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## Offs

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#### CP: The People’s Republic of China should:

#### - substantially increase innovation funding, production and global distribution of COVID-19 Vaccines for all current and future waves of the pandemic

- includes Sinovac, sionpharm, and any future vaccines

#### - cooperate with allies to achieve increased production and global distribution of the COVID-19 Vaccine.

#### Solves case – China vaccinates the world.

Mallapaty 6-9 Smriti Mallapaty 6-9-2021 "China is vaccinating a staggering 20 million people a day" <https://www.nature.com/articles/d41586-021-01545-3> (She has a master of science degree in environmental technology from Imperial College London.)//Elmer

For more than a week, an average of about **20 million people** have been vaccinated against COVID-19 **every day in China**. At this rate, the nation would have fully vaccinated the entire UK population in **little more than six days**. China now accounts for more than half of the 35 million or so people around the world receiving a COVID-19 shot each day. Zoltán Kis, a chemical engineer in the Future Vaccine Manufacturing Research Hub at Imperial College London, doesn’t know of “anything **even close to those production scales**” for a vaccine. “The manufacturing efforts required in China to reach this high production throughput are tremendous,” he says. The majority of doses are of one of two vaccines, both of which have been approved for emergency use worldwide by the World Health Organization (WHO). CoronaVac — produced by Beijing-based company Sinovac — showed an efficacy of 51% against symptoms of COVID-19 in clinical trials, and much higher protection against severe disease and death. The second jab was developed in Beijing by state-owned firm Sinopharm and has demonstrated an efficacy of 79% against symptomatic disease and hospitalization. Supplying vaccines to the world China’s current vaccine production rate could potentially **make a significant dent in global demand**, says Kis; that would be “**a huge step in reducing the health-care and economic burden of the COVID-19 pandemic**”. China has already supplied 350 million doses of the two vaccines to more than 75 nations, and WHO approval should now trigger the further distribution of both vaccines to low-income countries. “China’s vaccination campaign got off to a slow start, but has rapidly picked up pace,” says Rongjun Chen, a biomaterials scientist also at the Future Vaccine Manufacturing Research Hub. As recently as mid-April, China was administering only about five million doses a day. According to an official at China’s National Health Commission, the nation aims to produce some three billion doses of COVID-19 vaccines in 2021 — and up to **five billion per year after that**. To achieve such high production rates, many things need to go according to plan across the entire production and distribution chain, from sourcing raw materials to manufacturing active ingredients, filling vials and distributing doses to vaccination centres, says Kis. “It is crucial that everything arrives at the right location at the right time.”

#### China’s using absence of vaccine alternates to assert influence.

Zhao 4-29 Suisheng Zhao 4-29-2021 "Why China’s vaccine diplomacy is winning" <https://www.eastasiaforum.org/2021/04/29/why-chinas-vaccine-diplomacy-is-winning/> (Professor and Director of the Center for China–US Cooperation at the Josef Korbel School of International Studies, University of Denver)//Elmer

Chinese COVID-19 vaccines have been shipped to more than **80 countries** for market or emergency use. Among them, 53 countries received vaccines for free (including developing countries in Africa and some strategically important Asian countries such as the Philippines and Pakistan) and 27 middle-income countries paid for doses. Rolling out of vaccines to developing countries, Beijing has framed itself as **a solution to the pandemic** rather than the origin of the coronavirus. China’s advanced vaccine diplomacy stands in contrast **to the ‘me first policies’** of the **United States and the European Union**. With a shortfall in supplies, US and EU leaders have faced high infection rates and death tolls at home and feel the need to inoculate their domestic populations first. This has left the world’s poorest and most vulnerable people without vaccine supply and at risk. China has not faced these problems and can afford to send vaccines abroad. Just by showing up and helping plug gaps in the global supply of vaccines, China has g**ained ground** in vaccine diplomacy. President Xi Jinping pledged that Chinese vaccines would be provided as a global public good. But a large portion of Chinese vaccines are not free — some countries have paid Chinese vaccine makers. Still the absence of the United States and European Union from vaccine diplomacy **is not lost** on countries struggling to put shots in people’s arms. Many countries would prefer US or EU-made Pfizer and Moderna vaccines over China’s vaccines if given the choice, **yet they cannot access them**. These countries are desperate and have jumped at the opportunity to receive Chinese vaccines. Chinese companies are also more willing than their western counterparts **to strike licensing deals** to produce vaccines in foreign countries. For example, Indonesia has become a regional hub for Sinovac’s CoronaVac through its state pharmaceuticals company Bio Farma. The United Arab Emirates (UAE) chose Sinopharm because it was willing to conduct phase three clinical trials in the UAE and build native vaccine production capabilities. Sinopharm also arranged to manufacture its vaccine in the UAE for regional distribution. Beijing’s vaccine diplomacy involves propaganda to boost **perceptions of China as a generous and responsible power**. Chinese media has covered every delivery of vaccine shipment. The scene is set by a standard script. When a cargo plane lands, it is greeted by senior local leaders accompanied by Chinese ambassadors fawning over the vaccine cargo. Vaccine diplomacy has helped **increase China’s influence** and enabled it to capitalise **on new opportunities**. China has rolled vaccines out to participants of its Belt and Road Initiative (**BRI**) **and enhanced preferential access to jabs alongside investments in infrastructure and connectivity projects**. According to an April Think Global Health report, of the 56 countries to which China pledged doses, all but one were participants in its BRI. Naming it the Health Silk Road, vaccine diplomacy has provided a foothold for China’s pharmaceutical industry that has been plagued by scandals and low levels of trust at home and abroad. Making Sinovac and Sinopharm household names in foreign countries, China may change these perceptions. Although Chinese vaccine makers were among the earliest in the world to begin clinical trials and self-reported some key results, many have not published complete data in peer-reviewed journals. This has fuelled scepticism about their safety and effectiveness. Gao Fu, director of China’s Centre for Disease Control and Prevention, noted in April that Chinese vaccines were not as effective as hoped and mixing them was among the strategies being considered to boost their effectiveness. Some countries have been reluctant to greenlight Chinese vaccines. Singapore received its first shipment of Sinovac vaccines in February, but Singaporean regulators have not approved its use, moving ahead with using Pfizer and Moderna vaccines. Polish President Andrzej Duda spoke with President Xi about buying Chinese jabs in March. Yet Poland’s health authorities have recommended against using Chinese vaccines because of a lack of data. Concerns have also arisen about whether China’s production capacity is able to keep pace with an ever-expanding list of overseas customers and its domestic vaccination campaign. The Turkish government ordered 20 million doses of China’s Sinovac vaccine. But delayed shipments forced the government to repeatedly revise its vaccination timetable. Egypt purchased a total of 40 million doses of the vaccine from Sinopharm in January but had received only a tiny percentage of its vaccine order from China by the middle of April. This tension will intensify as China’s domestic demand for vaccines increases. China has continued with vaccine diplomacy in the absence of the United States and other Western countries. These countries should compete and cooperate with China to overcome bottlenecks in the global distribution of vaccines and ensure that all nations, particularly developing countries, receive the vaccines they need to finally beat COVID-19.

#### Waivers are a critical issue in the perceptual ineptness of America and the West.

Pratt and Levin 4-29 Simon Frankel Pratt and Jamie Levin 4-29-2021 "Vaccines Will Shape the New Geopolitical Order" <https://archive.is/OgDcA#selection-847.23-857.11> (Simon Frankel Pratt is a lecturer in the School of Sociology, Politics, and International Studies at the University of Bristol. Jamie Levin is an assistant professor of political science at St. Francis Xavier University in Canada.)//Elmer

While home to vaccines produced by the likes of Pfizer, Moderna, AstraZeneca, and Johnson & Johnson—all now household names and whose vaccines are considered more efficacious—governments of these states have demonstrated a **reluctance to supply doses** to much of the rest of the world at the expense of domestic vaccination rates. The United States and the U.K. have exported almost none, and the EU is clamping down. They have similarly been **unwilling to waive patents**, allowing for production of these vaccines where they are most needed. This suggests that the United States and the EU are **slow to fully exploit the geopolitical opportunities** of vaccine diplomacy or at least are not willing to do so with the same alacrity and **enthusiasm as other states**. That may change as time goes on, however, and the result will be worsened inequities within already inequitable trade relationships between these countries and the global south.

#### Chinese leadership solves existential threats.

Yamei 18 Shen Yamei 18, Deputy Director and Associate Research Fellow of Department for American Studies, China Institute of International Studies, 1-9-2018, "Probing into the “Chinese Solution” for the Transformation of Global Governance," CAIFC, <http://www.caifc.org.cn/en/content.aspx?id=4491>

As the world is in a period of great development, transformation and adjustment, the international power comparison is undergoing profound changes, global governance is reshuffling and traditional governance concepts and models are confronted with challenges. The international community is expecting China to play a bigger role in global governance, which has given birth to the Chinese solution. A. To Lead the Transformation of the Global Governance System. The “shortcomings” of the existing global governance system are prominent, which can hardly ensure global development. First, the traditional dominant forces are seriously imbalanced*.* The US and Europe that used to dominate the global governance system have been beset with structural problems, with their economic development stalling, social contradictions intensifying, populism and secessionism rising, and states trapped in internal strife and differentiation. These countries have not fully reformed and adjusted themselves well, but rather pointed their fingers at globalization and resorted to retreat for self-insurance or were busy with their own affairs without any wish or ability to participate in global governance, which has encouraged the growth of “anti-globalization” trend into an interference factor to global governance. Second, the global governance mechanism is relatively lagging behind. Over the years of development, the strength of emerging economies has increased dramatically, which has substantially upset the international power structure, as the developing countries as a whole have made 80 percent of the contributions to global economic growth. These countries have expressed their appeal for new governance and begun policy coordination among themselves, which has initiated the transition of global governance form “Western governance” to “East-West joint governance”, but the traditional governance mechanisms such as the World Bank, IMF and G7 failed to reflect the demand of the new pattern, in addition to their lack of representation and inclusiveness. Third, the global governance rules are developing in a fragmented way, with governance deficits existing in some key areas. With the diversification and in-depth integration of international interests, the domain of global governance has continued to expand, with actors multiplying by folds and action intentions becoming complicated. As relevant efforts are usually temporary and limited to specific partners or issues, global governance driven by requests of “diversified governance” lacks systematic and comprehensive solutions. Since the beginning of this year, there have been risks of running into an acephalous statein such key areas as global economic governance and climate change*.* Such emerging issues as nuclear security and international terrorism have suffered injustice because of power politics*.* The governance areas in deficit, such as cyber security, polar region and oceans, have “reversely forced” certain countries and organizations to respond hastily*.* All of these have made the global governance system trapped in a dilemma and call urgently for a clear direction of advancement. B. To Innovate and Perfect the International Order. Currently, whether the developing countries or the Western countries of Europe and the US are greatly discontent with the existing international order as well as their appeals and motivation for changing the order are unprecedentedly strong. The US is the major creator and beneficiary of the existing hegemonic order, but it is now doubtful that it has gained much less than lost from the existing order, faced with the difficulties of global economic transformation and obsessed with economic despair and political dejection. Although the developing countries as represented by China acknowledge the positive role played by the post-war international order in safeguarding peace, boosting prosperity and promoting globalization, they criticize the existing order for lack of inclusiveness in politics and equality in economy, as well as double standard in security, believing it has failed to reflect the multi-polarization trend of the world and is an exclusive “circle club”. Therefore, there is much room for improvement. For China, to lead the transformation of the global governance system and international order not only supports the efforts of the developing countries to uphold multilateralism rather than unilateralism, advocate the rule of law rather than the law of the jungle and practice democracy rather than power politics in international relations, but also is an important subject concerning whether China could gain the discourse power and development space corresponding to its own strength and interests in the process of innovating and perfecting the framework of international order. C. To Promote Integration of the Eastern and Western Civilizations. Dialog among civilizations, which is the popular foundation for any country’s diplomatic proposals, runs like a trickle moistening things silently. Nevertheless, in the existing international system guided by the “Western-Centrism”, the Western civilization has always had the self-righteous superiority, conflicting with the interests and mentality of other countries and having failed to find the path to co-existing peacefully and harmoniously with other *civilizations.* So to speak, many problems of today, including the growing gap in economic development between the developed and developing countries against the background of globalization, the Middle East trapped in chaos and disorder, the failure of Russia and Turkey to “integrate into the West”, etc., can be directly attributed to lack of exchanges, communication and integration among civilizations. Since the 18th National Congress of CPC, Xi Jinping has raised the concept of “Chinese Dream” that reflects both Chinese values and China’s pursuit, re-introducing to the world the idea of “all living creatures grow together without harming one another and ways run parallel without interfering with one another”, which is the highest ideal in Chinese traditional culture, and striving to shape China into a force that counter-balance the Western civilization. He has also made solemn commitment that “we respect the diversity of civilizations …… cannot be puffed up with pride and depreciate other civilizations and nations”; “facing the people deeply trapped in misery and wars, we should have not only compassion and sympathy, but also responsibility and action …… do whatever we can to extend assistance to those people caught in predicament”, etc. China will rebalance the international pattern from a more inclusive civilization perspective and with more far-sighted strategic mindset, or at least correct the bisected or predominated world order so as to promote the parallel development of the Eastern and Western civilizations through mutual learning, integration and encouragement. D. To Pass on China’s Confidence. Only a short while ago, some Western countries had called for “China’s responsibility” and made it an inhibition to “regulate” China’s development orientation. Today, China has become a source of stability in an international situation full of uncertainties. Over the past 5 years, China has made outstanding contributions to the recovery of world economy under relatively great pressure of its own economic downturn. Encouraged by the “four confidences”, the whole of the Chinese society has burst out innovation vitality and produced innovation achievements, making people have more sense of gain and more optimistic about the national development prospect. It is the heroism of the ordinary Chinese to overcome difficulties and realize the ideal destiny that best explains China’s confidence. When this confidence is passed on in the field of diplomacy, it is expressed as: first, China’s posture is seen as more forging ahead and courageous to undertake responsibilities ---- proactively shaping the international agendas rather than passively accepting them; having clear-cut attitudes on international disputes rather than being equivocal; and extending international cooperation to comprehensive and dimensional development rather than based on the theory of “economy only”. In sum, China will actively seek understanding and support from other countries rather than imposing its will on others with clear-cut Chinese characteristics, Chinese style and Chinese manner. Second, China’s discourse is featured as a combination of inflexibility and yielding as well as magnanimous ---- combining the internationally recognized diplomatic principles with the excellent Chinese cultural traditions through digesting the Chinese and foreign humanistic classics assisted with philosophical speculations to make “China Brand, Chinese Voice and China’s Image get more and more recognized”. Third, the Chinese solution is more practical and intimate to people as well as emphasizes inclusive cooperation, as China is full of confidence to break the monopoly of the Western model on global development, “offering mankind a Chinese solution to explore a better social system”, and “providing a brand new option for the nations and peoples who are hoping both to speed up development and maintain independence”. II.Path Searching of the “Chinese Solution” for Global Governance Over the past years’ efforts, China has the ability to transform itself from “grasping the opportunity” for development to “creating opportunity” and “sharing opportunity” for common development, hoping to pass on the longing of the Chinese people for a better life to the people of other countries and promoting the development of the global governance system toward a more just and rational end. It has become the major power’s conscious commitment of China to lead the transformation of the global governance system in a profound way. A. To Construct the Theoretical System for Global Governance. The theoretical system of global governance has been the focus of the party central committee’s diplomatic theory innovation since the 18th National Congress of CPC as well as an important component of the theory of socialism with Chinese characteristics for a new era, which is not only the sublimation of China’s interaction with the world from “absorbing and learning” to “cooperation and mutual learning”, but also the cause why so many developing countries have turned from “learning from the West” to “exploring for treasures in the East”. In the past 5 years, the party central committee, based on precise interpretation of the world pattern today and serious reflection on the future development of mankind, has made a sincere call to the world for promoting the development of global governance system toward a more just and rational end, and proposed a series of new concepts and new strategies including engaging in major power diplomacy with Chinese characteristics, creating the human community with common destiny, promoting the construction of new international relationship rooted in the principle of cooperation and win-win, enriching the strategic thinking of peaceful development, sticking to the correct benefit view, formulating the partnership network the world over, advancing the global economic governance in a way of mutual consultation, joint construction and co-sharing, advocating the joint, comprehensive, cooperative and sustainable security concept, and launching the grand “Belt and Road” initiative. The Chinese solution composed of these contents, not only fundamentally different from the old roads of industrial revolution and colonial expansion in history, but also different from the market-driven neo-liberalism model currently advocated by Western countries and international organizations, stands at the height of the world and even mankind, seeking for global common development and having widened the road for the developing countries to modernization, which is widely welcomed by the international community. B. To Supplement and Perfect the Global Governance System. Currently, the international political practice in global governance is mostly problem-driven without creating a set of relatively independent, centralized and integral power structures, resulting in the existing global governance systemcharacterized as both extensive and unbalanced**.** China has been engaged in reform and innovation, while maintaining and constructing the existing systems, producing some thinking and method with Chinese characteristics. First, China sees the UN as a mirror that reflects the status quo of global governance, which should act as the leader of global governance, and actively safeguards the global governance system with the UN at the core. Second, China is actively promoting the transforming process of such recently emerged international mechanisms as G20, BRICS and SCO, perfecting them through practice, and boosting Asia-Pacific regional cooperation and the development of economic globalization. China is also promoting the construction of regional security mechanism through the Six-Party Talks on Korean Peninsula nuclear issue, Boao Forum for Asia, CICA and multilateral security dialog mechanisms led by ASEAN so as to lay the foundation for the future regional security framework. Third, China has initiated the establishment of AIIB and the New Development Bank of BRICS, creating a precedent for developing countries to set up multilateral financial institutions. The core of the new relationship between China and them lies in “boosting rather than controlling” and “public rather than private”, which is much different from the management and operation model of the World Bank, manifesting the increasing global governance ability of China and the developing countries as well as exerting pressure on the international economic and financial institution to speed up reforms. Thus, in leading the transformation of the global governance system, China has not overthrown the existing systems and started all over again, but been engaged in innovating and perfecting; China has proactively undertaken international responsibilities, but has to do everything in its power and act according to its ability. C. To Reform the Global Governance Rules. Many of the problems facing global governance today are deeply rooted in such a cause that the dominant power of the existing governance system has taken it as the tool to realize its own national interests first and a platform to pursue its political goals. Since the beginning of this year, the US has for several times requested the World Bank, IMF and G20 to make efforts to mitigate the so-called global imbalance, abandoned its commitment to support trade openness, cut down investment projects to the middle-income countries, and deleted commitment to support the efforts to deal with climate change financially, which has made the international systems accessories of the US domestic economic agendas, dealing a heavy blow to the global governance system. On the contrary, the interests and agendas of China, as a major power of the world, are open to the whole world, and China in the future “will provide the world with broader market, more sufficient capital, more abundant goods and more precious opportunities for cooperation”, while having the ability to make the world listen to its voice more attentively. With regard to the subject of global governance, China has advocated that what global governance system is better cannot be decided upon by any single country, as the destiny of the world should be in the hands of the people of all countries. In principle, all the parties should stick to the principle of mutual consultation, joint construction and co-sharing, resolve disputes through dialog and differences through consultation. Regarding the critical areas, opening to the outer world does not mean building one’s own backyard, but building the spring garden for co-sharing; the “Belt and Road” initiative is not China’s solo, but a chorus participated in by all countries concerned. China has also proposed international public security views on nuclear security, maritime cooperation and cyber space order, calling for efforts to make the global village into a “grand stage for seeking common development” rather than a “wrestling arena”; we cannot “set up a stage here, while pulling away a prop there”, but “complement each other to put on a grand show”. From the orientation of reforms, efforts should be made to better safeguard and expand the legitimate interests of the developing countries and increase the influence of the emerging economies on global governance. Over the past 5 years, China has attached importance to full court diplomacy, gradually coming to the center stage of international politics and proactively establishing principles for global governance. By hosting such important events as IAELM, CICA Summit, G20 Summit, the Belt and Road International Cooperation Forum and BRICS Summit, China has used theseplatforms to elaborate the Asia-Pacific Dream for the first time to the world, expressing China’s views on Asian security and global economic governance, discussing with the countries concerned with the Belt and Road about the synergy of their future development strategies and setting off the “BRICS plus” capacity expansion mechanism, in which China not only contributes its solution and shows its style, but also participates in the shaping of international principles through practice. On promoting the resolution of hot international issues, China abides by the norms governing international relations based on the purposes and principles of the UN Charter, and insists on justice, playing a constructive role as a responsible major power in actively promoting the political accommodation in Afghanistan, mediating the Djibouti-Eritrea dispute, promoting peace talks in the Middle East, devoting itself to the peaceful resolution of the South China Sea dispute through negotiations. In addition, China’s responsibility and quick response to international crises have gained widespread praises, as seen in such cases as assisting Africa in its fight against the Ebola epidemic, sending emergency fresh water to the capital of Maldives and buying rice from Cambodia to help relieve its financial squeeze, which has shown the simple feelings of the Chinese people to share the same breath and fate with the people of other countries. D. To Support the Increase of the Developing Countries’ Voice. The developing countries, especially the emerging powers, are not only the important participants of the globalization process, but also the important direction to which the international power system is transferring. With the accelerating shift of global economic center to emerging markets and developing economies, the will and ability of the developing countries to participate in global governance have been correspondingly strengthened. As the biggest developing country and fast growing major power, China has the same appeal and proposal for governance as other developing countries and already began policy coordination with them, as China should comply with historical tide and continue to support the increase of the developing countries’ voice in the global governance system. To this end, China has pursued the policy of “dialog but not confrontation, partnership but not alliance”, attaching importance to the construction of new type of major power relationship and global partnership network, while making a series proposals in the practice of global governance that could represent the legitimate interests of the developing countries and be conducive to safeguarding global justice, including supporting an open, inclusive, universal, balanced and win-win economic globalization; promoting the reforms on share and voting mechanism of IMF to increase the voting rights and representation of the emerging market economies; financing the infrastructure construction and industrial upgrading of other developing countries through various bilateral or regional funds; and helping other developing countries to respond to such challenges as famine, refugees, climate change and public hygiene by debt forgiveness and assistance.

### 2

#### Infrastructure passes now due to Biden and Pelosi involvement – Biden PC and tight timetables makes the margin for error literally ZERO

Elliott 9-16 (Philip Elliott is a Washington Correspondent for TIME. Before joining TIME in early 2015, he spent almost a decade at The Associated Press, where he covered politics, campaign finance, education and the White House. He is a graduate of the E.W. Scripps School of Journalism at Ohio University, September 16, 2021, accessed on 9-17-2021, Time, "Democrats Face a Grueling Two Weeks as Infighting Erupts Over Infrastructure", https://time.com/6098810/house-democrats-reconciliation/)//babcii

House Democrats yesterday finished penning a 2,600-page bill that **finally outlines the specifics** of their ambitious “soft” infrastructure plan that won’t attract a single Republican vote. But no one was really rushing to Schneider’s for bottles of bubbly. For a party ready to spend $3.5 trillion to fund its social policy agenda, there were plenty of glum faces on Capitol Hill. In fact, one key piece of the legislation—a deal that would finally let Medicare negotiate lower prices with drug companies—fell apart in the Energy and Commerce Committee when three Democrats voted against it. It found resurrection a short time later when Leadership aides literally plucked it from the Energy and Commerce team and delivered it to the Ways and Means Committee for its approval instead. Even there, though, one Democrat voted against it, saying the threat it posed to pharmaceutical companies’ profits would doom it in the Senate. “Every moment we spend debating provisions that will never become law is a moment wasted and will delay much-needed assistance to the American people,” Rep. Stephanie Murphy of Florida later argued. Put another way? Brace **for some nasty politics** over the next two weeks as House Speaker Nancy Pelosi tries to get this bill to a vote before the budget year ends on Sept. 30. And those 2,600 pages had better be recyclable. Democrats can **only afford three defectors** if they want to usher this bill into law, **and they’re perilously close to failure**. So far, five centrist Democrats in the House have said they prefer a scaled-back version of the Medicare component. But if Pelosi gives the five centrists that win, she risks losing the support of progressives who are already sour that things like a punitive wealth tax and the end to tax loopholes aren’t present in the current version of the bill. As it stands now, letting Medicare negotiate drug prices would save the government about $500 billion over the next decade. The scaled-back version doesn’t have an official cost, but a very similar version got its score in the Senate last year: roughly $100 billion in savings. Because Democrats are using a budgeting loophole to help them avoid a filibuster and pass this with bare majorities, that $400 billion gap matters a lot more than on most bills. Scaling back the Medicare savings means they would also have to scale back their overall spending on the bill—a big line in the sand for progressives who say they’ve already compromised too much. All of this, of course, comes as President Joe Biden and his top aides in the White House have been trying to get Senate **centrists onboard**. Just yesterday, he **met separately with Sens. Kyrsten Sinema and Joe Manchin**, fellow Democrats who have expressed worries about the $3.5 trillion price tag but have been vague about what exactly they want to cut back on. With the Senate evenly divided at 50-50, and Vice President Kamala Harris in position to break the ties to Democrats’ victories, any shenanigans from those two independent thinkers scrambles the whole package. Oh, and that other bipartisan infrastructure plan that carries $550 billion in new spending? It’s still sitting on the shelf in the House. Pelosi said she’d bring it to the floor only when the bigger—and entirely partisan—bill was ready. And there’s plenty of grumbling about that package, too. If this is all beginning to sound like a scratched record that keeps repeating, it’s because this has become something of a pattern here in Washington. Things look pretty grim for legislation in town these days, despite Democrats controlling the House, the Senate and the White House. Their margin for error **is literally zero**, and so hiccups from a half-dozen centrists can forewarn a doomed agenda. So far, Pelosi has been a master of holding the line on crucial votes and has managed to maneuver her team to victories, including on an earlier pandemic relief package that passed with only Democratic votes. Now she’s trying again, but the clock is ticking, and $3.5 trillion is an eye-popping sum of money that rivals the spending the United States unleashed to close out World War II.

#### Ev from this week proves its on the brink

Cochrane, et al 10/1 (Emily Cochrane, Luke Broadwater and Jonathan Weisman, [], 10-8-2021, “Biden puts the infrastructure bill on hold, saying Democrats need to unite on social spending.“, No Publication, accessed: 10-8-2021, https://www.nytimes.com/2021/10/01/us/politics/house-infrastructure-delay-vote.html) ajs

Mr. Cuellar noted that moderates had an agreement with Speaker Nancy Pelosi of California to vote on the bill this week, and said it was up to her how to handle that promise.

On Friday evening, Ms. Pelosi indefinitely postponed a vote on the infrastructure bill that she had promised to moderates who had publicly pushed for a stand-alone vote. She wrote in a letter to colleagues, “Clearly, the bipartisan infrastructure bill will pass once we have agreement on the reconciliation bill.”

“Our priority to create jobs in the health care, family and climate agendas is a shared value,” she wrote, adding that leading lawmakers were “still working for clarity and consensus.”

Representative Pramila Jayapal of Washington, the chairwoman of the Congressional Progressive Caucus, said Mr. Biden “was very clear” that the two bills were tied together.

He emphasized that he supported the bipartisan infrastructure bill, according to Ms. Jayapal, and said, “If I thought I could do it right now, I would, but we need to get this reconciliation bill.”

“It’s going to be tough,” Ms. Jayapal added. “Like we’re going to have to come down in our number, and we’re going to have to do that work and see what we can get to.”

The House will now leave Washington for two weeks of remote committee work, with the promise of 72 hours’ notice before being called back.

#### Attacks on pharmaceutical profits triggers Mod Dem Backlash – it disrupts unity.

Cohen 9-6 Joshua Cohen 9-6-2021 "Democrats’ Plans To Introduce Prescription Drug Pricing Reform Face Formidable Obstacles" <https://www.forbes.com/sites/joshuacohen/2021/09/06/democrats-plans-to-introduce-prescription-drug-pricing-reform-face-obstacles/?sh=37a269917395> (independent healthcare analyst with over 22 years of experience analyzing healthcare and pharmaceuticals.)//Elmer

There’s considerable uncertainty regarding passage with a simple majority of the 2021 massive budget reconciliation bill. Last week, Senator Joe Manchin called on Democrats to pause pushing forward the budget reconciliation bill. If Manchin winds up saying no to the bill, this would scuttle it as the Democrats can’t afford to lose a single Senator. And, there’s speculation that provisions to reduce prescription drug prices may be watered down and not incorporate international price referencing. Additionally, reduced prices derived through Medicare negotiation may not be able to be applied to those with employer-based coverage. While the progressive wing of the Democratic Party supports drug pricing reform, **several key centrist Democrats** in both the House and Senate appear to be **uncomfortable** **with** particular aspects of the budget reconciliation bill, including a potential deal-breaker, namely the potential **negative impact of drug price controls on the domestic pharmaceutical industry**, as well as long-term patient access to new drugs. A paper released in 2019 by the nonpartisan Congressional Budget Office found that the proposed legislation, H.R. 3, would reduce global revenue for new drugs by 19%, leading to 8 fewer drugs approved in the U.S. between 2020 and 2029, and 30 fewer drugs over the next decade. And, a new report from the CBO reinforces the message that drug pricing legislation under consideration in Congress could lead to fewer new drugs being developed and launched. **Intense lobbying efforts from biopharmaceutical industry groups** **are underway**, **warning of** what they deem are **harms from price controls in** the form of diminished patient **access to new innovations**. The argument, based in part on assumptions and modeling included in the CBO reports, asserts that price controls would dampen investment critical to the biopharmaceutical industry’s pipeline of drugs and biologics. **This** won’t sway most Democrats, but has been a traditional talking point in the Republican Party for decades, and **may convince some centrist Democrats to withdraw backing** of provisions **that** in their eyes **stymie pharmaceutical innovation.** If the budget reconciliation bill would fail to garner a majority, a pared down version of H.R. 3, or perhaps a new bill altogether, with Senator Wyden spearheading the effort, could eventually land in the Senate. But, a similar set of provisos would apply, as majority support in both chambers would be far from a sure thing. In brief, Democrats’ plans at both the executive and legislative branch levels to introduce prescription **drug pricing reform** **encounter challenges** which may prevent impactful modifications from taking place.

#### Big pharma loves data exclusivity – it gives them generics and makes them lots of money

Ragavan 18 Srividhya Ragavan, The Drug Debate: Data Exclusivity is the New Way to Delay Generics, 50 Conn. L. Rev. Online 1 (2018). Available at: <https://scholarship.law.tamu.edu/facscholar/1184> mvp

Nevertheless, most governments award a drug company that undertakes clinical trials, typically the innovator drug company, with a period of “exclusivity” which can range anywhere from three to eight years.15 In the United States, for example, the FDA grants New Chemical Entities a total data exclusivity period of up to five years.16 That is, during the term when data exclusivity prevails, competing drug companies cannot get access to the clinical trial data. Importantly, such access to data is unavailable even when the patent application fails. Taking the example above, even if Company A’s compound is found to be unpatentable for whatever reasons, and hence falls in the public domain, the data from the clinical trial will remain protected, thus indirectly awarding Company A market exclusivity. In stock market parlance, this is a situation where even though the pharmaceutical company has taken a bad risk in the form of a patent application, data exclusivity provides adequate insurance for a few years of market exclusivity. Even though patent protection has failed, which means that a generic version can be manufactured legally, the clinical trial data remains protected, thus indirectly providing Company A market exclusivity on a product which does not enjoy patent protection. Therefore, generic drug applications of the drug will be delayed, not because there is a patent on the drug, but because the clinical trial information is protected by data exclusivity. In this scenario, generic drug companies are not allowed to access the information related to a chemical that is in the public domain. For consumers, Company A’s market exclusivity comes at a financial cost, as well as at the cost of access to the medication. Of course, generic drug companies are free to conduct their own clinical trials, considering that the drug is not a subject of patent protection. However, such duplication of clinical trials will result in subjecting a new set of patients to the same clinical trials and involves additional cost to conduct the trials and delays in manufacturing the generic drug while trials are being conducted. Thus, generic drug companies duplicating a clinical trial already conducted elsewhere will result in duplicative burdens in terms of time and cost. While the cost of the trial will be added to the cost of the drug and passed onto consumers by raising the cost of generic drugs unnecessarily, the delay from duplicating the clinical trial will result in delaying access to the consumers.

#### Sinema specifically jumps ship.

Hancock and Lucas 20 Jay Hancock and Elizabeth Lucas 5-29-2020 "A Senator From Arizona Emerges As A Pharma Favorite" <https://khn.org/news/a-senator-from-arizona-emerges-as-a-pharma-favorite/> (Senior Correspondent, joined KHN in 2012 from The Baltimore Sun, where he wrote a column on business and finance. Previously he covered the State Department and the economics beat for The Sun and health care for The Virginian-Pilot of Norfolk and the Daily Press of Newport News. He has a bachelor’s degree from Colgate University and a master’s in journalism from Northwestern University.)//Elmer

Sen. Kyrsten **Sinema formed** a **congressional caucus to raise** “**awareness of the benefits of personalized medicine**” in February. Soon after that, employees of **pharmaceutical companies** **donated** $35,000 to her campaign committee. Amgen gave $5,000. So did Genentech and Merck. Sanofi, Pfizer and Eli Lilly all gave $2,500. Each of those companies has invested heavily in personalized medicine, which promises individually tailored drugs that can cost a patient hundreds of thousands of dollars. **Sinema** is a first-term Democrat from Arizona but has nonetheless **emerged as a pharma favorite in Congress** as the industry steers through a new political and economic landscape formed by the coronavirus. She is a **leading recipient of pharma campaign cash** even though she’s not up for reelection until 2024 and lacks major committee or subcommittee leadership posts. For the 2019-20 election cycle through March, political action committees run by employees of drug companies and their trade groups gave her $98,500 in campaign funds, Kaiser Health News’ Pharma Cash to Congress database shows. That stands out in a Congress in which a third of the members got no pharma cash for the period and half of those who did got $10,000 or less. The contributions give companies a chance to cultivate Sinema as she restocks from a brutal 2018 election victory that cost nearly $25 million. Altogether, pharma PACs have so far given $9.2 million to congressional campaign chests in this cycle, compared with $9.4 million at this point in the 2017-18 period, a sustained surge as the industry has responded to complaints about soaring prices. Sinema’s pharma haul was twice that of Sen. Susan Collins of Maine, considered one of the most vulnerable Republicans in November, and approached that of fellow Democrat Steny Hoyer, the powerful House majority leader from Maryland. It all adds up to **a bet by drug companies that** the 43-year-old **Sinema**, first elected to the Senate in 2018, **will** gain influence in coming years and **serve as an industry ally** in a party that also includes many lawmakers harshly critical of high drug prices and the companies that set them.

#### Pharma backlash turns case – waters down plan too much

Huetteman 19 [Emmarie Huetteman, former NYT Congressional correspondent with an MA in public affairs reporting from Northwestern University’s Medill School, 2-26-2019, "Senators Who Led Pharma-Friendly Patent Reform Also Prime Targets For Pharma Cash," Kaiser Health News, https://khn.org/news/senators-who-led-pharma-friendly-patent-reform-also-prime-targets-for-pharma-cash/]

Early last year, as lawmakers vowed to curb rising drug prices, Sen. Thom Tillis was named chairman of the Senate Judiciary Committee’s subcommittee on intellectual property rights, a committee that had not met since 2007. As the new gatekeeper for laws and oversight of the nation’s patent system, the North Carolina Republican signaled he was determined to make it easier for American businesses to benefit from it — a welcome message to the drugmakers who already leverage patents to block competitors and keep prices high. Less than three weeks after introducing a bill that would make it harder for generic drugmakers to compete with patent-holding drugmakers, Tillis opened the subcommittee’s first meeting on Feb. 26, 2019, with his own vow. “From the United States Patent and Trademark Office to the State Department’s Office of Intellectual Property Enforcement, no department or bureau is too big or too small for this subcommittee to take interest,” he said. “And we will.” In the months that followed, tens of thousands of dollars flowed from pharmaceutical companies toward his campaign, as well as to the campaigns of other subcommittee members — including some who promised to stop drugmakers from playing money-making games with the patent system, like Sen. John Cornyn (R-Texas). Tillis received more than $156,000 from political action committees tied to drug manufacturers in 2019, more than any other member of Congress, a new analysis of KHN’s Pharma Cash to Congress database shows. Sen. Chris Coons (D-Del.), the top Democrat on the subcommittee who worked side by side with Tillis, received more than $124,000 in drugmaker contributions last year, making him the No. 3 recipient in Congress. No. 2 was Sen. Mitch McConnell (R-Ky.), who took in about $139,000. As the Senate majority leader, he controls what legislation gets voted on by the Senate. Neither Tillis nor Coons sits on the Senate committees that introduced legislation last year to lower drug prices through methods like capping price increases to the rate of inflation. Of the four senators who drafted those bills, none received more than $76,000 from drug manufacturers in 2019. Tillis and Coons spent much of last year working on significant legislation that would expand the range of items eligible to be patented — a change that some experts say would make it easier for companies developing medical tests and treatments to own things that aren’t traditionally inventions, like genetic code. They have not yet officially introduced a bill. As obscure as patents might seem in an era of public outrage over drug prices, the fact that drugmakers gave most to the lawmakers working to change the patent system belies how important securing the exclusive right to market a drug, and keep competitors at bay, is to their bottom line. “Pharma will fight to the death to preserve patent rights,” said Robin Feldman, a professor at the UC Hastings College of the Law in San Francisco who is an expert in intellectual property rights and drug pricing. “Strong patent rights are central to the games drug companies play to extend their monopolies and keep prices high.” Campaign contributions, closely tracked by the Federal Election Commission, are among the few windows into how much money flows from the political groups of drugmakers and other companies to the lawmakers and their campaigns. Private companies generally give money to members of Congress to encourage them to listen to the companies, typically through lobbyists, whose activities are difficult to track. They may also communicate through so-called dark money groups, which are not required to report who gives them money. Over the past 10 years, the pharmaceutical industry has spent about $233 million per year on lobbying, according to a new study published in JAMA Internal Medicine. That is more than any other industry, including the oil and gas industry. Why Patents Matter Developing and testing a new drug, and gaining approval from the Food and Drug Administration, can take years and cost hundreds of millions of dollars. Drugmakers are generally granted a six- or seven-year exclusivity period to recoup their investments. But drugmakers have found ways to extend that period of exclusivity, sometimes accumulating hundreds of patents on the same drug and blocking competition for decades. One method is to patent many inventions beyond a drug’s active ingredient, such as patenting the injection device that administers the drug. Keeping that arrangement intact, or expanding what can be patented, is where lawmakers come in. Lawmakers Dig In Tillis’ home state of North Carolina is also home to three major research universities and, not coincidentally, multiple drugmakers’ headquarters, factories and other facilities. From his swearing-in in 2015 to the end of 2018, Tillis received about $160,000 from drugmakers based there or beyond. He almost matched that four-year total in 2019 alone, in the midst of a difficult reelection campaign to be decided this fall. He has raised nearly $10 million for his campaign, with lobbyists among his biggest contributors, according to OpenSecrets. Daniel Keylin, a spokesperson for Tillis, said Tillis and Coons, the subcommittee’s top Democrat, are working to overhaul the country’s “antiquated intellectual property laws.” Keylin said the bipartisan effort protects the development and access to affordable, lifesaving medication for patients,” adding: “No contribution has any impact on how [Tillis] votes or legislates.” Tillis signaled his openness to the drug industry early on. The day before being named chairman, he reintroduced a bill that would limit the options generic drugmakers have to challenge allegedly invalid patents, effectively helping brand-name drugmakers protect their monopolies. Former Sen. Orrin Hatch (R-Utah), whose warm relationship with the drug industry was well-known, had introduced the legislation, the Hatch-Waxman Integrity Act, just days before his retirement in 2018. At his subcommittee’s first hearing, Tillis said the members would rely on testimony from private businesses to guide them. He promised to hold hearings on patent eligibility standards and “reforms to the Patent Trial and Appeal Board.” In practice, the Hatch-Waxman Integrity Act would require generics makers challenging another drugmaker’s patent to either take their claim to the Patent Trial and Appeal Board, which acts as a sort of cheaper, faster quality check to catch bad patents, or file a lawsuit. A study released last year found that, since Congress created the Patent Trial and Appeal Board in 2011, it has narrowed or overturned about 51% of the drugmaker patents that generics makers have challenged. Feldman said the drug industry “went berserk” over the number of patents the board changed and has been eager to limit use of the board as much as possible. Patent reviewers are often stretched thin and sometimes make mistakes, said Aaron Kesselheim, a Harvard Medical School professor who is an expert in intellectual property rights and drug development. Limiting the ways to challenge patents, as Tillis’ bill would, does not strengthen the patent system, he said. “You want overlapping oversight for a system that is as important and fundamental as this system is,” he said. As promised, Tillis and Coons also spent much of the year working on so-called Section 101 reform regarding what is eligible to be patented — “a very major change” that “would overturn more than a century of Supreme Court law,” Feldman said. Sean Coit, Coons’ spokesperson, said lowering drug prices is one of the senator’s top priorities and pointed to Coon’s support for legislation the pharmaceutical industry opposes. “One of the reasons Senator Coons is leading efforts in Congress to fix our broken patent system is so that life-saving medicines can actually be developed and produced at affordable prices for every American,” Coit wrote in an email, adding that “his work on Section 101 reform has brought together advocates from across the spectrum, including academics and health experts.” In August, when much of Capitol Hill had emptied for summer recess, Tillis and Coons held closed-door meetings to preview their legislation to stakeholders, including the Pharmaceutical Research and Manufacturers of America, or PhRMA, the brand-name drug industry’s lobbying group. “We regularly engage with members of Congress in both parties to advance practical policy solutions that will lower medicine costs for patients,” said Holly Campbell, a PhRMA spokesperson. Neither proposal has received a public hearing. In the 30 days before Tillis and Coons were named leaders of the revived subcommittee, drug manufacturers gave them $21,000 from their political action committees. In the 30 days following that first hearing, Tillis and Coons received $60,000. Among their donors were PhRMA; the Biotechnology Innovation Organization, the biotech lobbying group; and five of the seven drugmakers whose executives — as Tillis laid out a pharma-friendly agenda for his new subcommittee — were getting chewed out by senators in a different hearing room over patent abuse. Cornyn Goes After Patent Abuse Richard Gonzalez, chief executive of AbbVie Inc., the company known for its top-selling drug, Humira, had spent the morning sitting stone-faced before the Senate Finance Committee as, one after another, senators excoriated him and six other executives of brand-name drug manufacturers over how they price their products. Cornyn brought up AbbVie’s more than 130 patents on Humira. Hadn’t the company blocked its competition? Cornyn asked Gonzalez, who carefully explained how AbbVie’s lawsuit against a generics competitor and subsequent licensing deal was not what he would describe as anti-competitive behavior. “I realize it may not be popular,” Gonzalez said. “But I think it is a reasonable balance.” A minute later, Cornyn turned to Sen. Chuck Grassley (R-Iowa), who, like Cornyn, was also a member of the revived intellectual property subcommittee. This is worth looking into with “our Judiciary Committee authorities as well,” Cornyn said, effectively threatening legislation on patent abuse. The next day, Mylan, one of the largest producers of generic drugs, gave Cornyn $5,000, FEC records show. The company had not donated to Cornyn in years. By midsummer, every drug company that sent an executive to that hearing had given money to Cornyn, including AbbVie. Cornyn, who faces perhaps the most difficult reelection fight of his career this fall, ranks No. 6 among members of Congress in drugmaker PAC contributions last year, KHN’s analysis shows. He received about $104,000. Cornyn has received about $708,500 from drugmakers since 2007, KHN’s database shows. According to OpenSecrets, he has raised more than $17 million for this year’s reelection campaign. Cornyn’s office declined to comment. On May 9, Cornyn and Sen. Richard Blumenthal (D-Conn.) introduced the Affordable Prescriptions for Patients Act, which proposed to define two tactics used by drug companies to make it easier for the Federal Trade Commission to prosecute them: “product-hopping,” when drugmakers withdraw older versions of their drugs from the market to push patients toward newer, more expensive ones, and “patent-thicketing,” when drugmakers amass a series of patents to drag out their exclusivity and slow rival generics makers, who must challenge those patents to enter the market once the initial exclusivity ends. PhRMA opposed the bill. The next day, it gave Cornyn $1,000. Cornyn and Blumenthal’s bill would have been “very tough on the techniques that pharmaceutical companies use to extend patent protections and to keep prices high,” Feldman said. “The pharmaceutical industry lobbied tooth and nail against it,” she said. “And when the bill finally came out of committee, the strongest provisions — the patent-thicketing provisions — had been stripped.” In the months after the bill cleared committee and waited to be taken up by the Senate, Cornyn blamed Senate Democrats for blocking the bill while trying to secure votes on legislation with more direct controls on drug prices. The Senate has not voted on the bill.

#### Infrastructure reform solves Existential Climate Change – it results in spill-over.

USA Today 7-20 7-20-2021 "Climate change is at 'code red' status for the planet, and inaction is no longer an option" <https://www.usatoday.com/story/opinion/todaysdebate/2021/07/20/climate-change-biden-infrastructure-bill-good-start/7877118002/> //Elmer

**Not long ago**, **climate change** for many Americans **was** like **a distant bell**. News of starving polar bears or melting glaciers was tragic and disturbing, but other worldly. Not any more. **Top climate scientists** from around the world **warned of a "code red for humanity**" in a report issued Monday that says severe, human-caused global warming is become unassailable. Proof of the findings by the United Nations' Intergovernmental Panel on Climate Change is a now a factor of daily life. Due to **intense heat waves and drought**, 107 wildfires – including the largest ever in California – are now raging across the West, consuming 2.3 million acres. Earlier this summer, hundreds of people died in unprecedented triple-digit heat in Oregon, Washington and western Canada, when a "heat dome" of enormous proportions settled over the region for days. Some victims brought by stretcher into crowded hospital wards had body temperatures so high, their nervous systems had shut down. People collapsed trying to make their way to cooling shelters. Heat-trapping greenhouse gases Scientists say the event was almost **certainly made worse and more intransigent by human-caused climate change**. They attribute it to a combination of warming Arctic temperatures and a growing accumulation of heat-trapping greenhouse gases caused by the burning of fossil fuels. The **consequences of** what mankind has done to the atmo**sphere are now inescapable**. Periods of **extreme heat** are projected to **double** in the lower 48 states by 2100. **Heat deaths** are far **outpacing every other form of weather killer** in a 30-year average. A **persistent megadrought** in America's West continues to create tinder-dry conditions that augur another devastating wildfire season. And scientists say **warming oceans** are **fueling** ever **more powerful storms**, evidenced by Elsa and the early arrival of hurricane season this year. Increasingly severe weather is causing an estimated $100 billion in damage to the United States every year. "It is honestly surreal to see your projections manifesting themselves in real time, with all the suffering that accompanies them. It is heartbreaking," said climate scientist Katharine Hayhoe. **Rising seas** from global warming Investigators are still trying to determine what led to the collapse of a Miami-area condominium that left more than 100 dead or missing. But one concerning factor is the corrosive effect on reinforced steel structures of encroaching saltwater, made worse in Florida by a foot of rising seas from global warming since the 1900s. The clock is ticking for planet Earth. While the U.N. report concludes some level of severe climate change is now unavoidable, there is still a window of time when far more catastrophic events can be mitigated. But mankind must act soon to curb the release of heat-trapping gases. Global **temperature** has **risen** nearly **2 degrees** Fahrenheit since the pre-industrial era of the late 19th century. Scientists warn that in a decade, it could surpass a **2.7**-degree increase. That's **enough** warming **to cause catastrophic climate changes**. After a brief decline in global greenhouse gas emissions during the pandemic, pollution is on the rise. Years that could have been devoted to addressing the crisis were wasted during a feckless period of inaction by the Trump administration. Congress must act Joe Biden won the presidency promising broad new policies to cut America's greenhouse gas emissions. But Congress needs to act on those ideas this year. Democrats cannot risk losing narrow control of one or both chambers of Congress in the 2022 elections to a Republican Party too long resistant to meaningful action on the climate. So what's at issue? A trillion dollar **infrastructure bill** negotiated between Biden and a group of centrist senators (including 10 Republicans) is a start. In addition to repairing bridges, roads and rails, it would **improve access** by the nation's power infrastructure **to renewable energy sources,** **cap millions of abandoned oil and gas wells spewing greenhouse gases**, **and harden structures against climate change**. It also **offers tax credits for** the **purchase of electric vehicles** and funds the construction of charging stations. (**The nation's largest source of climate pollution are gas-powered vehicles**.) Senate approval could come very soon. Much **more is needed** if the nation is going to reach Biden's necessary goal of cutting U.S. climate pollution in half from 2005 levels by 2030. His ideas worth considering include a federal clean electricity standard for utilities, federal investments and tax credits to promote renewable energy, and tens of billions of dollars in clean energy research and development, including into ways of extracting greenhouse gases from the skies. Another idea worth considering is a fully refundable carbon tax. **The vehicle** for these additional proposals **would be a second infrastructure bill**. And if Republicans balk at the cost of such vital investment, Biden is rightly proposing to pass this package through a process known as budget reconciliation, which allows bills to clear the Senate with a simple majority vote. These are drastic legislative steps. But drastic times call for them. And when Biden attends a U.N. climate conference in November, he can use American progress on climate change as a mean of persuading others to follow our lead. Further delay is not an option.

#### This time it’s actually try or die – the planet is screwed absent infrastructure

Rebecca Leber 21 (Rebecca Leber, [], 10-7-2021, “The US is closer than ever before to making major progress on the climate crisis“, Vox, accessed: 10-8-2021, https://www.vox.com/22685920/democrats-infrastructure-build-back-better-climate-change) ajs

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](https://www.eenews.net/articles/schumer-outlines-reconciliation-emissions-targets/) 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](https://www.vox.com/22704198/congress-infrastructure-budget-reconciliation). 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](https://www.cnbc.com/2021/09/12/sen-joe-manchin-says-theres-no-way-to-pass-budget-bill-by-september-27.html) 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](https://news.yahoo.com/sanders-3-5-trillion-reconciliation-153700106.html) that the $3.5 trillion figure would see some “give and take.” The package is likely to [shrink to $2.3 trillion or less](https://www.nytimes.com/2021/10/05/business/biden-agenda-congress-democrats.html), 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.

### 3

#### Biotech industry strong now – new innovation and R&D coming

Cancherini et al. 4/30 [Laura, Engagement Manager @ McKinsey & Company, Joseph Lydon, Associate Partner @ McKinsey & Company, Jorge Santos Da Silva, Senior Partner at McKinsey & Company, and Alexandra Zemp, Partner at McKinsey & Company] “What’s ahead for biotech: Another wave or low tide?“, McKinsey & Company, 4-30-2021, <https://www.mckinsey.com/industries/pharmaceuticals-and-medical-products/our-insights/whats-ahead-for-biotech-another-wave-or-low-tide> //ajs

As the pandemic spread across the globe in early 2020, biotech leaders were initially pessimistic, reassessing their cash position and financing constraints. When McKinsey and BioCentury interviewed representatives from 106 biotech companies in May 2020,4 half of those interviewed were expecting delays in financing, and about 80 percent were tight on cash for the next two years and considering trade-offs such as deferring IPOs and acquisitions. Executives feared that valuations would decline because of lower revenue projections and concerns about clinical-trial delays, salesforce-effectiveness gaps, and other operational issues.

Belying this downbeat mood, biotech has in fact had one of its best years so far. By January 2021, venture capitalists had invested some 60 percent more than they had in January 2020, with more than $3 billion invested worldwide in January 2021 alone.5 IPO activity grew strongly: there were 19 more closures than in the same period in 2020, with an average of $150 million per raise, 17 percent more than in 2020. Other deals have also had a bumper start to 2021, with the average deal size reaching more than $500 million, up by more than 66 percent on the 2020 average (Exhibit 3).6

What about SPACs?

The analysis above does not include special-purpose acquisition companies (SPACs), which have recently become significant in IPOs in several industries. Some biotech investors we interviewed believe that SPACs represent a route to an IPO. How SPACs will evolve remains to be seen, but biotechs may be part of their story.

Fundamentals continue strong

When we asked executives and investors why the biotech sector had stayed so resilient during the worst economic crisis in decades, they cited innovation as the main reason. The number of assets transitioning to clinical phases is still rising, and further waves of innovation are on the horizon, driven by the convergence of biological and technological advances.

In the present day, many biotechs, along with the wider pharmaceutical industry, are taking steps to address the COVID-19 pandemic. Together, biotechs and pharma companies have [more than 250 vaccine candidates in their pipelines](https://www.mckinsey.com/industries/pharmaceuticals-and-medical-products/our-insights/on-pins-and-needles-will-covid-19-vaccines-save-the-world), along with a similar number of therapeutics. What’s more, the crisis has shone a spotlight on pharma as the public seeks to understand the roadblocks involved in delivering a vaccine at speed and the measures needed to maintain safety and efficacy standards. To that extent, the world has been living through a time of mass education in science research and development.

Biotech has also benefited from its innate financial resilience. Healthcare as a whole is less dependent on economic cycles than most other industries. Biotech is an innovator, actively identifying and addressing patients’ unmet needs. In addition, biotechs’ top-line revenues have been less affected by lockdowns than is the case in most other industries.

Another factor acting in the sector’s favor is that larger pharmaceutical companies still rely on biotechs as a source of innovation. With the [top dozen pharma companies](https://www.mckinsey.com/business-functions/m-and-a/our-insights/a-new-prescription-for-m-and-a-in-pharma) having more than $170 billion in excess reserves that could be available for spending on M&A, the prospects for further financing and deal making look promising.

For these and other reasons, many investors regard biotech as a safe haven. One interviewee felt it had benefited from a halo effect during the pandemic.

More innovation on the horizon

The investors and executives we interviewed agreed that biotech innovation continues to increase in quality and quantity despite the macroeconomic environment. Evidence can be seen in the accelerating pace of assets transitioning across the development lifecycle. When we tracked the number of assets transitioning to Phase I, Phase II, and Phase III clinical trials, we found that Phase I and Phase II assets have transitioned 50 percent faster since 2018 than between 2013 and 2018, whereas Phase III assets have maintained much the same pace. There could be many reasons for this, but it is worth noting that biotechs with Phase I and Phase II assets as their lead assets have accounted for more than half of biotech IPOs. Having an early IPO gives a biotech earlier access to capital and leaves it with more scope to concentrate on science.

Looking forward, the combination of advances in biological science and accelerating developments in technology and artificial intelligence has the potential to take innovation to a new level. A [recent report](https://www.mckinsey.com/industries/pharmaceuticals-and-medical-products/our-insights/the-bio-revolution-innovations-transforming-economies-societies-and-our-lives) from the McKinsey Global Institute analyzed the profound economic and social impact of biological innovation and found that biomolecules, biosystems, biomachines, and biocomputing could collectively produce up to 60 percent of the physical inputs to the global economy. The applications of this “Bio Revolution” range from agriculture (such as the production of nonanimal meat) to energy and materials, and from consumer goods (such as multi-omics tailored diets) to a multitude of health applications.

#### COVID exceptions erode IP policies broadly.

PRMA 21 The Pharmaceutical Research and Manufacturers of America SPECIAL 301 SUBMISSION 2021 <https://phrma.org/-/media/Project/PhRMA/PhRMA-Org/PhRMA-Org/PDF/P-R/PhRMA_2021-Special-301_Review_Comment-1.pdf> SM

Moreover, some countries are using the COVID-19 pandemic opportunistically to advance longstanding industrial policies to further erode intellectual property policies. India and South Africa are key sponsors of a proposal at the WTO TRIPS Council calling to eliminate for an indefinite term certain WTO obligations to grant IP on a wide range of technologies related to COVID-19. The proposal marks a significant escalation in anti-IP global activism and will further polarize legitimate conversations on countries’ engagement to combat the pandemic. The proposal will do nothing to address the production and distribution challenges for making COVID-19 vaccines globally available. If anything the proposals threaten to undermine the ability to respond to another pandemic, and will inevitably affect IP discussions in countries around the world.

#### Undermines R&D and innovation – asserts that tax credits solve but a. aff doesn’t fiat that and b. not sufficient – this card is more specific, and their card literally says in the next line it was “relaitve, that is to most of the world”

Mercurio 2/12 (Bryan Mercurio, [Simon F.S. Li Professor of Law at the Chinese University of Hong Kong (CUHK), having served as Associate Dean (Research) from 2010-14 and again from 2017-19. Professor Mercurio specialises in international economic law (IEL), with particular expertise in the intersection between trade law and intellectual property rights, free trade agreements, trade in services, dispute settlement and increasingly international investment law.], 2-12-2021, “WTO Waiver from Intellectual Property Protection for COVID-19 Vaccines and Treatments: A Critical Review“, No Publication, accessed: 8-8-2021, https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=3789820) ajs

1. An IP waiver would undermine R&D and innovation The IP system is designed to encourage and reward creativity and innovation while benefiting society as a whole. The idea is that IPRs stimulate innovation by “enabling innovators to capture enough of the benefits of their own innovative activity to justify taking considerable risks.” 23 Therefore, while in the short term waiving IPRs may arguably accelerate the distribution of goods and services – i.e. access to COVID-19 vaccines – in the long term undermining IPRs would eliminate the incentives that spark innovation, thus hindering the discovery and development of knowledge for new products or technologies that the world needs.24

An example that illustrates the significance of IP protection is the technology of synthetic mRNA, a genetic technology behind the COVID-19 vaccines of both Pfizer and Moderna. Synthetic mRNA is a genetic technology that has long held huge promise but has so far run into biological roadblocks. The concept of tweaking specific strands in synthetic mRNA to deliver desired results was first introduced in the 1990s, but at that time while it made sense in theory it often failed in the real world as synthetic RNA was notoriously vulnerable to the body’s natural defences and the synthetic RNA was very often destroyed before reaching its target cells. In some situations, the foreign materials even elicited an immune response that poses health risks for some patients. The solution, substituting one of the nucleosides (building blocks of mRNA) for a slightly tweaked version to bypass the body’s defence, was not discovered until 2005 and did not reach commercialization stage for another 15 years.

Without the prospect of IP protection, it is simply unimaginable that scientists would devote the human and monetary resources into such R&D as there would have been no incentive to spend the time and effort on a promising but extremely challenging technology. Likewise, venture capitalists would refuse to invest billions of dollars into any research effort knowing that any other company could simply take the successful result and produce a medicine without paying for the R&D costs; in such a scenario, it would be virtually impossible to recoup the initial investment. Thus, without the promise of IP protection the technology underpinning the most advanced and promising COVID-19 vaccines would likely never have been developed. This point is of such importance that it is worth stating the obvious: IPRs have played a large role in the response to COVID-19; a response which has led to an incredible feat of humanity – the identification of the genome of a new pathogen and development of several treatments and promising vaccines within the space of a year. Without the promise of financial gain, the level of R&D into the novel coronavirus would have been greatly reduced and innovation hampered and delayed. In short, the IP system encouraged a robust response to the threat from innovator companies and worked as designed. It would be unwise (if not reckless) to place the innovation system which has delivered results in record time in jeopardy only in exchange for what is at best short-term benefits.

#### Biopharmaceutical innovation is key to prevent future pandemics and bioterror – turns case

Marjanovic and Feijao 20 [(Sonja Marjanovic, Ph.D., Judge Business School, University of Cambridge. Carolina Feijao, Ph.D. in biochemistry, University of Cambridge; M.Sc. in quantitative biology, Imperial College London; B.Sc. in biology, University of Lisbon.) "How to Best Enable Pharma Innovation Beyond the COVID-19 Crisis," RAND Corporation, 05-2020, https://www.rand.org/pubs/perspectives/PEA407-1.html] TDI

As key actors in the healthcare innovation landscape, pharmaceutical and life sciences companies have been called on to develop medicines, vaccines and diagnostics for pressing public health challenges. The COVID-19 crisis is one such challenge, but there are many others. For example, MERS, SARS, Ebola, Zika and avian and swine flu are also infectious diseases that represent public health threats. Infectious agents such as anthrax, smallpox and tularemia could present threats in a bioterrorism context.1 The general threat to public health that is posed by antimicrobial resistance is also well-recognised as an area in need of pharmaceutical innovation. Innovating in response to these challenges does not always align well with pharmaceutical industry commercial models, shareholder expectations and competition within the industry. However, the expertise, networks and infrastructure that industry has within its reach, as well as public expectations and the moral imperative, make pharmaceutical companies and the wider life sciences sector an indispensable partner in the search for solutions that save lives. This perspective argues for the need to establish more sustainable and scalable ways of incentivising pharmaceutical innovation in response to infectious disease threats to public health. It considers both past and current examples of efforts to mobilise pharmaceutical innovation in high commercial risk areas, including in the context of current efforts to respond to the COVID-19 pandemic. In global pandemic crises like COVID-19, the urgency and scale of the crisis – as well as the spotlight placed on pharmaceutical companies – mean that contributing to the search for effective medicines, vaccines or diagnostics is essential for socially responsible companies in the sector. 2 It is therefore unsurprising that we are seeing industry-wide efforts unfold at unprecedented scale and pace. Whereas there is always scope for more activity, industry is currently contributing in a variety of ways. Examples include pharmaceutical companies donating existing compounds to assess their utility in the fight against COVID19; screening existing compound libraries in-house or with partners to see if they can be repurposed; accelerating trials for potentially effective medicine or vaccine candidates; and in some cases rapidly accelerating in-house research and development to discover new treatments or vaccine agents and develop diagnostics tests.3,4 Pharmaceutical companies are collaborating with each other in some of these efforts and participating in global R&D partnerships (such as the Innovative Medicines Initiative effort to accelerate the development of potential therapies for COVID-19) and supporting national efforts to expand diagnosis and testing capacity and ensure affordable and ready access to potential solutions.3,5,6 The primary purpose of such innovation is to benefit patients and wider population health. Although there are also reputational benefits from involvement that can be realised across the industry, there are likely to be relatively few companies that are ‘commercial’ winners. Those who might gain substantial revenues will be under pressure not to be seen as profiting from the pandemic. In the United Kingdom for example, GSK has stated that it does not expect to profit from its COVID-19 related activities and that any gains will be invested in supporting research and long-term pandemic preparedness, as well as in developing products that would be affordable in the world’s poorest countries.7 Similarly, in the United States AbbVie has waived intellectual property rights for an existing combination product that is being tested for therapeutic potential against COVID-19, which would support affordability and allow for a supply of generics.8,9 Johnson & Johnson has stated that its potential vaccine – which is expected to begin trials – will be available on a not-for-profit basis during the pandemic.10 Pharma is mobilising substantial efforts to rise to the COVID-19 challenge at hand. However, we need to consider how pharmaceutical innovation for responding to emerging infectious diseases can best be enabled beyond the current crisis. Many public health threats (including those associated with other infectious diseases, bioterrorism agents and antimicrobial resistance) are urgently in need of pharmaceutical innovation, even if their impacts are not as visible to society as COVID-19 is in the immediate term. The pharmaceutical industry has responded to previous public health emergencies associated with infectious disease in recent times – for example those associated with Ebola and Zika outbreaks.11 However, it has done so to a lesser scale than for COVID-19 and with contributions from fewer companies. Similarly, levels of activity in response to the threat of antimicrobial resistance are still low.12 There are important policy questions as to whether – and how – industry could engage with such public health threats to an even greater extent under improved innovation conditions.

#### COVID incentivizes engineered bioterror- extinction

Walsh, 20 -- Axios Future correspondent [Bryan Walsh, "The coronavirus pandemic reawakens bioweapon fears," Axios, 5-14-2020, https://www.axios.com/coronavirus-pandemic-pathogen-bioweapon-45417c86-52aa-41b1-8a99-44a6e597d3a8.html, accessed 9-7-2020]

The coronavirus pandemic reawakens bioweapon fears

The immense human and economic toll of the COVID-19 pandemic only underscores the threat posed by pathogens that could be deliberately engineered and released.

Why it matters: New technology like gene editing and DNA synthesis has made the creation of more virulent pathogens easier. Yet security and regulation efforts haven't kept pace with the science.

What's happening: Despite some claims by the White House, overwhelming scientific evidence indicates that the novel coronavirus was not accidentally released from a lab or deliberately engineered, but naturally spilled over from an animal source.

That doesn't mean the threat from bioweapons isn't dire. Along with AI, engineered pandemics are widely considered the biggest existential risk facing humanity.

That's in part because a pathogen could be engineered in a lab for maximum contagiousness and virulence, well beyond what would arise through natural selection.

Case in point: a 2018 pandemic simulation put on by the Johns Hopkins Center for Health Security featured a fictional engineered virus called Clade X that combined the contagiousness of the common cold with the virulence of the real-life Nipah virus, which has a mortality rate of 40-75%. The resulting simulated global outbreak killed 150 million people.

COVID-19 isn't anywhere near that fatal, but the pandemic has shown the vulnerability of the U.S. and the world to biological threats both natural and manmade.

"Potential adversaries are of course seeing the same things we’re seeing," says Richard Pilch of the Middlebury Institute of International Studies. "Anyone looking for a radical leveling approach — whether a state actor like North Korea or a motivated terrorist organization — may be influenced by COVID-19 to consider pursuing a biological weapons capability."

Background: Bioweapons were officially banned by the Biological Weapons Convention in 1975, though North Korea is suspected of maintaining an offensive bioweapons program.

A particular concern about biowarfare and bioterror, though, is that many of the tools and methods that could be used to create a weaponized virus are largely indistinguishable from those used in the course of legitimate scientific research. This makes biotechnology "dual-use" — and that much more difficult to safely regulate without cutting off research that could be vitally important.

While earlier bioweapons fears focused on the possibility that a state or terror group could try to weaponize a known dangerous agent like smallpox — which would require somehow obtaining restricted pathogens — new technology means that someone could obtain the genetic sequence of a germ online and synthesize it in the lab.

"If you've been trained in a relevant technical discipline, that means you can make almost any potentially harmful agent that you're aware of," says Kevin Esvelt, a biologist at the MIT Media Lab and a member of the CDC's Biological Agent Containment Working Group. That would include the novel coronavirus that causes COVID-19, which was recently synthesized from its genetic sequence in a study published in Nature.

How it works: Currently, synthetic DNA is ordered through commercial suppliers. But while most suppliers screen DNA orders for the sequences of dangerous pathogens, they're not required to — and not all do, which means safety efforts are "incomplete, inaccurate, and insecure," says Esvelt.

Screening efforts that look for the genetic sequences of known pathogens also wouldn't necessarily be able to detect when synthetic DNA was being used to make something entirely novel and dangerous.

In the near future, desktop DNA synthesizers may be able to generate synthetic DNA in the lab, cutting out the need for commercial suppliers — and potential security screenings.

The democratization of biotechnology could unleash a wave of creativity and innovation, just as the democratization of personal computing did. But it also increases the number of people who could potentially make a dangerous engineered virus, whether deliberately or by accident.

## Case

### U/V

#### 1AR theory is skewed towards the aff – a) the 2NR must cover substance and over-cover theory, since they get the collapse and persuasive spin advantage of the 3min 2AR, b) their responses to my counter interp will be new, which means 1AR theory necessitates intervention. Implications – a) reject 1AR theory since it can’t be a legitimate check for abuse – answers infinite abuse bc their solution to that abuse is illegitimate, b) drop the arg to minimize the chance the round is decided unfairly

No infinite abuse – limited speech times and we both have 13 so it’s reciprocal

Yes dta – not too short, reciprocal amont of time responding

Concede reasonability bc ci = endeless thoery debates – that’s bidirectional means they don’t get it on 1ar thoery

### Adv 1

#### 1] Squo solves – plan increases price of scarce materials and results in costly, ineffective facilities – prefer our ev, postdates + is a predictive study which shows there’s no more facilities to convert – their ev is j countries asserting they can

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.

#### 2] IPR hasn’t harmed access – manufacturing capacity alt cause

Mercurio 2/12 (Bryan Mercurio, [Simon F.S. Li Professor of Law at the Chinese University of Hong Kong (CUHK), having served as Associate Dean (Research) from 2010-14 and again from 2017-19. Professor Mercurio specialises in international economic law (IEL), with particular expertise in the intersection between trade law and intellectual property rights, free trade agreements, trade in services, dispute settlement and increasingly international investment law.], 2-12-2021, “WTO Waiver from Intellectual Property Protection for COVID-19 Vaccines and Treatments: A Critical Review“, No Publication, accessed: 8-8-2021, https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=3789820) ajs

2. Intellectual property rights have not hampered access to COVID-19 vaccines

A WTO waiver is an extreme measure which should only be used when existing WTO obligations prove inadequate. This was the case in relation to the compulsory licencing provisions under Article 31 of the TRIPS Agreement, which essentially precluded Members with no or inadequate manufacturing capabilities from making use of the flexibility granted in the TRIPS Agreement. 25 This was also the case with the Kimberley Process, which attempts to eliminate trade in “conflict diamonds”. 26

Although the IP waiver proposal states that “there are several reports about intellectual property rights hindering or potentially hindering timely provisioning of affordable medical products to the patients”, 27 the sponsors did not provide further elaboration or evidence to support their declaration that “many countries especially developing countries may face institutional and legal difficulties when using flexibilities available [under the TRIPS Agreement]”. 28 Instead, many of the examples used by India and South Africa point to problems not with the TRIPS Agreement but rather to failures at the domestic level. As mentioned above, the WTO allowed for the importation of medicines under a compulsory licence in 2003, and yet many developing countries have yet to put in place any framework to allow their country to make use of the flexibility. 29 This is not an institutional problem of the international system but rather a problem at the country level.

Two additional factors which make the proposed waiver unnecessary and potentially harmful. First, pharmaceutical companies are selling the vaccine at extremely reasonable rates and several announced plans for extensive not-for-profit sales.30 Although agreements between the pharmaceutical companies and governments are not publicly disclosed, the Belgian Secretary of State Eva De Bleeker temporarily made publicly available in a tweet the prices the EU is being charged by each manufacturer. The De Bleeker tweet indicated the European Commission negotiated price arrangements with six companies, with the range of spending between €1.78 and €18 per coronavirus vaccine dosage. Specific price per dose listed for each of the six vaccines was as follows: Oxford/AstraZeneca: (€1.78), Johnson & Johnson (€8.50), Sanofi/GSK (€7.56), CureVac (€10), BioNTech/Pfizer (€12) and Moderna (€18).31

While much as been made of the fact that South Africa agreed to purchase 1.5 million doses of the Oxford/AstraZeneca from the Serum Institute of India (SII) at a cost of €4.321 per dose,32 these criticisms are directed at the lack of transparency in pharmaceutical licenses and production contracts – an issue which would be wholly unaddressed by a waiver of IPRs.

Moreover, while the disparity in pricing is concerning the overall per dosage rate South Africa is paying nevertheless represents value for money given the expected health and economic returns on investment. Despite the disparity in pricing between nations, the larger point remains that the industry has not only rapidly produced vaccines for the novel coronavirus but is making them available at unquestionably reasonable prices.

Second, the proposed waiver will do nothing to address the problem of lack of capacity or the transfer of technology and goodwill. Pharmaceutical companies have not applied for patents in the majority of developing countries – in such countries, any manufacturer is free to produce and market the vaccine inside the territory of that country or to export the vaccine to other countries where patents have not been filed.33 Patents cannot be the problem in the countries where no patent applications have been filed, but the lack of production in such countries points to the real problem – these countries lack manufacturing capacity and capability.

While advanced pharmaceutical companies will have the technology, know-how and readiness to manufacture, store and transport complex vaccine formulations, such factories and logistics exist in only a handful of countries.34 Regardless of whether an IP waiver is granted, the remaining countries will be left without enhanced vaccine access and still reliant on imported supplies. With prices for the vaccine already very low, it is doubtful that generic suppliers will be able to provide the vaccine at significantly lower prices. Under such a scenario, the benefit of the waiver would go not to the countries in need but to the generic supplier who would not need to pay the licence fee or royalty to the innovator. Thus, the waiver would simply serve to benefit advanced generic manufacturers, most of which are located in a handful of countries, including China and Brazil as well as (unsurprisingly) India and South Africa. Countries would perhaps be better off obtaining the vaccine from suppliers that have negotiated a voluntary licence from the patent holder, as such licences include provisions for the transfer of technology, know-how and ongoing quality assurance support.

#### 3] Actors turn inward NOT outward – covid proves

Ide 21, Tobias. "COVID-19 and armed conflict." World development 140 (2021): 105355. (School of Geography, The University of Melbourne, 221 Bouverie St, Carlton, VIC 3053, Australia Institute of International Relations, Brunswick University of Technology)//Elmer

However, **COVID**-19 might also **shape** **opportunity costs in a way** **to reduce armed conflict risks**, at least temporarily. If a **state’s capability is strained** and there is an **urgent need to deal with a health emergency**, **military offensives are** certainly **unlikely** (Price-Smith, 2009). Furthermore, existing as well as potential **rebel groups** and militias **face similar challenges** in the face of the pandemic. They need to raise money and food to supply to their fighters during an economic recession, convince their members to take part in operations rather than staying at home (to reduce infection risks and support their family or community), and deal with the logistical constraints of lockdowns and border closures. **Starting** or intensifying **attacks** **during** the **COVID**-19 crisis is **likely to decrease** the local (and international) **legitimacy** of armed groups, especially if health infrastructure is affected. The ceasefire declarations by armed conflict parties in several countries can also be interpreted as a sign that COVID-related capability and legitimacy concerns are warranted.

### Adv 2

#### 1] Impact is empirically denied – WW2 proves; Japan abandoned the US bc felt too dependent economically

#### 2] Trade wars don’t go to hot wars

**Dayen 17**, New Republic contributor (David “Trump Is Signaling a Trade War, but It’s Not as Disastrous as You May Think”, https://www.thenation.com/article/trump-is-signaling-a-trade-war-but-its-not-as-disastrous-as-you-may-think/)

Can Trump enact tariffs on his own? Though it would appear to contradict the Origination Clause of the Constitution, Congress has delegated that authority in enough pieces of legislation that Trump could probably raise import duties unilaterally. But what would be the practical effect? Hard-core free traders paint a picture of cataclysm. Tariffs will launch trade wars, increase prices, and destroy the economy. This is all hard-wired into the pro-globalization worldview. Thomas Friedman once famously admitted that he wrote a column supporting a free-trade agreement with Central America without knowing a thing about it: “I just knew two words: free trade,” he told an audience. Presumably the opposite is true for Friedman: He sees one word, “tariff,” and immediately screams in horror. Oddly, many of those same proponents of free trade favor a policy that looks very much like a tariff. The Republican corporate-tax revamp includes something called a border-adjustment tax, which would impose a 20 percent tax on imports while eliminating a tax on exports. Like with tariffs, the goal appears to be to encourage domestic production. In fact, the tax would be much higher than the 5-10 percent tariff being floated. (It also might be illegal under the current global trade regime.) Supporters of border adjustment, particularly economists, argue that it will end up trade neutral, because the exchange rate will fluctuate in response to the tax. In other words, though the tax would make American-made goods more attractive, the value of the dollar would increase, leveling that out. Few of these economists seem to carry over the same analysis to the effects of a tariff. I don’t understand why. There’s no reason to doubt the fact that, if Trump imposed an across-the-board tariff, the dollar would strengthen, thus nullifying the desired effect. Indeed, before Trump has even taken office, the dollar has risen to a 14-year high, in anticipation of a more protectionist stance. Incidentally, for all the one-off announcements by Trump (however factually challenged) about hundreds of jobs he has allegedly rescued here or there, this one development—the rise in the dollar—has likely caused the loss of hundreds of thousands of manufacturing jobs, under standard economic theory. Looked at this way, higher tariffs wouldn’t cause a recession (as Paul Krugman has acknowledged), but would be somewhat pointless, with currency exchanges shifting to account for any changes. Trade wars might temporarily reduce efficiency, as domestic supply chains would have to be rebuilt, but they’re unlikely to radically alter the balance of trade on their own. There are other variables here. Importers and exporters who have lived in a world of floating exchange rates for decades may be fairly nimble in adjusting to them. On the downside, Krugman explains that raising tariffs could inhibit capital flows, meaning that investors will place less money into US markets. You can see how that might reduce economic growth. But Jeff Spross points out that America currently has a problem with too much foreign money flowing in; reducing the flow could arguably make the economy more stable. Trump could also seek to prevent unlawful currency manipulation (not necessarily from China, but from other Asian nations) that artificially disadvantages US manufacturing. The real unknown here is what Trump would do with all that tariff revenue. The border adjustment tax at 20 percent is assumed to bring in $1 trillion over the 10-year budget window. So a tariff of even one-quarter or one-half that size would draw significant funds. What’s the plan for it? Would it get plowed into job-creating investments? Tax cuts for the wealthy? That’s a significant variable as well. We do know that the same pundits who confidently predicted that globalization would be a win-win policy for America repeatedly got it wrong. Those on the losing side saw their jobs shipped out and factories closed down, and weren’t given the kind of assistance needed to offset the disruption. So it’s worth being a little skeptical of the warnings coming from the same corners now. I don’t have a ton of faith in the Trump team to necessarily make their trade agenda work (especially as corporate interests will seek to co-opt the redesigned policies in ways even friendlier to their bottom line). And I think there are smarter ways to balance our trade deficit than a tariff strategy which will just run up against currency exchange rates. But the hysteria accompanying these tariffs (which wasn’t at all present when President Obama imposed his own tariffs on Chinese tires and steel) seems far beyond what little we can assume about the actual results of such a strategy.

#### 3] Alt causes - other trade organizations like the UN, USMCA, FTAs, etc all prove cooperation exist absent the WTO. UN and NATO are better for global governance bc of military might – no incentive to listen to WTO

Doesn’t spill over int or new form

#### 5] The aff causes the WTO to attract jurisdiction which trades off with the efficacy and legitimacy of regional trade agreements.

Kwak and Marceau 16 “Overlaps and Conflicts of Jurisdiction between the World Trade Organization and Regional Trade Agreements,” Kyung Kwak [Kyung Kwak is an associate of a law firm, Ashurst, in Brussel] and Gabrielle Marceau [Gabrielle Marceau, Ph.D., is counsellor in the Légal Affairs Division of the Secretariat to the World Trade Organization] Published online by Cambridge University Press: 09 March 2016 <https://www.cambridge.org/core/journals/canadian-yearbook-of-international-law-annuaire-canadien-de-droit-international/article/abs/overlaps-and-conflicts-of-jurisdiction-between-the-world-trade-organization-and-regional-trade-agreements/6C0C9CA77BED3390A38226F9E01EB44D> SM

The relationship between the dispute settlement mechanism of the World Trade Organization (WTO) and that of regional trade agreements (RTAs) demonstrates the difficulties surrounding the issues of overlaps/conflicts of Jurisdiction and of hierarchy of norms in international law.1 Jurisdiction is often defined in terms of either legislative or judicial Jurisdiction — that is, the authority to legislate or to adjudicate on a matter. Jurisdiction may be analyzed from horizontal points of view (the allocation of Jurisdiction among states or among international organizations) and from a vertical point of view (the allocation of jurisdiction between states and international organizations) . 2

This article addresses the issue of horizontal allocation of judicial jurisdiction between RTAs and the WTO, as expressed in the dispute settlement provisions of each treaty. The choice of a dispute settlement forum is often an expression of the importance that states give to the System of norms that may be enforced by the related dispute settlement mechanism. For instance, if the same states — which are parties to two treaties A and B that contain similar obligations — provide that priority or exclusivity is given to the dispute settlement mechanism of A over that of B, it may be that the states are expressing their choice to favour the enforcement of treaty A over treaty B.

In the case of RTAs, the situation is further complicated because the General Agreement on Tariffs and Trade (GATT)3 authorizes WTO members to form regional trade agreements. The WTO jurisprudence has made it clear that members have a "right" to form preferential trade agreements. This right is however conditional. In the context of an RTA, Article XXIV may justify a measure that is inconsistent with certain other GATT provisions. However, in a case involving the formation of a customs union, this RTA "defence" is available only when two conditions are fulfilled. First, the party claiming the benefit of this defence must demonstrate that the measure at issue is introduced upon the formation of a customs union that fully meets the requirements of sub-paragraphs 8 (a) and 5 (a) of Article XXIV. Second, this party must demonstrate that the formation of the customs union would be prevented if it were not allowed to introduce the measure at issue. Again, both of these conditions must be met to have the benefit of the defence under Article XXIV of GATT.4

Many RTAs include (substantive) rights and obligations that are parallel to those of the Marrakesh Agreement Establishing the World Trade Organization (WTO Agreement).5 Generally, these RTAs may provide for their own dispute settlement mechanism, which makes it possible for the states to resort to different but parallel dispute settlement mechanisms for parallel or even similar obligations. This situation is not unique as states are often bound by multiple treaties, and the dispute settlement Systems of these treaties operate in a parallel manner.6 At the same time, the WTO dispute settlement System claims to be compulsory and exclusive. Article 23 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU)7 mandates exclusive jurisdiction in favour of the DSU for WTO violations. By simply alleging that a measure affects or impairs its trade benefits, a WTO member is entitled to trigger the quasi-automatic, rapid, and powerful WTO dispute settlement mechanism, excluding thereby the competence of any other mechanism to examine WTO law violations. The challenging member does not need to prove any specific economic or legal interest nor provide any evidence of the trade impact of the challenged measure in order to initiale the DSU mechanism.8 The WTO will thus often "attract" jurisdiction over disputes with (potential) trade effects even if such disputes could also be handled in fora other than that of the WTO.

OVERLAPS OF JURISDICTION BETWEEN RTAs AND THE WTO

Overlaps of jurisdiction in dispute settlement can be defined as situations where the same dispute or related aspects of the same dispute could be brought to two distinct institutions or two different dispute settlement Systems. Under certain circumstances, this occurrence may lead to difficulties relating to "forum-shopping,"

whereby disputing entities would have a choice between two adjudicating bodies or between two different jurisdictions for the same facts. When the dispute settlement mechanisms of two agreements are triggered in parallel or in sequence, there are problems on two levels: first, the two tribunals may claim final jurisdiction (supremacy) over the matter and, second, they may reach different, or even opposite, results.9

Various types of overlaps of jurisdiction may occur. For the purpose of the present discussion, an overlap of jurisdiction occurs: ( i ) when two fora claim to have exclusive jurisdiction over the matter; (2) when one forum claims to have exclusive jurisdiction and the other one offers jurisdiction, on a permissive basis, for dealing with the same matter or a related one; or (3) when the dispute settlement mechanisms of two different fora are available (on a non-mandatory basis) to examine the same or similar matters. Conflicts are possible in any of these three situations. All of the RTAs examined in Table i at the end of this article have dispute settlement mechanisms with jurisdiction that may potentially overlap with that of the WTO Agreement.

#### The plan revitalizes WTO credibility and generates momentum

Meyer 6/18 [(David Meyer is the Editor of CEO Daily and a senior writer on Fortune’s European team. Author of the digital rights primer, Control Shift: How Technology Affects You and Your Rights. “The WTO’s survival hinges on the COVID-19 vaccine patent debate, waiver advocates warn,” Fortune, June 18, 2021. <https://fortune.com/2021/06/18/wto-covid-vaccines-patents-waiver-south-africa-trips/>] TDI

According to some of those pushing for the waiver—which was originally proposed last year by India and South Africa—**the WTO's future rests on what happens next.** "The credibility of the WTO will depend on its ability to find a meaningful outcome on this issue that truly ramps-up and diversifies production," says Xolelwa Mlumbi-Peter, South Africa's ambassador to the WTO. "Final nail in the coffin" The Geneva-based WTO isn't an organization with power, as such—it's a framework within which countries make big decisions about trade, generally by consensus. It's supposed to be the forum where disputes get settled, because all its members have signed up to the same rules. And one of its most important rulebooks is the Agreement on Trade-Related Aspects of Intellectual Property Rights, or TRIPS, which sprang to life alongside the WTO in 1995. The WTO's founding agreement allows for rules to be waived in exceptional circumstances, and indeed this has happened before: its members agreed in 2003 to waive TRIPS obligations that were blocking the importation of cheap, generic drugs into developing countries that lack manufacturing capacity. (That waiver was effectively made permanent in 2017.) Consensus is the key here. Although the failure to reach consensus on a waiver could be overcome with a 75% supermajority vote by the WTO's membership, this would be an unprecedented and seismic event. In the case of the COVID-19 vaccine IP waiver, it would mean standing up to the European Union, and Germany in particular, as well as countries such as Canada and the U.K.—the U.S. recently flipped from opposing the idea of a waiver to supporting it, as did France. **It's a dispute between countries, but the result will be on the WTO as a whole**, say waiver advocates. "If, in the face of one of humanity's greatest challenges in a century, the WTO functionally becomes an obstacle as in contrast to part of the solution, **I think it could be the final nail in the coffin"** **for the organization**, says Lori Wallach, the founder of Public Citizen's Global Trade Watch, a U.S. campaigning group that focuses on the WTO and trade agreements. "If the TRIPS waiver is successful, and people see the WTO as being part of the solution—saving lives and livelihoods—**it could create goodwill and momentum to address what are still daunting structural problems."** Those problems are legion.

#### Regional trade integration is key to the African economy.

Gammadigbe 21 IMF Working Paper Strategy, Policy, & Review “Is Regional Trade Integration a Growth and Convergence Engine in Africa?” Prepared by Vigninou Gammadigbe [Research Fellow at Banque Centrale des Etats de l'Afrique de l'Ouest Authorized for distribution by Johannes Wiegand January 2021 <https://www.imf.org/en/Publications/WP/Issues/2021/01/29/Is-Regional-Trade-Integration-a-Growth-and-Convergence-Engine-in-Africa-50040> SM

\*REC = Regional Economic Communities (for example, FTAs, unions, etc.)

It has been argued in the literature that regional integration promotes shared economic growth and income convergence among member countries through direct and indirect channels of increased intra-regional trade, economies of scale, dissemination of knowledge and technology, and structural transformation. This paper contributes to this literature in Africa and African RECs. Its main objective was to analyses the effects of RTI on growth and income convergence in Africa and its different RECs. The study examines whether regional integration has played an important role in economic growth and income convergence of member countries in African major RECs in order to draw lessons for the process of establishing the African Continental Free Trade Area (AfCFTA). To this end, the study estimated two models, one for economic growth and the other for income convergence in the African sample and in the African major RECs over the period 1989 to 2018 using the instrumental variable method and the panel fixed-effects model.

The baseline results as well as the results of the multiple robustness tests indicate that RTI promotes economic growth in the participating countries. However, econometric evidence shows that it fuels divergence rather than income convergence across the continent implying that the positive effect on economic growth is mostly captured by the relatively more developed economies on the continent. These results are robust to the use of alternative indicators of trade integration, to the time frame of the analysis and to the estimation method particularly for the sample of Africa and in large RECs including COMESA, SADC, ECOWAS, WAEMU and SADC. For these RECs and in the context of the African continental free trade project, these results show how necessary it is to design specific programs (social programs and training programs) to support the most vulnerable economies in order to protect their sectors that will suffer negative shocks when the African Continental Free Trade Area (AfCFTA) will be in force. The results also show that regional integration offers substantial gains, whose full absorption is conditional on the implementation of comprehensive structural reforms aimed at diversifying economies and increasing their productivity. The positive effect of regional integration on growth suggests that the process of African trade integration would be beneficial to the continent’s economic growth.

Therefore, the study recommends the elimination of non-tariff barriers in order to increase its effectiveness. Furthermore, regarding the positive effect on income divergence, the study recommends that RTI, beyond its traditional role as an instrument for trade promotion, should also be used as an instrument for providing essential infrastructure, improving the quality of institutions, building human capacity and strengthening the physical capital stock.

#### Economic decline causes Africa war

Tollefsen 17 [(Andreas Forø, Peace Research Institute Oslo (PRIO) and Ph.D. in Human Geography from the University of Oslo) “Experienced poverty and local conflict violence," Conflict Management and Peace Science, 12/21/17, <https://www.researchgate.net/publication/320740608_Experienced_poverty_and_local_conflict_violence>]

The present study’s empirical contributions seek to help rectify the inadequate measures of poverty that have come to characterize the literature. To begin with, the article improves our understanding of whether and where a local poverty–conflict nexus exists by deploying experiential data on individuals’ actual wellbeing—which I argue is more closely connected to people’s motives and rationale for taking up arms. Second, the article examines the sociopolitical context’s conditioning effect on the poverty–conflict nexus. This is achieved by including data on individuals’ perceptions surrounding the quality of their local institutions, the presence of group grievances, and local unemployment rates. These factors, I argue, are more closely linked to reasons for fighting than are common proxies such as night-time luminosity and estimates of economic activity, both of which are often derived from dividing GDP per capita by local population counts.

Poverty—a state in which individuals’ basic needs go unmet—has been shown to motivate people to join rebellions. Humphreys and Weinstein (2008), for instance, found that poverty predicted inscription in the Revolutionary United Front during Sierra Leone’s civil war

. Barrett (2011) similarly saw how promises of loot lured the poor to enlist in the 1997– 1998 dispute in Nigeria’s local government area known as Toto. Combatants of the Toto conflict were also more likely to join the rebellion if they stood to gain personal protection, food, and shelter.

For the present study, I developed a dataset by aggregating survey responses from the pan-African Afrobarometer survey to subnational districts and combining the results with information on post-survey violent conflicts. The dataset consists of 4008 subnational districts, spanning 35 African countries. As most districts were only assessed once, thus restricting study of within-unit variation, survey responses were also aggregated to higher-order subnational regions, resulting in a dataset of 111 regions that were surveyed at least twice; this permitted a region-level fixed-effects model design.

Using a pooled cross-sectional dataset of districts, I found that high levels of poverty were linked to increases in local conflict-based violence. Districts with a large share of poor individuals, both in absolute terms and relative to country average, had a higher risk ofconflict than more affluent areas. This relationship held in a coarsened exact matching setup, as well as in a region-level fixed effects design with repeated measurements across time. While the results reveal a local poverty–conflict link, they do not aid in uncovering underlying mechanisms.

Using interactions models, I found that poverty increased the risk of conflict, although only where local institutions are weak. The results also show that poverty-stricken areas in which individuals strongly perceive group injustice have a greater risk of conflict than similarly impoverished regions with no aggrieved population. A departure from the local individual opportunity cost explanation, local economic opportunities do not seem to condition the poverty–conflict nexus. In sum, the results suggest that while poverty is significantly connected to conflict, high-quality institutions and inclusiveness of ethnic groups can prevent violence. Although a wide range of robustness checks and alternative model specifications were implemented, including matching and fixed-effects models, the issue of endogeneity could not be ruled out; doing so would require some kind of exogenous instrument, which I have been unable to identify.

The remainder of this article elaborates on the theoretical framework linking subnational poverty to local conflict-based violence. This is followed by a discussion of existing methods for measuring local poverty and their potential shortcomings. Next presented is the study’s research design and modeling strategy, followed by a discussion of empirical results. The conclusion considers the study’s limitations and proposes avenues for future research on poverty in locations that support rebel groups.

Poverty and conflict

A direct link

A connection between low income and risk of conflict is among the most robust findings in the literature on civil wars (Hegre and Sambanis, 2006). However, there is little consensus on the mechanisms through which poverty may produce conflict. Collier and Hoeffler (1998) claimed that low per-capita income lowers the opportunity cost of rebellion because when they have less to lose from taking up arms, poorer individuals become more inclined to rebel. Fearon and Laitin (2003) observed that poorer countries experience more conflict because they are unable to monitor and control all of their territory, thereby creating pockets of hospitable conditions for insurgents; Tollefsen and Buhaug (2015) identified a similar scenario at the local level.