?pub\_id=10924)

From Pakistan's perspective, limiting the war on almost any terms would be better than prosecuting it for years, even to "victory," whatever that would mean. In fact, the least likely outcome is a takeover by widely unpopular Pakistani militants. The Pakistan military is the nation's strongest institution; while the army might not be able to rule alone, it can prevent any other force from ruling. Indeed, Bennett Ramberg made the important point: "Pakistan, Iran and the former Soviet republics to the north have demonstrated a brutal capacity to suppress political violence to ensure survival. This suggests that even were Afghanistan to become a terrorist haven, the neighborhood can adapt and resist." The results might not be pretty, but the region would not descend into chaos. In contrast, warned Bacevich: "To risk the stability of that nuclear-armed state in the vain hope of salvaging Afghanistan would be a terrible mistake."

#### No war – deterrence checks escalation

Ganguly, 8

[Sumit Ganguly is a professor of political science and holds the Rabindranath Tagore Chair at Indiana University, Bloomington. “Nuclear Stability in South Asia,” International Security, Vol. 33, No. 2 (Fall 2008), pp. 45–70]

As the outcomes of the 1999 and 2001–02 crises show, nuclear deterrence is robust in South Asia. Both crises were contained at levels considerably short of full-scale war. That said, as Paul Kapur has argued, Pakistan’s acquisition of a nuclear weapons capability may well have emboldened its leadership, secure in the belief that India had no good options to respond. India, in turn, has been grappling with an effort to forge a new military doctrine and strategy to enable it to respond to Pakistani needling while containing the possibilities of conflict escalation, especially to the nuclear level.78 Whether Indian military planners can fashion such a calibrated strategy to cope with Pakistani probes remains an open question. This article’s analysis of the 1999 and 2001–02 crises does suggest, however, that nuclear deterrence in South Asia is far from parlous, contrary to what the critics have suggested. Three specific forms of evidence can be adduced to argue the case for the strength of nuclear deterrence. First, there is a serious problem of conflation in the arguments of both Hoyt and Kapur. Undeniably, Pakistan’s willingness to provoke India has increased commensurate with its steady acquisition of a nuclear arsenal. This period from the late 1980s to the late 1990s, however, also coincided with two parallel developments that equipped Pakistan with the motives, opportunities, and means to meddle in India’s internal affairs—particularly in Jammu and Kashmir. The most important change that occurred was the end of the conflict with the Soviet Union, which freed up military resources for use in a new jihad in Kashmir. This jihad, in turn, was made possible by the emergence of an indigenous uprising within the state as a result of Indian political malfeasance.79 Once the jihadis were organized, trained, armed, and unleashed, it is far from clear whether Pakistan could control the behavior and actions of every resulting jihadist organization.80 Consequently, although the number of attacks on India did multiply during the 1990s, it is difficult to establish a firm causal connection between the growth of Pakistani boldness and its gradual acquisition of a full-fledged nuclear weapons capability.

Second, India did respond with considerable force once its military planners realized the full scope and extent of the intrusions across the Line of Control. Despite the vigor of this response, India did exhibit restraint. For example, Indian pilots were under strict instructions not to cross the Line of Control in pursuit of their bombing objectives.81 They adhered to these guidelines even though they left them more vulnerable to Pakistani ground ªre.82 The Indian military exercised such restraint to avoid provoking Pakistani fears of a wider attack into Pakistan-controlled Kashmir and then into Pakistan itself. Indian restraint was also evident at another level. During the last war in Kashmir in 1965, within a week of its onset, the Indian Army horizontally escalated with an attack into Pakistani Punjab. In fact, in the Punjab, Indian forces successfully breached the international border and reached the outskirts of the regional capital, Lahore. The Indian military resorted to this strategy under conditions that were not especially propitious for the country. Prime Minister Jawaharlal Nehru, India’s first prime minister, had died in late 1964. His successor, Lal Bahadur Shastri, was a relatively unknown politician of uncertain stature and standing, and the Indian military was still recovering from the trauma of the 1962 border war with the People’s Republic of China.83 Finally, because of its role in the Cold War, the Pakistani military was armed with more sophisticated, U.S.-supplied weaponry, including the F-86 Sabre and the F-104 Starfighter aircraft. India, on the other hand, had few supersonic aircraft in its inventory, barring a small number of Soviet-supplied MiG-21s and the indigenously built HF-24.84 Furthermore, the Indian military remained concerned that China might open a second front along the Himalayan border. Such concerns were not entirely chimerical, because a Sino-Pakistani entente was under way. Despite these limitations, the Indian political leadership responded to Pakistani aggression with vigor and granted the Indian military the necessary authority to expand the scope of the war. In marked contrast to the politico-military context of 1965, in 1999 India had a self-confident (if belligerent) political leadership and a substantially more powerful military apparatus. Moreover, the country had overcome most of its Nehruvian inhibitions about the use of force to resolve disputes.85 Furthermore, unlike in 1965, India had at least two reserve strike corps in the Punjab in a state of military readiness and poised to attack across the border if given the political nod.86 Despite these significant differences and advantages, the Indian political leadership chose to scrupulously limit the scope of the conflict to the Kargil region. As K. Subrahmanyam, a prominent Indian defense analyst and political commentator, wrote in 1993:.

The awareness on both sides of a nuclear capability that can enable either country to assemble nuclear weapons at short notice induces mutual caution. This caution is already evident on the part of India. In 1965, when Pakistan carried out its “Operation Gibraltar” and sent in infiltrators, India sent its army across the cease-fire line to destroy the assembly points of the infiltrators. That escalated into a full-scale war. In 1990, when Pakistan once again carried out a massive infiltration of terrorists trained in Pakistan, India tried to deal with the problem on Indian territory and did not send its army into Pakistan-occupied Kashmir.87

#### No iran prolif and the timeframe is huge

Colin H. **Kahl 12**, security studies prof at Georgetown, senior fellow at the Center for a New American Security, was Deputy Assistant Secretary of Defense for the Middle East, “Not Time to Attack Iran”, January 17, <http://www.foreignaffairs.com/articles/137031/colin-h-kahl/not-time-to-attack-iran?page=show>

Kroenig argues that there is an urgent need to attack Iran's nuclear infrastructure soon, since Tehran could "produce its first nuclear weapon within six months of deciding to do so." Yet that last phrase is crucial. The International Atomic Energy Agency (IAEA) has documented Iranian efforts to achieve the capacity to develop nuclear weapons at some point, but there is no hard evidence that Supreme Leader Ayatollah Ali Khamenei has yet made the final decision to develop them. In arguing for a six-month horizon, Kroenig also misleadingly conflates hypothetical timelines to produce weapons-grade uranium with the time actually required to construct a bomb. According to 2010 Senate testimony by James Cartwright, then vice chairman of the U.S. Joint Chiefs of Staff, and recent statements by the former heads of Israel's national intelligence and defense intelligence agencies, even if Iran could produce enough weapons-grade uranium for a bomb in six months, it would take it at least a year to produce a testable nuclear device and considerably longer to make a deliverable weapon. And David Albright, president of the Institute for Science and International Security (and the source of Kroenig's six-month estimate), recently told Agence France-Presse that there is a "low probability" that the Iranians would actually develop a bomb over the next year even if they had the capability to do so. Because there is no evidence that Iran has built additional covert enrichment plants since the Natanz and Qom sites were outed in 2002 and 2009, respectively, any near-term move by Tehran to produce weapons-grade uranium would have to rely on its declared facilities. The IAEA would thus detect such activity with sufficient time for the international community to mount a forceful response. As a result, the Iranians are unlikely to commit to building nuclear weapons until they can do so much more quickly or out of sight, which could be years off.

# 2NC

## Agenda 1NC

#### Congress doesn’t perceive creation of SEP penalties

Bonorris 7

Steven Bonorris, associate director for research at the Center for State and Local. Government at the University of California Hastings College of the Law, Harvard Law School J.D., Written in association with the American Bar Association’s Section of Individual Rights and Responsibilities; Co-Sponsored by the Section of Environment, Energy, and Natural Resources and Section of State and Local Government Law, 2007, Supplemental Environmental Projects: A Fifty State Survey with Model Practices, http://www.ecy.wa.gov/services/enforce/settlements/ABAHastingsSEPreport.pdf

EPA’s interpretation of its authority under the CAA, as allowing consent decrees with SEPs, gains support from long Congressional inaction in the face of a decade and a half of settlements with SEPs. While there is a “general reluctance of courts to rely on congressional inaction as a basis for statutory interpretation ... [u]nder certain circumstances, inaction by Congress may be interpreted as legislative ratification of or acquiescence to an agency's position.”131 Relevant factors include whether Congress has held hearings on the issue as well as Congress’ awareness of the agency action in considering related legislation.132 Congress has long been aware of EPA’s practice of including SEPs in settlements.133 The Conference Committee Report discussing what would become the 1987 amendments to the Clean Water Act noted:

In certain instances settlements of fines and penalties levied due to NPDES permit and other violations have been used to fund research, development and other related projects which further the goals of the Act. In these cases, the funds collected in connection with these violations were used to investigate pollution problems other than those leading to the violation. Settlements of this type preserve the punitive nature of enforcement actions while putting the funds collected to use on behalf of environmental protection. Although this practice has been used on a selective basis, the conferees encourage this procedure where appropriate.134

Hence, it may be argued that this language amounts to approbation of U.S. EPA’s SEP practices, even though Congress has not passed legislation clarifying EPA’s SEP authority.

## sep

#### The CP causes broad industry shift to non-compliance

Bonorris 7

Steven Bonorris, associate director for research at the Center for State and Local. Government at the University of California Hastings College of the Law, Harvard Law School J.D., Written in association with the American Bar Association’s Section of Individual Rights and Responsibilities; Co-Sponsored by the Section of Environment, Energy, and Natural Resources and Section of State and Local Government Law, 2007, Supplemental Environmental Projects: A Fifty State Survey with Model Practices, http://www.ecy.wa.gov/services/enforce/settlements/ABAHastingsSEPreport.pdf

Critics of SEPs argue that SEPs may be too much of a “win” for violators, and fail to maintain the deterrent effect that is the raison d’etre of environmental regulation. SEPs raise the possibility of underdeterrence by opening up the possibility for opportunistic violators to reduce the actual cost of the environmental penalty, as well as creating the possibility of tax deductions for SEP costs. 181 To counteract this, many state SEP policies prevent the violators from benefiting too greatly from the performance of a SEP. For example, instead of allowing violators to benefit from a public perception that they are actually environmental benefactors through publicizing SEPs, SEP policies usually require violators to indicate that the SEPs have been undertaken as part of an enforcement agreement. 182

In addition, the allowance of a SEP as part of an enforcement action is a discretionary decision left up to the regulatory agency. 183 Under most SEP policies, if the agency believes that a proposed project would fail to provide a sufficient deterrent effect, then the agency will not permit the project and instead, demand the full payment of the civil penalty. 184 For example, if the proposed project primarily benefits the violator, rather than the environment or the public health, then it will not be approved as a SEP.185 Similarly, if a project is approved but the agency finds that it still benefits the violator, those benefits will often be given a monetary value which the agency will then deduct from the mitigation amount of the SEP.186

The capacity for underdeterrence is particularly acute as the SEP cost itself is a new source of regulatory uncertainty: usually, SEP costs are assessed and reported by the violator, and the regulator has no mechanism for confirming the reported figures.187 Opportunistic violators may overestimate SEP costs in order to receive greater relief from the calculated penalty, or they may underreport the business benefits of SEPs.188 In order to track SEP implementation, many state SEP policies require the submission of detailed cost estimates and certifications of progress, as well as provide for stipulated penalties for SEPs that end up costing less than estimated. However, the literature has not quantified the efficacy of these measures against opportunistic violators. 189

Apart from the problem of the opportunistic violator, another criticism of the SEP system is that it creates inconsistency in enforcement. Because regulators cannot accurately assess all of the relevant variables for penalty calculations (or the collateral economic benefits conferred to the violator), the resulting inaccuracy of penalty assessments creates inconsistency in the application of regulations.190 The addition of a SEP with its calculations of potential benefit to the violator superadds a layer of uncertainty and the possibility of error to this enforcement picture. Apart from the inherent inequity of inconsistent penalties across violators, overly light penalties effectively confer unfair economic advantage over competitors who have made the required expenditures to comply with environmental regulations. 191 In addition, the possibility that some violators might receive lighter penalties could induce risk-tolerant would-be violators to adopt a different compliance strategy.

## China Impact

#### Scientific diplomacy’s the largest area of U.S.-China cooperation---turns and outweighs the aff

Norman P. Neureiter 12, serves as the chair of Science & Diplomacy's Senior Advisory Board, March 2012, “Science and Diplomacy: The Past as Prologue,” http://www.sciencediplomacy.org/editorial/2012/science-and-diplomacy

The year 1972 saw two brilliant and totally unexpected diplomatic initiatives that rearranged the geopolitical construct of the world—and science played a role in each. For President Richard Nixon’s historic visit to China, his National Security Advisor Henry Kissinger had asked the White House Office of Science and Technology (then headed by Edward David) to prepare specific proposals for science cooperation. Nixon and Kissinger wanted to offer the Chinese something concrete, something substantive beyond the policy changes that were at the heart of the visit. In the remarkable Shanghai Communiqué, which was signed at the end of the visit, they included science as one of the areas noted for future cooperation between the United States and China. Today, U.S. science and technology (S&T) collaboration with China is one of America’s largest cooperative programs, and productive relationships exist across multiple disciplines. While for many Americans today, China is seen more as a competitor than a partner in applying science to solve the broad challenges facing the world, the reality is that science cooperation has provided great benefits to both countries in areas ranging from climate change and environment to energy and food security, among others. These relationships have also made it possible for AAAS to convene joint U.S.-China workshops on ethical standards in the practice of science—essential to effective long-term cooperation.

Hachigian, senior fellow – Center for American Progress, ‘10

(Nina, “The US-China Expectations Gap: An Exchange,” *Survival*, Volume 52, Issue 4, August, p. 67 – 86)

We find ourselves at a transitional moment in the global order. China, long a rising power, has now arrived on the world stage. The United States, for two decades the sole global superpower, is reeling from the global economic downturn and entangled in two difficult wars. Meanwhile, global threats like the economic crisis, global warming and nuclear proliferation only grow more intense.

These shifts in the international environment raise some major questions. To what extent do shared global challenges push the United States and China toward shared responsibility? What considerations will spur them to join or lead other nations in collective action? What are the signs that China is ready to help solve global problems? What are the signs that the United States is genuinely ready to share leadership? What will be the consequences if US and Chinese foreign policies fail to coordinate on matters of shared concern?

The White House under President Barack Obama has outlined the contours of a national security paradigm that differs substantially from its predecessor. It is clear to the president's political allies and detractors alike that he approaches foreign policy not in terms of asserting America's unparalleled might, but of seeking common cause on shared global challenges. In our age of security interdependence, the White House realises that cooperation with pivotal powers like China is vital to resist threats - terrorism, nuclear proliferation, pandemics, economic crises, global warming - that can harm Americans where they live. In other words, the extent to which China helps solve global problems has very tangible consequences for ordinary Americans, affecting the frequency and severity of hurricanes they experience, the quality of their jobs, or the degree of protection they enjoy against avian flu and rogue nuclear states such as North Korea.

Washington and Beijing have framed US-China relations as a positive, constructive and comprehensive relationship that provides a basis for partnership and shared responsibility on the key global issues of our time. For this approach to truly contribute toward international peace and prosperity, however, China has to become more active in forging collective responses to global challenges, and the United States has to accept China's greater influence over those responses. The stakes are high; if Beijing and Washington fail to cooperate, progress will falter and the consequences could be disastrous.

#### Disease causes extinction

Keating, 9

(Deputy Web Editor-Foreign Policy, 11/13, “The End of the World, http://www.foreignpolicy.com/articles/2009/11/13/the\_end\_of\_the\_world?page=full)

How it could happen: Throughout history, plagues have brought civilizations to their knees. The Black Death killed more off more than half of Europe's population in the Middle Ages. In 1918, a flu pandemic killed an estimated 50 million people, nearly 3 percent of the world's population, a far greater impact than the just-concluded World War I. Because of globalization, diseases today spread even faster - witness the rapid worldwide spread of H1N1 currently unfolding. A global outbreak of a disease such as ebola virus -- which has had a 90 percent fatality rate during its flare-ups in rural Africa -- or a mutated drug-resistant form of the flu virus on a global scale could have a devastating, even civilization-ending impact. How likely is it? Treatment of deadly diseases has improved since 1918, but so have the diseases. Modern industrial farming techniques have been blamed for the outbreak of diseases, such as swine flu, and as the world’s population grows and humans move into previously unoccupied areas, the risk of exposure to previously unknown pathogens increases. More than 40 new viruses have emerged since the 1970s, including ebola and HIV. Biological weapons experimentation has added a new and just as troubling complication.

## Uniqueness Frontline

#### Helium supplies will be sufficient to meet current demand because U.S. demand growth is slow

John Campbell 12, Former Member of the National Research Council's Committee on Understanding the Impact of Selling the Helium Reserve President and CEO of J.R. Campbell and Associates, 7/20/12, Helium: Supply Shortages Impacting our Economy, National Defense and Manufacturing, Congressional Documents & Publications, p. lexis

The industry consensus is that the helium market should be able to recover demand levels by late 2013 when planned major new supply is added. This projection reflects a best estimate based on known demand data and historical information on how helium markets have recovered in past economic downturns. CryoGas International discussed this helium demand scenario and projections for future growth in North America, Europe, Asia, and the ME with the major gas companies. We also reviewed the applications behind the demand and the basis for growth in the fastest growing segments.

The overall consensus among industrial gas producers is that new demand for helium will grow the fastest in Asia at around 7-10 percent and in the ME at around 4-7 percent. Demand growth in the US and in Europe will be slower, 1-2 percent projected in the US and 2-3 percent in Europe.

The electronics industry will remain the main growth driver for helium as that market has rebounded more quickly than others. The growth in Asia can be expected to be broad-based, encompassing electronics-related segments, such as fiber optics, LCD, and semiconductor manufacturing, and general manufacturing and healthcare related applications as the overall economy expands.

Currently, the US remains the largest market for helium demand worldwide, at about 37 percent, or about 2.3 Bcf/yr, as shown in Figure 2. The rate of demand growth for helium in the US has declined since 2000 as large markets for helium, such as MRI, matured. Debt issues in the US and Europe as well as increased helium conservation and recycle measures are also responsible for reduced demand in these more mature markets.

#### Current supply expansions will only meet demand if it stays on its current trajectory---plan upsets the balance---prices are on the brink

John Campbell 12, Former Member of the National Research Council's Committee on Understanding the Impact of Selling the Helium Reserve President and CEO of J.R. Campbell and Associates, 7/20/12, Helium: Supply Shortages Impacting our Economy, National Defense and Manufacturing, Congressional Documents & Publications, p. lexis

As noted, new sources and expansions to helium capacity/production have come on-stream or are planned in Darwin, Australia, Riley Ridge in the US, and in the ME/Africa (i.e., Qatar II and Skikda) during the next three years. These sources should be sufficient to meet worldwide demand for the next four years, given moderate growth in demand and continued global economic recovery. Figures 7 to 8 address the difference between Nameplate Capacity and Maximum Deliverable Production volumes. That difference accounts for supply disruptions at helium sources across the globe, lack of feedstock from LNG plants caused by lower consumption during the economic recession, as well as planned and prolonged planned shutdowns. There should be adequate future sources of helium from natural gas projects, even in the US (i.e., carbon dioxide recovery for enhanced oil recovery projects like the one being considered by Kinder Morgan in St. Johns, AZ). However, consensus is that they will provide helium at much higher prices than users are accustomed to paying.

## zero sum

#### Current tightness in the market is unprecedented---makes tradeoffs highly likely

Walter Nelson 12, Director, Helium Sourcing and Supply Chain Air Products and Chemicals, Inc, 7/20/12, Helium: Supply Shortages Impacting our Economy, National Defense and Manufacturing, Congressional Documents & Publications, p. lexis

As my testimony will explain at length, the current tightness in the helium market is unprecedented. Air Products and others in the industrial gas business are the victims here, along with our customers. The factors contributing to supply disruptions range from reduced extraction of helium-rich gases, planned and unplanned outages of both domestic and foreign helium processing plants and delays in commencing operations of new helium refineries. Shortages are especially acute as a result of the planned outage of the Bureau of Land Management system this July, the timing of which we consider non-negotiable on safety grounds.

## 2nc no cash/murdoch

Military will run out of cash—means zero new platforms or programs

Spring, research fellow in national security – Heritage, 12/21/’11

(Baker, “An Unacceptable Squeeze on Defense Modernization”)

Following the enactment of the Budget Control Act earlier this year, the budget for the core defense program is already operating under stringent spending caps. At the same time, per capita expenditures for paying military personnel and operating the force are high and growing rapidly. Under these circumstances, funding for the procurement of new weapons and equipment and for research and development on new defense technologies will be squeezed to a dangerous degree.

A Looming Disaster for the Military and U.S. Security

Both the Obama Administration and Congress will be tempted to leave the defense spending caps in place—if not to go to even lower caps—now that the sequestration process could be applied to the defense budget under the Budget Control Act. This is a result of the failure of the Joint Select Committee on Deficit Reduction (“super committee”) to agree on an alternative deficit-reduction plan and adopt a policy of “people over platforms” in slicing up the defense budget pie. Given the uncertainties in the application of the sequestration process, it is impossible to calculate precisely how much more the modernization accounts will be squeezed if that process kicks in. Suffice it to say that the problem is likely to become dramatically worse.

The implications of the coming squeeze on defense modernization under the existing spending caps should cause **great alarm** for all concerned, particularly since it comes on the heels of the “procurement holiday” of the 1990s. The result will be a military that lacks the modern weapons and equipment it needs, loses its technological edge over future enemies, and finds itself dependent on a seriously eroded defense industrial base.

Congress will have to take two essential steps to avoid a disastrous outcome for the military and U.S. security. First, it will have to increase the existing caps on spending for the core defense program and find savings elsewhere in the federal budget to offset this change, in accordance with Heritage’s December 5 recommendations.[1] Second, it will have to take steps to constrain per capita growth in the cost of compensating military personnel.

The Sources of the Modernization Squeeze

There are two sources of the squeeze on military modernization. First, the Budget Control Act has established caps on spending for national security and discretionary spending over the next 10 years that translate into inadequate defense budgets under any circumstance. These caps will constitute top-down pressure on the modernization accounts (procurement and research and development) within the defense budget.

This top-down pressure will be accompanied by significant pressure from underneath by growth in both the overall and per capita costs of compensating military personnel. These increasing costs are largely driven by the array of defined benefits offered by the Department of Defense to military service members and their dependents, which fall mostly in the areas of military retirement and health care. These would be more effective and efficient if they were converted to defined-contribution plans.

According to the Department of Defense (DOD), its overall military manpower costs will rise from roughly $148 billion today to more than $160 billion in fiscal year (FY) 2016. This increase will come in spite of proposed reductions in the number of people serving in the active-duty military. Although the number of active-duty military personnel is projected to drop by about 5 percent from FY 2012 through FY 2016, military personnel spending will rise, thanks to growing per capita compensation costs. Per capita compensation for active-duty personnel is projected to rise by more than 13 percent during the same five-year period.

The reduction in the number of active-duty military personnel, as currently projected by the Obama Administration, will create a force that is too small to defend the vital interests of the United States. The Heritage Foundation has recommended that this reduction not be imposed. Accordingly, DOD’s projection of total military manpower costs is well below what is prudent. It is also appropriate to point out that while, according to the Congressional Budget Office, the overall per capita costs for operation and maintenance will come down with the withdrawal of U.S. forces from Iraq and Afghanistan, the per capita costs for operations and maintenance within the core defense program will continue to rise as well.

The Scope of the Modernization Squeeze

As a result of the twin pressures of the estimated spending caps on the core defense program derived from the Budget Control Act—which still excludes the more stringent caps that would result from the imposition of a partial or full sequestration under the Act—and the rising cost of military compensation, the level of funding for military modernization will necessarily fall to unacceptably low levels. (See chart.) Under this scenario, funding for defense modernization within the core defense program (defined as the sum of DOD’s procurement account and research, development, test, and evaluation account) could fall to roughly $145 billion in current dollars in FY 2016.

By way of comparison, $188.4 billion was to go to these accounts under President Obama’s original budget request for FY 2012. Thus, the level of modernization funding is estimated to decline by about $43 billion in current dollars, or 23 percent, over the four-year period. In terms of inflation-adjusted dollars, the decline will be roughly $54 billion (in FY 2012 dollars), or about 29 percent. In other words, President Obama’s original request for the core DOD budget would have devoted roughly 34 percent of that budget to modernization. By 2016, modernization funding could fall to about 26 percent of total DOD funding for its core program.

When these comparisons are expanded to provide a broader perspective, the situation becomes even more alarming. For example, the Department of Defense spent more than $226 billion on modernization in FY 1985 (in FY 2012 dollars). This was 39 percent of the total DOD budget. That means DOD could be on a path to cutting modernization’s share of its total budget to little more than one-half of what it was in FY 1985.

Any new modernization will be upgrades, not new tech

Garcia, North American communications department – Frost & Sullivan, 10/3/’12

(Jeannette, “United States Defense Budget Cuts Threaten "New Start" Ground Combat Vehicles, Finds Frost & Sullivan,” <http://www.frost.com/prod/servlet/press-release.pag?docid=267315751>)

MOUNTAIN VIEW, Calif. - October 3, 2012 - The Budget Control Act (BCA) of 2011 could force the Department of Defense (DoD) to cut approximately $1 trillion in spending over the next 10 years, **as well as** significantly reduce military expenditures for new weapons systems. This is expected to drive the development of cost-effective, modern, multi-purpose ground combat vehicles (GCV) that can be deployed in urban, rural and coastal terrain.

New analysis from Frost & Sullivan (http://www.defense.frost.com), Analysis of the DoD Ground Combat Vehicle Market, finds that the GCV market generated revenues of over $3.67 billion in 2011 and estimates that revenues will decrease to $3.19 billion by 2017. The DoD has earmarked a budget of $2.61 billion for GCVs, with the Army accounting for $2.18 billion of the total purse.

If you are interested in more information on this research, please send an email to Jeannette Garcia, Corporate Communications, at jeannette.garcia@frost.com, with your full name, company name, title, telephone number, company email address, company website, city, state and country.

The February 2011 report on defense intelligence from the Defense Science Board Task Force identified 24 countries that could pose counterinsurgency (COIN) challenges to the United States, revealing that traditional combat is giving way to irregular warfare (IW). COIN operations usually involve long, sustained ground engagements and current COIN as well as nation-building activities in countries such as Iraq, Afghanistan, Libya and Yemen drive the continued need for GCVs.

"Mandated budget cuts, reductions in ground troops and the shift in military strategy to the Asia Pacific will force armed services to make tough decisions on the type of programs they need to cut, reduce, maintain or increase," said Frost & Sullivan Senior Industry Analyst Michael Blades. "If sequestration occurs, all GCV modernization programs are likely to be terminated."

To maintain a balanced force, services need networked vehicles for full-spectrum operations. Future combat vehicles must give soldiers the option of off-road maneuvering, greater protection against improvised explosive devices (IEDs) on established roads, better mobility in urban areas and enhanced on-the-move communication and networking capabilities.

"Next-generation platforms are also likely to be based on existing commercial or government off-the-shelf vehicles," said Blades. "Upgrades will be preferred over building vehicles from-the-ground-up."

At best takes decades

Sarewitz, Co-Director – Consortium for Science, Policy & Outcomes, and Thernstrom, senior climate policy advisor – Clean Air Task Force, ‘12

(Daniel and Samuel, “Introduction,” in Energy Innovation at the Department of Defense: Assessing the Opportunities, March)

In the 2009 Defense Authorization Act, Congress instructed¶ DoD to consider the fully burdened costs of energy in future¶ acquisition decisions (i.e., life-cycle costs attributable to energy¶ consumption). As yet, no information on fully burdened energy¶ costs calculated under DoD’s implementing regulations appears¶ to be publicly available. More to the point, acquisition programs¶ take years to complete, and systems then remain in service for¶ decades. The major programs under way today will dominate¶ DoD energy consumption for the next half century. These¶ programs, such as the F-35 Joint Strike Fighter, reflect decisions¶ made when DoD considered energy consumption primarily¶ as it affected platform range (and carbon footprint was of no¶ concern at all). The F-35 program began in the mid-1990s, when¶ oil sold for around $20 per barrel; low-rate production began in¶ 2005, testing and engineering development will continue until¶ at least 2018, and current plans call for cumulative deliveries of¶ 2,456 aircraft through 2035. Ongoing incremental changes to the¶ F-35’s engine, airframe, and flight controls will at best reduce fuel¶ consumption a little.¶ Major systems invariably cost too much for frequent¶ replacement, and consequently remain in service for lengthy¶ periods. Acquisition costs for the F-35, DoD’s most expensive¶ program, are expected to exceed $385 billion.17 Each Littoral¶ Combat Ship, exclusive of weapons modules, will cost some¶ $500 million (in 2011 dollars); the Navy hopes to buy 55.18 DoD¶ has purchased nearly 28,000 MRAPs for some $44 billion.19¶ Modifications or retrofitting to reduce the energy consumption¶ of existing systems, while frequently suggested, has almost¶ always been rejected as too costly, as for the Abrams. For the¶ B-52, designed in the early 1950s and still an Air Force mainstay,¶ “numerous re-engining studies over the years (at least nine¶ studies since 1984)” have reached the same conclusion: almost¶ regardless of future oil prices, total costs will rise.¶ Although the F-35’s 40-year acquisition cycle is extreme,¶ **even low-cost, straightforward programs** take so long to¶ complete that equipment may be obsolete by the time it¶ reaches the field. More than four-fifths of the 125,000 diesel¶ generators in DoD’s inventory are decades old, based on¶ designs laid down in the 1960s.20 They burn more fuel than¶ up-to-date equipment—in Iraq and Afghanistan consuming¶ greater quantities than armored vehicles, helicopters, or trucks¶ (including transport convoys that haul in the fuel)—and make¶ more noise, which can alert the enemy.21¶ The Army began work on a family of five new generators¶ (with capacities ranging from 5 to 60 kilowatts) in the late 1990s.¶ Pilot production of the first of these Advanced Medium Mobile¶ Power Sources (AMMPS) units began in 2011.22 Once they are in¶ full production, DoD plans to buy several thousand of the several¶ AMMPS models each year, an annual total of around 10,000.¶ AMMPS generators burn perhaps 20 percent less fuel, depending¶ on the model, than units purchased under the preceding Tactical¶ Quiet Generator (TQG) program, which themselves perform¶ better than the 1960s-era generators that still account for most¶ of DoD’s inventory. Production of TQG generators began in the¶ early 1990s, and procurement of some models will continue until¶ 2015 or beyond. It may take almost as long, two or three decades,¶ to turn over DoD’s inventory of diesel-powered generators as it¶ will to replace existing Air Force, Navy, and Marine Corps fighters¶ with the futuristic F-35. The point is simple enough: shorter¶ acquisition cycles may be highly desirable, but repeated efforts¶ at reform since the 1960s have accomplished little; to cut energy¶ consumption over the next two or three decades, the services¶ have no real choice but to change their operating practices.

## solvency

#### Despite tech development, restrictions undermine testing and deployment of high-altitude wind power

Levitan 12 (Dan is freelance journalist based in Philadelphia who writes about energy, the environment, and health. His articles have been published by Reuters, SolveClimate, IEEE Spectrum, and Psychology Today. High-Altitude Wind Energy: Huge Potential — And Hurdles,

9/25/12, <http://e360.yale.edu/mobile/feature.msp?id=2576>)

According to an industry survey by the nonprofit energy analysis group Near Zero, the biggest remaining issue is reliability: In order to be viable, airborne devices would need to stay aloft for long periods of time with little maintenance required. Reaching up into the powerful winds of the jet stream is the real prize. When it comes to really taking advantage of higher altitude wind, Caldeira points out that reaching as high as the jet stream is the real prize. The power density in Earth’s jet streams is around 100 times that of sunlight hitting a standard photovoltaic cell. “The fact that there is no other renewable energy source available in abundance with such high power densities says to me that we should have a research program trying to exploit it,” Caldeira says. But the differences in engineering requirements between flying a device at 1,000 feet and at five or six miles are enormous. Outside of R&D issues, another huge challenge is regulation. What, exactly, is a 80-foot-wide device, tethered to the ground, flying circles 1,000 feet up in the air? Is it an airplane? A “building” or “obstacle”? There is no clear regulatory framework for the industry, though in 2011 the U.S. Federal Aviation Administration did begin a process meant to include airborne wind systems in their governing structure. For the moment, this will limit testing to 499 feet of altitude, meaning the jet streams are still far out of reach. “There is no way you can operate without some form of official approval from the authorities,” Ruiterkamp of Ampyx says. But he warns against trying to create a new regulatory framework from scratch, either in the Netherlands where his company is based, or in the U.S. “If you have to set this up all by yourself as an industry, it might take 15 years and there is no guarantee what the outcome will be,” Ruiterkamp says. He thinks that convincing authorities to work within the existing regulatory environmentfor manned and, increasingly, unmanned aircraftis the best approach**.** Safety and related regulations are not trivial concerns. That 5-MW Makani device that’s in the works? Its 213-foot wingspan is about the same as that of a Boeing 747. If something that big breaks its tether and hits the ground, it poses obvious dangers. Even the M600 is roughly the same width as the wingspan of a Boeing 737. Clearly, if industrial-scale farms are coming that feature these mammoths flying around at the end of 1,000-foot tethers, it can’t happen without strict regulatory control. In spite of the obstacles, proponents say, the sheer magnitude of the energy in high-altitude wind makes this well worth trying. “Whether the total resource is 100 terawatts, 1,000, or 2,000, I don’t know exactly,” says Archer. But regardless of the actual number, she says, the energy in high-altitude wind is “much higher than we would ever possibly need.”

#### The plan is key to speed up development and deployment

Davis 12(Steve, Assistant Professor at UC Irvine; Chief Scientist at Near Zero; Post-Doctoral Research Associate at Carnegie Institution, Energy High in the Sky, 9/11/12, http://www.nearzero.org/reports/AirborneWind)

Near Zero conducted both an informal discussion and a formal survey to find out what technologies are most advanced, which have the best potential, and how best government could jumpstart the development of the airborne wind energy industry. **Thirty-one experts** completed the formal survey, **identifying technological**, engineering, **and regulatory barriers to** testing **a**irborne **w**ind **e**nergy technologies and **bringing the industry to large scale**. Airborne wind energy **could grow quickly**. **As long as it gets a jumpstart.** The results suggest that the airborne wind energy could grow quickly, as long as it gets a jumpstart with government funding for R&D. During this initial stage of the industry’s development, funding of $10 million per year could cut many years off how long it takes for the industry to reach a significant scale, and funding of $100 million per year would further accelerate the deploymentof high-altitude wind generators, the experts said. Although there are many technological and engineering barriers, most of the **experts agreed that** one of **the biggest barrier**s **is** the body of **existing regulations**, which pose a challenge both **for testing** prototypes today **and** for **large-scale implementation** in coming years. These **regulations include limits on what kinds of aircraft can fly and where**, and also requirements for permits and safety systems.

#### R and D necessary

**Wind Daily 12**

Wind Daily 9/13/12, “High-altitude winds have large potential as a source of clean energy”, http://www.winddaily.com/reports/High\_altitude\_winds\_have\_large\_potential\_as\_a\_source\_of\_clean\_energy\_999.html //jchen

Airborne wind energy-an emerging approach to harnessing high-altitude winds-could scale up fairly quickly if given significant government support for research and development, according to a survey of experts by Near Zero, a nonprofit energy research organization. Winds near Earth's surface are already used to generate substantial amounts of electricity. However, higher in the sky-much higher than today's wind turbines can reach-winds tend to be stronger and steadier, making these winds an even larger source of energy. According to recent research, the amount of energy that can potentially be extracted from high-altitude winds is enormous. However, the field of airborne wind energy is still in its infancy and faces many challenges before it becomes commercially competitive. Near Zero conducted both an informal discussion and a formal survey to find out what technologies are most advanced, which have the best potential, and how best government could jumpstart the development of the airborne wind energy industry. Thirty-one experts completed the formal survey, identifying technological, engineering, and regulatory barriers to testing airborne wind energy technologies and bringing the industry to large scale. The results suggest that the airborne wind energy industry could grow quickly, as long as it receives a boost through government funding for R and D. During this initial stage of the industry's development, funding of $10 million per year could cut many years off how long it takes for the industry to reach a significant scale, and funding of $100 million per year would further accelerate the deployment of high-altitude wind generators, the experts said. However, there are many barriers facing airborne wind energy. According to the results of the expert survey, the primary barrier is the reliability of the technologies, since airborne wind energy systems would have to remain aloft for long periods of time, in the face of shifting winds and changing weather. The body of existing regulations is the second-highest barrier, posing a challenge both for testing prototypes today and for large-scale implementation in coming years, according to the survey. Thus regulations pose a challenge for rapid testing of various prototypes, to see which may be commercially viable. The experts favored particular types of systems-those using rigid wings-and argued against putting large funding toward approaches using balloons. Some experts also suggested installing airborne wind energy systems offshore, in part because of the large wind resource available, and because regulatory and safety issues may be easier to resolve than for land-based systems. Near Zero is a non-profit organization based in Stanford, CA, founded to improve dialogue between energy experts and those who make and influence decisions about energy, in both government and business. Decision makers often lack credible, impartial and timely sources of information that reflect the range of expert opinion. Through open discussions and formal surveys, Near Zero aims to find out what the top experts agree on-and where they disagree, the organization works to uncover the range of opinion and reasons for the differences. Near Zero's aim is to help find paths to reducing greenhouse gas emissions. The organization has no commitment to any particular technology or approach.

#### Consensus agrees

Inman ‘12

Mason, graduate of the Science Writing program at the University of California in Santa Cruz, Winning a Middlebury Fellowship in Environmental Journalism, journalist who covers climate and energy issues. “Energy High in the Sky EXPERT PERSPECTIVES on Airborne Wind Energy Systems” AM

About two dozen research groups—at companies, universities, and government labs including NASA—have been studying ways of capturing energy from these high-altitude winds. These approaches are generally known as “airborne wind energy,” and while diverse, they all involve a flying component that harnesses the wind energy—in some cases kites, airfoils, blimp-like balloons, and wings or planes. In each case, the aircraft is held in place by a tether that ties them to a particular locale, while also transmitting energy from high-altitudes down to the ground. The amount of energy that can potentially be extracted from high-altitude winds is enormous, but the field of airborne wind energy is still in its infancy, according to an independent report by renewable energy consultants GL Garrad Hassan. Near Zero conducted both an informal discussion and a formal survey to find out what technologies are most advanced, which have the best potential, and how best government could jumpstart the development of the airborne wind energy industry. Thirty-one experts completed the formal survey, identifying technological, engineering, and regulatory barriers to testing airborne wind energy technologies and bringing the industry to large scale. The results suggest that the airborne wind energy could grow quickly, as long as it gets a jumpstart with government funding for R&D. During this initial stage of the industry’s development, funding of $10 million per year could cut many years off how long it takes for the industry to reach a significant scale, and funding of $100 million per year would further accelerate the deployment of high-altitude wind generators, the experts said. Although there are many technological and engineering barriers, most of the experts agreed that one of the biggest barriers is the body of existing regulations, which pose a challenge both for testing prototypes today and for large-scale implementation in coming years. These regulations include limits on what kinds of aircraft can fly and where, and also requirements for permits and safety systems. Thus regulations pose a challenge for rapid testing of various prototypes, a process experts said is necessary for working out which technologies are most promising, and to allow them to cross the “valley of death” from prototype stage to commercial stage. The experts argued in favor of spending a larger share of research funds on systems that show greater promise of being able to scale up to large systems. They favored particular types of systems—those using rigid wings—and argued against funding those using balloons. Some experts also suggested installing airborne wind energy systems offshore, in part because of the large wind resource available, and because regulatory and safety issues may be easier to resolve than for land-based systems.

#### They can’t solve on time

Inman ‘12

Mason, graduate of the Science Writing program at the University of California in Santa Cruz, Winning a Middlebury Fellowship in Environmental Journalism, journalist who covers climate and energy issues. “Energy High in the Sky EXPERT PERSPECTIVES on Airborne Wind Energy Systems” AM

Near Zero asked how long it would take to reach 1 gigawatt in each of three cases: no support, $10 million per year, and $100 million per year (see Fig. 6). The experts’ answers diverged widely, with some saying airborne wind energy could reach 1 gigawatt within a few years, while others said it would take many decades—perhaps 50 years or more. But all agreed that with no government support, it would take far longer for airborne wind energy to scale up.

#### nowhere close to being ready

Inman ‘12

Mason, graduate of the Science Writing program at the University of California in Santa Cruz, Winning a Middlebury Fellowship in Environmental Journalism, journalist who covers climate and energy issues. “Energy High in the Sky EXPERT PERSPECTIVES on Airborne Wind Energy Systems” AM

If the government were to spend $10 million to bolster airborne wind energy, most experts thought the vast majority of the money should go to R&D. Only a few argued that the bulk of the money should go to market incentives. With $100 million on the table, the views changed somewhat. Although most still thought the bulk of the money should go to R&D, about a third thought that half or more the money should go to market incentives (see Fig. 5). Many experts argued that airborne wind energy is in too early of a stage to benefit from market incentives. For example, Martin Hoffert commented: “This technology is nowhere near ready for commercialization. What we need now are demonstration projects of competitive ideas.”

## 2nc infeasible

We don’t have to prove that a cyber attack is impossible, just that high costs will cause enemies to seek alternatives

Rid, reader in war studies – King's College London, and McBurney, professor – Agents and Intelligent Systems Group – Department of Informatics @ King's College, ‘12

(Thomas and Peter, “Cyber-Weapons,” *The RUSI Journal* Volume 157, Issue 1, p. 6-13)

A thorough conceptual analysis and a detailed examination of **the empirical record corroborates our hypothesis**: developing and deploying potentially destructive cyber-weapons against hardened targets will require significant resources, hard-to-get and highly specific target intelligence, and time to prepare, launch and execute an attack. Attacking secured targets would probably require the resources or the support of a state actor; terrorists are unlikely culprits of an equally unlikely cyber-9/11. The scant empirical record also suggests that the greatest benefit of cyber-weapons may be using them in conjunction with conventional or covert military strikes, as Israel did when it blinded the Syrian air defence in 2007. This leads to a second conclusion: the cost-benefit payoff of weaponised instruments of cyber-conflict may be far more questionable than generally assumed: target configurations are likely to be so specific that a powerful cyber-weapon may only be capable of hitting and acting on one single target, or very few targets at best. The equivalent would be a HARM missile that can only destroy one unique emitter, not a set of targets emitting at the same frequency. But in contrast to the missile – where only the seeker needs to be specifically reprogrammed and the general aviation and propulsion systems remain functional – the majority of modular components of a potent cyber-weapon, generic and specific, would have a rather short shelf-life after discovery.

Two findings contravene the debate's received wisdom. One insight concerns the dominance of the offence. Most weapons may be used defensively and offensively. But the information age, the argument goes since at least 1996, has ‘offence-dominant attributes’.37 A 2011 Pentagon report on cyberspace again stressed ‘the advantage currently enjoyed by the offense in cyberwarfare’.38 But when it comes to cyber-weapons, the offence has higher costs, a shorter shelf-life than the defence, and a very limited target set.39 All this **drastically reduces the coercive utility of cyber-attacks.** Any threat relies on the offender's credibility to attack, or to repeat a successful attack. Even if a potent cyber-weapon could be launched successfully once, it would be highly questionable if an attack, or even a salvo, could be repeated in order to achieve a political goal. At closer inspection cyber-weapons do not seem to favour the offence.

A second insight concerns the risk of electronic arms markets. One concern is that sophisticated malicious actors could resort to asymmetric methods, such as employing the services of criminal groups, rousing patriotic hackers, and potentially redeploying generic elements of known attack tools. Worse, more complex malware is likely to be structured in a modular fashion. Modular design could open up new business models for malware developers. In the car industry, for instance,40 modularity translates into a possibility of a more sophisticated division of labour. Competitors can work simultaneously on different parts of a more complex system. Modules could be sold on underground markets. But if our analysis is correct, potential arms markets pose a more limited risk: the highly specific target information and programming design needed for potent weapons is unlikely to be traded generically. To go back to our imperfect analogy: paintball pistols will continue to be commercially available, but probably not pre-programmed warheads of smart missiles.

They’re biased and engage in constant risk inflation

Brito, director – Technology Policy Program and senior research fellow – Mercatus Center @ George Mason University, and Watkins, research associate – Technology Policy Program and State and Local Policy Project @ GMU, 2/14/’12

(Jerry and Tate, “Wired Opinion: Cyberwar Is the New Yellowcake,” Wired Magazine)

Yet evidence to sustain such dire warnings is conspicuously absent. In many respects, rhetoric about cyber catastrophe resembles threat inflation we saw in the run-up to the Iraq War. And while Congress’ passing of comprehensive cybersecurity legislation wouldn’t lead to war, it could saddle us with an expensive and overreaching cyber-industrial complex. In 2002 the Bush administration sought to make the case that Iraq threatened its neighbors and the United States with weapons of mass destruction (WMD). By framing the issue in terms of WMD, the administration conflated the threats of nuclear, biological, and chemical weapons. The destructive power of biological and chemical weapons—while no doubt horrific—is minor compared to that of nuclear detonation. Conflating these threats, however, allowed the administration to link the unlikely but serious threat of a nuclear attack to the more likely but less serious threat posed by biological and chemical weapons. Similarly, proponents of regulation often conflate cyber threats. In his 2010 bestseller Cyber War, Richard Clarke warns that a cyberattack today could result in the collapse of the government’s classified and unclassified networks, the release of “lethal clouds of chlorine gas” from chemical plants, refinery fires and explosions across the country, midair collisions of 737s, train derailments, the destruction of major financial computer networks, suburban gas pipeline explosions, a nationwide power blackout, and satellites in space spinning out of control. He assures us that “these are not hypotheticals.” But the only verifiable evidence he presents relates to several well-known distributed denial of service (DDOS) attacks, and he admits that DDOS is a “primitive” form of attack **that would not pose a major threat** to national security. When Clarke ventures beyond DDOS attacks, his examples are easily debunked. To show that the electrical grid is vulnerable, for example, he suggests that the Northeast power blackout of 2003 was caused in part by the “Blaster” worm. But the 2004 final report of the joint U.S.-Canadian task force that investigated the blackout found that no virus, worm, or other malicious software contributed to the power failure. Clarke also points to a 2007 blackout in Brazil, which he says was the result of criminal hacking of the power system. Yet investigations have concluded that the power failure was the result of soot deposits on high-voltage insulators on transmission lines. Clarke’s readers would no doubt be as frightened at the prospect of a cyber attack as they might have been at the prospect of Iraq passing nuclear weapons to al Qaeda. Yet evidence that cyberattacks and cyberespionage are real and serious concerns **is not evidence that we face a grave risk of national catastrophe**, just as evidence of chemical or biological weapons is not evidence of the ability to launch a nuclear strike. The Bush administration claimed that Iraq was close to acquiring nuclear weapons but provided no verifiable evidence. The evidence they did provide—Iraq’s alleged pursuit of uranium “yellowcake” from Niger and its purchase of aluminum tubes allegedly meant for uranium enrichment centrifuges—was ultimately determined to be unfounded. Despite the lack of verifiable evidence to support the administration’s claims, the media tended to report them unquestioned.

Initial reporting on the aluminum tubes claim, for example, came in the form of a front page New York Times article by Judith Miller and Michael Gordon that relied entirely on anonymous administration sources. Appearing on Meet the Press the same day the story was published, Vice President Dick Cheney answered a question about evidence of a reconstituted Iraqi nuclear program by stating that, while he couldn’t talk about classified information, The New York Times was reporting that Iraq was seeking to acquire aluminum tubes to build a centrifuge. In essence, the Bush administration was able to cite its own leak—with the added imprimatur of the Times—as a rationale for war. The media may be contributing to threat inflation today by uncritically reporting alarmist views of potential cyber threats. For example, a 2009 front page Wall Street Journal story reported that the U.S. power grid had been penetrated by Chinese and Russian hackers and laced with logic bombs. The article is often cited as evidence that the power grid is rigged to blow. Yet similar to Judith Miller’s Iraq WMD reporting, the only sources for the article’s claim that infrastructure has been compromised are anonymous U.S. intelligence officials. With little specificity about the alleged infiltrations, readers are left with no way to verify the claims. More alarmingly, when Sen. Susan Collins (R-Maine) took to the Senate floor to introduce the comprehensive cybersecurity bill that she co-authored with Sen. Joe Lieberman (I-Conn.), the evidence she cited to support a pressing need for regulation included this very Wall Street Journal story. **Washington teems with people who have a vested interest in conflating and inflating threats to our digital security.** The watchword, therefore, should be “trust but verify.” In his famous farewell address to the nation in 1961, President Dwight Eisenhower warned against the dangers of what he called the “military-industrial complex”: an excessively close nexus between the Pentagon, defense contractors, and elected officials that could lead to unnecessary expansion of the armed forces, superfluous military spending, and a breakdown of checks and balances within the policy making process. Eisenhower’s speech proved prescient. Cybersecurity is a big and booming industry. The U.S. government is expected to spend $10.5 billion a year on information security by 2015, and analysts have estimated the worldwide market to be as much as $140 billion a year. The Defense Department has said it is seeking more than $3.2 billion in cybersecurity funding for 2012. Lockheed Martin, Boeing, L-3 Communications, SAIC, and BAE Systems have all launched cybersecurity divisions in recent years. Other traditional defense contractors, such as Northrop Grumman, Raytheon, and ManTech International, have invested in information security products and services. We should be wary of proving Eisenhower right again in the cyber sphere. Before enacting sweeping changes to counter cyber threats, policy makers should clear the air with some simple steps. Stop the apocalyptic rhetoric. The alarmist scenarios dominating policy discourse may be good for the cybersecurity-industrial complex, but **they aren’t doing real security any favors.** Declassify evidence relating to cyber threats. Overclassification is a widely acknowledged problem, and declassification would allow the public to verify the threats rather than blindly trusting self-interested officials. Disentangle the disparate dangers that have been lumped together under the “cybersecurity” label. This must be done to determine who is best suited to address which threats. In cases of cybercrime and cyberespionage, for instance, private network owners may be best suited and have the best incentives to protect their own valuable data, information, and reputations.

## 2NC No Impact

Regional cooperation deescalates conflict

Innocent, foreign policy – Cato, ‘9

(Malou, <http://www.cato.org/pubs/wtpapers/escaping-graveyard-empires-strategy-exit-afghanistan.pdf>)

Additionally, regional stakeholders, especially Russia and Iran, have an interest in a stable Afghanistan. Both countries possess the capacity to facilitate development in the country and may even be willing to assist Western forces. In July, leaders in Moscow allowed the United States to use Russian airspace to transport troops and lethal military equipment into Afghanistan. Yet another relevant regional player is the Collective Security Treaty Organization, made up of Russia, Kazakhstan, Tajikistan, Kyrgyzstan, Uzbekistan, Armenia, and Belarus. At the moment, CSTO appears amenable to forging a security partnership with NATO. CSTO secretary general Nikolai Bordyuzha told journalists in March 2009 of his bloc’s intention to cooperate. “The united position of the CSTO is that we should give every kind of aid to the anti-terror coalition operating in Afghanistan. . . . The interests of NATO and the CSTO countries regarding Afghanistan conform unequivocally.”83

Mutual interests between Western forces and Afghanistan’s surrounding neighbors can converge on issues of transnational terrorism, the Caspian and Central Asia region’s abundant energy resources, cross-border organized crime, and weapons smuggling. Enhanced cooperation alone will not stabilize Afghanistan, but engaging stakeholders may lead to tighter regional security.

Afghanistan will never fully collapse

Kaplan 10—snr fellow, Center for New American Security. Frmr distinguished prof in nat. sec., US Naval Academy (Robert, Man Versus Afghanistan, 11 March 2010, http://www.cnas.org/node/4214)

Yet another reality points to an entirely different conclusion. The dispersal of Afghanistan’s larger population over greater territory than Iraq’s is basically meaningless, British Army Major General Colin Boag told me: because 65 percent of the population lives within 35 miles of the main road system, which approximates the old medieval caravan routes, only 80 out of 342 districts are really key to military success. Afghanistan is not some barbaric back-of-beyond, but the heart of a cultural continuum connecting the cosmopolitan centers of Persia and India. In fact, Afghanistan has been governed from the center since the 18th century: Kabul, if not always a point of authority, has been at least a point of arbitration. Especially between the early 1930s and the early 1970s, Afghanistan experienced moderate and constructive government under the constitutional monarchy of Zahir Shah. A highway system on which it was safe to travel united the major cities, while estimable health and development programs were on the verge of eradicating malaria. Toward the end of this period, I hitchhiked and rode buses across Afghanistan. I never felt threatened, and I was able to send books and clothes back home through functioning post offices. There was, too, a strong Afghan national identity distinct from that of Iran or Pakistan or the Soviet Union. Pashtunistan might be a real enough geographic construct, but so, very definitely, is Afghanistan. As Ismail Akbar, a writer and analyst in Kabul, told me: “Thirty years of war and Pakistani interference have weakened Afghan national identity from the heights of the Zahir Shah period. But even the mujahideen civil war of the early 1990s, in which the groups were split along ethnic lines, could not break up Afghanistan. And if that couldn’t, nothing will.” Afghans were so desperate for a reunited country after the internecine fighting of the mujahideen era that they welcomed the Taliban in Kandahar in 1994 and in Kabul in 1996, as a bulwark against anarchy and dissolution. Afghanistan, frail and battered over the years, is nevertheless surprisingly sturdy as a concept and as a cynosure of identity.

## 2NC Pakistan

Afghanistan doesn’t matter for Pakistan

Haass 10 (Richard N, President, Council on Foreign Relations, 12/20, “Let's Un-Surge in Afghanistan”, <http://www.cfr.org/publication/23669/lets_unsurge_in_afghanistan.html>)

The second interest at stake is Pakistan. Some argue that we must stabilize Afghanistan lest it become a staging ground for undermining its more important neighbor, one that hosts the world's most dangerous terrorists and possesses more than 100 nuclear weapons. This defies logic. Pakistan is providing sanctuary and support to the Afghan Taliban who have not demonstrated an agenda to destabilize Pakistan. Why should we be more worried than the Pakistanis themselves? Viewing Afghanistan as holding the key to Pakistan shows a misunderstanding of Pakistan. It is, to be sure, a weak state. But the threats to it are mostly internal and the result of deep divisions within the society and decades of poor governance. If Pakistan ever fails, it will not be because of terrorists coming across its western border.

## indo pak

#### Won’t escalate globally

The Hamilton Spectator, 2002

For those who do not live in the subcontinent, the most important fact is that the damage would be largely confined to the region. The Cold War is over, the strategic understandings that once tied India and Pakistan to the rival alliance systems have all been cancelled, and no outside powers would be drawn into the fighting. The detonation of a hundred or so relatively small nuclear weapons over India and Pakistan would not cause grave harm to the wider world from fallout. People over 40 have already lived through a period when the great powers conducted hundreds of nuclear tests in the atmosphere, and they are mostly still here.

## iran

#### Containment solves Iran prolif

Kaplan, senior fellow – Center for a New American Security, and Kaplan, frmr. vice chairman – National Intelligence Council, ‘11

(Robert D and Stephen S, “America Primed,” *The National Interest*, March/April)

Moreover, a nuclear-armed Iran is not a worst-case scenario. Tehran would have a few uncertain weapons, though perhaps with a confident missile arsenal of various ranges, and an early-warning system the United States and Israel could penetrate at will, even as they would bear down on Iran with all the might of their own, far-vaster nuclear arsenals. In addition, a nuclear Islamic Republic would further weaken the influence of Egypt and Saudi Arabia, and force them to rely on Israel and the United States for deterrence, even as they might develop their own nuclear arsenals as a response.

An Egypt and a Saudi Arabia forced to rely implicitly more on Israel for deterrence against Iran are more likely to put pressure on the West Bank Palestinians to conclude a peace deal with the Jewish state (though, it must be said, prospects for Middle East peace are slim under almost any circumstance). As much as liberal internationalists and neoconservatives rightly trumpet the broad benefits of democracy during this unprecedented time of democratic upheaval, it has been only Arab autocrats who have thus far come to an accord with Israel. Autocrats can act boldly, even as they can efficiently purge dissenting members of their own circles who disagree with new policies, exactly as Egypt’s President Anwar el-Sadat and Jordan’s King Hussein did in making peace with Israel. Palestinian President Mahmoud Abbas’s ability to act likewise is questionable.

Indeed, the ascent of Iranian influence is not an altogether bad development. It was lethargic Sunni Arab dictatorships, nominally pro-American, whose societies supplied the social and political conditions for the emergence of the 9/11 terrorists. The toppling of Saddam Hussein, and the consequent rise of Shia Iran as a regional power, has finally shocked sclerotic Arab leaders into actions that benefit U.S. interests: moving a bit nearer to Israel and working more closely with America. An Iranian Shia power that balances against a Sunni Arab world, democratic or not, would be an ideal outcome were Iran to go through a whole or even partial political transformation. Shia power in the future will not necessarily speak with one voice, given the prospect of ongoing tensions between Tehran and Baghdad. For even a weak Shia state in Iraq will offer a political and theological alternative to the Islamic Republic. (This is not to justify the costs of invading Iraq, only to mention the few benefits that have emerged from the effort.) And Turkey, whose Islamic democracy makes the United States uncomfortable, still has an appeal to the Arab masses on the basis of religion rather than ethnicity which serves a useful purpose: it implicitly checks Iran.

A divided Middle East, coupled with an Arab world weakened by domestic strife, has much to recommend itself for the future of American power. And demographic, cultural and other indicators point to a positive ideological and philosophical shift in Iranian politics in the future. This prognosis, coupled with the difficulties inherent in a wholly successful U.S. strike on Iran’s nuclear facilities, leads to the containment of a nuclear Iran—should sanctions and industrial sabotage not work in the long run—as the least-bad option, and the one least likely to embroil the United States even deeper in the Middle East.

# 1NR

## **oil wars**

#### Cap hates oil war

**Hossein-zadeh**, professor of economics and finance – Drake University, **‘9**

(Ismael, “The Political Economy of US Wars of Choice,” Perspectives on Global Development and Technology 8.2-3)

A most widely-cited factor behind the recent US wars of choice is said to be oil. “No Blood for Oil” has been a rallying cry for most of the opponents of the war. While some of these opponents argue that the war is driven by the US desire for cheap oil, others claim that it is prompted by Big Oil’s wish for high oil prices and profi ts. Interestingly, most antiwar forces use both claims interchangeably without paying attention to the fact that they are diametrically- opposed assertions.

Not only do the two arguments contradict each other, but each argument is also wanting and unconvincing on its own grounds; not because the US does not wish for cheap oil, or because Big Oil does not desire higher oil prices, but because war is no longer the way to control or gain access to energy resources. Colonial-type occupation or direct control of energy resources is no longer effi cient or economical and has, therefore, **been abandoned for more than four decades**.

Th e view that recent US military adventures in the Middle East and the broader Central Asia are driven by energy considerations is further reinforced by the dubious theory of Peak Oil , which maintains that world production of conventional oil will soon reach—if it has not already reached—a maximum, or peak, and decline thereafter. It follows that, therefore, war power and military strength are key to access or control of the stagnant, shrinking, or soonto- be-shrinking oil.

In this study I will fi rst argue that while, prima facie, Peak Oil sounds like a reasonable thesis, it is dubious on both theoretical and empirical grounds. I will then show that war and military force are no longer the necessary or appropriate means to gain access to sources of energy, and that resorting to military measures can, indeed, lead to costly, not cheap, oil. Next, I will demonstrate that, **despite** the lucrative spoils of war resulting from high oil prices and profi ts, **Big Oil prefers** **peace** and stability, not war and geopolitical turbulence, in global energy markets. Finally, I will argue a case that behind the drive to war and military adventures in the Middle East lie some powerful special interests (vested in war, militarism, and geopolitical concerns of Israel ) that use oil as an issue of “national interest”—as a façade or pretext—in order to justify military adventures to derive high dividends, both economic and geopolitical, from war.

## **royal**

#### Best studies prove

Jedidiah **Royal 10**, Director of Cooperative Threat Reduction at the U.S. Department of Defense, “Economic Integration, Economic Signalling And The Problem Of Economic Crises”, in Economics of War and Peace: Economic, Legal and Political Perspectives, ed. Goldsmith and Brauer, p. 213-215

Second, on a dyadic level. Copeland's (1996. 2000) theory of trade expectations suggests that 'future expectation of trade' is a significant variable in understanding economic conditions and security behaviour of states. He argues that interdependent states are likely to gain pacific benefits from trade so long as they have an optimistic view of future trade relations. However, if the expectations of future trade decline, particularly for difficult to replace items such as energy resources, the likelihood for conflict increases, as states will be inclined to use force to gain access to those resources. Crises could potentially be the trigger for decreased trade expectations either on its own or because it triggers protectionist moves by interdependent states.4 Third, others have considered the link between economic decline and external armed conflict at a national level. Blomberg and Hess (2002) find a strong correlation between internal conflict and external conflict, particularly during periods of economic downturn. They write, The linkages between internal and external conflict and prosperity are strong and mutually reinforcing. Economic conflict tends to spawn internal conflict, which in turn returns the favour. Moreover, the presence of a recession lends to amplify the extent to which international and external conflicts self-rein force each other. (Blombcrj! & Hess. 2002. p. 89) Economic decline has also been linked with an increase in the likelihood of terrorism (Blomberg. Hess. & Weerapana, 2004). which has the capacity to spill across borders and lead to external tensions. Furthermore, crises generally reduce the popularity of a sitting government. "Diversionary theory" suggests that, when facing unpopularity arising from economic decline, sitting governments have increased incentives to fabricate external military conflicts to create a 'rally around the flag' effect. Wang (1996), DeRouen (1995), and Blombcrg. Mess, and Thacker (2006) find supporting evidence showing that economic decline and use of force are at least indirectly correlated. Gelpi (1997), Miller (1999). and Kisangani and Pickering (2009) suggest that the tendency towards diversionary tactics arr greater for democratic states than autocratic states, due to the fact that democratic leaders are generally more susceptible to being removed from office due to lack of domestic support. DeRouen (2000) has provided evidence showing that periods of weak economic performance in the United States, and thus weak Presidential popularity, are statistically linked to an increase in the use of force.

## **at: wind ptc**

#### The Wind PTC fight means the plan’s supporters are exhausted and won’t invest in fighting for the plan—only a risk of the link – this card is amazing

Amy Harder, 1/3/13, Battle Over Wind Subsidy Leaves Industry Bruised, www.nationaljournal.com/congress/influence/battle-over-wind-subsidy-leaves-industry-bruised-20130103

The battle to get Congress to renew the wind-energy production tax credit before year’s end strained relationships among utilities, splintered support within the industry’s biggest trade group and is setting up the industry—and its supporters in Congress—for a 2013 even more contentious than 2012.

Many utilities, environmental groups and lawmakers from both parties are cheering the news that the PTC was extended by one year as part of the fiscal cliff deal. But the bruising fight over the last year doesn’t bode well for the sector as it must now agree on how to ramp down the tax subsidy that was first created 21 years ago.

Xcel Energy, which is among the top 10 biggest utilities in the country and had the largest wind capacity of any utility in 2011, is reviewing its membership in AWEA largely because of how the trade group handled the PTC debate. A final decision from the company is expected soon about what, if anything, it plans to do.

"We are in the process of reviewing our relationship with AWEA,” Xcel lobbyist John O’Donnell told NJ. “It's our concern that they continue to represent the interests of developers to the exclusion of customers."

O’Donnell is referring to both individual households and businesses whose electricity bills from utilities are affected by the production tax credit either directly or indirectly. O’Donnell doesn’t think extending the PTC, which is a tax credit that goes to wind-energy developers, benefits customers paying electricity bills or the utilities buying wind from renewable-energy generators. He went so far to say that because Congress extended the PTC without any additional policies to benefit customers, the Minnesota-based Xcel may not buy more wind.

"As the largest provider of wind to customers by far, we feel this action doesn’t nearly enough for customers, and throws into immediate question any further plans we have to buy more wind on their behalf,” O’Donnell said.

Another bruise from last year’s fight that will wear on into 2013 is lobbying by Exelon, the country’s biggest nuclear generator, to eliminate the PTC altogether. The Chicago-based Exelon, which is also the 11th-ranked utility in terms of wind generation, has aggressively lobbied lawmakers to end right away the tax credit because the policy distorts electricity market prices and hurts the company’s bottom line.

Exelon spent $6.4 million on lobbying through October (fourth-quarter lobbying numbers are due out later this month). In response to Exelon’s lobbying push, which was first reported by National Journal in August, AWEA kicked the company out of its group in September. Exelon is going to keep up its push against the policy now that Congress renewed it.

“In the coming months Exelon will work with legislators to inform them of the unintended negative consequences to power markets and investments in other sources of generation from the continuation of the PTC,” Exelon lobbyist David Brown told National Journal in an e-mail.

The lobbying power of Exelon, whose position against the PTC aligns the company with deep-pocketed conservative tea-party groups like Americans for Prosperity and the American Energy Alliance, could be even more concerning to the wind industry moving forward.

“Most people supportive of renewable energy are concerned about all the money they’re putting into this,” said one wind-energy lobbyist who would speak on the condition of anonymity only. “The renewable energy and wind energy specifically need to come up with a much better defense and push back…You’re going to see industry hit back harder now.”

But for now, AWEA is regrouping. Amid internal claims that the group’s leadership on the PTC was lacking, its CEO and president of the past four years, Denise Bode, announced last month she was resigning to return to the private sector as a tax attorney. AWEA’s top lobbyist, Rob Gramlich, will serve as interim CEO as the group finds a new one.

AWEA spent $1.81 million on lobbying through October, which is much less than Exelon and a $1 million less than NextEra Energy, the biggest renewable-energy generator that was the most outspoken company supporting the PTC. NextEra, whose lobbyists have clashed with Exelon executives over the PTC, did not immediately have a comment in response to this article.

AWEA has publicly announced it supports phasing out the tax credit, but consensus within the industry doesn’t exist (yet) about how and for how long that should happen.

Sen. Mark Udall, D-Colo., who is the most outspoken supporter of the policy in Congress and gave almost 30 floor speeches on the issue over the last several months, said he remains committed on a way forward.

“I plan on pushing my colleagues this year to pursue a multiyear extension in conjunction with a well-crafted phase-out,” Udall said to National Journal. “Such a phase-out would need to provide market certainty, and I believe that is the direction we need to head.”

Toward the end of last year, Xcel lobbied lawmakers on a proposal that would have replaced the production tax credit with a combination of an investment tax credit and a customer renewable credit.

The investment tax credit would be given to renewable-energy developers to help finance projects, and the customer renewable credit would be awarded to utilities that integrate more wind and solar onto the grid in order to incentivize such renewable-energy integration. The two credits combined would cost the government between $6 billion and $7 billion over 10 years. The one-year extension will cost taxpayers about $12 billion over 10 years.

“There is some merit to that,” said the wind-energy lobbyist about Xcel’s proposal. “Maybe that is a way to compromise and get utilities more supportive of tax credits for renewable energy.”

Udall expressed initial support for the proposal last month, but at that point he—and all other congressional wind backers—was focused chiefly on extending the PTC.

Another big problem lurking in the background for the wind industry is what, if any, legislative vehicle they can use to advance their proposal, if and when the industry can agree on a way forward. But that’s a fight for another day.

## europe

Eurozone is improving

Faiola and Cody 1/5/13

Anthony Faiola and Edward Cody, staff writers, Washington Post, January 5, 2013, "European leaders hail breakthrough in debt crisis", http://www.washingtonpost.com/world/europe/european-leaders-hail-breakthrough-in-debt-crisis/2013/01/04/7e32429c-55a0-11e2-89de-76c1c54b1418\_story.html

After more than three years of global market turmoil, political upheaval and nail-biting summits, European leaders are declaring that the worst of the continent’s debt crisis is behind them. In New Year’s speeches and congratulatory comments, leaders across the region are crediting fresh rounds of painful austerity, a hard-fought new role for the European Central Bank and steps toward deeper integration with achieving a breakthrough. Borrowing costs for troubled nations, they note, have come down steadily from last year’s dangerously high levels, pulling a string of countries back from the brink of imminent financial collapse and defying naysayers who predicted a quick breakup of the euro zone last year.

## at: impact d

#### If he did, it would be wildly inflationary—that proves he wouldn’t do it

Kevin Cirilli, 1/4/13, Rep. Jerry Nadler: Pay national debt with platinum, www.politico.com/story/2013/01/pol-pay-national-debt-with-platinum-85786.html?hp=l3

Paying off the national debt could be as easy as reaching for coins in your pocket — platinum $1 trillion coins. Here’s how it’d work: The U.S. Mint has strict regulations about how paper, gold, silver and copper money get printed. But there’s nothing on platinum. So supporters — including Rep. Jerry Nadler (D-N.Y.) — say that President Barack Obama should order that a couple of platinum trillion-dollar coins be made and then have the coins deposited in to the Fed and, voilà, debt ceiling crisis averted. Not so fast, says Jim Pethokoukis of the American Enterprise Institute, who blogged about it earlier Friday. “It is like economics meets an episode of ‘The Simpsons.’ It’s not likely to happen,” he told POLITICO. “First, it could be wildly inflationary. And the fact that we’re talking about it in semi-serious tones, if I was an investor — and I saw supposedly serious people talking about this as an option, I would be very alarmed.”

## uq

#### Current bargaining strategy makes debt ceiling solution agreement likely, but not guaranteed

Jill Lawrence, National Journal, 1/3/13, Don't Despair (Yet) Over Next Fiscal Cliff, www.nationaljournal.com/domesticpolicy/don-t-despair-yet-over-next-fiscal-cliff-20130103

The next fiscal cliff will be "much more terrifying." There are "bigger battles" ahead. The groundwork is laid for "more combustible struggles."

The tenor of analysis in the wake of Fiscal Cliff Deal #1 could be summarized as "woe is us." But here’s a radical thought: Maybe the next round of Capital Hill strife won’t be as bad as what we’ve just endured at the precipice of the Dec. 31 cliff.

I’m not predicting a harmonious glide to an agreement over the next two months, and there’s probably a limit to the number of deals Mitch McConnell can negotiate before a flock of Paulesque anti-establishmentarians descends to challenge him next year in the Republican Senate primary in Kentucky.

Still, there are a few reasons for hopeless optimism, as President Obama might put it.

First, the most intractable obstacle to moving forward is now gone. That would be Republican resistance to raising tax rates on anyone, reinforced by the no-tax pledge signed by almost all GOP lawmakers. It's no surprise that Obama's first priority, before weighing other steps to tame the debt, would be making good on his longest-running, most central campaign promise. The fiscal cliff agreement assures that wealthy Americans will share the burden of debt reduction, so now Democrats can move on – though not without friction – to broader steps.

Obama has already signaled he would consider “chained CPI,” a new way of calculating cost of living adjustments to Social Security and other programs, which could cut spending by $145 billion through 2021. Other possibilities include lifting the cap on income subject to the payroll tax (currently it doesn’t apply to income above $113,700), or means testing Medicare benefits so that wealthier people pay more for them. Obama has said explicitly that he is open to Medicare reforms and eliminating “further unnecessary spending in government.”

On the GOP side, many Republicans have signaled they would be receptive to closing tax loopholes, limiting deductions and ending some corporate subsidies -- all of this in the context of reform that simplifies the tax code and lowers the corporate rate. One of them is Pennsylvania Sen. Pat Toomey, former president of the vehemently anti-tax Club for Growth. He has supported ending subsidies for sugar and ethanol and, in a sign of the times, voted in favor of this week's cliff agreement raising tax rates for the nation's most affluent.

Another is Chris Chocola, the former GOP congressman and current president of the Club for Growth. Chocola told me Toomey and others won't necessarily be penalized for voting yes on the cliff deal, one of about 25 votes the group is using for its report cards om the 112th Congress ("they were in a tough spot"). Looking ahead to votes on the next deal, Chocola said the Club for Growth is “all for” tax reform and closing loopholes. He specifically mentioned “things like the ethanol credit, the wind tax credit.” What about eliminating oil subsidies? “We would look at it and likely support it.”

The big question, of course, is whether enough Republicans would back tax reform designed to bring in more revenue than current projections – in other words, changes that would likely require some people or entities to pay more. Obama, who so far has only secured about half of the $1.2 billion in new tax revenues he says are needed to achieve “balanced” debt reduction, has warned several times in the last few days that he’ll go after the rest in the next round. Chocola, asked if his group could support tax reform that brought in more revenue as opposed to keeping it flat, said that “we would not necessarily be opposed … if we view it as pro-growth.”

There have been many predictions of doom for the next fiscal cliff, coming in March. At that point a two-month postponement of severe defense and domestic spending cuts ends and they will automatically take effect if Congress has not settled on a different approach. That is also around the time the country will reach its debt limit and will default on its loans if Congress doesn’t raise the debt ceiling. Obama has already said he won’t negotiate on the debt ceiling and McConnell has already called it “an opportunity to curb out-of-control Washington spending.” Yet there’s common ground and, to some extent, common goals, beneath the posturing.

In a way the complexity of the next round of negotiations is an advantage. The more moving parts there are, the more bargaining chips are available to leaders on both sides. The decibel level of the left, the right, the special interests and all who represent them will be deafening. But struggles over which entitlement program or tax break is trimmed, and by how much, are business as usual in Washington. If we’re lucky, that’s what’s on tap, as opposed to ideological warfare over core party identities and principles.

## pc key

#### The GOP will cave in debt ceiling negotiations now

Richard Cowan, 1/2/13, Analysis: Republicans start new Congress bruised and divided, www.reuters.com/article/2013/01/03/us-usa-fiscal-republicans-idUSBRE90202U20130103

In the wake of bruising fights in their own ranks over the "fiscal cliff" and aid for victims of superstorm Sandy - Republicans in the U.S. House of Representatives open a new Congress on Thursday more divided than ever.

While their leader, Speaker John Boehner, seems in no danger of losing his position because of the divisions, his ability to speak for his membership in the House appears greatly diminished.

That could not come at a worse time for Republicans as they prepare for their next attempt to get more spending cuts out of President Barack Obama. They will try to use the debt ceiling - and Obama's request to raise it - as leverage, as they did in 2011.

But if the final days of this Congress were indicative of things to come, Republicans will have a rough time effectively using their majority in the House against Obama, who even Republicans acknowledge is at the top of his game following the Democrat's re-election in November.

The fiscal cliff battle to avert steep tax hikes and spending cuts that were due to kick in at the start of this year proved gut-wrenching for Republicans.

Obama's demand for a tax hike on the rich challenged a core principle that has guided Republicans for decades: No new taxes. Ever.

Yet, late on New Year's night, 85 Republicans in the House did just that, voting to raise income taxes on household income of more than $450,000 a year.

Some of the Republican Party's biggest stars were among the 85 - including Boehner and Paul Ryan, the 2012 Republican vice presidential candidate, who is seen as a conservative anchor.

#### Obama’s hand is strong—don’t believe the GOP hype

Reid Epstein, Politico, 1/1/13, Why Obama, McConnell took the deal, dyn.politico.com/printstory.cfm?uuid=83BFDC45-14B4-4B66-B620-D4A21AEEBAE1

Republicans insist they’re happy that they’ve strengthened their hand for the next round — but make no mistake, some of that stance is making a virtue of necessity. They feared President Barack Obama could caricature them as the defenders of tax cuts for millionaires and billionaires. Plus Obama’s the one with the bird in the hand — pocketing tax cuts for the overwhelming majority of Americans, which the White House plans to tout heavily in the months ahead — while Republicans are left to lick their wounds and dream of besting him at some future date, for some unspecified future spending cuts and entitlement reform.

Obama didn’t get the deal he was hoping for either, but in his mind, now has fulfilled a signature campaign promise and gotten the momentum and template to do more big things in his second term, all while breaking the GOP “fever” that stopped them from raising taxes.

## balanced deal impact

#### AND—even if we never go over the cliff, Obama negotiation loss means we get an unbalanced spending deal—that causes economic collapse

Andrew Sullivan, Daily Beast, 1/1/13, The Long Game, Revisited, andrewsullivan.thedailybeast.com/2013/01/the-long-game-revisited.html

It's been interesting to see how the final mini-cliff-deal on taxes has been greeted on left and right. The left is pissed that Obama did not go fully over the cliff, using the post-re-election sunsetting of the Bush tax cuts to get all the revenues he campaigned on. The right is eager to get on with the debt ceiling fight, keen to forget the implosion of Plan B and their votes for one of the biggest tax increases in recent times (see the above chart from Zachary Goldfarb ranking the tax hikes in terms of their percentage of GDP). Obama yesterday basically said that he regarded the tax increases as simply the premise on which any future Grand Bargain needs to be agreed upon. And he is insisting that the next deal - on entitlements and tax reform - be equally balanced between revenue increases and spending cuts.

Well he can insist, but why would the GOP not talk right past him? The answer to that is that Obama has not lost all his leverage. The sequester remains - and is suspended only for two months (a reasonable compromise, although I'd have preferred it going into force already as a way to pressure these politicians into grander ambitions). The threat to the Pentagon therefore endures, which frightens those Republicans (and many Democrats) still wedded to a Cold War defense strategy a couple of decades after the Cold War ended. And the threat to Medicare hasn't gone away for the Democrats. Both sides will want to mitigate these crude cuts - and closing loopholes is one way to do it. Another Small Bargain with more revenues - and fewer loopholes - is therefore not necessarily a pipe dream.

And so you see that Obama's re-election has meant the biggest increase in revenues to the federal government since 1968. That would not have happened under Romney. And if the tax deal is not as big as the polls suggest Obama could have gotten away with, it is in part because of the contextual reasons Bruce Bartlett lays out here, in part because Obama genuinely believes in exercizing responsibility as president, but also in part because the president wants to avoid too much austerity too soon as we inch out of the worst recession since the 1930s.

It seems to me this latter point is under-rated. The left often talked of the fiscal cliff as if it were only win-win for Obama. It wasn't, in my view. He faced two dangers: of seeming unable to come up with a compromise (which is integral to his appeal) and of seeing the US economy sink under the weight of an imprudent and drastic reduction in demand. As Josh Marshall has noted, Obama always wanted a deal. No president wants to kick off his second term with a double-dip recession. He got half of a deal that will not have as drastic an effect as the full cliff-divers wanted.

Does the promised debt-ceiling hostage-taking by the GOP render all this strategy moot? Maybe. But it seems to me that the GOP has hurt itself so far since the election on fiscal matters - appearing, especially last week, as a herd of feral, foam-flecked cats. I don't see their threatening to ruin America's credit unless they get to cut Medicare by $500 billion over a decade as a particularly strong political hand. Any party triggering a self-imposed credit crisis as the economy recovers will not be rewarded politically. On that, especially after 2011, the president has the upper hand. Americans do not like monkeying around with the national credit rating as a way to cut medical care for grandma.

More to the point, the GOP has yet to even lay out the details of its proposed entitlement cuts (and campaigned in part against them). One way out would be for both parties to focus on cutting the Pentagon bloat - but that's not going to happen any time soon. And so I can see revenue-raising tax reform returning as a way to alleviate some of the political pain on both sides.

In other words, I can see Obama's logic here. What he's getting - which is a gradual shift toward more fiscal responsibility, with key protections for the working poor and the unemployed in place - is all he really wants right now. Like many of Obama's incremental achievements, you can sometimes miss the forest for the trees. We have the biggest tax hike in decades - without a sudden recession. And we have huge, painful spending cuts looming unless new revenue is found through tax reform. The end result - for all its unseemly messiness right now - may still be a sane, graduated fiscal readjustment as the economy recovers. The sequester can be back-loaded a little to find that elusive sweet spot between structural fiscal rebalancing and economic growth. And we could even clean up the tax code a little.

It's not great, but it will do. Sometimes, the little advances are preferable under certain circumstances to big breakthroughs. And Obama has to face a rabid Republican House probably for his next four years. They self-destructed on Plan B. They will almost certainly have to swallow hard and vote for big tax increases in the next day or so [and, in fact, now have]. And a campaign to slash Medicare is their next major goal. A phrase springs to mind.

## at: dod sheild

#### The warrant for DoD key is that they spin the plan as a national security issue – the FAA can’t do that and links

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

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

## pc key

#### Obama’s capital works, especially on debt negotiations

Alexis Simendinger, Real clear politics, 1/3/13, Obama Taking Campaign-Style Approach to New Goals, www.realclearpolitics.com/articles/2013/01/03/obama\_taking\_campaign-style\_approach\_to\_new\_goals\_116581-2.html

By that hour on New Year’s Eve, Republican lawmakers assumed they were poised to vote to raise taxes, something they did not want to do, and they were stung by Obama’s determination to wage an endless political campaign into 2013 and beyond. Opponent Mitt Romney had simply morphed into “Republicans in Congress.” After clinching a deal with Congress to raise revenues, add to deficits and postpone across-the-board spending cuts for eight additional weeks, Obama took a bow in a video message to his base. “When I take the oath of office this month, I’ll be as determined as ever,” the president said in a three-minute message disseminated by his Chicago campaign team on Wednesday. “Just like four years ago, winning an election won’t bring about the change we seek on its own. It only gives us the chance to make that change. What we fought for in 2012, we’ve got to fight just as hard for in 2013.” “Make that change” was the president’s most interesting phrase. Does Obama imagine he will “create” support for legislation (a much harder task for any president -- and his aim during the prolonged health care debate)? Or does he seek to work within the bounds of existing public backing for popular policies (such as middle-class tax relief)? Obama’s second-term domestic agenda hinges on cooperation from Congress, but after Republicans gained control of the House in early 2011 and the two parties splintered over whether Congress would raise the nation’s debt ceiling, the president altered his legislative strategy. He decided House and Senate conservatives would relent if the public condemned them for obstructing something deemed important and valuable to their everyday lives. Arizona Sen. John McCain told reporters Sunday that Republicans jettisoned their embrace of a revenue-raising inflation calculation for senior citizen benefits -- even if it was loosely endorsed by Obama -- because the GOP believed the White House and Democrats were ready to throttle conservatives in the message wars. “We can’t win an argument that has Social Security for seniors versus taxes for the rich,” McCain explained. Lyndon Johnson -- who governed with large Democratic majorities and in a very different media environment -- believed as a former legislator that lawmakers were swayed by two basic impulses: hunger for recognition, and fear of losing their clout. As historian Doris Kearns Goodwin wrote, Johnson operated with the belief that “desire opened the door to the exercise of presidential power [and] fear closed it. . . . Johnson’s success in winning congressional support for change depended upon his ability to reduce the fear and increase the desire.” Obama has drawn a different lesson after serving less than a term in the Senate and four years in the Oval Office. As he heads into his second term, he has enthusiastically tried to stoke political fear among lawmakers, hoping to increase their desire to bend his way. But unlike LBJ or Franklin Roosevelt or even Bill Clinton, Obama is notably stingy with recognition once they do. Obama and his team of campaign-hardened advisers will soon be embroiled in a fiscal sequel on Capitol Hill, likely to occur within weeks of the president’s inauguration and State of the Union speeches. Obama lost no time warning Americans that Republicans are flirting with U.S. default, using that as political leverage to force him to cut favored spending to curb future deficits. “While I will negotiate over many things, I will not have another debate with this Congress over whether or not they should pay the bills that they’ve already racked up through the laws that they passed,” Obama said Monday. “People will remember back in 2011, the last time this course of action was threatened, our entire recovery was put at risk. Consumer confidence plunged. Business investment plunged. Growth dropped. We can't go down that path again.” The fiscal cliff episode did not win the president new friends on Capitol Hill, although that fact does not especially concern the White House. Obama touted the results as a victory for the American people and for his leadership, even as some liberal Democrats joined plenty of Republicans in lamenting the last-minute outcome. When asked to describe why Senate Minority Leader Mitch McConnell opted to call Vice President Biden over the weekend in an effort to get an eleventh-hour deal, a Senate GOP aide said the Kentucky Republican believed from long experience that Biden understood the art of swift legislative horse trading, which he thought Obama did not. “He was here for 20 minutes, and Biden was here for 30 years,” the aide said dryly of the president. “Biden understands what senators need.” On his second-term to-do list, Obama thinks immigration reform lends itself best to a White House campaign to enlist the public. Republicans, who lost key Latino support during the 2012 elections, according to exit polls, fear they oppose or block reform legislation at their electoral peril. The president has not yet described any legislative details. The power of the GOP-leaning gun-rights lobby will ensure that gun control measures will be a challenge to enact this year, despite the public uproar after 20 children and six adults were murdered at a Newtown, Conn., elementary school. The president assigned the vice president to convene a task force and present policy initiatives in time for inclusion in his State of the Union address. Those proposals, he suggested, would embrace gun measures, including revival of the expired assault weapons ban; approaches to mental health services and support; education and school safety improvements; and possibly a dissection of any proven links between cultural influences and mass shootings. The president’s vaguely described energy and climate-change aspirations will also be tough to pass. At a Nov. 16 news conference, he said no clear consensus exists in Congress or among Americans for new climate legislation. Secretary of State Hillary Clinton predicted in November that Obama would pursue his pending climate agenda largely through executive action, where possible, during his second term. "Look, we're still trying to debate whether we can just make sure that middle-class families don't get a tax hike. Let's see if we can resolve that. That should be easy. This one's hard," the president told reporters. Obama’s point about pushing legislation that enjoys clear public backing is key, said George C. Edwards, political science professor at Texas A&M University and author of “Overreach: Leadership in the Obama Presidency.” Based on his research, Edwards wrote that presidents who attempted to create or alter public thinking about policy ran into trouble, but those who understood how to exploit existing public opinion to achieve legislative goals proved more successful.

#### Err neg—best studies prove

Harold C. **Relyea 11**, Specialist in American National Government with the Congressional. Research Service, “Pushing the Agenda: Presidential Leadership in U.S. Lawmaking, 1953-2004 – By Matthew N. Beckmann”, Presidential Studies Quarterly, Volume 41, Issue 4, pages 844–845

Matthew Beckmann of the University of California at Irvine provides an interesting empirical analysis of presidential leadership in lawmaking for the period from the Eisenhower through the Bush II administrations. He notes that the key to a president's legislative leadership is strategy, not resolve (p. 2), and concludes that the greatest source of influence for postwar presidents comes “in the legislative early game, not the legislative endgame” (p. 2). Presidents who are strategically adept work to get specific issues on the congressional calendar and, then, maneuver to insure that certain proposals rise up as alternatives. Beckmann suggests that the best route for constructing winning coalitions consists of “mobilizing leading allies, determining opponents, and circumventing endgame floor fights altogether,” rather than the typical path of gathering support from “centrist” lawmakers (p. 2). In the end, he finds “that presidents' legislative influence is real, often substantial, and, to date, greatly underestimated” (p. 3). The author's assessment is organized into six chapters. Chapter 1 consists of his introductory overview, as briefly summarized above. Chapter 2 presents a theory of positive presidential power, focusing on the Bush II administration's 2001 tax cut efforts in the Senate. Here, Beckmann attributes the White House's success to its targeted strategy of lobbying and bargaining with allies, key opponents, and swing voters. He cautions that although this is only one example, it represents what a president's aides can achieve when they maximize lobbying techniques for the purpose of advancing agenda-centered and vote-centered strategies (p. 104). Reviewing the 1953-2004 record of what he considers to be key votes for presidential legislative success in Chapter 4, the author proposes a new method for evaluating the potential impact of presidents on these votes. The two most significant elements are (1) personal involvement of the president and (2) the extent of his influence at the earliest stages in the legislative process, at the point of fashioning legislation (p. 126). In Chapter 5, after testing “whether presidents' influence held up even after accounting for a myriad of rival explanations, including congressional composition, political context, and issue specifics, as well as simple random chance” (p. 148), Beckmann asserts that the evidence showed presidents to be powerful, but not all powerful, players in federal policymaking. When the president decides that some particular policy initiative deserves his administration's backing, it is a great boon to the chances that a new law will supplant the old one. Yet also as predicted, this potential is constrained by Congress' pivotal voters, limited by political environment, and variable by issue. Furthermore, although the president's involvement greatly increases the likelihood that a winning congressional coalition will be assembled, it is no guarantee. Indeed, the nature of presidential leadership in lawmaking is that, while it generally helps win key votes and pass preferred laws, it may not in any particular case. (p. 149) In closing, the author observes that “integral to appraising any president's legacy is examining how effectively he recognizes and capitalizes on his office's potential” but that equally as important as any policy outcome is the value of healthy, substantive debate in Congress, as well as the related one of pressuring members to clearly explain their positions on issues (p.161).

## at: 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.