# 1nc

Notes

* Terrible impact card (3rd card)
* Goldilocks card = j saying patents are good

WTO waivers typically require a full consensus of all WTO members, do you fiat this occurs?

## 1

#### Congress won’t withdraw the US from the WTO now, but more unfair trade practices abroad causes widespread backlash that ends involvement

Johnson 20 [Keith Johnson, a senior staff writer at Foreign Policy, 05-07-2020, “U.S. Effort to Depart WTO Gathers Momentum,” Foreign Policy, https://foreignpolicy.com/2020/05/27/world-trade-organization-united-states-departure-china/]/Kankee

Frustration with hyperglobalization, China’s “economic imperialism,” and a seemingly broken world trading system is boiling over into serious calls for the United States to withdraw from the World Trade Organization (WTO)—which would have potentially disastrous implications for the country if carried out. For the first time since 2005, lawmakers from both parties and both houses of Congress are pushing to pull the United States out of the trading body it helped create and which was the culmination of decades of postwar efforts to boost free trade and economic integration. By law, the United States has a chance to vote every five years on staying inside the WTO, but staying on board was such a no-brainer in recent years that no such resolution was even presented. But this year—powered by a rise in economic nationalism, growing concern about China, and frustration with two decades of paralysis at the WTO—the knives on Capitol Hill are out, to the delight of some of the trade hard-liners in the White House. “The WTO has been a disaster for the United States,” said Rep. Peter DeFazio, an Oregon Democrat, who introduced House legislation to withdraw this month. “No trade regime can last when it no longer serves the people of the countries who are part of it,” said Sen. Josh Hawley, a Missouri Republican, in a recent Senate floor speech after introducing his own resolution to leave. “Our interests and those of the WTO diverged long ago.” It’s doubtful that the measures could secure enough votes for passage in either chamber, and a tight legislative calendar makes the push for withdrawal doubly hard to pull off. But the rush for the exit is still a serious indication of deep and growing dissatisfaction with how global trade has evolved, highlighted by the vulnerability of cross-border supply chains that have begun to come apart under the stress of the COVID-19 pandemic. If the United States were to pull out of the system it helped build, the implications would be dire. Other countries would be able to discriminate against U.S. goods and services with no limits. Tariffs would almost certainly rise and export markets shrink. Meanwhile, others like China and the European Union would increasingly be in a position to write the rules of the future economy, from data protection and privacy to intellectual property and state subsidies. “We’d have no rights, and we’d lose a seat at the table,” said Wendy Cutler, a former U.S. trade negotiator now at the Asia Society. Why the big push now? For years, different aspects of the global trading system have stirred concern and at times anger in the United States and other countries; the WTO has essentially been stuck in place since the collapse of its last big negotiating round in 2008. For years, economists have debated the impact of the so-called “China shock” on U.S. jobs and manufacturing, and some evidence has shown that the competition from low-wage Chinese labor and the rapid movement of U.S. companies offshore hit the U.S. middle class harder than many economists expected. For years, Republicans have railed against international organizations—from the WTO to the International Criminal Court—that they see as encroaching on U.S. sovereignty. Now, all those forces have come together in a kind of imperfect storm.

#### A major country operating outside WTO consensus wrecks global trade norms

Bacchus 20 [James Bacchus, member of the Herbert A. Stiefel Center for Trade Policy Studies, the Distinguished University Professor of Global Affairs and director of the Center for Global Economic and Environmental Opportunity at the University of Central Florida, 12-16-2020, "An Unnecessary Proposal: A WTO Waiver of Intellectual Property Rights for COVID-19 Vaccines," Cato Institute, [https://www.cato.org/free-trade-bulletin/unnecessary-proposal-wto-waiver-intellectual-property-rights-covid-19-vaccines]/Kankee](https://www.cato.org/free-trade-bulletin/unnecessary-proposal-wto-waiver-intellectual-property-rights-covid-19-vaccines%5d/Kankee)

In a sign of their increasing frustration with global efforts to ensure that all people everywhere will have access to COVID-19 vaccines, several developing countries have asked other members of the World Trade Organization (WTO) to join them in a sweeping waiver of the intellectual property (IP) rights relating to those vaccines. Their waiver request raises anew the recurring debate within the WTO over the right balance between the protection of IP rights and access in poorer countries to urgently needed medicines. But the last thing the WTO needs is another debate over perceived trade obstacles to public health. Unless WTO members reach a consensus, the multilateral trading system may be further complicated by a delay like that in resolving the two‐​decades‐​old dispute between developed and developing countries over the compulsory licensing and generic distribution of HIV/AIDS drugs. A new and contentious “North‐​South” political struggle definitely would not be in the interest of the developed countries, the developing countries, the pharmaceutical companies, or the WTO. Certainly it would not be in the interest of the victims and potential victims of COVID-19. Background In early October 2020, India and South Africa asked the members of the WTO to waive protections in WTO rules for patents, copyrights, industrial designs, and undisclosed information (trade secrets) in relation to the “prevention, containment or treatment of COVID-19 … until widespread vaccination is in place globally, and the majority of the world’s population has developed immunity.”1 India and South Africa want to give all WTO members freedom to refuse to grant or enforce patents and other IP rights relating to COVID-19 vaccines, drugs, diagnostics, and other technologies for the duration of the pandemic. In requesting the waiver, India and South Africa have argued that “an effective response to the COVID-19 pandemic requires rapid access to affordable medical products including diagnostic kits, medical masks, other personal protective equipment and ventilators, as well as vaccines and medicines for the prevention and treatment of patients in dire need.” They have said that “as new diagnostics, therapeutics and vaccines for COVID-19 are developed, there are significant concerns, how these will be made available promptly, in sufficient quantities and at affordable prices to meet global demand.”2 Later in October, the members of the WTO failed to muster the required consensus to move forward with the proposed waiver. The European Union, the United States, the United Kingdom, and other developed countries opposed the waiver request.3 One WTO delegate, from the United Kingdom, described it as “an extreme measure to address an unproven problem.”4 A spokesperson for the European Union explained, “There is no evidence that intellectual property rights are a genuine barrier for accessibility of COVID‐​19‐​related medicines and technologies.”5 In the absence of a consensus, WTO members have decided to postpone further discussion of the proposed waiver until early 2021. Balancing IP Rights and Access to Medicines Not New to WTO This waiver controversy comes nearly two decades after the end of the long battle in the multilateral trading system over access to HIV/AIDS drugs. At the height of the HIV/AIDS crisis at the turn of the century, numerous countries, including especially those from sub‐​Saharan Africa, could not afford the high‐​priced HIV/AIDS drugs patented by pharmaceutical companies in developed countries. Having spent billions of dollars on developing the drugs, the patent holders resisted lowering their prices. The credibility of the companies, the countries that supported them, and the WTO itself were all damaged by an extended controversy over whether patent rights should take precedence over providing affordable medicines for people afflicted by a lethal disease. Article 8 of the WTO Agreement on the Trade‐​Related Aspects of Intellectual Property Rights (the TRIPS Agreement) provides that WTO members “may, in formulating or amending their laws and regulations, adopt measures necessary to protect public health … provided that such measures are consistent with the provisions of this Agreement.” In similar vein, Article 7 of the TRIPS Agreement provides that the “protection and enforcement of intellectual property rights” shall be “in a manner conducive to social and economic welfare.”6 It can be maintained that these two WTO IP rules are significantly capacious to include any reasonable health measures that a WTO member may take during a health emergency, such as a pandemic. Yet there was doubt among the members during the HIV/AIDS crisis about the precise reach of these provisions. As Jennifer Hillman of the Council on Foreign Relations observed, ordinarily the “inherent tension between the protection of intellectual property and the need to make and distribute affordable medicines” is “resolved through licensing, which allows a patent holder to permit others to make or trade the protected product—usually at a price and with some supervision from the patent holder to ensure control.”7 But, in public health emergencies, it may be impossible to obtain a license. In such cases, “compulsory licenses” can be issued to local manufacturers, authorizing them to make patented products or use patented processes even though they do not have the permission of the patent holders.8

#### Even small changes make pharma companies fear patent reform

Asgari et al. 21 [Nikou Asgari, markets reporter for the Financial Times, Donato Paolo Mancini, FT's pharma reporter, and Hannah Kuchler, FT’s global pharmaceutical correspondent, 05-06-2021, "Pharma industry fears Biden’s patent move sets precedent," FT, https://amp.ft.com/content/f54bf71b-87be-4290-9c95-4d110eec7a90]/Kankee

Profits in the pharmaceutical industry are protected by a fortress of patents that guarantee drugmakers a stream of income until they expire. On Wednesday, Joe Biden broke with decades of US orthodoxy and made a crack in the wall. His administration’s decision to support a temporary waiver of Covid-19 vaccine patents prompted instant outrage in the pharmaceutical sector, which argues that the move rides roughshod over their intellectual property rights and will discourage US innovation while sending jobs abroad. “Intellectual property is the lifeblood of biotech, it’s like oxygen to our industry,” said Brad Loncar, a biotech investor. “If you take it away, you don’t have a biotech sector.” Biden’s top trade adviser Katherine Tai said that while the US government still “believes strongly” in intellectual property protections, it supported waiving patents for Covid-19 vaccines to help boost global production of jabs. The move comes as some countries, including India, struggle to tackle further waves of the virus even as others have rolled out successful vaccination campaigns that are driving down infections, hospitalisations and deaths. The waiver proposal was put forward at the World Trade Organization in October and has since been supported by more than 60 countries who say worldwide vaccine production must increase dramatically. Washington’s support marks a pivotal step in making the proposal a reality and Tai said the US would engage in negotiations to hammer out the details at the WTO. Tedros Adhanom Ghebreyesus, the WHO’s director-general, told the Financial Times the decision was a “monumental moment” in the fight against Covid-19. “I am not surprised by this announcement. This is what I expected from the administration of President Biden.” However, the pharma industry did not expect it; the US has tended to fiercely protect domestic companies’ intellectual property rights in trade disputes. Industry leaders described the decision as a heavy blow for innovation that would do little to boost global production because there is a shortage of manufacturing facilities and skilled employees. In an earnings call Thursday, Stéphane Bancel, chief executive of Moderna, said a patent waiver “will not help supply more mRNA vaccines to the world any faster in 2021 and 2022, which is the most critical time of the pandemic”. “There is no idle mRNA manufacturing capacity in the world,” he said. “The administration’s steps here are very unnecessary and damaging,” said Jeremy Levin, chair of biotech trade association Bio. “Securing vaccines rapidly will not be the result, and worse yet, it sets a principle that companies who invested in new tech will stand the risk of having that taken away.” Shares in the big makers of Covid-19 vaccines were hit by the announcement. Frankfurt-listed shares in BioNTech closed down 12 per cent on Thursday while Moderna and Novavax pared losses after tanking on Wednesday in New York, trading 2.4 per cent lower and 1 per cent lower, respectively. CanSino Biologics, a Chinese private company that developed a single-shot adenovirus-vectored vaccine with Chinese military researchers, fell 14 per cent on Thursday. Fosun Pharma, which has a deal to supply BioNTech vaccines in China, lost 9 per cent. Sven Borho, a managing partner at OrbiMed Advisors, a healthcare investment company, said pharma executives feared the administration’s move set a precedent that would make it easier to suspend patents in the future. “They are worried in the long term that this is a foot in the door — ‘OK, we did it with Covid-19, let’s do it with the next crisis, and the next one’,” he said. “And then suddenly it’s a cancer drug patent that needs to be invalidated. They fear it is a mechanism that sets the stage for actions in the future.” Peter Bach, director of Memorial Sloan Kettering’s Center for Health Policy and Outcomes, said there was a potential trade-off that pitted the imminent need to contain the pandemic against the risk that drugmakers would be more cautious when investing in pioneering therapies in the future.

#### US withdrawal from the TWO collapses global trade and causes WWIII

Hopewell and Horton 08-03 [Kristen Hopewell Associate Professor and Canada Research Chair in Global Policy at the University of British Columbia, and Ben Horton, Communications Manager; Project Lead, Common Futures Conversations, 08-03-2021, "Lessons from Trump’s assault on the World Trade Organization," Chatham House – International Affairs Think Tank, https://www.chathamhouse.org/2021/08/lessons-trumps-assault-world-trade-organization]/Kankee

What has this episode revealed about the strength of multilateral institutions such as the WTO, in the face of spoiling tactics from major powers? The WTO is unique amongst international institutions because it has a powerful enforcement mechanism – the dispute settlement system. However, the fundamental vulnerability is that if powerful states like the US and others won’t participate in the system and be bound by its rules, they quickly risk becoming irrelevant. And that’s the situation we’re in right now with the appellate body crisis, where, without a functioning mechanism to ensure that WTO rules are enforced, the entire system of global trade rules risk collapsing. Ironically, the United States has been the leader of the liberal trading order for the past 70 years, but since Trump, it has become its leading saboteur. What are the implications of a permanent collapse of the international trading system? The very real danger from such a breakdown is a return to what we saw in the 1930s. In response to the outbreak of the Great Depression, you had countries imposing trade barriers, blocking imports from other state, and a general escalation of tit-for-tat protectionism. This response wound up not only exacerbating the effects of the depression itself but has also been credited by some as paving the way for the outbreak of the second world war. The reason why institutions like the WTO were created in the first place was to prevent a recurrence of the 1930s protectionist trade spiral. The danger now – if those rules become meaningless and unenforceable – is the institutional foundations of postwar economic prosperity could unravel, throwing us back into economic chaos and potentially political disorder. What does the WTO’s future look like under new director-general Dr Okonjo-Iweala?

## 2

#### CP Text: Vaccine developers should enter into binding contractual agreements with generic producers to ensure the quality of generic products and establish royalty rates on generic sales. The member nations of the WTO should publicly declare their support of legitimate compulsory licensees in the cases where voluntary requests have been ignored.

Silverman 3/15 [Rachel Silverman is a policy fellow at the Center for Global Development where she leads policy-oriented research on global health financing and incentive structures. Silverman’s current research focuses on the practical application of results-based financing; global health transitions; efficient global health procurement; innovation models for global health; priority-setting for UHC; alignment and impact in international funding for family planning; and strategies to strengthen evidence and accountability. BA with distinction in international relations and economics from Stanford University.) “Waiving vaccine patents won’t help inoculate poorer nations” Washington Post, PostEverything Perspective, <https://www.washingtonpost.com/outlook/2021/03/15/vaccine-coronavirus-patents-waive-global-equity/>] RM

There are better options than broadly waiving IP rules — notably, encouraging (and pressuring) vaccine manufacturers to cooperate and share knowledge with partners across the globe. Voluntary licensing is one route: It’s a common arrangement in which developers enter into binding contractual agreements with generic producers. Generic manufacturers get permission, know-how and assistance from the patent-holder to produce the vaccine for sales in specified markets; in exchange, the patent-holder can ensure quality of the generic product and may receive royalties on its sales, usually representing less than 10 percent of sales value.

These royalties may be lower than the profit margin on direct sales; for example, Pfizer expects a 25 to 30 percent profit on its vaccine sales, or roughly $5 for every $19.50 dose. (The U.S. government has agreed to buy 300 million doses at that price.) But voluntary licensing deals offer a new revenue stream that would otherwise be captured by competitors — not to mention good publicity. Already, **voluntary licensing deals from AstraZeneca and Novavax are facilitating large-scale production in India, Japan and South Korea**; many of the resulting vaccines are destined for lower-income countries through Covax.

The best route to vaccine equity involves creatings the conditions to facilitate more of these voluntary deals.

How can governments and activists help push things in the right direction? By lifting the export curbs on materials such as filters and bioreactor bags intended to protect domestic supply, countries can help lubricate supply chains, creating a better environment for cross-national collaboration. Governments and development-finance institutions can invest to build up the capabilities of potential vaccine manufacturing plants, making it easier for originators to say yes. Domestically, the Biden administration did something like this when it [invested](https://www.merck.com/news/merck-to-help-produce-johnson-barda-to-provide-merck-with-funding-to-expand-mercks-manufacturing-capacity-for-covid-19-vaccines-and-medicines/) $269 million under the Defense Production Act to prepare Merck’s manufacturing facilities to produce the Johnson & Johnson vaccine — a crucial plank of the [joint production deal](https://www.hhs.gov/about/news/2021/03/02/biden-administration-announces-historic-manufacturing-collaboration-between-merck-johnson-johnson-expand-production-covid-19-vaccines.html) announced this month. Similar efforts are underway abroad. On March 12, for example, the “Quad” — the United States, India, Japan and Australia — [announced](https://www.reuters.com/article/us-usa-asia/u-s-india-japan-and-australia-counter-china-with-billion-dose-vaccine-pact-idUSKBN2B40IP) a joint pledge to produce and disseminate 1 billion vaccine doses; as part of this effort, the Biden administration [announced](https://in.usembassy.gov/dfc-announces-support-for-manufacturing-of-vaccines-during-quad-summit/) that it would help finance an Indian generic manufacturer to make coronavirus vaccines, including the Johnson & Johnson product. The contractual language of licensing deals can explicitly protect IP from broader dissemination, helping originators feel more comfortable sharing commercially valuable information.

Sticks as well as carrots can facilitate partnerships. Under [existing World Trade Organization rules](https://www.wto.org/english/tratop_e/trips_e/public_health_faq_e.htm), countries already have the right to issue “compulsory licenses” in certain cases pertaining to public health, allowing them to produce or import generic health products without permission from the patent-holder. Advocates correctly point out that countries face potential retaliation from industry and wealthy governments when they try to use these tools — a strong disincentive. (In 2006-2007, Thailand’s use of compulsory licenses to access more affordable AIDS drugs led the United States to revoke preferential trade status for some Thai exports.) This should change. The Biden administration and other global leaders should make clear that they will support legitimate compulsory licensees of coronavirus vaccines in cases where a valid voluntary license request has been rejected or ignored.

**But compulsory licensing is vastly inferior to voluntary deals in the case of vaccines, because with the former the generic producer would still need to figure out how to make the vaccines without the originator’s assistance — again, an extraordinarily difficult task.** It is useful mainly as a threat held in reserve, paired with the “carrots” of subsidies to local plants and so on. **Firms may choose to play ball on voluntary licensing deals rather than face a mess of legal challenges and bad publicity.** This month, for example, Canadian biotech firm Biolyse Pharma publicly requested a voluntary license to manufacture the Johnson & Johnson vaccine for global distribution. If Johnson & Johnson is unwilling, Biolyse made clear in its announcement, the company will appeal to the Canadian government for a compulsory license. The ball is now in Johnson & Johnson’s court — but this seems like the type of offer it should choose to accept, **both for the global good and its self-interest**.

Scaling up vaccine production is an imperative for equitable global access and an end to the pandemic**. But it is smart incentives for sharing knowledge, not the wholesale elimination of intellectual-property rights, that will get us to the finish line.**

## 3

#### **Text—The member nations of the World Trade Organization except the United States of America ought to reduce intellectual property protections for COVID-19 medicines.**

#### It competes and solves the whole case—normal means is unanimous support but the counterplan has the US oppose the waiver and have other WTO members force a vote t0 pass with a supermajority

Moore and Moodie 8/5 [Rory Moore (EvoNexus CEO & Co-Founder / Founder, Peregrine Semiconductor Corp. & Silicon Wave, Inc.), and Bronwen Moodie (A candidate patent attorney with a background in Genetics and Biotechnology.), 05 August 2021, “Update on the proposed TRIPS waiver for COVID-19”, IP STARS, <https://www.ipstars.com/NewsAndAnalysis/Update-on-the-proposed-TRIPS-waiver-for-COVID-19/Index/7386>] Garg

Obligations under the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) may be waived under “exceptional circumstances” 1. Waiver decisions are taken by the highest decision-making body of the World Trade Organization (WTO). This is the Ministerial Conference, which is attended by trade ministers and other senior officials from the organization’s 164 members. It is customary for a full consensus of all WTO members to be required for decisions on waivers; however, if there is no agreement a vote can be forced, and a three-fourths majority will suffice to pass a waiver.

## 4

#### Drug price controls coming now but Biden PC key

Weisman 8/12 Weisman, Jonathan. Jonathan Weisman is a congressional correspondent, veteran Washington journalist. "Biden Presses Congress to Act on Prescription Drug Prices." N.Y. Times, 12 Aug. 2021, www.nytimes.com/2021/08/12/us/politics/biden-prescription-drugs.html.

WASHINGTON — President Biden implored Congress on Thursday to include strict controls on prescription drug prices in the mammoth social policy bill that Democrats plan to draft this fall, hitting on an issue that his predecessor campaigned on but failed to achieve.

Mr. Biden said he wanted at least three measures included in the $3.5 trillion social policy bill that Democrats hope to pass using budget rules that would protect it from a Republican filibuster. He wants Medicare to be granted the power to negotiate lower drug prices, pharmaceutical companies to face penalties if they raise prices faster than inflation, and a new cap on how much Medicare recipients have to spend on medications.

“There aren’t a lot of things that almost every American could agree on,” the president said at the White House. “But I think it is safe to say that all of us, whatever our background or our age and where we live, could agree that prescription drug prices are outrageously expensive in America.”

The president was pushing on an open door. Congressional Democrats have already said they want to include all three measures in the so-called reconciliation bill that House and Senate committees hope to assemble.

“The Finance Committee will be a central part of the debate when it comes to lowering Americans’ health care costs and making high-quality health care available to more families,” the panel’s chairman, Senator Ron Wyden of Oregon, said as Senate Democrats unveiled the $3.5 trillion budget blueprint that would allow them to pass the legislation without a Republican vote.

#### Passing a WTO patent waiver stops split-lobbying efforts from Big Pharma – they’ll focus on fighting drug pricing reform instead

Stacey and Asgari 5/26 Kiran Stacey, Washington correspondent for the FT; Nikou Asgari, reporter covering the US pharmaceutical industry. "How drugmakers went from vaccine heroes to patent villains within weeks." 26 May. 2021, www.ft.com/content/96d10dc8-8158-4cbc-9876-0b7d0a1e774e.

The tone of that call, followed by the decision to support a patent waver proposal at the World Trade Organization, has triggered concerns among some in the pharmaceutical industry, who fear they will lose political capital amassed during the pandemic at a crucial moment in their fight against drug pricing controls in the US. “One day Bourla is being feted by the president for making vaccines which will help end the pandemic, the next he is being lectured by one of Biden’s senior officials for not supplying vaccines to India — even though the Pfizer vaccine hasn’t been approved there,” said one person briefed on the call. “It did shake the industry a bit.” American drugmakers have been the target of political criticism for years, accused of fuelling the US opioid epidemic and making their treatments unaffordable for millions of Americans. The fact that the Biden administration was willing to support the [patent] waiver shows . . . the pharma industry is not going to be as strong as it was in the past Michael Carrier, Rutgers university Many in the industry hoped their response to the pandemic would help to persuade politicians and the wider public that the US benefits from having a well-funded pharmaceutical industry with strong intellectual property protections. The country has carried out one of the fastest Covid-19 vaccine rollouts in the world, largely thanks to steady supplies from Pfizer and its smaller rival Moderna. “The Covid-19 vaccine is a proof point for the powerful combination of breakthrough science and the private sector,” said Sally Susman, chief corporate affairs officer at Pfizer. The public agrees. Surveys conducted by The Harris Poll found that approval of the pharmaceutical industry had almost doubled from 32 per cent in January last year to 62 per cent in February this year. But the decision to support the move at the WTO to waive international intellectual property rights on Covid vaccines suggests the Biden administration is not entirely convinced by the arguments put forward by drugmakers’ well-funded army of lobbyists. “The fact that the Biden administration was willing to support the waiver shows the argument has shifted and that the pharma industry is not going to be as strong as it was in the past,” said Michael Carrier, a law professor at Rutgers university in Camden, New Jersey. The industry spends far more on lobbying than any other — more than $92m this year, according to figures compiled by the Washington-based Center for Responsive Politics. That is more than double the outlay from the electronics industry, which is the next heaviest spender. It also donates liberally, and increasingly to Democrats. CRP figures show that 2020 was the first year in which the industry gave significantly more to Democratic candidates than Republican ones. Pfizer donated $1m to Biden’s inaugural fund, though the money did not buy the kind of high-level access it would have done in previous years due to the virtual nature of many of the inaugural events. The industry is primarily occupied by two issues in Washington: the WTO’s proposed intellectual property waiver and legislation to curb drug prices. On the former, companies are keen to limit the scope of any waiver. On the latter, they want to stop a bill that would allow the government to negotiate the prices for certain drugs prescribed to seniors covered by the publicly-funded Medicare scheme. The industry’s most prominent voice on such issues is Steve Ubl, chief executive of industry group Phrma and a veteran Washington operator. “The Biden administration made a politically expedient decision [on the WTO waiver], but we think we are still able to lean in on other debates such as drug pricing,” he said. Some are concerned that Ubl, a former aide to the Republican senator Chuck Grassley, is too obviously corporate and Republican to make inroads in the Democratically-controlled administration and Congress. Instead, some say Michelle McMurry-Heath, the chief executive of the smaller Biotechnology Innovation Organization, might have more success. “Steve has been very successful for years, but Michelle is a bit more dynamic and less buttoned-up,” said one industry lobbyist. Before rushing to do the WTO waiver, perhaps we should get our own house in order first Debra Dixon, Ferox Strategies Those in the industry who have deep connections within the Democratic party are in strong demand, such as Susman, who worked as a senior official in the commerce department during the Clinton administration. Another is Debra Dixon, a former chief of staff to the health secretary Xavier Becerra. Dixon works for Ferox Strategies and was recently hired by Eli Lilly, which has been criticised for raising the prices of its insulin drugs. Dixon said the industry should focus on how therapeutics can “alleviate health disparities” when discussing drug prices. She added: “While the US vaccine rollout has gone well, there are still people falling through the cracks. Before rushing to do the WTO waiver, perhaps we should get our own house in order first.” Moderna, meanwhile, has hired Brownstein Hyatt Farber Schreck as one of its external lobbying firms. Its team includes Nadeam Elshami, the former chief of staff to Nancy Pelosi, the Democratic Speaker of the House of Representatives, and Carmencita Whonder, a former aide to Chuck Schumer, the Democratic Senate majority leader. There are some signs that their efforts are paying off. Earlier this month 10 Democrats in the House sent a letter to Pelosi urging her to pursue drug pricing reforms on a bipartisan basis. That missive was interpreted as a criticism of the proposal for the government to negotiate drug prices, which has little support among Republicans. Recommended Pharmaceuticals sector Biden urged to oblige US vaccine makers to share technology Scott Peters, the lead signatory on that letter, was the sixth-highest recipient in the House of money from the pharma industry in the last election cycle, according to the CRP. Others in Congress also continue to champion the industry, especially those in New Jersey and Delaware, where many pharma companies have a significant presence. Industry lobbyists say they expect Chris Coons, the senator from Delaware and a longtime friend of Biden, to prove a vital ally. Many lobbyists hope that Biden will prove receptive to the industry’s arguments, in part because he worked closely with pharmaceutical companies as vice-president while developing his “cancer moonshot” to help find a cure for the disease. But they do not necessarily need to win the president round. With both houses of Congress finely balanced, a handful of Democratic supporters could squash the reforms being proposed by those on the left of the party. “We don’t need many people to block HR3,” said one industry lobbyist, referring to the proposed bill that would allow the government to negotiate some drug prices. “The 10 people that signed that letter could be enough to get us what we want.”

#### And a WTO waiver takes time, energy, and political capital away from domestic legislation – big pharma and EU allies

Bhadrakumar 5/9 M K Bhadrakumar is a former Indian diplomat. "Biden’s talk of vaccine IP waiver is political theater." Asia Times, May 9, 2021, asiatimes.com/2021/05/bidens-talk-of-vaccine-ip-waiver-is-political-theater.

On the other hand, Biden, whose political life of half a century was largely spent in the US Congress, is well aware of the awesome clout of the pharmaceutical companies in American politics. From that lobby’s perspective, the patent waiver “amounts to the expropriation of the property of the pharmaceutical companies whose innovation and financial investments made the development of Covid-19 vaccines possible in the first place,” as a senior scholar at the Johns Hopkins Center for Health Security puts it. The US pharmaceutical industry and congressional Republicans have already gone on the offensive blasting Biden’s announcement, saying it undermines incentives for American innovation. Besides, the argument goes, even with the patent waiver, vaccine manufacturing is a complex process and is not like simply flipping a switch. Senator Richard Burr, the top Republican on the US Senate Health Committee, denounced Biden’s decision. “Intellectual property protections are part of the reason we have these life-saving products,” he said. “Stripping these protections only ensures we won’t have the vaccines or treatments we need when the next pandemic occurs.” The Republican senators backed by Republican Study Committee chairman Jim Banks propose to introduce legislation to block the move. Clearly, Biden would rather spend his political capital on getting the necessary legislation through Congress to advance his domestic reform agenda rather than spend time and energy to take on the pharmaceutical industry to burnish his image as a good Samaritan on the world stage. Conceivably, Biden could be counting on the “text-based negotiations” at the WTO dragging on for months, if not years, without reaching anywhere. The US support for the waiver could even be a tactic to persuade pharmaceutical firms to back less drastic steps like sharing technology and expanding joint ventures to boost global production quickly. So far Covid-19 vaccines have been distributed primarily to the wealthy countries that developed them, while the pandemic sweeps through poorer ones such as India, and the real goal is, after all, expanded vaccine distribution. Biden is well aware that there will be huge opposition to the TRIPS waiver from the United States’ European allies as well. The British press has reported that the UK has been in closed-door talks at the World Trade Organization in recent months along with the likes of Australia, Canada, Japan, Norway, Singapore, the European Union and the US, who all opposed the idea.

#### The threat of a waiver to manipulate Pharma is good but an actual waiver wastes political capital on other health issues

Silverman 6/2 Rachel Silverman is a policy fellow at the Center for Global Development. Master’s of philosophy with distinction in public health from the University of Cambridge, which she attended as a Gates Cambridge Scholar. She also holds a BA with distinction in international relations and economics from Stanford University.Argument’, 'The. "Opinion | Could Spilling Big Pharma’s Secrets Vaccinate the World?" N.Y. Times, 2 June 2021, [www.nytimes.com/2021/06/02/opinion/covid-vaccine-ip-waiver.html](http://www.nytimes.com/2021/06/02/opinion/covid-vaccine-ip-waiver.html). [the original podcast was between multiple people, only person carded is Silverman so they’re the only person cited]

[rachel silverman] So I very much agree with Tahir that a lot of this is theater. And I guess that gets to part of my concern about the waiver, which is, I’m not, again, that opposed to the waiver per se. I’m a little bit wishy-washy on it. I think there are people who yell doom about it. I don’t think it will spell doom. But what I really am concerned about is that while I do think the waiver campaign has been helpful in terms of putting pressure on the pharmaceutical industry, you know, that threat of a stick that we’re talking about, what I do worry about is that it’s sucking up a lot of political oxygen. And it’s the kind of thing where the U.S. can come out with a statement and say, oh, yes, we support the waiver. And what that will really mean is we spend the next 12 months negotiating it down in the W.T.O., and we coordinate with the Europeans to weaken it further. And everyone applauds, and everyone says, oh, great, what a great move towards vaccine equity. And nothing really comes of it. And it takes pressure off them to address the more immediate challenges. And I’d say we had a letter out from my institution, the Center for Global Development, and some other think tanks, calling on the Biden administration to do a lot more, generally, more money, more support, more engagement, better dose sharing, more leadership in this space. And we haven’t seen it. The reality of the world we live in is there’s a limited amount of political capital. And I’m worried we’re sucking it up on this, which will maybe, maybe best case scenario, have an impact six to nine months down the road if everything goes right, and not the immediate measures that we could be taking worldwide.

#### Drug price controls massively reduce healthcare costs across the board – even assuming conservative models

Gamba 6/9 Gamba, Tyler. Author at the AJMC. "Adoption of the Lower Drug Costs Now Act May Lead to Billions in Savings." AJMC, 9 June 2021, www.ajmc.com/view/adoption-of-the-lower-drug-costs-now-act-may-lead-to-billions-in-savings.

H.R.3, the Elijah E. Cummings Lower Drug Costs Now Act would improve efficiency and produce billions in savings for the commercial health care market’s employers and end consumers if fully implemented, according to a new study from Milliman commissioned by the West Health Policy Center. Among its goals, the act’s provisions seek to reduce prescription drug costs, increase drug price transparency, lower member out-of-pocket spending, and increase potential coverage eligibility. Costs for the most expensive brand drugs in the United States would be negotiated between the manufacturers and the HHS secretary. Significant drug cost increases over the rate of inflation would need to be issued back as rebates to CMS. To predict the effects of such reforms, the Milliman study sought quantitative estimates for the scope of these changes. Milliman’s models incorporated several variables, including current trends and projected spending based on different percentage adjustments to drug prices, rebates, and public vs private cost rates from 2023 through 2029. The study estimates 46% of drug spending would be subject to negotiation under the legislation’s Title I by 2026, with an average 2.5% reduction in total commercial market claims by 2029.Overall, successful implementation of H.R. 3 means employers may reduce their health care expenditures by $195 billion while employees would save $61 billion. Of this latter amount, reduced premiums would account for $53 billion and out-of-pocket costs, $8 billion. Overall, the market covered by the Affordable Care Act (ACA) could see savings of $58 billion, comprising $34 billon in reduced beneficiary premiums, $21 billion in federal savings by reduced Advance-Premium Tax Credits, and $2 billion in lower cost-sharing. The estimates assume manufacturers could make such increases to the prices at a faster rate than the current yearly trends. This possibility still leads to stronger total savings via H.R. 3’s Title I. The study does not factor in further limitations on increases by plan sponsors and pharmacy benefit managers, which could improve savings for employers and employees, because it mainly applies to Medicare. Under the most conservative pricing model—where manufacturers hypothetically increase supply costs to unprecedented highs to minimize revenue loses—$250 billion in lower costs are still passed on to employers and employees. Additionally, the study notes that although end consumers are generally responsible for most of their plan premiums, and thus would get most of the savings, the federal government also would save on the significant portion it pays toward member premiums in the individual marketplaces.

#### Collapses the economy

Howrigon, 16 — Ron Howrigon, M.S. in Economics with a focus on Health Economics from North Carolina State University, President and Founder of Fulcrum Strategies, 18 Years of Experience in Healthcare, 12-30-2016, “Flatlining: How Healthcare Could Kill the U.S. Economy,” Greenbranch Publishing, 1st Edition, Accessed via Minnesota Libraries, Date Accessed: 8-10

Ok, let’s shift from looking at individuals to looking at the big picture—from micro- to macroeconomics. It’s important to understand where healthcare **fits into the big picture** when it comes to the economy at large. Most people who don’t work in the industry don’t clearly understand how much of the U.S. economy healthcare makes up. In fact, given the size of the economy, healthcare in the U.S. can be impactful on the ***world* economy**. This is important to understand because future changes in healthcare not only affect ow we get care and how much we pay for it, but could also significantly affect things like **unemployment**, the **national debt**, and **interest rates**. The influences on the U.S. economy will have **a ripple effect** on other countries around the world. In 1960, healthcare as a market accounted for only 5% of the U.S. economy. For every dollar transacted, only 5 cents were spent for healthcare. The entire U.S. economy was $543 billion, and healthcare accounted for about $27 billion. By itself, in 1960, the U.S. healthcare market would rank as the 15th largest world economy, putting it just in front of the GDP (Gross Domestic Product) of Australia and just behind the GDP of Italy. Think about that for a minute: the U.S., **spent more money on healthcare** than the Australians did on everything! To put this further into perspective, in 1960, the U.S. Department of Defense was twice as large as healthcare. The Defense Department consumed 10% of the U.S. economy, which means it would rank as the 11th largest world economy just in front of Japan and just behind China. Now fast-forward 50 years. In 2010, the United States GDP was $15 trillion. The total healthcare expenditures in the United States for 2010 were $2.6 trillion. At $2.6 trillion, the U.S. healthcare market has moved up from 15th and now ranks as the **5th largest world economy**, just behind Germany and just ahead of both France and the United Kingdom. That means that while healthcare was only 5% of GDP in 1960, it has risen to over 17% of GDP in only 50 years. Over that same time, the Defense Department has gone from 10% of GDP to less than 5% of GDP. This means that in terms in terms of its portion of the U.S. economy, defense spending has been reduced by half while healthcare spending has more than tripled. If **healthcare** continues to trend at the same pace it has for the last 50 years, it will consume more than **50% of the U.S. economy** by the year 2060. Every economist worth their salt will tell you that health-care will never reach 50% of the economy. It’s simply not possible because of **all the other things** it would have to **crowd out to reach** that point. So, if we know healthcare can’t grow to 50% of our economy, **where is the breaking point?** **At what point does healthcare consume so much of the economy that it breaks the bank**, so to speak? This is the big question when it comes to healthcare. If something doesn’t happen to reverse the 50-year trend we’ve been riding, when will the healthcare bubble burst? How bad will it be and how exactly will it happen? While no one knows the **exact answers** to those questions, economists and healthcare experts agree that something needs to **happen**, because we simply **can’t continue on this trend** forever. Another way to look at healthcare is to study its impact on the federal budget and the national debt. In 1998, federal healthcare spending accounted for 19% of the revenue taken in by the government. Just eight years later, in 2006, healthcare spending had increased to 24% of federal revenue. In 2010, the Affordable Healthcare Act passed and significantly increased federal spending accounted for almost one-third of all revenue received by the government and surpassed Social Security as the largest single budget category. What makes this trend even more alarming is the fact that revenue to the federal government double from 1998 to 2016. That means healthcare spending by the federal government has almost quadrupled in terms of actual dollars in that same time period. If this trend continues for the next 20 years, healthcare spending will account for over half the revenue received by the government by the year 2035. Again, the simply can’t happen without causing significant issue for the financial wellbeing of out country. In recent history, the U.S. economy has experienced the near catastrophic failure of two major market segments. The first was the auto industry and the second was the housing industry. While each of these reached their breaking point for different reasons, they both required a significant government bailout to keep them from completely melting down. What is also true about both of **those market failures** is that, looking back, it’s easy to see the warning signs. What happens if health care is the next industry to suffer a major failure and collapse? It’s safe to say that a **health care meltdown** would make both the **auto**motive and **housing** industries’ experiences **seem minor** in comparison. While that may be hard to believe, it becomes clear if you look at the numbers. The **auto industry** contributes around 3.5 percent of this country’s GDP and employs 1.7 million people. This industry was deemed **“too big to fail”** which is the rationale the U.S. government used to finance its bail out. From 2009 through 2014, the federal government invested around $80 billion in the U.S. auto industry to keep it from collapsing. Health care is five times larger than the auto industry in terms of its percentage of GDP, and is ten times larger than the auto industry in terms of the number of people it employs. The construction industry (which includes all construction, not just housing) contributes about 6 percent of our country’s GDP and employs 6.1 million people. Again, the health care market dwarfs this industry. It’s **three times larger** in terms of GDP production and, with 18 million people employed in the health care sector, it’s three times larger than construction in this area, too. These comparisons give you an idea of just how significant a portion health care comprises of the U.S. economy. It also begins to help us understand the impact it would have on the economy if health care melted down like the auto and housing industries did. So, let’s continue the comparison and use our experience with the auto and housing industries to suggest to what order of magnitude the impact a failure in the health care market would cause our economy. The bailout in the auto industry cost the federal government $80 billion over five years. Imagine a similar failure in health care that prompted the federal government to propose a similar bailout program. Let’s imagine the government felt the need to inject cash into hospital systems and doctors’ offices to keep them afloat like they did with General Motors. Since health care is five times the size of the auto industry, a similar bailout could easily cost in excess of $400 billion. That’s about the same amount of money the federal government spends on welfare programs. To pay for a bailout of the health care industry, we’d have to eliminate all welfare programs in this country. Can you imagine the impact it would have on the economy if there were suddenly none of the assistance programs so many have come to rely upon? When the housing market crashed, it caused the loss of about 3 million jobs from its peak employment level of 7.4 million in 1996. Again, if we transfer that experience to the health care market, we come up with a truly frightening scenario. If health care lost 40 percent of its jobs like housing did, it would mean 7.2 million jobs lost. That’s more than four times the number of people who are employed by the entire auto industry — an industry that was considered too big to be allowed to fail. The loss of **7.2 million jobs** would increase the unemployment rate by 5 percent. That means we could easily top the **all-time high unemployment rate** for our country. OK, now it’s time to take a deep breath. I’m not convinced that health care is fated to **unavoidable failure** and economic catastrophe. That’s a worst-case scenario. The problem is that at even a fraction the severity of the auto or housing industry crises we’ve already faced, a health care collapse would still be devastating. Health care **can’t be allowed** to continue its current inflationary trending. I believe we are on the verge of some major changes in health care, and that how they’re **implemented** will determine their impact on the overall **economic picture** in this country and around the world. Continued failure to recognize the truth about health care will only cause the resulting market corrections to be worse than they need to be. I don’t want to diminish the pain and anguish that many people caught up in the housing crash experienced. I think an argument can be made, though, that if the health care market crashes and millions of people end up with no health care, the resulting fallout could be could be much worse than even the housing crisis.

#### Economic decline causes nuclear war

Tønnesson, 15 — Stein Tønnesson, Leader of East Asia Peace program at Uppsala University, Research Professor at the Peace Research Institute Oslo, “Deterrence, Interdependence and Sino–US Peace” International Area Studies Review, Review Essay, Volume 18, Issue 3, Pages 297-311, SAGE Journals, Minnesota Libraries, Date Accessed: 8-4

Several recent works on China and Sino–US relations have made substantial contributions to the current understanding of how and under what circumstances a combination of nuclear deterrence and economic interdependence may reduce the risk of war between major powers. At least four conclusions can be drawn from the review above: first, those who say that interdependence may **both inhibit and drive conflict** are right. Interdependence raises the **cost of conflict** for all sides but asymmetrical or unbalanced dependencies and **negative trade expectations** may generate tensions leading to trade wars among inter-dependent states that in turn increase the risk of military conflict (Copeland, 2015: 1, 14, 437; Roach, 2014). The risk may increase if one of the interdependent countries is governed by an inward-looking socio-economic coalition (Solingen, 2015); second, the risk of war between China and the US should not just be analysed bilaterally but include their allies and partners. Third party countries could drag China or the US into confrontation; third, in this context it is of some comfort that the three main economic powers in Northeast Asia (China, Japan and South Korea) are all deeply integrated economically through production networks within a global system of trade and finance (Ravenhill, 2014; Yoshimatsu, 2014: 576); and fourth, decisions for war and peace are taken by very few people, who act on the basis of their future expectations. International relations theory must be supplemented by foreign policy analysis in order to assess the value attributed by national decision-makers to economic development and their assessments of risks and opportunities. If leaders on either side of the Atlantic begin to seriously fear or **anticipate their own nation’s decline** then they may blame this on **external dependence**, appeal to anti-foreign sentiments, contemplate the use of force to gain respect or credibility, adopt protectionist policies, and ultimately **refuse to be deterred by** either **nuclear arms** or prospects of socioeconomic calamities. Such a dangerous shift could happen **abruptly**, i.e. under the instigation of actions by a third party – or against a third party.

Yet as long as there is both nuclear deterrence and interdependence, the tensions in East Asia are unlikely to escalate to war. As Chan (2013) says, all states in the region are aware that they cannot count on support from either China or the US if they make provocative moves. The greatest risk is **not** that **a territorial dispute** leads to war under present circumstances but that **changes in the world economy** alter those circumstances in ways that render **inter-state peace** more precarious. If China and the US fail to rebalance their financial and trading relations (Roach, 2014) then a trade war could result, interrupting transnational production networks, provoking social distress, and exacerbating nationalist emotions. This could have **unforeseen consequences** in the field of security, with nuclear deterrence remaining the only factor to **protect the world from Armageddon**, and **unreliably so**. Deterrence could **lose its credibility**: one of the two great powers might gamble that the other yield in a cyber-war or conventional limited war, or third-party countries might engage in conflict with each other, with a view to obliging Washington or Beijing to **intervene**.

## Case

### 1nc – counterfeiting

#### Patents are key to adequate regulation and testing of drugs -- AFF leads to rampant counterfeiting and unsafe medication, which threatens public health, kills most vulnerable patients, and causes narcotic/human trafficking to surge. Especially true now due to public desperation over COVID, rise in e-commerce, and expansion of substandard medicine manufacturers targeting critical life-saving drugs

IPKey 21 (IP Key – Run by EUIPO and the European Commission to provide news coverage and scientific knowledge concerning intellectual property rights, “Intellectual Property and Keeping Medicines Safe”, https://ipkey.eu/en/south-east-asia/news/intellectual-property-and-keeping-medicines-safe, 2 February 2021, EmmieeM)

If you are what you eat, and bad diets lead to bad health, imagine what unsafe medicines can do.

We ask today, why the provenance of vaccines has attracted so much attention when the origin of medicines we take, in some cases, every day and without even thinking, is not questioned at all? How do we know we can trust medicines readily available on the market from seemingly legitimate sources? Where does intellectual property (IP) come into all of this and why is a proper IP application and registration process important?

The global race to develop vaccines to fight the spread of COVID-19 has understandably captured the attention of the public worldwide. People of all generations and with little or no expertise in clinical trials have followed the process keenly, wishing and willing together that science can provide the answer to stopping the pandemic so what was called ‘normal’ life can return. This public interest has also rightly scrutinised the testing that is designed to make sure that these vaccines are safe and this same focus is thankfully putting medicines under the spotlight more broadly.

When we talk about medicines, they are universally understood to mean a drug or other preparation for the treatment or prevention of a disease or illness. In essence, they serve to keep us feeling healthy, or make us feel better. But what about when they achieve the exact opposite, when they are in fact harmful, or even fatal? The cause is usually because of fake and counterfeit medicines. This is because something they both have in common is the lack of rigorous inspections by public authorities that seek to guarantee the safety of medicines for widespread use.

What’s more, the proliferation of both kinds of these illegal medicines is worsened by a critical fact. Previously, they used to mainly be related to ‘lifestyle’ medicines, but now, even innovative or critical life-saving medicines, such as medicines that tackle cardiovascular diseases, are being increasingly created and are entering the market without official IP application and registration processes.

But if they are both illegal and both cause harm, what’s the difference between fake and counterfeit medicines? Fake medicines pass themselves off as real, authorised medicines but they may actually contain ingredients that are of low quality or in the wrong dosage. Since they have not passed through the necessary evaluation of quality, safety and efficacy as required by authorisation procedures, they can be a major health threat. Counterfeit medicines, in contrast, are those medicines that do not comply with intellectual and industrial property rights, such as registered trade marks or patent rights. But it is important to stress, this is not just an IP issue. In the vast majority of cases (90%) they can also be harmful to a patient’s health, according to a study recently released by the European Union Intellectual Property Office (EUIPO) and the Organisation for Economic Cooperation and Development (OECD) on ‘Trade in Counterfeit Pharmaceutical Products’. The World Health Organization (WHO) also shared in the 2017 report, ‘WHO Global Surveillance and Monitoring System for Substandard and Falsified Medical Products’, that the estimated number of children who may die from pneumonia each year after consuming counterfeit medicines is between 72 000 and 169 000.

But counterfeit medicines are not just a public health concern. Innovation and creativity are the cornerstones of modern economies and counterfeit medicines siphon off revenue that should justly have been earned by the rightful owners of the medicines that counterfeit medicines seek to imitate. Not just legal pharmaceutical companies are hurt. The public lose out on better and more effective medicines because less revenue can be dedicated to further research and development.

Worryingly, experience shows that these products are finding their way into the legal supply chains more easily than ever, meaning the sale of counterfeit medicines is not limited to illegal trading channels, such as illegal retailers or online sales. Instead, innocent consumers and desperate patients with life-threatening conditions can unwittingly purchase them and be completely ignorant of the potentially harmful side effects.

But the problem does not stop there, either. As highlighted by the United Nations Office on Drugs and Crime report, organised crime is often behind the production of counterfeit medicines, meaning their profits can be used to fuel other illicit trades of, for example, narcotics or even human trafficking practices that help perpetuate more violent crimes, including kidnappings and extortion.

This process has been aided in part by the boom in e-commerce. Technological advancements and the growing tendency to buy online, especially during the pandemic, have made regulation more difficult and helped increase the prevalence of counterfeit goods. These conditions create the perfect environment for non-regulated sellers and, rather than big shipments, the European Commission’s report on the EU customs enforcement of intellectual property rights indicates that courier and postal traffic accounted for 84% of all detentions of counterfeit goods generally in the EU.

But citizens can play a part in combating counterfeit medicines. Basic steps such as checking the origin of products or looking for stamps of authorities help, as does greater awareness of their existence. We must come together to fight them because counterfeit medicines have existed in the market now for a long time, and without sufficient awareness, consumption of these substances can lead to unexpected symptoms, permanent disabilities, and even loss of life.

#### “a tiny virus underlying a pandemic through a reduction of industrial activity that overheats a planet already running a fever.” This impact card makes zero sense (3rd card)

#### 10th card doesn’t say anything the tag says – just says removing patents r good – also makes their plan noninherent bc proves intervening actors solve

### Cred

#### Biden and trump terminally thump WTO cred

Anne O. Krueger 5-24 [(Anne O. Krueger, a former World Bank chief economist and former first deputy managing director of the International Monetary Fund, is Senior Research Professor of International Economics at the Johns Hopkins University School of Advanced International Studies and Senior Fellow at the Center for International Development at Stanford University.) “Biden's Trumpy Start on Trade” <https://www.project-syndicate.org/commentary/bidens-trade-policy-is-a-lot-like-trumps-by-anne-o-krueger-2021-05>]TDI

WASHINGTON, DC – Former President Donald Trump did enormous damage to the United States’ reputation and future prospects, both domestically and internationally. Yet while President Joe Biden has set about reversing the previous administration’s legacy in many domains, he has yet to focus his attention on US trade policy. That needs to change. Trump’s trade policies were not only a disaster for US and world trade; they also have made it more difficult for the US to achieve a broader range of economic and foreign-policy goals. Reversing those policies thus should be a top priority for the new administration. After all, America’s friends and allies (particularly the European Union, the United Kingdom, Canada, Mexico, Japan, and South Korea) remain deeply shaken by Trump’s protectionist impulses. In addition to slapping tariffs on a broad range of goods, his administration forced a renegotiation of the North American Free Trade Agreement and the US-Korea Free Trade Agreement, and withdrew the US from the Trans-Pacific Partnership (TPP) to which the US had agreed. It declared a “trade war” with China, despite that country’s membership in the World Trade Organization (WTO), and with no regard for US trading partners’ own dealings with China. Taken together, these policies have done serious damage to America’s standing in the world. Leading the world toward an open multilateral trading system under the 1947 General Agreement on Tariffs and Trade (GATT, which became the WTO in 1995) was one of America’s crowning achievements after World War II. The system works precisely because members willingly commit themselves to open, rules-based trade policies. Among other things, this ensures that foreign traders have the same rights as domestic nationals when disputes between them arise, and that the principle of nondiscrimination among trading partners prevails, except in the case of preferential trading arrangements. Trade flourished under the GATT, with the US leading negotiations for multilateral tariff reductions and the removal of other trade barriers (including quantitative restrictions). In later years, developing countries witnessed the success of open markets and decided to start dismantling their own highly protectionist regimes. For most, this resulted in a remarkable acceleration of growth in output and trade. For more than a half-century, world trade grew roughly twice as fast as world GDP. This growth was far from smooth, of course. Significant slowdowns followed the oil shocks of the 1970s, the Asian financial crisis of the late 1990s, and the Great Recession a decade later. Growth in world output and trade has resumed since the 2008 global financial crisis, but not as rapidly as in the years preceding it. And China, following an overhaul of its trade policies in the 1990s and its accession to the WTO in 2001, emerged as the world’s largest trading power. In addition to reducing domestic poverty and improving living standards for its own population, China’s dramatic economic ascent was bound to raise issues with other countries. **But thanks to the WTO and its dispute-settlement mechanism, there was a multilateral forum where these issues could be addressed – that is, until Trump came along.** Although **Biden** has reasserted America’s commitment to internationalism and multilateralism, he **has moved slowly to repair the damage that Trump did to critical institutions like the WTO.** Nor has Biden reversed Trump’s withdrawal from the TPP. Now called the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, US membership in this 11-country pact would be a boon for US exporters. Currently, US companies are at a distinct disadvantage relative to their competitors in CPTPP countries, because their exports to those economies are subject to duties that do not apply to exports from members of the bloc. Biden also has not ended the trade war with China, even though that effort has utterly failed to achieve its stated objectives. While the US bilateral trade deficit with China has fallen somewhat, the deficits with Vietnam, Malaysia, and others have risen commensurately as their exports have replaced those from China. Although the Biden administration has finally agreed to a new director-general for the WTO, it has done little to reduce Trump’s tariffs, and has even announced that it will strengthen “buy American” provisions in government procurement contracts. Biden says he wants to protect American jobs, yet the Trump administration’s tariffs on imported iron and steel, which have cost a net total of around 75,000 jobs (leaving out the additional losses caused by other countries’ retaliatory tariffs), remain in place. If Biden really wants to help American workers, he should recognize that exports create good jobs, and that the export sector’s contribution to US GDP has doubled as a result of open multilateral trade. As for America’s current-account deficit, that can be addressed only by curtailing US expenditures relative to income, not through protectionism. And because the WTO procurement agreement has led other countries to open up government bidding processes for American exporters, it is doubtful that weakening it will benefit American workers; indeed, doing so may even cost jobs. China is here to stay. Though there are certainly trade issues that need to be addressed, that is best done multilaterally. The US and China have both lost as a result of the trade war. A US offer to remove the tariffs if the Chinese reciprocate and join multilateral discussions on outstanding issues could benefit both countries and the rest of the world. Strong economies make for successful countries. Efforts to protect domestic industries are a sign of weakness, not strength. If the Biden administration wants to achieve its stated goals, it will remove Trump’s protectionist measures, work multilaterally, strengthen US infrastructure, invest in workforce skills and education, and expand America’s research capabilities. **It should be obvious by now that continuing the last administration’s trade policies is a recipe for failure.**

#### Restricting IP protections undermines innovation and profit margins – turns case by precluding vaccine distribution to developing countries.

Cueni 12/10 [(Thomas, Director General of IFPMA, chair of the AMR Industry Alliance, Industry Co-Chair APEC Biopharmaceutical Working Group on Ethics, MA in politics from the London School of Economics) “The Risk in Suspending Vaccine Patent Rules,” New York Times, 12/10/2020] TDI

It is unclear how suspending patent protections would ensure fair distribution. But what is clear is that if successful, the effort would jeopardize future medical innovation, making us more vulnerable to other diseases.

Intellectual property rights, including patents, grant inventors a period of exclusivity to make and market their creations. By affording these rights to those who create intangible assets, such as musical compositions, software or drug formulas — people will invent more useful new things.

Development of a new medicine is risky and costly. Consider that scientists have spent decades — and billions of dollars — working on Alzheimer’s treatments, but still have little to show for it. The companies and investors who fund research shoulder so much risk because they have a shot at a reward. Once a patent expires, generic companies are free to produce the same product. Intellectual property rights underpin the system that gives us all new medicines, from psychiatric drugs to cancer treatments.

In trying to defend these rights, the drug industry has made mistakes in the past that have lost people’s trust. More than 22 years ago, for example, a group of drug companies sued the South African government for trying to import cheaper anti-AIDS drugs amid an epidemic. With price standing between patients and survival, the suit, which the companies eventually dropped, was a terrible misjudgment. The current situation is not parallel.

Several major drug companies, including AstraZeneca, GlaxoSmithKline and Johnson & Johnson, have pledged to offer their vaccines on a not-for-profit basis

### Heg

#### Trump marks the end of the hegemonic cycle – the affs call for hegemony ensures violent transition wars and failure of global cooperation.

Marchetti 17 – Raffaele Marchetti is senior assistant professor (national qualification as associate professor) in International Relations at the Department of Political Science and the School of Government of LUISS. His research interest concerns global politics and governance, hybrid and city diplomacy, transnational civil society, (cyber-)security and political risk, and democracy. “End of the American hegemonic cycle” Published February 14, 2017. Accessed 7/3/18. (<https://www.opendemocracy.net/raffaele-marchetti/end-of-american-hegemonic-cycle>; EG)

Trump’s election marks the end of the long phase of American world hegemony. Despite the electoral slogan “Make America Great Again” and the great expectations this may have generated, his presidency will presumably be characterized by an overall retrenchment. Many different interpretations have been provided on the reasons of Trump’s success ranging from populist framing to FBI support. Contrary to the mainstream debate, I see a more fundamental reason underpinning his victory: the changed costs/benefits balance in the US role in the world. The theory of hegemonic stability holds that at some point the hegemon will start to decline due to the increased costs of the management of the system which outbalance the benefits the hegemon gains out of it. The costs of the management of the system have in fact been accumulating in the last 4 presidencies. During the Bush administrations, security costs due to the military operations in Afghanistan and Iraq have, among other damage, impacted negatively on the US government. Equally, during the Obama presidencies costs due to economic stimuli have increased the overall debt of the country. As predicted by hegemonic theory, we finally come to a point in which the costs became too heavy for the citizens, or rather their perception of this becomes more evident, so that they start to protest and demand a change. This was intercepted by Trump much more than by Clinton, with Trump stepping back to decrease the costs of international projection. So-called “imperial overstretch”, formed much earlier, led Trump’s electorate to seek less international costs (and possibly, but less likely, more domestic benefits). Hence, the promised withdrawal from a number of Free Trade Agreements, the discussion of the terms of NATO