# 1ac

### Policy 1AC

#### Contention One --- Weapons of Mass Production

#### ---In the summer of 2005, Congress erupted in outrage at the possibility of Chinese investment in American oil and natural gas. Citing the apocalyptic threat of Sino “weapons of mass production,” Congress passed the Exon-Florio amendment empowering the Council on Foreign Investment in the United States (CFIUS) to severely restrict foreign energy investors.

Carroll, Attorney for Rogers Law Offices, 2009

James, Emory International Law Review, COMMENT: BACK TO THE FUTURE: REDEFINING THE FOREIGN INVESTMENT AND NATIONAL SECURITY ACT'S CONCEPTION OF NATIONAL SECURITY, 23 Emory Int'l L. Rev. 167

The Unocal Incident: Protectionism Run Amok The response to the attempt of CNOOC to purchase Unocal, an American oil company, exemplified the tighter CFIUS approach. 95 CNOOC, a Chinese state-owned oil company, regularly purchased foreign oil companies to create joint-ventures between itself and the foreign companies. 96 The Chinese government recognized that there would be a CFIUS review under the Byrd Amendment, since CNOOC was state-owned, but felt that ultimately there was no security risk and that the transaction would pass the CFIUS review. 97 However, on June 24, 2005, 41 members of Congress from both parties wrote to President Bush urging a thorough CFIUS review of the sale. 98 The letter justified the review by raising questions about "whether CNOOC was using Chinese government funds to make the purchase and whether China [\*181] would be acquiring sensitive technology." 99 Congress followed up this letter with the introduction of a resolution in the House on June 29, 2005, that recognized oil and natural gas as strategic national assets and argued that the purchase of Unocal would allow for the oil reserves to be preferentially sent to China - instead of purchasing them on the open market - thus opening up the possibility of China utilizing the "oil weapon" against the United States. 100 China hawks 101 echoed these arguments, claiming that the deal would give China more leverage over the international oil market and that regardless of the facts of the transaction, the symbolic nature of giving into China's resource goals should be prevented at all costs. 102 Unsurprisingly, hawkish arguments toward China played a large role in congressional opposition to the deal. 103 The Bush administration kept relatively quiet during the Unocal controversy, 104 and eventually CNOOC withdrew their bid in the face of the negative publicity. 105 The most remarkable aspect of this episode was the congressional majority's attempt to implicitly redefine national security. The definition of national security was no longer limited to technologies that were at least arguably related to the national defense industrial complex. Congressional opponents of the Unocal sale used public debate surrounding the deal to include energy assets in an expanded interpretation of national security and continued the long-running congressional struggle to use Exon-Florio and the CFIUS review process as a protectionist tool to prevent foreign investment in U.S. industry. 106 Previous CFIUS reviews focused on technological acquisitions that could allow foreign countries unique access to U.S. military capabilities, 107 in contrast to energy companies, which had no [\*182] direct connection to the military. If national security can also mean "important to the United States economy," as energy assets no doubt are, then the definition of national security differs in no meaningful sense from the original "essential commerce" bill that Reagan threatened to veto in order to strip the economic security provisions.

#### ---Fear of foreign control over oil and natural gas subverts the Exon-Florio process, resulting in racially politicized threat construction.

Carroll, Attorney for Rogers Law Offices, 2009

James, Emory International Law Review, COMMENT: BACK TO THE FUTURE: REDEFINING THE FOREIGN INVESTMENT AND NATIONAL SECURITY ACT'S CONCEPTION OF NATIONAL SECURITY, 23 Emory Int'l L. Rev. 167

Fear of foreign control has always politicized the Exon-Florio process. The tide of popular perception that the Japanese were purchasing large portions of the American economy largely drove the passage of the original Exon-Florio bill in 1988. Similarly, economic competition from a rising China and acquisitions from oil-rich Middle Eastern states have driven Exon-Florio investigations in the 2000s. In the 1980s, the continual investigations of Japanese acquisitions hindered U.S. foreign policy goals of maintaining good relations with a crucial ally in the Cold War and major trading partner. In the twenty-first century, maintaining good relations with China and cultivating ties to moderate Arab states are important elements of U.S. foreign policy. Once again, protectionist forces are using Exon-Florio as a political tool and outlet of public unrest, regardless of diplomatic concerns. The political pressures inherent in the Exon-Florio investigations prevent the CFIUS from accurately balancing security concerns because the definition of national security changes with the popular perception of threats. Unease about high oil prices torpedoed a relatively innocuous Chinese acquisition of a U.S. oil company. Just as in the 1980s and 90s, with the scare over Japanese acquisitions, many national security experts agree that there is no true threat in many of the recent proposed acquisitions. Nevertheless, the vague interpretation of national security allows politicians to grandstand and manipulate the CFIUS process by appealing to public fears of high oil prices or Muslims. Instead of a careful consideration of all of the different national security factors driving the CFIUS process, Exon-Florio investigations are driven by the political winds in Congress.

#### ---Specifically, the policy of energy security review places Chinese oil investment as part of a larger homogenous strategy for global domination. Corporate action that would otherwise be widely considered business as usual is securitized & presented as evidence of China’s coordinated global assault on the American way of life.

Pan, Senior Lecturer in International Relations at Deakin University, 2009

Chengxin, What is Chinese about Chinese Businesses? Locating the ‘rise of China’ in global production networks, Journal of Contemporary China, 18(58), January, 7–25

While many foreign businesses are moving their operations to China, many Chinese businesses, following a ‘going global’ strategy, seem to have begun rapid expansion abroad. A recent example is that in 2005 China’s oil company CNOOC launched a bid to buy the California-based oil company Unocal. American economist and commentator Paul Krugman compared it with the Japanese challenge in the 1990s, but his conclusions were notably different. He wrote: Fifteen years ago, when Japanese companies were busily buying up chunks of corporate America, I was one of those urging Americans not to panic . . . But the Chinese challenge—highlighted by the bids for Maytag and Unocal—looks a lot more serious than the Japanese challenge ever did.5 Republican congressman Dana Rohrabacher was less circumspect, labeling the Unocal bid as ‘part of [China’s] long-term strategy for domination’. He insisted that the greatest threat to America’s freedom and prosperity ‘is not radical Islam [but] a China that is emerging on the scene that is belligerent to everything we stand for as a people’.6 Importantly, these views were echoed strongly among the American public: an opinion poll at the time found that 73% of Americans opposed the CNOOC– Unocal deal, with half of the respondents going as far as perceiving the Chinese as an adversary.7 According to Peter Navarro, the author of The Coming China Wars, China’s ‘unfair, mercantilist trading practices’ such as the China price, the ‘going global’ strategy, and its voracious appetite for energy and resources constitute what he calls ‘weapons of mass production’. Testifying before the Congress-mandated US–China Economic and Security Review Commission in early 2007, the University of California business professor charged that these ‘weapons of mass production’ have been allowing China to ‘conquer one new export market after another’.8 In this context, many security analysts and practitioners agree that the economic challenge will have far-reaching military and foreign policy implications. The Pentagon argues that the performance of China’s economy is a main driving force behind its domestic defense expenditures, foreign acquisitions, and indigenous defense industrial developments.9 Indeed, the emergence of Chinese businesses has been seen as a harbinger of the beginning of a historic power transition from the US to China. Like previous power transitions in the international system, it is argued that the rise of China does not bode well for international peace and stability.10 For Navarro, coordinated centrally by the Chinese government, the mercantilist practices of Chinese businesses do not just help China gain increasing economic and financial advantage over US businesses, but also contribute to China’s rapid military modernization and lay the groundwork for the ‘coming China wars’.11 At this juncture, what is remarkable about these analyses of Chinese businesses and business practices is not so much their attention to the aspect of economic and military threat. Rather, for the purpose of this essay, it is their grounding of Chinese businesses in an unproblematic, fixed, and more or less coherent actor called China, whereby Chinese businesses acquire their Chineseness. For example, the China price is believed to be produced ‘in the unique stew of China’s evolving business culture’,12 and the conquest of the global market by Chinese products is often traced back to the Chinese government. In the words of Hornig and Wagner, the ‘desk drawers of party strategists are filled with detailed plans promoting national industries from automaking to biotechnology’.13 Indeed, frequently the assumption of the Chineseness about Chinese businesses goes so far as to conjure up a scenario of a whole country engaged in concerted efforts of building national greatness through sustained economic development and aggressive business strategies. To illustrate this point, it helps to refer to a ‘bill’ metaphor used by some commentators, with the bill symbolizing the costs incurred by the US as a result of the influx of ‘Chinese’ cheap imports. On the bill, as the metaphor goes, the costs for America, apart from the big trade deficits with China, also include ‘domestic layoffs, the relocation of entire industries, cutbacks for research and development and the downfall of the oncealmighty dollar’. And the ‘payee’? ‘A population of billions’.14 In other words, what is behind Chinese businesses is nothing short of the whole Chinese nation.

#### ---The problem with CFIUS is the assumption of coherence; not the construction of China as a threat, nor lack of peaceful overtures. Viewing China as a cohesive whole means even when policymakers overcome their fear, fantasy continues to warp and distort America policy response. These questions must be challenged at the level of knowledge production.

Pan 2012

Chengxin, Senior Lecturer in International Relations at Deakin University, China Watching and Contemporary Geopolitics of Fear and Fantasy, ElgarBlog, http://elgarblog.wordpress.com/2012/12/12/china-watching-and-contemporary-geopolitics-of-fear-and-fantasy-by-chengxin-pan/

In The Geopolitics of Emotion (2009), the French author Dominique Moïse describes how the world is being shaped and transformed by a host of emotions: fear, humiliation and hope, to name but a few. While the world has always been emotion-laden, the geopolitics of emotion has been particularly on vivid display in the twenty-first century. Climate change, the ‘September 11’ attacks, the lingering global financial crisis, the perceived unstoppable power shift from West to East, refugee and humanitarian crises, ethnic conflict and popular uprisings have together brought into sharp relief a mixture of anxiety, anger, frustration, disillusionment, hatred and fear in many parts of the globe. In the West in general, and the US in particular, a key source of anxiety has been China’s seemingly relentless rise. There is now ‘a cauldron of anxiety’ about this emerging giant, former Deputy Secretary of State Robert Zoellick proclaimed in 2005. To many Western observers, this fear, based on objective knowledge of China’s rise, is warranted. As an authoritarian state with the world’s fastest growing economy and one of the largest military forces, China seems to be nothing but a frightening giant on the horizon. Clearly, one cannot deny China’s vast size, enormous economic power and military potential. But the fact that the almost equally impressive rise of India has not attracted the same level of anxiety is revealing. If anything, India has been embraced with much enthusiasm and affection of late. In this sense, ‘objective’ knowledge, empirically grounded though it may seem, is nevertheless inseparable from emotion and desire. One might even say that what we know is often what we want to know. Thus, a significant portion of Western knowledge on China, gained apparently through the respected intellectual activity of China watching, has less to do with China and more with Western desire (a subject which has thus far attracted little attention). The familiar ‘China threat’ argument, for instance, is not so much an objectively verified fact as it is a fear-inspired speculation disguised as ‘knowledge’. To substitute for the lack of positive certainty about China’s trajectory, this knowledge is produced through fear, which helps provide a negative form of certainty, namely, threat. During the Cold War, an Australian China observer commented that ‘What we do not know we fear’. That habit did not disappear with the end of the Cold War. Today, the Australian government vows to boost its China literacy in the Asian Century, but all the while it is acutely wary of China’s intention and military might, citing the usual reason that China is not yet transparent. Sharing this China anxiety with US policy-makers, Canberra has recently beefed up its military ties with Washington, as exemplified by allowing 2 500 US marines to train in Darwin and passing the US-Australian Defence Trade Treaty. There is nothing wrong with feeling anxious about China. After all, the Chinese themselves may have been caught by surprise by the speed of their country’s ascendancy on the world stage, and many are grappling with the meanings and implications of China’s new global role. Meanwhile, aware of unease felt by neighbouring countries, the Chinese leadership has tried to reassure the rest of the world that China’s rise will be peaceful. Yet, this ‘reassurance’ policy has done little to ease that fear, for the latter has become interwoven with the expert knowledge of the ‘China threat’ offered by some quarters of the China watching community. This fear-induced China knowledge, now compounded by the widespread anxiety about impending US/Western decline, has in part given impetus to the Obama administration’s ‘Rebalancing’ to Asia. Although the US constantly denies that this strategic move aims at containing China, its unease with Beijing’s perceived growing clout has been at least one of its main driving forces. Interestingly but not surprisingly, despite their belonging to the opposite sides of the American partisan politics, Secretary of State Hillary Clinton and former Republican Presidential nominee Mitt Romney both share this latent fear about America’s future as well as China’s ambition. Neither wants to see the widely anticipated Asian (Pacific) Century become a Chinese, rather than American, century. Herein lies America’s new geopolitics of fear, following the decade-long ‘War on Terror’. But as the focus of this new geopolitical game turns to China and the Asia Pacific at large, fear is not the only emotion at play. Fantasy, as it may be called, is another, and perhaps even more enduring, emotional underpinning of the US’s Asia Pacific strategy. From the American business community’s ‘Bridge the Pacific’ campaign in the late nineteenth century through Ronald Reagan’s ‘America is a Pacific nation’ declaration to Bill Clinton’s ‘Pacific Century’ statement, the Pacific has long been envisaged as an American Lake and a new frontier in the US’s ‘manifest destiny’ to lead the world from darkness to light. At the heart of Oriental darkness has been China, marked by its backward civilisation, despotic political system, and deplorable human rights records. Therefore, the dream of transforming the Oriental Other in American image has run deeply through US China-engagement policy ever since the missionaries’ ‘Christ for China’ campaign, business executives’ ‘Oil for the lamps of China’ slogan, and more recently, the ‘constructive engagement’ policies of the Bill Clinton and George W. Bush administrations. Considering that modern China studies and, by extension, contemporary China watching, owe much to the missionary writings on China, it is clear that fantasy or a desire to see ‘a huge country with an ancient civilization transforming herself into a modern, democratic, Christian nation and following the lead of the United States’ has been part and parcel of contemporary China research agenda, although the terminology has been changed from religious conversion of China to economic and institutional integration as well as normative socialisation. Despite the intellectual, commercial and strategic efforts of engaging China, America’s China dream, now as then, proves to be elusive. As a result, a large part of the China fantasy has turned into disillusionment and even fear. In this context, the US’s ‘Rebalancing’ to Asia and its hedging against China represent a new and more sophisticated manifestation of the geopolitics of fear and fantasy. While no doubt many China observers are busy observing the fascinating new geopolitical manoeuvring in the Asia Pacific, they could do well to also critically observe the role of their China knowledge – strongly coloured by fear and fantasy – in the making of this strategic shift that is likely to profoundly shape global politics in the coming decades.

#### ---The frame of Chinese oil and natural gas investment as monolithic nation-state action makes American security policy a self-fulfilling prophecy that sees acts of aggression behind every business move and investment deal.

Pan 2007

Chengxin, School of International and Political Studies, Faculty of Arts, Deakin University, What Is Chinese About Chinese Business? Implications for U.S. Responses to China’s Rise, Asia Research Centre, CBS, Copenhagen Discussion Papers

From the global production network perspective, not only does the assumption of a zero-sum game between China and the United States become problematic, but the notion of the so-called ‘Chinese business practices’ becomes problematic, as what is often termed as ‘Chinese business practices’ may be seen as a product of the interactions between Chinese and transnational companies, including U.S. companies. For instance, the Unocal bids by CNOOC, a state-owned company in China, has been seen as a proof of China’s sinister business strategy to undermine U.S. national security. Yet, what is less well-known is that Goldman Sachs, whose CEO Henry Paulson is currently U.S. Treasury Secretary, was involved in financing the aborted CNOOC-Unocal deal (Hawkins 2006). In this sense, Chinese companies’ acquisitions of natural resources in various parts of the world, while drawing much alarm and criticism in the U.S. and elsewhere, are nothing uniquely Chinese. As Michael Klare explains, the United States, Britain, France, Japan, and other Western oil-importing countries have long competed among themselves for drilling rights in overseas producing areas…. China may be a newcomer to this contest, but is not behaving noticeably differently from the other oil-seekers. Indeed, the “National Energy Policy” announced by President George W. Bush on May 17, 2001, calls for US officials to conduct the same sort of diplomatic quest in pursuit of foreign energy as that now being undertaken by Chinese officials (Klare 2006:182). Understood this way, threatening to retaliate against ‘China’ is not only unlikely to eliminate those ‘Chinese’ business practices, but it could in fact provide further impetus to them. It is in this sense that I consider the policies based on a unitary Chinese economic Other counterproductive and potentially dangerous. Again take the American nationalistic responses to CNOOC’s Unocal for example. By effectively declaring to the Chinese that North America is off limits, American policy-makers sent ‘precisely the wrong message to China’s modernizing managerial class and encourage highly damaging … tendencies in China, including nationalism, mercantilism and distrust of the international markets’ Harding et al 2006:64). Similarly, Hadar notes that ‘by taking steps to derail the Unocal-CNOOC deal, Washington is helping set in motion what could be only described as a self-fulfilling prophecy’ (2005). Since no amount of U.S. legislation would be able to reduce the global production demand for energy in China, China would seem to ‘have no choice in light of the US policies but to form special economic or foreign policy relationships’ with the so-called ‘rogue states’ (Hadar 2005). Of course, this in turn could confirm the suspicion of China many Americans have long held, thereby giving rise to a vicious cycle of mutual suspicion and hostility. Starting out with the image of a homogeneous Chinese Other and consistently acting upon it, hawkish policy-makers in Washington could well succeed in bringing out a more unified rival in China down the road.

#### ---This knowledge production starts from the position of the bomber and enables nuclear annihilation.

Chow, the Andrew W. Mellon Professor of the Humanities and Professor of Modern Culture & Media Studies at Brown University, 2006

Rey, The Age of the World Target: Self-Referentiality in War, Theory, and Comparative Work, p. 40-42

Often under the modest and apparently innocuous agendas of fact gathering and documentation, the “scientific” and “objective” production of knowledge during peacetime about the various special “areas” became the institutional practice that substantiated and elaborated the militaristic conception of the world as target. In other words, despite claims about the apolitical and disinterested nature of the pursuits of higher learning, activities undertaken under the rubric of area studies, such as language training, historiography, anthropology, economics, political science, and so forth, are fully inscribed in the politics and ideology of war. To that extent, the disciplining, research, and development of so-called academic information are part and parcel of a strategic logic. And yet, if the production of knowledge (with its vocabulary of aims and goals, research, data analysis, experimentation, and verification) in fact shares the same scientific and military premises as war – if, for instance, the ability to translate a difficult language can be regarded as equivalent to the ability to break military codes – is it a surprise that it is doomed to fail in its avowed attempts to “know” the other cultures? Can “knowledge” that is derived from the same kinds of bases as war put an end to the violence of warfare, or is such knowledge not simply warfare’s accomplice, destined to destroy rather than preserve the forms of lives at which it aims its focus? As long as knowledge is produced in this self-referential manner, as a circuit of targeting or getting the other that ultimately consolidates the omnipresence of the sovereign “self” / “eye” – the “I” that is the United States, the other will have no choice but to remain just that – a target whose existence justifies only one thing, its destruction by the bomber. As long as the focus of our study of Asia remains the United States, and as long as this focus is not accompanied by knowledge of what is happening elsewhere at other times as well as at the present, such study will ultimately confirm once again the self-referential function of virtual worlding that was unleashed by the dropping of the atomic bombs, with the United States always occupying the position of the bomber, and other cultures always viewed as the military and information target fields. In this manner, events whose historicity does not fall into the epistemically closed orbit of the atomic bomber – such as the Chinese reactions to the war from a primarily anti-Japanese point of view that I alluded to at the beginning of this chapter – will never receive the attention that is due to them. “Knowledge,” however conscientiously gathered and however large in volume, will lead only to further silence and to the silencing of diverse experiences. This is one reason why, as Harootunian remarks, area studies has been, since its inception, haunted by “the absence of a definable object” – and by “the problem of the vanishing object.”

#### ---So called “objective” security claims must be analyzed at the level of knowledge production. The identification of a ‘China threat’ cannot be separated from the colonial desires they satisfy and military powers they benefit.

Pan 2013

Chengxin, Senior Lecturer in International Relations, Deakin University, Australia, Knowledge, Desire and Power in Global Politics Western Representations of China’s Rise, pg. 82-83

Consequently, for all the claims of the 'China threat’ paradigm to be scientific knowledge and objective truth, it has its roots in power and is well-suited to the service of power. By taking note of the power/knowledge nexus in the construction and function of the China threat knowledge. I do not suggest that every single piece of work in the 'China threat' genre is written under the decree of the Pentagon in exchange for funding and/or political patronage. As noted above, the nexus often takes multiple forms, some of which are subtler, less visible and less direct than others. Indeed, it is in the interest of both knowledge and power that their liaison be kept as covert as possible. This is what I-oucaull means by the "subtle mechanisms' in the production of knowledge where the exercise of power 'becomes capillary".'" In his account of the relationship between the state, the foundations, and international and area studies during the Cold War, Cumings used the term 'going capillary' to describe how, through small, everyday and local avenues, such as decisions on who gets tenure, who edits prestigious journals, which research project gets funded, and which textbooks are adopted, power was able to maintain its presence so that "people do things without being told, and often without knowing the influences on their behavior". 3 Also, once taking on a life of its own, knowledge can span an intertextual, disciplinary and institutional web within which it can self-generate, ostensibly removing itself a step further from power. Thus far, I have critically examined the power/know ledge/desire nexus in the case of the 'China threat1 paradigm. In doing so, I do not imply that the solution lies in the pursuit of pure knowledge and neutral scholarship on the part of those China watchers, who should shun government agencies, which in tuni should stop funding social science research altogether. In the fields of social sciences at least, there is no such thing as pure knowledge, disconnected totally from desire and power. Indeed, as examined at the beginning of this book, pure social knowledge is neither possible nor even desirable. I am not against the power/knowledge/desire nexus per se; rather, my point is that we, as producers of knowledge, should guard against the possibility of being misused and abused by power which often serves special interests. We should be self-conscious and sensitive to the consequences—however unintended or even well-intended—of our knowledge as practice. If all knowledge is linked to power in one way or another, it may beg the question of why the "China threat\* paradigm has been singled out here for criticism. The reason, I submit, is that not all knowledge/power nexuses arc equal in terms of their intertcxtual influence or practical and moral implications. As noted above, associated with the 'China threat' knowledge has been a particular kind of political economy of fear. It not only lays the discursive foundation for military Keynesianism, but also has profound and even dangerous repercussions for Sino-Western relations in general and US-China relations in particular. When acted upon by foreign policy-makers, the "China threat' paradigm runs the risk of turning into a self-fulfilling prophecy, an issue which will be examined in the next chapter.

### Thus the plan --- The United States federal government should end Exon-Florio reviews for crude oil and natural gas production.

#### Contention Two --- Global Production Networks

#### ---Voting affirmative embraces a view of oil production as part of global production networks that transforms and deconstructs the nationalist economic lens. Such a move embodies a politics of international solidarity creating the space for pan-national connections between workers in China and the United States necessary to challenge and reshape both discourse & economic structure.

Hart-Landsberg & Burkett 2006

Martin, Professor of Economics and Director of the Political Economy Program at Lewis and Clark College, Paul, professor of economics at Indiana State University, China and the Dynamics of Transnational Accumulation: Causes and Consequences of Global Restructuring, Historical Materialism, volume 14:3 (3–43)

The data does indeed show that China has achieved unprecedented rates of growth and that its economic transformation has greatly inﬂuenced the nature and organisation of economic activity in other countries. However, we reject the mainstream understanding of the Chinese experience highlighted above and the commonly derived political conclusions. To begin with, we do not believe that China’s economic experience or the resulting restructuring of other economies can be understood in national or even inter-national terms, as if China’s gains create opportunities for policy makers in other countries to promote their own national restructuring in ways that beneﬁt their respective working-class majorities. Rather, we see China’s post-reform economic activity and changes in production processes in other countries being linked and collectively shaped by broader transnational capitalist dynamics, in particular by the establishment and intensiﬁcation of transnational corporate-controlled cross-border production networks. And, far from beneﬁting working people, these dynamics are increasing international imbalances and instabilities as well as heightening competitive pressures that work against the interests of workers in all the countries affected by them, including China. In short, we believe that the conventional wisdom on China presents a ﬂawed picture of global capitalist dynamics and the tensions they generate, one that leaves workers with a set of political options largely limited to passive acceptance of their worsening conditions or a declaration of economic war against their counterparts in other countries, especially China. In contrast, by focusing on the nature and logic of the new transnational accumulation dynamics that are reshaping economic activity in China and other countries, it becomes easier to see the destructive nature of capitalism itself, and the need to build international solidarity and nationally complementary strategies to oppose and overcome it.

#### ---The problem is one of framing. Reinterpreting energy investment actions as specific businesses working within transnational production networks rather than as aggression from a rising Chinese behemoth shatters the notion of a unified Chinese business interest, exposing elite economic exploitation & challenging populist nationalism.

Pan 2007

Chengxin, School of International and Political Studies, Faculty of Arts, Deakin University, What Is Chinese About Chinese Business? Implications for U.S. Responses to China’s Rise, Asia Research Centre, CBS, Copenhagen Discussion Papers

While such anti-China rhetoric and policies are lent credibility and urgency by the frightening image of a rising Chinese behemoth, I argue that these nationalistic economic policies are frequently unjustified, misguided, and even dangerous. To begin with, those policies do not necessarily serve America’s national interests as alleged. More often than not, as the U.S. Chamber of Commerce admitted, industry-specific or region-specific interests have been ‘miscast as homeland security or national security imperatives’ (Hawkins 2006:7). For example, the interests that the Schumer-Graham bill would best serve are more likely those of the textile industry in South Carolina, Graham’s home state. Similarly, it cannot just be pure coincidence that the author of a House resolution demanding a national security review of CNOOC’s bids of Unocal, House Resources Committee Chairman Richard Pombo, is from the district where the headquarters of Chevron, CNOOC’s rival bidder, are located (Weisman 2005:D1). Should these ‘China’ problems be framed in terms of specific business issues, which I think they are, they would have lost much of their galvanising impact on the government or the general public.

#### **---The elimination of investment restrictions is a critical challenge to American economic unilateralism. The elimination of Exon-Florio restrictions is not an affirmation of free trade systems but rather a strategic move to avoid the assimilation of leftist politics into the Pentagon’s efforts at “containing” China.**

Bello, executive director of Focus on the Global South, & Mittal, co-director of the Oakland-based Institute for Food and Development Policy, 2000

Walden, Anuradha, Dangerous Liaisons: Progressives, the Right, and the Anti-China Trade Campaign, Institute for Food and Development Policy/Food First, May, http://www.tni.org/archives/archives\_bello\_china

A coalition of forces seeks to deprive China of permanent normal trading relations (PNTR) as a means of obstructing that country's entry into the World Trade Organization (WTO). We do not approve of the free-trade paradigm that underpins NTR status. We do not support the WTO; we believe, in fact, that it would be a mistake for China to join it. But the real issue in the China debate is not the desirability or undesirability of free trade and the WTO. The real issue is whether the United States has the right to serve as the gatekeeper to international organizations such as the WTO. More broadly, it is whether the United States government can arrogate to itself the right to determine who is and who is not a legitimate member of the international community. The issue is unilateralism-the destabilizing thrust that is Washington's oldest approach to the rest of the world. The unilateralist anti-China trade campaign enmeshes many progressive groups in the US in an unholy alliance with the right wing that, among other things, advances the Pentagon's grand strategy to contain China. It splits a progressive movement that was in the process of coming together in its most solid alliance in years. It is, to borrow Omar Bradley's characterization of the Korean War, "the wrong war at the wrong place at the wrong time".

#### ---Locating oil and natural gas investment from Chinese businesses within global production networks creates greater sensitivity to the uneven distribution of value and power in the global production processes and is a prerequisite to challenging inequality.

Pan 2009

Chengxin, Senior Lecturer in International Relations at Deakin University, What is Chinese about Chinese Businesses? Locating the ‘rise of China’ in global production networks, Journal of Contemporary China, 18(58), January, 7–25

The complexities of the identity of Chinese businesses are reflected in both the extensive intermingling of ‘non-local’ or ‘non-Chinese’ businesses with their ‘Chinese’ counterparts and, as a result of such processes, the fragmentation of the apparently ‘homogeneous’ Chinese businesses. As a consequence, the conventional assumption of their exclusive Chineseness seems no longer able to do justice to these complexities. Relying on the nation-state as the primary unit of analysis, the statecentric assumption is not only prone to a blindness to the transnational dimension of the Chinese economy, but also tends to exaggerate Chinese power in the global political economy,25 or even mistake China for a model for national economic development. As Hart-Landsberg and Burkett point out, China’s economic experience cannot be understood ‘in national or even inter-national terms, as if China’s gains create opportunities for policy makers in other countries to promote their own national restructuring in ways that benefit their respective working-class majorities’.26 In other words, economic development in China, far from being predominantly a national phenomenon, has a distinctively transnational or global dimension. This transnationality is characteristic of many sectors of the Chinese economy, but the main focus here will be on manufacturing, not least because this sector, directly linked to the ‘Made in China’ phenomenon, has attracted most attention in mainstream media and scholarship. The paper utilizes the global production networks (GPN) framework to examine the transnational characteristics of Chinese manufacturing businesses. Global production networks are a form of contemporary capitalist development that increasingly involves ‘the detailed disaggregation of stages of production and consumption across national boundaries, under the organizational structure of densely networked firms or enterprises’.27 Leading the way of this development are modern multinational companies, whose strategies, as Kenichi Ohmae argues, ‘are no longer shaped and conditioned by reasons of state but, rather, by the desire—and the need—to serve attractive markets wherever they exist and to tap attractive pools of resources wherever they sit’.28 Not surprisingly, these strategies lead to the continued expansion of the capitalist production networks to a global scale. As a result, the social origins and production of various production materials, labor, capital, information, technology, design, management, marketing, and consumption are no longer rigidly tied to fixed, singular localities or nationalities, thus making it increasingly difficult and problematic, if not impossible, to identify businesses and their practices in exclusively national terms. With its emphasis on production and its transnational processes, the GPN framework allows a better understanding of the ‘intricate links—horizontal, diagonal, as well as vertical’ that form ‘multidimensional, multi-layered lattices of economic activity’.29 In doing so, the GPN framework adopted here does not endorse a neoliberal rosy picture of globalization as a worldwide process of economic and cultural convergence. Quite the contrary, it allows greater sensitivity to the uneven distribution of value and power across nations, regions, and classes in global production processes. As far as the organization of economic activities is concerned, national boundary, ethnicity, and domestic political governance are far from disappearing or becoming totally irrelevant. It is just that the whole spectrum of economic activities is becoming less neatly confined to those traditional boundaries. To the extent that power and production (particularly in its conventional sense of manufacturing) often do not coincide or converge on the same geographical space, separate national categories are no longer so useful in the face of the multiple, unstable identities of businesses and economies.

#### --- Examining the self-fulfilling tendencies in Sino/American energy policy doesn’t deny Chinese agency and is a prerequisite to coherent policy response.

Pan 2013

Chengxin, Senior Lecturer in International Relations, Deakin University, Australia, Knowledge, Desire and Power in Global Politics Western Representations of China’s Rise, pg. 106-107

One might take comfort in the fact that neither Beijing nor Washington actually wants a direct military confrontation. But that is beside the point, for the lack of aggressive intention alone is no proven safe barrier to war. As in the cases of the Korean War and the Vietnam War, the outbreak of war does not necessarily require the intention to go to war.137 Mutual suspicion, as US President Theodore Roosevelt once observed of the Kaiser and the Rnglish, is often all that is needed to set in motion a downward spiral.138 And thanks to the 'China threat' paradigm and its mirror image and practice from China, mutual suspicion and distrust has not been in short supply.139 A war between these two great powers is not inevitable or even probable: the door for mutual engagement and cooperation remains wide open. Nevertheless, blind to its own self-fulfilling consequences, the 'China threat" paradigm, if left unexamined and unchecked, would make cooperation more difficult and conflict more likely. It is worth adding that my treatment of Chinese nationalism and realpolitik thinking is not to downplay their potentially dangerous consequences, much less to justify them. Quite the contrary, for all the apparent legitimacy of reciprocal counler-violence or counter-hedging. Chinese mimicry is dangerous, as it would feed into this tit-for-tat vicious cycle and play its part in the escalation of a security dilemma between the US and China. Thus, to emphasise Chinese responsiveness is not to deny Chinese agency or exonerate its responsibility. While the general nature of Chinese foreign policy may be responsive with regard to the US. its 'contents\* are not simply passive, innocent mimicry of US thinking and behaviour, but inevitably come with some 'Chinese characteristics'. That said, those 'Chinese characteristics\* notwithstanding, there is no pregiven China threat both unresponsive to and immune from any external stimulus. To argue otherwise is to deny an important dimension of Chinese agency, namely, their response-ability. By examining the self-fulfilling tendency of the 'China threat\* paradigm, we can better understand that Sino-American relations, like international relations in general, are mutually responsive and constitutive. Thus, both China and the US should be held accountable to the bilateral relationship of their mutual making. To the extent that this 'China threat' knowledge often denies such mutuality, and by extension, US responsibility in the rise of the China threat, it is all the more imperative to lay bare its intrinsic link with power practice.

# 2ac

### case

#### Only the US has the expertise necessary for China to develop its shale resources- increased Chinese access to US drilling techniques and regulatory methods is critical.

Forbes, manager- Shale Gas Initiative at the World Resources Institute, 12 (Sarah, also the Senior Associate for the Climate and Energy Program at the World Resources Institute, HEARING BEFORE THE U.S.-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION: “CHINA’S GLOBAL QUEST FOR RESOURCES AND IMPLICATIONS FOR THE UNITED STATES; CHINA’S PROSPECTS FOR SHALE GAS AND IMPLICATIONS FOR THE U.S.,” January 26, http://pdf.wri.org/testimony/forbes\_testimony\_china\_shale\_gas\_2012-01-26.pdf)

Are there risks as well as opportunities for U.S. companies? From a global perspective, the oil and gas industry is integrated; companies work together on projects all over the world, owning shares in projects and hiring service providers as required for operations. Because of the variation in geology, most of what is needed to develop any oil or gas play is local “know-how,” not technology that is subject to patents. These unique features of the globalized industry result in less dependency on intellectual property protection and the risks of sharing technologies abroad as compared with other industries. For example, while the basic drilling and fracturing technologies needed for shale gas development are relatively uniform, the extraction methodologies depend most heavily on the site-specific geological features of the shale play being developed. Horizontal drilling first occurred in the United States in 1929 and fracing has been performed since 1949 39 . Geological factors that are unique to each well site (e.g., natural gas content, natural fractures of the rock, fracturing ability of the source rock) impact the staging of the fractures, the pressure of the hydraulic fracturing, and the fracturing fluid mixture. It is the experience gained from working many drill sites, in different basins and plays, which is the driving force behind U.S. shale gas development. Chinese companies currently possess the ability to drill wells horizontally and have some experience with fracing 40 , but operators and service providers in the United States currently have a clear global advantage based on the substantial experience with drilling and fracing shales to produce gas and the know-how to use these techniques effectively to maximize output 41 . This being said, the oil industry in China is a very domestic business (especially onshore) and has historically provided international companies with very limited access to onshore resources. Any international involvement typically comes from the creation of partnerships between Chinese companies and foreign companies, which is already happening with shale plays in China, as demonstrated by the PetroChina-Shell and CNOOC-BP JVs. A key question is whether the future shale gas industry in China will be modeled after the offshore oil industry (which includes more JVs) or the onshore oil and gas industry. Future cooperation between governments and businesses should not be limited to financial investments or knowledge sharing on operational practices. Although the United States currently stands as the only country with domestic experience in large-scale shale gas development, the experiences have not been all positive. U.S. regulatory structures, information flow, and enforcement capacities have generally not kept pace with the speed of development in shale formations. Stakeholders affected by U.S. shale gas development have not reached agreement on the risks associated with fracing, although experts agree that practices and regulations should be improved in order for the United States to develop its shale gas resources in an environmentally and socially responsible manner 42 . The growing understanding within state governments of both the level of environmental risks and how to manage them are valuable experiences for Chinese regulators and industrial entities to be aware of and take into account while pursuing and designing Chinese domestic development.

#### Chinese shale development key to displace their coal use—renewables cant be scaled up fast enough.

Hanger 12 (John, Special Counsel at the law firm Eckert Seamans, and former Secretary of the Pennsylvania Department of Environmental Protection and Commissioner of the Pennsylvania Public Utility Commission, “China Gets Cracking on Fracking: The Best Environmental News Of The Year?,” Aug 14, http://johnhanger.blogspot.com/2012/08/china-gets-cracking-on-fracking-good.html)

China sits on natural gas reserves that are estimated to be 50% higher than the massive gas reserves in the USA. http://news.nationalgeographic.com/news/energy/2012/08/120808-china-shale-gas/. Despite this gargantuan gas resource, coal provides China 80% of its electricity, compared to 34% in the USA, as of May 2012. Why the difference? The shale gas boom that is now more than 10 years long in the USA is just getting started in China and so the Chinese remain heavily reliant on coal to make electricity and for their total energy. Around the world, the basic energy choice is coal or gas. China is just the biggest example of this fundamental fact. China's reliance on coal means that its economic growth brings skyrocketing carbon emissions and other air pollution. Indeed, Chinese air quality is infamous around the world, and smog has been so thick that Beijing airport has been unable to land planes for short periods. As of 2011, China was responsible for 29% of the world's carbon emissions, while the US produced 16%, even though the US economy is still considerably bigger than China's. Moreover, US carbon emissions are declining to 1992 levels, but China's emissions skyrocket. Though China is building substantial new wind, solar, and nuclear generation, those investments are not enough to cut Chinese coal consumption, given economic growth that is still 7% in what some describe as an economic slowdown. Shale gas, however, could be big enough to actually displace significant amounts of coal in China. More gas in China means less mercury, soot. lead, smog, and carbon emissions. China's energy plans call for shale gas to provide 6% of its total energy as soon as 2020. If it achieves that goal, China will avoid more than 500 million tons of carbon pollution per year or about 1.5% of today's total carbon emissions.

### \*2AC-Restrictions on Production

#### ---we meet-foreign investment restrictions are a type of restriction on production

Hirsch-former senior energy program adviser for Science Applications International Corporation-11

Commentary: Restrictions on world oil production <http://www.energybulletin.net/stories/2011-03-28/commentary-restrictions-world-oil-production>

Restrictions on world oil production can be divided into four categories: 1. Geology 2. Legitimate National Interests 3. Mismanagement 4. Political Upheaval Consider each in reverse order: Political upheaval is currently rampant across the Middle East, resulting in a major spike in world oil prices. No one knows how far the impacts will go or how long it will take to reach some kind of stability and what that stability will mean to oil production in the Middle Eastern countries that produce oil. We are thus relegated to best guesses, which span weeks, months, or years before there are clear resolutions. One pre-Middle East chaos country limited by political upheaval is Iraq, which is believed to have the oil reserves to produce at a much higher level, but Iraqi government chaos has severely limited oil production expansion. In another long-standing case, Nigeria has been plagued by internal political strife, which has negatively impacted its oil production. Mismanagement of oil production within a country can be due to a variety of factors, all of which mean lower oil production than would otherwise be the case. Venezuela is the poster child of national mismanagement. The country has huge resources of heavy oil that could be produced at much higher rates. Underproduction is due to the government syphoning off so much cash flow that oil production operations are starved for needed funds. In addition, Venezuela has made it extremely difficult, if not impossible for foreign oil companies to operate in the country. Another example of mismanagement is Mexico, where government confiscation of oil revenues, substandard technology, and restrictions on foreign

#### ---We meet – FDI restrictions explicitly ban production- Ralls proves

Voss 12 (CJ Attorney at Stoel Rives LLP) September 24, 2012 "Energy Law Alert: CFIUS Intervenes in Chinese-Owned Wind Project" http://www.stoel.com/showalert.aspx?Show=9813)

On July 25, 2012, CFIUS issued an Order Establishing Interim Mitigation Measures requiring Ralls to cease further construction and operation of the Oregon Projects, remove all stockpiled or stored items from the Oregon Project sites, and cease access to the sites except to the extent required to remove stored or stockpiled property. In an amended order, dated August 2, 2012, CFIUS modified its prior order, adding further restrictions on Ralls's activities, including a prohibition on the sale or transfer of the Oregon Projects to any third party for the purpose of installing any Sany products and restrictions on the sale or transfer of the equity or assets of the Oregon Projects.

#### ---FDI restrictions via Mitigation agreements are access restrictions.

Zaring, Law Prof at Penn, 09 (David, Assistant Professor, Wharton School, University of Pennsylvania; Visiting Assistant Professor, University of Pennsylvania Law School, CFIUS AS A CONGRESSIONAL NOTIFICATION SERVICE, Nov, 83 S. Cal. L. Rev. 81)

To be sure, determining a "law of CFIUS" is not easy. The Committee's legal mandate is replete with discretion. CFIUS is specifically charged with the task of reviewing proposed foreign acquisitions to determine whether they will impair "national security," 8 and the Committee has said the term "is to be interpreted broadly and without limitation to particular industries," its scope lying wholly "within the President's discretion." 9 Prospective foreign acquirers first submit their deals to the Committee for an evaluation over a thirty-day period, and if CFIUS is concerned enough to investigate further, a subsequent forty-five-day window exists. 10 After this evaluation period, the Committee must send a recommendation to the president, who can then either block the transaction or permit it to go forward. 11 CFIUS may recommend blockage to the president or refuse to approve the deal unless the acquiring company agrees to a variety of conditions, such as preventing foreigners from accessing the operations of the target asset, guaranteeing law enforcement access to the firm's resources, and so on. 12 These conditions take the form of "mitigation agreements," so called because the acquirer agrees to take the steps to [\*85] "mitigate any threat to ... national security." 13

#### ---Counter-interpretation—restrictions include limiting conditions

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

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

#### ---These limiting conditions are de-facto prohibitions because they set the bar too high on production

Marchick 07 (David, partner at Covington & Burling, where he advises

companies on the CFIUS process, “Swinging the Pendulum too Far: An Analysis of the CFIUS Process Post-Dubai Ports World,” Jan, http://www.nfap.net/researchactivities/studies/NFAPPolicyBriefCFIUS0107.pdf)

As Figure 4 (see Appendix) shows, jobs associated with foreign investment grew rapidly between 1985 and 2000 but have since dropped by 10 percent. While data are not yet available for 2005 and 2006, non-official data suggests that 2006 was a record year for overall merger and acquisition activity and there was strong growth of foreign acquisitions of U.S. companies in the United States, although foreign investment levels remain well below levels in 2000. Despite the apparent increase in foreign investment in 2006, one has to ask whether the overall level of foreign investment in the United States would not have been even greater in the absence of the uncertainty created by the Dubai Ports controversy. Indeed, as Figure 3 shows, merger and acquisition activity globally and between U.S. companies has grown much faster than the growth rate of foreign acquisitions of U.S. companies. Anecdotal evidence among investment bankers and CFIUS attorneys suggests that a number of significant foreign acquisitions did not go forward in 2006 due to concerns about CFIUS. These transactions did not go forward either because the foreign investor did not want to go through the CFIUS process or because of concerns that conditions imposed by CFIUS would have put them at a competitive disadvantage vis-à-vis their American competitors.

### A2 Anthropocentrism --- CFIUS K AFF

#### ---No link to the aff.

#### (A.) Considering human impacts doesn’t require anthropocentrism --- Prudential and non-prudential justifications are mutually reinforcing.

Plumwood 2002

Val, Environmental Culture: The Ecological Crisis of Reason, pg. 129

Similarly, the ideal of avoiding human-centeredness does not imply at all that humans should not be prudent, or that we cannot consider the effect of environmental damage on our own human interests along with the effect of our actions on other species and on nature generally. The criticis’ objection rests on identifying prudence with something much stronger – with a kind of species selfishness that treats other beings solely as means to our own, human ends. Kant tells us that humans are to be conceived as ends-in-themselves and cannot be treated as merely means to our ends, and though Kant himself restricted this kind of standing to humans, environmental philosophy typically proposes to generalize it. But the crucial phrase here is *‘no more than’*. We must inevitably treat the natural world to some degree as a means, for example, as a means to food, shelter and other materials need in order to survive, just as we must treat other people to some degree as means. In the circus, the performers may make use of one another by standing on one anothers’ shoulders, for example, as a means of reaching the trapeze, but our obligation to avoid using others solely as means (or *instrumentalising* them, as philosophers term it) does not imply banning the circus. What is prohibited is unconstrained or total use of others as no more than means, *reducing* others to means – tying some of the performers up permanently, for example, to use as steps.In short, then, prudential reasons and non-prudential reasons for action are not mutually exclusive; prudential and non-prudential reasons can combine and reinforce one another, and may not always be sharply separate, since any normal situation of choice always involves a mixture. The problem lies rather in the refusal to go beyond questions of human well-being and the exclusion of non-humans from morality and value as no more than tools, unworthy of any moral consideration in their own right. Only by identifying prudence with this radical kind of species selfishness can critics discover a malaise in environmental ethics. There is a difference between prudence and egocentrism, between a sensible concern which considers our own interests, perhaps together with the interests of others, and a selfish and exclusive preoccupation with our own interests which fails to consult the interests of others at all. (One can see why the dominant global order might have wanted us to confuse them, and in whose interests it would be to do so).

#### (B.) Rejecting anthropocentric utilitarianism is counterproductive --- We can use anthropocentric concepts to get others onboard with nonhuman defense and recognition.

Litfin 2003

Karen, University of Washington, Secularism, Sovereignty and the Challenge of Global Ecology: Towards a New Story, <http://www.essex.ac.uk/ECPR/events/jointsessions/paperarchive/grenoble/ws6/litfin.pdf>

From any particular worldview comes a specific ethical proclivity. Under the secular worldview, obilizationiz utilitarianism has been the dominant ethical orientation. According to this orientation, instrumental rationality should be applied to obtain the greatest good for the greatest number, where “good” is defined in material terms as comfort, efficiency, and longevity. In the past, the sovereign state was taken as the container in which this good was to be evaluated. More recently, the twin problems of global inequality and ecological finitude are casting doubt upon both utilitarian ethics and the ability of the territorial state to apply it. In this context, the temptation to reject an anthropocentric stance altogether is understandable. Yet we should resist that temptation. Because an integral worldview accepts all manifest forms as emanations of Spirit, it therefore (like deep ecology) acknowledges the intrinsic value of all living things, but it also allows for value distinctions that ground a coherent environmental ethos. Representing the emergence of reflective self-consciousness in the evolution of spirit, humans “are presently first among equals” (Kealey 1990: 81). This position accords with our basic moral intuition that in the pursuit of our vital needs, we should consume or destroy as little complexity and depth of consciousness as possible (Wilber 1996: 334-35). Moreover, in acknowledging humanity’s unique role at this evolutionary juncture, an integral worldview stresses our special ethical responsibilities at least as much as our special rights.

#### ---Permutation do both --- Reject anthropocentrism and <aff>

#### ---The permutation solves best

#### (A.) It’s try or die for the Aff --- Even if they win a long term inevitability claim, the alternative has zero mechanism for resolving the political structures of knowledge production that facilitate nuclear violence against the Chinese government. The permutation is the only option that allows the Earth to survive long enough to implement the alternative.

#### (B.) Combing anthropocentrism with concern for nonhuman life, even within the framework of instrumental rationality, is the only pragmatic first step towards challenging human domination.

Litfin 2003

Karen, University of Washington, Secularism, Sovereignty and the Challenge of Global Ecology: Towards a New Story, <http://www.essex.ac.uk/ECPR/events/jointsessions/paperarchive/grenoble/ws6/litfin.pdf>

A second critical development is the extension of “rights” to nonhuman species, a development which represents a rudimentary yet significant departure from secularism’s self-consciously human-centeredness. While the threat of massive species extinction continues apace, moves to protect endangered species, both in domestic legislation and international treaties, suggests a growing recognition that other species also deserve to exist. In many cases, it is an instrumental anthropocentric rationality that seeks to protect other species because of their utility to humans, rather than an acknowledgement of the rights of other species. Yet this deployment of instrumental rationality itself represents a significant departure from secularism’s presumption of human domination, for it recognizes the web interdependence among species and the embeddedness of humans in that web. That recognition, while not by itself representing an integral worldview, may be nonetheless an important step in that direction because it undercuts the humanist presumptions of secularism. We should also note that since the project of universalizing humanity, a latent dream of secularism, is still under way, we should not expect to see any full-scale shift towards an integral perspective of the biosphere anytime soon.

#### (C.) The alternatives sudden abandonment of all human management is catastrophic for both human and non human life. This also answers the ‘human extinction good’ claims that will come out in the block.

Zizek 2008

Slavoj, Violence, or ........ Ecology as a New Opium for the Masses <http://www.lacan.com/zizecology2.htm>

The lesson to be fully endorsed is thus that of another environmental scientist who came to the result that, while one cannot be sure what the ultimate result of humanity’s interventions into geo-sphere will be, one thing is sure: if humanity were to stop abruptly its immense industrial activity and let nature on Earth take its balanced course, the result would have been a total breakdown, an imaginable catastrophe. “Nature” on Earth is already to such an extent “adapted” to human interventions, the human “pollutions” are already to such an extent included into the shaky and fragile balance of the “natural” reproduction on Earth, that its cessation would cause a catastrophic imbalance. This is what it means that humanity has nowhere to retreat: not only “there is no big Other” (self-contained symbolic order as the ultimate guarantee of Meaning); there is also no Nature qua balanced order of self-reproduction whose homeostasis is disturbed, thrown off the rails, by the imbalanced human interventions. Indeed, what we need is ecology without nature: the ultimate obstacle to protecting nature is the very notion of nature we rely on.

### A2 Exclude Oil --- CFIUS K AFF

#### ---Chinese production is inevitable- the plan only changes where, it is a question of whether or not it is through a nationalist frame of exclusion, or business freedom

Scissors, Senior Research Fellow-Heritage, 12 (Derek, Senior Research Fellow in Asia Economic Policy, and Dean Cheng is Research Fellow in Chinese Political and Security Affairs , “China Buys Canadian Energy: Lessons for the U.S.,” July 26, 2012, http://www.heritage.org/research/reports/2012/07/china-buys-canadian-energy-lessons-for-the-us)

Wide-Ranging Implications One policy implication of CNOOC–Nexen is thus a bit stale: Blocking the Unocal deal was a mistake. As with Nexen, CNOOC’s bid for Unocal was freely agreed to. Its rejection by the U.S. government merely caused CNOOC to invest elsewhere, along with its bigger sisters in oil and other Chinese firms in other sectors. American participation in Chinese investment was delayed a few years, and the PRC was encouraged to seek oil in places where the U.S. now does not want it to be, such as Iran. Another implication follows immediately: If the U.S. wants to influence the way the Chinese participate in the global energy market, it should not object to the Nexen deal. Washington rightly wants the PRC to move away from dubious oil-producing regimes in Venezuela, Sudan, and elsewhere. Where should China go? A country that will respect international sanctions, has sound regulatory oversight, and is a close American ally is the ideal alternative.

#### Banning oil acquisition in the US forces Chinese businesses to countries the US sees as hostile, reifying the threat narrative.

Lieberthal and Herberg 06 (Kenneth, director of the John L. Thornton China Center of the Brookings Institution, and Mikkal, Director of the Asian Energy security program at The National Bureau of Asian Research, China’s Search for Energy Security: Implications for U.S. Policy\*, http://www.nbr.org/publications/nbranalysis/pdf/vol17no1.pdf)

Both the United States and China will benefit if they can develop a collaborative relationship on energy issues—as opposed to the current trajectory characterized by growing mistrust, suspicion, and competition. In reality, the fundamental global energy interests of China and the United states largely converge. China’s new energy security challenges mirror the United states’ own long-standing energy security challenges. Both countries share an interest in avoiding global supply disruptions, maintaining stability in the Persian Gulf, accelerating the development of new oil and gas resources, expanding the development and use of clean coal technologies, increasing global energy supply diversification, creating greater transit and fuel flexibility, expanding and improving emergency oil-sharing arrangements, and managing the environmental fallout from unrestrained fossil fuel consumption . What can the United States do to make constructive cooperation more likely? Is attaining such cooperation a feasible objective for U.S. policy? Thus far the U.S. response to China’s energy rise has been relatively ad hoc, reactive, and counterproductive. Compounded by China’s own lack of transparency, U.S. reactions have suffered from a poor understanding of China on many levels, including China’s energy dilemmas, the complex interests driving Beijing’s global energy approach, the goals and relationships that characterize Chinese energy institutions and state energy companies, and the linkages between energy and other issues in the People’s Republic of China (PRC). U.S. Congressional reaction to China National Offshore Oil Corporation’s (CNOOC) 2005 bid for Unocal both revealed how little some U.S. policymakers understand about China’s global energy push and showed how divisive these issues have become for an already strained U .s .-China relationship . The failed bid also demonstrated that, in today’s atmosphere of high energy prices and fears over long-term energy scarcity, both the United states and China are focused intently on their national energy security and tend to assume the worst of the other’s intentions. Moreover, the energy policymaking institutions of both China and the United States make effective energy cooperation very difficult. Therefore, the central question hinges on whether the United States and China will be able to reduce their existing mistrust, which is exacerbated by broader strategic tensions, and devise prudent and serious ways to begin working together to achieve mutual interests in energy . In fact, energy cooperation could actually contribute to building the trust required for potentially broader international cooperation between China and the United States. The United States and China seem to hold fundamentally different views of global energy markets. This reality makes effective dialogue on energy issues both more difficult and more necessary. China’s energy strategy currently appears rooted in a statist, mercantilist mentality among political leaders in Beijing. The United States, on the other hand, has a stated policy of relying largely on global markets to deliver energy supply security. 4 The United States does not always fully appreciate how its own colossal weight in global energy and geopolitics affects China’s concerns regarding U.S. ability to threaten China’s energy interests. Ed Morse, an expert on energy and politics, sums up the problem by asserting that, “The U.S . is mostly ‘brawn’ and limited ‘brain’ .” 5 Suspicions remain high both in Beijing and Washington regarding the other’s intentions on key energy security and supply questions. Without a more sophisticated policy response in both Washington and Beijing, the risk is that energy issues are becoming not a source of constructive cooperation but rather a deepening source of competition, misperceptions, and excuses for obstructing one another’s interests. If Beijing believes that the United States is attempting to use energy politics as an instrument to weaken and contain China, then Beijing will be more likely to use its growing energy influence to frustrate U.S. foreign and security policies. The array of negative results from such a scenario might include increasing Chinese “hoarding” of oil and natural gas fields and supplies, tying Chinese energy investments abroad ever more closely to dubious regimes, promoting security cooperation with adversarial governments, and politicizing global energy markets. Such fallout would also increase the leverage of government hard-liners in Beijing who want to develop blue-water naval capabilities to challenge U.S. control of the SLOCs through which large shares of China’s future oil and natural gas supplies will flow. 6 A wide range of other negative outcomes could be imagined. It is therefore in the best interests of both countries to try to understand each other’s energy insecurities and find new ways to work toward cooperative outcomes.

### Politics

#### Won’t Pass – GOP labor union dispute

Sargent 3/22/13 (Greg, journalist for the Washington post with previous experience at talking points memo, New York magazine, and the New York Observor, “A bait and switch on immigration reform” <http://www.washingtonpost.com/blogs/plum-line/wp/2013/03/22/a-bait-and-switch-on-immigration-reform/>)

Here’s something to keep an eye out for: Republicans who favor immigration reform carefully laying the groundwork to blame someone other than themselves — unions, Obama, etc. — if the heat from the right gets too intense and forces Republican officials to bail on reaching a reform compromise. Buzzfeed and Politico both report that Republicans are criticizing unions for insisting on various worker protections as part of the guest worker program that is expected to be a key part of of any immigration reform compromise. Business groups and Republicans are claiming that unions are asking for too much and are on the verge of killing the whole effort. “I don’t think it’s any secret that in the past, unions killed immigration reform,” says Marco Rubio, referencing disagreements over the failed reform effort in 2007 (which actually was primarily killed by conservative Republican opposition). I”m not buying it. My guess is that what’s really going on here is that Republicans need to be able to say they were not to blame if the right ultimately doesn’t allow them to reach a deal with Democrats on the real core issue — the path to citizenship.

#### Won’t Pass – LGBT provision

Lillis 3/19/13 (Mike, staffwriter for the The Hill, “GOP balks at LGBT protections in immigration reform” <http://thehill.com/homenews/house/289019-gop-balks-at-lgbt-protections-in-immigration-reform>)

Republicans are refusing to cede ground in their opposition to benefits for lesbian, gay, bisexual and transgender (LGBT) immigrants as part of efforts to get comprehensive reforms passed this year, said Rep. Luis Gutierrez (D-Ill.). Behind President Obama, Democrats and human rights advocates have lobbied for LGBT couples to have the same rights as other couples under the nation's immigration laws, for the sake of keeping families united. But Gutierrez, while he's pushing for those benefits to be included in the package, conceded Tuesday that he hasn't convinced anyone across the aisle to get on board. "I can tell you that there is broad support [generally], … but I can't say that I have reached any bipartisan [agreement]," Gutierrez, Capitol Hill's most vocal advocate for immigration reform, said at a breakfast in Washington sponsored by the Christian Science Monitor. Gutierrez noted that no final legislation has emerged from the bipartisan negotiations on the issue, and suggested that there's still time for Democrats to work the LGBT language into the package. "It's an issue we're still grappling with," he said. "I don't think we should simply discard it." But asked directly if any Republicans have been open to the idea, Gutierrez gave a dejected, "No." Because federal law does not recognize LGBT couples as legitimate families, same-sex couples of dual nationality are not offered the same protections granted to heterosexual couples during deportation proceedings. Democrats in both chambers are pushing to address that issue. A bill introduced last month by Rep. Jerrold Nadler (D-N.Y.) would empower LGBT American citizens to sponsor visas granting legal residency for their partners, a right they don't currently have. “Our Constitution guarantees that no class of people will be singled out for differential treatment – and LGBT Americans must not be excluded from that guarantee," Nadler said at the time. "Moreover, any serious legislative proposal for comprehensive immigration reform absolutely must include gay and lesbian couples and their families."

#### Won’t pass – no border trigger

York 3/27/13 (Byron, chief political correspondent for the Washington Examiner, <http://washingtonexaminer.com/border-security-in-exchange-for-immigration-reform-napolitano-says-no-deal./article/2525505>)

Republicans working to craft a comprehensive immigration reform bill say there is one rock-bottom requirement for any deal: The border must be secure, and proven to be secure, before any path to citizenship is created for the millions of immigrants currently in the country illegally. That is the one non-negotiable GOP demand. And on Tuesday, Homeland Security Secretary Janet Napolitano flatly rejected it. “Relying on one thing as a so-called trigger is not the way to go,” Napolitano told a breakfast meeting of journalists. Asked about her department’s recent revelation that it will not produce a long-promised method of measuring border security, known as the Border Condition Index, Napolitano said, “We’re confident that the border is as secure as it’s ever been. But there’s no one number that captures that.” Without a way to measure border security, many Republican reform advocates say, there’s no way to go forward with a reform agreement. Napolitano’s comments were one more bit of evidence, if Republicans needed any, that the Obama administration does not intend to make enhanced border security a precondition of immigration reform. “Every position and action the administration takes is consistent with the idea that they have no desire to accomplish immigration security,” said one GOP Senate aide who spoke on condition of anonymity. “One of the challenges in crafting any reform is that the American people do not have confidence in this administration’s willingness to enforce current immigration law,” said Alex Conant, spokesman for Marco Rubio, the Republican senator and Gang of Eight member who has staked considerable political capital on the negotiations. “Senator Rubio and several members of the immigration working group share these concerns, and it’s reflected in the solution they are trying to craft. Our legislation will include real security triggers to make sure out borders are secured.” Added Conant: “Senator Rubio will not support any legislation that does not include real security triggers to make sure our borders are secured.” As for Napolitano, another aide said, “I wonder if she’s freelancing, or carrying a message from the White House.” At Tuesday’s White House briefing, spokesman Jay Carney was asked that very question, and while he spoke at length without saying anything definitive, Carney appeared to suggest that President Obama agrees with Napolitano. From the transcript: QUESTION: Secretary Napolitano said today that triggers are not necessary before comprehensive immigration reform. So what does the White House do to convince those on the other side? Since there are no reliable metrics about border security, what will you do to convince them that the border is secure enough for immigration and a path to citizenship to begin? MR. CARNEY: Well, I think the question is excellent, and I would note that what Secretary Napolitano has said — Secretary Napolitano has said that the Department of Homeland Security measures progress using a number of metrics to make sure we are putting our resources where they will have the most impact. And I think that while there are different ways to look at this issue, the fact is, by a host of measures, there has been great improvement in our border security. Certainly the facts are there when it comes to the resources that have been applied to border security — the doubling of border security agents, as well as the other metrics that you will often hear Secretary Napolitano or others discuss. So we look at a variety of measures. And I think you can look at what this President has committed to and the record on border security since he came into office to evaluate his assertion that border security is a vital element of comprehensive immigration reform. That has been his position, and it continues to be. And I would note — and this is something that has been acknowledged by important members of the Senate, Republican members — the progress that has been made on this very important issue, border security. Much of — the last time comprehensive immigration reform was essentially abandoned, some of the issues — the principal reason for that was because of concerns about border security. And many of the metrics that were put forward then have been met — the goals and the targets that were said to have to be achieved before we could move forward have been met. But this is an ongoing issue. This is an ongoing concern, and it’s an ongoing project of this administration. And it will certainly be an important part of immigration reform. QUESTION: Do you — does the White House oppose commissions or certain triggers before a path to citizenship can begin? MR. CARNEY: What we have said and I’ll say today is that we are not going to judge the bill before it’s been written. And we are working with the senators who are in the Gang of Eight as they make progress, and they’ve made considerable progress, and that is worth noting. Senator Schumer just the other day talked about where they are in that process and the progress that they’ve been making, and we were heartened by that. But as the President said yesterday, we have to keep pushing. We have to make sure that we follow through on this progress, and that that progress leads to a bill that has bipartisan support and that can be signed by this President. And we’re not there yet. Progress is being made. It’s being made in the Senate, which is where the President hoped it would be made. And we are very much monitoring that process and engaging in that process. But it’s not done yet, and I don’t want to prejudge a bill that hasn’t been written. QUESTION: But if I could just press you on it, it does appear as though that Secretary Napolitano did today prejudge. She said the triggers are not necessary. Does the White House agree with that assessment? MR. CARNEY: I think what she was saying — and the assessment we do agree with — is that there are a variety of metrics by which you can measure, and we do measure, progress on border security. And these are metrics that others use to measure border security, including Democrats and Republicans in the Senate and beyond the Senate, beyond the Congress. So we’re working with Congress on this, with the Senate on this. Progress has been made. Border security is one of the key principles that the President has put forward that has to be part of comprehensive immigration reform. He has demonstrated his seriousness on this issue, as has Secretary Napolitano. But it is something that we’re — it’s not a done project. We have to continue working on it. Cut through all the verbiage, and Carney seemed to say precisely what Napolitano said: If Republicans demand that tougher border enforcement be a precondition for comprehensive immigration reform, they can forget about making a deal, now or ever

#### China FDI popular – economic considerations and China lobby

Schatz 10-5-12 (Joseph, POLITICO Pro’s tax editor. Before joining POLITICO, Schatz spent nearly a decade at Congressional Quarterly, covering politics and economics on Capitol Hill. Most recently, he was CQ's senior economic writer for four years, covering everything from the Wall Street bailout and the debt ceiling crisis to trade and the U.S.-China relationship, for which he received the National Press Club’s Sandy Hume award in 2010, “China politics aren't black and white,” Politico.com October 5, 2012, lexis)

Mitt Romney's hard-hitting ads claim President Barack Obama needs to "stand up" to China. Paul Ryan has fanned out across the industrial Midwest, saying that Beijing is treating Obama "like a doormat." The president, of course, is in on the act as well -- an Obama television spot accuses Romney of supporting "sweatshop conditions" through an old Bain Capital investment in China. Yet amid all the campaign tough talk about China, three of Romney's most prominent GOP surrogates were down in Texas last week, begging Chinese investors to set up shop in their states. "We're all here talking to them about why they should come to each of our states, and why for sure they should come to our country," Florida Gov. Rick Scott told FOX News as he, Rick Perry of Texas, Scott Walker of Wisconsin gathered at Cowboys Stadium in Arlington, Texas to meet with a traveling contingent from China touring the United States for nine days, looking for places to park their cash. It just goes to show: Black-and-white campaign slogans don't easily translate into economic policy, including the exquisitely complex U.S.-China economic relationship. For one thing, most economic experts doubt that Romney would really wrangle with the United States's biggest creditor, given the risks of a trade war. Indeed, the former Massachusetts governor's tone in the first presidential debate Oct. 3 already seemed a bit softer, as he promised to "crack down on China, if and when they cheat." But the dynamics are even more complicated when it comes to rapidly rising Chinese investment in the United States, particularly at the state and local level, where government officials of both parties are eagerly courting Chinese investments in waterfront rehabilitation plans, energy deals, greenfield projects and auto manufacturing. There are plenty of hiccups and failed deals, like Obama's high-profile decision to block the acquisition of four Oregon wind farms by Chinese-affiliated Ralls Corp., last week, on national security grounds. With China, you never quite know whether a firm is truly "private," or an arm of the state. But Chinese investment is way up in recent years, and Congress, which helped sink the Chinese purchase of Unocal Corp. in 2005, has been largely quiet on a broad range of Chinese acquisitions. That's in part because the U.S. economy badly needs the investment -- attracting foreign investment is going to be a major theme in any tax reform debate next year -- and in part because Chinese firms have gotten smarter about lobbying, and have won friends in Washington. Kevin G. Nealer, a partner at the Scowcroft Group, says that the scale of China's investments have changed the equation. Nealer was a Senate l8

5eadership staffer in the 1980s, when Japan's sudden emergency as a car and technology powerhouse provoked rage on Capitol Hill -- and when that fury started abating. "I saw the inflection point in trade neuralgia come when Japanese firms started making major investments here, building factories and hiring American workers at Toyota and Honda plants by the thousands," Nealer says. Business groups and analysts say that's already beginning to happen, though the level of investment is still small compared to countries like Germany. While China is the U.S. government's biggest creditor, with $1.15 trillion in Treasury securities, it still has relatively little money invested in elsewhere in the U.S. economy. In a report last week, Thilo Hanemann and Adam Lysenko of the Rhodium Group, an investment firm that closely tracks Chinese investment, said that before 2008, Chinese firms were responsible for very few jobs in the United States. "One of the most important questions is how Chinese investment affects U.S. employment," the authors note. While the figure is still small, it now stands at about 27,000, they said, as China has rapidly ramped up its investments "from an annual average of around 30 deals worth less than $500 million before 2009 to almost 100 deals worth about $5 billion in 2010 and 2011." Investment in the first half of 2012 alone totaled $3.6 billion, led by big Chinese acquisitions in the U.S. energy and banking sectors, like the Industrial & Commercial Bank of China Ltd.'s purchase of an 80 percent stake in the Bank of East Asia's U.S. subsidiary, a move that required approval by the Federal Reserve. For state and local governments, it's all about jobs. U.S. governors from both parties regularly go to China to solicit investment. And Michael Bell, the Democratic mayor of Toledo, Ohio -- exactly the region where Romney and Ryan are directing some of their harshest China attacks -- has drawn attention for attracting $200 million in Chinese property development investment. It's one of the chief reasons that China weathered the failed 2005 attempt by state-owned China National Offshore Oil Company Ltd. (CNOOC) to purchase Unocal. "To a degree, all politics are local," said one D.C. lawyer who has worked with Chinese investors. "If you're able to do it the right way, in a way that benefits someone's local district, that helps tamp down some of the concerns." U.S. lawmakers revamped the Committee on Foreign Investment in the United States (CFIUS), the Treasury-based group that last week recommended that Obama block the Ralls sale. And they still raise criticisms about many proposed deals in the sensitive telecom and Internet sectors, where a Chinese firm with government ties could pose a security threat. In July, Chinese telecommunication companies Huawei and ZTE were grilled by members of the House Intelligence Committee about the companies' relationship with the Chinese government. But some Chinese firms have become savvier. They've hired lobbyists at Hill and Knowlton, Patton Boggs and other D.C. shops to press their cases in the corridors of power in Washington. Still, notes Scowcroft's Nealer, some Chinese investors, coming from a culture of government control, can't believe that the U.S. investment process is largely free and open. The U.S. Chamber of Commerce circulated a report in July touting Chinese investment success stories in the United States. The Obama administration has also made efforts to link Chinese firms with American companies.

#### Obama has no political capital

Parnes and Sink 3/20/13 (\*Amie, the Hills White House Correspondent, \*Justin, staffwriter for the hill, “Obama honeymoon may be over” <http://thehill.com/homenews/administration/289179-obama-honeymoon-may-be-over>)

The second-term honeymoon for President Obama is beginning to look like it is over. Obama, who was riding high after his reelection win in November, has seen his poll numbers take a precipitous fall in recent weeks. A CNN poll released Tuesday showed Obama’s favorability rating underwater, with 47 percent approving and 50 percent disapproving of Obama’s handling of his job. Much of the president’s agenda is stuck, with climate change regulations delayed, immigration reform mired in committee negotiations and prospects for a grand bargain budget deal in limbo at best. On Tuesday, in a decision that underscored Obama’s depleting political capital, the White House watched as Senate Majority Leader Harry Reid (D-Nev.) announced only a watered-down version of Obama’s gun control proposals would be considered on the Senate floor. Republicans, sensing the sea change, are licking their chops. They point to the lack of movement on Obama’s signature issues, noting the contrast to the ambitious plans outlined in the early weeks of his second term. “The president set very high goals for himself during his State of the Union, but the reality is very little of his agenda is actually moving,” Republican strategist Ron Bonjean said. “He allowed himself to get caught up in the legislative quicksand, [and] the cement is beginning to harden. “ History isn’t on Obama’s side. The last four presidents who won a second term all saw their poll numbers slide by mid-March with the exception of Bill Clinton, whose numbers improved in the four months following his reelection. Clinton may have only been delaying the inevitable. His numbers dropped 5 points in April 1994. Even Ronald Reagan, buoyed by a dominant performance over Walter Mondale in the 1984 election, saw a double-digit erosion by this point in his second term. Obama has yet to complete the first 100 days of his second term. But without a signature achievement since his reelection, he faces a crossroads that could define the remainder of his presidency. White House aides maintain that the 24-hour news cycle makes comparisons to previous presidents difficult. “I think the nature of our politics now is different than Ronald Reagan’s honeymoon,” one senior administration official said. “The ebb and flow of politics doesn’t follow that model anymore.” But observers say a drop in popularity is typical for second-termers. “There may be some typical second-term honeymoon fade happening,” said Martin Sweet, an assistant visiting professor of political science at Northwestern University. “Honeymoon periods for incumbents are a bit more ephemeral.” But like most other presidents, Sweet added, “Obama’s fate is tied to the economy.” “Continuing economic progress would ultimately strengthen the president but if we are hit with a double-dip recession, then Obama’s numbers will crater,” he said. The White House disputes any notion that Obama has lost any political capital in recent weeks. “The president set out an ambitious agenda and he’s doing big things that are not easy, from immigration to gun control,” the senior administration official said. “Those are policies you can’t rack up easily, and no one here is naive about that.” The White House is aware that the clock is ticking to push its hefty agenda, but the official added, “The clock is not ticking because of president’s political capital. The clock is ticking because there’s a timetable in achieving all of this. [Lawmakers] are not going to sign on because the president’s popular.” And administration officials believe they still have the leverage. “There’s a decent amount of momentum behind all of this,” the official said. “It looks like immigration is closer [to passage] than ever before.” Republican strategist Ken Lundberg argued that current budget fights “have cut short the president’s second-term honeymoon.” He said this could also hurt the president’s party, warning “the lower the president’s approval rating, the bigger the consequence for vulnerable Democrats.” “Voters want solutions, and if they see the president headed down the wrong path, lockstep lawmakers will be punished in 2014,” he said.

### NEXEN DA

#### Drilling is inevitable in the SCS and only learning capabilities through the plan solves that drilling

Rogers 12 (Will, Fellow at the Center for a New American Security, China’s Foray into Deep-Water Drilling Could Raise Stakes in South China Sea, http://www.cnas.org/blogs/naturalsecurity/2012/05/china-s-foray-deep-water-drilling-could-raise-stakes-south-china-sea.h)

On Monday, Chinese media reported that China’s first deep-water drilling rig (developed domestically by the state-run China National Offshore Oil Corporation) will begin operations today in the South China Sea. To date, China’s offshore oil drilling activities have been restricted to shallow waters (less than 300 meters deep) largely due to the country’s lack of technological capability to drill in deep- and ultra-deep waters. According to one report, China State Shipbuilding Corporation – the company that developed the new rig – says that China will now be able to drill to depths of between 10,000 and 12,000 meters, possibly eclipsing the record set in 2009 by the Deepwater Horizon rig that could drill to 10,683 meters. The technological milestone is an important development in the South China Sea dispute, where competition over potentially lucrative deep-water oil and natural gas reserves has raised tensions among countries with overlapping claims in the region. China, for example, claims the entire South China Sea as its own. The deep- and ultra-deep water drilling capability will unlock reserves in deep waters, according to reports. Chinese media reports that “About 70 percent of oil and gas reserves in the resource-rich South China Sea is [sic] contained in 1.54 million square km of deep-water regions, or sea areas with depths of over 300 meters.” The importance of this technological leap should not go unnoticed by policymakers charged with helping diffuse tensions in the region. China’s foray into deep-water drilling will raise the stakes in the South China Sea. Countries like Vietnam and the Philippine that also seek to exploit the region’s deep sea fossil fuel resources could become increasingly worried about their ability to exploit resources if China gets there first – potentially increasingly the number of incidents to obstruct offshore oil and natural gas drilling activities. More worrying perhaps is the potential for China’s untested deep-water oil drilling industry to experience a catastrophic disaster akin to the 2010 Deepwater Horizon oil spill that could damage important maritime resources like the region’s fisheries. As one report correctly notes, “If the record of the BP rig was any indication, ultra-deep-water drilling must deal with unforeseen difficulties that may become tremendously hard to contain, even for experienced Western companies.”

# 1ar

## case

### 1ar tech transfer

#### US gas companies currently negotiate passive deals for Chinese companies because of CFIUS restrictions.

Knowledge @ Wharton 12 (China's Underground Race for Shale Gas, aug 21, http://knowledge.wharton.upenn.edu/arabic/article.cfm?articleid=2851)

Meanwhile, in the U.S., shale gas leaders, such as Devon Energy and Chesapeake Energy, have been reluctant to impart their technology know-how to the firms' Chinese investors, Sinopec and the China National Offshore Oil Corporation (CNOOC), respectively, notes Bo Kong, assistant research professor at the Johns Hopkins University School for Advanced International Studies (SAIS) in Washington, D.C. The Chinese and U.S. companies designed deals giving the Chinese passive, minority stakes to avoid disapproval by the Committee on Foreign Investment in the U.S. (CFIUS), which axed CNOOC's 2005 bid for Unocal. Also, the Sinopec-Devon and CNOOC-Chesapeake deals were struck at a time when the U.S. shale gas industry was at its peak. Today, with gas prices declining and companies such as Chesapeake struggling financially, Chinese companies may be able to negotiate better terms, says CATF's Sung.

## T

### Nothing meets

No OCS restrictions

Kathleen Gramp and Jeff LaFave, CBO Budget Analysis Division, August 2012, http://www.cbo.gov/sites/default/files/cbofiles/attachments/08-09-12\_Oil-and-Gas\_Leasing.pdf

Other than the temporary ban on leasing in the eastern Gulf of Mexico, there currently are no statutory restrictions on OCS leasing. Decisions about leasing are made administratively—in consultation with industry and the states—for five-year periods. Leases cannot be offered for areas that are not included in a five-year plan, but the available regions may change whenever a new plan is adopted. The next plan is expected to go into effect in August 2012 and will extend for five years unless a future Administration chooses to restart the process before that plan expires.

#### No prohibition on public lands---just administrative hurdle

DOE ‘12

Obama Administration Releases Roadmap for Solar Energy Development on Public Lands

http://energy.gov/articles/obama-administration-releases-roadmap-solar-energy-development-public-lands

Today’s announcement builds on the historic progress made in fostering renewable energy development on public lands. When President Obama took office, there were no solar projects permitted on public lands; since 2009, Interior has approved 17 utility-scale solar energy projects that, when built, will produce nearly 5,900 megawatts of energy—enough to power approximately 1.8 million American homes. Thanks to steps already taken by this administration, renewable energy from sources like wind and solar have doubled since the President took office.

### We Meet

#### Means EVEN IF deals are approved Chinese energy will be blocked.

Hornby 3-8-13 (Lucy, Beijing-based correspondent for Reuters Insider, China's Commerce minister seeks clearer U.S. investment guide, http://www.reuters.com/article/2013/03/09/china-parliament-trade-idUSL4N0C02Y520130309)

China's Commerce minister called for clearer guidelines from the United States on its security review procedures for foreign investment, while saying that China does not target specific countries for overseas investment.¶ China is studying the procedures of the Committee on Foreign Investment in the United States, or CFIUS, as it sets in motion its own security review, Chen Deming told reporters on Friday at a briefing at China's annual parliament session.¶ China, the world's fifth-largest source of outbound investment, regularly complains that the U.S. blocks access to plum investment prospects on national security grounds.¶ China's largest-ever foreign takeover, the $15.1 billion purchase of Canadian oil firm Nexen Inc by state-owned oil company CNOOC Ltd. in February cleared a CFIUS review, its last regulatory hurdle.¶ The U.S. attached the condition that CNOOC could not operate Nexen's many wells in the U.S. Gulf of Mexico, although the Canadian unit could, the Wall Street Journal reported.

#### D SUBPOINT is WHO not WHERE – status quo restrictions stop Chinese people from coming to the US and producing energy.

Mandel 12 (Jenny, Reporter for EnergyWire, a daily publication covering the unconventional oil and gas sectors, Previous positions with E&E include editing Land Letter and writing news and feature stories for Greenwire, ClimateWire, and other news outlets, “Will U.S. shale technology make the leap across the Pacific?,” EnergyWire: Tuesday, July 17, 2012, http://www.eenews.net/public/energywire/2012/07/17/1)

Modes of tech transfer Despite the challenges, the allure of a massive new domestic energy source has the Chinese government and private and state-owned companies moving cautiously toward development. Today, virtually all of the key intellectual property behind shale gas extraction lies with North American companies, and one of the first steps the Chinese have taken is to pour money into U.S. and Canadian ventures where those technologies are in use. In 2010 and 2011, China National Offshore Oil Corp. (CNOOC) paid $2.3 billion for partial stakes in plays by Chesapeake Energy Corp. in Texas, Wyoming and Colorado. Earlier this year, Sinopec bought into Oklahoma City-based Devon Energy Corp.'s holdings across Louisiana, Mississippi, Colorado, Ohio and Michigan in a $2.5 billion deal. Chinese companies have also aggressively pursued investment deals in Canadian shale projects. But Johns Hopkins' Kong said attempts by Chinese companies to negotiate North American on-the-job training have been blocked. The deal with Chesapeake, for example, limited the interaction of CNOOC personnel with sensitive technologies by restricting the company's right to send workers into gas fields, Kong said. "The Chinese companies have agreed deliberately not to send their oil workers to American gas fields and not to participate in boardroom decisions," Kong said. "The Chinese companies have agreed to this long-term, slow, gradual approach to gaining know-how in the North American energy sector." The caution stems mostly from a political firestorm that broke out when, in 2005, CNOOC tried to buy Unocal Corp. in an $18.5 billion deal that was eventually withdrawn in the face of opposition from Congress. Since then, there has been a general awareness among Chinese players of the need to move slowly and avoid raising red flags (E&ENews PM, Aug. 2, 2005).

### CI

#### ---Access restrictions include constraints that delay or increase the cost of production

EIA 1

U.S. Natural Gas Markets: Mid-Term Prospects for Natural Gas Supply

<http://205.254.135.7/oiaf/servicerpt/natgas/chapter2.html>

Reducing Federal access restrictions in the Rocky Mountains and OCS is expected to increase the available resource base by 87 trillion cubic feet, which would expand the available lower 48 resource base from 1,190 to 1,277 trillion cubic feet, a 7-percent increase. Reducing Federal access restrictions does not imply that all land restrictions would be removed. An estimated 62.5 trillion cubic feet of natural gas resources would remain unavailable for development, for example, in National Parks, National Monuments, and wilderness and roadless areas, as well as areas currently precluded by the effect of statutes and regulations. Onshore Resources Of the natural gas resources yet to be developed in the onshore United States, those subject to Federal access restrictions are located primarily in the Rocky Mountain region.54 The Rocky Mountain region contains approximately 37 percent (293 trillion cubic feet) of the remaining unproved technically recoverable natural gas resources in the lower 48 onshore United States (Figure 10).55,56 In the onshore, only the Gulf Coast Region at 24 percent approaches in magnitude this region’s endowment. Most of the Rocky Mountain resources, however, need to be subjected to a significant degree of stimulation (e.g., hydraulic fracturing) or other “unconventional” production techniques in order to attain sufficiently economic levels of production. These unconventional natural gas resources consist of three basic types: gas in low permeability sandstones (tight sands), gas in low permeability shales (gas shales), and gas in coal formations (coalbed methane). Tight sands account for 65 percent of the unproved natural gas resources in the Rocky Mountains. The rest of the Rocky Mountain unconventional resources, 16 percent of the region’s total resources, are mostly coalbed methane and a small amount of gas shales. The remaining 19 percent of total unproved resources in the Rocky Mountain Region are conventional natural gas resources, primarily in higher permeability sandstone or carbonate reservoirs. The 293.3 trillion cubic feet of unproved Rocky Mountain natural gas resources are subject to a variety of access restrictions (Table 4). Of that amount, 33.6 trillion cubic feet is officially off limits to either drilling or surface occupancy (No Access - Legal). Included in this category are those areas where drilling is precluded by statute (e.g., national parks and wilderness areas) and by administrative decree (e.g., “wilderness re-inventoried areas” and “roadless areas”). Also included are those areas of a lease where surface occupancy is prohibited by stipulation to protect identified resources such as the habitats of endangered species of plants and animals. An additional 57.7 trillion cubic feet of the resources are judged to be currently de facto off limits57 because of the prohibitive effect of compliance with environmental and pipeline regulations created under such laws as the National Historic Preservation Act, the National Environmental Policy Act, the Endangered Species Act, the Air Quality Act, and the Clean Water Act58 (No Access - De Facto). Of the 202 trillion cubic feet of resources that are accessible, 50.8 trillion cubic feet are located in areas where Federal lease stipulations affect the costs and timing of development (Access - Lease Stipulated). The lease stipulations are set by either the U.S. Bureau of Land Management or the U.S. Forest Service. The remaining 151.2 trillion cubic feet of unproved Rocky Mountain natural gas resources are located either on Federal land without lease stipulations or on private land and are fully accessible subject to standard lease terms with no lease stipulations (Access - Standard Lease Terms). These 151.2 trillion cubic feet of resources are currently available for development.

#### ---Prefer our source-The Energy Information Administration is the most qualified source

Amadeo-no date

U.S. Energy Information Administration (DOE EIA)

<http://useconomy.about.com/od/governmentagencies/p/DOE_EIA.htm>

What the US Energy Information Administration Is:

The Energy Information Administration (EIA) is an independent statistical agency of the U.S. Department of Energy (DOE). It was created by Congress in 1977 to support the government’s decision-making ability by providing policy-neutral data. What the US Energy Information Administration Does: The EIA provides energy data, forecasts, and analyses that can be used to understand how energy is used in the U.S. Its reports covers oil and gasoline, natural gas, coal, electricity, nuclear energy and alternative fuels. It provides up to date information about prices, supply, reserves, production and estimated demand. It also provides both short-term and long-term forecasts of energy use, supply and prices. How the U.S. Energy Information Administration Affects the U.S. Economy: The EIA provides the data needed by the DOE to make policy decisions. It also provides analyses to Congress to help make decisions on important energy and conservation bills. How the US Energy Information Administration Affects You: The EIA web site is a great place to learn anything you’d ever want to know about how energy is used in this country. It has everything from an easy-to-use introduction to energy use to complicated Congressional analyses. The energy prices and forecasts can help you make good decisions about what type of car to buy, what heating system would be effective for your home, and which states would be the cheapest places in terms of home heating costs.

## Nexen DA1ar

#### This February, CFIUS approved CNOOC’s purchase of Nexen, but explicitly included a mitigation agreement prohibiting their operation of deep water oil wells in the Gulf of Mexico.

Plenty 3-1-13 (Rebecca, energy industry reporter for Bloomberg, Cnooc Said to Cede Control of Nexen’s U.S. Gulf Assets, http://www.bloomberg.com/news/2013-03-01/cnooc-said-to-cede-control-of-nexen-s-u-s-gulf-assets.html)

Cnooc Ltd. (883), China’s largest offshore oil and natural gas producer, was barred from controlling Gulf of Mexico oilfields under U.S. terms for its $15.1 billion takeover of Nexen Inc. (NXY), people familiar with the matter said.¶ In its purchase of Calgary-based Nexen, Cnooc acquired about 200 deep-water leases in the Gulf with reserves equivalent to about 205 million barrels of oil, one of the largest holdings in the Gulf, according to Nexen’s website. The state-owned Chinese oil explorer surrendered operating control of those assets to quell U.S. national security concerns, said two people familiar with the agreement who asked not to be named because the terms aren’t public.¶ The U.S. requirements for Cnooc contrast with approvals for state-owned companies including Norway’s Statoil ASA (STL) and Brazil’s Petroleo Brasileiro SA (PETR4) to control drilling and production in the Gulf. The U.S. is restricting Chinese transactions when the investment targets are close to military installations or have access to certain kinds of technology. Growing concerns over intellectual property theft and cyber attacks also have fueled scrutiny of Chinese acquisitions.¶ “The United States is uncomfortable with the character of the Chinese government, which it sees as extending to Chinese state-influenced companies,” Loren Thompson, chief operating officer of the Lexington Institute, an Arlington, Virginia-based research group, said in a phone interview yesterday. “The Chinese are very sensitive about parity in economic relations,” and may retaliate with stronger protections for Chinese companies against U.S. competition, Thompson said.¶