### procurement link

#### Procurement is not a financial incentive

Czinkota et al, 9- Associate Professor at the McDonough School of Business at Georgetown University (Michael, Fundamentals of International Business, p. 69 – google books)

Incentives offered by policymakers to facilitate foreign investments are mainly of three types: fiscal, financial, and nonfinancial. **Fiscal incentives** are specific tax measures designed to attract foreign investors. They typically consist of special depreciation allowances, tax credits or rebates, special deductions for capital expenditures, tax holidays, and the reduction of tax burdens. **Financial incentives** offer special funding for the investor by providing, for example, land or buildings, loans, and loan guarantees. **Nonfinancial incentives** include guaranteed government purchases; special protection from competition through tariffs, import quotas, and local content requirements, and investments in infrastructure facilities.

#### And, precision—compensation for service might give reason for action but is not an actual incentive

**Grant 2002** – professor of political science at Duke University (Ruth, Economics and Philosophy, 18:2002, “THE ETHICS OF INCENTIVES: HISTORICAL ORIGINS AND CONTEMPORARY UNDERSTANDINGS”, WEA)

The use of `incentives' to speak of market forces is also problematic,¶ though it is easy to see the logic of this development within the language¶ of economics. If one company lowers the price of its product, we might¶ readily say that other companies now have an incentive to lower theirs.¶ But we would not say that the first company offered all other companies¶ an incentive to lower their prices.55 Market forces are not conscious and¶ intentional, and their rationale is intrinsic to the economic process itself.¶ We might just as well say in this situation that the first company's lower¶ price is a good reason for other companies to lower theirs given that they¶ need to remain competitive. The term `incentive' says nothing that¶ `reason' cannot say as well in this case. A similar logic applies to¶ speaking of loan conditions as incentives. The International Monetary¶ Fund may make a loan to a nation only on condition that it alter its¶ inflationary policies. If the reason for the condition is intrinsic to the¶ IMF's own financial aims, `incentive' may be a misnomer. The situation¶ is like that of requiring a certain training as a condition for the practice of¶ medicine; we would be unlikely to refer to this as an `incentive' to go to¶ medical school for people who wish to become doctors.56 When the IMF¶ is criticized for using financial incentives unethically to control the¶ internal policies of borrowing nations, it is because the critics suspect¶ that its real purposes are political rather than strictly limited to the¶ legitimate concern to secure the financial health of the Fund.

The distinction between market forces and incentives can be¶ illustrated further by considering the difference between wages as¶ compensation and incentives as bonuses in employment. Compensation¶ means `rendering equal', a `recompense or equivalent', `payment for¶ value received or service rendered', or something which `makes up for a¶ loss' ± as in the term `unemployment compensation'. Compensation¶ equalizes or redresses a balance, and so, to speak of `fair compensation'¶ is entirely sensible. But to speak of a `fair incentive' is not. An incentive¶ is a bonus, which is defined as something more than usually expected,¶ that is, something that exceeds normal compensation. It is an amount¶ intentionally added to the amount that would be set by the automatic¶ and unintentional forces of the market. An incentive is also a motive or¶ incitement to action, and so an economic incentive offered to an¶ employee is a bonus designed to motivate the employee to produce¶ beyond the usual expectation. It should be obvious then, that compensation¶ and incentives are by no means identical. The per diem received for¶ jury service, for example, is a clear case of compensation which is not an¶ incentive in any sense.

It is not difficult to see how it might have happened that the¶ boundaries were blurred between the specific conception of incentives¶ and conceptions of the automatic price and wage-setting forces of the¶ market. Both can be subsumed under very general notions of the factors¶ that influence our choices or motivate action, and `incentives' carries this¶ general meaning as well. Nonetheless, the blurring of that boundary¶ creates a great deal of confusion. Incentives, in fact, are understood¶ better in contradistinction to market forces than as identical to them. It is¶ only by maintaining a clear view of their distinctive character that the¶ ethical and political dimensions of their use are brought to light.¶ Moreover, conceptual clarity and historical understanding go hand¶ in hand in this case. It should no longer be surprising to find that the¶ term `incentives' is not used by Adam Smith in first describing the¶ operation of the market, but appears instead at a time when the market¶ seemed inadequate in certain respects to the demands presented by¶ changing economic circumstances. Other eighteenth and nineteenthcentury¶ ideas, often taken as simple precursors of contemporary analyses¶ of incentives, can now be seen in their distinctive character as well. For¶ example, Hume and Madison offer an analysis of institutional design¶ which differs significantly from `institutional incentives', though the two¶ are often confused. These thinkers were concerned with preventing¶ abuses of power. They sought to tie interest to duty through institutional¶ mechanisms to thwart destructive, self-serving passions and to secure¶ the public good. Contemporary institutional analyses, by contrast,¶ proceed without the vocabulary of duty or public good and without the¶ exclusively preventive aim. Institutional incentives are viewed as a¶ means of harnessing individual interests in pursuit of positive goals.57¶ Similarly, early utilitarian discussions, Bentham's in particular, differ¶ markedly from twentieth century discussions of incentives despite what¶ might appear to be a shared interest in problems of social control. Again,¶ Bentham is interested entirely in prevention of abuses or infractions of¶ the rules. The rationale for his panopticon is based on the observation¶ that prevention of infractions depends upon a combination of the¶ severity of punishment and the likelihood of detection.58 If the latter¶ could be increased to one hundred per cent, through constant supervision¶ and inspection, punishment would become virtually unnecessary.¶ This is a logic that has nothing whatever to do with the logic of¶ incentives as a means of motivating positive choices or of encouraging¶ adaptive behavior.

#### Fiscal incentives explode the topic and make the lit base unmanageable

Florence Hubert and Nigel Pain (National Institute for Economic and Social Research) March 2002 “Fiscal Incentives, European Integration, and the Location of Foreign Direct Investment” http://www.niesr.ac.uk/pubs/dps/dp195.PDF

Comparable data can be obtained for all these measures for all European countries. It should¶ be noted that using these measures means that the definition of ‘fiscal incentives’ is somewhat¶ broader than normal, as all types of investors may be affected by them. lii the econometric work¶ the host country levels are entered as ratios to a (GDP) weighted average of the levels in other¶ European Union economies. including Germany. This is because location choice depends upon¶ the relative costs of competing locations. not just the costs of any one particular location.4 As the¶ variables are entered as ratios. it would not be expected that they could account for the¶ permanent upward trend in the stock of inward FDI many locations. However they may be¶ important indicators of fluctuations in the level of fiscal assistance over time. and can affect¶ flows of new investment for several years.

#### Limits outweigh:

#### 1. Participation

**Rowland 84** (Robert C., Baylor U., “Topic Selection in Debate”, American Forensics in Perspective. Ed. Parson, p. 53-4)

The first major problem identified by the work group as relating to topic selection is the decline in participation in the National Debate Tournament (NDT) policy debate. As Boman notes: There is a growing dissatisfaction with academic debate that utilizes a policy proposition. Programs which are oriented toward debating the national policy debate proposition, so-called “NDT” programs, are diminishing in scope and size.4 This decline in policy debate is tied, many in the work group believe, to excessively broad topics. The most obvious characteristic of some recent policy debate topics is extreme breath. A resolution calling for regulation of land use literally and figuratively covers a lot of ground. Naitonal debate topics have not always been so broad. Before the late 1960s the topic often specified a particular policy change.5 The move from narrow to broad topics has had, according to some, the effect of limiting the number of students who participate in policy debate. First, the breadth of the topics has all but destroyed novice debate. Paul Gaske argues that because the stock issues of policy debate are clearly defined, it is superior to value debate as a means of introducing students to the debate process.6 Despite this advantage of policy debate, Gaske belives that NDT debate is not the best vehicle for teaching beginners. The problem is that broad policy topics terrify novice debaters, especially those who lack high school debate experience. They are unable to cope with the breadth of the topic and experience “negophobia,”7 the fear of debating negative. As a consequence, the educational advantages associated with teaching novices through policy debate are lost: “Yet all of these benefits fly out the window as rookies in their formative stage quickly experience humiliation at being caugh without evidence or substantive awareness of the issues that confront them at a tournament.”8 The ultimate result is that fewer novices participate in NDT, thus lessening the educational value of the activity and limiting the number of debaters or eventually participate in more advanced divisions of policy debate. In addition to noting the effect on novices, participants argued that broad topics also discourage experienced debaters from continued participation in policy debate. Here, the claim is that it takes so much times and effort to be competitive on a broad topic that students who are concerned with doing more than just debate are forced out of the activity.9 Gaske notes, that “broad topics discourage participation because of insufficient time to do requisite research.”10 The final effect may be that **entire programs** either **cease functioning** or shift to value debate as a way to avoid unreasonable research burdens. Boman supports this point: “It is this expanding necessity of evidence, and thereby research, which has created a competitive imbalance between institutions that participate in academic debate.”11 In this view, it is the competitive imbalance resulting from the use of broad topics that has led some small schools to cancel their programs.

#### 2. Innovation

Intrator, 10 [David President of The Creative Organization, October 21, “Thinking Inside the Box,” http://www.trainingmag.com/article/thinking-inside-box

One of the most pernicious myths about creativity, one that seriously inhibits creative thinking and innovation, is the belief that one needs to “think outside the box.” As someone who has worked for decades as a professional creative, nothing could be further from the truth. This a is view shared by the vast majority of creatives, expressed famously by the modernist designer Charles Eames when he wrote, “Design depends largely upon constraints.” The myth of thinking outside the box stems from a fundamental misconception of what creativity is, and what it’s not. In the popular imagination, creativity is something weird and wacky. The creative process is magical, or divinely inspired. But, in fact, creativity is not about divine inspiration or magic. It’s about problem-solving, and by definition a problem is a constraint, a limit, a box. One of the best illustrations of this is the work of photographers. They create by excluding the great mass what’s before them, choosing a small frame in which to work. Within that tiny frame, literally a box, they uncover relationships and establish priorities. What makes creative problem-solving uniquely challenging is that you, as the creator, are the one defining the problem. You’re the one choosing the frame. And you alone determine what’s an effective solution. This can be quite demanding, both intellectually and emotionally. Intellectually, you are required to establish limits, set priorities, and cull patterns and relationships from a great deal of material, much of it fragmentary. More often than not, this is the material you generated during brainstorming sessions. At the end of these sessions, you’re usually left with a big mess of ideas, half-ideas, vague notions, and the like. Now, chances are you’ve had a great time making your mess. You might have gone off-site, enjoyed a “brainstorming camp,” played a number of warm-up games. You feel artistic and empowered. But to be truly creative, you have to clean up your mess, organizing those fragments into something real, something useful, something that actually works. That’s the hard part. It takes a lot of energy, time, and willpower to make sense of the mess you’ve just generated. It also can be emotionally difficult. You’ll need to throw out many ideas you originally thought were great, ideas you’ve become attached to, because they simply don’t fit into the rules you’re creating as you build your box.

#### Production is extraction and making of energy

**Ristinen**, professor of physics – University of Colorado, and Kraushaar, professor of physics – University of Colorado, **‘99**

(Robert A. and Jack J., Energy and the environment, p. 21)

The history of consumption and product of energy in the United States since 1950 is shown in Figure 1.8. In this figure, and elsewhere in this text, energy *production* refers to the mining of coal and the bringing of oil and natural gas to the earth’s surface, or to the making of useful energy by nuclear power, hydroelectric power, geothermal power, biomass fuel, solar collectors, and other means. **Energy *consumption* occurs when the fossil fuel is burned or when energy is put to use by the consumer.**

#### “For” requires a direct relationship; they increase incentives for technology

Words and Phrases, 4 (Words and Phrases Permanent Edition, “For,” Volume 17, p. 338-343 November 2004, Thomson West)

WD Tenn 1942. The Fair Labor Standards Act of 1938 uses the words “production for commerce” as denoting an intention to deal in a restricted way with question of coverage in connection with those employed directly in production of articles to be sold, shipped or transported across state lines in commerce, producing goods “for” a certain purpose implying a direct relation as distinguished from producing something which only “affects” a certain purpose which implies an indirect relation.

**And, their arg makes them violate core meaning of substantial—independent voter**

**Brennan 88** (Justice, Pierce v. Underwood (Supreme Court Decision), 487 U.S. 552, http://socsec.law. cornell.edu/cgi-bin/foliocgi.exe/socsec\_case\_full/query=%5Bjump!3A!27487+u!2Es!2E+552+opinion+n1!2 7%5D/doc/%7B@ 825%7D?)

The underlying problem with the Court's methodology is that it uses words or terms with similar, but not identical, meanings as a substitute standard, rather than as an aid in choosing among the assertedly different meanings of the statutory language. Thus, instead of relying on the legislative history and other tools of interpretation to help resolve the ambiguity in the word "substantial," the Court uses those tools essentially to jettison the phrase crafted by Congress. This point is well illustrated by the Government's position in this case. Not content with the term "substantially justified," the Government asks us to hold that it may avoid fees if its position was "reasonable." Not satisfied even with that substitution, we are asked to hold that a position is "reasonable" if "it has some substance and a fair possibility of success." Brief for Petitioner 13. While each of the Government's successive definitions may not stray too far from the one before, the end product is significantly removed from "substantially justified." I believe that Congress intended the EAJA to do more than award fees where the Government's position was one having no substance, or only a slight possibility of success; I would hope that the Government rarely engages in litigation fitting that definition, and surely not often enough to warrant the $ 100 million in attorney's fees Congress expected to spend over the original EAJA's 5-year life. My view that "substantially justified" means **more than merely reasonable**, aside from conforming to the words Congress actually chose, is bolstered by the EAJA's legislative history. The phrase "substantially justified" was a congressional attempt to fashion a "middle ground" between an earlier, unsuccessful proposal to award fees in all cases in which the Government did not prevail, and the Department of Justice's proposal to award fees only when the Government's position was "arbitrary, frivolous, unreasonable, or groundless." S. Rep., at 2-3. Far from occupying the middle ground, "the test of reasonableness" is firmly encamped near the position espoused by the Justice Department. Moreover, the 1985 House Committee Report pertaining to the EAJA's reenactment expressly states that "substantially justified" means more than "mere reasonableness." H. R. Rep. No. 99-120, p. 9 (1985). Although I agree with the Court that this Report is not dispositive, the Committee's unequivocal rejection of a pure "reasonableness" standard in the course of considering the bill reenacting the EAJA is deserving of some weight. Finally, however lopsided the weight of authority in the lower courts over the meaning of "substantially justified" might once have been, lower court opinions are no longer nearly unanimous. The District of Columbia, Third, Eighth, and Federal Circuits have all adopted a standard higher than mere reasonableness, and the Sixth Circuit is considering the question en banc. See Riddle v. Secretary of Health and Human Services, 817 F.2d 1238 (CA6) (adopting a higher standard), vacated for rehearing en banc, 823 F.2d 164 (1987); Lee v. Johnson, 799 F.2d 31 (CA3 1986); United States v. 1,378.65 Acres of Land, 794 F.2d 1313 (CA8 1986); Gavette v. OPM, 785 F.2d 1568 (CA Fed. 1986) (en banc); Spencer v. NLRB, 229 U. S. App. D. C. 225, 712 F.2d 539 (1983). In sum, the Court's journey from "substantially justified" to "reasonable basis both in law and fact" to "the test of reasonableness" does not crystallize the law, nor is it true to Congress' intent. Instead, it allows the Government to creep the standard towards "having some substance and a fair possibility of success," a position I believe Congress intentionally avoided. In my view, we should hold that the Government can avoid fees only where it makes a clear showing that its position had a solid basis (as opposed to a marginal basis or a not unreasonable basis) in both law and fact. That it may be less "anchored" than "the test of reasonableness," a debatable proposition, is no excuse to abandon the test Congress enacted. n2