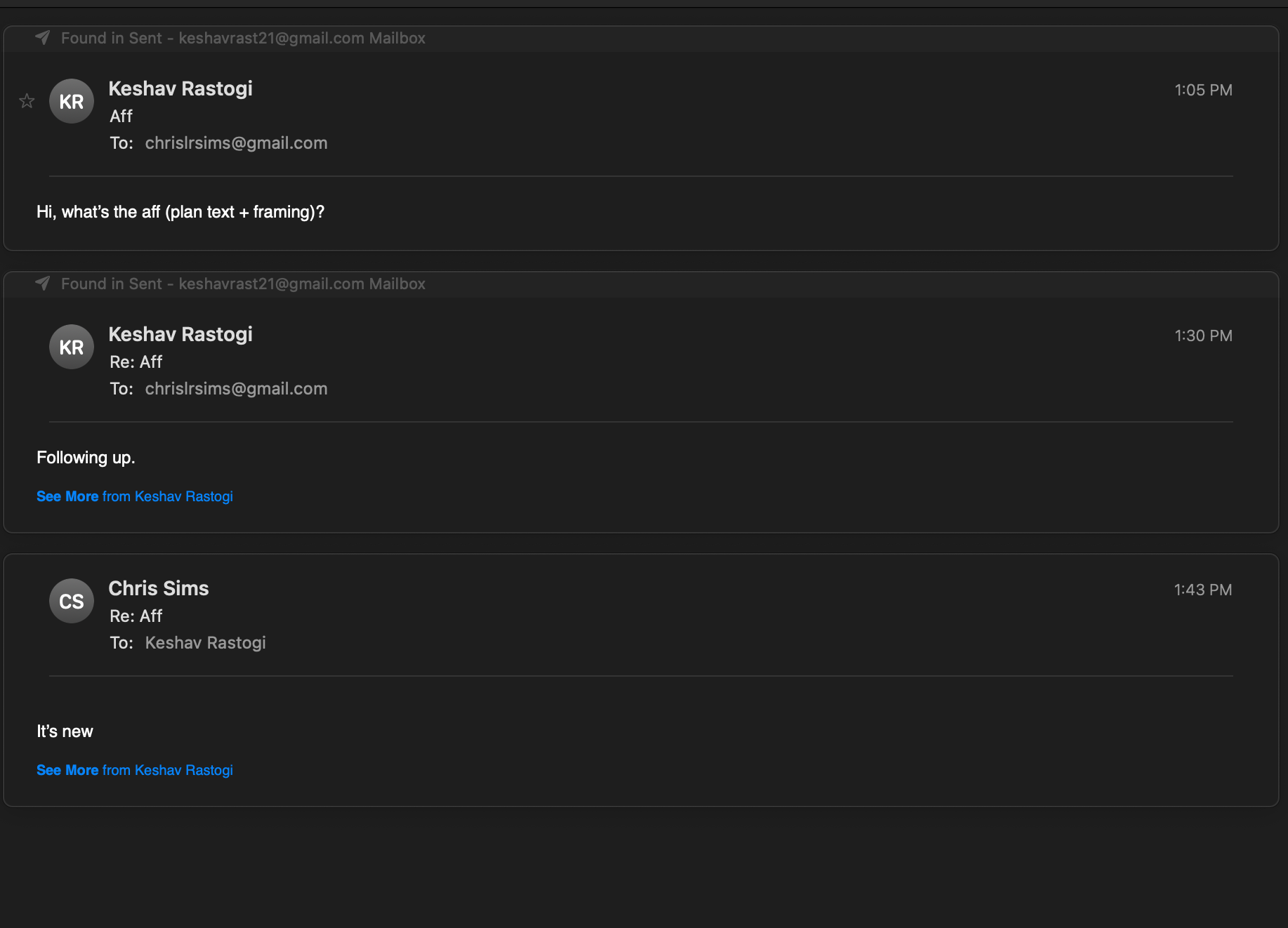
# 1NC

## OFF

#### Interpretation: Debaters must, with the contact info provided on their disclosure, disclose the plan text and framing mechanism of the aff, at least 30 minutes before the round. Tech difficulties must be explained on their wiki.

#### Violation: [screenshots]



#### Standards:

#### Vote neg for predictability and clash

#### 1] Breaking new affs forces us to rely on generics kills nuanced clash and turns their education arguments since we don’t get to discuss the aff in depth so we are forced into recycled T and kant debates.

#### 2] Forces students to value new over good which is a bad education model since it creates superficial learning. Counterinterp offense isn’t competitive you can still read new affs they just have to be disclosed before the round. Critical thinking is nonunique since people will still have to come up with answers to the aff since they only know a small amount of info.

**Voters:**

**1] Use competing interps— A) leads to a race to the top since we figure out the best possible norm B) avoids judge intervention since there’s a clear brightline C) debate over brightlines collapses since it relies on an offense defense paradigm.**

**2] No RVIs—**

**a. Baiting—they’ll just bait theory and prep it out—justifies infinite abuse and results in a chilling effect and**

#### b. illogical – you don’t win because you’re fair. It means that we both should win which makes the round irresolvable.

#### c. Means they can collapse to theory for 4 mintues which skews the theory debate since I only read it for 1.

#### 3] NC theory first A) abuse is self inflicted if I was abusive its because you forced me to B) It’s introduced earlier in the debate which means we have more time for norming C) scope disclosure impacts very speech starting from the 1AC

## OFF

#### Interpretation: Affs must specify what is included in an unconditional right to strike. To clarify, they must defend what the specific aff looks like or provide definitions in the 1AC that justify the plan.

#### Violation: cx

#### Standards:

#### 1] Shiftiness – allows them to siphon out of key negative ground on what the right to strike includes. The definition is different in multiple legal contexts, so explaining what the plan does to the right to strike solves. It could be a creating of a new strike, or removing of all conditions, etc.. that all tries to draw a line that negs can’t predict

Reddy, 1-6, ““There Is No Such Thing as an Illegal Strike”: Reconceptualizing the Strike in Law and Political Economy”, Yale Law Journal, Diana Reddy is a Doctoral Fellow at the Law, Economics, and Politics Center at UC Berkeley Law, and a PhD candidate in UCB's Jurisprudence and Social Policy Program. Her research interests lie at the intersection of work law, law and political economy, law and social movements, and social stratification and inequality. You can find her recent scholarship and commentary in Yale Law Journal Forum and Emory Law Journal, as well as in less formal outlets, like the Law and Political Economy blog. URL: https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy , KR

The strike has never fit easily within extant legal categories. According to Craig Becker, “the law has variously categorized strikes as criminal activity, as an invasion of property rights, and as a fundamental component of labor’s right to engage in collective bargaining.”77 Jurisprudentially, striking has been theorized as either an associational freedom upon which law cannot intrude, or in the alternative, conduct so coercive and disorderly as to be antithetical to the rule of law—industrial vigilante justice.78 Following enactment of the NLRA, strikes ostensibly became legal for the private sector workers covered by it. But especially after the 1947 Taft-Hartley Amendments to the NLRA, striking’s legality was tied to an increasingly narrow understanding of its purpose. In this Part, I provide a brief overview of how current law—shaped by its Progressive Era mortal weakness—codifies long-lasting legal ambivalence about striking, by constructing the strike as an “economic weapon,” and in so doing, as apolitical.

A. The “Right” to Strike: Under the NLRA, workers are generally understood to have a “right” to strike. Section 7 of the Act states that employees have the right to engage in “concerted activities for . . . mutual aid or protection,”79 which includes striking. To drive this point home, section 13 of the NLRA specifies, “Nothing in this [Act] . . . shall be construed so as either to interfere with or impede or diminish in any way the right to strike . . .”80 Note that it is a testament to deeply-held disagreements about the strike (is it a fundamental right which needs no statutory claim to protection, or a privilege to be granted by the legislature?) that the statute’s language is framed in this way: the law which first codified a right to strike does so by insisting that it does not “interfere with or impede or diminish” a right, which had never previously been held to exist.

#### They’re going to say that cx checks but a) it isn’t enough to formulate a large enough neg strat. I.e. if it is made fully legal negs can make arguments about the implications of that, but if it’s about guaranteeing it, negs are forced to resort to defending minority workers who don’t have rights. b) can’t solve the majority of our abuse which is lost prep time b/c we didn’t know how’d you defend it; that also allows new definitions per round which isn’t predictable

#### DTD because the abuse was in the 1AC and any neg abuse is justified by this shell being a pre-req to engagement

#### Competing interps:

#### 1] specificity – you can’t win you’re reasonably right because any small shift of the right to strike is enough to trigger new debates in the 1ar

#### 2] race to the bottom and norm setting – we can’t set norms without setting a clear standard

#### 3] arbitrary and missing brightline – increases judge intervention AND new 2AR arguments since the counter-interp will be newly contextualized

#### No RVI’s:

#### 1] Logic – you’ve won that you’re predictable for the neg to engage with in the first place, you deserve a ribbon not a ballot

#### 2] No time skew – 1] 13-13 means its fair 2] more neg skew since affs can always restructure arguments in the 1ar and 2ar 3] non-uq; every argument that got up-layered OR weighed over is lost

## OFF

#### Interpretation – the aff may not defend that a just government ought to recognize the right to strike for a subset of workers

#### 1. Workers is a generic bare plural

Nebel 20 [Jake Nebel is an assistant professor of philosophy at the University of Southern California and executive director of Victory Briefs. He writes a lot of this stuff lol – duh.] “Indefinite Singular Generics in Debate” Victory Briefs, 19 August 2020. no url AG

I agree that if “a democracy” in the resolution just meant “one or more democracy,” then a country-specific affirmative could be topical. But, as I will explain in this topic analysis, that isn’t what “a democracy” means in the resolution. To see why, we first need to back up a bit and review (or learn) the idea of generic generalizations.

The most common way of expressing a generic in English is through a *bare plural*. A bare plural is a plural noun phrase, like “dogs” and “cats,” that lacks an overt determiner. (A determiner is a word that tells us which or how many: determiners include quantifier words like “all,” “some,” and “most,” demonstratives like “this” and “those,” posses- sives like “mine” and “its,” and so on.) LD resolutions often contain bare plurals, and that is the most common clue to their genericity.

We have already seen some examples of generics that are not bare plurals: “A whale is a mammal,” “A beaver builds dams,” and “The woolly mammoth is extinct.” The first two examples use indefinite singulars—singular nouns preceded by the indefinite article “a”—and the third is a definite singular since it is preceded by the definite article “the.” Generics can also be expressed with bare singulars (“Syrup is viscous”) and even verbs (as we’ll see later on). The resolution’s “a democracy” is an indefinite singular, and so it very well might be—and, as we’ll soon see, is—generic.

But it is also important to keep in mind that, just as not all generics are bare plurals, not all bare plurals are generic. “Dogs are barking” is true as long as some dogs are barking. Bare plurals can be used in particular ways to express existential statements. The key question for any given debate resolution that contains a bare plural is whether that occurrence of the bare plural is generic or existential.

The same is true of indefinite singulars. As debaters will be quick to point out, some uses of the indefinite singular really do mean “some” or “one or more”: “A cat is on the mat” is clearly not a generic generalization about cats; it’s true as long as some cat is on the mat. The question is whether the indefinite singular “a democracy” is existential or generic in the resolution.

Now, my own view is that, if we understand the difference between existential and generic statements, and if we approach the question impartially, without any invest- ment in one side of the debate, we can almost always just tell which reading is correct just by thinking about it. It is clear that “In a democracy, voting ought to be compul- sory” doesn’t mean “There is one or more democracy in which voting ought to be com- pulsory.” I don’t think a fancy argument should be required to show this any more than a fancy argument should be required to show that “A duck doesn’t lay eggs” is a generic—a false one because ducks do lay eggs, even though some ducks (namely males) don’t. And if a debater contests this by insisting that “a democracy” is existen- tial, the judge should be willing to resolve competing claims by, well, judging—that is, by using her judgment. Contesting a claim by insisting on its negation or demanding justification doesn’t put any obligation on the judge to be neutral about it. (Otherwise the negative could make every debate irresolvable by just insisting on the negation of every statement in the affirmative speeches.) Even if the insistence is backed by some sort of argument, we can reasonably reject an argument if we know its conclusion to be false, even if we are not in a position to know exactly where the argument goes wrong. Particularly in matters of logic and language, speakers have more direct knowledge of particular cases (e.g., that some specific inference is invalid or some specific sentence is infelicitious) than of the underlying explanations.

But that is just my view, and not every judge agrees with me, so it will be helpful to consider some arguments for the conclusion that we already know to be true: that, even if the United States is a democracy and ought to have compulsory voting, that doesn’t suffice to show that, in a democracy, voting ought to be compulsory—in other words, that “a democracy” in the resolution is generic, not existential.

Second, existential uses of the indefinite, such as “A cat is on the mat,” are upward- entailing.3 This means that if you replace the noun with a more general one, such as “An animal is on the mat,” the sentence will still be true. So let’s do that with “a democracy.” Does the resolution entail “In a society, voting ought to be compulsory”? Intuitively not, because you could think that voting ought to be compulsory in democracies but not in other sorts of societies. This suggests that “a democracy” in the resolution is not existential.

#### It applies to this topic – a] workers is an existential bare plural bc it has no determiner b] The sentence “A just government ought to recognize the right of workers to strike” does not imply “a just government ought to recognize the right of people to strike”

#### 2. The aff makes the right to strike conditional on worker type which is the opposite of unconditional

Cambridge Dictionary No Date, (Cambridge Dictionary, “Unconditional”), https://dictionary.cambridge.org/us/dictionary/english/unconditional // MNHS NL

complete and not limited in any way: the unconditional love that parents feel for their children

unconditional surrender

We demand the immediate and unconditional release of all political prisoners.

#### Violation – they spec \_\_\_\_\_\_\_\_

#### Standards

#### 1] Limits – they can spec infinite different workers like agricultural workers, nurses etc - that’s supercharged by the ability to spec combinations of types of strikes. This takes out functional limits – it’s impossible for me to research every possible combination of workers, strikes and governments

#### 2] TVA solves – just read your aff as an advantage to a whole rez aff – we don’t stop them from reading new FWs, mechanisms or advantages. PICs aren’t aff offense – a] it’s ridiculous to say that neg potential abuse justifies the aff being non-T b] There’s only a small number of pics on this topic c] PICs incentivize them to write better affs that can generate solvency deficits to PICs

## OFF

### 1NC -- CP

#### Counterplan Text: A just government ought to recognize a right of hospital workers to strike when authorized by a majority of striking workers through a secret balloting process

#### That solves

Tenza 19 -- Mlungisi Tenza (LLB, LLM, LLD @ University of KwaZulu-Natal), Investigating the need to reintroduce a ballot requirement for a protected strike in South Africa, August 1 2019, *Obiter*Volume 40, Issue 2, https://journals.co.za/doi/10.10520/EJC-1936af7594 WJ

Violent protracted strikes can have devastating effects on employers, employees and the economy at large. Despite the fact that workers have a constitutional right to strike, it is important that the exercising of such a right not be allowed to go beyond the necessary limits. Currently, strikes are often characterised by violent conduct. Resolution of strikes also takes a long time, leaving many people unemployed by the time a solution is found. This not only affects the employees concerned, but is a contributing factor to poverty. To prevent long and violent strikes from taking place, it is suggested that there should be changes to existing labour law so as to include a ballot requirement. The law should compel a convening union to ballot members before staging a strike. To be credible, the balloting process should be chaired by an independent body, such as the IEC or a representative from the CCMA. This is the position in Australia and Canada. In these countries, if a union calls a strike without having balloted its members, such a strike is unlawful and civil action can be taken against the union and its members. Balloting members prior to strike action would help to establish their willingness to embark on a strike. If the majority vote in favour of a strike, it would send a signal to the employer that workers are serious and that it must consider their concerns or demands in a serious light. The employer and employee representatives are expected to engage fruitfully during negotiations and to avoid impending industrial action.

#### Mandatory pre-strike ballots empirically increase intra-organizational cohesion

Orchiston et al 19 -- Alice Orchiston (Lecturer, Faculty of Law, University of New South Wales), Breen Creighton (Honorary Professor, Graduate School of Business and Law, RMIT University), Catrina Denvir (Research Fellow, Director of Ulster Legal Innovation Centre, School of Law, Ulster University), Richard Johnstone (Professor, Faculty of Law, Queensland University of Technology), and Shae Mccrystal (Professor of Labour Law, Sydney Law School, The University of Sydney), PRE-STRIKE BALLOTS AND ENTERPRISE BARGAINING DYNAMICS: AN EMPIRICAL ANALYSIS, Melbourne University Law Review, Vol 42(2):593 2019 WJ

As identified above, the introduction of the mandatory pre-strike ballot requirement was justified by reference to democratic imperatives, specifically the need to implement a ‘fair, effective and simple process for determining if a group of employees in an enterprise want to take industrial action’.136 In practice, mandatory pre-strike ballots have had a positive effect on intra- organisational communication and internal union decision-making around industrial action. The analysis revealed that, on the whole, the unions in the study implemented democratic processes for member consultation and engagement over every step of the PABO process, including the decision to apply for a PABO, the ballot itself and the subsequent decision to take industrial action. These decisions were almost universally referred to by union interviewees as ‘member’ decisions subject to internal union processes with high levels of member engagement.

#### Intra-organizational democracy is key to labor power – union leadership trails worker support

Vesoulis 21 -- Abby Vesoulis and Julia Zorthian, Workers Are Furious. Their Unions Are Scrambling to Catch Up, https://time.com/6110014/worker-anger-unions/, October 2021 WJ

The other thing getting under Geiger’s skin is how his union, United Auto Workers (UAW), is handling this moment. After all, it was UAW that agreed to the contract of the two-tiered system back in the 1990s. “We don’t trust the international union” says Geiger. “They brought that lousy contract for us to vote on.”

Geiger’s frustration with his union is not unique. In recent weeks, as tens of thousands of workers from Colorado to Georgia have gone on strike to demand better pay and work conditions, much of the organizing has been driven by workers themselves. The dynamic has left national and international union leadership scrambling to keep up with their own members’ decisions to strike, their shifting goals, and how to support the social media-driven communications strategies workers are employing.

“There is this grassroots push,” says David Madland, senior adviser to the American Worker Project at the Center for American Progress, “and leaders have to catch up.”

A year and a half into the COVID-19 pandemic, in which most blue-collar workers risked their health and safety to go to work while their white-collar colleagues largely worked from home, some top union brass and union members are at a disconnect. Union leadership is sometimes so focused on state and federal power structures that they’re missing the tectonic shifts among workers on the ground, labor experts and striking workers say.

“There is a danger and a concern that some of the heads of unions tend to be DC-focused. [They are] too interested in, ‘What are the debates on reconciliation? Who’s working with the administration? Are we invited to the meetings in DC?’ Yes, there’s an important role to play there,” argues Faiz Shakir, the founder of advocacy journalism startup More Perfect Union and former Bernie Sanders’ 2020 campaign manager. “But right now, especially at this moment in history, the worker fights are out there around the country.”

## OFF

#### Bill passes now- negotiations are holding with Manchin and Sinema-but UN meeting and state elections make it so that there is no margin for error

Edmonson and Cochrane 10-24 Catie Edmondson and Emily Cochrane, 10-24-2021, "Biden Meets With Manchin and Schumer as Democrats Race to Finish Social Policy Bill," New York Times, https://www.nytimes.com/2021/10/24/us/politics/biden-manchin-schumer-spending-bill.html/SJKS

WASHINGTON — President Biden huddled with key Democrats on Sunday to iron out crucial spending and [tax provisions](https://www.nytimes.com/2021/10/26/us/politics/democrats-billionaires-tax.html) as they raced to wrap up their expansive social safety net legislation before his appearance at a U.N. climate summit next week. Speaker Nancy Pelosi of California said Democrats were close to completing the bill, displaying confidence that the negotiations over issues like paid leave, tax increases and Medicare benefits that have bedeviled the party for months would soon end. “We have 90 percent of the bill agreed to and written. We just have some of the last decisions to be made,” Ms. Pelosi said on CNN’s “State of the Union,” adding that she hoped to pass an infrastructure bill that had already cleared the Senate and have a deal in hand on the social policy bill by the end of the week. “We’re pretty much there now.” Her comments came as Mr. Biden met with Senators Chuck Schumer of New York, the majority leader, and Joe Manchin III of West Virginia, one of the critical centrist holdouts on the budget bill. The White House called the breakfast at Mr. Biden’s Wilmington home a “productive discussion.” For weeks, intraparty divisions over the scope and size of their marquee [domestic policy plan](https://www.nytimes.com/live/2021/10/26/us/biden-spending-bill-deal) have delayed an agreement on how to trim the initial $3.5 trillion blueprint Democrats passed this year. In order to bypass united Republican opposition and pass the final bill, Democrats are using an arcane budget process known as reconciliation, which shields fiscal legislation from a filibuster but would require every Senate Democrat to unite behind the plan in the evenly divided chamber. The party’s margins in the House are not much more forgiving. Facing opposition over the $3.5 trillion price tag, White House and party leaders are coalescing around a cost of up to $2 trillion over 10 years. They have spent days negotiating primarily with Mr. Manchin and Senator Kyrsten Sinema, Democrat of Arizona and another centrist holdout. House Democratic leaders hope to advance both a compromise reconciliation package and the $1 trillion bipartisan infrastructure package. Liberals have so far balked at voting on the bipartisan deal until the more expansive domestic policy package — which is expected to address climate change, public education and health care — is agreed upon. But Democrats are facing a new sense of urgency to finish the legislation before Mr. Biden’s trip to a major United Nations climate change conference, where he [hopes to point to the bill](https://www.nytimes.com/2021/10/15/climate/biden-clean-energy-manchin.html) as proof that the United States is serious about leading the effort to fight global warming. “The president looked us in the eye, and he said: ‘I need this before I go and represent the United States in Glasgow. American prestige is on the line,’” Representative Ro Khanna, a California Democrat who met with Mr. Biden last week at the White House, said on “Fox News Sunday.” Democrats are also increasingly eager to deliver the bipartisan legislation to Mr. Biden’s desk before elections for governor in Virginia and New Jersey on Nov. 2, to show voters the party is making good on its promise to deliver sweeping social change. And a number of transportation programs will lapse at the end of the month without congressional action on either a stopgap extension or passage of the infrastructure bill, leading to possible furloughs. The legislation is expected to include a one-year extension of payments to most families with children, first approved as part of the $1.9 trillion pandemic relief plan, as well as an increase in funds for Pell grants, support for home and elder care, and billions of dollars for affordable housing. It would also provide tax incentives to encourage use of wind, solar and other clean energy. While aides cautioned that details were in flux, the plan is also expected to address a cap on how much taxpayers can deduct in state and local taxes, a key priority for Mr. Schumer and other lawmakers who represent higher-income residents of high-tax states affected by the limit. But negotiators on Sunday were still haggling over a number of outstanding pieces, including the details of a federal paid family and medical leave program — already cut to four weeks from 12 weeks — Medicaid expansion and a push to expand Medicare benefits to include dental, vision and hearing. With Mr. Manchin pushing for a $1.5 trillion price tag, Democratic officials are urging for him to accept more spending in order to avoid dropping other programs.

#### Labor reform saps PC – empirically prove with Obama, corporate opposition, and Democratic resistance

Leon 21 Luis Feliz Leon, 01-06-2021, “"If we want it, we’re going to have to fight like hell for it" - Labor faces an uphill battle to pass the PRO Act,” Strike Wave, https://www.thestrikewave.com/original-content/labor-faces-uphill-battle-to-pass-pro-act/SJKS

The Employee Free Choice Act (EFCA), which died in the Senate during President Barack Obama’s first term, had similar potential to increase union membership, as it would have enabled workers to get union representation if a majority signed union cards (“card check”) rather than through an election. It died because Obama was unwilling to put political capital behind it to overcome opposition from Republicans and center-right Democrats. “EFCA was very close to becoming law. At the end of the day, in my view, the Obama administration did not put the necessary political capital into securing its passage,” said EPI's McNicholas. “The Obama administration decided to focus on ‘bipartisan’ and ‘reach across the aisle’ type solutions to the 2008 financial crisis, and thus didn't care about EFCA in the face of the anti-EFCA mobilization by strong ‘antis’ like the Chamber of Commerce,” says Susan Kang, a professor of political science at John Jay College who studies political economy, labor, and human rights. “Basically, labor was swept aside by the Obama administration … at the exact moment when he had the strongest mandate and political capital.” Another issue, said Patrick Burke, an organizer with United Auto Workers Local 2322 in Massachusetts, was that EFCA's card-check provisions, when framed as a replacement for elections, “became very easy to demonize and difficult to explain to people not already familiar with labor law.” “The short story is that the EFCA was doomed from a few moderate Dems not being willing to go through with card check once actually in power to enact it. The long story is that the labor movement's disappearance from the ‘adult table’ of Democratic politics has cyclical downward effects. They're less able to convince Dems to go out on the limb for them and to prioritize their legislative requests,” said Brandon Magner, a labor lawyer in Indiana. Despite a history of betrayal and rejection, labor and immigrant rights organizations, [coalesced](https://progressive.org/dispatches/power-behind-win-feliz-leon-201123/) around Biden, a self-professed “[union guy](https://www.cnbc.com/2020/11/16/biden-holds-joint-meeting-with-union-leaders-and-retail-auto-tech-ceos.html),” after the primaries and [helped deliver](https://progressive.org/dispatches/bargaining-rights-with-that-feliz-leon-201229/) him to the White House in the hope that doing so would lead to [executive action](https://indypendent.org/2020/12/immigrants-rights-advocates-descend-on-delaware/) on immigration and labor law reform. “We call on Congress to pass and Biden to sign the Protecting the Right to Organize (PRO) Act early in 2021 to make sure every worker who wants to form or join a union is able to do so freely and fairly,” AFL-CIO President Richard Trumka said in a [statement](https://aflcio.org/press/releases/afl-cio-looks-forward-working-president-elect-joe-biden-0) after the election. But union organizers, researchers, and labor lawyers see dim prospects for winning significant labor reform during the Biden administration. “The PRO Act is obviously dead in the Senate unless Mitch McConnell gets knocked into the minority, but I don't see it being passed without full-throated support for gutting the filibuster from Biden, Harris, Schumer, Durbin, and more,” said Magner, the labor lawyer, adding that “the history of failed labor law reform efforts indicates you need 60 votes to pass anything.” That is particularly true of Democrats in “right-to-work” states like [South Carolina](https://www.postandcourier.com/politics/scs-rep-joe-cunningham-to-vote-against-pro-union-bill-in-break-with-democrats/article_426b38e2-4862-11ea-a0d9-77a96531c47e.html) where U.S. Rep. Joe Cunningham was a reliable opponent in the House. But the greatest liability might be Biden himself. “The few times that Biden met McConnell at the negotiating table during the Obama years, McConnell [left with Biden’s wallet](https://theintercept.com/2019/06/24/joe-biden-tax-cuts-mitch-mconnell/),” dryly [observed](https://theintercept.com/2020/12/28/mcconnell-trump-election/) The Intercept’s Ryan Grim. “Even if the Democrats capture the Georgia Senate seats, their margin will be too small to overcome a Republican filibuster or, if they change the rules, more than one Democrat will break ranks, and no Republicans will support the act,” said Friedman. Even if Biden were to somehow outmaneuver McConnell’s chicanery, there would be fierce opposition to contend with on the corporate side from the likes of Americans for Tax Reform, which has [used](https://www.atr.org/ab5) Georgia runoff elections as an opportunity to fearmonger on the PRO Act, and, when backed against the wall, Biden may revert to his timeworn moderate instincts and not go to bat for labor reform unless forced to. “Prospects for major labor law reform under the Biden administration are directly tied to unions’ and union federations’ willingness to hold the administration’s feet to the fire. They are not going to do it on their own – if we want it, we’re going to have to fight like hell for it,” said Pitkin, the former UNITE HERE organizer. “The biggest question is whether there is enough street heat and organizing to prioritize legislation like this," said Burke, the UAW organizer. “Workers in motion spur labor-law reforms, not the other way around.”

#### Infrastructure secures the grid against worsening and increasing cyberattacks.

Carney 21 [Chris; 8/6/21; Senior policy advisor at Nossaman LLC, former US Representative, former professor of political science at Penn State University; "*The US Senate Infrastructure Bill: Securing Our Electrical Grid Through P3s and Grants*," JDSupra, <https://www.jdsupra.com/legalnews/the-us-senate-infrastructure-bill-4989100/>] Justin

As we begin to better understand the main components of the Infrastructure Investment and Jobs Act that the US Senate is working to pass this week, it is clear that public-private partnerships ("P3s") are a favored funding mechanism of lawmakers to help offset high costs associated with major infrastructure projects in communities. And while past infrastructure bills have used P3s for more conventional projects, the current bill also calls for P3s to help pay for protecting the US electric grid from cyberattacks. Responding to the increasing number of cyberattacks on our nation’s infrastructure, and given the fragile physical condition of our electrical grid, the Senate included provisions to help state, local and tribal entities harden electrical grids for which they are responsible. Section 40121, Enhancing Grid Security Through Public-Private Partnerships, calls for not only physical protections of electrical grids, but also for enhancing cyber-resilience. This section seeks to encourage the various federal, state and local regulatory authorities, as well as industry participants to engage in a program that audits and assesses the physical security and cybersecurity of utilities, conducts threat assessments to identify and mitigate vulnerabilities, and provides cybersecurity training to utilities. Further, the section calls for strengthening supply chain security, protecting “defense critical” electrical infrastructure and buttressing against a constant barrage of cyberattacks on the grid. In determining the nature of the partnership arrangement, the size of the utility and the area served will be considered, with priority going to utilities with fewer available resources. Section 40122 compliments the previous section as it seeks to incentivize testing of cybersecurity products meant to be used in the energy sector, including SCADA systems, and to find ways to mitigate any vulnerabilities identified by the testing. Intended as a voluntary program, utilities would be offered technical assistance and databases of vulnerabilities and best practices would be created. Section 40123 incentivizes investment in advanced cybersecurity technology to strengthen the security and resiliency of grid systems through rate adjustments that would be studied and approved by the Secretary of Energy and other relevant Commissions, Councils and Associations. Lastly, Section 40124, a long sought-after package of cybersecurity grants for state, local and tribal entities is included in the bill. This section adds language that would enable state, local and tribal bodies to apply for funds to upgrade aging computer equipment and software, particularly related to utilities, as they face growing threats of ransomware, denial of service and other cyberattacks. However, under Section 40126, cybersecurity grants may be tied to meeting various security standards established by the Secretary of Homeland Security, and/or submission of a cybersecurity plan by a grant applicant that shows “maturity” in understanding the cyber threat they face and a sophisticated approach to utilizing the grant. While the final outcome of the Infrastructure Investment and Jobs Act may still be weeks or months away, inclusion of these provisions not only demonstrates a positive step forward for the application of federal P3s and grants generally, they also show that Congress recognizes the seriousness of the cyber threats our electrical grids face. Hopefully, through judicious application of both public-private partnerships and grants, the nation can quickly secure its infrastructure from cyberattacks.

#### Cyberattacks on the grid spiral to all-out nuclear conflict.

Klare 19 [Michael; November 2019; Professor emeritus of peace and world security studies at Hampshire College; “*Cyber Battles, Nuclear Outcomes? Dangerous New Pathways to Escalation*,” Arms Control Association, <https://www.armscontrol.org/act/2019-11/features/cyber-battles-nuclear-outcomes-dangerous-new-pathways-escalation>] Justin

Yet another pathway to escalation could arise from a cascading series of cyberstrikes and counterstrikes against vital national infrastructure rather than on military targets. All major powers, along with Iran and North Korea, have developed and deployed cyberweapons designed to disrupt and destroy major elements of an adversary’s key economic systems, such as power grids, financial systems, and transportation networks. As noted, Russia has infiltrated the U.S. electrical grid, and it is widely believed that the United States has done the same in Russia.12 The Pentagon has also devised a plan known as “Nitro Zeus,” intended to immobilize the entire Iranian economy and so force it to capitulate to U.S. demands or, if that approach failed, to pave the way for a crippling air and missile attack.13 The danger here is that economic attacks of this sort, if undertaken during a period of tension and crisis, could lead to an escalating series of tit-for-tat attacks against ever more vital elements of an adversary’s critical infrastructure, producing widespread chaos and harm and eventually leading one side to initiate kinetic attacks on critical military targets, risking the slippery slope to nuclear conflict. For example, a Russian cyberattack on the U.S. power grid could trigger U.S. attacks on Russian energy and financial systems, causing widespread disorder in both countries and generating an impulse for even more devastating attacks. At some point, such attacks “could lead to major conflict and possibly nuclear war.”14

## OFF

### 1nc

#### CP Text- A just government ought to provide an unconditional right to strike except for Ambulance and Paramedic workers

#### There are large paramedic Shortages right now, this is exacerbated in rural areas where health services are most needed

Kate Rogers, FEB 1 2019, “The need for EMTs and paramedics is growing, but finding people to fill the jobs isn’t easy,” CNBC, <https://www.cnbc.com/2019/02/01/the-need-for-paramedics-is-growing-but-strong-labor-market-makes-hiring-hard.html> | DD JH

On any given day, Eric Mailman may transport a baby born into a neonatal intensive care unit from one hospital to another, or he could answer a call for an elderly person in cardiac arrest. The paramedic and operations coordinator at Northern Light Health’s medical transport and emergency care in Bangor, Maine, can answer anywhere between four and 17 calls in a day, on shifts that can stretch from 12 to 24 hours. The only guarantee is that work will be busy and unpredictable. “The positive is that you get to step in on the chaos of the worst day of someone’s life and bring some calm and peace — to me that is priceless,” Mailman said. “But there are days when you can’t intervene, where things are out of your control. It’s impossible to help everybody, and those days are the hardest.” At Northern Light, some 170 people work in emergency medical services and transport, but the system is currently about 10 percent understaffed. Challenges are many in hiring — the community is rural, and while the pay and benefits can be competitive, the job itself is a big commitment, requiring sometimes up to two years of training, recertification and continuing education. Roughly five years ago, there were 15 to 20 applicants per open position, says Joe Kellner, vice president of emergency services and community programs at Northern Light. Today, however, it’s not uncommon to post a job and have zero applicants respond, he said. The tight labor market is particularly weighing on the health sector. The health-care industry added 42,000 new jobs in January, with more than 22,000 in ambulatory health-care services and another 19,000 in hospitals, [according to Friday’s closely watched Labor Department report](https://www.cnbc.com/2019/02/01/nonfarm-payrolls-january-2019.html). The health-care sector has added 368,000 jobs over the past year, while unemployment continues to hover near historic lows. “Fewer people are entering the profession, unemployment is low, and this is also a job that many people used to get into through volunteerism and in local communities — there is a lot less of that,” Kellner says. “The pathway in is harder and harder, but we try to create solutions for that.” Northern Light’s system is run in partnership with a larger nine-hospital system throughout the state, allowing for more reliable funding and options for those using emergency medical services as a stepping stone to other areas of health care. The company also reimburses for tuition, offers competitive paid time off and a retirement plan with a matching employer contribution. Highly trained paramedics are paid about $27 an hour. Emergency medical technicians and paramedics like Mailman are in demand, not just in Bangor but around the country. Challenges persist beyond just finding people to fill jobs in more rural areas, however — [2017 median nationwide pay](https://www.bls.gov/ooh/healthcare/emts-and-paramedics.htm) was just more than $33,000, or about $16 an hour. Funding can also be an issue in some communities, as reimbursements from insurers, patients, and Medicare and Medicaid are outpaced by wage pressures and costs to operate. This is especially common in volunteer programs, funded in large part by community donations and local taxpayer dollars. “If people really want to feel confident that they can call 911 and someone will come, they need to support their community so it will provide that kind of service,” says Kathy Robinson, program manager for the National Association of State EMS Officials. Health-care hiring boom The need for EMT and paramedic workers comes as the health-care sector continues to boom. “The strong economy definitely has an impact,” says Ani Turner, co-director of sustainable health spending strategies at nonprofit research organization Altarum. “We are at full employment, so along with expanded insurance coverage in the Affordable Care Act that started to take effect part way through 2014, we have a lot of people that now have health insurance coverage. More people with health benefits, more people with insurance increases the demand for health care and therefore health jobs.” Much of this growth came from the ambulatory sector, with an emphasis on outpatient care, which added 37,800 jobs in December 2018. What’s more, out of the 30 fastest-growing occupations through 2026, per BLS, [nearly half fall under the health-care category](https://www.bls.gov/ooh/fastest-growing.htm), and analysts say there’s likely no slowing down ahead. The workforce continues to age, as does the population in need of care, the opioid epidemic persists, and the pool of skilled labor remains tight. With all that growth, there’s no doubt demand will continue within systems like Northern Light, where trained professionals like Mailman are ready to answer the call. “I love my job. I can’t imagine doing anything different than what I do,” Mailman said.

#### Ambulance strikes in countries lead to increased mortality rates and massively delayed response time.

The Times ,3-27-2012, "Pensioner’s death linked to ambulance strike," No Publication, <https://www.thetimes.co.uk/article/pensioners-death-linked-to-ambulance-strike-m89w3tkcx3t> | DD JH

An elderly patient died in London while waiting for a delayed ambulance during autumn’s mass strike, in which more than half of the capital’s ambulance workers walked out. An official NHS report will today claim the death could be linked to the industrial action on November 30, revealing how it led to major delays in the 999 emergency service. Some patients in “life-threatened” situations were forced to wait for more than two hours for a response, while many others were left in “distress and pain”, it finds. The study, seen by The Times, claims that the death - at 4.35pm - was “potentially linked to a delayed response”. A further investigation is expected to confirm that the patient was waiting too long for the ambulance but cannot conclusively blame that for the patient’s death. The NHS London report says the death occurred over three hours after the London Ambulance Service declared an “Internal Major Incident” and called on the unions to repudiate the strike. Services were so clogged up by then that dozens of emergency cases were being held with many patients forced to wait an hour or longer for a response. However, the strike continued and very few members of staff returned to work, the study says. Hundreds of people who needed urgent medical attention received delays in their care. Some 875 patients in “potential immediately life-threatened” situations - classified as category A - were forced to wait longer than the eight-minute target for an urgent response. Of those, 318 waited longer than 19 minutes. By the evening some patients whose lives were at the highest level of risk classified had to wait more than two hours. The NHS London report concludes that the action had a “significant effect” on the operational capability of the ambulance service. It fears that “timely, consistent, effective and safe clinical care” was not delivered. “Undoubtedly some patients waited too long for an ambulance, in particular those patients with non life-threatening conditions and it is recognised that these patients were often in distress and pain,” it concludes. The report finds that the majority of patients had to wait longer than nationally mandated standards. The expectation was that 30 per cent of staff would walk out but over half actually did and the service was not able to handle it. In some parts of the capital staffing levels fell to just 10 per cent. ADVERTISEMENT The report reveals how 117 calls were being held by 1pm, with over 50 waiting more than an hour. By 4pm four category A patients were being held for more than an hour. By the evening dozens of emergency cases were not responded to for between one or two hours. The ambulance service has a target of responding to three quarters of category A calls within 8 minutes. On November 30, that fell to below one quarter. It insists that future strikes must be better dealt with.

## CASE

#### strikes damage hospitals’ reputation and finances, and harm patients

**Masterson 17** - Les Masterson, 8-15-2017, "Nursing strikes can cause harm well beyond labor relations," Healthcare Dive, https://www.healthcaredive.com/news/nursing-strikes-can-cause-harm-well-beyond-labor-relations/447627/

When officials at Tufts Medical Center in Boston refused to allow nurses just off of a one-day strike return to their jobs, the footage spread across TV news programs and social media. Boston Mayor Martin Walsh, a former labor leader, spoke in favor of the striking nurses and the hospital found itself in an uncomfortable spotlight.

**About 1,200 nurses went on a one-day strike after their union, the Massachusetts Nurses Association, and Tufts couldn't come to a new contract agreement after more than a year of negotiations**. Tufts, in turn, locked out the nurses when they attempted to return to work the next day.

Officials said the lockout was required because they needed to give at least five-day contracts to 320 temporary nurses brought in to fill the gap. The nurses are back on the job now without a new contract, but the strike and subsequent lockout got the public’s attention.

**Hospital strikes aren't that common — usually, the sides agree to a new contract. Strikes or threatened strikes in recent years have typically involved conflicts over pay, benefits and staff workloads**.

**When strikes do happen, however, they can hurt a hospital’s reputation, finances and patient care.**

**A study on nurses’ strikes in New York found that labor actions have a temporary negative effect on a hospital’s patient safety.**

**Study authors Jonathan Gruber and Samuel A. Kleiner found that nurses’ strikes increased in-patient mortality by 18.3% and 30-day readmission by 5.7% for patients admitted during the strike. Patients admitted during a strike got a lower quality of care, they wrote.**

“We show that this deterioration in outcomes occurs only for those patients admitted during a strike, and not for those admitted to the same hospitals before or after a strike. And we find that these changes in outcomes are not associated with any meaningful change in the composition of, or the treatment intensity for, patients admitted during a strike,” they said.

**They said a possible reason for the lower quality is fewer major procedures performed during a strike, which could lead partially to diminished outcomes. The study authors found that patients that need the most nursing care are the ones who make out worst during strikes.**

“We find that patients with particularly nursing-intensive conditions are more susceptible to these strike effects, and that hospitals hiring replacement workers perform no better during these strikes than those that do not hire substitute employees,” they wrote.

Allina Health’s Abbott Northwestern Hospital in Minneapolis faced a patient safety issue during a strike last year that resulted in the CMS placing the hospital in “immediate jeopardy” status after a medication error. A replacement nurse administered adrenaline to an asthmatic patient through an IV rather than into the patient’s muscle. The patient, who was in the emergency room (ER), wound up in intensive care for three days because of the error. Allina said the error was not the nurse’s fault, but was the result of a communication problem.

The CMS accepted the hospital plan of correction, which included having a nurse observer when needed and retraining ER staff to repeat back verbal orders.

**Hospitals also take a financial hit during strikes. Even the threat of a one- or two-day nurse strike can cost a hospital millions.**

Bringing in hundreds or thousands of temporary nurses from across the country is costly for hospitals. They need to advertise the positions, pay for **travel and often give bonuses to lure temporary nurses.**

**The most expensive recent nurse strike was when about 4,800 nurses went on strike at Allina Health in Minnesota two times last year. The two strikes of seven days and 41 days cost the health system $104 million. The hospital also saw a $67.74 million operating loss during the quarter of those strikes.**

To find temporary replacements, Allina needed to include enticing offers, such as free travel and a $400 bonus to temporary nurses.

**Even the threat of a strike can cost millions. Brigham and Women’s Hospital in Boston spent more than $8 million and lost $16 million in revenue preparing for a strike in 2016.** The 3,300-nurse union threatened to walk out for a day and much like Tufts Medical Center, Brigham & Women’s said the hospital would lock out nurses for four additional days if nurses took action.

At that time, Dr. Ron Walls, executive vice president and chief operating officer at Brigham and Women’s Hospital, said the hospital spent more than $5 million on contracting with the U.S. Nursing Corp. to bring on 700 temporary nurses licensed in Massachusetts. The hospital also planned to cut capacity to 60% during the possible strike and moved hundreds of patients to other hospitals. They also canceled procedures and appointments in preparation of a strike.

The Massachusetts Nurses Association and Brigham & Women’s were able to reach a three-year agreement before a strike, but the damage was already done to the hospital’s finances.

Richard L. Gundling, senior vice president of healthcare financial practices at Healthcare Financial Management Association, told Healthcare Dive that healthcare organizations need to plan for business continuity in case of an event, such as a labor strike, natural disaster or cyberattack.

“Business continuity is directly related to the CFO’s responsibility for maintaining business functions. The plan should include having business continuity insurance in place to replace the loss associated with diminished revenue and increased expenses during the event,” Gundling said.

These plans should provide adequate staffing, training, materials, supplies, equipment and communications in case of a strike. Hospitals should also keep payers, financial agencies and other important stakeholders informed of potential issues.

“It’s also key to keep financial stakeholders well informed; this includes insurance companies, bond rating agencies, banks, other investors, suppliers and Medicare/Medicaid contractors,” he said.

**Hospital strikes, particularly nurses’ strikes, can also wreak havoc on a hospital’s reputation. Nurses are a beloved profession. They work hard, often long hours and don’t make a fortune doing it. The median registered nurses’ salary is about $70,000, according to the Bureau of Labor Statistics.**

**Nurses’ contract disputes involving staffing levels are a sticky situation for hospitals. Nurses will almost always win the PR battle against hospital executives.**

If a hospital can’t avoid a strike, Fraser Seitel, president of Emerald Partners, a communications management consulting company, told Healthcare Dive said two keys for the organization are telling the truth and not being passive about untrue statements from the other side. They don’t want to be adversarial and escalate the situation, but go with a more measured approach.

Seitel said there are two ways that hospital leadership can avoid a strike.

“The best way to prevent a strike is by the management of the hospital having a robust communications program with the staff of the hospital as well as keeping competitive in terms of salaries and benefits,” said Seitel, who has helped hospitals during times of labor strife.

Seitel said labor issues often crop up when management isn’t communicative. Communication, transparency and competitive compensation are the best preventative medicine for a strike, he said.

#### Nurse strikes kill hospital productivity

**Wright 10** - Sarah Write, [Sarah H. Wright is a researcher at the National Bureau of Economic Research] 7-2010, “Evidence on the Effects of Nurse Strikes” July 2010, National Bureau of Economic Research, <https://www.nber.org/digest/jul10/evidence-effects-nurses-strikes>, VM

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

#### No extinction from disease – global dispersion, countermeasures, and evolution

Farquhar 17

Sebastian Farquhar is the director of the Global Priorities Project, Masters degree in Physics and Philosophy from the University of Oxford, Project Manager at FHI, John Halstead, DPhil in political Philosophy from St Anne’s College, Oxford, Global Priorities Project, 2017, “Existential Risk Diplomacy and Governance”, https://www.fhi.ox.ac.uk/wp-content/uploads/Existential-Risks-2017-01-23.pdf

For most of human history, natural pandemics have posed the greatest risk of mass global fatalities.37 However, there are some reasons to believe that natural pandemics are very unlikely to cause human extinction. Analysis of the International Union for Conservation of Nature (IUCN) red list database has shown that of the 833 recorded plant and animal species extinctions known to have occurred since 1500, less than 4% (31 species) were ascribed to infectious disease.38 None of the mammals and amphibians on this list were globally dispersed, and other factors aside from infectious disease also contributed to their extinction. It therefore seems that our own species, which is very numerous, globally dispersed, and capable of a rational response to problems, is very unlikely to be killed off by a natural pandemic.

One underlying explanation for this is that highly lethal pathogens can kill their hosts before they have a chance to spread, so there is a selective pressure for pathogens not to be highly lethal. Therefore, pathogens are likely to co-evolve with their hosts rather than kill all possible hosts.39