# 1NC

### 1

#### 1] Interpretation - Reduce means permanent reduction – it’s distinct from “waive” or “suspend.”

**Reynolds 59** (Judge (In the Matter of Doris A. Montesani, Petitioner, v. Arthur Levitt, as Comptroller of the State of New York, et al., Respondents [NO NUMBER IN ORIGINAL] Supreme Court of New York, Appellate Division, Third Department 9 A.D.2d 51; 189 N.Y.S.2d 695; 1959 N.Y. App. Div. LEXIS 7391 August 13, 1959, lexis)

Section 83's counterpart with regard to nondisability pensioners, section 84, prescribes a reduction only if the pensioner should again take a public job. The disability pensioner is penalized if he takes any type of employment. The reason for the difference, of course, is that in one case the only reason pension benefits are available is because the pensioner is considered incapable of gainful employment, while in the other he has fully completed his "tour" and is considered as having earned his reward with almost no strings attached. It would be manifestly unfair to the ordinary retiree to accord the disability retiree the benefits of the System to which they both belong when the latter is otherwise capable of earning a living and had not fulfilled his service obligation. If it were to be held that withholdings under section 83 were payable whenever the pensioner died or stopped his other employment the whole purpose of the provision would be defeated, i.e., the System might just as well have continued payments during the other employment since it must later pay it anyway.  [\*\*\*13] The section says "reduced", does not say that monthly payments shall be temporarily suspended; it says that the pension itself shall be reduced. The plain dictionary meaning of the word is to diminish, lower or degrade. The word "reduce" seems adequately to indicate permanency.

#### 2] Violation – the plan waives intellectual property protections temporarily, which is an indefinite suspension. That’s the 1AC Lindsey ev

#### 3] Vote neg for limits and neg ground – re-instatement under any infinite number of conditions doubles aff ground – every plan becomes either temporary or permanent – you cherry-pick the best criteria and I must prep every aff while they avoid core topic discussions like reduction-based DAs which decks generics like Pharma Innovation and Bio-Tech.

#### 4] Paradigm Issues –

#### a] Topicality is Drop the Debater – it’s a fundamental baseline for debate-ability.

#### b] Use Competing Interps – 1] Topicality is a yes/no question, you can’t be reasonably topical and 2] Reasonability invites arbitrary judge intervention and a race to the bottom of questionable argumentation.

#### c] No RVI’s - 1] Forces the 1NC to go all-in on Theory which kills substance education, 2] Encourages Baiting since the 1AC will purposely be abusive, and 3] Illogical – you shouldn’t win for not being abusive.

### 2

#### The role of the ballot is to determine whether the resolution is a true or false statement – anything else moots 7 minutes of the nc – their framing collapses since you must say it is true that a world is better than another before you adopt it.

#### They justify substantive skews since there will always be a more correct side of the issue but we compensate for flaws in the lit.

### 3

#### Permissibility and presumption flow neg: [A] Probability, there is one way for a statement to be true and an infinite amount of ways for it to be false [B] If I knew nothing about P I would presume both P and not P true, a contradiction [C} if every action is permissible then ought not statements like the resolution are incoherent [D] All moral truths require absolute certainty [1] Absent certainty we can always ask why should I, making our obligation unconstitutive.

#### **[1] The holographic principle is the most reasonable conclusion**

Stromberg 15[Joseph Stromberg- “Some physicists believe we're living in a giant hologram — and it's not that far-fetched” <https://www.vox.com/2015/6/29/8847863/holographic-principle-universe-theory-physics> Vox. June 29th 2015] War Room Debate AI

Some physicists actually believe that the universe we live in might be a hologram. The idea isn't that the universe is some sort of fake simulation out of The Matrix, but rather that even though we appear to live in a three-dimensional universe, it might only have two dimensions. It's called the holographic principle. The thinking goes like this: Some distant two-dimensional surface contains all the data needed to fully describe our world — and much like in a hologram, this data is projected to appear in three dimensions. Like the characters on a TV screen, we live on a flat surface that happens to look like it has depth. It might sound absurd. But when physicists assume it's true in their calculations, all sorts of big physics problems — such as the nature of black holes and the reconciling of gravity and quantum mechanics — become much simpler to solve. In short, the laws of physics seem to make more sense when written in two dimensions than in three. "It's not considered some wild speculation among most theoretical physicists," says Leonard Susskind, the Stanford physicist who first formally defined the idea decades ago. "It's become a working, everyday tool to solve problems in physics." But there's an important distinction to be made here. There's no direct evidence that our universe actually is a two-dimensional hologram. These calculations aren't the same as a mathematical proof. Rather, they're intriguing suggestions that our universe could be a hologram. And as of yet, not all physicists believe we have a good way of testing the idea experimentally.

#### [2] Paradox of tolerance- to be completely open to the aff we must exclude perspectives that wouldn’t be open to the aff which means it’s impossible to have complete tolerance for an idea since that tolerance relies on excluding a perspective.

#### [3] Decision Making Paradox- in order to decide to do the affirmative we need a decision-making procedure to enact it, vote for it, and to determine it is a good decision. But to chose a decision-making procedure requires another meta level decision making procedure leading to infinite regress since every decision requires another decision to chose how to make a decision.

#### [4] The Place Paradox- if everything exists in a place in space time, that place must also have a place that it exists and that larger place needs a larger location to infinity. Therefore, identifying ought statements is impossible since those statements assume acting on objects in the space-time continuum.

#### [5] Grain Paradox- A single grain of millet makes no sound upon falling, but a thousand grains make a sound. But a thousand nothings cannot make something which means the physical world is paradoxical.

#### [6] Arrows Paradox- If we divide time into discrete 0-duration slices, no motion is happening in each of them, so taking them all as a whole, motion is impossible.

#### 7). Evaluate the debate after the 1NC key to reciprocity cuz we both get 1 speech

### 4

#### Climate Patents and Innovation high now and solving Warming but patent waivers set a dangerous precedent for appropriations - the mere threat is sufficient is enough to kill investment.

Brand 5-26, Melissa. “Trips Ip Waiver Could Establish Dangerous Precedent for Climate Change and Other Biotech Sectors.” IPWatchdog.com | Patents & Patent Law, 26 May 2021, www.ipwatchdog.com/2021/05/26/trips-ip-waiver-establish-dangerous-precedent-climate-change-biotech-sectors/id=133964/. //sid

The biotech industry is making remarkable advancestowards climate change solutions, and it is precisely for this reason that it can expect to be in the crosshairs of potential IP waiver discussions. President Biden is correct to refer to climate change as an existential crisis. Yet it does not take too much effort to connect the dots between President Biden’s focus on climate change and his Administration’s recent commitment to waive global IP rights for Covid vaccines (TRIPS IP Waiver). “This is a global health crisis, and the extraordinary circumstances of the COVID-19 pandemic call for extraordinary measures.” If an IP waiver is purportedly necessary to solve the COVID-19 global health crisis (and of course [we dispute this notion](https://www.ipwatchdog.com/2021/04/19/waiving-ip-rights-during-times-of-covid-a-false-good-idea/id=132399/)), can we really feel confident that this or some future Administration will not apply the same logic to the climate crisis? And, without the confidence in the underlying IP for such solutions, what does this mean for U.S. innovation and economic growth? United States Trade Representative (USTR) [Katherine Tai](https://www.ipwatchdog.com/2021/05/05/tai-says-united-states-will-back-india-southafrica-proposal-waive-ip-rights-trips/id=133224/) was subject to questioning along this very line during a recent Senate Finance Committee hearing. And while Ambassador Tai did not affirmatively state that an IP waiver would be in the future for climate change technology, she surely did not assuage the concerns of interested parties. The United States has historically supported robust IP protection. This support is one reason the United States is the center of biotechnology innovation and leading the fight against COVID-19. However, a brief review of the domestic legislation arguably most relevant to this discussion shows just how far the international campaign against IP rights has eroded our normative position. The Clean Air Act, for example, contains a provision allowing for the mandatory licensing of patents covering certain devices for reducing air pollution. Importantly, however, the patent owner is accorded due process and the statute lays out a detailed process regulating the manner in which any such license can be issued, including findings of necessity and that no reasonable alternative method to accomplish the legislated goal exists. Also of critical importance is that the statute requires compensation to the patent holder. Similarly, the Atomic Energy Act contemplates mandatory licensing of patents covering inventions of primary importance in producing or utilizing atomic energy. This statute, too, requires due process, findings of importance to the statutory goals and compensation to the rights holder. A TRIPS IP waiver would operate outside of these types of frameworks. There would be no due process, no particularized findings, no compensationand no recourse. Indeed, the fact that the World Trade Organization (WTO) already has a process under the TRIPS agreement to address public health crises, including the compulsory licensing provisions, with necessary guardrails and compensation, makes quite clear that the waiver would operate as a free for all. Forced Tech Transfer Could Be on The Table When being questioned about the scope of a potential TRIPS IP waiver, Ambassador Tai invoked the proverb “Give a man a fish and you feed him for a day. Teach a man to fish and you feed him for a lifetime.” While this answer suggests primarily that, in times of famine, the Administration would rather give away other people’s fishing rods than share its own plentiful supply of fish (here: actual COVID-19 vaccine stocks), it is apparent that in Ambassador Tai’s view waiving patent rights alone would not help lower- and middle-income countries produce their own vaccines. Rather, they would need to be taught how to make the vaccines and given the biotech industry’s manufacturing know-how, sensitive cell lines, and proprietary cell culture media in order to do so. In other words, Ambassador Tai acknowledged that the scope of the current TRIPS IP waiver discussions includes the concept of forced tech transfer. In the context of climate change, the idea would be that companies who develop successful methods for producing new seed technologies and sustainable biomass**,** reducing greenhouse gases in manufacturing and transportation, capturing and sequestering carbon in soil and products, and more, would be required to turn over their proprietaryknow-how to global competitors. While it is unclear how this concept would work in practice and under the constitutions of certain countries, the suggestion alone could be devastating to voluntary internationalcollaborations. Even if one could assume that the United States could not implement forced tech transfer on its own soil, what about the governments of our international development partners? It is not hard to understand that a U.S.-based company developing climate change technologies would be unenthusiastic about partnering with a company abroad knowing that the foreign country’s government is on track – with the assent of the U.S. government – to change its laws and seize proprietary materials and know-how that had been voluntarily transferred to the local company. Necessary Investment Could Diminish Developing climate change solutions is not an easy endeavor and bad policy positions threaten the likelihood that they will materialize. These products have long lead times from research and development to market introduction, owing not only to a high rate of failure but also rigorous regulatory oversight. Significant investment is required to sustain and drive these challenging and long-enduring endeavors. For example, synthetic biology companies critical to this area of innovation [raised over $1 billion in investment in the second quarter of 2019 alone](https://www.bio.org/sites/default/files/2021-04/Climate%20Report_FINAL.pdf). If investors cannot be confident that IP will be in place to protect important climate change technologies after their long road from bench to market, it is unlikely they will continue to investat the current and required levels**.**

#### Climate change destroys the world.

Specktor 19 [Brandon writes about the science of everyday life for Live Science, and previously for Reader's Digest magazine, where he served as an editor for five years] 6-4-2019, "Human Civilization Will Crumble by 2050 If We Don't Stop Climate Change Now, New Paper Claims," livescience, <https://www.livescience.com/65633-climate-change-dooms-humans-by-2050.html> Justin

The current climate crisis, they say, is larger and more complex than any humans have ever dealt with before. General climate models — like the one that the [United Nations' Panel on Climate Change](https://www.ipcc.ch/sr15/) (IPCC) used in 2018 to predict that a global temperature increase of 3.6 degrees Fahrenheit (2 degrees Celsius) could put hundreds of millions of people at risk — fail to account for the **sheer complexity of Earth's many interlinked geological processes**; as such, they fail to adequately predict the scale of the potential consequences. The truth, the authors wrote, is probably far worse than any models can fathom. How the world ends What might an accurate worst-case picture of the planet's climate-addled future actually look like, then? The authors provide one particularly grim scenario that begins with world governments "politely ignoring" the advice of scientists and the will of the public to decarbonize the economy (finding alternative energy sources), resulting in a global temperature increase 5.4 F (3 C) by the year 2050. At this point, the world's ice sheets vanish; brutal droughts kill many of the trees in the [Amazon rainforest](https://www.livescience.com/57266-amazon-river.html) (removing one of the world's largest carbon offsets); and the planet plunges into a feedback loop of ever-hotter, ever-deadlier conditions. "Thirty-five percent of the global land area, and **55 percent of the global population, are subject to more than 20 days a year of** [**lethal heat conditions**](https://www.livescience.com/55129-how-heat-waves-kill-so-quickly.html), beyond the threshold of human survivability," the authors hypothesized. Meanwhile, droughts, floods and wildfires regularly ravage the land. Nearly **one-third of the world's land surface turns to desert**. Entire **ecosystems collapse**, beginning with the **planet's coral reefs**, the **rainforest and the Arctic ice sheets.** The world's tropics are hit hardest by these new climate extremes, destroying the region's agriculture and turning more than 1 billion people into refugees. This mass movement of refugees — coupled with [shrinking coastlines](https://www.livescience.com/51990-sea-level-rise-unknowns.html) and severe drops in food and water availability — begin to **stress the fabric of the world's largest nations**, including the United States. Armed conflicts over resources, perhaps culminating in **nuclear war, are likely**. The result, according to the new paper, is "outright chaos" and perhaps "the end of human global civilization as we know it."

### 5

extemped

## 6

#### CP Text: Member nations of the World Trade Organization, World Bank Group, IMF, and World Health Organization ought to provide funding to nations such that they can purchase [medicines].

#### The counterplan solves---it gives nations money to purchase medicines even when royalties are excessive.

Raphael Anspach 21. Spokesperson at the WTO. 2021. “Call to Action on COVID Vaccine Access for Developing Countries by Heads of World Bank Group and International Monetary Fund.” https://www.imf.org/en/News/Articles/2021/06/03/pr21157-wb-and-imf-heads-call-to-action-covid-vaccine-access-developing-countries.

“The coronavirus pandemic will not end until everyone has access to vaccines, including people in developing countries. Worldwide access to vaccines offers the best hope for stopping the coronavirus pandemic, saving lives, and securing a broad-based economic recovery.

Together with the WHO and WTO, the World Bank Group and IMF have [urged](https://www.washingtonpost.com/opinions/2021/05/31/why-we-are-calling-new-commitment-vaccine-equity-defeating-pandemic/) international support for $50 billion of financing aimed at achieving more equitable access to vaccines and thus helping to end the pandemic everywhere.

The World Bank Group and the International Monetary Fund call on countries anticipating excess vaccine supplies in the coming months to release their surplus doses and options as soon as possible, in a transparent manner, to developing countries with adequate distribution plans in place.

We are urging developing countries to move quickly to put in place vaccine procurement and distribution plans and communication efforts to convey the life-saving importance of approved COVID-19 vaccinations. The World Bank and the IMF, working closely with WHO, UNICEF, Gavi, and vaccine manufacturers, are supporting countries in the development and financing of such plans

### Case

#### [1] 1AC PC is non-unique – Biden has already backed a COVID Waiver – their uniqueness assumes that Biden is “blocking” it which has already happened – their internal link doesn’t assume the distinction.

Shalal et Al 5-5 Andrea Shalal, Jeff Mason, and David Lawder "U.S. reverses stance, backs giving poorer countries access to COVID vaccine patents" <https://www.reuters.com/business/healthcare-pharmaceuticals/biden-says-plans-back-wto-waiver-vaccines-2021-05-05/> (Writer at Reuters)//Elmer

WASHINGTON, May 5 (Reuters) - President Joe **Biden on Wednesday threw his support behind waiving intellectual property rights for COVID-19 vaccines**, bowing to mounting pressure from Democratic lawmakers and more than 100 other countries, but angering pharmaceutical companies. Biden voiced his support for a waiver - a sharp reversal of the previous U.S. position - in remarks to reporters, followed swiftly by a statement from his top trade negotiator, Katherine Tai, who backed negotiations at the World Trade Organization.

#### [2] 1AC Borjas isn’t about the Plan – it’s about concentrating vaccine production in a single country like the US then distributing it so countries rely on the US which is a conditioned form of Vaccine Diplomacy, the Aff is unconditional so it doesn’t access it

#### [3] Doesn’t get associated w/ the US – it’s a multilateral effort so doesn’t solve

#### [4] No US-China War.

Bo 20 Dr. Hu Bo 20, Director of the Center for Maritime Strategy Research and Research Professor at the Institute of Ocean Research at Peking University, Director of the South China Sea Strategic Situation Probing Initiative, “China-US Military Confrontation in the South China Sea: Fact and Fiction”, The Diplomat, 6/12/2020, <https://thediplomat.com/2020/06/china-us-military-confrontation-in-the-south-china-sea-fact-and-fiction/>

But neither side seems to have much to offer other than peaceful coexistence. If both sides develop normally, in terms of power, the future of the South China Sea would be a bipolar region, regardless what kind of intentions they have. Moreover, most countries in the region are reluctant to take sides in the China-U.S. power competition. Therefore, it is hard for either side to re-establish a dominant order here. As the power distribution becomes more balanced, the idea of a managed military conflict is fanciful. One side’s provocation will inevitably invite the other’s retaliation, where spiral escalation is highly possible. Considering that both sides have so many weapon platforms and both are major nuclear powers, the feasibility of a military solution has greatly diminished. The China-U.S. rivalry in the South China Sea is certainly growing, but war is still some way off. There are several maritime encounters between the two sides every day, and thousands every year. Most of them are professional and safe; only a few have involved some risks. The recent pandemic has made both countries and militaries more sensitive, which, to some extent, has heightened the tension of the situation. Because of COVID-19, China and the United States are more concerned and anxious about each other. In addition to maintaining daily operations in the western Pacific, both sides have some new worries. The United States is concerned that China would take advantage of the temporary power vacuum; thus it has deliberately shown more force and given China more diplomatic pressure. China feels that Washington’s South China Sea policy is increasingly desperate to the point that, even during the pandemic, the United States has not forgotten to provoke China. Beijing is also convinced that the U.S., motivated by power competition, is focusing on China’s activities and ignoring the actions of other claimants. From mid-April to early May, the U.S. Navy dispatched several warships, including USS America LHA-6, to the so-called standoff area between the Haiyang Dizhi 8 and the West Capella to deter China’s operations. The PLA Navy was believed to have a similar number of warships there at the same time, which aroused heated discussion among the media and experts. Another less publicized but more intense case was the reconnaissance and counter-reconnaissance of China’s aircraft carrier Liaoning formation when it was conducting open sea cross-region mobile training while followed by American warships and multiple military aircraft. An anonymous PLA Navy officer revealed that the confrontation was so intense that one U.S. warship even once came within 100 meters of the Chinese carrier. Even so, both sides have remained largely professional and restrained. In fact, neither the Chinese military nor the American military has increased its activity significantly compared with the same period of 2019, despite the impression given by most media reports and expert commentaries.