### 1

#### The Debt Ceiling expansion gives Democrats two months to finalize and pass Biden’s spending package – every moment is necessary to resolve intraparty disputes.

Cochrane 10/7 Cochrane, Emily. Emily Cochrane is a correspondent based in Washington. She has covered Congress since late 2018, focusing on the annual debate over government funding and economic legislation, ranging from emergency pandemic relief to infrastructure. "Senate Leaders Agree to Vote on Short-Term Debt Ceiling Increase." N.Y. Times, 7 Oct. 2021, www.nytimes.com/2021/10/07/us/politics/debt-ceiling-senate.html.

Senator Chuck Schumer of New York, the majority leader, announced that he reached an agreement with Senator Mitch McConnell of Kentucky, the minority leader, to raise the federal borrowing limit through early December. “We have reached agreement to extend the debt ceiling through early December, and it’s our hope that we can get this done as soon as today.” “Republican and Democratic members and staff negotiated through the night in good faith. The pathway our Democratic colleagues have accepted will spare the American people any near-term crisis.” Video player loading Senator Chuck Schumer of New York, the majority leader, announced that he reached an agreement with Senator Mitch McConnell of Kentucky, the minority leader, to raise the federal borrowing limit through early December.CreditCredit...T.J. Kirkpatrick for The New York Times Oct. 7, 2021Updated 3:17 p.m. ET WASHINGTON — Top Senate Democrats and Republicans said on Thursday that they had struck a deal to allow the debt ceiling to be raised through early December, temporarily staving off the threat of a first-ever default on the national debt after the G.O.P. agreed to temporarily drop its blockade of an increase. Senator Chuck Schumer, Democrat of New York and the majority leader, announced that he had reached an agreement with Senator Mitch McConnell of Kentucky, the minority leader, to clear the way for a vote as early as Thursday on a short-term extension, with potentially as few as 11 days left before a possible default. The movement came the day after Mr. McConnell partly backed down from his refusal to allow any such increase to move forward, offering a temporary reprieve as political pressure mounted to avoid being blamed for a fiscal calamity. “It’s our hope that we can get this done as soon as today,” Mr. Schumer said on Thursday morning on the Senate floor. But one day after Mr. McConnell indicated that Republicans would stand aside and allow the short-term increase to advance, he and his top deputies were laboring on Thursday to ensure his members will put aside their objections and clear the path for a vote. “We gotta see if the deal is done,” President Biden told reporters during a trip to Illinois. “I’m not sure of that yet.” The agreed-upon bill would boost the legal debt cap by $480 billion, which the Treasury Department estimates would be enough to allow the government to continue borrowing through at least Dec. 3. The current debt limit was reinstated at $28.4 trillion on Aug. 1, and the Treasury Department has been using so-called extraordinary measures to delay a breach of the borrowing cap since then. The agency estimated that the government would no longer be able to pay all of its bills by Oct. 18, once those fiscal accounting maneuvers were exhausted. Without congressional action before then, economists and lawmakers have warned of catastrophic economic consequences, including the U.S. government having to choose between making payments on the interest on its debt or sending out Social Security checks and other crucial assistance. The legislation under consideration on Thursday did not offer a hard deadline for when cash would run out, and it would not restart the Treasury Department’s ability to employ extraordinary measures, such as curbing certain government investments, a Treasury official said. Some Republicans said they thought the set dollar figure would ensure the limit would not be reached again until at least January. The actual “X-date” will be determined by tax revenues that the government receives and expenditures that it must make near the end of the year. Making such projections has been especially difficult this year because the pandemic relief programs that are in place have made it harder to predict when money is coming and going. “There is no way to predict with any precision exactly how much you would need to increase the debt limit by to get to a certain date,” said Shai Akabas, the director of economic policy at the Bipartisan Policy Center, an independent think tank. But in aiming for Dec. 3, the deal may position the next debt limit fight to overlap once again with negotiations over avoiding a government shutdown, as funding is set to lapse on that same day if Congress does not approve new spending legislation beforehand. Democrats hope nearly two additional months will give them space to focus on finalizing and enacting most of President Biden’s domestic agenda, including hammering out an array of intraparty disagreements over an expansive multi-trillion-dollar social safety net and climate change package. In raising the prospect of a stopgap extension on Wednesday, Mr. McConnell had said that Republicans would allow Democrats to use normal procedures to consider it. But that commitment appeared in doubt on Thursday afternoon, as Republicans privately objected and leaders toiled to line up the votes needed. Should even one senator demand a recorded vote, at least 10 Republicans would be needed to join every Democrat to muster the 60 votes needed to move the bill forward. Image The movement on debt ceiling negotiations came the day after Senator Mitch McConnell backed down partially from his refusal to allow any such increase to move forward. Credit...T.J. Kirkpatrick for The New York Times “We’re having conversations with our members and kind of figuring out where people are, but, as you might expect, this is not an easy one to whip,,” said Senator John Thune of South Dakota, the No. 2 Republican. He added that, “in the end we’ll be there, but it will be a painful birthing process.” Some Republicans were wary of angering their base by allowing the bill to move forward, especially after former President Donald J. Trump issued a statement on Wednesday that attacked Mr. McConnell for “folding to the Democrats.” Mr. Trump seemed to be pressuring Republicans to force a showdown in the face of a looming default, saying that Mr. McConnell had “all of the cards with the debt ceiling, it’s time to play the hand.” Even if Republicans clear the way to allow the measure to pass, it does nothing to address the crux of the partisan stalemate over the debt. Most notably, Republicans have not dropped their demand that Democrats ultimately use an arcane and time-consuming budget process known as reconciliation to lift the debt ceiling into next year. Democrats are currently using that process to steer around Republican opposition and push through a sprawling domestic package that would address climate change, expand the social safety net with more health care and education benefits, and increase taxes on the wealthy and corporations. “The pathway our Democratic colleagues have accepted will spare the American people any near-term crisis,” Mr. McConnell said on the Senate floor. The extension, he added, also means “there’ll be no question they’ll have plenty of time” to use the reconciliation process to approve a long-term increase.

#### Pushing a WTO takes floor-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.

#### Package is sufficient, necessary, and the last opportunity to solve climate change.

Leber 10/7 Leber, Rebecca. Rebecca Leber covers climate change for Vox. Before joining Vox, she was an environmental reporter at Mother Jones, where her investigations exposed government corruption and fossil fuel industry disinformation. She has worked as a staff writer at Grist, The New Republic, and ThinkProgress. A dozen more outlets have published her work over her decade as a climate journalist. "A last chance for US climate action: Democrats’ Build Back Better and infrastructure bills." Vox, 7 Oct. 2021, www.vox.com/22685920/democrats-infrastructure-build-back-better-climate-change.

The United States — the largest carbon polluter in history — is closer than it’s ever been to taking sweeping and lasting action on the climate crisis. The bad news is that if Democrats can’t pull it off, they may never get another opportunity like this — and the planet certainly won’t. Democratic leaders are trying to pass two major pieces of legislation — the $1 trillion bipartisan infrastructure bill and the up to $3.5 trillion Build Back Better Act — that they say can slash US pollution by up to 45 percent in the coming decade. In the outlined Build Back Better Act, Congress would flex its power to transform the electricity sector so that it runs on mostly clean energy, steer the transportation sector toward electric vehicles, and finally take action on methane pollution, one of the most harmful greenhouse gases. But there have been many recent moments when the precarious dealmaking in Congress seemed close to falling apart. One of the biggest sticking points has been with West Virginia Sen. Joe Manchin, who has questioned the party’s approach to passing both bills simultaneously. “What’s the urgency that we have?” Manchin asked on CNN’s State of the Union in late September. In part because of Manchin’s opposition, even progressive leaders have begun to manage expectations, signaling the ultimate bill will be less ambitious. Sen. Bernie Sanders of Vermont suggested that the $3.5 trillion figure would see some “give and take.” The package is likely to shrink to $2.3 trillion or less, the New York Times reported on Wednesday. So what is the urgency? Democrats only have one year before midterm elections could take away their narrow majorities in the House and Senate. That would leave them powerless to pass any legislation without help from Republicans. At the same time, the planet faces a rapidly closing window to avert the worst catastrophes of global warming. Every fraction of a degree will translate into lives and livelihoods lost. The world can’t afford another decade of American inaction, and what Congress does next will help determine the future of the climate. A last chance for Democrats Historically, the president’s party loses seats in Congress in midterm elections. Next November, Democrats could lose their narrow control of Congress if they lose even one Senate seat or more than a few House seats. “The middle of that Venn diagram — when we have leaders who care about science and we still have that window of opportunity — is now,” said Lena Moffitt, campaign director at the climate advocacy group Evergreen Action. Democrats in Congress are also relying on a roughly once-a-year process, known as budget reconciliation, to try and push the Build Back Better Act through the Senate. Reconciliation allows them to pass a budget with a simple majority, instead of the 60 votes that are usually required in the Senate. There might not be time or political will to make a similar move in 2022. And some Democrats remain unwilling to eliminate the Senate filibuster, which is the other way they could pass progressive policies. In short, if the historical pattern holds, Democrats may not get another chance under President Biden — or even this decade — to take serious action on climate. Some Republicans have been hinting at taking climate change more seriously, but much of the party’s leadership continues to downplay and deny climate science. The next time the US has an opening like this, climate change will likely be dramatically worse — and that much harder to stop. A flooded street of shops at night reflecting the lights in the water. Hurricane Ida caused record flooding in New Jersey in September. Climate change is already intensifying extreme weather such as tropical storms and heat waves. Anadolu Agency via Getty Images The best chance for the global climate Climate scientists have warned that once the atmosphere warms more than 1.5 degrees Celsius, we will live in a drastically changed world. If countries, corporations, and individuals don’t take immediate action to reduce pollution, the world may hit that grim milestone in just 10 years. Over the long term, if the world continues on its current polluting path, the world will warm more than double that amount, risking catastrophes humanity has never had to confront. The window to chart a new course is rapidly closing. And the world’s “last, best chance” to take decisive collective action is less than a month away, as John Kerry, who serves as President Biden’s climate envoy, has said. In early November, world governments will gather in Glasgow for the United Nations climate conference, COP26. Following up on the Paris climate accord, countries will pledge more ambitious pollution targets and tackle the challenge of financing a worldwide transition to clean energy. The US bears the most responsibility of any country for global warming, having released 20 percent of the world’s greenhouse pollution since 1850. Today, the country ranks second in emissions behind China. But the US also has the power to magnify its impact if it leads by example, or if it flexes its influence on the global economic system, for example by affecting global prices of fossil fuels by ending government subsidies. Climate experts say progress at the COP26 conference depends on the United States proving it can do its part, for symbolic as well as practical reasons. This is the first year the US officially returns to global negotiations after former President Donald Trump withdrew the country from the Paris climate accord. Now, Biden has to lead by example by showing that the country can swiftly change direction for good, demonstrating progress on its national pledge of cutting emissions 50 to 52 percent by 2030. “There is this sense of exhaustion about how long is it going to take for one of the biggest emitters in the world to do its fair share,” said Rachel Cleetus, the clean energy policy director at the Union of Concerned Scientists. It’s unclear whether Congress will deliver on climate-change legislation by the time the international community meets in Glasgow. But any steps forward would send “a very important signal that can really help catalyze more ambition from other countries,” Cleetus said.

#### Extinction --- latest studies prove, prefer this over pure speculation.

Sprat 19 (David Spratt and Ian Dunlop, Research Director for Breakthrough National Centre for Climate Restoration and co-author of *Climate Code Red: The case for emergency action*; \*\*member of the Club of Rome AND formerly an international oil, gas and coal industry executive, chairman of the Australian Coal Association, chief executive of the Australian Institute of Company Directors, and chair of the Australian Greenhouse Office Experts Group on Emissions Trading, "Existential climate-related security risk: A scenario approach," Breakthrough National Centre for Climate Restoration, 5-30-2019, https://docs.wixstatic.com/ugd/148cb0\_90dc2a2637f348edae45943a88da04d4.pdf, Date Accessed: 7-5-2019, SB)

2050: By 2050, there is broad scientific acceptance that system tipping-points for the West Antarctic Ice Sheet and a sea-ice-free Arctic summer were passed well before 1.5°C of warming, for the Greenland Ice Sheet well before 2°C, and for widespread permafrost loss and large-scale Amazon drought and dieback by 2.5°C. The “hothouse Earth” scenario has been realised, and Earth is headed for another degree or more of warming, especially since human greenhouse emissions are still significant. While sea levels have risen 0.5 metres by 2050, the increase may be 2–3 metres by 2100, and it is understood from historical analogues that seas may eventually rise by more than 25 metres. Thirty-five percent of the global land area, and 55 percent of the global population, are subject to more than 20 days a year of lethal heat conditions, beyond the threshold of human survivability. The destabilisation of the Jet Stream has very significantly affected the intensity and geographical distribution of the Asian and West African monsoons and, together with the further slowing of the Gulf Stream, is impinging on life support systems in Europe. North America suffers from devastating weather extremes including wildfires, heatwaves, drought and inundation. The summer monsoons in China have failed, and water flows into the great rivers of Asia are severely reduced by the loss of more than one-third of the Himalayan ice sheet. Glacial loss reaches 70 percent in the Andes, and rainfall in Mexico and central America falls by half. Semi-permanent El Nino conditions prevail. Aridification emerges over more than 30 percent of the world’s land surface. Desertification is severe in southern Africa, the southern Mediterranean, west Asia, the Middle East, inland Australia and across the south-western United States. Impacts: A number of ecosystems collapse, including coral reef systems, the Amazon rainforest and in the Arctic. Some poorer nations and regions, which lack capacity to provide artificially-cooled environments for their populations, become unviable. Deadly heat conditions persist for more than 100 days per year in West Africa, tropical South America, the Middle East and South-East Asia, which together with land degradation and rising sea levels contributes to 21 perhaps a billion people being displaced. Water availability decreases sharply in the most affected regions at lower latitudes (dry tropics and subtropics), affecting about two billion people worldwide. Agriculture becomes nonviable in the dry subtropics. Most regions in the world see a significant drop in food production and increasing numbers of extreme weather events, including heat waves, floods and storms. Food production is inadequate to feed the global population and food prices skyrocket, as a consequence of a one-fifth decline in crop yields, a decline in the nutrition content of food crops, a catastrophic decline in insect populations, desertification, monsoon failure and chronic water shortages, and conditions too hot for human habitation in significant food-growing regions. The lower reaches of the agriculturally-important river deltas such as the Mekong, Ganges and Nile are inundated, and significant sectors of some of the world’s most populous cities — including Chennai, Mumbai, Jakarta, Guangzhou, Tianjin, Hong Kong, Ho Chi Minh City, Shanghai, Lagos, Bangkok and Manila — are abandoned. Some small islands become uninhabitable. Ten percent of Bangladesh is inundated, displacing 15 million people. According to the Global Challenges Foundation’s Global Catastrophic Risks 2018 report, even for 2°C of warming, more than a billion people may need to be relocated due to sea-level rise, and In high-end scenarios “the scale of destruction is beyond our capacity to model, with a high likelihood of human civilisation coming to an end”. 22

### 2

#### CP Text: The United States federal government ought to

#### cooperate with allies to achieve increased production and global distribution of HIV/AID medicines and COVID-19 medicines.

#### establish infrastructure in other nations via collaborations and partnerships necessary for production of medicines for future pandemics.

#### Solves the aff: Donations and distributions allows for the people who need medicines the most to get access and allows for the establishment of infrastructure to combat future pandemics.

### 3

#### America’s maintaining heg and countering China’s rise, but sustained innovation and private sector investment are key.

Harr 8/3 [Scott, Army Special Forces Officer and Ph.D. Candidate at the Helms School of Government, Liberty University. He holds an undergraduate degree in Arabic Language Studies from West Point and a Master’s degree in Middle Eastern Affairs from Liberty University. A trained Arabic and Farsi speaker with over four years of cumulative deployment time in the Middle East, his work has been featured in The Diplomat, RealClearDefense, The Strategy Bridge, Modern War Institute, Military Review, The National Interest, and Joint Force Quarterly among other national security-focused venues, “By Avoiding Arms Races, America Can Counter China’s Rise”, 08-03-2021, https://nationalinterest.org/feature/avoiding-arms-races-america-can-counter-china%E2%80%99s-rise-191094]//pranav

Rather than falling into the power projection arms race “trap“ that China desires, U.S. competitive strategies addressing China should adopt a framework based on “counter-punching.” As its name suggests, the counterpunch incorporates both defensive (“counter”) and offensive (“punch”) elements. Additionally, it is an adaptive maneuver that requires disciplined understanding and controlled strength that, effectively employed, offers better alternatives towards protecting and preserving U.S. power in the face of challenges from China. The defensive element of an American counterpunch towards China involves adopting military restraint and a revamped examination of deterrence. Classic deterrence strategy involves presenting the credible threat of force to adversaries to create undesirable risks for would-be aggressors. The key to deterrence, as Kenneth Waltz famously argued, is determining how much deterrence is “enough” to dissuade aggressors. That is, deterrence does not necessarily require the presentation of power projection assets capable of completely destroying an adversary, but only enough assets to make the risks of aggressive behavior not worth the projected losses involved. Seen in this light, a strategy that diligently examines how much deterrence is “enough” potentially eliminates the impulse to sustain the ever-increasing stakes in costly arms races while, critically, offering a chance to reinvest excess “deterrence” resources into areas that will preserve and protect U.S. power. The national resources freed up by foregoing an arms race with China represent the potent offensive element of the counterpunch. These resources can be reinvested in other areas such as the private sector which, besides being the hallmark of American prosperity and thus the critical reason for protecting American power in the first place, has historically played a decisive role in the United States’ successful war efforts. Buoyed by a strong and vibrant private sector where the United States remains a desirable global hub for innovation and technology, the needed capabilities for war (or intense competition) can be adaptively produced and rapidly called forward to tip the competitive (or combative) scales towards victory when required. Of course, the “punch” loses its effectiveness without clearly articulated triggers for employment. If China seeks to induce the United States into an uncontrolled arms race, then the current U.S. obsession with China—which seems to interpret every Chinese action in any sphere as a threat requiring a U.S. response—must be viewed as very encouraging in Beijing. An effective U.S. counterpunch requires clearly defined red lines that regulate and set behavior expectations between great powers and indicate when a Chinese competitive action warrants a U.S. response. Detractors of the counterpunch framework will immediately note the call for military restraint and interpret it as a reactive recipe for military weakness at precisely a time requiring proactive military strength. But military restraint does not imply weakness any more than eating fewer calories implies malnutrition. It simply means making smarter decisions that play to U.S. strengths and away from Chinese strategy. It also entails properly viewing the risks inherent in competition with China. The counterpunch skeptic incorrectly perceives greater risks in short-term military restraint (traded for economic investment and fortification) than in long-term arms races (traded for potential economic collapse). The counterpunch skeptic also fails to appreciate the United States’ historic strengths in adopting this approach. In fact, America has demonstrated exceptional skill as an adaptive counter-puncher—reacting and adapting to adversity and setbacks to rise above them and create positive effects preserving U.S. power and ideas. U.S. institutions have counter-punched their way to success in the political (from the failed Articles of Confederation to the Constitution), social (from abhorrent slavery to civil rights), and military (from disastrous Pearl Harbor to WWII victory) arenas to produce the stable and prosperous nation that exists today. As John Mearsheimer points out, China has the population size and economic capacity (the “sinew of power”) to pose unique and unprecedented challenges to U.S. power. Additionally, wasteful military exploits—often employed as a means of competing with rivals—have contributed to bringing down world powers again and again throughout history. China understands this apparent axiom and has woven its truth into its competitive strategy to displace the United States as the world’s preeminent power in the twenty-first century. U.S. competitive strategy against China must, therefore, resist the powerful (but seemingly prudent) urge to continually increase the stakes projecting power against China. Rather, the United States needs to adopt a disciplined counterpunch framework focused on protecting and preserving (not projecting) power. This framework leverages the elements of a successful counterpunch: it demonstrates a superior understanding of adversary strategy (China’s desire to economically exhaust the United States with power projection), it leverages smart defensive elements (adopting only “enough” deterrence to influence China’s actions), and it fortifies conditions of economic strength to ensure offensive actions can be brought to bear when required in competition or conflict (re-investing resources into a globally-leading private sector). Employing a counterpunch framework asks Americans to trust its institutions—which is a difficult task in the face of a rising China. But the ask is not for blind trust. As a country with less than one-sixth of the world’s population, the United States as a superpower has been punching above its weight for decades and has historically counter-punched successfully to muster adaptive and superlative responses whenever challenged with adversity. America must follow these historical impulses to remain a superpower in the twenty-first century.

#### The affirmative’s reduction disincentivizes record setting innovation that causes spillover to other fields and destroys American hegemony and cedes dominance to China.

Iancu 8/11 [Andrei, American-Romanian engineer and intellectual property attorney, who served as the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office from 2017 to 2021, “Biden is trying to undermine America's world-leading IP protections”, https://m.washingtontimes.com/news/2021/aug/11/biden-is-trying-to-undermine-americas-world-leadin/]//pranav

In May of this year, the Biden administration announced its support for a proposal at the World Trade Organization that would allow other countries to seize American intellectual property on COVID-19 technologies, including vaccines. On cue, those countries promptly modified their ask. Whereas the original proposal called for the waiver to last a limited number of years, the new proposal makes the waiver effectively permanent. And why not? If America is willing to hand over its crown jewels, it might as well demand to keep them forever. As a former Director of the U.S. Patent and Trademark Office, I know that America’s world-leading IP protections laid the foundation for our economic success and technological prowess. And as an immigrant from a communist nation, I know all too well how disrespect for private property rights undermines innovation and saps economic vitality. Since the Founding Fathers, Americans have understood that private property extends well beyond land, buildings, factories, and machines. The real source of America’s power and promise are ideas. Walls, locks, or guards can protect physical property, but the implementation of ideas — new songs, artificial intelligence, or medicines — requires special protections and trust in the rule of law. That’s why the Founders included intellectual property rights in the Constitution — in the form of an “exclusive right” for authors and inventors — to “promote the progress of science and useful arts.” Indeed, this is the only time the word “right” appears in the Constitution (amendments aside). The Founders knew that only the rule of law, and our respect for it, can protect and enable the development of these ideas. Yet, President Biden undermined that respect by signaling his support for the appropriation of America’s intangible assets. In doing so, he jeopardized America’s uniquely successful intellectual property system. The history of our nation — indeed, much of the history of the world — since 1789 has been the revolution in knowledge led by American ingenuity in agriculture, industry, medicine, and information technology. Progress like this does not just happen**. Indeed, it didn’t, for the millennia of the entire human history until our nation’s founding a couple of hundred years ago!** It’s not a coincidence that the last two centuries of uninterrupted, IP-driven innovation — up to and including the miraculous creation in a record time of the Covid vaccines themselves — began when one nation finally committed itself to protect intangible assets as much as physical property. **The reason is simple: knowledge is cumulative.** Every new discovery becomes the basis for new research. The revolutionary mRNA technology behind Pfizer and Moderna’s vaccines is, in fact, an evolutionary iteration of previous — patented — breakthroughs over the last two decades. Sen. Bernie Sanders, among others, turns up his nose at all this science, history, and progress. Like President Biden, he supports waiving vaccine patents because, he says, “We need a people’s vaccine, not a profit vaccine.” Ignore for a moment that many companies have agreed to sell their vaccines at non-profit prices for the duration of the pandemic, or that the vaccines are completely free for all patients at pharmacies nationwide, or that the federal government pays $19.50 per Pfizer dose, about $15 per Moderna dose, and $10 for the Johnson & Johnson shot — less than the cost of a pizza for medicines that are saving millions of lives and restoring our economy. **I**nstead, focus on the fact that intellectual property protections enabled the creation of “people’s vaccines” in the first place. The choice isn’t between cheap vaccines and even cheaper vaccines — it’s between shots that are protected by strong IP laws or no shots at all. The same goes for every industry. If President Biden doesn’t protect the IP behind new vaccines, investors and inventors will ask, what other technologies are next? Will similar takings be imposed on climate change technologies, for example? Food processing? Essential semiconductor technologies? Companies will scale back investments in medical devices, microchips, energy, and everything in between if they think the U.S. Government might waive IP protection after the fact so that others may copy their inventions with impunity. Of immediate concern is the need for more treatments for Covid-19, especially as the pandemic keeps raging with new variants. Knowing that their IP may be appropriated as soon as it is developed, private industry — especially start-ups and smaller businesses that depend heavily on outside capital — may not invest the resources necessary to develop these new technologies that are desperately needed right now. Here’s the reality: remove patents and other forms of intellectual property, and private-sector investment in innovation dries up. The government will then try to step in to fill the gap, inefficiently as always. Like the taking of factories to nationalize industry, this taking of intellectual property is effectively the nationalization of our innovation economy. The result will be the same as in every other socialist regime that nationalized its industries: the kind of poverty, corruption, and misery that my family escaped from decades ago. American innovation has cured diseases, enabled human flight, led to the development of computers, and made our nation the envy of the world. Waiving intellectual property rights could forfeit it all.

#### Chinese leadership in technology causes extinction.

Kroenig 18 [Matthew, Associate Professor of Government and Foreign Service at Georgetown University and Deputy Director for Strategy in the Scowcroft Center for Strategy and Security at the Atlantic Council, and Bharath Gopalaswamy, Director of the South Asia Center at the Atlantic Council, holds a PhD in mechanical engineering with a specialization in numerical acoustics from Trinity College, Dublin, Nov 2018, “Will disruptive technology cause nuclear war?”, Bulletin of the Atomic Scientists, [https://thebulletin.org/2018/11/will-disruptive-technology-cause-nuclear-war](https://thebulletin.org/2018/11/will-disruptive-technology-cause-nuclear-war/)]

Recently, analysts have argued that emerging technologies with military applications may undermine nuclear stability (see here, here, and here), but the logic of these arguments is debatable and overlooks a more straightforward reason why new technology might cause nuclear conflict: by upending the existing balance of power among nuclear-armed states. This latter concern is more probable and dangerous and demands an immediate policy response. For more than 70 years, the world has avoided major power conflict, and many attribute this era of peace to nuclear weapons. In situations of mutually assured destruction (MAD), neither side has an incentive to start a conflict because doing so will only result in its own annihilation. The key to this model of deterrence is the maintenance of secure second-strike capabilities—the ability to absorb an enemy nuclear attack and respond with a devastating counterattack. Recently analysts have begun to worry, however, that new strategic military technologies may make it possible for a state to conduct a successful first strike on an enemy. For example, Chinese colleagues have complained to me in Track II dialogues that the United States may decide to launch a sophisticated cyberattack against Chinese nuclear command and control, essentially turning off China’s nuclear forces. Then, Washington will follow up with a massive strike with conventional cruise and hypersonic missiles to destroy China’s nuclear weapons. Finally, if any Chinese forces happen to survive, the United States can simply mop up China’s ragged retaliatory strike with advanced missile defenses. China will be disarmed and US nuclear weapons will still be sitting on the shelf, untouched. If the United States, or any other state acquires such a first-strike capability, then the logic of MAD would be undermined. Washington may be tempted to launch a nuclear first strike. Or China may choose instead to use its nuclear weapons early in a conflict before they can be wiped out—the so-called “use ‘em or lose ‘em” problem. According to this logic, therefore, the appropriate policy response would be to ban outright or control any new weapon systems that might threaten second-strike capabilities. This way of thinking about new technology and stability, however, is open to question. Would any US president truly decide to launch a massive, bolt-out-of-the-blue nuclear attack because he or she thought s/he could get away with it? And why does it make sense for the country in the inferior position, in this case China, to intentionally start a nuclear war that it will almost certainly lose? More important, this conceptualization of how new technology affects stability is too narrow, focused exclusively on how new military technologies might be used against nuclear forces directly. Rather, we should think more broadly about how new technology might affect global politics, and, for this, it is helpful to turn to scholarly international relations theory. The dominant theory of the causes of war in the academy is the “bargaining model of war.” This theory identifies rapid shifts in the balance of power as a primary cause of conflict. International politics often presents states with conflicts that they can settle through peaceful bargaining, but when bargaining breaks down, war results. Shifts in the balance of power are problematic because they undermine effective bargaining. After all, why agree to a deal today if your bargaining position will be stronger tomorrow? And, a clear understanding of the military balance of power can contribute to peace. (Why start a war you are likely to lose?) But shifts in the balance of power muddy understandings of which states have the advantage. You may see where this is going. New technologies threaten to create potentially destabilizing shifts in the balance of power. For decades, stability in Europe and Asia has been supported by US military power. In recent years, however, the balance of power in Asia has begun to shift, as China has increased its military capabilities. Already, Beijing has become more assertive in the region, claiming contested territory in the South China Sea. And the results of Russia’s military modernization have been on full display in its ongoing intervention in Ukraine. Moreover, China may have the lead over the United States in emerging technologies that could be decisive for the future of military acquisitions and warfare, including 3D printing, hypersonic missiles, quantum computing, 5G wireless connectivity, and artificial intelligence (AI). And Russian President Vladimir Putin is building new unmanned vehicles while ominously declaring, “Whoever leads in AI will rule the world.” If China or Russia are able to incorporate new technologies into their militaries before the United States, then this could lead to the kind of rapid shift in the balance of power that often causes war. If Beijing believes emerging technologies provide it with a newfound, local military advantage over the United States, for example, it may be more willing than previously to initiate conflict over Taiwan. And if Putin thinks new tech has strengthened his hand, he may be more tempted to launch a Ukraine-style invasion of a NATO member. Either scenario could bring these nuclear powers into direct conflict with the United States, and once nuclear armed states are at war, there is an inherent risk of nuclear conflict through limited nuclear war strategies, nuclear brinkmanship, or simple accident or inadvertent escalation. This framing of the problem leads to a different set of policy implications. The concern is not simply technologies that threaten to undermine nuclear second-strike capabilities directly, but, rather, any technologies that can result in a meaningful shift in the broader balance of power. And the solution is not to preserve second-strike capabilities, but to preserve prevailing power balances more broadly. When it comes to new technology, this means that the United States should seek to maintain an innovation edge. Washington should also work with other states, including its nuclear-armed rivals, to develop a new set of arms control and nonproliferation agreements and export controls to deny these newer and potentially destabilizing technologies to potentially hostile states. These are no easy tasks, but the consequences of Washington losing the race for technological superiority to its autocratic challengers just might mean nuclear Armageddon.

## Case

### Theory

#### Yes, you get 1AR theory but you only get 1 shell---multiple shells make the 2nr impossible by spreading it out too much to win any one layer—the 2nr will always undercover something and can’t win. AND it’s not automatically dtd because abuse is contextual, you shouldn’t give me me the death penalty for j-walking.

#### Neg gets an RVI on 1AR theory if the 1NC didn’t read a shell: Otherwise, the 1AR will always uplayer to give themselves an out that I can’t access offense on—the RVI is key to deter frivolous theory

### Framing

#### 1] Util good – Existential threats outweigh.

**GPP 17** (Global Priorities Project, Future of Humanity Institute at the University of Oxford, Ministry for Foreign Affairs of Finland, “Existential Risk: Diplomacy and Governance,” Global Priorities Project, 2017, <https://www.fhi.ox.ac.uk/wp-content/uploads/Existential-Risks-2017-01-23.pdf>

1.2. THE ETHICS OF EXISTENTIAL RISK In his book Reasons and Persons, Oxford philosopher Derek Parfit advanced an influential argument about the importance of avoiding extinction: I believe that if we destroy mankind, as we now can, this outcome will be much worse than most people think. Compare three outcomes: (1) Peace. (2) A nuclear war that kills 99% of the world’s existing population. (3) A nuclear war that kills 100%. (2) would be worse than (1), and (3) would be worse than (2). Which is the greater of these two differences? Most people believe that the greater difference is between (1) and (2). I believe that the difference between (2) and (3) is very much greater**. ...** The Earth will remain habitable for at least another billion years. Civilization began only a few thousand years ago. If we do not destroy mankind, these few thousand years may be only a tiny fraction of the whole of civilized human history. The difference between (2) and (3) may thus be the difference between this tiny fraction and all of the rest of this history. If we compare this possible history to a day, what has occurred so far is only a fraction of a second.65 In this argument, it seems that Parfit is assuming that the survivors of a nuclear war that kills 99% of the population would eventually be able to recover civilisation without long-term effect. As we have seen, this may not be a safe assumption – but for the purposes of this thought experiment, the point stands. What makes existential catastrophes especially bad is that they would “destroy the future,” as another Oxford philosopher, Nick Bostrom, puts it.66 This future could potentially be extremely long and full of flourishing, and would therefore have extremely large value. In standard risk analysis, when working out how to respond to risk, we work out the expected value of risk reduction, by weighing the probability that an action will prevent an adverse event against the severity of the event. Because the value of preventing existential catastrophe is so vast, even a tiny probability of prevention has huge expected value.67 Of course, there is persisting reasonable disagreement about ethics and there are a number of ways one might resist this conclusion.68 Therefore, it would be unjustified to be overconfident in Parfit and Bostrom’s argument. In some areas, government policy does give significant weight to future generations. For example, in assessing the risks of nuclear waste storage, governments have considered timeframes of thousands, hundreds of thousands, and even a million years.69 Justifications for this policy usually appeal to principles of intergenerational equity according to which future generations ought to get as much protection as current generations.70 Similarly, widely accepted norms of sustainable development require development that meets the needs of the current generation without compromising the ability of future generations to meet their own needs.71 However, when it comes to existential risk, it would seem that we fail to live up to principles of intergenerational equity. Existential catastrophe would not only give future generations less than the current generations; it would give them nothing. Indeed, reducing existential risk plausibly has a quite low cost for us in comparison with the huge expected value it has for future generations. In spite of this, relatively little is done to reduce existential risk. Unless we give up on norms of intergenerational equity, they give us a strong case for significantly increasing our efforts to reduce existential risks. 1.3. WHY EXISTENTIAL RISKS MAY BE SYSTEMATICALLY UNDERINVESTED IN, AND THE ROLE OF THE INTERNATIONAL COMMUNITY In spite of the importance of existential risk reduction, it probably receives less attention than is warranted. As a result, concerted international cooperation is required if we are to receive adequate protection from existential risks. 1.3.1. Why existential risks are likely to be underinvested in There are several reasons why existential risk reduction is likely to be underinvested in.Firstly, it is a global public good. Economic theory predicts that such goods tend to be underprovided.The benefits of existential risk reduction are widely and indivisibly dispersed around the globe from the countries responsible for taking action. Consequently, a country which reduces existential risk gains only a small portion of the benefits but bears the full brunt of the costs. Countries thus have strong incentives to free ride, receiving the benefits of risk reduction without contributing. As a result, too few do what is in the common interest. Secondly, as already suggested above, existential risk reduction is an intergenerational public good: most of the benefits are enjoyed by future generations who have no say in the political process. For these goods, the problem is temporal free riding: the current generation enjoys the benefits of inaction while future generations bear the costs. Thirdly, many existential risks, such as machine superintelligence, engineered pandemics, and solar geoengineering, pose an unprecedented and uncertain future threat. Consequently, it is hard to develop a satisfactory governance regime for them: there are few existing governance instruments which can be applied to these risks, and it is unclear what shape new instruments should take. In this way, our position with regard to these emerging risks is comparable to the one we faced when nuclear weapons first became available. Cognitive biases also lead people to underestimate existential risks.Since there have not been any catastrophes of this magnitude, these risks are not salient to politicians and the public.72 This is an example of the misapplication of the availability heuristic, a mental shortcut which assumes that something is important only if it can be readily recalled. Another cognitive bias affecting perceptions of existential risk is scope neglect. In a seminal 1992 study, three groups were asked how much they would be willing to pay to save 2,000, 20,000 or 200,000 birds from drowning in uncovered oil ponds. The groups answered $80, $78, and $88, respectively.73 In this case, the size of the benefits had little effect on the scale of the preferred response. People become numbed to the effect of saving lives when the numbers get too large. **74** Scope neglect is a particularly acute problem for existential risk because the numbers at stake are so large.Due to scope neglect, decision-makers are prone to treat existential risks in a similar way to problems which are less severe by many orders of magnitude.A wide range of other cognitive biases

#### Extinction undermines humanities potential and future---anything else is shortsighted.

**Ord 20** Toby Ord [Australian philosopher. He founded Giving What We Can, an international society whose members pledge to donate at least 10% of their income to effective charities], “The Precipice” Hachette Books, 2020 // Lex CH

But **an existential catastrophe is not** just **a catastrophe that destroys a particularly large number of lives. It destroys our potential**. My mentor, Derek Parfit, asked us to imagine a devastating nuclear war killing 99 percent of the world’s people.19 **A war that would leave behind a dark age lasting centuries, before the survivors could eventually rebuild civilization to its former heights; humbled, scarred—but undefeated. Now compare this with a war killing a full 100 percent of the world’s people. This second war would be worse, of course, but how much worse? Either war would be the worst catastrophe in history. Either would kill billions.** **The second war would involve tens of millions of additional deaths, and so would be worse for this reason**. But there is another, far more significant difference between the two wars. **Both wars kill billions of humans; but the second war kills humanity**. **Both wars destroy our present; but the second war destroys our future. It is this qualitative difference in what is lost with that last percent that makes existential catastrophes unique, and that makes reducing the risk of existential catastrophe uniquely important. 20 In expectation, almost all humans who will ever live have yet to be born.** Absent catastrophe, **most generations are future generations.** As the writer Jonathan Schell put it: The procession of generations that extends onwards from our present leads far, far beyond the line of our sight, and, compared with these stretches of human time, which exceed the whole history of the earth up to now, our brief civilized moment is almost infinitesimal. Yet we threaten, in the name of our transient aims and fallible convictions, to foreclose it all. **If our species does destroy itself, it will be a death in the cradle—a case of infant mortality**. 21 And because, in expectation, **almost all of humanity’s life lies in the future, almost everything of value lies in the future as well**: almost all the flourishing; almost all the beauty; our greatest achievements; our most just societies; our most profound discoveries. 22 We can continue our progress on prosperity, health, justice, freedom and moral thought. **We can create a world of wellbeing and flourishing that challenges our capacity to imagine. And if we protect that world from catastrophe, it could last millions of centuries**. This is our potential—what we could achieve if we pass the Precipice and **continue striving for a better world**. **It is this view of the future—the immense value of humanity’s potential —that most persuades me to focus my energies on reducing existential risk. When I think of the millions of future generations yet to come, the importance of protecting humanity’s future is clear to me**. **To risk destroying this future**, for the sake of some advantage limited only to the present, **seems** to me profoundly parochial and **dangerously short-sighted**. Such neglect privileges a tiny sliver of our story over the grand sweep of the whole; it privileges a tiny minority of humans over the overwhelming majority yet to be born; it privileges this particular century over the millions, or maybe billions, yet to come. 23 To see why this would be wrong, consider an analogy with distance. **A person does not matter less, the further away from you they are in space. It matters just as much if my wife gets sick while she is away at a conference in Kenya as if she gets sick while home with me in Oxford. And the welfare of strangers in Kenya matters just as much as the welfare of strangers in Oxford. Of course, we may have special duties to some individuals—to family; to members of the same community—but it is never spatial distance, in itself, that determines these differences in our obligations**. Recognizing that people matter equally, regardless of their geographic location, is a crucial form of moral progress, and one that we could do much more to integrate into our policies and our philanthropy. People matter equally regardless of their temporal location too. Our lives matter just as much as those lived thousands of years ago, or those a thousand years hence. 24 Just as it would be wrong to think that other people matter less the further they are from you in space, so it is to think they matter less the further away from you they are in time. The value of their happiness, and the horror of their suffering, is undiminished. Recognizing that people matter equally, wherever they are in time, is a crucial next step in the ongoing story of humanity’s moral progress. Many of us recognize this equality to some extent already. **We know it is wrong to make future generations worse off in order to secure lesser benefits for ourselves**. And if asked, we would agree that people now don’t objectively matter more than people in the future. But we assume that this leaves most of our priorities unaltered. For example, thinking that long-run effects of our choices quickly disappear; that they are so uncertain that the good cancels the bad; or that people in the future will be much better situated to help themselves.

#### 2] We access their role of the ballot—nuclear war and warming causes massive suffering and disproportionately affects minorities. Proves even if they win their framing nuke war and warming are still a tiebreaker.

#### 3] Government actions will inevitably lead to trade-offs because they benefit some and harm others – aggregation is the only way to resolve these conflicts since A] anything else would unjustifiably prioritize one group over another and B] side constraints would freeze action in the face of tradeoffs.

#### 4] Default to util if there’s any uncertainty

**Sinnott-Armstrong 14** (Walter Sinnott-Armstrong 14 [American philosopher. He specializes in ethics, epistemology, and more recently in neuroethics, the philosophy of law, and the philosophy of cognitive science], "Consequentialism", The Stanford Encyclopedia of Philosophy (Spring 2014 Edition), Edward N. Zalta (ed),) BE

Even if consequentialists can accommodate or explain away common moral intuitions, that might seem only to answer objections without yet giving any positive reason to accept consequentialism. However, **most people begin with the presumption that we morally ought to make the world better when we can. The question then is only whether any moral constraints or moral options need to be added to the basic consequentialist factor in moral reasoning.** (Kagan 1989, 1998) **If no objection reveals any need for anything beyond consequences, then consequences alone seem to determine what is morally right or wrong, just as consequentialists claim.**

#### 5] Teehan doesn’t justify using a structural violence framing for evaluating impacts in the round just describes safety in the debate space not linked to substance. No forced tradeoff between focusing on extinction and structural violence.

### Advantage

#### 1] IP is not the root cause of HIV/AID access.

**Hindawi 16** (Hindawi, 7-11-2016, "Accessibility to, Acceptability of, and Adherence to HIV/AIDS Prevention Services by Men Who Have Sex with Men: Challenges Encountered at Facility Level," No Publication, <https://www.hindawi.com/journals/aph/2016/5157984/>) // CH

The study investigated the extent to which **discrimination, the level of social stigma, attitude of health workers, violation of human rights, and confidentiality of patients’ diagnosis** had a bearing on HIV/AIDS health service provision and their implications. In the quantitative study, **discrimination accounted for 31.6% of possible impediments to accessibility** and when **combined with social stigma over half** of the respondents, 53.2%, **attributed inaccessibility to these two factors with stigma** accounting for 26.3%. The majority of the respondents who said they could visit any health facility for medical attention actually visited private clinics instead of public hospitals and attributed this tendency to relatively better services offered provided the service had been paid for. Those who had visited public health facilities complained of what they termed unfriendly health staff.

I had a health problem, an anal wart and then I went to a public health facility. After the nurse realized I was gay, she called other nurses, laughing, to come and see, like a movie, like drama, Even in hospitals, a nurse told me to go for prayer otherwise I will go to hell, the nurses just gossip about us and you are on the line waiting we feel very bad.

Some of the MSM reported during interviews that they did not attend public health facilities unless they had been referred to them, preferring to be discrete about their networks and activities. They reported being kept in long queues while other patients were being attended to including those who had arrived after them, as reported by one participant.

There was a time we were called to go to a referral hospital for a training and we were treated very well and told that our health issues would be treated differently. But that was not the case because when I visited for treatment, I was told to go to casualty area and pay, the queue was so long and I was in pain, I just left. Actually I learned that they operated on two MSM that had anal warts and the doctors told them that they were tired. We ceased going there, now we go to County hospital;. You see, cases of anal warts are very high and there is fear of disclosure so many go unreported and people just die. Sometimes they are presented late. We see these cases in MSM friendly organizations but they do not have the capacity to handle this and private health facilities are expensive.

**Social stigma was considered by the respondents as the second-most-serious barrier to accessing health facilities.** They experienced social stigma from health workers in the public health facilities that some of them visited on referral.

#### 2] Innovation Turns Case: The only incentive for companies to researches new drugs is reduced competition which the affirmative destroys. The huge risk that goes into developing a drug would otherwise not make its innovation worthwhile. Only way for preparations for a future pandemic is via new medicine innovation which the affimrative decks incentive for.

#### 3] Waiving IP enforcement results in rampant increase in counterfeit vaccines – turns case.

Mercurio 21 (Bryan Mercurio is a Professor and Vice-Chancellor's Outstanding Fellow of the Faculty of Law at the Chinese University of Hong Kong, February 21, 2021, <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3789820&download=yes>) CS

6. IP enforcement is of vital importance to maintaining safety standards.

The protection of IP not only provides incentives to innovators to create, but also plays a crucial role in ensuring the safety of vaccines and helping to prevent the importation **of fraudulent and dangerous goods**. Unlike the typical pharmaceutical industry, the vaccine market is not a free and open market.69 Vaccines contain biological products made from living organisms and the risk of failure in vaccine development and production is high. 70 Moreover, the manufacturing process for vaccines is much more complex as it requires the use of facilities and equipment with a high degree of specialization.71 The complexity of vaccine products implies that more time and regulatory requirements are needed in order to make or “copy” the vaccine production process. Therefore, the innovator should be expected to make conscious and meticulous decisions as to when and to whom to issue licences, as this is the most responsible way to bring their technologies to the world and safeguard global health.

In addition, as the COVID-19 pandemic continues there has been a **noticeable increase in the circulation of fake medicines** around the world. According to the International Criminal Police Organization (Interpol), **organized crime groups** have been producing fake drugs and medical products and selling them for **lucrative profits in developing countries**.72 With the development of COVID-19 vaccines on the market, a rapid rise in the illegal sale of fake items is expected, according to the United Nations Office on Drugs and Crime (UNODC).73 Counterfeits of the legitimate products provide false promises of protection and could lead to **disastrous consequences**, including **worsened illness and** **death** for the individual and the retardation of herd immunity for the population at large. Effective and proactive **IP** procurement is **essential** and useful in mitigating the risks of counterfeit and substandard medicines. IP enforcement measures play a significant role in preventing these fake and illicit medicines from circulating in the market. While important during normal times, IP enforcement can take on an enhanced role of safeguarding the public during this critical period of time. Waiving all COVID-19 related IPRs raises the risk of unsafe or fake vaccines circulating in supply channels and being sold to unsuspecting governments, **putting millions of human lives at risk** and reducing trust in vaccines.

#### 4] Turns case – the plan licenses counterfeits and undermines quality control for production, aff decks possibility of distribution---start aff solvency at zero.

Roberts 6/25/21 [James M. Roberts is a Research Fellow for Economic Freedom and Growth at the Heritage Foundation. Roberts' primary responsibility as one of The Heritage Foundation's lead experts in economic freedom and growth is to edit the Rule of Law and Monetary Freedom sections of [Index of Economic Freedom](https://www.heritage.org/index/). An influential annual analysis of the economic climate of countries throughout the world, the Index is co-published by Heritage and The Wall Street Journal.) “Biden’s OK of Global Theft of America’s Intellectual Property is Wrong, Dangerous.” 6/25/2021, The Heritage Foundation, Commentary—Public Health] RM

Last month, President Biden advocated removing international intellectual property rights (IPR) protections for American-made COVID-19 vaccines.

**Foreign companies may take the president’s policy as a green light to produce reverse-engineered, counterfeit substitutes**.

The best way to prevent and treat new diseases is to ensure that private American pharmaceutical companies continue their innovative research and vaccine production.

Three U.S. companies—Pfizer, Moderna, and Johnson & Johnson—created and manufactured the world’s most effective mRNA COVID vaccines in record time. An increasing majority of Americans have now been inoculated, but much of the developing world remains in desperate need of vaccines. Americans naturally want to help. The question is how.

Last month, President Biden advocated removing international intellectual property rights (IPR) protections for American-made COVID-19 vaccines. This, he said, would help make the vaccines more plentiful and available in needy countries. **It’s a short-sighted approach and doomed to fail.**

Mr. Biden wants to waive the World Trade Organization’s “Trade-Related Aspects of Intellectual Property Rights” (TRIPS) agreement for U.S. vaccines and let foreign countries issue “compulsory licenses“ allowing their domestic pharmaceutical companies to manufacture the medicines without adequately compensating the companies that invented them.

Practically speaking, countries such as India and South Africa are unlikely to manufacture the vaccines. They lack an advanced infrastructure for cold supply-chain distribution and many other crucial resources required by these products’ capital-intensive, state-of-the-art manufacturing process.

But the Biden policy is bad for many other reasons.

Developing breakthrough medications takes tremendous ingenuity and immense financial investments. **It’s an extraordinarily high-risk endeavor, and the prospect of making a profit is what convinces private companies to undertake those risks.**

Signaling that the United States will not fight to defend their intellectual property rights **actively undermines innovation and manufacturing** in American health care and medicines.

It also erodes patient protections by **undermining quality control**. Foreign companies may take the president’s policy as a green light to produce reverse-engineered, counterfeit substitutes. Already there are reports of ineffective and even dangerous counterfeit COVID-19 vaccines being sold around the world.

Those pushing to break U.S. pharmaceutical patents say they want to do so for altruistic reasons. Consequently, they also insist that the prices for the medications be set far below their actual value.

But history shows us that forcing private companies to provide vaccines at an “affordable price,” regardless of the cost to the companies, actually impedes the manufacture of high-quality vaccines. Moreover, it inhibits the **future development of vaccines** needed to meet as-yet-unknown diseases.

#### 5] Plan increases price of raw materials and results in costly, ineffective facilities

Mcmurry-Heath 8/18 (Michelle Mcmurry-Heath, [physician-scientist and president and CEO of the Biotechnology Innovation Organization.], 8-18-2021, “Waiving intellectual property rights would harm global vaccination“, STAT, accessed: 8-19-2021, https://www.statnews.com/2021/08/18/waiving-intellectual-property-rights-compromise-global-vaccination-efforts/) ajs

Covid-19 vaccines are already remarkably cheap, and companies are offering them at low or no cost to low-income countries. Poor access to clinics and transportation are barriers in some countries, but the expense of the shot itself is not. In fact, if the World Trade Organization grants the IP waiver, it could make these vaccines more expensive.

Here’s why. Before Covid-19 emerged, the world produced at most [5.5 billion doses](https://www.barrons.com/articles/a-plan-to-break-the-vaccine-manufacturing-bottleneck-51621952245) of various vaccines every year. Now the world needs an additional [11 billion doses](https://www.who.int/director-general/speeches/detail/director-general-s-opening-remarks-at-the-g7-summit---12-june-2021) — including billions of doses of mRNA vaccines that no one had ever mass-manufactured before — to fully vaccinate every eligible person on the planet against the new disease.

Even as Covid-19 vaccines were still being developed, pharmaceutical companies began retrofitting and upgrading existing facilities to produce Covid-19 vaccines, at a cost of $40 to $100 million each. Vaccine developers also licensed their technologies to well-established manufacturers, like the Serum Institute of India, to further increase production. As a result, almost every facility in the world that can quickly and safely make Covid-19 vaccines is already doing so, or will be in the next few months.

The cutting-edge mRNA vaccines from Moderna and Pfizer-BioNTech face an even bigger capacity issue. Since the underlying technology is new, there are no mRNA manufacturing facilities sitting idle with operators just waiting for licensing agreements to turn on the machines. Nor are there trained personnel to run them or ensure safety and quality control. Embedding delicate mRNA vaccine molecules inside lipid nanoparticle shells at temperatures colder than Antarctica isn’t as easy as following a recipe from Bon Appetit.

Another big barrier to producing more shots is a shortage of raw materials. Suspending intellectual property protections and allowing any manufacturer to try to produce these vaccines, regardless of preparedness or experience, would increase the demand for scarce raw materials, driving up prices and impeding production.

Nor could all companies that suddenly get a green light due to suspended intellectual property rights produce vaccines as cheaply or quickly as existing manufacturers. Building a new vaccine manufacturing facility costs about $700 million, takes many months — if not years — to build and, once opened, requires another [four to six months](https://www.americanprogress.org/issues/healthcare/reports/2020/07/28/488196/comprehensive-covid-19-vaccine-plan/) to start producing vaccine doses. And because negotiations surrounding the WTO waiver, which began this summer, could take until December before they are completed, it wouldn’t be until well into 2023 or later that any additional doses would become available.

That’s slower than our current production rate. According to a report from Duke University’s [Global Health Innovation Center](https://launchandscalefaster.org/covid-19/vaccinemanufacturing), companies are on track to manufacture enough shots in 2021 to fully vaccinate at least 70% of the global population against Covid-19 — the level required to achieve herd immunity.

Covid-19 vaccines are saving millions of lives and protecting trillions of dollars of economic activity for an exceptionally low cost. Israel, for example, which has one of the world’s highest vaccination rates, paid [$23.50 per dose](https://www.timesofisrael.com/israel-said-to-be-paying-average-of-47-per-person-for-pfizer-moderna-vaccines/) for early shipments, for a total of about $315 million. That’s approximately equal to the gross domestic productivity losses incurred during [just two days of shutdowns](https://www.bmj.com/content/372/bmj.n281) in the country.

Many countries are buying shots for under $10 per dose. India and South Africa — the two countries leading the petition to gut IP rights — are paying just $8 and $5.25 per dose, respectively. For reference, a regular flu shot costs about $14 in the United States, and pediatric vaccines average about $55 per dose.

Meanwhile, low-income countries that can’t afford even modest prices are getting their vaccines at no charge. [COVAX](https://www.who.int/initiatives/act-accelerator/covax), the international nonprofit vaccine distributor, aims to deliver 2 billion doses to developing nations by the end of the year.

President Biden vowed to make America the world’s [“arsenal of vaccines.”](https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/05/17/remarks-by-president-biden-on-the-covid-19-response-and-the-vaccination-program-4/) The U.S. has already committed $4 billion to COVAX, has donated more than 100 million vaccine doses abroad, and is on track to donate [500 million more](https://www.npr.org/sections/goatsandsoda/2021/08/03/1023822839/biden-is-sending-110-million-vaccines-to-nations-in-need-thats-just-a-first-step) by the end of summer. Other countries are following the administration’s leadership and ramping up their donations.