### 1

#### Interpretation: All affirmative paradigm issues concerning theory and arguments concerning fairness or education that the negative could violate must be read first in the affirmative speech. To clarify, theory arguments must be read at the top of the affirmative case before all substantive arguments.

#### Violation:

#### Vote neg:

#### [1] Strat – theory preempts drastically change neg strat since they’re the highest layer of the debate. If the aff reads all their substance, then covers theory, the neg is disadvantaged since any substantive case neg work could be drastically reduced by the norms they purport. The neg needs to know what conditions they need to meet prior to setting a strat, outweighs – reversibility – you’ve spent a long time prepping this aff so you should know how long it takes to get through it, but I don’t know the conditions of engagement which severely skews neg strat.

#### [2] Norm setting – Negs are more likely to conform to their interps if they’re at the top of the aff since they establish a context under which we construct our case neg. Any arg for why we should respond to the spikes are a net benefit to my interp.

#### Also you can’t use your spikes to take out my shell:

#### [1] No abuse – my shell doesn’t indict your ability to read spikes or these specific ones, just their placement.

#### [2] Meta-theory outweighs – similar to how theory precludes substance by establishing norms around it, meta theory should preclude their args.

#### Vote on fairness – abuse skews your evaluation of substance – precedes education since if there’s abuse, you can’t expect me to clash. Drop the debater – I can’t respond to a new aff in the 2NR since I don’t have a 3NR to defend my offense – link turns 1AR theory – proves the aff forced me to be abusive.

#### No RVIs: (A) The 1AR would just sit on the shell so I’ll always lose to the unchecked 2AR collapse—also means evaluate theory after the 2NR. (B) Chills legit theory which leads to a race to the bottom—outweighs deterrence since you could just beat a bad theory shell. Use competing interps—either there’s a bright line which collapses, or there isn’t which causes intervention.

### 2

#### Aff must specify which branch passes the plan – they don’t

#### Vote neg –

#### 1 – Ground – robs courts, congress, executive counterplans, agent specific disads and specific case arguments

#### 2 – No solvency – there’s no such actor as the “Federal Government”, only specific branches

Brovero 94 (Adrienne, Debate Coach, “Immigration Policies”, Debater’s Research Guide, http://www.wfu.edu/Student-organizations/debate/MiscSites/DRGArticles/Brovero1994Immigration.htm)

The problem is not that there is not a plan; this time there is one. The problem is that there is no agent specified. The federal government does not enact policies, agents or agencies within the federal government enact policies. The agent enacting a policy is a very important aspect of the policy. For some of the same reasons the affirmative team should specify a plan of action, the affirmative team should specify an agent of action.

#### 3 – Policy ed – a-spec is affects everything – proves our ground arg

Heminway 5 (Joan MacLeod , Associate Professor – University of Tennessee College of Law, “Rock, Paper, Scissors: Choosing the Right Vehicle for Federal Corporate Governance Initiatives”, Fordham Journal of Corporate & Financial Law, 10 Fordham J. Corp. & Fin. L. 225)

Many legal scholars - and others - are quick to propose the enactment or adoption of specific legal rules **without articulating**, on any  [\*226]  reasoned basis, **the appropriate institutional vehicle** by which the rule should be enacted or adopted. **[2](http://www.lexis.com/research/retrieve?_m=75eee611f760bd76f498a0533c4fdcf9&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVlz-zSkAA&_md5=1c24aed1833c8352cb655c5b1d947cf5" \l "n2" \t "_self)** Some rulemaking proposals ignore issues of institutional choice altogether. Others seemingly suggest a path for enactment or adoption of the proposed rule based on an overly simplistic or, in some cases, nonexistent analysis. Despite this relative lack of attention to issues of institutional choice in proposals for legal change, the institutional vehicle chosen for enactment or adoption of a legal rule may be important. Among other things, institutional choice may **impact the probability** of enactment, as well as the **form**, **content**, **efficacy**, or **cost** of the rule. **[3](http://www.lexis.com/research/retrieve?_m=75eee611f760bd76f498a0533c4fdcf9&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVlz-zSkAA&_md5=1c24aed1833c8352cb655c5b1d947cf5" \l "n3" \t "_self)** With these and other related issues in mind, this article focuses on decision making in federal jurisprudence; **[4](http://www.lexis.com/research/retrieve?_m=75eee611f760bd76f498a0533c4fdcf9&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVlz-zSkAA&_md5=1c24aed1833c8352cb655c5b1d947cf5" \l "n4" \t "_self)** more specifically, it focuses on identifying and analyzing important considerations involved in determining whether a desired federal rule of corporate governance **[5](http://www.lexis.com/research/retrieve?_m=75eee611f760bd76f498a0533c4fdcf9&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVlz-zSkAA&_md5=1c24aed1833c8352cb655c5b1d947cf5" \l "n5" \t "_self)** optimally should be legislated by the U.S. Congress, adopted by the U.S. Securities and Exchange Commission ("SEC"), or instituted by the federal judiciary. The schoolyard game of RPS, a game that is designed to be used by the players to make decisions, **[6](http://www.lexis.com/research/retrieve?_m=75eee611f760bd76f498a0533c4fdcf9&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVlz-zSkAA&_md5=1c24aed1833c8352cb655c5b1d947cf5" \l "n6" \t "_self)** is an analog to this  [\*227]  determinative process in a number of respects. Reflecting on the brief quote at the beginning of this article, for example, one might observe that the process of choosing and implementing the right vehicle for federal corporate governance initiatives, like RPS, often requires wit, **[7](http://www.lexis.com/research/retrieve?_m=75eee611f760bd76f498a0533c4fdcf9&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVlz-zSkAA&_md5=1c24aed1833c8352cb655c5b1d947cf5" \l "n7" \t "_self)** speed, **[8](http://www.lexis.com/research/retrieve?_m=75eee611f760bd76f498a0533c4fdcf9&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVlz-zSkAA&_md5=1c24aed1833c8352cb655c5b1d947cf5" \l "n8" \t "_self)** dexterity, **[9](http://www.lexis.com/research/retrieve?_m=75eee611f760bd76f498a0533c4fdcf9&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVlz-zSkAA&_md5=1c24aed1833c8352cb655c5b1d947cf5" \l "n9" \t "_self)** and strategy **[10](http://www.lexis.com/research/retrieve?_m=75eee611f760bd76f498a0533c4fdcf9&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVlz-zSkAA&_md5=1c24aed1833c8352cb655c5b1d947cf5" \l "n10" \t "_self)** and is characterized, in many cases, by honorable players **[11](http://www.lexis.com/research/retrieve?_m=75eee611f760bd76f498a0533c4fdcf9&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVlz-zSkAA&_md5=1c24aed1833c8352cb655c5b1d947cf5" \l "n11" \t "_self)** who are willing commit to the outcome of that  [\*228]  process. **[12](http://www.lexis.com/research/retrieve?_m=75eee611f760bd76f498a0533c4fdcf9&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVlz-zSkAA&_md5=1c24aed1833c8352cb655c5b1d947cf5" \l "n12" \t "_self)** However, unlike RPS, this article offers a **rigorous, reasoned model for decision making**, based on foundational principles drawn from (among other disciplines) constitutional law, administrative law, legislative process, political science, and economics. **[13](http://www.lexis.com/research/retrieve?_m=75eee611f760bd76f498a0533c4fdcf9&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVlz-zSkAA&_md5=1c24aed1833c8352cb655c5b1d947cf5" \l "n13" \t "_self)** The primary objective of this article is the encouragement of an analytical, comparative approach to institutional choice **[14](http://www.lexis.com/research/retrieve?_m=75eee611f760bd76f498a0533c4fdcf9&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVlz-zSkAA&_md5=1c24aed1833c8352cb655c5b1d947cf5" \l "n14" \t "_self)** in the establishment of federal rules of corporate governance. Toward that end, the article proposes a construct for making institutional choice decisions - a group  [\*229]  of four elements that a rule proponent **[15](http://www.lexis.com/research/retrieve?_m=75eee611f760bd76f498a0533c4fdcf9&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVlz-zSkAA&_md5=1c24aed1833c8352cb655c5b1d947cf5" \l "n15" \t "_self)** should consider in deciding whether a particular rule of corporate governance at the federal level should be enacted by Congress, promulgated by the SEC, or ordered by a federal court. **[16](http://www.lexis.com/research/retrieve?_m=75eee611f760bd76f498a0533c4fdcf9&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVlz-zSkAA&_md5=1c24aed1833c8352cb655c5b1d947cf5" \l "n16" \t "_self)** Because this article is foundational in its approach, most of the article is spent identifying, defining, and otherwise explaining these component elements of the suggested decisionmaking model. The article also, however, instructs the reader in how to employ the proposed model in determining institutional choice in federal corporate governance rulemaking.

#### 4 – CX doesn’t check –

#### A] Guts pre-round prep which is best for research

#### B] It’s not binding and judges don’t pay attention

#### C] Avoids textual competition for counterplan – the 1AR could still read a perm

#### CA Paradigm issues and voters

### 3

#### Nurse strikes devastates hospitals

Wright 10 Sarah H. Wright July 2010 "Evidence on the Effects of Nurses' Strikes" <https://www.nber.org/digest/jul10/evidence-effects-nurses-strikes> (Researcher at National Bureau of Economic Research)

U.S. hospitals were excluded from collective bargaining laws for three decades longer than other sectors because of fears **that strikes by nurses might imperil patients' health**. Today, while unionization has been declining in general, it is growing rapidly in hospitals, with the number of unionized workers rising from 679,000 in 1990 to nearly one million in 2008. In Do Strikes Kill? Evidence from New York State (NBER Working Paper No. 15855), co-authors Jonathan Gruber and Samuel Kleiner carefully examine the effects of nursing strikes on patient care and outcomes. The researchers match data on nurses' strikes in New York State from 1984 to 2004 to data on hospital discharges, including information on treatment intensity, patient mortality, and hospital readmission. They conclude that nurses' strikes were **costly to hospital patients**: in-hospital mortality **increased by 19.4 percent** and hospital readmissions **increased by 6.5 percen**t for patients admitted during a strike. Among their sample of 38,228 such patients, an estimated **138 more individuals died than would have without a stri**ke, and 344 more patients were readmitted to the hospital than if there had been no strike. "Hospitals functioning during nurses' strikes **do so at a lower quality of patient care,"** they write. Still, at hospitals experiencing strikes, the measures of treatment intensity -- that is, the length of hospital stay and the number of procedures performed during the patient's stay -- show no significant differences between striking and non-striking periods. Patients appear to receive the same intensity of care during union work stoppages as during normal hospital operations. Thus, the poor outcomes associated with strikes suggest that they might reduce hospital productivity. These poor health outcomes increased for both emergency and non-emergency hospital patients, even as admissions of both groups decreased by about 28 percent at hospitals with strikes. The poor health outcomes were not apparent either before or after the strike in the striking hospitals, suggesting that they are attributable to the strike itself. And, the poor health outcomes do not appear to do be due to different types of patients being admitted during strike periods, because patients admitted during a strike are very similar to those admitted during other periods. Hiring replacement workers apparently does not help: hospitals that hired replacement workers **performed no better** during strikes than those that did not hire substitute employees. In each case, patients with conditions that required intensive nursing were more likely to fare worse in the presence of nurses' strikes.

#### Hospitals are the critical internal link for pandemic preparedness.

Al Thobaity 20, Abdullelah, and Farhan Alshammari. "Nurses on the frontline against the COVID-19 pandemic: an Integrative review." Dubai Medical Journal 3.3 (2020): 87-92. (Associate Professor of Nursing at Taif University)

The majority of infected or symptomatic people seek medical treatment in medical facilities, particularly hospitals, as a high number of cases, especially those in critical condition, will have an impact on hospitals [4]. The concept of hospital resilience in disaster situations is defined as the ability to recover from the damage caused by huge disturbances quickly [2]. The resilience of hospitals to pandemic cases depends on the preparedness of the institutions, and not all hospitals have the same resilience. A lower resilience will affect the **sustainability of the health services**. This also affects healthcare providers such as doctors, nurses, and allied health professionals [5, 6]. Despite the impact on healthcare providers, excellent management of a pandemic depends on the level of **preparedness of healthcare providers, including nurses**. This means that if it was impossible to be ready before a crisis or disaster, responsible people will do all but the impossible to save lives.

#### New Pandemics are deadlier and faster are coming – COVID is just the beginning

Antonelli 20 Ashley Fuoco Antonelli 5-15-2020 <https://www.advisory.com/daily-briefing/2020/05/15/weekly-line> "Weekly line: Why deadly disease outbreaks could become more common—even after Covid-19" (Associate Editor — American Health Line)

While the new coronavirus pandemic suddenly took the world by storm, the truth is public health experts for years have warned that a virus similar to the new coronavirus would cause the next pandemic—and they say **deadly infectious disease outbreaks could become more common**. Infectious disease experts are always on the lookout for the next pandemic, and in a report published two years ago, researchers from the Johns Hopkins Bloomberg School of Public Health **predicted that the pathogen most likely to cause the next pandemic would be a virus similar to the common cold**. Specifically, the researchers predicted that the pathogen at fault for the next pandemic would be: A microbe for which people have not yet **developed immunities**, meaning that a large portion of the human population would be susceptible to infection; Contagious during the so-called "incubation period"—the time when people are infected with a pathogen but are not yet showing symptoms of the infection or are showing only mild symptoms; and Resistant to any known prevention or treatment methods. The researchers also concluded that such a pathogen would have a "low but significant" fatality rate, meaning the pathogen wouldn't kill human hosts fast enough to inhibit its spread. As **Amesh Adalja**—a senior scholar at the Johns Hopkins Center for Health Security, who led the report—told Live Science's Rachael Rettner at the time, "**It just has to make a lot of people sick" to disrupt society**. The researchers said RNA viruses—which include the common cold, influenza, and severe acute respiratory syndrome (or SARS, which is caused by a type of coronavirus)—fit that bill. And even though we had a good bit of experience dealing with common RNA viruses like the flu, Adalja at the time told Rettner that there were "a whole host of viral families that get very little attention when it comes to pandemic preparedness." Not even two years later, the new coronavirus, which causes Covid-19, emerged and quickly spread throughout the world, reaching pandemic status in just a few months. To date, officials have reported more than 4.4 million cases of Covid-19 and 302,160 deaths tied to the new coronavirus globally. In the United States, the number of reported Covid-19 cases has reached more than 1.4 million and the number of reported deaths tied to the new coronavirus has risen to nearly 86,000 in just over three months. Although public health experts had warned about the likelihood of a respiratory-borne RNA virus causing the next global pandemic, many say the world was largely unprepared to handle this type of infectious disease outbreak. And as concerning as that revelation may be on its own, **perhaps even more worrisome is that public health experts predict life-threatening infectious disease outbreaks are likely to become more common—meaning we could be susceptible to another pandemic in the future**. Why experts think deadly infectious disease outbreaks could become more common As the Los Angeles Times's Joshua Emerson Smith notes, infectious disease experts for more than ten years now have noted that "[o]utbreaks of dangerous new diseases with the potential to become pandemics have been on the rise—from HIV to swine flu to SARS to Ebola." For instance, a report published in Nature in 2008 found that **the number of emerging infectious disease events that occurred in the 1990s was more than three times higher than it was in the 1940s**. Many experts believe the recent increase in infectious disease outbreaks is tied to human behaviors that disrupt the environment, "such as **deforestation and poaching**," which have led "to increased contact between highly mobile, urbanized human populations and wild animals," Emerson Smith writes. In the 2008 report, for example, researchers noted that about 60% of 355 emerging infectious disease events that occurred over a 50-year period could be largely linked to wild animals, livestock, and, to a lesser extent, pets. Now, researchers believe the new coronavirus first jumped to humans from animals at a wildlife market in Wuhan, China. Along those same lines, some experts have argued that global climate change has driven an increase in infectious diseases—and could continue to do so. A federally mandated report released by the U.S. Global Change Research Program in 2018 warned that warmer temperatures could expand the geographic range covered by disease-carrying insects and pests, which could result in more Americans being exposed to ticks carrying Lyme disease and mosquitos carrying the dengue, West Nile, and Zika viruses. And experts now say continued warming in global temperatures, deforestation, and other environmentally disruptive behaviors have broadened that risk by bringing more people into contact with disease-carrying animals. Further, experts note that infectious diseases today are able to spread much faster and farther than they could decades ago because of increasing globalization and travel. While some have suggested the Covid-19 pandemic could stifle that trend, others argue globalization is likely to continue—meaning so could infectious diseases' far spread.

#### Future pandemics will cause extinction – it only takes one ‘super-spreader’ – US prevention is key

Bar-Yam 16 Yaneer Bar-Yam 7-3-2016 “Transition to extinction: Pandemics in a connected world” <http://necsi.edu/research/social/pandemics/transition> (Professor and President, New England Complex System Institute; PhD in Physics, MIT)

Watch as one of the more aggressive—brighter red — strains rapidly expands. After a time it goes extinct leaving a black region. Why does it go extinct? The answer is that it spreads so rapidly that it kills the hosts around it. Without new hosts to infect it then dies out itself. That the rapidly spreading pathogens die out has important implications for evolutionary research which we have talked about elsewhere [1–7]. In the research I want to discuss here, **what we were interested in is the effect of adding long range transportation** [8]. **This includes natural means of dispersal as well as unintentional dispersal by humans**, **like adding airplane routes**, which is being done by real world airlines (Figure 2). **When we introduce long range transportation into the model, the success of more aggressive strains changes. They can use the long range transportation to find new hosts and escape local extinction**. Figure 3 shows that **the more transportation routes introduced into the model, the more higher aggressive pathogens are able to survive and spread**. **As we add more long range transportation, there is a critical point at which pathogens become so aggressive that the entire host population dies**. **The pathogens die at the same time, but that is not exactly a consolation to the hosts. We call this** the phase **transition to extinction** (Figure 4). **With increasing levels of global transportation, human civilization may be approaching such a critical threshold.** In the paper we wrote in 2006 about the dangers of global transportation for pathogen evolution and pandemics [8], we mentioned the risk from Ebola. Ebola is a horrendous disease that was present only in isolated villages in Africa. It was far away from the rest of the world only because of that isolation. Since Africa was developing, it was only a matter of time before it reached population centers and airports. While the model is about evolution, it is really about which pathogens will be found in a system that is highly connected, and Ebola can spread in a highly connected world. The traditional approach to public health uses historical evidence analyzed statistically to assess the potential impacts of a disease. As a result, many were surprised by the spread of Ebola through West Africa in 2014. **As the connectivity of the world increases, past experience is not a good guide to future events. A key point about the phase transition to extinction is its suddenness**. **Even a system that seems stable, can be destabilized by a few more long-range connections, and connectivity is continuing to increase.** So how close are we to the tipping point? We don’t know but it would be good to find out before it happens. While Ebola ravaged three countries in West Africa, it only resulted in a handful of cases outside that region. One possible reason is that many of the airlines that fly to west Africa stopped or reduced flights during the epidemic [9]. In the absence of a clear connection, public health authorities who downplayed the dangers of the epidemic spreading to the West might seem to be vindicated. As with the choice of airlines to stop flying to west Africa, our analysis didn’t take into consideration how people respond to epidemics. It does tell us what the outcome will be unless we respond fast enough and well enough to stop the spread of future diseases, which may not be the same as the ones we saw in the past. **As the world becomes more connected, the dangers increase.** Are people in western countries safe because of higher quality health systems? **Countries like the U.S. have highly skewed networks of social interactions with some very highly connected individuals that can be “superspreaders.”** The chances of such an individual becoming infected may be low but **events like a mass outbreak pose a much greater risk** if they do happen. **If a sick food service worker in an airport infects 100 passengers, or a contagion event happens in mass transportation, an outbreak could very well prove unstoppable**.

### Case

#### Plan flaw – “United States” has no definition.

FGF [Family Guardian Fellowship. “An Investigation Into the Meaning of the Term ‘United States.’” 2009.]

Note that the Canal Zone is not a federal State, Territory, or possession of the U.S., but is still being classified as a State! But, then, you must always look at the title, chapter, section, subsection, or, sometimes even sentence, to determine the specific intent. Again, there is no ONE statutory United States. This is incontestable from the dozens and dozens of definitions of the United States in the statutes and codes.

#### Means : (1) The plan can’t be implemented so you can’t evaluate it so you have no solvency. (2) CP – do the aff but replace “United States” with “United States of America” – avoids vagueness and solves the case better.