# 1NC

## Off case

### 1NC

#### Restrictions on production must mandate a decrease in the quantity produced – they are a regulation, which is not topical

Anell 89

Chairman, WTO panel

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

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

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

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

#### Voting issue: including regulations is a limits disaster

Doub 76 Energy Regulation: A Quagmire for Energy Policy Annual Review of Energy Vol. 1: 715-725 (Volume publication date November 1976) DOI: 10.1146/annurev.eg.01.110176.003435LeBoeuf, Lamb, Leiby & MacRae, 1757 N Street NW, Washington, DC 20036 http://0-www.annualreviews.org.library.lausys.georgetown.edu/doi/pdf/10.1146/annurev.eg.01.110176.003435

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

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

#### It promotes multidirectionality, destroying topic coherence

McKie 84

 Professor James W. McKie, distinguished member of the economics department at The University of Texas at Austin for many years

McKie, J W

Annual Review of Environment and Resource , Volume 9 (1)

Annual Reviews – Nov 1, 1984

 THE MULTIPLE PURPOSES OF ENERGY REGULATION AND PROMOTION Federal energy policy since World War II has developed into a vast and multidirectional program of controls, incentives, restraints, and promotions. This development accelerated greatly during the critical decade after 1973, and has become a pervasive and sometimes controlling influence in the energy economy. Its purposes, responding to a multitude of interests and aims in the economy, have frequently been inconsistent, if not obscure, and the results have often been confusing or disappointing.

### DA

#### It’ll pass – bipart support – Obama pushing.

Binshteyn 3-5. [Nataliya, lawyer @ Greenberg Traurig LLP, "Immigration compromise makes bipartisan headway as Congress, business and labor converge on solutions" Lexology -- www.lexology.com/library/detail.aspx?g=3427c20d-1f81-47ae-8e3f-7401e728de06]

The movement to craft a bipartisan plan for comprehensive immigration reform appears to be making genuine headway despite the Capitol’s reputation for gridlock. The tide toward progress has been helped by an unlikely compromise between U.S. business and labor groups, represented by the Chamber of Commerce and the AFL-CIO, who recently reached a breakthrough agreement to support a series of principles that will make it easier for employers to hire foreign employees when American workers cannot fill needed jobs. The new scheme would include a new worker visa program that may obviate the two camps’ long-standing disagreement about the prospect of a temporary worker program. Moreover, a joint statement released by the groups cites the need for a new federal agency bureau that will inform Congress and the public about labor market needs and worker shortages. ¶ In addition, House Republicans are debating a closed-door proposal that includes eventual citizenship for the 11 million undocumented immigrants currently living in the United States. Under the House version, undocumented immigrants would first be allowed to live and work in the country on a provisional basis and subsequently qualify for “green cards” through employer or family-based sponsorship. For its part, the Senate is also involved in active talks about comprehensive immigration reform and prominent senators from both parties have recently held **high-level meetings** with President Obama about this issue, prompting Senator Lindsey Graham (Republican – South Carolina) to state that it was “one of the best meetings” he had “ever had with the [P]resident.”

#### PC shapes the agenda

Shifter 12/27/12 (Michael, President of the Inter-American Dialogue, “Will Obama Kick the Can Down the Road?”)

Not surprisingly, Obama has been explicit that reforming the US’s shameful and broken immigration system will be a top priority in his second term. There is every indication that he intends to use some of his precious political capital – especially in the first year – to push for serious change. The biggest lesson of the last election was that the “Latino vote” was decisive. No one doubts that it will be even more so in future elections. During the campaign, many Republicans -- inexplicably -- frightened immigrants with offensive rhetoric. But the day after the election, there was talk, in both parties, of comprehensive immigration reform. Despite the sudden optimism about immigration reform, there is, of course, no guarantee that it will happen. It will require a lot of negotiation and deal-making. Obama will have to invest a lot of his time and political capital -- twisting some arms, even in his own party. Resistance will not disappear. There is also a chance that something unexpected could happen that would put off consideration of immigration reform. Following the horrific massacre at a Connecticut elementary school on December 14, for example, public pressure understandably mounted for gun control, at least the ban of assault weapons. But a decision to pursue that measure -- though desperately needed -- would take away energy and time from other priorities like immigration.

#### Natural gas is politically explosive

Mantius, 11 – DC Bureau staff

(Peter, "Cuomos Hydrofracking Honeymoon Ends July 1," DC Bureau, 6-30-11, l/n, accessed 9-2-12, mss)

Throughout his first legislative session, New York Gov. Andrew Cuomo had the luxury of sitting on the fence on the **politically explosive** question of whether or not his state can safely open its borders to a **controversial** natural gas drilling technique. During that grace period, Cuomo successfully backed gay marriage, watched his approval rating soar above 60 percent and heard buzz about his potential as a 2016 presidential candidate. But the honeymoon ends July 1 when the state Department of Environmental Conservation releases its latest draft of requirements for permits to use high volume hydraulic fracturing when drilling in New Yorks Marcellus Shale formation. According to The New York Times, the Cuomo administration will lift what has been a moratorium on hydraulic fracturing. The governor bought time in the first half of 2011 by insisting that experts at the DEC “not politicians “ write the rules for gas drilling. To address criticism that the DECs previous draft rules on hydrofracking were inadequate, Cuomo, in one of his first acts as governor, gave the agency a quick makeover. He appointed Joseph Martens as DEC commissioner and then turned his attention to other matters. œCuomo made a point of saying that he and Martens had actually never spoken on hydrofracking, said Roger Downs of the Sierra Clubs Atlantic Chapter. œHe wanted a firewall. Meanwhile, New Yorks Republican-controlled Senate took a rigid stance against passing gas drilling legislation in the 2011 session before the DEC issued its latest version of gas drilling rules. That meant that three bills that passed the Democratically-controlled Assembly “ a moratorium on fracking the New York Marcellus until next summer, a œhome rule measure guaranteeing the rights of communities to ban hydrofracking, and a bill to end the oil and gas industrys exemption from rules applying to hazardous waste “ all died quietly in the Senate. Everything was left hanging on the DECs revised rules, due July 1. Those rules are spelled out in a supplemental generic environmental impact statement, or SGEIS. The agency intends to allow drillers to cite the document instead of developing their own environmental impact statements for each gas well they drill, a process that has the potential to greatly speed up the well permitting process. The DECs previous draft of the SGEIS drew criticism from not only environmental groups, but also government agencies such as the federal Environmental Protection Agency, the New York State Department of Health and the New York City Department of Environmental Protection. Critics tended to focus on the drafts scant attention to the cumulative impact of hundreds, if not thousands, of hydrofracked wells and the failure to comprehensively address the regions lack of capacity to deal with millions of gallons of contaminated well flowback water.

#### Immigration reform is key to food security

**ACIR ‘7** (December 4, 2007 THE AGRICULTURE COALITION FOR IMMIGRATION REFORM

Dear Member of Congress: The Agriculture Coalition for Immigration Reform (ACIR) is deeply concerned with pending immigration enforcement legislation known as the ‘Secure America Through Verification and Enforcement Act of 2007' or ‘SAVE Act’ (H.R.4088 and S.2368). While these bills seek to address the worthy goal of stricter immigration law enforcement, they fail to take a comprehensive approach to solving the immigration problem. History shows that a one dimensional approach to the nation’s immigration problem is doomed to fail. Enforcement alone, without providing a viable means to obtain a legal workforce to sustain economic growth is a formula for disaster. Agriculture best illustrates this point. Agricultural industries that need considerable labor in order to function include the fruit and vegetable, dairy and livestock, nursery, greenhouse, and Christmas tree sectors. Localized labor shortages have resulted in actual crop loss in various parts of the country. More broadly, producers are making decisions to scale back production, limit expansion, and leave many critical tasks unfulfilled. Continued labor shortages could force more producers to shift production out of the U.S., thus stressing already taxed food and import safety systems. Farm lenders are becoming increasingly concerned about the stability of affected industries. This problem is aggravated by the nearly universal acknowledgement that the current H-2A agricultural guest worker program does not work. Based on government statistics and other evidence, roughly 80 percent of the farm labor force in the United States is foreign born, and a significant majority of that labor force is believed to be improperly authorized. The bills’ imposition of mandatory electronic employment eligibility verification will screen out the farm labor force without providing access to legal workers. Careful study of farm labor force demographics and trends indicates that there is not a replacement domestic workforce available to fill these jobs. This feature alone will result in chaos unless combined with labor-stabilizing reforms. Continued failure by Congress to act to address this situation in a comprehensive fashion is placing in jeopardy U.S. food security and global competitiveness. Furthermore, congressional inaction threatens the livelihoods of millions of Americans whose jobs exist because laborintensive agricultural production is occurring in America. If production is forced to move, most of the upstream and downstream jobs will disappear as well. The Coalition cannot defend of the broken status quo. We support well-managed borders and a rational legal system. We have worked for years to develop popular bipartisan legislation that would stabilize the existing experienced farm workforce and provide an orderly transition to wider reliance on a legal agricultural worker program that provides a fair balance of employer and employee rights and protections. We respectfully urge you to oppose S.2368, H.R.4088, or any other bills that would impose employment-based immigration enforcement in isolation from equally important reforms that would provide for a stable and legal farm labor force.

#### Food insecurity sparks World War 3

**Calvin ’98** (William, Theoretical Neurophysiologist – U Washington, Atlantic Monthly, January, Vol 281, No. 1, p. 47-64)

The population-crash scenario is surely the most appalling. Plummeting crop yields would cause some powerful countries to try to take over their neighbors or distant lands -- if only because their armies, unpaid and lacking food, would go marauding, both at home and across the borders. The better-organized countries would attempt to use their armies, before they fell apart entirely, to take over countries with significant remaining resources, driving out or starving their inhabitants if not using modern weapons to accomplish the same end: eliminating competitors for the remaining food. This would be a worldwide problem -- and could lead to a Third World War -- but Europe's vulnerability is particularly easy to analyze. The last abrupt cooling, the Younger Dryas, drastically altered Europe's climate as far east as Ukraine. Present-day Europe has more than 650 million people. It has excellent soils, and largely grows its own food. It could no longer do so if it lost the extra warming from the North Atlantic.

#### Immigration reform expands skilled labor --- spurs relations and economic growth in China and India

Los Angeles **Times**, 11/9/**20**12 (Other countries eagerly await U.S. immigration reform, p. http://latimesblogs.latimes.com/world\_now/2012/11/us-immigration-reform-eagerly-awaited-by-source-countries.html)

"Comprehensive immigration reform will see expansion of skilled labor visas," predicted B. Lindsay Lowell, director of policy studies for the Institute for the Study of International Migration at Georgetown University. A former research chief for the congressionally appointed Commission on Immigration Reform, Lowell said he expects to see at least a fivefold increase in the number of highly skilled labor visas that would provide "a significant shot in the arm for India and China." There is widespread consensus among economists and academics that skilled migration fosters new trade and business relationships between countries and enhances links to the global economy, Lowell said. "Countries like India and China weigh the opportunities of business abroad from their expats with the possibility of brain drain, and I think they still see the immigration opportunity as a bigger plus than not," he said.

#### US/India relations averts South Asian nuclear war

Schaffer, Spring **200**2 (Teresita – Director of the South Asia Program at the Center for Strategic and International Security, Washington Quarterly, p. Lexis)

Washington's increased interest in India since the late 1990s reflects India's economic expansion and position as Asia's newest rising power. New Delhi, for its part, is adjusting to the end of the Cold War. As a result, both giant democracies see that they can benefit by closer cooperation. For Washington, the advantages include a wider network of friends in Asia at a time when the region is changing rapidly, as well as a stronger position from which to help calm possible future nuclear tensions in the region. Enhanced trade and investment benefit both countries and are a prerequisite for improved U.S. relations with India. For India, the country's ambition to assume a stronger leadership role in the world and to maintain an economy that lifts its people out of poverty depends critically on good relations with the United States.

### DA

#### Natural gas will replace all of oil uses – crushes oil prices

BAGLEY ’12 - President and Chief Executive Officer of NorTech; Deputy Secretary for the Technology Investment Office of the Pennsylvania DCED (Bagley, Rebecca O. “Will Shale Gas Be the Single Solution to America's Energy Challenges?”. July 2, 2012. http://www.forbes.com/sites/rebeccabagley/2012/07/02/will-shale-gas-be-the-single-solution-to-americas-energy-challenges/)

Over the past few decades we’ve seen time and again how energy prices will move – up or down – seemingly on a whim. This volatility of energy prices has served only to intensify our need to find viable, reliable, cost-efficient energy solutions. There are many potential solutions on the horizon. But these days many seem to think the light at the end of the energy tunnel is natural gas. According to Time Magazine’s Fareed Zakaria, “The International Energy Agency says global gas production will rise 50 percent by the year 2035; two-thirds of that growth will come from unconventional sources like shale — a market the U.S. completely dominates. We’ve become the world’s lowest-cost producer of natural gas.” In addition to that good news, Zakaria goes on to talk about how it’s possible to use liquefied natural gas as a substitute for oil as a transportation fuel and to use natural gas to generate electricity. Fuel cells also benefit from natural gas. Fuels cells use hydrogen to generate electricity. Reforming natural gas generates hydrogen. An abundance of low-cost natural gas will be a boon to the fuel cell industry – one which Ohio already has invested more than $85 million over the past decade.

#### Saudi would perceive that and would flood the market in response and crash oil prices

HULBERT ’12 - Lead Analyst at European Energy Review; Senior Research Fellow, Netherlands Institute for International Relations; Senior Research Fellow at the Center for Security Studies (Hulbert, Matthew. “OPEC's Pending Bloodbath”. June 10, 2012. http://www.forbes.com/sites/matthewhulbert/2012/06/10/opecs-pending-bloodbath/)

That’s unlikely to happen, precisely because Riyadh can bring further pricing pressures to bear **if it wants to get its way** in the cartel. The Kingdom’s policy space has admittedly tightened over the past couple of years, but they remain **the only producer capable of significantly increasing or reducing production at will**. Initial tanker data from Europe suggests Riyadh may have started reigning in production that was running around 6% over OPEC quota. It’s also raised July benchmarks for Arab Light grades in Asia. But Iran, Venezuela, Nigeria, Angola and Algeria will want restraint to come far faster and far deeper to firm prices. The line being spun from the ‘free lunch’ brigade is that storage should easily cover any Iranian spikes when EU sanctions come into full effect 1st July, while OPEC quotas should be pared down to 29.5mb/d (or less). Cheap words from petro-hawks, not least because they’ll all continue to cheat on quotas to squeeze out every last drop they have. Riyadh knows that of course; hawks want a price floor to be set at $100/b to sustain political regimes, but to do so entirely at Saudi expense. Russia is no different outside the cartel: free riding 101. Saudi Arabia (and its GCC partners) might be willing to play ball given ongoing concerns from the Arab Awakening, but with some budgetary tweaks and counter-cyclical cash to burn, they could all easily survive at $85/b making Iran et al sweat. Tehran might decide to rip up formal quotas as it did in June 2011, but that would be a costly mistake. If the Saudis let prices fall, political outages across smaller producer states could help to set a floor for them anyway. Iran would have no say in the matter. Given such ‘pricing perils’, Saudi Arabia holds all the aces to settle institutional issues, not to mention giving the global economy more breathing space (and Washington greater leeway over Iranian sanctions). But the real reason to let prices fall a little further isn’t just to make very clear to OPEC states where the ultimate volume and pricing power rests, but to fight Riyadh’s **bigger battle** over the next decade: **Retaining** 40% of **OPEC market share in the midst of supposedly huge non-OPEC supply growth**. It didn’t go unnoticed that despite Saudi production averaging 31 year highs and prices hitting $128/b in March 2012, the forward curve for 2018 was trading at $30/b discounts relative to spot. You’d think with the cartel maxed out and proximate demand side problems looking bleak, five year curves would be exactly the other way, in sharp contango (i.e. far above prompt prices) once the global economy and demand side fundamentals were fixed. The fact they weren’t is principally because the market thinks vast swathes of unconventional production will come online, not just in North America where production is back above 6mb/d, but in Canada, Brazil and even Arctic extremes. At $100/b that was a fair bet to place, but once benchmark prices drop back to two figures, the 6.4 trillion barrels of unconventional reserves sitting in the Americas look a far less certain prospect. Canadian tar distinctly sticky; Brazilian pre-salt horribly deep; Russian Arctic plays simply impossible. So when OPEC meets in Vienna expect Saudi Arabia to call the shots. The new Secretary General will either be a Saudi national, or a compromise candidate Riyadh can live with. Quotas will stay close to 30mb/d with minor reductions possible. Thinly veiled threats of sustained (or increased) production will be made if Iran doesn’t play ball. Yet the long term price point to watch isn’t just one that keeps OPEC in business and Riyadh in control, but where the al-Saud can maintain secular market share. Letting prices **informally slide** to $85-90/b **might be the** kind of warning shot **Riyadh wants** to send to scrub unconventional plays off global balance sheets. Its OPEC colleagues will see that as sailing far too close to the political wind, but a Saudi bloodbath now, might be just the medicine OPEC requires to sustain its long term health, not unless the cartel is absolutely determined to keep pricing itself out of existence.

#### Low oil prices will crush Mexico’s economy – causes instability

Morley 08, Robert Morley, economic analyst focusing on US trade relations, “Disorder South of the Border,” July 8th, 2008, from The Trumpet, http://www.thetrumpet.com/?q=5309.3600.0.0&preview

Additionally, since pemex is government-owned, its annual profits are used to cover government spending as opposed to exploration and development. Instead of creating future revenues, current revenues subsidize the living standards of the Mexican populace. The state requires pemex to sell fuel at prices sometimes less than half the market value. This kind of management has virtually bankrupted the company, despite the fact that oil is trading at over $140 per barrel. In 2006, pemex was the most indebted oil company on the planet. If not for record-high oil prices, both pemex and Mexico would have already faced a severe budget crisis. **With 40 percent of** government **revenues at risk**, the whole country could have easily descended into chaos, with resultant devalued currency, rising interest rates and much higher taxes. Record oil prices have temporarily plugged the gap left by plunging production levels. But if high oil prices eventually retreat, Mexico is going to face a huge cash crunch. For now, there are other serious ramifications. Declining Mexican oil production means that either Mexicans or Americans will have to do without. With global oil supplies as tight as they are, either decision will have far-reaching effects. Mexico is left with ugly choices. If it chooses to reduce exports to America, it will lose its largest source of foreign capital. Consequently, the Mexican trade gap will soar, government spending will plummet, and the peso will come under intense pressure—leading to price inflation even more severe than current levels. Yet **if Mexico decides to restrict local supply** in order **to maintain** its foreign **income** streams, it risks choking off local commerce by inducing local price spikes and shortages not only of fuel, but also of essential petrochemical products like lubricants, synthetic fabrics, plastics and fertilizer. A cauldron of social and political upheaval is bubbling. Mexico’s easy oil days are over. Currently, it looks like Mexico has decided to limit exports to America, recently announcing a sizeable reduction of 150,000 barrels per day. So America’s easy oil days are ending too.

#### Instability in Mexico causes nuclear use and retaliation

The Hill 09, “Border lawmakers fear drug-terrorism link,” March 7th, 2009, http://thehill.com/leading-the-news/border-lawmakers-fear-extent-of-drug-cartel-violence-2009-03-07.html)
Members of Congress are raising the alarm that war-like conditions on the Mexican border could lead to Mexican drug cartels helping terrorists attack the U.S. “When you have…gangs and they **have loose ties with al Qaeda and** then you have **Iran** not too far away from building a nuclear capability, nuclear terrorism may not be far off,” said Rep. Trent Franks (R- Ariz.), a member of the House Armed Services committee. The Mexican drug cartels’ violence accounted for more than 6,000 deaths last year, and in recent months it has begun spilling over into the districts of lawmakers from the southwest region, even as far north as Phoenix, Ariz. -- which has become, Franks noted, the “kidnap capital of the U.S.” Rep. Henry Cuellar (D-Texas), whose district borders Mexico, said that while the situation is bad, it could easily get worse. “The goal of the cartels is to make money,” said Cuellar, who sits on the House Homeland Security committee. “**If they can smuggle in drugs and human cargo,** then certainly they can smuggle other things in, other devices to cause us harm.” “We have not heard of any associations, but is there the possibility? I’ll be the first to say, yeah. They have the routes, they can very easily smuggle in other things. If I was a bad guy in another country, I would go into Central America because the U.S. is not paying the proper attention.”

#### Retaliation leads to nuclear war

Speice ‘6 (Patrick F. Jr., JD Candidate @ College of William and Mary “NEGLIGENCE AND NUCLEAR NONPROLIFERATION: ELIMINATING THE CURRENT LIABILITY BARRIER TO BILATERAL U.S.-RUSSIAN NONPROLIFERATION ASSISTANCE PROGRAMS,” February 47 Wm and Mary L. Rev. 1427)

The potential consequences of the unchecked spread of nuclear knowledge and material to terrorist groups that seek to cause mass destruction in the United States are truly horrifying. A terrorist attack with a nuclear weapon would be devastating in terms of immediate human and economic losses. 49 Moreover, there would be immense political pressure in the United States to discover the perpetrators and retaliate with nuclear weapons, massively increasing the number of casualties and potentially triggering a full-scale nuclear conflict. 50 In addition to the threat posed by terrorists, leakage of nuclear knowledge and material from Russia will reduce the barriers that states with nuclear ambitions face and may trigger widespread proliferation of nuclear weapons. 51 This proliferation will increase the risk of nuclear attacks against the United States [\*1440] or its allies by hostile states, 52 as well as increase the likelihood that regional conflicts will draw in the United States and escalate to the use of nuclear weapons.

#### High oil prices are key to Libyan stability

ACHY ‘12 - a nonresident scholar at the Carnegie Middle East Center in Beirut. He is an economist with expertise in development and institutional economics, as well as trade and labor, with a focus on the Middle East and North Africa (Achy, Lahcen. “Libya’s Economy: On Path to Recovery but Facing Hard Challenges”. May 1, 2012. http://carnegieendowment.org/2012/05/01/libya-s-economy-on-path-to-recovery-but-facing-hard-challenges/apm9)

The Libyan oil minister recently announced that oil production is approaching pre-war levels. The oil sector is the backbone of the Libyan economy, so such a statement is of high importance. **It accounts for 70 percent of GDP,** over **95 percent of exports, and 90 percent of** government **revenue**. With the current level of oil production and high prices on international markets, **the Libyan economy is expected to recover this year**. Yet, to ensure long-term stability, Libya must move away from its dependence on oil toward a diversified economy led by a competitive private sector. The Libyan economy paid a heavy price to topple the regime of Muammar Qaddafi, a toll that far exceeds the losses incurred by both Tunisia and Egypt. Indeed, the year 2011 brought a 60 percent contraction in Libya’s GDP, following months of almost total interruption of oil production and exports. Government revenue fell, while the budget deficit reached a record 40 percent of GDP and a supply shortage led to an inflation rate of nearly 20 percent. The UN Security Council resolution to freeze the Libyan central bank’s assets and the growing amount of bad debt in the country has resulted in a severe lack of liquidity. Libya’s neighborhood has also felt the effects of the armed conflict to overthrow Qaddafi. Many Tunisians and Egyptians that had worked in Libya returned home, thus depriving their families of remittances and swelling the ranks of the unemployed in their home countries. A 70 percent increase in GDP and a current account surplus of 11 percent of GDP are expected in 2012. Prices are projected to go down by 10 percent after the resumption of imports and market supply to normal level. Still, the budget deficit is expected to represent 7 percent of GDP due to a generous increase in civil servants’ wages in March of last year—an attempt by the Qaddafi regime to end popular discontent. The amount budgeted for wages now represents 20 percent of GDP, which is double the level in 2010. Egypt and Tunisia are in need of external funding, which may eventually lead them to accept costly or conditional loans; Libya with foreign reserve assets amounting to $174 billion and almost no foreign debt to repay can set its priorities and design its policies without any external pressure. But Libya’s strengths, along with burgeoning oil revenue, may become weaknesses if the government fails to restore security and stability throughout the country. This is why Libya’s current government must manage the transition to democracy according to a set timetable and build strong, efficient, and yet accountable institutions that will allow Libya to meet the major challenges its economy is facing

#### Libyan war sparks World War III

Lendman, 7-6-11

[Stephen, Libya - Flashpoint for World Conflict, http://www.rense.com/general94/libya.htm]

  On July 3, Peter Dale Scott told Progressive Radio News Hour listeners what he fears most. He repeated it in a July 4 email, citing a Paul Joseph Watson Infowars.com article, accessed through the following link:

http://www.infowars.com/report-ground-invasion-of-libya-within-two-weeks

Using information from DEBKAfile, a Jerusalem-based intelligence site with close Mossad ties (providing commentary and analysis on regional terrorism, intelligence, security, military and political affairs), he discussed a frightening prospect. More on it below. Founded in June 2000, DEBKA calls itself independent, "pioneer(ing) intensive news coverage and analysis of global (Islamic, not Israeli, US, or other Western) terror before it hits" front pages. Calling its reports "not infallible," Scott said its information deserves attention because some past predictions proved true. Specifically, he cited their June 25, 2003 story that "The Americans are secretly building two giant intelligence facilities in Iraq at a cost of some half a billion dollars." Doing so and more makes it "seem that America is now indeed acting as recklessly and idiotically as Britain and France did in the (1956) Suez crisis...." On air and in his email, Scott wondered whether "Washington failed to take into account the reaction of Russia and China (the way Britain in 1956 insanely" didn't bank on America's response at the time). "Or is (America) counting on its (nuclear superiority) to deal with any problems in that area." Disturbingly, top US officials include extremists who think brute force solutions work best, even high risk ones like nuclear war or simultaneously waging too many conventional ones. Scott told Progressive Radio News Hour listeners that he's warned for months about Libya being a flashpoint for escalated general war, similar to how WW I began. Global Research founder/editor Michel Chossudovsky has similar concerns, including in his new E-book titled, "Towards a World War III Scenario," calling today's world "at a critical crossroads." Citing two major incidents, Japan's Fukushima disaster and imperial war on Libya, he called "(t)hese two seemingly unrelated events....of crucial importance in understanding both the nuclear issue as well as the ongoing US-NATO sponsored war." Fukushima's implications and fallout go largely unexplained. In fact, except for occasional misreporting, America's media now entirely ignore them, including warnings from Helen Caldicott and others that every commercial reactor is a ticking time bomb "atomic bomb factory." Moreover, Chossudovsky said "(n)uclear energy is not a civilian economic activity. It is an appendage of the nuclear weapons industry which is controlled by the so-called defense contractors." In fact, secret "atomic-bomb research facilities (are) hidden inside Japan's civilian nuclear power plants," and perhaps also in America's. It may not have been coincidence that Libya's war was launched within days of Fukushima's disaster. It's now dramatically escalated as part of America's broader Middle East/North Africa/Central Asia conflict, **encroaching recklessly close to China and Russia's borders**. Their concerns, in fact, may trigger counter-responses that **could dangerously spin** things out of control. In fact, the war Obama won't call war potentially could trigger a "World War III scenario." It worries Chossudovsky, Scott and others enough to highlight it on air and in print. It's repeated in this article, citing another recent one discussing Barbara Tuchman's 1962 book, "The Guns of August," on how WW I began and its early weeks. Once started, it escalated out of control disastrously, involving dozens of countries directly and indirectly. Moreover, before it ended, over 20 million died, at least that many more were wounded, and a generation of young men were erased before nuclear and today's other mass destruction weapons and technologies existed. Over a half century ago, it worried Einstein enough to say: "I know not with what weapons World War III will be fought, but World War IV will be fought with sticks and stones" if civilizations survive to do it. Given the possibility of Libya triggering escalated general or global war, that scenario today is real, especially in light of a "1996 plan to bomb Libya using tacticalnuclear weapons." It was shelved at that time, but never eliminated as a possibility against any nation. In fact, the Bush administration claimed the preemptive right to use nuclear weapons, including against non-nuclear states, based on alleged national security concerns.Obama recklessly maintains the same policy even though America hasn't had an enemy since Japan surrendered in August 1945. Nonetheless, the prospect of escalating war with nuclear or other mass destruction weapons suggests frightening possibilities, including a potential WW III scenario. It's no less implausible now than WW I seemed in early 1914. Worry most perhaps about what's least expected, especially to refocus angry millions (suffering from global economic crisis misery) on something greater. It's worked many times before, notably post-9/11, escalating one war into multiple ones and counting. Given America's out-of-control belligerence, perhaps ad infinitum wars will proliferate until America destroys planet earth to liberate it in a mushroom-shaped cloud. It's possible given alarming reports like Watson's July 4 Infowars one linked above.

### Enforcement CP

#### Text: The Environmental Protection Agency should issue a guidance document substantially lowering penalties for violating and de-prioritize enforcement of the New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants Review for natural gas production. The Environmental Protection Agency shall issue an informal business memo to alert the natural gas industry aware of this change.

#### CP is competitive and solves the case - Guidance documents have the power of law but are not binding – agencies voluntarily comply with rules

Hunnicutt 1999 [James JD – Boston College Law School “NOTE: Another Reason to Reform the Federal Regulatory System: Agencies' Treating Nonlegislative Rules as Binding Law” Boston College Law Review December, 41 B.C. L. Rev 153]

Rules created without process--interpretative rules, general statements of policy, rules of agency organization and other **nonlegislative rules**--generally **cannot have legally binding effects.** 117 In administrative and judicial proceedings, nonlegislative rules are not treated as law, but as influential agency thought that may factor into a proceeding's outcome. 118 According to the courts, nonlegislative rules cannot be the decisive factor in a court proceeding or enforcement action. 119 For example, in 1986, in Thomas v. New York, the Court of Appeals for the District of Columbia Circuit held that a letter written by the Administrator of the Environmental Protection Agency could not have binding legal effects because it had not been subjected to notice-and-comment process. 120 Several eastern states--including New York, national environmental groups, American citizens owning property in Canada and a Congressman brought suit against Lee Thomas, Administrator of the EPA under President Reagan in the early 1980s, for not revising certain air pollution standards. 121 Prior to Thomas taking the helm of the EPA, Douglas Costle had been the EPA's Administrator under President Carter. 122 Days before Reagan took office, Costle wrote a letter to then Secretary of State Edmund Muskie indicating that based on the findings of an official joint American-Canadian commission, he believed pollution emitted by the United States was responsible for causing acid rain in Canada. 123 According to the 1977 amendments to the Clean Air Act, if the Administrator of the EPA determines that American air pollution is causing significant harm in Canada, the EPA must order the states causing the acid rain to reduce [\*172] air pollution. 124 Then, those states would be obligated to intensify the regulation of the private parties contributing to air pollution within the states' jurisdictions. 125 The new Administrator, Thomas, chose to ignore the letter. 126 Intent on reducing acid rain in Canada, the plaintiffs brought suit, arguing that the letter obliged the EPA to force the generating states to revise their air pollution controls. 127 The court found that the letter constituted a rule within the meaning of the APA and that it had not been created as a result of any rulemaking process. 128 The court reasoned that the rule did not fall within any of the § 553(b)(A) exceptions because it affected individual rights and obligations by causing the states to heighten their regulations, which would result in the termination or restriction of numerous utilities and manufacturers. 129 Because the EPA had not followed the notice-and-comment process to create the rule, the EPA was not required to constrain its discretion by abiding by the letter. 130 The holding in Thomas evidences the principle that nonlegislative rules cannot have binding legal effects. 131 Reality, however, may differ from this principle. 132 B. Agencies May Try to Apply Nonlegislative Rules as Law Against Private Parties When agencies treat a nonlegislative rule as law, those rules will have the practical effect of binding law because people tend to acquiesce to that which the government informs them constitutes the law. 133 Most members of the public assume all agency rules constitute legitimate law, so **they simply conform to all rules**. 134 By treating nonlegislative [\*173] rules as law, agencies can convince the public into following nonlegislative rules. 135 Occasionally, agencies rely upon nonlegislative rules for enforcement actions. 136 For example, in 1989 in United States v. Picciotto, the Court of Appeals for the District of Columbia reversed a conviction based upon a nonlegislative rule because, by virtue of prescribing unlawful conduct, the rule imposed binding obligations on the public. 137 In 1981, Concepcion Picciotto began a six year, twenty-four-hour-per-day protest against nuclear war across the street from the White House in LaFayette Park. 138 In 1988 the Park Service issued an "additional condition" without performing any notice-and-comment procedures. 139 The additional condition prohibited the storage of property in LaFayette Park beyond that which is reasonably necessary to stage a twenty-four hour protest. 140 A Park Service police officer arrested Picciotto for violating the additional condition. 141 The United States District Court for the District of Columbia found her guilty and gave her a ten-day suspended prison sentence and six months unsupervised probation. 142 The Court of Appeals reversed the conviction, holding that the additional condition was substantive because it imposed obligations enforceable by criminal penalty, even though the Park Service had created it without notice-and-comment. 143 Although Picciotto won her appeal, this case demonstrates how agencies may create rules without notice-and-comment and treat them as binding law. 144 Besides initiating or threatening enforcement actions based on nonlegislative rules, agencies often rely on them to grant or deny applications and permits. 145 Similarly, federal [\*174] agencies can utilize nonlegislative rules to influence programs administered by the states. 146 As the trial court did in Picciotto, courts sometimes agree with the agencies and treat nonlegislative rules as binding law. 147 For instance, in 1993, in United States v. American National Red Cross, the District Court for the District of Columbia issued an injunction against the Red Cross, as part of a settlement, ordering the Red Cross to conform with all of the FDA's nonlegislative rules regarding blood. 148 Concerned with the integrity of the blood supply, the FDA passed numerous legislative and nonlegislative rules regarding how blood was to be handled. 149 Finding that the Red Cross had failed to meet the standards imposed by the FDA, the court specifically differentiated between the FDA's legislative rules and nonlegislative rules, and ordered the Red Cross to abide by both. 150 Therefore, rules created without notice-and-comment became binding law for the Red Cross. 151 [\*175] C. Analysis of the Legal Effects of Nonlegislative Rules The situation in Red Cross must be avoided because it robs the public of the opportunity to offer input on nonlegislative rules. 152 Because the Red Cross, the FDA and the court agreed to this settlement, the FDA's nonlegislative rules regarding blood bind the Red Cross, even though the rules create new law, impose legal obligations, have immediate effects, are not necessarily published in the Federal Register and may have significant effects on the public. 153 Moreover, the public lost the opportunity to participate in the creation of laws that will affect many people, including patients in need of blood transfusions. 154 When courts allow nonlegislative rules to have substantive effects on the public, they undermine the foundation underlying the APA and the notice-and-comment procedures therein. 155 Nonlegislative rules should not impose obligations or immediate effects on the public, and courts and agencies should strive to avoid using them in such a manner. Too often, nonlegislative rules have a **practical binding legal effect because** **people do not realize those rules are not binding**. The parties affected by the rules choose to acquiesce to the rules rather than attract agency attention, they lack the resources to challenge the rules, or they have already fought the rule in court and have given up on the appeals process. 156

#### Lowering penalties while maintaining regulation solves energy production – avoids the link to politics

**HECC 12** -House Energy & Commerce Committee ("The Resolving Environmental and Grid Reliability Conflicts Act (H.R. 4273)," http://energycommerce.house.gov/news/PRArticle.aspx?NewsID=9750)

The Resolving Environmental and Grid Reliability Conflicts Act, introduced by Reps. Pete Olson (R-TX) and Mike Doyle (D-PA), Lee Terry (R-NE), Gene Green (D-TX), Adam Kinzinger (R-IL), and Charles Gonzalez (D-TX), will ensure America’s power companies are able to comply with Department of Energy emergency orders to maintain grid reliability **without facing penalties** for violating potentially **conflicting** environmental **laws**. During emergencies affecting electricity supply or delivery, **the** **DOE has the *authority*** under the Federal Power Act to order electric generators to operate. However, compliance with such an emergency order could **trigger** a subsequent violation of environmental laws and regulations, potentially exposing the generator to penalties and lawsuits. EPA’s new and proposed power sector regulations could trigger reliability-related emergencies. Interruptions could be expected given the operational challenges associated with maintaining reliability when thousands of megawatts of generation will retire or require retrofits over the next 3 to 4 years. Currently, a DOE-issued emergency order does not trump environmental laws or regulations, meaning generators complying with such a federal order are not protected from violating environmental laws. Astonishingly, companies could be fined or sued for non-compliance with an environmental regulation even though the generator would not have violated the regulation but for following the DOE emergency order. This commonsense, **bipartisan legislation** makes an important clarification to the Federal Power Act so that utilities will not be subject to penalties when working with DOE to keep the lights on.

#### Regulations are established by congress – agencies can make internal modifications that avoid political blame

Schillaci 2007 [William C. author of the book Most Misunderstood Regs March 27, “Reining in Guidance Documents” http://enviro.blr.com/whitepapers/ehs-management/epa-environmental-protection-agency/reining-in-guidance-documents/]

"The phenomenon we see in this case is familiar. Congress passes a **broadly worded statute**. The Agency **follows with regulations containing broad language**, open-ended phrases, ambiguous standards and the like. Then as years pass, the Agency issues circulars or **guidance** or memoranda, **explaining**, **interpreting**, **defining** and often expanding the **commands in regulations**. One guidance document may yield another and then another and so on. Several words in a regulation may spawn hundreds of pages of text as the Agency offers more and more detail regarding what its regulations demand of regulated entities. **Law is made, without notice and comment**, without public participation, and without publication in the Federal Register or the Code of Federal Regulations."

#### CP’s process violates the APA and undermines administrative law - perm doesn’t solve because it acts in accordance with legislation

Anthony 92 (Robert A., Foundation Professor of Law – George Mason University School of Law, “Interpretive Rules, Policy Statements, Guidances, Manuals, And The Like Should Federal Agencies Use Them To Bind The Public?”, Duke Law Journal, June, 41 Duke L.J. 1311, Lexis)

With one exception, the answer to the question in the title is "no." To use such nonlegislative documents to bind the public violates the Administrative Procedure Act (APA) and dishonors our system of limited government. This is true whether the agency attempts to bind the public as a legal matter or as a practical matter. 1 An agency **may not make binding law *except*** in accordance **with** the authorities and procedures established by Congress. To make binding law through actions in the nature of rulemaking, the agency must use legislative rules, which ordinarily must be made in accordance with the notice-and-comment procedures specified by section 553 of the APA. 2 [\*1313] The sole category of exceptions -- where an agency may permissibly attempt to make a substantive nonlegislative rulemaking document binding on private parties -- is for interpretive rules. 3 These are rules that interpret statutory language which has some tangible meaning, rather than empty or vague language like "fair and equitable" or "in the public interest." 4 An agency may nonlegislatively announce or act upon an interpretation that it intends to enforce in a binding way, so long as it stays within the fair intendment of the statute and does not add substantive content of its own. 5 Because Congress has already acted legislatively, the agency need not exercise its own delegated legislative authority. Its attempts to enforce an interpretation can be viewed as simply implementing existing positive law previously laid down by Congress. As a [\*1314] practical matter, the agency in this way gives the interpretation a binding effect. 6 The same is true where the agency interprets its own previously promulgated legislative rules. By contrast, when it does not merely interpret, but sets forth onto new substantive ground through rules that it will make binding, the agency ***must* observe the** legislative **processes laid down by Congress**. 7 That is, when an agency uses rules to set forth new policies that will bind the public, it must promulgate them in the form of legislative rules. The statutory procedures for developing legislative rules serve values that have deep importance for a fair and effective administrative process and indeed for the maintenance of a democratic system of limited government. 8 [\*1315] Except to the extent that they interpret specific statutory or regulatory language, then, nonlegislative rules like policy statements, guidances, manuals and memoranda should not be used to bind the public. 9 While these nonlegislative rules by definition cannot legally bind, agencies often inappropriately issue them with the intent or effect of imposing a practical binding norm upon the regulated or benefited public. Such use of nonlegislative policy documents is the capital problem addressed by this Article.

#### Spills over

Kalen 8 (Sam, Visiting Assistant Professor – Penn State University, “The Transformation of Modern Administrative Law: Changing Administrations and Environmental Guidance Documents”, Ecology Law Quarterly, 35 Ecology L.Q. 657, Lexis)

Early in the opinion, Judge Randolph foreshadowed the tenor of the court's decision. Before discussing the merits, he observed: The phenomenon we see in this case is familiar. Congress passes a broadly worded statute. The agency follows with regulations containing broad language, open-ended phrases, ambiguous standards and the like. Then as years pass, the agency issues circulars or guidance or memoranda, explaining, interpreting, defining and often expanding the commands in the regulations. One guidance document **may yield another and then another and so on**. Several words in a regulation may spawn hundreds of pages of text as the agency offers **more and more detail** regarding what its regulations demand of regulated entities. Law is made, **without notice and comment,** without public participation, and without publication in the Federal Register or the Code of Federal Regulations. 85

#### Key to expand access to broadband

Strauss 11 (Peter, Not David Paul, Betts Professor of Law – Columbia Law School, “The APA at 65- Is Reform Needed to Create Jobs, Promote Economic Growth and Reduce Costs?”, Congressional Documents and Publications, 2-28, Lexis)

As you may know, I have for the last forty years been a scholar of Administrative Law at Columbia Law School, now holding the Betts professorship; I am former General Counsel of the Nuclear Regulatory Commission; was once a public member of the Administrative Conference of the United States and am now a Senior Fellow of the Conference; and I am a former Chair of the American Bar Association's Administrative Law and Regulatory Practice Section. I am the senior author of one of the leading law school casebooks on administrative law, and have published, along with other books and dozens of law review articles on the subject, a monograph on Administrative Justice in the United States. Much of my work has concerned rulemaking, and that is the aspect of the APA that I want to address here today. June 11 will be its 65th birthday. It is certainly an appropriate time for reassessment. I start with the premise that some, although not all, rulemaking is beneficial, either because it fulfills basic human needs, such as having toilet facilities at work, or because it creates jobs, promotes growth and reduces costs. The issue is finding procedures that permit **effective sifting of the wheat from the chaff**. And that, in my judgment, warrants some reconsideration of our rulemaking procedures. Years ago, then-Professor Antonin Scalia reacted to the Supreme Court's decision in Vermont Yankee Nuclear Power v. Natural Resources Defense Council, n1, which I had had the privilege of briefing for the United States as General Counsel of the NRC. He had already been Chair of the Administrative Conference of the United States and Assistant Attorney General in the Office of Legal Counsel; he would go on to distinguished careers on the DC Circuit and now on the Supreme Court. The Vermont Yankee's opinion very forcefully held that only Congress, or the agencies themselves, were in a position to elaborate the simple procedures of Section 553. Professor Scalia then foresaw the necessity of revising the one-size-fits-all character of Section 553 informal rulemaking. n2 Since then, both the courts and our Presidents - Republican and Democrat - have added complexities to rulemaking, described in the literature as "ossification." In effect they have created that varying pattern, but it lacks the stability and sense of a thoughtful legislative solution, and has itself imposed costs that both make government inefficient in doing what it should be doing, and invite evasion. As Judge Brett Kavanaugh of the D.C. Circuit recently wrote, Courts have incrementally expanded those APA procedural requirements well beyond what the text provides. And courts simultaneously have grown ... arbitrary-and-capricious review into a far more demanding test. Application of the beefed-up arbitrary-and-capricious test is inevitably if not inherently unpredictable -- so much so that, on occasion, the courts' arbitrary-and-capricious review itself appears arbitrary and capricious. Over time, those ... decisions have gradually transformed rulemaking -- whether regulatory or deregulatory rulemaking -- from the simple and speedy practice contemplated by the APA into a **laborious, seemingly never-ending** process. The judicially created obstacle course can hinder Executive Branch agencies from rapidly and effectively responding to changing or emerging issues within their authority, such as consumer **access to broadband**, or effectuating policy or philosophical changes in the Executive's approach to the subject matter at hand. The trend has not been good as a jurisprudential matter, and it continues to have significant practical consequences for the operation of the Federal Government and those affected by federal regulation and deregulation. n3

#### Mitigates the impact to biological terrorism

Lloyd ‘8 (Mark Lloyd is a Senior Fellow at the Center for American Progress. “Ubiquity Requires Redundancy: The Case for Federal Investment in Broadband” – Science Progress – January 18th – http://www.scienceprogress.org/2008/01/ubiquity-requires-redundancy/)

\*\*\*Modified for bad language

Americans are not more adverse to new technology compared to our neighbors to the north or our friends overseas. The difference is that these countries have moved ahead of the United States after having adopted one version or another of U.S. telecommunications policies established in the mid-1990s.[3] In addition to leaving America less competitive in a global economy, this failure has left the nation vulnerable and ill-prepared for real threats to our national security—the rationale behind the initial U.S. government investment in the development of the Internet. The American invention of the Internet, of course, was preceded by hefty scientific investments beginning with the Eisenhower administration for military purposes. In fact, the Internet developed despite “market forces” dominated by the not-so-invisible hand of the Bell telephone monopoly. While the development of the Internet has certainly benefited from global market forces, the “free market” blinders that prevent present-day U.S. policymakers from seeing beyond the interests of corporations must be removed. While Reagan-era Republicans seem to don their blinders with greater pride, this is not a partisan issue. It was, after all, Vice President Al Gore who insisted that the “information superhighway” would not be built the way the U.S. highway system was built, but would instead be financed by private enterprise.[4] If the United States is to catch up with other developed and developing nations, however, we must look beyond even the abandoned policies of the Clinton era and begin to move with greater urgency and resolve to address pressing **disaster response** and **defense needs.** After all, the attacks of 9/11 and body blow of Hurricane Katrina highlight for all but the most doctrinaire advocates of free markets that there is an exceedingly strong case for direct government investment in the deployment of advanced telecommunications services to build a safe, strong, and resilient America. The goal of **federal investment in broadband** should be first and foremost to ensure our ability to respond to threats to our homeland security and to natural disasters. Directly connected to this goal is the availability of advanced telecommunications services in our health care and educational systems—the modernization of which is key to our nation’s ability to respond to threats to our national security and public safety immediately and over the coming decades. Without ubiquitous broadband our first responders could be [impaired] crippled by the lack of effective communications in the event of a terrorist attack or natural disaster. Similarly, our educational institutions need to be able to communicate quickly and effectively in case of a pandemic, as well as conduct research and development on all of the technologies needed to maintain our nation’s national defense and public safety.

#### Causes US retaliation – nuclear war

Conley ’03 (Lt Col Harry W. is chief of the Systems Analysis Branch, Directorate of Requirements, Headquarters Air Combat Command (ACC), Langley AFB, Virginia. Air & Space Power Journal http://www.airpower.maxwell.af.mil/airchronicles/apj/apj03/spr03/conley.html)

Our response to a “bolt-from-the-blue” CBW attack is likely to be far different than if US armed forces were attacked during a conflict or period of hostilities. During hostilities, the mind-set of American leaders and the public is at a higher state of alert. If casualties in a conflict have already occurred from conventional means prior to a CBW attack, the leadership and the public may be somewhat hardened and may not react as strongly as they would in a peacetime scenario. Moreover, during hostilities, US forces are likely to use CBW defense equipment, such as masks and detection devices, which could serve to minimize the adverse effects of a CBW attack. In fact, depending upon the nature and scope of the attack, US forces could “take it in stride,” with little if any change in operational plans. In this case, a specific reprisal action may not be necessary. Continues…The number of American casualties suffered due to a WMD attack may well be the most important variable in determining the nature of the US reprisal. A key question here is how many Americans would have to be killed to prompt a massive response by the United States. The bombing of marines in Lebanon, the Oklahoma City bombing**,** and the downing of Pan Am Flight 103 each resulted in a casualty count of roughly the same magnitude (150–300 deaths). Although these events caused anger and a desire for retaliation among the American public, they prompted no serious call for massive or nuclear retaliation. The body count from a single biological attack could easily be one or two orders of magnitude higher than the casualties caused by these events. Using the rule of proportionality as a guide, one could justifiably debate whether the United States should use massive force in responding to an event that resulted in only a few thousand deaths. However, what if the casualty count was around 300,000? Such an unthinkable result from a single CBW incident is not beyond the realm of possibility: “According to the U.S. Congress Office of Technology Assessment, 100 kg of anthrax spores delivered by an efficient aerosol generator on a large urban target would be between two and six times as lethal as a one megaton thermo-nuclear bomb.”46 Would the deaths of 300,000 Americans be enough to trigger a nuclear response? In this case, proportionality does not rule out the use of nuclear weapons. Besides simply the total number of casualties, the types of casualties- predominantly military versus civilian- will also affect the nature and scope of the US reprisal action. Military combat entails known risks, and the emotions resulting from a significant number of military casualties are not likely to be as forceful as they would be if the attack were against civilians. World War II provides perhaps the best examples for the kind of event or circumstance that would have to take place to trigger a nuclear response. A CBW event that produced a shock and death toll roughly equivalent to those arising from the attack on Pearl Harbor might be sufficient to prompt a nuclear retaliation. President Harry Truman’s decision to drop atomic bombs on Hiroshima and Nagasaki- based upon a calculation that up to one million casualties might be incurred in an invasion of the Japanese homeland47- is an example of the kind of thought process that would have to occur prior to a nuclear response to a CBW event. Victor Utgoff suggests that “if nuclear retaliation is seen at the time to offer the best prospects for suppressing further CB attacks and speeding the defeat of the aggressor, and if the original attacks had caused severe damage that had outraged American or allied publics**,** nuclear retaliation would be more than just a possibility, whatever promises had been made.”48

## On Case

### Solvency

**Restrictions irrelevant- prices too low to incentivize drilling**

**Harder, 12** -- National Journal energy correspondent

(Amy, "The Price Isn't Right," National Journal Daily AM, 1-31-12, l/n, accessed 9-5-12, mss)

For the United States to really capitalize on all the natural gas President Obama is boasting about, the price of it has to go up so that companies have an incentive to drill. Calling for high energy prices doesn't make political sense. But Obama is implicitly trying to do that by pushing incentives for natural-gas-powered trucks and cars that could boost demand for the energy sourceand therefore prices. Obama traveled to the battleground states of Nevada and Colorado last week to tout such a proposal in the wake of his State of the Union address. Legislation incentivizing natural-gas-powered trucks is politically popular and has Republican support in Congress. Such a measure would have the potential to create jobs, bolster energy independenceand raise natural-gas prices. The administration is quietly taking two other politically controversial steps that could also boost natural-gas demand: implementing environmental regulations that are prompting utilities to shift from coal to the relatively cleaner-burning natural gas, and processing applications from companies to export natural gas. With the nation's natural-gas prices under $3 per million British thermal units (a worldwide low, and down from nearly $14 per million Btu in 2008), oil and gas companies are shifting investments from America's recently discovered vast shale gas reserves to resources that fetch higher prices such as oil. Energy analysts say that this trend will continue for at least the next few years until prices reach a level where it becomes more profitable to produce gas.

#### Slow price rise of natural gas now- new wells being built now

Schwartzel ’13 (Erich Schwartzel, “U.S. report predicts rising natural gas prices in 2013-14”, <http://pipeline.post-gazette.com/news/archives/24983-u-s-report-predicts-rising-natural-gas-prices-in-2013-14>, January 9, 2013)

Marcellus Shale drillers who have had to cut costs and disassemble rigs because of recent record-low natural gas prices should expect a reprieve over the next two years, according to the latest projections from the U.S. Energy Information Administration. The average price of natural gas is expected to increase by almost a dollar in 2013, hitting $3.74 per million British thermal units. That's a significant jump from the $2.75 average seen last year, when accelerated drilling created a glut in supply that caused prices to drop and made drilling in many places unprofitable. Increases are expected to continue into 2014, when prices are predicted to hit $3.90. The EIA report released Tuesday is the first look into 2014 for the domestic and international energy scene, and it includes projections that could affect gas and coal activity in Pennsylvania and surrounding states. The report is the latest set of tea leaves for an industry that's been in flux: Enthusiasm for drilling was tempered in recent years by economic realities that made it risky for every rig to turn a profit. The low prices made natural gas an easy sell to large, industrial customers who consume a lot of energy, but slowed lease activity as companies waited for prices to rebound. Higher gas prices would send reverberations across multiple sectors, helping coal become competitive with natural gas again as an electricity source and allowing drillers to broaden their focus beyond shale formations that are rich in oil. In addition, the federal energy agency projects increased domestic oil production will break new records over the next couple of years and eventually lead to lower prices at the gasoline station. If natural gas prices continue an upward trend toward $4 per mcf, companies that had drilled wells but weren't bringing the gas to market could decide it is worth hooking those wells up to pipelines and selling the gas, said Adam Sieminski, the EIA administrator. Natural gas consumption, meanwhile, is expected to be relatively flat in 2013, though the EIA forecasts an increase in its use to heat homes and offices over the next two years. Consumption in 2012 was low due to an unnaturally warm winter. Over the next several years, the EIA's projections call for a steady rise in natural gas prices, said Mr. Sieminski, "continuing to go up to $5 or $6 in the longer term." That would be welcome news to drillers who found the bargain-basement prices unsustainable for rapid-fire drilling in the Marcellus region, which includes much of Pennsylvania, and in other shale formations around the country. Companies in recent years have concentrated on shale regions where more lucrative oil and natural gas liquids are housed, and a rise in regular natural gas prices "might turn the drift from natural gas to oil around," said Mr. Sieminski. Pennsylvania gets one shout-out in the administration's Short-Term Energy Outlook, with researchers saying Marcellus production "continues at a strong pace as producers target oil-and-gas wells." Nationwide, the natural gas rig count was at 431 at the end of 2012 -- almost half of the 811 rigs seen in the beginning of the year. But domestic gas production is expected to remain relatively steady despite the drop in rig count, which the EIA said suggests greater rig efficiency in extracting more gas from a single location. Coal producers may welcome an increase in natural gas prices, as well. Low gas prices had helped erode coal's place as the top source in the electricity generation market. Coal consumption in the electric power sector last year was at its lowest level since 1992. With the difference in costs between the two fuels shrinking, coal's share of the electricity generation market should rise from 37.6 percent in 2012 to 39 percent in 2013, and then to 39.6 percent in 2014, the report said. The rise of natural gas as an alternative to coal was starkly seen in April 2012, when coal and natural gas each provided 32 percent of the nation's total generation -- the first time the two power sources were tied since the EIA began collecting data. The rapid changes in gas prices and production are largely a result of hydraulic fracturing technology that has unlocked reserves across the country. That same technology has helped fuel a rise in domestic crude oil production, which is expected to increase from 6.4 million barrels per day in 2012 to 7.3 million barrels in 2013 and then 7.9 million barrels in 2014. The 2014 projection would mark the highest annual production average since 1988. Record-setting production should trickle down into good news for consumers: The drop in crude prices is expected to cause gasoline prices to drop almost 20 cents from last year to an average of $3.44 per gallon in 2013 and then to $3.34 per gallon in 2014.

#### Cheap natural gas blocks renewables feedstock development- key to solve toxic chemicals

Bozell ‘8 (University of Tennessee Biomass Chemistry professor

(Joseph, Ph. D. from Colorado State University in organic synthesis and organometallic chemistry, "Feedstocks for the Future," Clean - Soil, Air, Water, 36.3, 8-5-8, WileyOnlineLibrary, accessed 10-2-12, mss)

Incorporation of domestic renewable carbon as part of the petrochemical industry’s raw material supply has been the topic of a large number of reviews [4 – 15] suggesting advantages not available with petrochemical feedstocks. Renewable carbon sources afford industrial processes that are nearly CO2 neutral. At the end of their life cycle, biobased products release no more CO2 than was originally metabolized in the biological production of the raw material [16]. Biotechnology offers the ability to tailor plants for production of structurally defined intermediates, or enhanced production of particularly useful biorefinery process streams [17]. Biorefinery operation also offers benefits for the chemical industry by addressing several of the principles of green chemistry [18]. Carbohydrate process streams within the biorefinery are well suited for transformations in aqueous media. Biobased materials can be designed to give products that can break down in the environment at the end of their useful life, leading to environmentally beneficial processes when considered from the perspective of life cycle analyses [19], and heat and energy use in the chemical industry [20]. A number of evaluations indicate that new process technology based on renewable carbon offers a way to reduce the industry’s environmental footprint [21]. In his review of progress on sustainable development, Metzger concluded, “renewables are the only workable solution” [22]. Yet the chemical feedstock supply of the U. S. remains completely dominated by nonrenewable carbon – only about 2% comes from biomass [23]. However, this dependence, and the concomitant consumption of large amounts of nonrenewable feedstocks, is relatively recent. The transition to a nonrenewables based economy occurred mostly in the period between 1920 and 1950 [24]. Prior to this time, the chemurgical movement of the early 20 th century realized the potential of biobased raw materials, and promoted a variety of technologies to convert renewable carbon into both fuels and chemicals [25 – 27]. However, the low cost and ready availability of crude oil, natural gas, and coal, coupled with the advent of modern organic chemistry, spurred the development of today's highly successful petrochemical industry and the tens of thousands of products it offers to the marketplace [28]. The great majority (A90%) of today's production is for high volume, low value transportation fuels, with the remainder being allocated for high value, but lower volume chemicals. The U. S. economy and its position among the world's industrialized nations is the result of easy access to large amounts of carbon-containing raw material supplies. This success has come at a price. World oil production is peaking and could begin to decline in the next 5 – 10 years [29 – 31], but it is unlikely that a similar decline in demand will occur, especially with significantly increased consumption expected in China and India. In the U.S., energy consumption has increased by more than 33% to about 100 quads (1 quad = 10 15 Btus) during the last 25 years, with more than half of this energy growth occurring in the last 6 – 8 years [32]. Moreover, the release of CO2, geologically sequestered for millennia as various nonrenewable carbon reserves, has had a demonstrated impact on the environment. Balancing fuel and chemical needs with the needs of the environment will therefore require that we identify and learn how to efficiently manipulate alternative feedstock sources. Renewable carbon in the form of biomass offers a vast supply of raw material, when used and managed in a sustainable manner. Accordingly, this paper will briefly review several aspects of biorefinery operation, and will illustrate how integration of chemical and fuel production is an effective means to ensure the biorefinery's economic viability.

#### Extinction

Shabecoff 7 -- NYT environmental reporter 1977 to 1999 (Philip, founder and publisher of Greenwire, Society for Environmental Journalists founding member, and Alice, "Poisoned Profits," May 2007, www.poisonedforprofit.net/PDF/Introduction.pdf, accessed 10-2-12, mss)

The toxification of the environment by industrial and commercial activity has been a fact of modern life for decades. But this plague of pollution is so insidious, like the slowly heating pot of water that boils the unsuspecting frog, that its true dimensions have crept up on us largely unheeded. So has its impact on the health of our children. There have been warnings, of course. Rachel Carson’s Silent Spring sounded what should have been an arousing alarm nearly half a century ago. Scientists, physicians and environmentalists have told us of the danger. Some initial but ultimately ineffectual steps were taken by government to slow the tide of poisons into the environment. For most of us, however, the threat has seemed abstract, a problem for other places, other families other children. Preoccupied with what we regard as more immediate concerns, we tend to ignore the degradation of our habitat and its toll on our children, or assume that someone else—the government, the medical community, industry—is correcting the problem. It is a false assumption. As we looked around, we found that a surprisingly large number of children were suffering from chronic illnesses. In one of our grandson’s neighborhoods alone, a quarter of all the young boys, by our count, were afflicted with some sort of cognitive or behavioral problems of varying degrees of severity. And, as we began to probe more deeply, to study the data, we found what we consider to be clear, alarming evidence that there has been a steep increase in the incidence of a variety of serious chronic childhood illnesses over the past half century. These include childhood cancer, asthma, birth defects, and a range of neurological problems. The data also underscored that Americans were experiencing growing difficulty conceiving children. This sharp rise in chronic childhood increase has been paralleled by an increase in the volume and range of toxic substances into the environment that we perceive as astonishing in magnitude. These substances pervade our habitat—our air, our water, our soil, our homes, our schools and our places of work. They come not only from toxic waste sites, industrial sites, power plant smokestacks, automotive tailpipes and pesticide sprayed fields, but also can lurk in our food and many if not most of our commonplace consumer products such as cleaning products, cosmetics, plastic bottles, and clothing. As far as we are concerned, the link between these substances and chronic childhood illness is inescapable. There is not a human on earth who is not exposed to toxic pollution. But it is the children who are most vulnerable. We undertook this book because we felt it our duty to do whatever little we could to end this toxic assault on our grandchildren—and all children. While we may try to rationalize and ignore the impact of toxic contamination of the environment, we cannot ignore the health and welfare of our children. Perhaps the information we present here will persuade some Americans of the seriousness of the problem and the need to act. Over the long run, the toxification the environment will probably be understood as as serious a threat to human welfare and **the future of life on earth** as most of us now understand global warming to be. Warnings about human-induced climate change and its consequences have been issued periodically by the scientific community for several decades now. Only recently, however, have a majority of Americans been persuaded of the reality of the threat and the urgent need to address it. We hope and believe there also will be an awakening to the dangers of an increasingly poisoned environment. It cannot happen too soon.

**US gas exports crush Russian influence**

Walter Russell **Mead,** April 25, 20**12** (Professor of Foreign Affairs and Humanities at Bard College, Henry A. Kissinger senior fellow for U.S. foreign policy at the Council on Foreign Relations (CFR), and Editor-at-Large of The American Interest magazine), , *The American Interest*, *North American Shale Gas Gives Russia Serious Headache,* <http://blogs.the-american-interest.com/wrm/2012/04/25/north-american-shale-gas-gives-russia-serious-headache/>

North America’s shale gas boom is chipping away at the market for gas producers like Russia. What’s more, if the United States becomes a gas exporter, Russia’s customers (especially in Europe) could decide to cancel expensive contracts with Gazprom in favor of cheaper American natural gas. “If the US starts exporting LNG to Europe and Asia, it gives [customers there] an argument to renegotiate their prices with Gazprom and Qatar, and they will do it,” says Jean Abiteboul, head of Cheniere supply & marketing. Gazprom supplied 27 percent of Europe’s natural gas in 2011. While American gas is trading below $2 per MMBTU (million British thermal units), Gazprom’s prices are tied to crude oil markets, and its long-term contracts charge customers roughly $13 per MMBTU, says the *FT*. European customers would love to reduce their dependence on Gazprom and start to import American gas. Already Gazprom has had to make concessions to its three biggest customers, and others are increasingly dissatisfied with their contracts. Worse, from Russia’s point of view: evidence that western and central Europe contain substantial shale gas reserves of their own. Fracking is unpopular in thickly populated, eco-friendly Europe, but so are high gas prices. All this ought to give Russia serious heartburn. Eroding Gazprom’s dominance of the European energy market would be a major check on Russian economic growth and political influence.

**Russian decline causes miscalc and nuclear war**

**Eberstadt, 2011** National Burea of Asian Research senior advisor**,** (Nicholas, “The Dying Bear”, Foreign Affairs, Nov/Dec, ebsco, ldg)

Most immediately and dramatically, the decline could lead Russia’s military leaders, aware of their deﬁciencies in both manpower and advanced technology, to lower the threshold at which they might consider using nuclear weapons in moments of crisis. Indeed, such thinking was ﬁrst outlined in Putin’s 2000 National Security Concept and was reaffirmed in Medvedev’s 2009 National Security Strategy. The official Russian thinking is that nuclear weapons are Russia’s trump card: the more threatening the international environment, the more readily Moscow will resort to nuclear diplomacy. For the moment, the Kremlin evidently still believes that its ambitious long-term socioeconomic plans will not only remedy the country’s demographic woes but also propel Russia into the select ranks of the world’s economic superpowers. But if Russia’s demographic decline and relative economic decline continue over the next few decades, as they most likely will, Moscow’s leaders will be unable to sustain that illusion. Indeed, once the Kremlin ﬁnally confronts the true depths of the country’s ugly demographic truths, Russia’s political leaders could very well become more alarmist, mercurial, and confrontational in their international posture. And in the process, Moscow might become The Dying Bear foreign affairs . November / December 2011 [107] more prone to miscalculation when it comes to relations with both allies and rivals. Meanwhile, Russia is surrounded by countries whose stability and comity in the decades ahead are anything but given: for example, Afghanistan, Iran, North Korea, Pakistan, and the Central Asian republics. If Russia’s periphery becomes more unstable and threatening at the same time that Russia’s rulers realize their relative power is waning, the Kremlin’s behavior may well become less conﬁdent—and more risky.

#### Cheap natural gas blocks renewables feedstock development- key to solve toxic chemicals

Bozell, 8 -- University of Tennessee Biomass Chemistry professor

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**US gas production crushes Qatar gas wealth**

**World Politics Review, ‘11**, July 25, *Global Insider: Qatar's Natural Gas Industry,* http://www.worldpoliticsreview.com/trend-lines/9572/global-insider-qatars-natural-gas-industry

The Qatari energy corporation Qatargas recently [signed a deal with Argentina](http://en.mercopress.com/2011/07/01/qatargas-will-provide-argentina-with-lng-on-a-20-year-supply-agreement) to provide 16 percent of the Latin American country's natural gas needs for 20 years. In an email interview, [Giacomo Luciani](http://www.princeton.edu/~gluciani/), Princeton global scholar and scientific director of the international energy program at the Paris School of International Affairs, discussed Qatar's natural gas industry. WPR: What is the extent of the global liquefied natural gas (LNG) market, and what is Qatar's share, including its major LNG trade partners? Giacomo Luciani: The global LNG trade has been rapidly expanding and can be expected to continue to do so. According to BP's Statistical Review of World Energy, in 2010, 297.63 billion cubic meters (BCMs) of gas were transported internationally as LNG. Of this amount, Qatar accounted for 75.75 BCMs, or roughly one-quarter of the total. This year, Qatar's rated LNG capacity reached 77 million tons, which is equivalent to 105 BCMs; hence, Qatar's role is likely to increase. In 2010, Qatar's main customers were the U.K., India, Japan and South Korea. WPR: What are the principal drivers of growth for Qatari's LNG sales, and what are the major obstacles? Luciani: Qatar embarked on an ambitious program to develop the North Dome gas field -- the largest in the world -- in the 1990s. The field had been discovered by Shell in 1971 and declared not commercially viable. Production only started in 1989, because no market could be found for the gas before then. Qatar opted early on for exporting gas in liquefied form. Abu Dhabi had been the first to do so; various pipeline projects were discussed to interconnect the Gulf Cooperation Council countries or bring Qatari gas all the way to Europe, but none took off. LNG investment subsequently intensified starting in the beginning of this century, due to rapidly expanding demand in the Far East and Europe and, notably, the expectation that the United States would need to substantially increase imports from distant sources in the form of LNG. However, by the end of the first decade of this century it became clear that the boom in nonconventional gas production in the U.S. would prevent any substantial increase in LNG imports. The price of gas in the United States has fallen to such a low level that LNG from Qatar would only bring a very meager profit, if any. At the same time, the global financial crisis and the doldrums in which both the Japanese and the European economies have fallen have caused a decline in gas demand. Qatar thus found itself with a serious overcapacity problem, which it has sought to alleviate through sales to new, more-distant customers and through greater reliance on spot sales, especially in Europe, where it competes with pipeline gas from Russia and Algeria. The tide turned again following the Fukushima nuclear power plant accident in Japan. Suddenly, Japan sought to greatly increase its LNG imports to quickly reduce its reliance on nuclear. In the wake of the accident, Germany and Switzerland have decided to gradually phase out their power plants and build no new ones, while Italy has confirmed that it will forgo pursuing nuclear power. Although the official German government discourse is that nuclear will be substituted for with renewable sources, the latter are intermittent in nature, and increased reliance on power generation from gas is an almost unavoidable consequence.

**Key to Mid-east stability**

**Reuters**, 8/16/20**12**- *MIDEAST MONEY-Economics, politics underpin Qatar aid to North Africa*, <http://www.reuters.com/article/2012/08/16/egypt-qatar-idUSL6E8JD7IT20120816>

DOHA, Aug 16 (Reuters) - With a plan to deposit $2 billion in Egypt's central bank, Qatar is becoming one of the top financial backers of the struggling country as it signals an intention to play a big role in rebuilding North African economies after last year's uprisings. Larger foreign donors have been cautious about lending money to economies hit by the Arab Spring, but Qatar - with a population of just 1.7 million - is using its natural gas wealth to establish itself as an economic force in the region. The aid appears to have both political and economic motives, diplomats and analysts say. By supporting economies in North Africa, Qatar helps to limit further social unrest that **might spread to the Gulf**. Meanwhile, some of its aid involves investment that could be very profitable if North African economies eventually resume growing rapidly. "Qatar is attempting to achieve major political and economic goals with its dynamic foreign policy in reshaping North Africa in the wake of the Arab Spring," said Theodore Karasik, director of research at the Institute for Near East and Gulf Military Analysis in Dubai. The $2 billion deposit from Qatar would be a significant boost to Egypt's foreign reserves, which have more than halved since the start of last year to $14.4 billion in July. The Egyptian [finance](http://www.reuters.com/finance) minister said on Monday that the first $500 million payment from Qatar was expected within a week. The announcement followed news in June that state-owned Qatar Petroleum (QP) was involved in a $3.7 billion financing package to build an oil refinery on the outskirts of Cairo, one of the biggest industrial projects announced since Egypt's revolution. QP International committed over $362 million to buy a 27.9 percent stake in the project. And last October Qatari Diar, the property arm of Qatar's sovereign wealth fund, signed a $544 million contract to develop two real estate projects in Egypt, in Cairo and Sharm el-Sheikh. Since Egypt's revolution, only [Saudi Arabia](http://www.reuters.com/places/saudi-arabia) appears to have made a larger financial commitment to the country. It transferred $500 million to the Egyptian central bank in May last year, and in June this year it provided a further $1.5 billion to support Egyptian government finances, according to officials in Cairo; it has also promised $430 million in project aid and a $750 million line of credit for oil imports. The International Monetary Fund has been discussing a $3.2 billion loan to Egypt, but agreement has so far been delayed by changes in the Egyptian government and the IMF's concern about the wisdom of the country's economic policies. Qatar has also thrown an economic lifeline to [Tunisia](http://www.reuters.com/places/tunisia), which in April raised $500 million at a 2.5 percent interest rate via a private placement of debt to Qatar. In May the Qatari government said it was reviving plans to build a build a $2 billion oil refinery in Tunisia after years of delays, potentially expanding the North African country's refining capacity more than fourfold. In Morocco, Qatar's plans include a 50-50 investment joint venture worth $2 billion, agreed late last year, to help the country fund major development projects. Qatar's sovereign wealth fund, Kuwait's Al Ajial Investments and Abu Dhabi's sovereign wealth fund Aabar Investments have also agreed with Morocco's Fund for the Development of Tourism to inject 20.8 billion dirhams ($2.5 billion) into a newly created vehicle called Wessal Capital to focus on developing new tourism resorts in Morocco. MOTIVES Publicly, Qatar has been noncomittal about the motives for its support of North African economies, beyond saying it wants to spread prosperity and foster good ties with all countries. "Don't you think this is a good policy for a small country?" Qatar's Emir Sheikh Hamad bin Khalifa al-Thani said in an interview with U.S. television programme 60 Minutes in January, when asked about its efforts to build bridges in the region. Its motives appear partly ideological, however. In contrast to Saudi Arabia, which has been suspicious of the Muslim Brotherhood's potential to stir social unrest in the Gulf, Qatar's close ties to the Brotherhood extend over decades; it has provided exile to prominent Brotherhood members, the most prominent of them Egyptian Sheikh Yousef al-Qaradawi, viewed as the movement's spiritual leader. The victory of the Brotherhood's Mohamed Mursi in Egypt's June presidential elections finally gave Qatar the chance for a close alliance with Cairo. "Their brand of Islam is acceptable to the Qataris, and they are powerful: a winning combination," said a Doha-based source close to the government, who declined to be named because of political sensitivities. The deposit in Egypt's central bank helps the Qataris "maintain their alliance structure while at the same time increasing their power", the source said. A second source in Doha with ties to the government said: "The Qataris have an interest in securing domestic stability in Egypt. They don't want to see a situation where their own guys are struggling." But the motives are also economic. In recent years Qatar, like other Gulf Arab countries, has embarked on a policy of investing around the world to prepare for the eventual depletion of its energy resources. In North Africa, its investments since last year have focused on energy and banking, two sectors which can be expected to grow because of young populations and relatively high population growth rates, as well as on tourism. Among Qatar's regional investments since the Arab Spring, Qatari Diar said last October that it would build an $80 million tourism and leisure complex over 40 hectares in Tunisia's southern city of Tozeur, a top tourist destination. Qatar's state-backed QInvest sealed a deal to hive off the investment banking business of Egypt's EFG Hermes through a joint venture in which QInvest would own 60 percent - a deal which would provide money for EFG, the Middle East's biggest home-grown investment bank, to expand across the region. And Qatar National Bank, the Gulf country's biggest lender, which is 50 percent government-owned, agreed to buy a majority stake in Morocco's Union Marocaine des Banques. "Given the amount Qatar has to invest, it is looking for opportunities in the region that offer commercial return and/or political leverage," said a Doha-based economist. "The three North African countries that have undergone political transition naturally offer a rare opportunity to increase Qatari engagement, both because these countries have urgent needs for investment and assistance, and because the new governments are more naturally sympathetic to Qatar than the outgoing regimes."

**Extinction**

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

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

### Econ

#### Alt cause- labor shortages and currency manipulation

Markowitz, 12 -- Inc. reporter

(Eric, "Exposing the Myths About American Manufacturing," Inc., 2-1-12, www.inc.com/eric-markowitz/exposing-the-great-myths-about-american-manufacturing.html, accessed 10-3-12, mss)

Although the tide may be beginning to turn for local manufacturing, the situation for American manufacturers is still far from ideal. Currently, there are two **major problems** that American manufacturers confront on a daily basis: currency manipulation, and a lack of qualified American workers. Currency manipulation has been around for years. From 2008 to 2010, for example, China had pegged the yuan to the dollar, which kept its value artificially low. It also made Chinese exports cheap for American companies, who assemble—not manufacture—their products domestically. On one side, Waddell explains, are large corporations such as Whirlpool that outsource their material manufacturing to China, as well as the banks that invest in these companies. These groups have strong lobbies in Washington, which have prevented any major legislation from passing through. "All of those components are made in China, so anything that makes China less competitive hurts them," he says The other side, of course, are small and medium-sized manufacturing plants that see clients finding cheaper materials overseas. Legislation—some as recent as October 2011—has been introduced to combat currency manipulation, but politicians have largely stalled on the subject. "The Obama administration keeps talking about how they're going to get tougher on China," Waddell says. "And the Republicans said they're going to get tough on China too. But we'll see of push comes to shove if any are actually willing to get tough on China." The other major problem is a **shortage of talent** for American manufacturers. Plants have become more technologically advanced, and necessitate some vocational school training. Waddell points out that it's becoming more and more difficult to find a pool of workers that are qualified to work around machines—and interested in doing it. It's a point echoed by the The Alliance for American Manufacturing, a non-profit that lobbies for American manufacturing. "We need an educational system that does not **warehouse** kids who want vocational careers," writes executive director Scott Paul. "We need our business schools to teach managers how to "reshore" work rather than follow the race to the bottom."

#### Not key to the economy

Chapman, 12 -- Tribune editorial board member

(Steve, "Manufacturing an economic myth," Chicago Tribune, 3-18-12, articles.chicagotribune.com/2012-03-18/news/ct-oped-0318-chapman-20120318\_1\_manufacturing-sector-rick-santorum-products, accessed 10-3-12, mss)

Manufacturing accounts for a **shrinking slice** of the total economy mainly because as we grow wealthier, we spend a smaller portion of our income on physical products, like carsand appliances, and a bigger one on services, from health care to cellphone contracts to restaurant meals. That phenomenon holds across the developed world. It's the result of the free market at work, endlessly shifting resources to accommodate changes in consumer demand. Politicians don't think they should tell Americans to eat at Burger King instead of Chipotle, or buy baseball bats instead of soccer balls. They didn't insist we keep our typewriters when personal computers came along. For the most part, our leaders take it as normal and sensible to defer to consumer demand, rather than try to dictate it. Given that, why do they think they ought to rig the tax code to push consumption dollars from services, which Americans want, to goods, which they don't want quite so much? Why should they divert investment from more popular businesses to less popular ones? That's what the measures offered by Santorum and Obama would do. The point is to ease the tax burden of manufacturers at the expense of other companies, on the superstition that the former are more valuable than the latter. It's hard to see the fairness or the economic logic. When the president unveiled his proposal, Jade West of the National Association of Wholesaler-Distributors complained to The New York Times, "My guys are totally freaked out by manufacturing getting a different tax rate than we do. They're not more important in the economy than retail or distribution or anything else." In fact, manufacturing is bound to be a diminishing share of any advanced economy. Obama and Santorum can fling money into the teeth of that trend. But any time politicians want to resist powerful and beneficial economic forces, bet on the economic forces.

#### Empirically denied- decade of failure

Hudak, 12 -- Brookings Governance Studies fellow

(John, "Providence for Manufacturing: The Cicilline Plan," 8-14-12, www.brookings.edu/~/media/Research/Files/Papers/2012/8/14%20manufacturing%20hudak/0814\_manufacturing%20hudak.pdf, accessed 10-3-12, mss)

The Problem: A Decade of Manufacturing Losses

Between 2001 and 2010, net job creation in the United States was abysmal. The manufacturing sector suffered **staggering** economic losses. Forty-nine states saw a net loss in manufacturing jobs, ranging from 1,390 jobs in Wyoming to 544,365 in California. In total, from 2001-2010, the US lost 4.9 million manufacturing jobs. However, in the aggregate, private sector employment shed “only” 3.3 million jobs, meaning negative job growth during the 2000s occurred wholly because of the tremendous loss in manufacturing. Excluding manufacturing, private sector employment grew by 1.6 million jobs.1 While failures in the financial industry and the housing market drove the 2008-9 recession, the 2000s can be considered a manufacturing-driven jobs recession. As Figure 1 shows, in every year of the 2000s, the manufacturing sector lost jobs, even in the face of net job gains in the overall economy. In fact, in 2001 and 2003, manufacturing was singularly responsible for net job losses.

#### Status quo solves- regional hubs initiative

Muro, 8-20 -- Brookings Metropolitan Policy Program policy director

(Mark, and Jessica Lee, "Hubs of Manufacturing: Let’s Get Started," 8-20-12, www.brookings.edu/blogs/up-front/posts/2012/08/20-hubs-of-manufacturing-muro-lee, accessed 10-3-12, mss)

Now, it’s great to see the Obama administration moving to pilot another proposed national network of innovation hubs aimed at catalyzing regional growth ecosystems, this time in manufacturing. In this case, the news surrounds the launch last week of a robust new public-private institute for manufacturing innovation in Youngstown, OH, that will seek to provide a proof-of-concept for the creation of a $1 billion national network of up to 15 such institutes around the country. Focused on the hot new process of “3-D printing,” the new National Additive Manufacturing Innovation Institute (NAMII) will seek to bolster U.S. leadership on one of the critical Next Big Things in industrial production and will do it through an award of $30 million of federal funding that will be matched by $40 million from a winning consortium of 60 companies, universities, community colleges, and non-profit organizations arrayed around the Ohio-Pennsylvania-West Virginia “Tech Belt.” To that extent it’s reassuring to see concerted effort to strengthen the nation’s competitive advantage on advanced manufacturing through an embrace of regional hubs and ecosystems. There’s been an awful lot of dithering in recent years and it’s time to move forward on bolstering U.S. manufacturing! And yet what’s equally gratifying is the intellectual sophistication of the administration’s innovation strategies, which have consistently sought to aid and abet local innovation by supporting regional, multi-party collaboration. Turning to manufacturing, multiple agencies are again working in concert to implement carefully developed ideas about how government can accelerate industrial growth. Last month, most notably, the President’s Council of Advisors on Science and Technology (PCAST) provided strong grounding for the new push in a new report exploring how best to strengthen the nation’s advanced manufacturing sector. Along with solid ideas on securing the talent pipeline and improving the nation’s business climate PCAST carefully set out the rationale for the creation of a network of regionally focused manufacturing research centers such as our colleagues Howard Wial and Susan Helper set out last winter. Such centers, like the energy institutes, can act as powerful hubs of innovation by drawing university and national laboratory research into focused collaborations with firms, manufacturing supply chains, financiers, and the career-focused education provided by community colleges. Such centers can be particularly **transformative** by helping SMEs surmount the challenge of adapting to new product and process innovations, which in turn will bolster what Gary Pisano and Willy Shih have described as the “industrial commons.” Yet beyond concentrated collaboration the regional focus of PCAST’s Manufacturing Innovation Institute model also affirms another central preoccupation of ours: the metropolitan nature of the nation’s economy. Innovation and its deployment does not happen just anywhere. It happens in places, most notably, within metropolitan regions, where firms and workers tend to cluster in close geographic proximity, whether to tap local supplier networks, draw on local workers, or profit from formal and informal knowledge transfer. If properly channeled, these “co-location synergies,” as economist Greg Tassey has dubbed them, will **ensure** that value added through **innovation** spreads through and **remains** within the **domestic**

manufacturing supply chain. Nor is this only a “soft” benefit. Such local synergies—accumulated region by region—can foster greater efficiency within and across manufacturing supply chains and add to the nation’s overall **competiveness**. In sum, regional centers like the Manufacturing Innovation Institutes look like a very shrewd way to encourage collaboration on critical challenges, spur knowledge transfer, and help reinforce regional synergies for the nation’s benefit. Let’s launch some more of them!

#### The economy is resilient and no conflict

**Lamy ’11**(Pascal Lamy is the Director-General of the World Trade Organization. Lamy is Honorary President of Paris-based think tank Notre Europe. Lamy graduated from the prestigious Sciences Po Paris, from HEC and ÉNA, graduating second in his year of those specializing in economics. “System Upgrade” BY PASCAL LAMY | APRIL 18, 2011)

The bigger test came with the 2008-2009 Great Recession, the first truly **global recession** since World War II. When the international economy went into free fall, trade went right along with it. Production and supply are today thoroughly global in nature, with most manufactured products made from parts and materials imported from many other countries. These global value chains have a multiplier effect on trade statistics, which explains why, as the global economy contracted by 2 percent in 2009, trade volume shrank by more than 12 percent. This multiplier effect works the other way around as well: **Growth returned** to 4.6 percent and trade volume grew by a record 14.5 percent over the course of 2010. **Projections for trade** in 2011 **are** also **strong**, with WTO economists predicting that trade volume will rise 6.5 percent during the current year. This sharp rebound in trade has proved two essential things: **Markets stayed open despite ever-stronger pressures** to close them, and trade is an indispensible tool for economic recovery, particularly for developing countries, which are more dependent on trade. Shortly after the crisis broke out, we in the WTO began to closely monitor the trade policy response of our member governments. Many were fearful that pressures to impose trade restrictions would prove too powerful for governments to resist. But this is not what happened. Instead, the system of rules and disciplines, agreed to over 60 years of negotiations, **held firm**. In **a series of reports** prepared for WTO members and the G-20, we found that governments acted **with great restraint**. At no time did the trade-restrictive measures imposed cover more than 2 percent of world imports. Moreover, the measures used -- anti-dumping duties, safeguards, and countervailing duties to offset export or production subsidies -- were those which, in the right circumstances, are permissible under WTO rules. I am not suggesting that every safeguard measure or countervailing duty imposed during those difficult days was in compliance with WTO rules, but responses to trade pressures were generally undertaken within an internationally agreed-upon framework. Countries by and large resisted overtly noncompliant measures, such as breaking legally binding tariff ceilings or imposing import bans or quotas. As **markets stayed open, trade flows began to shift**, **and countries** that shrugged off the impact of the crisis and **continued to grow** -- notably China, India, and Brazil -- became ever-more attractive markets for countries that were struggling, including those in Europe and North America. Trade has been a powerful engine for growth in the developing world, a fact reflected in the far greater trade-to-GDP ratios we see there. In 2010, developing countries' share of world trade expanded to a record 45 percent, and this trend looks set to continue. Decisions made in Brasilia, Beijing, and New Delhi to open their respective economies to trade have been instrumental in enabling these countries to lift hundreds of millions of people out of poverty.

#### US not key to global economy

**Economist ’10** (The odd decouple Theories about why some rich-world economies are doing better than America’s don’t stand up Sep 2nd 2010 | from the print edition http://www.economist.com/node/16943853

AMERICA is used to making the economic weather. It has the world's largest economy, its most influential central bank and it issues the main global reserve currency. In recent months, however, some rich-world **economies** (**notably Germany's**) **have basked in the sunshine even as the clouds gathered over America**. On August 27th America's second-quarter GDP growth was revised down to an annualised 1.6%. That looked moribund compared with the 9% rate confirmed in Germany a few days earlier. America's jobless rate was 9.5% in July (figures for August were released on September 3rd, after The Economist went to press). But in Germany the unemployment rate is lower even than before the downturn. **Other** rich **countries**, including Britain and Australia, **have enjoyed sprightlier recent GDP growth and lower unemployment** **than America**. This unusual divergence within the rich world has fostered many competing theories to explain it, including differences in fiscal policies, exchange rates and debt levels. Most of these do not quite fit the facts. On one account Germany and, to a lesser extent, Britain have been rewarded for taking a firm grip on their public finances. In this view, the promise to tackle budget deficits has had a liberating effect on private spending by reducing uncertainty. In America, by contrast, anxiety about public debt is making businesses and consumers tighten their purse strings. The theory is a little too neat. Although credible plans to curb deficits are helpful to medium-term growth, they are unlikely to explain sudden spurts. Britain's budget plans were announced towards the end of the quarter, on June 22nd. Germany's were set out two weeks earlier. They could scarcely explain why GDP growth was strong. Indeed for most of the second quarter, fiscal uncertainty hung over both countries: in Britain because of a close election, in Germany because of commitments to help Greece and other countries. And the immediate impact of austerity is to dampen growth: witness the slump in Greece. Perhaps the explanation is found in currency movements. One effect of the euro-area crisis was to push the euro down against the dollar in the early months of this year—helping German firms but harming American exporters. Much of Germany's second-quarter GDP growth came from trade, even as a wider trade gap sapped America's economy. A weak pound could also explain Britain's renewed economic strength, much as a surge in the yen has increased worries about Japan. On August 30th Japan's central bank said it would offer banks ¥10 trillion ($118 billion) of six-month secured loans at its benchmark interest rate of 0.1%, on top of the ¥20 trillion of three-month loans it had already pledged. It hopes that this flood of money will push down borrowing costs, cap the yen's rise and help exporters. The currency theory also has holes in it. The yen's surge is too recent to explain why Japan's GDP barely rose in the second quarter. Net trade added almost nothing to Britain's GDP growth in the last quarter. Indeed America's export growth has been much stronger (a sudden surge in imports was behind the second-quarter trade gap). And demand for the sort of exports Germany has done well with, mostly luxury cars and specialist capital goods, tends to be insensitive to shifts in the exchange rate. Britain is an awkward challenger to another theory: that a debt hangover is holding back consumers in countries that had housing booms. Consumer spending in Britain (and in America) rose at about the same rate as in thriftier Germany during the second quarter. Britain stands out in another respect, too: its unemployment rate has risen by far less than in other places that had also racked up big mortgage debts. Divergent trends in unemployment may be better explained by the sort of recession each country had than by variations in jobs-market flexibility, says Kevin Daly at Goldman Sachs. In America, Ireland and Spain, the collapse of labour-intensive construction swelled the dole queues. Britain also had a housing boom but its tight planning laws kept its construction industry small, so fewer jobs were lost when the bust came. The downturns in Japan and Germany, deeper than America's (see chart), were mainly caused by the collapse in world trade. That hurt capital-intensive export industries—which were also more likely to rebound quickly—so fewer jobs disappeared. Some think America's slowness to create new jobs is leading to **undue pessimism** **about the rest of the world's prospects. “**If US growth is not enough to give us a big payrolls figure, **it's deemed a disaster**,” says Marco Annunziata at UniCredit. **But fast-growing emerging markets,** such as China**, have kept the world economy ticking over.** Germany has done well because its exporters have made headway there. China's vibrancy also explains why Australia's GDP rose at its fastest rate for three years in the second quarter.

#### Doesn’t cause conflict

**Ferguson 6** (Niall, Laurence A. Tisch Professor of History at Harvard, a Senior Research Fellow of Jesus College at Oxford, and a Senior Fellow of the Hoover Institution, “The War of the World”, Penguin Books, pg. xxxviii)

Nor can economic crises explain all the violent upheavals of the century. As noted already, perhaps the most familiar causal chain in modern historiography leads from the Great Depression to the rise of fascism and the outbreak of war. Yet on closer inspection this pleasing story falls apart. Not all the countries affected by the Great Depression became fascist regimes; nor did all the fascist regimes engage in wars of aggression. Nazi Germany started the war in Europe, but only after its economy had recovered from the Depression. The Soviet Union, which started the war on Hitler’s side, was cut off from the world economic crisis, yet ended up mobilizing and losing more soldiers than any other combatant. **For the century as a whole, no general rule is discernible.** Some wars came after periods of growth; others were the causes rather than the consequence of economic crisis. And some severe economic crisis did not lead to wars. Certainly, it is now impossible to argue (thought Marxists long tried to) that the First World War was the result of a crisis of capitalism; on the contrary, it abruptly terminated a period of extraordinary global economic integration with relatively high growth and low inflation.

### China

#### China isn’t stupid enough to attack Russia

**Menon 2003** (Rajan, Rathbone Professor of International Relations at Lehigh University, The National Interest, Fall)

By contrast, China's military, which was quite recently a giant horde of foot soldiers, is modernizing steadily-chiefly with Russian weaponry, much of it supplied from cash-starved military industries in Khabarovsk, Komsomol'sk and Vladivostok. It may lag far behind the United States, but in force projection, speed, accuracy and lethality it is a wholly different force than it was a decade ago, thanks to Russian fighter jets, submarines, tanks and missiles, many of them built in the Russian Far East. Yet the chances that China will attempt to conquer Russia's Far East are slim. Such a brazen power play would damage China's wider interests. Taiwan might recoil in terror and treat Beijing's proposals for a negotiated reunification with even greater skepticism and wariness. The prevailing Western rationale for economic engagement with China-that commerce will transform and co-opt that country-would be shredded. China would likely face a counterbalancing, encircling coalition of the United States, India, Japan, Russia and Vietnam. Would such setbacks justify the burdens of ruling the vast, problem-infested Russian Far East? The Chinese leaders know their Sun Tzu: what they seek from the Russian Far East (access to resources and a benign northern front) can be had by means of silk-gloved hegemony. Chinese interests can be served without its formal occupation of the territory. Indeed, what may emerge could be a "reverse Manchurian" scenario, where the Russian Far East remains a titular part of Russia but is increasingly integrated into Beijing's sphere of influence. That is precisely what the conspiracy among geography, demography, power and time may create in Russia's Far East.

#### Negotiations solve

**Chicago Tribune 4** (10-15, Lexis)

**China and Russia settled the last of their** decades-old **border disputes** Thursday during a visit to Beijing by President Vladimir Putin, **signing an agreement fixing their** 2,700-mile-long **border for the first time. The struggle over border areas resulted in violent clashes in the 1960s and 1970s**, when strained Sino-Soviet relations were at their most acrimonious, **feeding fears** abroad **that the conflict could erupt into nuclear war.**  Beijing and Moscow had reached agreements on individual border sections as relations warmed in the past decade. But a stretch of river and islands along China's northeastern border with Russia's Far East had remained in dispute.

#### Fear of escalation checks

**Moriarty 4** (Tom, Military Intelligence Analyst – U.S. Air Force, World Affairs, 9-22, Lexis)

However, **the Soviet Union** ultimately **chose to forgo** a preemptive **attack** and attempted to defuse tensions through diplomatic channels. Numerous reasons led Soviet leaders to decide against preemptive attack. **The main reason was the** Soviet Union's **fear that even if they could destroy all of China's nuclear weapons** capability (which, in itself, was a big assumption), **they feared a conventional attack** by China. Like the United States during the Cuban missile crisis, the Soviet Union understood that they would lose the ability to prevent the crisis from escalating into a full-blown war. Soviet **leaders grew concerned that China would respond with a prolonged people's war** against the Soviet Union. **Knowing that a prolonged war** against a country with more than one billion people and a proven resiliency **would exhaust the Soviet Union** and would require forces to be withdrawn from Eastern Europe, Soviet **leaders chose to ignore the Chinese provocations and let the confrontation defuse naturally**. (12)

### Methane

#### Warming won’t cause extinction

**Barrett**, professor of natural resource economics – Columbia University, **‘7**

(Scott, Why Cooperate? The Incentive to Supply Global Public Goods, introduction)

First, **climate change does not threaten the survival of the human species**.5 If unchecked, it will cause other species to become extinction (though biodiversity is being depleted now due to other reasons). It will alter critical ecosystems (though this is also happening now, and for reasons unrelated to climate change). It will reduce land area as the seas rise, and in the process displace human populations. “Catastrophic” climate change is possible, but not certain. Moreover, and unlike an asteroid collision, large changes (such as sea level rise of, say, ten meters) **will likely take centuries to unfold, giving societies time to adjust.** “Abrupt” climate change is also possible, and will occur more rapidly, perhaps over a decade or two. However, **abrupt climate change** (such as a weakening in the North Atlantic circulation), though potentially very serious, **is unlikely to be ruinous.** Human-induced climate change is an experiment of planetary proportions, and we cannot be sur of its consequences. **Even in a worse case scenario**, however, global **climate change is not the equivalent of the** Earth being hit by **mega-asteroid.** Indeed, if it were as damaging as this, and if we were sure that it would be this harmful, then our incentive to address this threat would be overwhelming. The challenge would still be more difficult than asteroid defense, but we would have done much more about it by now.

#### Adaptation means no catastrophic impact to warming

**Kenny 12** [April 9, 2012, Charles, senior fellow at the Center for Global Development, a Schwartz fellow at the New America Foundation, and author, most recently, of Getting Better: Why Global Development Is Succeeding and How We Can Improve the World Even More., “Not Too Hot to Handle,” http://www.foreignpolicy.com/articles/2012/04/09/not\_too\_hot\_to\_handle?print=yes&hidecomments=yes&page=full]

But for all international diplomats appear desperate to affirm the self-worth of pessimists and doomsayers worldwide, it is important to put climate change in a broader context. It is a vital global issue -- one that threatens to slow the worldwide march toward improved quality of life. Climate change is already responsible for more extreme weather and an accelerating rate of species extinction -- and may ultimately kill off as many as 40 percent of all living species. But it is also a problem that we know how to tackle, and one to which we have some time to respond before it is likely to completely derail progress. And that's good news, because the fact that it's manageable is the best reason to try to tackle it rather than abandon all hope like a steerage class passenger in the bowels of the Titanic.

Start with the economy. The Stern Review, led by the distinguished British economist Nicholas Stern, is the most comprehensive look to date at the economics of climate change. It suggests that, in terms of income, greenhouse gasses are a threat to global growth, but hardly an immediate or catastrophic one. Take the impact of climate change on the developing world. The most depressing forecast in terms of developing country growth in Stern's paper is the "A2 scenario" -- one of a series of economic and greenhouse gas emissions forecasts created for the U.N.'s Intergovernmental Panel on Climate Change (IPCC). It's a model that predicts slow global growth and income convergence (poor countries catching up to rich countries). But even under this model, Afghanistan's GDP per capita climbs sixfold over the next 90 years, India and China ninefold, and Ethiopia's income increases by a factor of 10. Knock off a third for the most pessimistic simulation of the economic impact of climate change suggested by the Stern report, and people in those countries are still markedly better off -- four times as rich for Afghanistan, a little more than six times as rich for Ethiopia.

It's worth emphasizing that the Stern report suggests that the costs of dramatically reducing greenhouse-gas emissions is closer to 1 (or maybe 2) percent of world GDP -- in the region of $600 billion to $1.2 trillion today. The economic case for responding to climate change by pricing carbon and investing in alternate energy sources is a slam dunk. But for all the likelihood that the world will be a poorer, denuded place than it would be if we responded rapidly to reduce greenhouse gases, the global economy is probably not going to collapse over the next century even if we are idiotic enough to delay our response to climate change by a few years. For all the flooding, the drought, and the skyrocketing bills for air conditioning, the economy would keep on expanding, according to the data that Stern uses.

And what about the impact on global health? Suggestions that malaria has already spread as a result of climate change and that malaria deaths will expand dramatically as a result of warming in the future don't fit the evidence of declining deaths and reduced malarial spread over the last century. The authors of a recent study published in the journal Nature conclude that the forecasted future effects of rising temperatures on malaria "are at least one order of magnitude smaller than the changes observed since about 1900 and about two orders of magnitude smaller than those that can be achieved by the effective scale-up of key control measures." In other words, climate change is and will likely remain a small factor in the toll of malaria deaths into the foreseeable future.

What about other diseases? Christian Zimmermann at the University of Connecticut and Douglas Gollin at Williams evaluate the likely impact of a 3-degree rise in temperatures on tropical diseases like dengue fever, which causes half a million cases of hemorrhagic fever and 22,000 deaths each year. Most of the vectors for such diseases -- mosquitoes, biting flies, and so on -- do poorly in frost. So if the weather stays warmer, these diseases are likely to spread. At the same time, there are existing tools to prevent or treat most tropical diseases, and Zimmerman and Gollin suggest "rather modest improvements in protection efficacy could compensate for the consequences of climate change." We can deal with this one.

It's the same with agriculture. Global warming will have many negative (and a few positive) impacts on food supply, but it is likely that other impacts -- both positive, including technological change, and negative, like the exhaustion of aquifers-- will have far bigger effects. The 2001 IPCC report suggested that climate change over the long term could reduce agricultural yields by as much as 30 percent. Compare that with the 90 percent increase in rice yields in Indonesia between 1970 and 2006, for example.

Again, while climate change will make extreme weather events and natural disasters like flooding and hurricanes more common, the negative effect on global quality of life will be reduced if economies continue to grow. That's because, as Matthew Kahn from Tufts University has shown, the safest place to suffer a natural disaster is in a rich country. The more money that people and governments have, the more they can both afford and enforce building codes, land use regulations, and public infrastructure like flood defenses that lower death tolls.

Let's also not forget how human psychology works. Too many environmentalists suggest that dealing with climate change will take immediate and radical retooling of the global economy. It won't. It is affordable, practical, and wouldn't take a revolution. Giving out the message that the only path to sustainability will require medieval standards of living only puts everyone else off. And once you've convinced yourself the world is on an inevitable course to disaster if some corner of the U.S. Midwest is fracked once more or India builds another three coal-fueled power plants, the only logical thing to do when the fracking or the building occurs is to sit back, put your Toms shoes on the couch, and drink micro-brewed herbal tea until civilization collapses. Climate change isn't like that -- or at the very least, isn't like that yet.

So, if you're really just looking for a reason to strap on the "end of the world is nigh" placards and go for a walk, you can find better excuses -- like, say, the threat of global thermonuclear war or a rogue asteroid. The fight to curb greenhouse gas emissions is one for the hard-nosed optimist.

#### Can’t solve warming

**AP 9** (Associated Press, Six Degree Temperature Rise by 2100 is Inevitable: UNEP, September 24, <http://www.speedy-fit.co.uk/index2.php?option=com_content&do_pdf=1&id=168>)

Earth's **temperature is likely to jump six degrees** between now and the end of the century **even if every country cuts** greenhouse gas **emissions** as proposed, according to a United Nations update. **Scientists looked at emission plans** from 192 nations **and calculated what would happen** to global warming. The projections take into account 80 percent emission cuts from the U.S. and Europe by 2050, which are not sure things. The U.S. figure is based on a bill that passed the House of Representatives but is running into resistance in the Senate, where debate has been delayed by health care reform efforts. Carbon dioxide, mostly from the burning of fossil fuels such as coal and oil, is the main cause of global warming, trapping the sun's energy in the atmosphere. The world's average temperature has already risen 1.4 degrees since the 19th century. Much of projected rise in temperature is because of developing nations, which **aren't talking much about cutting their emissions**, scientists said at a United Nations press conference Thursday. China alone adds nearly **2 degrees** to the projections. "We are headed toward very serious changes in our planet," said Achim Steiner, head of the U.N.'s environment program, which issued the update on Thursday. The review looked at some 400 peer-reviewed papers on climate over the last three years. **Even if the developed world cuts** its emissions by **80 percent and the developing world cuts theirs in half** by 2050, as some experts propose, **the world is** still **facing a 3-degree increase** by the end of the century, said Robert Corell, a prominent U.S. climate scientist who helped oversee the update. Corell said the most likely agreement out of the international climate negotiations in Copenhagen in December still translates into a nearly 5-degree increase in world temperature by the end of the century. European leaders and the Obama White House have set a goal to limit warming to just a couple degrees. The U.N.'s environment program unveiled the update on peer-reviewed climate change science to tell diplomats how hot the planet is getting. The last big report from the Nobel Prize-winning Intergovernmental Panel on Climate Change came out more than two years ago and is based on science that is at least three to four years old, Steiner said. Global warming is speeding up, especially in the Arctic, and that means that some top-level science projections from 2007 are already out of date and overly optimistic. Corell, who headed an assessment of warming in the Arctic, said global warming "is accelerating in ways that we are not anticipating." Because Greenland and West Antarctic ice sheets are melting far faster than thought, it looks like the seas will rise twice as fast as projected just three years ago, Corell said. He said seas should rise about a foot every 20 to 25 years.

#### Negative feedbacks solve and no tipping point

**McShane 8** (Owen, the chairman of the policy panel of the New Zealand Climate Science Coalition and director of the Center for Resource Management Studies, 4-4-8, *The National Business Review (New Zealand)*, “Climate change confirmed but global warming is cancelled”, Lexis)

**Atmospheric scientists generally agree that as carbon dioxide levels increase there is a law of "diminishing returns" - or more properly "diminishing effects"** - and that ongoing increases in CO2 concentration do not generate proportional increases in temperature. The common analogy is painting over window glass. The first layers of paint cut out lots of light but subsequent layers have diminishing impact. So, you might be asking, why the panic? Why does Al Gore talk about temperatures spiraling out of control, causing mass extinctions and catastrophic rises in sea-level, and all his other disastrous outcomes when there is no evidence to support it? The alarmists argue that increased CO2 leads to more water vapour - the main greenhouse gas - and this provides positive feedback and hence makes the overall climate highly sensitive to small increases in the concentration of CO2. Consequently, the IPCC argues that while carbon dioxide may well "run out of puff" the consequent evaporation of water vapour provides the positive feedback loop that will make anthropogenic global warming reach dangerous levels. This assumption that water vapour provides positive feedback lies behind the famous "tipping point," which nourishes Al Gore's dreams of destruction, and indeed all those calls for action now - "before it is too late!" But **no climate models predict such a tipping point**. However, while the absence of hot spots has refuted one important aspect of the IPCC models we lack a mechanism that fully explains these supposed outcomes. Hence the IPCC, and its supporters, have been able to ignore this "refutation." So by the end of last year, we were in a similar situation to the 19th century astronomers, who had figured out that the sun could not be "burning" its fuel - or it would have turned to ashes long ago - but could not explain where the energy was coming from. Then along came Einstein and E=mc2. Hard to explain Similarly, the climate sceptics have had to explain why the hotspots are not where they should be - not just challenge the theory with their observations. This is why I felt so lucky to be in the right place at the right time when I heard Roy Spencer speak at the New York conference on climate change in March. At first I thought this was just another paper setting out observations against the forecasts, further confirming Evans' earlier work. But as the argument unfolded I realised Spencer was drawing on **observations and measurements from the new Aqua satellites to explain the mechanism** behind this anomaly between model forecasts and observation. You may have heard that the IPCC models cannot predict clouds and rain with any accuracy. Their models assume water vapour goes up to the troposphere and hangs around to cook us all in a greenhouse future. However, **there is a mechanism at work that "washes out" the water vapour and returns it to the oceans along with the extra CO2 and thus turns the added water vapour into a NEGATIVE feedback mechanism**. The newly discovered mechanism is a combination of clouds and rain (Spencer's mechanism adds to the mechanism earlier identified by Professor Richard Lindzen **called the Iris effect**). The IPCC models assumed water vapour formed clouds at high altitudes that lead to further warming. The Aqua satellite observations and Spencer's analysis show water vapour actually forms clouds at low altitudes that lead to cooling. Furthermore, Spencer shows the **extra rain that falls from these clouds cools the underlying oceans, providing a second negative feedback to negate the CO2 warming.** Alarmists' quandary This has struck the alarmists like a thunderbolt, especially as **the lead author of the IPCC** chapter **on feedback has written** to Spencer **agreeing** that he is right! There goes the alarmist neighbourhood!

**Natural variability explains warming trends**

**Idso**, director of envt science – Peabody Energy, PhD Geography – ASU, Idso, professor – Maricopa County Community College, and Idso, PhD botany – ASU, **‘12**

(Craig, Sherwood, and Keith, “Northern Scandinavian Temperatures: It's a Whole New Ball Game,” CO2 Science Vol. 15, No. 30, July)

**In a game-changing paper** published in the online version of Nature Climate Change, Esper et al. (8 July 2012) provide convincing evidence that both the Medieval and Roman Warm Periods of 1000 and 2000 years ago, respectively, were warmer than the Current Warm Period has been to date, **in spite of the fact that today's** atmospheric **CO2 concentration is** some **40% greater** than it was during those two earlier periods.

In setting the stage for their paradigm-altering work, the twelve researchers - hailing from Finland, Germany, Scotland and Switzerland - write that "solar insolation changes, resulting from long-term oscillations of orbital configurations (Milankovitch, 1941), are an important driver of Holocene climate," referencing the studies of Mayewski et al. (2004) and Wanner et al. (2008). In addition, they state that **this forcing has been "substantial over the past 2000 years**, up to **four times as large as** the 1.6 W/m2 **net anthropogenic forcing** since 1750," as suggested by the work of Berger and Loutre (1991). And on the basis of "numerous high-latitude proxy records," as they describe it, they note that "slow orbital changes have recently been shown to gradually force boreal summer temperature cooling over the common era," citing Kaufman et al. (2009).

Fast-forwarding to the present, Esper et al. describe how they developed "a 2000-year summer temperature reconstruction based on 587 high-precision maximum latewood density (MXD) series from northern Scandinavia," which feat was accomplished "over three years using living and subfossil pine (Pinus sylvestris) trees from 14 lakes and 3 lakeshore sites above 65°N, making it not only longer but also much better replicated than any existing MXD time series." Then, after calibrating the pine MXD series against regional June-July-August mean temperature over the period 1876-2006, they obtained their final summer temperature history for the period stretching from 138 BC to AD 2006, as depicted in the graph below.

As determined from the relationship depicted in the figure above, Esper et al. calculate a long-term cooling trend of -0.31 ± 0.03°C per thousand years, which cooling they say is "missing in published tree-ring proxy records" but is "in line with coupled general circulation models (Zorita et al., 2005; Fischer and Jungclaus, 2011)," which computational results portray, as they describe it: substantial summer cooling over the past two millennia in northern boreal and Arctic latitudes.

"These findings," as the European researchers continue, "together with the missing orbital signature in published dendrochronological records, suggest that large-scale near-surface air temperature reconstructions (Mann et al., 1999; Esper et al., 2002; Frank et al., 2007; Hegerl et al., 2007; Mann et al., 2008) relying on tree-ring data may underestimate pre-instrumental temperatures including warmth during Medieval and Roman times," although they suggest that the impacts of the omitted long-term trend in basic tree-ring data may "diminish towards lower Northern Hemisphere latitudes, as the forcing and radiative feedbacks decrease towards equatorial regions."

And so it is that the question for our day ought to be: **Why was** much of **the CO2-starved** world of **Medieval and Roman times** decidedly **warmer** (by about 0.3 and 0.5°C, respectively) than it was during the peak warmth of the 20th century? Clearly, **the greenhouse effect** of atmospheric CO2 - if it **has** not **been grossly over-estimated** - must currently be being significantly tempered by some unappreciated CO2- and/or warming-induced negative-feedback phenomenon (possibly of biological origin) to the degree that the basic greenhouse effect of earth's rising atmospheric CO2 concentration cannot fully compensate for the decrease in solar insolation experienced over the past two millennia as a result of the "long-term oscillations of orbital configurations" cited by Esper et al. (2012).

# 2NC

## CP

### Solvency – Natural Gas

#### Penalties detract investors from natural gas production

**GAO 6** ('Natural Gas: Factors Affecting Prices and Potential Impacts on Consumers,'

Three federal agencies--the Federal Energy Regulatory Commission (FERC), the Commodities Futures Trading Commission (CFTC), and the Energy Information Administration (EIA)--**play key roles** in ensuring that natural gas prices are determined in a competitive and informed marketplace. FERC is responsible for ensuring that wholesale prices for natural gas sold and transported in interstate commerce are determined competitively. It carries out this responsibility by, among other actions, monitoring the markets in which natural gas is traded and investigating instances of possible market manipulation. Since 2002, FERC has settled a number of investigations involving natural gas market manipulation; for example, one company agreed to pay a settlement of $1.6 billion after FERC found it had exercised market power over natural gas prices in California during the 2001-2002 heating season. Since prices spiked in the fall of 2005, FERC has received complaints and identified areas of concern regarding high prices. Agency officials told us they investigate such matters where appropriate and that regulations governing FERC's activities prevent them from disclosing whether any investigations are under way. Similarly, CFTC is responsible for ensuring that fraud, manipulation and abusive practices do not occur in federally regulated financial markets such as the New York Mercantile Exchange (NYMEX), where some natural gas contracts are traded. CFTC monitors the markets for attempted market manipulation and takes enforcement actions, when it deems appropriate, such as initiating legal proceedings and **imposing financial penalties**. From 2002 through mid-2005, CFTC investigated more than 40 energy companies or individuals and assessed **penalties** totaling over $300 million, most of which concerned natural gas-related settlements. FERC and CFTC recently signed a memorandum of understanding in an effort to work together more effectively. EIA publishes information about natural gas markets, including aggregate estimates of supply and demand and average prices.

### 2NC – AT: Perm – APA

#### Only independent agency action breaks down administrative law --- the perm is exempt from notice-and-comment requirements because it establishes congruent legislation

Anthony 94 (Robert A., Foundation Professor of Law – George Mason University School of Law, “"Interpretive" Rules, "Legislative" Rules and "Spurious" Rules: Lifting the Smog”, Administrative Law Journal, Spring, 8 Admin. L.J. Am. U. 1, Lexis)

II. WHY INTERPRETIVE RULES DIFFER FROM OTHER RULES THAT ARE MEANT TO BIND
Agencies may permissibly attempt to make their interpretive rules binding upon private parties without having issued them through notice-and-comment procedures. But agencies may not attempt to make other kinds of rules binding without observing the notice-and-comment requirements. The justifications for this differentiated treatment can be briefly stated.
*A. Interpretive Rules*
Because an interpretive rule has not been set forth legislatively, it is not *legally* binding, and a court may set aside an interpretation with which it disagrees as well as one that it deems unreasonable. [40](http://www.lexis.com/research/retrieve?cc=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&brand=&_m=5ae1d623a5d07a02470f0954890bc382&docnum=3&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtb-zSkAl&_md5=0831e0ede0775dab65dc5effe3f52585&focBudTerms=Nonlegislative+Rules&focBudSel=all" \l "n40" \t "_self) But an agency can attempt to make an interpretive document binding upon private parties as a *practical* matter. The agency does this in the course of taking action -- typically, initiating an enforcement proceeding or passing upon an application -- based upon the interpretive rule it has adopted. For the purposes of that action, the agency treats the document  [\*13]  as determinative of the interpretive issue in question. In this way, the agency has attempted to make the document binding in a practical sense, since affected private parties must abide by it or get the courts to set it aside. [41](http://www.lexis.com/research/retrieve?cc=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&brand=&_m=5ae1d623a5d07a02470f0954890bc382&docnum=3&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtb-zSkAl&_md5=0831e0ede0775dab65dc5effe3f52585&focBudTerms=Nonlegislative+Rules&focBudSel=all" \l "n41" \t "_self)
This is a normal use of interpretive rules, and there are important theoretical and practical reasons that interpretive rules so used come within section 553's exemption from notice-and-comment requirements.
Interpretive rules articulate positive law that already exists in the form of statute or legislative rule. The theory is that the agency's interpretive document merely explains, but does not add to, the substantive law that already exists. [42](http://www.lexis.com/research/retrieve?cc=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&brand=&_m=5ae1d623a5d07a02470f0954890bc382&docnum=3&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtb-zSkAl&_md5=0831e0ede0775dab65dc5effe3f52585&focBudTerms=Nonlegislative+Rules&focBudSel=all#n42) Because Congress (or the agency, in a prior legislative rule) has legislated previously, a further act of legislation (through notice-and-comment procedures) is conceptually unnecessary to give legal effect to the interpretive proposition set forth in the document. That proposition, at least in the agency's opinion, already possesses the force of law. It has that effect not because the agency endows it with that effect, but because it represents the meaning of a statute or legislative rule that is already law. The agency, by issuing its document, asserts that existing legislation already has established by implication the position that the agency interpretation now specifies. The interpretation, therefore, does ***not* project *new* legal effect of its own**.
Moreover, the function of the exemption for interpretive rules is "to allow agencies to explain ambiguous terms in legislative enactments without having to undertake cumbersome proceedings." [43](http://www.lexis.com/research/retrieve?cc=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&brand=&_m=5ae1d623a5d07a02470f0954890bc382&docnum=3&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtb-zSkAl&_md5=0831e0ede0775dab65dc5effe3f52585&focBudTerms=Nonlegislative+Rules&focBudSel=all#n43) Agencies cannot shirk their job of carrying out the legislation for which they are responsible, and in doing that job they often must immediately take positions as to the meaning of the legislation, without waiting for notice-and-comment procedures.
Thus it is proper for an agency, without going through the procedures  [\*14]  required for promulgating legislative rules, to issue documents that interpret legislation, and then to enforce or apply those documents until a court holds the interpretation to be incorrect or unreasonable. [44](http://www.lexis.com/research/retrieve?cc=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&brand=&_m=5ae1d623a5d07a02470f0954890bc382&docnum=3&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtb-zSkAl&_md5=0831e0ede0775dab65dc5effe3f52585&focBudTerms=Nonlegislative+Rules&focBudSel=all#n44)
*B. Nonlegislative Rules That Do Not Interpret*
By contrast, if no existing statute or legislative rule impliedly establishes the precept that an agency wishes to impose in a binding way, the agency must issue a new legislative rule. It cannot lawfully attempt to compel compliance through a mere bulletin or guidance or other nonlegislative document. [45](http://www.lexis.com/research/retrieve?cc=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&brand=&_m=5ae1d623a5d07a02470f0954890bc382&docnum=3&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtb-zSkAl&_md5=0831e0ede0775dab65dc5effe3f52585&focBudTerms=Nonlegislative+Rules&focBudSel=all#n45) It cannot, that is, attempt to give legal effect to a document for which there is no legislative foundation. [46](http://www.lexis.com/research/retrieve?cc=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&brand=&_m=5ae1d623a5d07a02470f0954890bc382&docnum=3&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtb-zSkAl&_md5=0831e0ede0775dab65dc5effe3f52585&focBudTerms=Nonlegislative+Rules&focBudSel=all#n46)
Thus, if rules do not interpret legislation already in place, the agency may not attempt to make the rules binding unless it promulgates them legislatively. [47](http://www.lexis.com/research/retrieve?cc=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&brand=&_m=5ae1d623a5d07a02470f0954890bc382&docnum=3&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtb-zSkAl&_md5=0831e0ede0775dab65dc5effe3f52585&focBudTerms=Nonlegislative+Rules&focBudSel=all#n47) A nonlegislative document that has no pre-existing foundation of established law represents an effort to occupy new substantive ground and establish new law or policy. If the agency is careful to issue its document in a tentative manner, so that it does not have even a practical binding effect upon the public, nonlegislative issuance is permissible. [48](http://www.lexis.com/research/retrieve?cc=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&brand=&_m=5ae1d623a5d07a02470f0954890bc382&docnum=3&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtb-zSkAl&_md5=0831e0ede0775dab65dc5effe3f52585&focBudTerms=Nonlegislative+Rules&focBudSel=all#n48) But if the agency treats the new propositions as binding, its attempt to go beyond existing legislation without observing legislative processes is invalid. In such a case, the agency has produced only spurious rules.
Because it rests on an ineffable process of discerning whether one meaning flows from another, the distinction between interpretive rules and spurious rules unavoidably carries a certain air of imprecision. Moreover, when agencies interpret, they often are in some sense making policy rather than merely voicing it; [49](http://www.lexis.com/research/retrieve?cc=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&brand=&_m=5ae1d623a5d07a02470f0954890bc382&docnum=3&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtb-zSkAl&_md5=0831e0ede0775dab65dc5effe3f52585&focBudTerms=Nonlegislative+Rules&focBudSel=all#n49) further, agencies over time may  [\*15]  change their interpretations of unchanged legislation. [50](http://www.lexis.com/research/retrieve?cc=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&brand=&_m=5ae1d623a5d07a02470f0954890bc382&docnum=3&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtb-zSkAl&_md5=0831e0ede0775dab65dc5effe3f52585&focBudTerms=Nonlegislative+Rules&focBudSel=all#n50)
Nevertheless, the distinction between interpretive and spurious rules is sound and indeed is absolutely of the essence in our system of administrative law. Difficult though it may be to apply in given circumstances, there must be a differentiation between those acts of an agency that rest upon the substance of legislation already in force and those that do not. The alternative is to allow agencies autocratically to impose binding rules without doing what Congress says must be done to impose binding rules.

### 2NC – AT: Perm – Do the CP

#### Guidance documents are meaningfully distinct from rulemaking

Raso 2010 [Connor N. J.D., Yale Law School expected 2010; Ph.D., Stanford University Department of Political Science expected 2010 “Note: Strategic or Sincere? Analyzing Agency Use of Guidance Documents” The Yale Law Journal January, 119 Yale L.J. 782]

The term "guidance document" suggests a wide variety of regulatory materials. Examples of such materials include general agency interpretations of existing legislative rules, statements outlining how an agency intends to regulate an evolving policy area, training manuals written for internal agency staff, compliance guides directed to the general public, advisory opinions tailored to individual case facts, and memoranda from agency leaders providing direction to agency staff members. As these examples suggest, agencies use guidance documents both to manage internal operations and to communicate with outside parties. "Legislative rules" 13 are the administrative equivalent of **public laws passed by Congress**. Like public laws, legislative rules are legally binding, generally applicable, and nonretroactive. 14 Before issuing a legislative rule under the Administrative Procedures Act's (APA) informal rulemaking process, agencies are required to provide notice of the proposed text and to accept public comments. 15 Agencies must also complete a number of lesser-known procedural requirements before issuing a legislative rule. 16 Guidance documents are not subject to any of these requirements, however. 17

#### Competes - policy statements do not make law - they’re legally distinct from the plan because they’re only position-taking

Koch 5 (Charles H. Jr., Professor of Law – William and Mary School of Law, “Policymaking by the Administrative Judiciary”, Alabama Law Review, Spring, 56 Ala. L. Rev. 693, Lexis)

Such policy pronouncements are distinct from policy statements which do not purport to be made from delegated authority and consequently do not carry the force of law. 107 Though several terms can be used to describe these pronouncements, this Article will collectively call them "nonlegislative" rules. 108 Nonlegislative rules are a categorically different type of pronouncement from legislative rules, and this difference should be reflected in the weight given by an agency's adjudicators. 109 A nonlegislative rule is a device for announcing policy. 110 They are intended to disclose the agency's views and offer guidance regarding agency law. 111 Thus, an agency must [\*716] obey these pronouncements as well as legislative rules unless a deviation can be justified. 112

#### Memos aren’t law. “Practical effect” is irrelevant from a legal standpoint.

Hunnicutt 99 (James, JD – Boston College Law School, “Another Reason to Reform the Federal Regulatory System: Agencies' Treating Nonlegislative Rules as Binding Law”, Boston College Law Review, December, 41 B.C. L. Rev 153, Lexis)

1.  Factors Distinguishing Nonlegislative from Legislative Rules

To distinguish whether a rule is nonlegislative or legislative, courts consider whether the rule is “substantive” in nature.[77](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F77%22%20%5Ct%20%22LAW_FTN) If a rule has substantive effects, it should have been promulgated as a legislative rule, and therefore, the agency should have performed notice-and-comment to create it.[78](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F78%22%20%5Ct%20%22LAW_FTN) The courts have examined the following factors:

Nonlegislative rules do not create law, while legislative rules may impose or remove legal rights and obligations or produce other significant effects on private parties.[79](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F79%22%20%5Ct%20%22LAW_FTN)

If evidence shows an agency intended for a rule to have substantive effects or to legally bind the public, then it is probably a legislative rule.[80](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F80%22%20%5Ct%20%22LAW_FTN)

Nonlegislative rules leave agency decisionmakers free to exercise discretion, while legislative rules constrain agency discretion.[81](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F81%22%20%5Ct%20%22LAW_FTN)

Nonlegislative rules employ tentative language, such as “may,” while legislative rules use mandatory language, such as “will.”[82](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F82%22%20%5Ct%20%22LAW_FTN)

Agencies should publish legislative rules in the Federal Register, whereas agencies need not publish nonlegislative rules.[83](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F83%22%20%5Ct%20%22LAW_FTN)

An agency’s contention that a rule is nonlegislative shall carry some weight, but will not be dispositive in a court’s determination whether or not the rule should have been subjected to notice-and-comment rulemaking.[84](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F84%22%20%5Ct%20%22LAW_FTN)

[\*PG167]Interpretative rules interpret law while legislative rules create law.[85](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F85%22%20%5Ct%20%22LAW_FTN)

General statements of policy operate prospectively and speak to future contingencies, but legislative rules have immediate impacts.[86](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F86%22%20%5Ct%20%22LAW_FTN)

Rules of agency organization apply only to internal agency machinations.[87](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F87%22%20%5Ct%20%22LAW_FTN)

The United States Court of Appeals for the District of Columbia Circuit considered several of these factors in 1987, in Community Nutrition Institute v. Young, where the court held that certain rules which the FDA had labeled as nonlegislative were actually substantive, and thus should have been adopted as legislative rules.[88](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F88%22%20%5Ct%20%22LAW_FTN) The court found the rules to be substantive because they imposed immediate legal obligations on food producers, they constrained agency discretion and the FDA had referred to them as having the force of law.[89](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F89%22%20%5Ct%20%22LAW_FTN) The Community Nutrition Institute (“CNI”), a public interest group, and other public interest organizations, brought action against the Commissioner of the FDA for granting “action levels” the force and effect of law, even though the FDA produced them without conducting notice-and-comment process.[90](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F90%22%20%5Ct%20%22LAW_FTN) The FDA had been initiating enforcement proceedings against food producers if their goods exhibited levels of aflatoxins—unavoidable contaminants found in foods such as corn—[\*PG168]greater than the action levels.[91](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F91%22%20%5Ct%20%22LAW_FTN) Concerned that the action levels were too low and failed to adequately protect public health, the CNI contended that the action levels should have been adopted only after following notice-and-comment procedures.[92](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F92%22%20%5Ct%20%22LAW_FTN) The FDA argued the action levels fell within the nonlegislative rule exception of � 553(b)(A).[93](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F93%22%20%5Ct%20%22LAW_FTN)

The court reasoned that the rule establishing the action levels used mandatory language and created immediate and binding effects.[94](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F94%22%20%5Ct%20%22LAW_FTN) Specifically, the rules declared that if a food product met an action level, the food “will be deemed” to be contaminated.[95](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F95%22%20%5Ct%20%22LAW_FTN) Also, the court found it compelling that the FDA had occasionally intimated that action levels established binding norms.[96](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F96%22%20%5Ct%20%22LAW_FTN) The FDA would not initiate enforcement proceedings against food producers that had amounts of contamination less than the action levels.[97](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F97%22%20%5Ct%20%22LAW_FTN) Thus, the court held that the action levels constrained agency discretion.[98](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F98%22%20%5Ct%20%22LAW_FTN) Also, the court found that the rules were substantive because the FDA required food producers to seek exemptions to the action levels.[99](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F99%22%20%5Ct%20%22LAW_FTN) The court found that if private parties must obtain exemptions to circumvent an agency’s rules, then the agency intends for those rules to be substantive.[100](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F100%22%20%5Ct%20%22LAW_FTN) Therefore, the court held that the action levels were substantive and should have been produced only after notice-and-comment, and thus were invalid.[101](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F101%22%20%5Ct%20%22LAW_FTN)

[\*PG169]2.  Some Courts Still Use “Substantial Impact” as a Factor

Some courts—including the Fourth and Fifth Circuits—use “substantial impact” as a factor to determine whether a rule should have been promulgated following notice-and-comment procedure.[102](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F102%22%20%5Ct%20%22LAW_FTN) If a rule has a substantial impact on private parties, then it is a legislative rule.[103](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F103%22%20%5Ct%20%22LAW_FTN) The courts do not provide extensive explanation as to what qualifies as “substantial impact,” but the case law suggests that if a rule imposes upon private parties dramatic economic changes, the rule has a substantial impact.[104](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F104%22%20%5Ct%20%22LAW_FTN) Since the Supreme Court’s decision in Vermont Yankee Nuclear Power Corp. v. Natural Resources Defense Council in 1978, however, the test has fallen into disfavor and most courts ignore it.[105](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F105%22%20%5Ct%20%22LAW_FTN)

3.  The “Public Good” Should Not Be a Factor

Litigants have argued that public policy should enter into courts’ decision-making, but courts generally rule only on process and do not [\*PG170]incorporate the “public good” into their analyses.[106](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F106%22%20%5Ct%20%22LAW_FTN) Most courts rule that they have only the authority to review whether agencies followed prescribed procedures and whether agencies violated the law, but not whether agencies have formulated flawed opinions.[107](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F107%22%20%5Ct%20%22LAW_FTN) An agency is, ideally, composed of experts in the particular field over which it regulates, and a judge is, ideally, an expert in the field of law.[108](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F108%22%20%5Ct%20%22LAW_FTN) In principle, judges do not substitute agency thinking with their own opinions.[109](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F109%22%20%5Ct%20%22LAW_FTN) Instead, courts generally review agency process, not agency judgment.[110](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F110%22%20%5Ct%20%22LAW_FTN) Hence, courts tend to analyze the agency’s procedure rather than the real world policy effects of agency judgment.[111](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F111%22%20%5Ct%20%22LAW_FTN) As a result, the duty to provide for the public good remains with Congress and the agencies.[112](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F112%22%20%5Ct%20%22LAW_FTN)

II.  The Legal Effects of Rules

Depending on whether a rule is adopted with or without notice-and-comment process, the rule will have different legal effects.[113](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F113%22%20%5Ct%20%22LAW_FTN) Legislative rules produced after notice-and-comment procedures constitute substantive law and legally bind both agencies and private parties in future legal and administrative proceedings.[114](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F114%22%20%5Ct%20%22LAW_FTN) Conversely, nonlegislative rules generally may not have binding legal effects.[115](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F115%22%20%5Ct%20%22LAW_FTN) Nonlegislative rules, however, sometimes have practical legal effects.[116](http://www.bc.edu/bc_org/avp/law/lwsch/journals/bclawr/41_1/05_FTN.htm%22%20%5Cl%20%22F116%22%20%5Ct%20%22LAW_FTN)

## Solvo

## $ DA

### 2NC Impact Run

#### Risks under-estimated- we don’t understand relevant biological interactions

Monosson, 12 -- University of Massachusetts Amherst environmental toxicology professor

(Emily, Evolution in a Toxic World, 3-29-12, pg153, google books, accessed 10-2-12, mss)

Furthermore, there is growing evidence that some chemicals once thought to be safe and allowed into common and, in some cases, abundant commercial use may not be as benign as previously assumed.13 Some commercial chemicals will come and go, leaving little if any trace-even as they cause toxicity to individual members of a species. Others will leave their mark buried deep within the earth's soils and sediments. And some will leave their mark on life in the form of altered allele frequencies, the result of selective processes. Chemical testing and regulation have no doubt improved when it comes to protecting humans and wildlife from acutely toxic chemicals. Yet the more problematic chemicals are those that slip through unnoticed, causing subtle impacts on biological systems. We **overlook the dangers** of many chemicals because we **fail to understand the biological relevance of the system with which they interact**; or we are unable to predict how very small amounts might behave in the presence of other chemicals; or we focus on one response and neglect the networked nature of life's response to chemicals and other stressors. While predicting toxicity is an ongoing challenge, our ability to detert chemicals has greatly im- proved-to the extent that an ever-growing list of industrial use a11d consumer use chemicals are routinely measured in both human and wildlife populations." Some of these chemicals have been banned for years, while others remain a large part ofour chemical culture. In the appendix, I've included very brief profiles of a few select chemicals: PCBs, mercury, CFCS, endocrine-disrupting chemicals in general, and nanoparticles. Most have been discussed in earlier chapters and all are important- not only because presence in the environment and therefore in life itself, but also because they serve an example of the risks we take by allowing the large-scale release of chemicals. These chemicals are, for now and the foreseeable future, a part of life on Earth. Of course, these few examples are just the tip of the chemical iceberg.

#### Destroys clean water- extinction

Greenpeace, 11

("The Detox Campaign," 7-7-11, www.greenpeace.org/international/en/campaigns/toxics/water/detox/intro/, accessed 10-2-12, mss)

These chemicals are a serious threat to human health and the environment, poisoning precious waterways around the world. The Problem Clean water is not only a basic human right - it is the world’s **most threatened essential resource**. Aside from being critical habitats for wildlife, waterways such as rivers and lakes also provide vital resources for almost **all life on Earth**. Many people rely on this water for drinking, for farming, and for foods like fish and shellfish. Yet these vital water sources are often abused by industry and treated as if they are private sewers.

#### Destroys oceans

BSBNC, 9

(Bear Springs Blossom Nature Conservation, "Earth's Oceans," 7-11-9, www.keepbanderabeautiful.org/ocean.html, accessed 10-2-12, mss)

Toxic wastes are poisonous materials that humans dump into the ocean. They harm many plants and animals in the ocean and have a huge impact on our health. Toxic waste is the **most harmful form of pollution** to sea life and humans. When toxic waste harms an organism, it can quickly be passed along the food chain and appears on the plate of the main predator on Earth: Humans. In the food chain, one toxic organism gets eaten by another, larger animal, which gets eaten by another animal, and can end up being our seafood. Toxic waste gets into seas and oceans by the leaking of landfills, dumps, mines, and farms. Farm chemicals and heavy metals from factories harm marine life and humans. Fishermen know that the toxic chemicals in the ocean are killing much of the fish population. One of the most harmful chemicals in the ocean is lead.

#### Extinction

Craig, 3 -- Indiana University School of Law associate law professor

(Robin Kundis, "Taking Steps Toward Marine Wilderness Protection? Fishing and Coral Reef Marine Reserves in Florida and Hawaii," McGeorge Law Review, 34 McGeorge L. Rev. 155, Winter, l/n)

The world's oceans contain many resources and provide many services that humans consider valuable. "Occupy[ing] more than [seventy percent] of the earth's surface and [ninety-five percent] of the biosphere," 17 oceans provide food; marketable goods such as shells, aquarium fish, and pharmaceuticals; life support processes, including carbon sequestration, nutrient cycling, and weather mechanics; and quality of life, both aesthetic and economic, for millions of people worldwide. 18 Indeed, it is difficult to overstate the importance of the ocean to humanity's well-being: "The ocean is the cradle of life on our planet, and it remains the axis of existence, the locus of planetary biodiversity, and the engine of the chemical and hydrological cycles that create and maintain our atmosphere and climate." 19 Ocean and coastal ecosystem services have been calculated to be worth over twenty billion dollars per year, worldwide. 20

#### Letting natural gas prices rise key

Nelder ‘12 [Chris, Smart Planet, February, Everything you know about shale gas is wrong, http://www.smartplanet.com/blog/energy-futurist/everything-you-know-about-shale-gas-is-wrong/341]

Another reason was that the spurt of production created a gas glut and drove prices far below the level of profitability. Data from a January, 2012 presentation by the CEO of gas operator Range Resources showed that gas needs to sell for at least $4 per million BTU in order for operators to turn a profit. Source: Jonathan Callahan, The Oil Drum. Data from Range Resources. Berman is certain that the $4 threshold applies to new drilling on existing plays only; after accounting for land leasing, overhead and debt service, the threshold would be much higher. In any case, we can see that production flattened out when prices fell below $4 at the beginning of 2009. Source: Arthur Berman. Data from Natural Gas Intelligence. A gas price below $3 spells real trouble for operators, and flagging production is but the first effect. The next is debt: According to analysis by ARC Financial Research, the 34 top U.S. publicly traded shale gas producers are currently carrying a combined $10 billion quarterly cash flow deficit. And finally, there will the destruction of forward supply, as new development grinds down. Financing further development with debt in this environment will be extremely difficult, and eventually even the joint-venture sugar daddies that have sustained operators over the past few months will get cold feet. Without a reversal in price, gas production is guaranteed to decline. The gas gold rush is over Indeed, Berman concludes that “the gold rush is over at least for now with the less commercial shale plays.” Within the major producing areas of the U.S., which account for 75 percent of production, all except Louisiana have been either flat or declining in recent years. Overall, he sees evidence that 80 percent of existing U.S. shale gas plays are already approaching peak production. Rig counts have been falling, and major operators such as Chesapeake Energy and ConocoPhilips have announced slowdowns in drilling in the last month. The two major plays that do not show evidence of peaking yet are the newer ones: the Marcellus Shale in Pennsylvania and the Haynesville Shale in Louisiana. To see the influence of these two plays on overall production, compare the first chart below, which shows production from all shale plays, to the second, which removes production from those two plays: Source: Arthur Berman Source: Chart by Chris Nelder, from Arthur Berman’s worksheets The Haynesville surpassed the Barnett Shale in Texas last year as the top-producing shale play in the U.S., but it may be reaching a production plateau now. Worse, Berman’s analysis finds that despite its impressive production, the Haynesville is among the least economic of the shale plays, requiring gas prices above $7.00 per thousand cubic feet to sustain new drilling profitably, and nearly $9.00 per thousand cubic feet after accounting for leasing and other costs. (One thousand cubic feet is roughly equivalent to one million BTU.) A word of caution is in order here: A one-year decline in production in an unprofitable environment is not proof that shale gas has “peaked.” It’s certainly possible that renewed drilling could bring higher production when gas prices rise again. The operative question in that case is when. If gas prices recover within the next year or two, it will be relatively easy to bring new wells online rapidly. But if gas prices languish for longer than that, the most productive “core” areas of the plays could become exhausted because the wells deplete so quickly. Without sustained new drilling to replace their production, by the time producers begin drilling again in the remaining, less productive prospects, an air pocket could form in the supply line.

#### Green chemistry key to STEM

Goodman ‘9 -- Scientific American staff (Sara, "Green Chemistry Might Revive Science Training," Scientific American, 3-25-9, www.scientificamerican.com/article.cfm?id=green-chemistry-revives-training, accessed 10-2-12, mss)

Green Chemistry Might **Revive Science Training** Universities find that environmentally friendly chemistry **draws more student interest**--and could have an **outsized impact** on industry Slowly, the chemical industry is going green. Many companies are starting to emphasize reducing or eliminating hazardous substances to save money, reduce inefficiencies and promote their brands to consumers who favor eco-friendly products. "Industry really sees the value of 'green chemistry,'" said Julie Haack, assistant head of the University of Oregon's chemistry department. "If you want to recruit the best chemists, wouldn't it make sense to promote the opportunity to work in an environment where they can align their interest in the environment with their passion, which is chemistry?" Having employees concerned about sustainability leads to more innovative, long-term solutions, said Neil Hawkins, vice president for sustainability at Dow Chemical Co. "It's very important to us to have a pipeline of the best and the brightest students in science and technology, but that also have a broader perspective, as well, so they can understand the tradeoffs," Hawkins said. "This means balancing environmental, social and economic decisions."

#### STEM key to spacepower

Heil 11, Michael, Colonel, US air force, James rendleman, colonel US air force [“A Winning Strategy for Science, Technology, Engineering, and Math Education,” November 28th, Astropolitics, 9:213–230, 2011

The United States space community has recognized these challenges and responded without success with initiatives such as NASA’s Faster-BetterCheaper and the Air Force’s Total Systems Performance Responsibility (TSPR), while the erosion of America’s space leadership status continues. Without bold steps to develop and nurture a vibrant and capable workforce to engineer, develop, build, operate, manage, and maintain future U.S. space systems, America’s leadership position in military, civil, and commercial space will be lost. As a high-technology enterprise, the U. S. space community depends on the talents of world-class scientists and engineers in its workforce. There has been erosion of the U.S. space community’s science and engineering talent base, partly caused by cutbacks, partly by reengineering and outsourcing, and partly by lack of a clear vision for the future, but also brought about by retirement of engineers initially attracted to the field by G.I. Bill Education, Sputnik, the Space Race and the Cold War challenges of over two generations ago. This is troubling because science, technology, engineering, and math (STEM)-trained-and educated people are vitally needed to provide the foundation for all of America’s industrial success. In addition, scientists and engineers are the bedrock of important U.S. national security, civil, and commercial space programs. Now, the supply of vitally needed STEM-educated workers is threatened by changes in demographics, the world marketplace, and academia.

#### Great power war

**Snead ‘7 -** Aerospaceengineer and consultant focusing on Near-future space infrastructure development (Mike, “How America Can and Why America Must Now Become a True Spacefaring Nation,” Spacefaring America Blog, 6/3, <http://spacefaringamerica.net/2007/06/03/6--why-the-next-president-should-start-america-on-the-path-to-becoming-a-true-spacefaring-nation.aspx>)

Great power status is achieved through competition between nations. This competition is often based on advancing science and technology and applying these advancements to enabling new operational capabilities. A great power that succeeds in this competition adds to its power while a great power that does not compete or does so ineffectively or by choice, becomes comparatively less powerful. Eventually, it loses the great power status and then must align itself with another great power for protection. As the pace of science and technology advancement has increased, so has the potential for the pace of change of great power status. While the U.S. "invented" powered flight in 1903, a decade later leadership in this area had shifted to Europe. Within a little more than a decade after the Wright Brothers' first flights, the great powers of Europe were introducing aeronautics into major land warfare through the creation of air forces. When the U.S. entered the war in 1917, it was forced to rely on French-built aircraft. Twenty years later, as the European great powers were on the verge of beginning another major European war, the U.S. found itself in a similar situation where its choice to diminish national investment in aeronautics during the 1920's and 1930's—you may recall that this was the era of General Billy Mitchell and his famous efforts to promote military air power—placed U.S. air forces at a significant disadvantage compared to those of Germany and Japan. This was crucial because military air power was quickly emerging as the "game changer" for conventional warfare. Land and sea forces increasingly needed capable air forces to survive and generally needed air superiority to prevail. With the great power advantages of becoming spacefaring expected to be comparable to those derived from becoming air-faring in the 1920's and 1930's, a delay by the U.S. in enhancing its great power strengths through expanded national space power may result in a reoccurrence of the rapid emergence of new or the rapid growth of current great powers to the point that they are capable of effectively challenging the U.S. Many great powers—China, India, and Russia—are already speaking of plans for developing spacefaring capabilities. Yet, today, the U.S. retains a commanding aerospace technological lead over these nations. A strong effort by the U.S. to become a true spacefaring nation, starting in 2009 with the new presidential administration, may yield a generation or longer lead in space, not just through prudent increases in military strength but also through the other areas of great power competition discussed above. This is an advantage that the next presidential administration should exercise.

### Links

#### 1AC Card proves squo is solving right now – slow and stable is key

Steve **Stackhouse**, writer for Area Development, MA in Journalism, “New Natural Gas Technologies Firing Up Manufacturing”, Fall 20**12**, http://www.areadevelopment.com/EnergyEnvironment/Fall2012/natural-gas-technologies--fuel-economic-boom-2223461.shtml

The economic boom fueled by new natural gas drilling technologies has been stunning — some parts of the country barely noticed the Great Recession as they scrambled to find enough well-paid workers to extract shale gas from the ground. But what if that boom was just the tip of the economic-development iceberg? What if the gas boom turned out to be a catalyst helping to spark a much-needed rejuvenation in North American manufacturing? That’s a question many business leaders and academics have been asking lately, and the answer is encouraging. One study has projected the addition of a million new jobs in the next dozen years thanks to the availability of more affordable energy, the need for products involved in extracting gas, as well as new manufacturing operations involving various products and byproducts that come from the ground. Other studies look forward to an even bigger impact on jobs, and suggest that manufacturing operations that previously fled to overseas locations may turn around and come home. New Technologies The boom stems from the increased use of hydraulic fracturing, or “fracking,” and horizontal drilling techniques to unlock formerly inaccessible underground oil and gas treasures. The concept started to catch on in the late 1990s in the Barnett Shale area of Texas and quickly spread to reserves such as Eagle Ford, Marcellus, Utica, and Bakken. These and other shale reserves are rich enough to make the United States one of the world’s top producers of shale gas and all of its various downstream products. A variety of industries will feel the impact, says Kevin Smith, chief economist for the American Chemistry Council. The chemical industry he represents is already seeing growth, and he says to also watch for an impact in such sectors as steel and other metals, plastics and rubber products, glass, paper, and cement — what he says could be “a whole manufacturing renaissance in this country.” Take, as just one example, the plans from Shell Chemical to build an ethane “cracker” in the northeast United States. A “cracker” is what the industry calls a plant that breaks down oil and gas into smaller molecules, and an ethane cracker creates ethylene, which goes into plastic. Shell favors a site in Pennsylvania, one of the hot spots for shale gas development, and Smith’s organization has projected that the project could create more than 17,000 permanent jobs, including direct and indirect jobs as well as ripple-effect employment. Multiply that by the many other kinds of operations fueled by the shale gas boom and you get what a PricewaterhouseCoopers study also terms “a renaissance in U.S. manufacturing.” One of that study’s lead contributors was Bob McCutcheon, PwC’s U.S. industrial products leader and the managing partner in Pittsburgh — a place where both shale gas and the state of manufacturing are on a lot of people’s minds. “We’re in the Marcellus Shale country, and a lot of conversation a year ago was centered on the energy sector — jobs, drilling activity, farmers cashing checks,” he says. “We were talking to a lot of clients in the industrial products sector and started to have a lot of conversations about what this might mean longer-term for manufacturing. So we tried to take a data-driven approach to the question.” What are the results of this data-driven research? “We believe that the affordable, abundant shale gas that’s available with technology in horizontal drilling and fracking is a game-changer for U.S. manufacturing,” says McCutcheon. A report from the American Chemistry Council has similar superlatives: “Natural gas from shale is possibly the most important energy development in 50 years. It has huge potential for the United States.” Who’s Feeling the Benefits? Among other things, the PwC study scoured the filings of public companies for evidence of growth or planned expansions resulting from the gas boom. Even relatively early in the game, these documents already include numerous mentions. Some of them point to the cost savings brought about by the drop in natural gas prices. Indeed, the downward effect on natural gas prices is a goldmine for manufacturing, according to the PwC analysis. By 2025, U.S. manufacturers could be saving more than $11 billion a year on natural gas expenses. But probably twice as many of the public company filings on the topic involve firms that expect to make more use of the various byproducts of shale gas production, or whose products are essential to the extraction of shale gas. According to Smith, there has been a significant increase in capital investments made by chemical-makers and other manufacturing industries — investments that could eventually add up to $75 billion. Gulf Coast locations and Appalachian areas are already seeing the impact, he notes. One American Chemistry Council study focused on the projected supply response among eight natural gas-intensive manufacturing industries, and forecast an increased output of about $120 billion, which in turn would support the creation of 1.2 million direct, indirect, and induced jobs — not to mention the 1.1 million jobs that would be created by construction. Even that could be just the beginning of the employment impact, though. Smith points to a Boston Consulting Group study suggesting that America could be in for a wave of “re-shoring,” essentially the opposite of offshoring. As the cost picture improves, returning manufacturers could generate two to three million jobs. Truth is, many industries benefit from both the lower energy and supply costs as well as the opportunity to expand production. Take the metals business. There are plenty of metal tubes and pipes and other components involved in gas drilling itself, McCutcheon notes. Beyond that, “steel work is one of the largest consumers of natural gas, so the cost savings could be a significant competitive advantage for manufacturers here,” he observes. In addition, newer steel production technologies could carry the benefits a step further, including processes that substitute natural gas for coke in the steelmaking recipe. Developments Linked to the Boom The American Chemistry Council has compiled lists of developments linked to the natural gas boom. Smith says the original intent was to create a “one-pager” summary, but the list quickly grew into multiple pages (in fact, there’s a page with fairly small type devoted just to chemical manufacturing developments and another full page of plastics-related projects). Here are just a few more examples of developments that observers have linked to the natural gas boom: Dow Chemical plans to use shale resources along the Gulf Coast to ramp up ethylene production. Earlier this year, the company announced development of a new ethylene production plant in Freeport, Texas, and it plans to restart a Louisiana ethylene cracker and seek additional feedstocks from the Eagle Ford and Marcellus reserves. In announcing the Texas development, the company’s Chairman and CEO Andrew Liveris noted, “For the first time in over a decade, U.S. natural gas prices are affordable and relatively stable, attracting new industry investments and growth, and putting us on the threshold of an American manufacturing resurgence.” Research by the American Chemistry Council includes a long list of iron and steel expansions that can be tied to the natural gas boom in such places as Pennsylvania, Ohio, North Carolina, Minnesota, Texas, Alabama, and Arkansas. Nucor Steel has plans for a $750 million direct-reduced iron facility in Louisiana. Like most metals-related plants, it’ll need a strong supply of natural gas, and nearby shale resources are considered likely sources. Last year, U.S. Steel opened an Ohio mill to make steel pipe for the drilling industry, and a French company named Vallourec & Mannesmann is doing the same. The Eagle Ford Shale in Texas is the catalyst behind a $1.7 billion Formosa Plastics chemical complex expansion nearby. Cracking units would produce ethylene and propylene gases for use as raw materials at on-site plastics plants. Old Ocean, Texas, is where Chevron Phillips plans two propylene facilities, part of the company’s U.S. Gulf Coast Petrochemicals Project. Last year the company announced plans for Gulf Coast ethane cracker and ethylene derivatives facilities. Aither Chemicals is exploring development of an ethane cracker in West Virginia. The company is exploring the market interest for chemical feedstocks that its cracking process would produce by tapping into the Marcellus Shale. Bridgestone, Michelin, and Continental have South Carolina tire manufacturing developments linked to the gas boom, according to the American Chemistry Council. Where Are the Benefits Most Powerful? The natural gas boom is certainly reflected in Area Development’s 2012 Leading Locations analysis. Many of the U.S. locations revealed by data sources to be the most prosperous are feeling the impact of fracking — from North Dakota to Texas to parts of Louisiana. Indeed, the impact has been so powerful that many of these areas barely experienced the recession and, if anything, had a surplus of job openings. As David Jenkins, vice president at engineering consultant TRC Companies, points out, there’s so much demand for workers that some sites have had to build worker “camps.” The question is how far does the halo expand beyond those areas where the gas is being extracted from the ground? “It depends on the nature of the industry and how important it is to have close proximity to gas,” McCutcheon says. “One of the challenges is infrastructure and the ability to transport and store the gas.” Crackers, for example, tend to be in close proximity to the source. And as David Moss of Texas-based Armada Oil observes, end-users may tap right into their producers to trim overhead costs. “Locating manufacturing facilities near the producers is smart if you negotiate direct delivery from them and have or build a pipeline for delivery,” he says. On the other hand, the boom has pushed natural gas prices down across North America, so as McCutcheon points out, “the broader effect is not necessarily going to be as geographically specific.” It’s no surprise, then, that chemical and plastics developments on the American Chemistry Council’s project list can be found all over the North American map, not just in the neighborhood of the shale reserves. But here’s where the story gets particularly positive for the U.S. economy compared with global competitors. “The market is still very inefficient,” McCutcheon says, “and that inefficiency in the market creates a competitive advantage in the United States.” Three cheers for inefficiency? In this case, yes. A more efficient natural gas market would allow more global pricing, as is the case with oil. But, “natural gas is still essentially regionally priced, so an abundance of natural gas in North America will benefit prices in North America,” says McCutcheon. The price advantage is significant. Natural gas may cost five times as much in some other parts of the world, even six or seven times higher in other places. That erases or at least mitigates a lot of the competitive advantages that have driven manufacturing overseas in recent years. The swing of the pendulum is quite noticeable when one looks into the nation’s liquefied natural gas (LNG) terminals. As the PwC report points out, companies in the past have built LNG import facilities in America, under the assumption that domestic natural gas supplies would be limited. Now that they seem practically unlimited “that trend has reversed, and there is more interest in conversion to LNG export terminals,” the report states. How long will the U.S. advantage last? And aren’t there opportunities to frack in other countries? “There are certainly significant shale gas reserves outside the United States, but currently the U.S. has the strategic advantage in technology and the ability to extract the gas,” McCutcheon says, adding that he expects the American advantage to last for some time. And that’s why the natural gas boom is potentially amazing news in a lot more sectors than just oil and gas development. “This is a big part of a bigger story,” McCutcheon says. “It is a major contributing factor to a competitive environment that could lead to a resurgence of manufacturing.”

#### 1AC card --- even if they say it causes stronger regs --- they lead to more production

Fed is unconcerned with production benefits --- states better able to forge agreement between environmental groups while working with production companies. Also better able to respond to emerging situations. Uncertainity about fed reg’s already slowing down fracking on federal lands – dropped 14% in past two years.

**Maddox, 12/1/12** (Mark, has held a variety of senior strategic policy, communications, and political positions during his 25-year career, and currently serves as the Senior Vice President of Government Affairs for Arcadian Networks, where he serves as chief strategist on government policy and as a member of the executive team. He is currently a member of the Gridwise Alliance Board of Directors.¶ Previously, he served as Assistant Secretary (acting) and head of the U.S. Department of Energy’s Fossil Energy program from 2004 to 2006. ¶ Maddox oversaw the development of many of the critical technologies that will be essential to controlling future green house gas emissions. He also managed a $750 million budget, and high profile initiatives including the FutureGen Zero Emissions Power Plant, He also served as a Senior Policy Advisor to the Secretary on fossil energy, environmental management, and budget issues. ¶ Additionally, Maddox worked in the Government and Public Affairs offices at Lockheed Martin as a director for the Integrated Management Systems division, Maddox received a Masters of Business Administration from George Washington University and earned an undergraduate degree from Bowling Green State University, OH. ¶ the Washington Examiner: “Let the States Regulate the Natural Gas Boom,” <http://americanactionnetwork.org/topic/let-states-regulate-natural-gas-boom>, ts)

One example in the 2012 presidential election was the shale gas critics justifying the Environmental Protection Agency's relentless push for a single, overarching federal law to regulate the entire industry. They made the dubious claim that one law is superior to a patchwork of 50 state regulations.¶ This language holds out hope for regulatory simplicity. But this approach, at least for natural gas, is misguided. It perpetuates the myth that there isn't already federal regulation of the oil and gas industry. In reality, various parts of the drilling process are regulated under the Safe Drinking Water Act, Clean Water Act, Clean Air Act and others.¶ Additionally, the U.S. Department of Energy and the EPA fund the State Review of Oil & Natural Gas Environmental Regulations program and the Ground Water Protection Program, which audit state regulatory programs and share best practices. In fact, the Secretary of Energy Advisory Board's report on fracking supported continued state oversight through these programs and called for additional funding of these programs in its report last year.¶ Though broad, simple campaign declarations sound great, they fail to take into consideration that each company -- in whatever industry a policy regulates -- is very different. Even the shale fields themselves differ greatly in terms of geology, topography and hydrology from state to state. Shale gas deposits are different in Pennsylvania's Marcellus, Ohio's Utica, and Texas' Barnett deposits. Because of this, drilling strategies need to be tailored to individual circumstances.¶ So the question is, how do you create a master set of federal regulations that can efficiently and effectively balance safety and resource development when every case is different? The simple truth is you can't.¶ A one-size-fits-all approach would probably require a federal waiver for every shale gas field permit. Even in a perfect world, getting a permit under any federal rule is time-consuming and expensive. But to obtain a federal permit through a waiver process only compounds the difficulty.¶ In practice, states are also usually more sensitive to overregulation. At the federal level, the benefits of production are of secondary concern, and no federal regulator is accountable for the impact of decreased production. In contrast, state legislatures from both parties in places as different as Ohio, Pennsylvania, Colorado and Texas have effectively engaged stakeholders, from the environmental community to the producing community, to craft effective laws. In each of those states, lawmakers identified the need to set rules for shale gas exploration early in the process, and to address in legislation chemical disclosure requirements that balance the need for public transparency and protection of trade-sensitive information.¶ Another benefit of state over federal regulation is the states' ability to respond to emerging issues. As Washington still wrestled with what role government should play, state governments had already established well-engineering standards, cleanup requirements, water guidelines, local government revenue sharing and clear guidelines in the permitting process.¶ The growth in natural gas production occurring under state regulation contrasts dramatically with the trend on federal lands. According to the U.S. Energy Information Administration, onshore federal natural gas production has dropped the past two years as its share of our natural gas production has dropped from 35 percent to 21 percent, a track record that is hardly comforting for federal regulation skeptics.¶ Ultimately, if the EPA continues to limit coal generation and pursues an "all in" strategy with natural gas generation, it must stop working at cross purposes with itself. The best way is drop out of this debate and let individual states do what the federal government cannot.

#### Prices are rising now- increasing supply would reduce those prices

Moors 12/14 (Dr. Kent, Dr. Kent F. Moors is an internationally recognized expert in global risk management, oil/natural gas policy and finance, cross-border capital flows, emerging market economic and fiscal development, political, financial and market risk assessment. He is the executive managing partner of Risk Management Associates International LLP (RMAI), a full-service, global-management-consulting and executive training firm. Moors has been an advisor to the highest levels of the U.S., Russian, Kazakh, Bahamian, Iraqi and Kurdish governments, to the governors of several U.S. states, and to the premiers of two Canadian provinces. He’s served as a consultant to private companies, financial institutions and law firms in 25 countries and has appeared more than 1,400 times as a featured radio-and-television commentator in North America, Europe and Russia, appearing on ABC, BBC, Bloomberg TV, CBS, CNN, NBC, Russian RTV and regularly on Fox Business Network. A professor in the Graduate Center for Social and Public Policy at Duquesne University, where he also directs the Energy Policy Research Group, Moors has developed international educational programs and he runs training sessions for multiple U.S. government agencies. And until recent revisions in U.S. policy, Dr. Moors was slated to be the deputy director of the Iraq Reconstruction Management Office (IRMO) in Baghdad,

[http://moneymorning.com/2012/12/14/2013-natural-gas-forecast-six-bullish-reasons-why-now-is-the-time-to-buy/\](http://moneymorning.com/2012/12/14/2013-natural-gas-forecast-six-bullish-reasons-why-now-is-the-time-to-buy/%5C), December 14, 2012)

A rise on the supply side would generally reduce prices, especially if the number of operators continues to increase. More gas moving on the market from more suppliers results in a downward pressure on prices.¶ The second dynamic, however, is moving in the other direction, enticing the increase in drilling and expansion of infrastructure.¶ This factor considers the demand side, and there are at least six major trends colliding to increase the prospects for gas usage as we move through 2013.¶ As a result, I expect natural gas prices to see a 25% increase from current levels... here's why.¶ 2013 Natural Gas Forecast¶ 1) Winter Chill Increases Natural Gas Demand¶ The first factor driving price increases will come from a colder winter throughout the United States. Traditionally, gas prices have been quite sensitive to seasonal shifts. The overly mild winter in the East last winter was enough to depress gas prices across the board. In 2011, NYMEX futures contracts declined to less than $2 per 1,000 cubic feet (or million BTUs).¶ The price has recovered to as much as $3.90 recently, although it is currently down to about $3.50. Nonetheless, the recovery (largely a result of companies pulling drilling rigs out of service and reducing the number of new wells) combined with a colder winter, will provide a base pushing the price to $4 as we start the new year.¶ The other five elements are more directly affecting demand increases moving forward. These will have primary effects on the gas balance between anticipated needs and drilling volume.¶ 2/3) Industrial and Petrochemical Usage on the Rise¶ The second and third elements are increasing industrial and petrochemical uses for gas. Industrial use has been building for a while, but it is one of the last demand factors to emerge during an economic recovery. That is now beginning to kick in.¶ However, petrochemical usage is resulting in an appreciating demand situation. Gas, natural gas liquids, and byproducts are replacing crude oil and oil products as feeder stock for an entire range of petrochemicals - from solvents and polymers, to plastics and fibers.¶ The intense competition over where the next "crackers" will be located in the U.S. is clear testimony to the added demand coming from petrochemicals. These facilities will break down gas flows, making the feeder stock ingredients more accessible. This development is also putting some additional weight on the processing of "wet" gas, raw material containing value-added byproducts.¶ 4) Natural Gas Fleets Expand Across the U.S.¶ The fourth demand factor is the increasing use of natural gas as a vehicle fuel. We have been witnessing a rise in interest here for several years, but the move to using liquefied natural gas (LNG) and compressed natural gas (CNG) to replace gasoline and diesel has been gaining strength.¶ Entire fleets of heavy-duty trucks have been retrofitted across Canada, while refueling terminals have been popping up near interstates in the U.S. to service company-designated vehicles. The cost savings in fuel is significant, usually representing more than two dollars per gallon.¶ The downside is on the infrastructure side. It will take several years of heavy capital investment to provide the network of transport pipelines, storage and terminal facilities, filling stations, and related requirements.¶ And we must consider the cost of retrofitting engines. At an average of $35,000 per vehicle, it will remain an obstruction for some.¶ I expect to see an increase in natural gas-as-fuel usage continuing, but remaining on the truck side for 2013. Personal autos will stay a niche market in the near-term. Still, this will comprise an improving demand area for natural gas.¶ 5) Electricity Consumption from Gas Set to Spike¶ Fifth is the massive transfer underway from coal to gas as the preferred fuel for generating electricity. Coal will remain a fuel of choice in several sectors of the world and will still be cost effective in certain regions in the U.S. But the days of "King Coal" in the generation of electricity are drawing to a close.¶ The figures here are massive. The American market is replacing more than 90 gigawatts (GW) of generating capacity by 2020, virtually all of this coal-fired. In addition, the phasing in of non-carbon regulations (cutting mercury, sulfurous, and nitrous oxide emissions) will add another 20 GW to the retirement agenda, once again coming almost exclusively from coal.¶ Each 10 GW transferred to natural gas will require an additional 1.2 billion cubic feet of gas per day. If only 50% of the expected transition from coal to gas occurs, the added demand will eliminate three times the current total gas in storage nationwide.¶

#### Organic price correction is key

Hulbert ‘12 (Lead Analyst at European Energy Review, and Goldthau, Head of the Department of Public Policy at the Central European University, an American graduate school based in Budapest, Hungary, 8-5-12

(Matthew, consultant to a number of governments, most recently as Senior Research Fellow, Netherlands Institute for International Relations, and Andreas, prior to joining CEU, he worked for Rand, SWP Germany and the Paul Nitze School of Advanced International Studies, a Fellow with the Global Public Policy Institute’s Global Energy Governance program and an Adjunct Professor with Johns Hopkins University’s MSc in Energy Policy and Climate, “Why America Can Make or Break A New Global Gas World,” http://www.forbes.com/sites/matthewhulbert/2012/08/05/why-america-can-make-or-break-a-new-global-gas-world/print/, accessed 8-7-12)

The same debate is raging in the US. Despite the phenomenal breakthroughs in American shale developments, the front runner of the revolution now risks becoming a victim of its own success in terms of Henry Hub prices dropping so low that full cycle economics for US shale gas plays have become negative. Unless prices organically firm, or US producers learn the dark art of supply restraint, current output levels will be difficult to maintain or enhance for American consumers. Companies will fold; fields will be mothballed, with Chesapeake providing the best ‘poster boy’ example of how precarious shale gas economics have become. The quick fix option to get Henry Hub back at a sustainable $4-7/MMbtu level (and by far the most lucrative for some of the mid-cap players involved), is to sign up international LNG contracts. That’s exactly what’s being done, with some of the larger IOCs (Royal Dutch Shell, BP and ExxonMobil) also aggressively pushing for LNG exports to capitalise on huge spreads, not to mention preventing further write-downs on shale assets. It’s not like Chinese champions working on US plays would have any ideological opposition to such a prospect. In total, FERC has around 125bcm/y of LNG applications currently awaiting approval – even on a ‘bad day’ 40-50bcm exports should be very feasible by 2020. That would make the US the third largest LNG player in the world. It’s also going to be the crucial factor over the next five years to decide where gas markets are heading. America will be decisive for future pricing models, whether they shift to gas (rather than oil) fundamentals. US LNG could be the straw that breaks oil indexation back.

## China

#### No CCP collapse

**Yuan, 11** – associate professor and acting director of the Center for International Security Studies at the University of Sydney (12/20, Jingdong, “The Arab Spring and China's Evolving Middle East Policy,” World Politics Review, http://www.worldpoliticsreview.com/articles/10992/the-arab-spring-and-chinas-evolving-middle-east-policy?page=1)

While Beijing has its concerns over the Arab Spring and its potentially infectious impacts on social and economic stability in China, there are strong reasons to believe that any imminent threat to Communist Party rule remains minimal and manageable. First, in most Middle Eastern countries, the autocratic ruler has personally reigned for decades and has instilled a political order that is typically repressive and nonrepresentative. The lack of any meaningful political participation provides ample frustration and is one of the principal reasons behind the various uprisings. By contrast, although China remains under one-party rule, managed term limits and an institutionalized leadership succession have been put in place. Second, there is a major difference between the Chinese economy and those of the Arab world. Chinese reforms over the past three decades have opened the country’s economy to the world, lifting hundreds of millions of Chinese people out of poverty and creating a sizable middle class that is more interested in gains in personal welfare than in politics. By contrast, the stagnation in many Middle Eastern economies, despite plentiful resources and oil revenues, has infuriated ordinary citizens, especially the restless young, who find employment elusive. However, perhaps the most critical difference is that Beijing retains **total control over the military**, the paramilitary and the police forces, on whose loyalty it can count. Having learned the lessons of the 1989 Tiananmen student uprising, the Chinese authorities quickly introduced and enforced censorship of social media after the initial Arab unrest and were resolute in stopping any organized protests from growing into massive social movements. These actions contrast sharply with the militaries and security forces in countries such as Egypt and Libya, which either split or abandoned the regimes they were supposed to protect, leading to the fall of Mubarak and Gadhafi.

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### LA

#### CIR key to Latin American stability

**Gittelson ‘9** (Citation: 23 Notre Dame J.L. Ethics & Pub. Pol'y 115 2009 THE CENTRISTS AGAINST THE IDEOLOGUES: WHAT ARE THE FALSEHOODS THAT DIVIDE AMERICANS ON THE ISSUE OF COMPREHENSIVE IMMIGRATION REFORM Robert Gittelson has been a garment manufacturer in the Los Angeles area for over twenty-five years. His wife, Patricia Gittelson, is an immigration attorney with offices in Van Nuys and Oxnard, California. Robert also works closely with Patricia on the administrative side of her immigration practice. Throughout his career, Mr. Gittelson has developed practical, first-hand experience in dealing with the immigration issues that are challenging our country today.

In the alternative, should we fail to pass CIR, and instead opt to deport or force attrition on these millions of economic refugees through an enforcement-only approach to our current undocumented immigrant difficulties, what would be the net result? Forgetting for now the devastating effect on our own economy, and the worldwide reproach and loss of moral authority that we would frankly deserve should we act so callously and thoughtlessly, there is another important political imperative to our passing CIR that affects our national security, and the security and political stability of our neighbors in our hemisphere. That is the very real threat of communism and/or socialism. First of all, the primary reason why millions of undocumented economic refugees migrated to the United States is because the economies of their home countries were unable to support them. They escaped extreme poverty and oppression, and risked literally everything they had, including their lives and their freedom, to come to this country to try to work hard and support themselves and their families. Deporting our illegal immigrant population back to primarily Latin America would boost the communist and socialist movements in that part of our hemisphere, and if the anti-immigrationists only understood that fact, they might rethink their "line in the sand" position on what they insist on calling 'amnesty. Communism thrives where hope is lost. The economies of Latin American nations are struggling to barely reach a level of meager subsistence for the population that has remained at home; Mexico, for example, has already lost 14% of their able-bodied workers to U.S. migration.3" Without the billions of dollars in remissions from these nations' expatriates working in the United States that go back to help support their remaining family members, the economies of many of these countries, most of whom are in fact our allies, would certainly collapse, or at least deteriorate to dangerously unstable levels. The addition of millions of unemployed and frustrated deported people who would go to the end of the theoretical unemployment lines of these already devastated economies would surely cause massive unrest and anti-American sentiment. The issue of Comprehensive Immigration Reform is not simply a domestic issue. In our modern global economy, everything that we do, as the leaders of that global economy, affects the entire world, and most especially our region of the world. If we were to naively initiate actions that would lead to the destabilization of the Mexican and many Central and South American governments, while at the same time causing serious harm to our own economy (but I digress ... ), it would most assuredly lead to disastrous economic and political consequences. By the way, I'm not simply theorizing here. In point of fact, over the past few years, eight countries in Latin America have elected leftist leaders. Just last year, Guatemala swore in their first leftist president in more than fifty years, Alvaro Colom.3" He joins a growing list. Additional countries besides Guatemala, Venezuela,32 and Nicaragua33 that have sworn in extreme left wing leaders in Latin America recently include Brazil,34 Argentina,3 5 Bolivia,36 Ecuador,37 and Uruguay.3s This phenomenon is not simply a coincidence; it is a trend. The political infrastructure of Mexico is under extreme pressure from the left.39 Do we really want a leftist movement on our southern border? If our political enemies such as the communists Chavez in Venezuela and Ortega in Nicaragua are calling the shots in Latin America, what kind of cooperation can we expect in our battle to secure our southern border?

#### Extinction

**Manwaring ‘5** (Max G., Retired U.S. Army colonel and an Adjunct Professor of International Politics at Dickinson College, venezuela’s hugo chávez, bolivarian socialism, and asymmetric warfare, October 2005, pg. PUB628.pdf)

President Chávez also understands that the process leading to state failure is the most dangerous long-term security challenge facing the global community today. The argument in general is that failing and failed state status is the breeding ground for instability, criminality, insurgency, regional conflict, and terrorism. These conditions breed massive humanitarian disasters and major refugee flows. They can host “evil” networks of all kinds, whether they involve criminal business enterprise, narco-trafficking, or some form of ideological crusade such as *Bolivarianismo.* More specifically, these conditions spawn all kinds of things people in general do not like such as murder, kidnapping, corruption, intimidation, and destruction of infrastructure. These means of coercion and persuasion can spawn further human rights violations, torture, poverty, starvation, disease, the recruitment and use of child soldiers, trafficking in women and body parts, trafficking and proliferation of conventional weapons systems and WMD, genocide, ethnic cleansing, warlordism, and criminal anarchy. At the same time, these actions are usually unconfined and spill over into regional syndromes of poverty, destabilization, and conflict.62 Peru’s *Sendero Luminoso* calls violent and destructive activities that facilitate the processes of state failure “armed propaganda.” Drug cartels operating throughout the Andean Ridge of South America and elsewhere call these activities “business incentives.” Chávez considers these actions to be steps that must be taken to bring about the political conditions necessary to establish Latin American socialism for the 21st century.63 Thus, in addition to helping to provide wider latitude to further their tactical and operational objectives, state and nonstate actors’ strategic efforts are aimed at progressively lessening a targeted regime’s credibility and capability in terms of its ability and willingness to govern and develop its national territory and society. Chávez’s intent is to focus his primary attack politically and psychologically on selected Latin American governments’ ability and right to govern. In that context, he understands that popular perceptions of corruption, disenfranchisement, poverty, and lack of upward mobility limit the right and the ability of a given regime to conduct the business of the state. Until a given populace generally perceives that its government is dealing with these and other basic issues of political, economic, and social injustice fairly and effectively, instability and the threat of subverting or destroying such a government are real.64 But failing and failed states simply do not go away. Virtually anyone can take advantage of such an unstable situation. The tendency is that the best motivated and best armed organization on the scene will control that instability. As a consequence, failing and failed states become dysfunctional states, rogue states, criminal states, narco-states, or new people’s democracies. In connection with the creation of new people’s democracies, one can rest assured that Chávez and his Bolivarian populist allies will be available to provide money, arms, and leadership at any given opportunity. And, of course, the longer dysfunctional, rogue, criminal, and narco-states and people’s democracies persist, the more they and their associated problems endanger global security, peace, and prosperity.65

### Turns Case

#### Attracting high-skilled workers is key to economic growth – increases market investment and creates jobs – the alternative is outsourcing

Wadhwa 7

Vivek, Wertheim Fellow at the Harvard Law School and executive in residence at Duke University, “Open Doors Wider for Skilled Immigrants,” Bloomberg BusinessWeek, jan 3 http://www.businessweek.com/smallbiz/content/jan2007/sb20070103\_187304.htm

Skilled immigrants provide one of the U.S.'s greatest strengths. They contribute to the economy, create jobs, and lead innovation. A new study I helped lead at Duke University's Pratt School of Engineering, where I am an executive-in-residence, shows they are fueling the creation of hi-tech business across our nation and creating a wealth of intellectual property. To keep our global competitive edge, we need to attract more of the world's best and brightest. And we need them to come here and put down deep roots. In previous columns I have written about our earlier research on globalization and the engineering profession. My students' work shattered myths about the graduation rates of engineers in India and China (see BusinessWeek.com, 12/13/05, "About That Engineering Gap…"), and the shortage of engineers in the U.S. (see BusinessWeek.com, 11/7/06, "The Real Problem with Outsourcing"). Our recent research, however, raised concerns about the growing momentum of outsourcing critical research and the impact of that on U.S. competitiveness. So we shifted gears to understand the sources of the U.S. global advantage and learn what the U.S. can do to keep its edge. We decided to study the contribution of students who came to the U.S. to major in engineering and technology and ended up staying, as well as immigrants who gained entry based on their skills. Continuing Trends In 1999, Dean AnnaLee Saxenian of the University of California, Berkeley published a study showing that foreign-born scientists and engineers were generating new jobs and wealth for the California economy. But she focused just on Silicon Valley, and this was before the dot-com bust. So we set out to update her research and look at the entire nation. We also wanted to quantify the intellectual contribution of this group. After thousands of phone calls, our team was able to get responses from 2,054 engineering and technology companies founded over the last 10 years. We asked whether their chief executives or lead technologists were first-generation immigrants and where they were born. We were surprised by what we learned—the trend that Saxenian documented in Silicon Valley had become a nationwide phenomenon. Here are some highlights of our new research from the report, America's New Immigrant Entrepreneurs. (The report will be available on January 4). •In 25.3% of technology and engineering companies started in the U.S. from 1995 to 2005, at least one key founder was foreign-born. States with an above-average rate of immigrant-founded companies include California (39%), New Jersey (38%), Georgia (30%), and Massachusetts (29%). Below-average states include Washington (11%), Ohio (14%), North Carolina (14%), and Texas (18%). •Nationwide, these immigrant-founded companies produced $52 billion in sales and employed 450,000 workers in 2005. •Indians have founded more engineering and technology companies in the U.S. in the past decade than immigrants from Britain, China, Taiwan, and Japan combined. Of all immigrant-founded companies, 26% have Indian founders. •The mix of immigrant founders varies by state. Hispanics constitute the dominant group in Florida, with immigrants from Cuba, Colombia, Brazil, Venezuela, and Guatemala founding 35% of the immigrant-founded companies. Israelis constitute the largest founding group in Massachusetts, with 17%. Indians dominate New Jersey, with 47% of all immigrant-founded startups. •Chinese (Mainland- and Taiwan-born) entrepreneurs are heavily concentrated in California, with 49% of Chinese and 81% of Taiwanese companies located there. Indian and British entrepreneurs tend to be dispersed around the country, with Indians having sizable concentrations in California and New Jersey, and the British in California and Georgia. Saxenian's research had shown that from 1980 to 1998, 24% of Silicon Valley startups had an Indian or Chinese founder. The Chinese were starting twice as many companies as Indians in that period. We found that 52.4% of Silicon Valley startups had one or more immigrants as a key founder. Indians had taken the lead in starting companies, but founders originated from all over the world—from Australia to Iran to Vietnam. The Competitive Edge What became clear is that skilled immigrants have become a significant driving force in the creation of new businesses in the U.S. and that their economic contributions have increased over the past decade. To understand the intellectual contributions, we analyzed the World Intellectual Property Organization (WIPO) patent databases. When you have a patent with global utility and want to apply for international protection, this is usually where you start. The results were startling. In 2006, 24.2% of U.S.-originated international patent applications were authored or co-authored by foreign nationals residing in the U.S. These immigrant non-citizens, as we called them, are typically foreign graduate students completing their PhDs, green card holders awaiting citizenship, and employees of multinationals on temporary visas. This percentage had increased from 7.8% in 1988—and this count doesn't include immigrants who had become citizens. In other words, it is skilled immigrants who are increasingly providing the intellectual capital that fuels innovation and gives the U.S. a competitive edge in the global economy. The problem is a significant number of those who are contributing this intellectual talent may not be here permanently. The Bigger Issue There's a yearly political debate about a temporary worker visa category called the H1B (see BusinessWeek.com, Fall 2005, "The Visa Maze"). These visas allow U.S. companies and universities to temporarily employ foreign workers who have a bachelor's degree. Businesses argue they need more of these visas in order to remain globally competitive. They say these visas provide a steady flow of highly skilled professionals who are in short supply, and reduce the need for them to move their operations abroad. Opponents argue that these temporary workers displace substantial numbers of experienced U.S. engineers and cause a lowering of wages. It doesn't matter which side is right here. The bigger issue is that if we do need workers with special skills, we should ask them to come and stay. Let's offer them permanent residence rather than short-term visas. Temporary workers can't start businesses, and we haven't given them the incentive to help us compete globally or to integrate into American society. They can't sink deep roots because their visas limit how long they can stay. We also want to keep the best and brightest students who complete their graduate studies in our universities. They come here with a global outlook and a hunger to succeed. They understand the culture and values of the countries we're going to be competing with in the new global economy. We want these young and brilliant minds on our shores. We have a big challenge ahead as we decide how to deal with the millions of unskilled workers who have entered the U.S. without documents (see BusinessWeek.com, 8/21/06, "If We Can Take One Big Employer Down"). An equally important issue, one that will affect the long term competitiveness of the U.S., is the issue of skilled immigrants who came through the front door. My view: Let's build really high fences, but have big gates. Let's be very selective in whom we admit, but open the doors to as many as we need.

#### Key to science leadership

Arizona Daily Sun 2-10-13. azdailysun.com/news/opinion/editorial/cooperation-on-immigration-reform-only-way-forward/article\_c5b261e3-e267-566f-a235-3de051bdce57.html

And what does reform look like? Both the bipartisan Senate package and President Obama's plan start with even more border security and better enforcement of the federal employment verification system and temporary visas that are overstayed. These are just as important to border security as any 20-foot-high fence -- would-be migrants who have heard they cannot find work and who know they will be tracked down once their visas expire will think twice before leaving Mexico for Arizona.¶ LET SCIENCE GRADUATES STAY¶ For those illegals already here, a system of registration, payment of fines, the requirement to learn English, and a waiting period for green cards and citizenship that likely will be at least 10 years doesn't sound like amnesty to us. The devil, of course, is in the details, but the principles of reform should be clear: Bring millions of undocumented aliens out of the shadows, allow them to work legally and pay taxes, and bring them into the mainstream of American culture.¶ Flagstaff, as a university city, has a stake in the part of the reform package that calls for an immediate increase in the number H-1B visas for foreign workers skilled in STEM (science, technology, engineering and math). NAU is attracting hundreds of foreign students in those fields, some of whom would gladly stay past graduation if they could obtain visas. Based on the number of foreign-born U.S citizens who start businesses, obtain patents and even win Nobel Prizes, this is just the kind of immigration reform that Flagstaff, a self-declared STEM city, needs.

#### Turns environmental leadership

Federoff ‘8

(Nina, Assistant Secretary of State, <http://www.gpo.gov/fdsys/pkg/CHRG-110hhrg41470/html/CHRG-110hhrg41470.htm>)

The welfare and stability of countries and regions in many parts of ¶ the globe require a concerted effort by the developed world to address ¶ the causal factors that render countries fragile and cause states to ¶ fail. Countries that are unable to defend their people against ¶ starvation, or fail to provide economic opportunity, are susceptible to ¶ extremist ideologies, autocratic rule, and abuses of human rights. As ¶ well, the world faces common threats, among them climate change, energy ¶ and water shortages, public health emergencies, environmental ¶ degradation, poverty, food insecurity, and religious extremism. These ¶ threats can undermine the national security of the United States, both ¶ directly and indirectly. Many are blind to political boundaries, ¶ becoming regional or global threats.¶ The United States has no monopoly on knowledge in a globalizing ¶ world and the scientific challenges facing humankind are enormous. ¶ Addressing these common challenges demands common solutions and ¶ necessitates scientific cooperation, common standards, and common ¶ goals. We must increasingly harness the power of American ingenuity in ¶ science and technology through strong partnerships with the science ¶ community in both academia and the private sector, in the U.S. and ¶ abroad among our allies, to advance U.S. interests in foreign policy.

### Will Pass

#### Will pass – Obama PC locking down key GOP senators

CNN Wire 3-2-13 (“5 things: What's next for Washington?,” Lexis)

Of all the issues Congress could tackle, immigration is seen as one of the most likely areas for progress. Both sides see a potential political benefit in hammering out a deal, and both sides are voluntarily at the negotiating table trying to work one out. "Send me a comprehensive immigration reform bill in the next few months and I will sign it right away," Obama said in his State of the Union address just over a month ago. The Republican response to his speech was delivered that night by Sen. Marco Rubio of Florida, one member of the bi-partisan Gang of Eight working behind the scenes to craft legislation. Rubio said immigration reform would be good for the economy. "We need a responsible, permanent solution to the problem of those who are here illegally," he said. "But first, we must follow through on the broken promises of the past to secure our borders and enforce our laws." The bipartisan effort nearly hit a snag when details of an Obama administration draft immigration proposal was published, but Obama phoned lawmakers and met with two Republicans in that Gang of Eight -- Sens. John McCain and Lindsey Graham -- at the White House in mid-February.

#### Will pass – momentum.

Korn 3-4. [Jennifer, Executive Director of the Hispanic Leadership Network. Previously, she served in President George W. Bush’s White House as Director of Hispanic Affairs, "New Momentum for immigration reform with conservatives leading the way" Fox News Latino -- latino.foxnews.com/latino/opinion/2013/03/04/new-momentum-for-immigration-reform-with-conservatives-leading-way/]

There is reason to be cautiously optimistic about the road that lies ahead toward immigration reform. After four years of inaction, the president is now focused on repairing his legacy with the Hispanic community. On the other hand, after the lessons learned from the 2012 presidential elections, a broad group of conservatives have embraced the concept of a long-lasting fix to our broken immigration system.¶ There is new momentum for immigration reform and conservatives are leading the way. This week, the Hispanic Leadership Network (HLN), a national organization that strives to engage Hispanics on center-right issues, launched an advocacy campaign in support of fixing our broken and antiquated immigration system. The campaign includes a six-figure ad buy on ABC, FOX, and Univision.¶ The ad, entitled “Be Part of the Solution,” features former Secretary of Commerce Carlos Gutierrez calling on Washington to pass immigration reform “that grows the economy and respects the rule of law.” Last month, Secretary Gutierrez resigned his senior position at Citigroup Inc. to become chairman of a pro-immigration reform super PAC. He will not only be an invaluable ally in HLN’s advocacy campaign, but a powerful force in his own right as the legislative process moves forward. ¶ HLN’s paid media campaign is only one of a series of initiatives aimed at growing our members across the nation and activating them to play a key role in the grassroots movement behind a bipartisan deal to fix our broken immigration system once and for all. HLN’s members support the work of the Senate, led by Senator Marco Rubio, to achieve a reform that addresses the main problems of our broken system — strengthening our southern border, overhauling our legal visa system, implementing a viable temporary worker program, and creating a fair but tough plan for earned legal status.¶ Also this week, HLN Co-Chair Jeb Bush will jump-start the public debate beyond the halls of Congress with the official launch of “Immigration Wars.” In the book, Governor Bush and constitutional lawyer Clint Bolick lay out a strategy to do away with all that is wrong with our current system and have a fresh, new start. “Immigration Wars” offers sensible advice to all conservatives. ¶ In the last few weeks, we have also been encouraged by the news of other conservative governors who have added their voices to the chorus advocating for immigration reform. Those include Governor Scott Walker of Wisconsin and Governor Bill Haslam of Tennessee. In calling for reform, it became evident that these leaders understand that immigration reform is needed to further our economic development.¶ In Washington, the push to overhaul our immigration system has now been embraced by the top brass of conservative congressional leaders, from Speaker John Boehner to former vice presidential candidate Paul Ryan. Across the nation, conservative governors are not only paying attention, but coming out in full force for reform. Even in the media, conservative commentators like Sean Hannity have jumped in the reform bandwagon. Lastly, and more importantly, poll after poll shows that there is an increasing appetite among conservative voters to see this issue resolved. ¶ This momentum and new appreciation for the changing face of our electorate should give conservatives in Congress the impetus to do what is morally right, economically wise, and politically prudent.

#### It’ll pass – Obama pushing.

Whitaker 3-6. [Morgan, segment producer @ MSNBC, "Obama is ‘pretty tenacious and he’s not about to give up now’" MSNBC -- tv.msnbc.com/2013/03/06/obama-is-pretty-tenacious-and-hes-not-about-to-give-up-now/]

The Violence Against Women Act is the first of many bills the president hopes to sign in his second term in office, including some big issues like immigration reform and the minimum wage. With the unparalleled obstructionism of Republicans in the 112th Congress, the president may need a new approach to win over his colleagues in the coming months and years. Wednesday night, that will include a small dinner with a handful of Republicans–including some of his sharpest critics like Senators Lindsey Graham and John McCain–but none of the leadership. Some believe the president is planning to appeal on an individual level, rather than bartering with top brass who aren’t always able to deliver enough votes to get bills passed to begin with.¶ When asked about that rumored new strategy, Jarrett said of the president, “He’ll do whatever it takes.”¶ “We’ll talk to whoever wants to come to the table and work with us in good faith,” she said “We have huge challenges… but there is nothing we can’t do with the American people behind us.”¶ Jarrett is hopeful that this step for women’s right is just the beginning. “We’re already seeing glimmers of light around comprehensive immigration reform,” she said. “We want to find those pathways where there is common ground and move forward.”¶ “The president as you know is pretty tenacious and he’s not about to give up now.”

### AT: Thumpers

#### Immigration reform on top of agenda – will pass – no thumpers.

Berger 3-4. [Judson, journalist, "Recurring budget crises could put squeeze on Obama's second-term priorities" Fox News -- www.foxnews.com/politics/2013/03/04/recurring-budget-crises-could-put-squeeze-on-obama-second-term-priorities/]

Rep. Luis Gutierrez, D-Ill., a vocal advocate for immigration reform, voiced confidence Monday that the administration and Congress could handle the busy agenda. ¶ "The spirit of bipartisan cooperation that is keeping the immigration issue moving forward has not been poisoned by the sequester and budget stalemate, so far," he said in a statement. "The two sets of issues seem to exist in parallel universes where I can disagree with my Republican colleagues strenuously on budget matters, but still work with them effectively to eventually reach an immigration compromise. ... I remain extremely optimistic that immigration reform is going to happen this year." ¶ Immigration reform efforts are still marching along despite the budget drama. Obama met last week on the issue with Sens. John McCain, R-Ariz., and Lindsey Graham, R-S.C., who both are part of a bipartisan group crafting legislation. ¶ However, work on gun control before the Senate Judiciary Committee last week was postponed.

#### Now is key for immigration reform.

Murphy 3-6. [Joan, Washington correspondent, "Coming weeks vital to shaping bill on immigration reform" The Produce News -- www.producenews.com/index.php/news-dep-menu/test-featured/9777-coming-weeks-vital-to-shaping-bill-on-immigration-reform]

The next few weeks are critical to sway lawmakers that a comprehensive immigration reform bill must have an agreed upon labor fix for the agriculture industry, said Robert Guenther, senior vice president of public policy at United Fresh Produce Association.¶ “Obviously, there is a race to get a bill introduced in the House and Senate on immigration reform,” explained Mr. Guenther, March 6, in between meetings on Capitol Hill. “There is a window. We want to make sure ag is part of a broader bill if one is developed in the Senate,” he said.¶ Advocates for immigration reform see the next few weeks, before the March 25-April 5 Easter legislative break, as key to working out differences on proposed legislative language.

#### Immigration is the top of the docket – Markup in April.

Bolton 3-3. [Alexander, journalist, "Pressure builds on Senate group to unveil immigration reform specifics" The Hill -- thehill.com/homenews/senate/285795-pressure-building-on-senate-immigration-group-to-unveil-details-]

The same is true of immigration reform.¶ “I think April is probably the markup month they’re looking at and then to the floor in either May or June,” said Angela Kelley, vice president for immigration policy at the Center for American Progress.¶ Kelley said Leahy wants to see real progress from Schumer, McCain and Rubio before the recess.¶ “Leahy’s really committed to getting this done and he’s going to watch it carefully and he’s going to want to keep measuring progress. You may not get the final grade but you’ll get an interim report before the recess. I would expect they’re going to want to see real progress,” she said.

### AT: Executive Shields

#### Congress still weighs in on every agency action

Lovell 00. [George, Assistant Professor of Government, College of William and Mary, “THAT SICK CHICKEN WON'T HUNT: THE LIMITS OF A JUDICIALLY ENFORCED NON-DELEGATION DOCTRINE”, Constitutional Commentary -- Spring -- lexis]

An initial problem with this complaint is that it is not entirely accurate. Even in a world with delegation, voters can usually trace regulatory decisions to "yes" or "no" votes cast by their representatives in Congress. It is true that members of Congress do not cast "yes" or "no" votes on particular rules created by agencies, but they do quite often need to go on record with "yes" or "no" votes that make agency activities possible. Legislators must cast votes to establish executive branch agencies and to give those agencies the authority to make regulatory decisions. The democratic controls created by such votes weaken over time. (Most of the voters who voted for the legislators who passed the Agricultural Adjustment Act are now dead). But members of Congress need to take at least one vote per year (on the relevant appropriations bill) in order for any regulatory program to continue, and circumstances sometimes force members to cast additional votes on particular programs. Since no regulatory program can operate without being created and continually authorized by Congress, there is nothing about delegation that prevents an unhappy electorate from holding members of Congress accountable for regulatory power exercised by the agencies. Opponents of incumbents are certainly free to make such votes an issue in the next campaign, and they sometimes do. Representative George Nethercutt (R-Washington) recently found this out the hard way from an ad sponsored by some of his political opponents. Nethercutt probably did not know that he had voted for the Endangered [\*91] Species Act twelve times until he saw an ad that recounted his votes on various appropriations and authorizations items. 21

#### All our links still apply – Obama can’t escape blame

Nicholas and Hook 10. (Peter and Janet, Staff Writers – LA Times, “Obama the Velcro president”, LA Times, 7-30, http://articles.latimes.com/2010/jul/30/nation/la-na-velcro-presidency-20100730/3)

If Ronald Reagan was the classic Teflon president, Barack Obama is made of Velcro. Through two terms, Reagan eluded much of the responsibility for recession and foreign policy scandal. In less than two years, Obama has become ensnared in blame. Hoping to better insulate Obama, White House aides have sought to give other Cabinet officials a higher profile and additional public exposure. They are also crafting new ways to explain the president's policies to a skeptical public. But Obama remains the colossus of his administration — to a point where trouble anywhere in the world is often his to solve. The president is on the hook to repair the Gulf Coast oil spill disaster, stabilize Afghanistan, help fix Greece's ailing economy and do right by Shirley Sherrod, the Agriculture Department official fired as a result of a misleading fragment of videotape. What's not sticking to Obama is a legislative track record that his recent predecessors might envy. Political dividends from passage of a healthcare overhaul or a financial regulatory bill have been fleeting. Instead, voters are measuring his presidency by a more immediate yardstick: Is he creating enough jobs? So far the verdict is no, and that has taken a toll on Obama's approval ratings. Only 46% approve of Obama's job performance, compared with 47% who disapprove, according to Gallup's daily tracking poll. "I think the accomplishments are very significant, but I think most people would look at this and say, 'What was the plan for jobs?' " said Sen. Byron L. Dorgan (D-N.D.). "The agenda he's pushed here has been a very important agenda, but it hasn't translated into dinner table conversations." Reagan was able to glide past controversies with his popularity largely intact. He maintained his affable persona as a small-government advocate while seeming above the fray in his own administration. Reagan was untarnished by such calamities as the 1983 terrorist bombing of the Marines stationed in Beirut and scandals involving members of his administration. In the 1986 Iran-Contra affair, most of the blame fell on lieutenants. Obama lately has tried to rip off the Velcro veneer. In a revealing moment during the oil spill crisis, he reminded Americans that his powers aren't "limitless." He told residents in Grand Isle, La., that he is a flesh-and-blood president, not a comic-book superhero able to dive to the bottom of the sea and plug the hole. "I can't suck it up with a straw," he said. But as a candidate in 2008, he set sky-high expectations about what he could achieve and what government could accomplish. Clinching the Democratic nomination two years ago, Obama described the moment as an epic breakthrough when "we began to provide care for the sick and good jobs to the jobless" and "when the rise of the oceans began to slow and our planet began to heal." Those towering goals remain a long way off. And most people would have preferred to see Obama focus more narrowly on the "good jobs" part of the promise. A recent Gallup poll showed that 53% of the population rated unemployment and the economy as the nation's most important problem. By contrast, only 7% cited healthcare — a single-minded focus of the White House for a full year. At every turn, Obama makes the argument that he has improved lives in concrete ways. Without the steps he took, he says, the economy would be in worse shape and more people would be out of work. There's evidence to support that. Two economists, Mark Zandi and Alan Blinder, reported recently that without the stimulus and other measures, gross domestic product would be about 6.5% lower. Yet, Americans aren't apt to cheer when something bad doesn't materialize. Unemployment has been rising — from 7.7% when Obama took office, to 9.5%. Last month, more than 2 million homes in the U.S. were in various stages of foreclosure — up from 1.7 million when Obama was sworn in. "Folks just aren't in a mood to hand out gold stars when unemployment is hovering around 10%," said Paul Begala, a Democratic pundit. Insulating the president from bad news has proved impossible. Other White Houses have tried doing so with more success. Reagan's Cabinet officials often took the blame, shielding the boss. But the Obama administration is about one man. Obama is the White House's chief spokesman, policy pitchman, fundraiser and negotiator. No Cabinet secretary has emerged as an adequate surrogate. Treasury Secretary Timothy F. Geithner is seen as a tepid public speaker; Energy Secretary Steven Chu is prone to long, wonky digressions and has rarely gone before the cameras during an oil spill crisis that he is working to end. So, more falls to Obama, reinforcing the Velcro effect: Everything sticks to him. He has opined on virtually everything in the hundreds of public statements he has made: nuclear arms treaties, basketball star LeBron James' career plans; Chelsea Clinton's wedding. Few audiences are off-limits. On Wednesday, he taped a spot on ABC's "The View," drawing a rebuke from Democratic Pennsylvania Gov. Edward G. Rendell, who deemed the appearance unworthy of the presidency during tough times. "Stylistically he creates some of those problems," Eddie Mahe, a Republican political strategist, said in an interview. "His favorite pronoun is 'I.' When you position yourself as being all things to all people, the ultimate controller and decision maker with the capacity to fix anything, you set yourself up to be blamed when it doesn't get fixed or things happen." A new White House strategy is to forgo talk of big policy changes that are easy to ridicule. Instead, aides want to market policies as more digestible pieces. So, rather than tout the healthcare package as a whole, advisors will talk about smaller parts that may be more appealing and understandable — such as barring insurers from denying coverage based on preexisting conditions. But at this stage, it may be late in the game to downsize either the president or his agenda. Sen. Richard J. Durbin (D-Ill.) said: "The man came in promising change. He has a higher profile than some presidents because of his youth, his race and the way he came to the White House with the message he brought in. It's naive to believe he can step back and have some Cabinet secretary be the face of the oil spill. The buck stops with his office."

### AT: Natural Gas Lobbies

#### Nat gas lobby doesn’t shield- natural gas lacks political power

O'Neil, 12 -- Energy Compass staff

(Lauren, "Shale Gas Policy Could Factor in Ohio, Pennsylvania Swing Votes," Natural Gas Week, 5-28-12, l/n, accessed 8-26-12, mss)

Western Pennsylvania has become the main host for activity in the Marcellus Shale formation, and Ohio is quickly becoming the staging area for development of the Utica Shale ( NGW Oct.10'11 ). Still, there are few towns in these states that overwhelmingly depend on the natural gas industry for jobs. "There aren’t many towns where you can say, well, that’s a shale company town, although there are coal mining towns and there are places where renewables are the main employers," Salisbury told <em>NGW</em>. "In Pennsylvania and Ohio many of the workers are from out of state who don’t necessarily own homes or register to vote in the community." Additionally, **the natural gas sector hasn't earned** as much **sway** with politicians yet. Shale resources are still relatively new and controversial cultural phenomenon," Salisbury said. "They don’t have the same power as a coal, or renewable lobby. They just haven’t been around as long, so they don’t have the longstanding relationships, contacts, and political organization.

### AT: Plan Popular

#### Media supercharges the link- even to processes far removed from fracking

**Everley 12**. [Steve, Spokesperson for Energy In Depth, a research, education, and public outreach campaign, “Misinformation campaign targets hydraulic fracturing” Legal Backgrounder -- July 13 -- lexis]

Its all in a name, really: Opponents have latched on to a harsh-sounding name -- fracking, a percussive, abbreviated form of hydraulic fracturing -- and used it to fuel public opposition to the exploration of American energy resources. ¶ A closer look at the record, though, suggests that impacts from fracking are rarely based on scientific findings or even on basic facts. Yet opponents have **effectively driven** their own un- reality into public discourse, **saturating the media** with so many falsehoods that reporters mischaracterize the process now as a matter of AP- style. Incentivized by the prospect of a catchy headline, reporters ascribe fracking to elements of oil and gas development far removed from the actual process.¶ The result? Despite clear scientific evidence showing otherwise, a still small (but growing) segment of the American public believes the completion of a well via the fracturing process -- something performed safely and successfully since the Truman administration -- is all of a sudden a serious threat to the environment. And unfortunately, a deliberate and well-funded misinformation campaign continues to perpetuate such fears -- not in an attempt to protect the environment, but rather **to feed** an **opposition** campaign driven by ideology.¶ What Is HF?¶ It is useful to define carefully and accurately what hydraulic fracturing actually is -- and, equally important, what it isnt. The process is whats known as a well stimulation or well completion procedure (contrary to what weve all read from the media, it is not a drilling technique) used to enhance the flow of hydrocarbons from a well. After a well has been drilled, cased, and undergone numerous tests to ensure its structural and compositional integrity, the drilling equipment leaves the site. Next, trucks, men and equipment arrive to perform the fracturing.¶ The process itself involves pumping a fluid mixture into the well bore and down to the target formation, which is the area from which hydrocarbons will be produced. This fluid consists of about 99.5 percent water and sand, along with a few additives to provide lubrication and prevent bacteria growth. The target formation is typically a mile or two below the surface, separated from groundwater supplies by multiple layers of impermeable rock. The fluid is pumped at a pressure high enough to crack -- or fracture -- the rock. The sand keeps the fractures from closing when the fluid is pumped back to the surface, and the fractures themselves allow for previously trapped oil or natural gas to flow into the well bore and back to the surface.¶ After completion -- for each well, the procedure typically takes between two and five days -- trucks and other equipment leave the site, and a valve is installed to manage the rate at which hydrocarbons flow (a Christmas tree, in industry parlance). In the case of natural gas, the gas is then routed to a processing plant, after which it is connected to pipeline infrastructure and delivered to consumers.¶ Today, hydraulic fracturing is applied to virtually all onshore wells drilled in the United States -- which means the technology is responsible for virtually all onshore natural gas production.¶ Frac v. Frack Of course, if youre in the oil and gas industry -- or know anything about it -- youll know that hydraulic fracturing is nothing new. First used in southwest Kansas in 1947, fracturing has been safely applied more than 1.2 million times over the past 65 years (its first application in Canada was in the Cardium oil field in the 1950s). In fact, the word frac has been a well-known term in the industry for decades, and its history of safety meant that it wasnt considered any more controversial than other common terms, such as annulus, cement bond logs, or production casing.¶ But then again, none of those terms sound like what Ralphie deemed the F-dash-dash-dash word in the movie A Christmas Story. Indeed, opponents of oil and gas development have gleefully taken the word frack and used it to incite fear in the publics mind. It was an easy, three-step argument: (1) The process takes place below ground and utilizes chemicals. (2) Drinking water is also found below ground. (3) Therefore, fracking contaminates drinking water. When your driving purpose in life is to stop oil and gas production, cleverly associating it with a word that sounds profane (starts with f, ends in ck) means half of your work is already done for you.

#### It’s a hot button- laundry list

Bauers, 10 -- Inquirer staff

(Sandy, "Philly academy study finds gas drilling threatens streams," The Philadelphia Inquirer, 10-12-10, l/n, accessed 9-2-12, mss)

Drilling for natural gas in the Marcellus Shale formation has become a **controversial issue** and a **political hot button** across the state. It is viewed as an economic boon and a potential solution to the nation's dependence on foreign oil. Since natural gas burns with fewer emissions than other fossil fuels, it also is considered an answer to climate change. However, critics cite the potential for environmental damage, the industrialization of urban areas, and the loss of a natural resource - owned, in some cases, by the public - to for-profit companies. The legislature is grappling with the issue of whether to levy a state tax on natural gas extracted from the Marcellus Shale. While rhetoric on drilling has been abundant, Velinsky said that independent scientific studies on the environmental effects have been scarce: "There are a lot of voices out there that are going from 'Oh, it's no problem' to the other side, 'It's doom and gloom.' "

#### Plan triggers powerful coal lobby backlash- escalates

Synder, 10 – The Hill staff

(Jim, "Natural gas lobby challenging coal," The Hill, thehill.com/business-a-lobbying/84123-natural-gas-lobby-steps-up-to-challenge-coal, accessed 9-1-12, mss)

Natural gas lobbyists, who felt their industry got the short shrift in climate legislation, are pushing new incentives to encourage utilities to switch from coal to natural gas. **In doing so, the sector is starting a lobbying fight with the coal industry,** which has **long and deep ties** on Capitol Hill and is **determined to hold onto its role** as the dominant source of electricity in the United States. Lobbyists for natural gas companies were heartened by reports that President Barack Obama would announce during a speech on the economy last Wednesday a program to encourage utilities to displace coal with natural gas. The president’s speech was to validate a lobbying campaign to promote the industry’s profile in Washington that has built on new discoveries of huge natural gas reserves in shale rock formations in Texas and the Northeast. But the president ended up only reiterating his support for comprehensive energy and climate legislation in his speech before the Business Roundtable on Wednesday, without mentioning natural gas specifically. Natural gas releases about half of the carbon emissions as coal when burned. According to the Congressional Research Service, displacing older coal plants with nearby natural gas facilities could cut greenhouse gas emissions from the utility sector by 20 percent. The report, however, also raised unanswered questions about the feasibility of such a switch. Coal now accounts for around 50 percent of the electricity produced in the United States; natural gas, around 20 percent. But the fight is just getting started, after years in which energy sectors co-existed peacefully by not challenging one another directly. Climate legislation has strained relations. America’s Natural Gas Alliance, a trade group formed to bring cohesion to the industry’s lobbying efforts split among producers, pipelines and distribution companies, has spent $1.6 million on lobbying since starting in 2009. Its founders say the annual budget could reach $80 million. The alliance has spent some of its money promoting a reversal of the coal-natural gas ratio of electricity production. Industry lobbyists say the need for the revived campaign was underscored by the House climate bill. The measure included enough incentives for “clean” coal and renewable energy that natural gas use would actually decline in upcoming years, according to the Energy Information Administration, even though natural gas is cleaner than coal and more dependable than the wind or the sun. The climate bill and the fact that Obama failed to mention natural gas among his energy priorities in his first major address to Congress after his Inauguration has left the natural gas industry with middle-child-like insecurities that it is trying hard to put behind it. Three gas groups — the Independent Petroleum Association of America, the Interstate Natural Gas Association of America, and the Natural Gas Supply Association — called for natural gas to be included in a “clean energy standard” that would mandate use of lower carbon fuels and renewable energy sources. A clean energy standard could force some utilities to replace coal with natural gas. “It’s time for policymakers to recognize the new domestic supply reality for natural gas,” said Donald Santa, president of INGAA, said in a release. Other proposals floated include loan guarantees to help utilities finance natural gas plants, or tax incentives to encourage power companies to shut down their dirtiest coal facilities. “ANGA members want to see proposals that recognize that an increased use of natural gas gives this country an extraordinary opportunity, right now, to both accelerate greenhouse gas emissions reductions and advance our clean-energy economy,” said ANGA President and CEO Regina Hopper in an email response to questions. The coal industry rests its carbon-constrained future on “clean” coal technologies that would sequester and store CO2. Coal-powered utilities are responsible for around 33 percent of the carbon dioxide emissions from human activity in the United States. In the near-term, though, coal lobbyists continue to stress the economic advantages of the fossil fuel. The National Mining Association, the coal industry’s main trade group, put out a preemptive press release prior to the president’s speech that said displacing coal with natural gas would hurt the economy. “Creation of an artificial electricity generation market for natural gas in place of affordable, abundant and reliable coal is bad public policy and undermines the administration’s economic and energy objectives,” said Hal Quinn, president and CEO of the mining group. One coal lobbyist was putting together a fact sheet challenging the natural gas industry’s 100-year supply claim and noting historic and projected cost differences between coal and natural gas. Climate legislation would likely reduce coal use, but the industry has proved remarkably adept at surviving in a difficult political climate. A coal caucus formed in January by Rep. Shelley Moore Capito (R-W.Va.) has grown to 68 members, including 28 Democrats. The House-passed bill included tens of billions of dollars in subsidies to help the industry develop carbon-capturing technologies thanks in large measure to a Democrat: Rep. Rick Boucher, who comes from a coal-producing district in Virginia. Besides the National Mining Association, the industry is promoted by the American Coalition for Clean Coal Electricity, which has worked to build a grassroots network for coal over the past several years. Because everyone uses electricity, the fight between coal and natural gas will **draw in other groups as well**. Coal counts the support of railroads — **another venerable Washington power** — that get a large portion of revenues from transporting coal. Chemical and fertilizer industries use natural gas as a feedstock. Those and other groups that use it as a raw material are worried that if utilities use more of it, the cost — and thus the cost of their products — could increase as well. “We’re concerned if there is a fuel switch that it’s going to affect the price and availability of fertilizer that our folks need,” said Rick Krause, a lobbyist for the American Farm Bureau Federation.

### AT: GOP Loves

#### Fracking splits the GOP base –particularly over REGULATION – means that they would hate the plan

Thrill 11 (Scott, AlterNet Online, “The Fracking Industry Has Bought of Congress: Here are the Worst Offenders”)

It's hard to look at budding shareholder revolts in both repeat offenders without noticing that, like most polluters and parasites, they've soiled their own nests. ("You never miss your water, until your well runs dry," is how Peter Tosh put it in the song "Till Your Well Runs Dry.") From the Deepwater Horizon spill in Landrieu's Louisiana to fracking messes in predominately Republican territories, citizens and shareholders alike are starting to realize that fossil fuel's base is, pun intended, fracturing. "Fracking is an unusual example of an environmental issue that, for now, is playing out in areas that routinely support Republicans," said Browning. "In Pennsylvania, the threat not only of water and air pollution but also of stripping local governments' abilities to regulate fracking in their communities is creating common cause between rural Republicans and urban and suburban environmentalists." "We need to take this momentary victory in the Delaware River and move across Pennsylvania and the United States to stop fracking," Gasland

### AT: No Spillover

#### Spillover is real – Obama is intimately involved in dealmaking

**Schier 10** – Congdon professor of political science at Carleton College and author of the award-winning "Panorama of a Presidency: How George W. Bush Acquired and Spent His Political Capital" (Steven E, 2/11. “Obama can learn from predecessors,” Politico.com, Lexis.)

Unlike Bush, Obama pushes a vast agenda, reflecting his campaign pledge to do a lot at once, and unlike Bush, Obama's tactical approach to Congress is remarkably nondirective. The signal example of this is the health care bill, in which he spent months giving mere suggestions about its content as congressional sausage-making proceeded. The public distrusts Congress and rejects the tawdry deal making that accompanies its work. Presidents do well to "hover above" such matters. The best way to do that is by laying down clear substantive preferences and avoiding a public reputation as just one of the several deal makers. Obama failed to do this in his first year, and his popularity suffered as a result.

#### Second – Obama’s style guarantees spillover – party lines don’t stay strict

**Reardon 9** **–** Professor, USC Marshall School of Business (Kathleen, 3/24. “What to Do Before the Hope Bubble Bursts.” http://www.huffingtonpost.com/kathleen-reardon/what-to-do-before-the-hop\_b\_178737.html)

Barack Obama, despite the massive problems he faces, is a popular president. Some of it may be the honeymoon of the first one hundred days, though these weeks have hardly deserved the term. It may be his infectious smile and determination and his tendency to come to us rather than to stay within the beltway hunkering down as many Republicans want him to do.

A good part of it may be that hope still lingers. On 60 Minutes Obama himself mentioned "flickers" of it appearing lately in the economy, and that was before the Dow soared 500 points. But it may also be a phenomenon in persuasion, which is that when people publicly commit to an action, they find it uncomfortably dissonant to change their minds. In short, many people who supported Barack Obama did so in very visible ways, often going against their political party, and they simply don't want to now believe or admit that they might have been wrong.

## Manufacturing

#### EXTN: SQ Solves – regional hubs prove that innovation centers have

#### Status quo solves- robots

Matthews, 9-27 – Time Business reporter

(Christopher, "Can Robots Bring Manufacturing Jobs Back to the U.S.?" Time Business, 9-27-12, business.time.com/2012/09/27/can-robots-bring-back-manufacturing-jobs-to-the-u-s/, accessed 10-3-12, mss)

Meanwhile there are others who think that robotics can help America make a more **permanent play** for manufacturing jobs. This may be a bit counterintuitive. After all, as robotics becomes more cost-effective, won’t machines do more of the work that humans are currently doing and therefore take those jobs? Not necessarily, according to Rodney Brooks, co-founder of Rethink Robots, a Boston-based robot manufacture. Rethink is releasing a new manufacturing robot called “Baxter,” which is equipped with sophisticated software that can help the machine actually learn tasks, recognize different objects and react intelligently to force. Baxter is designed to help manufacturers automate tasks inside their factories so that human workers are free to do more complicated jobs. And at a price of $22,000, Baxter is much cheaper than traditional manufacturing robots and could even be cost effective for small manufacturers. Brooks told Bloomberg Businessweek: “We are spending hundreds of billions of dollars doing this kind of work in China. We want companies to spend that here, in a way that lets American workers be way more productive.” Brooks argues that Baxter is inexpensive enough to do the kind of rote tasks that many firms are paying workers in developing countries to do. This way, manufacturers can keep their factories **at home and stay competitive on price.**

#### Solves competitiveness

Hicks, 9-18 -- Forbes contributor (Jennifer, "Part 1: Future Of Robotics: Manufacturing Gets A Makeover With Baxter," Forbes, 9-18-12, www.forbes.com/sites/jenniferhicks/2012/09/18/part-1-future-of-robotics-manufacturing-gets-a-makeover-with-baxter/, accessed 10-3-12, mss)

And today, Rethink Robotics, who recently raised $30 million in a Series C round, showed the world Baxter, a robot built for the modern manufacturing environment and to help US manufacturing compete with off shore low cost labor. They call it adaptive manufacturing - think of Baxter as a ready-to-wear robot for any manufacturing environment. Rethink focused on the simplicity of integrating Baxter into a manufacturing environment so a company doesn’t have to reconfigure their manufacturing lines. But, Baxter is also a complete system that can be unpackaged and working in less than an hour and be trained by non technical personnel. Employees can train Baxter to do a new task just by showing him what to do — no software programming needed. So now, humans get to supervise robots instead of doing mundane tasks, people working alongside robots. And, to prove that a rising tide floats all boats, Baxter uses Willow Garage’s open source Robot Operating System (ROS) as the nerve center for his autonomous behavior. But Rethink also took a more eCommerce, internet approach to the acquisition of Baxter letting customers easily contact, get a quote or order via their website. Essentially, you can just order Baxter online like you would anything else. “Robots will become cheaper and more adaptive to their surroundings. No one will find it surprising they can train a robot to do a new task for them in just a few minutes,” added Brooks. “The robots will understand the tasks in terms of the objects, places, and people that define the task rather than as a series of simple motions, so they will exhibit simple forms of ‘common sense’ — e.g., if a robot has been trained to put a dishes in a dishwasher, but a person comes up to it and takes the dish out of its hands it will understand that there is no need to continue heading to the dishwasher, but instead go back to the dining table for the next dish.” According to Brooks, in the short term the first places we will see this next generation of intelligent, collaborative and trainable robot like Baxter, is on production lines where robots will be used by factory floor workers to do the truly dull and repetitive jobs, freeing up those workers to do tasks that require more dexterity and judgment. “As a result American manufacturers and American workers will be more competitive on the global stage,” states Brooks.