#### Interpretation – Debaters may not modify their evidence. To clarify, debaters may not strikethrough or delete words or characters, replace words with bracketed synonyms, bracket in words for grammatical reasons, or edit their evidence for any other reason.

#### Violation – Freeman are bracketed

#### Net Benefits –

#### Academic integrity – modifying authors changes argument perception because it forecloses the possibility of authors to represent their own words, killing validity. That outweighs - Your role as an educator mandates that you enforce academic rules – just as a teacher would fail a paper that plagiarized, you should not vote for someone who used altered evidence. Academic rules are

#### Key to enforcing a norm of honesty instead of lying – this fosters a respectful and fair academic community

#### Debate is an academic activity – academic honesty is a rule in every other academic area so the same standards apply.

#### Voter – Education - only portable impact from debate – we care about what we learn rather than if we were fair.

#### CI –

#### Reasonability causes a race to the bottom because debaters keep being barely reasonable, magnifying abuse.

#### Reasonability collapses to competing interps because we debate about the specified brightline.

#### Judge intervention outweighs – all views are subjective and makes abuse impossible to check, so debaters can get away with unreasonable actions.

#### Drop the debater –

#### Sets a precedent debaters wont be abusive and TS puts me at a DA on substance

#### RVIS bad –

#### Logic- Winning theory is not a reason to vote them up- In the real world proving you are meeting a necessary rule will not give you reward.

#### Discourages checking abuse because debaters will be afraid to lose on theory.

1. **RVIs center the debate on theory instead of substance because it’s the only place the round can be decided. Outweighs on time frame; we only get two months to talk about the topic and on research - where the majority of debate education occurs**
2. **Counter interp—you get an RVi if I read 2 or more shells—solves skew offense**

#### 1NC Theory first – [a] neg flex aff already gets to determine what the debate is better so abuse is exacerbated [b] sequencing any abusive strategy was bc of aff abuse

### Fwk

#### I value morality.

#### The standard is minimizing material violence.

#### Pleasure and pain are the starting point for moral reasoning—they’re our most baseline desires and the only things that explain the intrinsic value of objects or actions

**Moen 16**, Ole Martin (PhD, Research Fellow in Philosophy at University of Oslo). "An Argument for Hedonism." Journal of Value Inquiry 50.2 (2016): 267.

Let us start by observing, empirically, that **a widely shared judgment about intrinsic value** and disvalue **is that pleasure is intrinsically valuable and pain is intrinsically disvaluable**. On virtually any proposed list of intrinsic values and disvalues (we will look at some of them below), pleasure is included among the intrinsic values and pain among the intrinsic disvalues. This inclusion makes intuitive sense, moreover, for **there is something undeniably good about the way pleasure feels and something undeniably bad about the way pain feels**, and neither the goodness of pleasure nor the badness of pain seems to be exhausted by the further effects that these experiences might have. “Pleasure” and “pain” **are** here **understood inclusively**, as encompassing anything hedonically positive and anything hedonically negative. 2 The special value statuses of pleasure and pain are manifested in how we treat these experiences in our everyday reasoning about values. If you tell me that you are heading for the convenience store, **I might ask: “What for**?” This is a reasonable question, for when you go to the convenience store you usually do so, not merely for the sake of going to the convenience store, but for the sake of achieving something further that you deem to be valuable. You might answer, for example: “To buy soda.” This answer makes sense, for soda is a nice thing and you can get it at the convenience store. I might further inquire, however: “What is buying the soda good for?” This further question can also be a reasonable one, for it need not be obvious why you want the soda. You might answer: “Well, I want it for the pleasure of drinking it.” If I then proceed by asking “But what is the pleasure of drinking the soda good for?” the discussion is likely to reach an awkward end. **The reason is that the pleasure is not good for anything further; it is simply that for which going to the convenience store and buying the soda is good**. 3 As Aristotle observes: “**We never ask** [a man] **what** his **end is in being pleased, because we assume that pleasure is choice worthy in itself**.”4 Presumably, a similar story can be told in the case of pains, for if someone says “This is painful!” we never respond by asking: “And why is that a problem?” We take for granted that **if something is painful, we have a sufficient explanation of why it is bad**. If we are onto something in our everyday reasoning about values, it seems that **pleasure and pain are both places where we reach the end of the line in matters of value. Although pleasure and pain thus seem to be good candidates for intrinsic value and disvalue**, several objections have been raised against this suggestion: (1) that pleasure and pain have instrumental but not intrinsic value/disvalue; (2) that pleasure and pain gain their value/disvalue derivatively, in virtue of satisfying/frustrating our desires; (3) that there is a subset of pleasures that are not intrinsically valuable (so-called “evil pleasures”) and a subset of pains that are not intrinsically disvaluable (so-called “noble pains”), and (4) that pain asymbolia, masochism, and practices such as wiggling a loose tooth render it implausible that pain is intrinsically disvaluable. I shall argue that these objections fail. Though it is, of course, an open question whether other objections to P1 might be more successful, I shall assume that if (1)–(4) fail, we are justified in believing that P1 is true itself a paragon of freedom—there will always be some agents able to interfere substantially with one’s choices. The effective level of protection one enjoys, and hence one’s actual degree of freedom, will vary according to multiple factors: how powerful one is, how powerful individuals in one’s vicinity are, how frequent police patrols are, and so on. Now, we saw above that what makes a slave unfree on Pettit’s view is the fact that his master has the power to interfere arbitrarily with his choices; in other words, what makes the slave unfree is the power relation that obtains between his master and him. The difﬁculty is that, in light of the facts I just mentioned, there is no reason to think that this power relation will be unique. A similar relation could obtain between the master and someone other than the slave: absent perfect state control, the master may very well have enough power to interfere in the lives of countless individuals. Yet it would be wrong to infer that these individuals lack freedom in the way the slave does; if they lack anything, it seems to be security. A problematic power relation can also obtain between the slave and someone other than the master, since there may be citizens who are more powerful than the master and who can therefore interfere with the slave’s choices at their discretion. Once again, it would be wrong to infer that these individuals make the slave unfree in the same way that the master does. Something appears to be missing from Pettit’s view. If I live in a particularly nasty part of town, then it may turn out that, when all the relevant factors are taken into account, I am just as vulnerable to outside interference as are the slaves in the royal palace, yet it does not follow that our conditions are equivalent from the point of view of freedom. As a matter of fact, we may be equally vulnerable to outside interference, but as a matter of right, our standings could not be more different. I have legal recourse against anyone who interferes with my freedom; the recourse may not be very effective—presumably it is not, if my overall vulnerability to outside interference is comparable to that of a slave— but I still have full legal standing.68 By contrast, the slave lacks legal recourse against the interventions of one speciﬁc individual: his master. It is that fact, on a Kantian view—a fact about the legal relation in which a slave stands to his master—that sets slaves apart from freemen. The point may appear trivial, but it does get something right: whereas one cannot identify a power relation that obtains uniquely between a slave and his master, the legal relation between them is undeniably unique. A master’s right to interfere with respect to his slave does not extend to freemen, regardless of how vulnerable they might be as a matter of fact, and citizens other than the master do not have the right to order the slave around, regardless of how powerful they might be. This suggests that Kant is correct in thinking that the ideal of freedom is essentially linked to a person’s having full legal standing. More speciﬁcally, he is correct in holding that the importance of rights is not exhausted by their contribution to the level of protection that an individual enjoys, as it must be on an instrumental view like Pettit’s. Although it does matter that rights be enforced with reasonable effectiveness, the sheer fact that one has adequate legal rights is essential to one’s standing as a free citizen. In this respect, Kant stays faithful to the idea that freedom is primarily a matter of standing—a standing that the freeman has and that the slave lacks. Pettit himself frequently insists on the idea, but he fails to do it justice when he claims that freedom is simply a matter of being adequately (and reliably) shielded against the strength of others. As Kant recognizes, the standing of a free citizen is a more complex matter than that. One could perhaps worry that the idea of legal standing is something of a red herring here—that it must ultimately be reducible to a complex network of power relations and, hence, that the position I attribute to Kant differs only nominally from Pettit’s. That seems to me doubtful. Viewing legal standing as essential to freedom makes sense only if our conception of the former includes conceptions of what constitutes a fully adequate scheme of legal rights, appropriate legal recourse, justiﬁed punishment, and so on. Only if one believes that these notions all boil down to power relations will Kant’s position appear similar to Pettit’s. On any other view—and certainly that includes most views recently defended by philosophers—the notion of legal standing will outstrip the power relations that ground Pettit’s theory.

**Extinction comes first under any framework. Rawls says we need to take consequences into account.**

#### Pummer 15

[Theron, Junior Research Fellow in Philosophy at St. Anne's College, University of Oxford. “Moral Agreement on Saving the World” Practical Ethics, University of Oxford. May 18, 2015] AT

There appears to be lot of disagreement in moral philosophy. Whether these many apparent disagreements are deep and irresolvable, I believe there is at least one thing it is reasonable to agree on right now, whatever general moral view we adopt: that it is very important to reduce the risk that all intelligent beings on this planet are eliminated by an enormous catastrophe, such as a nuclear war. How we might in fact try to reduce such existential risks is discussed elsewhere. My claim here is only that we – whether we’re consequentialists, deontologists, or virtue ethicists – should all agree that we should try to save the world. According to consequentialism, we should maximize the good, where this is taken to be the goodness, from an impartial perspective, of outcomes. Clearly one thing that makes an outcome good is that the people in it are doing well. There is little disagreement here. If the happiness or well-being of possible future people is just as important as that of people who already exist, and if they would have good lives, it is not hard to see how reducing existential risk is easily the most important thing in the whole world. This is for the familiar reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. There are so many possible future people that reducing existential risk is arguably the most important thing in the world, even if the well-being of these possible people were given only 0.001% as much weight as that of existing people. Even on a wholly person-affecting view – according to which there’s nothing (apart from effects on existing people) to be said in favor of creating happy people – the case for reducing existential risk is very strong. As noted in this seminal paper, this case is strengthened by the fact that there’s a good chance that many existing people will, with the aid of life-extension technology, live very long and very high quality lives. You might think what I have just argued applies to consequentialists only. There is a tendency to assume that, if an argument appeals to consequentialist considerations (the goodness of outcomes), it is irrelevant to non-consequentialists. But **that is a huge mistake.** Non-consequentialism is the view that there’s more that determines rightness than the goodness of consequences or outcomes; **it is not the view that the latter don’t matter**. **Even John Rawls wrote**, “All ethical doctrines worth our attention take consequences into account in judging rightness. One which did not would simply be irrational, crazy.” **Minimally plausible versions of deontology and virtue ethics must be concerned in part with promoting the good**, from an impartial point of view. They’d thus imply very strong reasons to reduce existential risk, at least when this doesn’t significantly involve doing harm to others or damaging one’s character. What’s even more surprising, perhaps, is that even if our own good (or that of those near and dear to us) has much greater weight than goodness from the impartial “point of view of the universe,” indeed even if the latter is entirely morally irrelevant, we may nonetheless have very strong reasons to reduce existential risk. Even egoism, the view that each agent should maximize her own good, might imply strong reasons to reduce existential risk. It will depend, among other things, on what one’s own good consists in. If well-being consisted in pleasure only, it is somewhat harder to argue that egoism would imply strong reasons to reduce existential risk – perhaps we could argue that one would maximize her expected hedonic well-being by funding life extension technology or by having herself cryogenically frozen at the time of her bodily death as well as giving money to reduce existential risk (so that there is a world for her to live in!). I am not sure, however, how strong the reasons to do this would be. But views which imply that, if I don’t care about other people, I have no or very little reason to help them are not even minimally plausible views (in addition to hedonistic egoism, I here have in mind views that imply that one has no reason to perform an act unless one actually desires to do that act). To be minimally plausible, egoism will need to be paired with a more sophisticated account of well-being. To see this, it is enough to consider, as Plato did, the possibility of a ring of invisibility – suppose that, while wearing it, Ayn could derive some pleasure by helping the poor, but instead could derive just a bit more by severely harming them. Hedonistic egoism would absurdly imply she should do the latter. To avoid this implication, egoists would need to build something like the meaningfulness of a life into well-being, in some robust way, where this would to a significant extent be a function of other-regarding concerns (see chapter 12 of this classic intro to ethics). But once these elements are included, we can (roughly, as above) argue that this sort of egoism will imply strong reasons to reduce existential risk. Add to all of this Samuel Scheffler’s recent intriguing arguments (quick podcast version available here) that most of what makes our lives go well would be undermined if there were no future generations of intelligent persons. On his view, my life would contain vastly less well-being if (say) a year after my death the world came to an end. So obviously if Scheffler were right I’d have very strong reason to reduce existential risk. **We should also take into account moral uncertainty.** What is it reasonable for one to do, when one is uncertain not (only) about the empirical facts, but also about the moral facts? I’ve just argued that there’s agreement among minimally plausible ethical views that we have strong reason to reduce existential risk – not only consequentialists, but also deontologists, virtue ethicists, and sophisticated egoists should agree. But even those (hedonistic egoists) who disagree should have a significant level of confidence that they are mistaken, and that one of the above views is correct. Even if they were 90% sure that their view is the correct one (and 10% sure that one of these other ones is correct), they would have pretty strong reason, from the standpoint of moral uncertainty, to reduce existential risk. Perhaps most disturbingly still, even if we are only 1% sure that the well-being of possible future people matters, it is at least arguable that, from the standpoint of moral uncertainty, reducing existential risk is the most important thing in the world. Again, this is largely for the reason that there are so many people who could exist in the future – there are trillions upon trillions… upon trillions. (For more on this and other related issues, see this excellent dissertation). Of course, it is uncertain whether these untold trillions would, in general, have good lives. It’s possible they’ll be miserable. It is enough for my claim that there is moral agreement in the relevant sense if, at least given certain empirical claims about what future lives would most likely be like, **all minimally plausible moral views would converge on the conclusion that we should try to save the world**. While there are some non-crazy views that place significantly greater moral weight on avoiding suffering than on promoting happiness, for reasons others have offered (and for independent reasons I won’t get into here unless requested to), they nonetheless seem to be fairly implausible views. And even if things did not go well for our ancestors, I am optimistic that they will overall go fantastically well for our descendants, if we allow them to. I suspect that most of us alive today – at least those of us not suffering from extreme illness or poverty – have lives that are well worth living, and that things will continue to improve. Derek Parfit, whose work has emphasized future generations as well as agreement in ethics, described our situation clearly and accurately: “We live during the hinge of history. Given the scientific and technological discoveries of the last two centuries, the world has never changed as fast. We shall soon have even greater powers to transform, not only our surroundings, but ourselves and our successors. If we act wisely in the next few centuries, humanity will survive its most dangerous and decisive period. Our descendants could, if necessary, go elsewhere, spreading through this galaxy…. Our descendants might, I believe, make the further future very good. But that good future may also depend in part on us. If our selfish recklessness ends human history, we would be acting very wrongly.” (From chapter 36 of On What Matters)

#### Actor Spec— States must use util. Any other standard dooms the moral theory

**Goodin 90.** Robert Goodin 90, [professor of philosophy at the Australian National University college of arts and social sciences], “The Utilitarian Response,” pgs 141-142 //RS

My larger argument turns on the proposition that there is something special about the situation of public officials that makes utilitarianism more probable for them than private individuals. Before proceeding with the large argument, I must therefore say what it is that makes it so special about public officials and their situations that make it both more necessary and more desirable for them to adopt a more credible form of utilitarianism. Consider, first, the argument from necessity. Public officials are obliged to make their choices under uncertainty, and uncertainty of a very special sort at that. All choices – public and private alike – are made under some degree of uncertainty, of course. But in the nature of things, private individuals will usually have more complete information on the peculiarities of their own circumstances and on the ramifications that alternative possible choices might have for them. Public officials, in contrast, are relatively poorly informed as to the effects that their choices will have on individuals, one by one. What they typically do know are generalities: averages and aggregates. They know what will happen most often to most people as a result of their various possible choices, but that is all. That is enough to allow public policy-makers to use the utilitarian calculus – assuming they want to use it at all – to choose general rules or conduct.

### CP – Traditional Knowledge

#### CP Text: countries in the World Trade Organization should create intellectual property protections to pretect traditional knowledge for medicines for indigenous groups.

### DA - Infrastructure

#### Infrastructure passes now with limited corporation support, but increased big Pharma backlash causes it to fail

Waldman 8/31 [Paul, opinion writer for the Plum Line blog. Before joining The Post, he worked at an advocacy group, edited an online magazine, taught at university and worked on political campaigns. He has authored or co-authored four books on media and politics, and his work has appeared in dozens of newspapers and magazines. He is also a senior writer at the American Prospect, “Opinion: Democrats, don’t knuckle under to corporations on the reconciliation bill”, 08-31-2021, Washington Post, https://www.washingtonpost.com/opinions/2021/08/31/democrats-dont-knuckle-under-corporations-reconciliation-bill/]//pranav

The infrastructure bill that passed the Senate and awaits action in the House was in some ways a model of bipartisanship, supported by some Republicans as well as all the chamber’s Democrats, and given a boost from traditionally Republican business groups. That wasn’t a surprise; big corporations need infrastructure to do business. If the government pays for better roads, a more resilient electrical grid and wider availability of broadband, it’ll probably help the bottom line. But what happens when the government suggests addressing Americans’ needs and asks those corporations to help pay for it? This is what happens: A torrent of political groups representing some of the country’s most influential corporations — including ExxonMobil, Pfizer, and the Walt Disney Company — is laying the groundwork for a massive lobbying blitz to stop Congress from enacting significant swaths of President Biden’s $3.5 trillion economic agenda. The emerging opposition appears to be vast, spanning drug manufacturers, big banks, tech titans, major retailers and oil-and-gas giants. In recent weeks, top Washington organizations representing these and other industries have started strategizing behind the scenes, seeking to battle back key elements in Democrats proposed overhaul to federal health care, education and safety net programs. This campaign will have lots of behind-the-scenes pressure: Together, these companies employ a group of lobbyists that are approximately equal in number to China’s People’s Liberation Army — as well as online and TV ads coming to a screen near you. So Democrats should now ask themselves: What are we doing here? As in, why did we decide to run for Congress? Because there are some moments that test your resolve, in which you have to ask what the purpose of public service is, and whether it’s more than just staying in your job for as long as possible. There are disagreements among Democrats about what should be in the final bill, and it’s almost certain that these corporations will have some success in stripping away some provisions they find threatening. There’s an increase in the corporate tax rate (though under every proposal, it would still be less than before the 2017 Republican tax cut). There’s money to boost Internal Revenue Service enforcement of existing tax laws, which the people who run corporations don’t like; an overstretched, overworked IRS that can’t manage to audit the super-rich is just how CEOs like things. Perhaps most threatening is the proposal to allow Medicare to negotiate prices for prescription drugs, as they are currently barred by law from doing. Democrats insist that change would pay for much of the trillions of dollars in new and beefed-up social programs this bill creates.

#### Big Pharma hates the plan – empirics – err neg our ev literally cites their press releases

PhRMA ’21 [The Pharmaceutical Research and Manufacturers of America (PhRMA) represents the country’s leading innovative biopharmaceutical research companies, which are devoted to discovering and developing medicines that enable patients to live longer, healthier and more productive lives. Since 2000, PhRMA member companies have invested nearly $1 trillion in the search for new treatments and cures, including an estimated $83 billion in 2019 alone, “PhRMA Statement on WTO TRIPS Intellectual Property Waiver”, 05-05-2021, https://www.phrma.org/coronavirus/phrma-statement-on-wto-trips-intellectual-property-waiver]//pranav

WASHINGTON, D.C. (May 5, 2021) – Pharmaceutical Research and Manufacturers of America (PhRMA) president and CEO Stephen J. Ubl made the following statement after the United States Trade Representative expressed support for a proposal to waive patent protections for COVID-19 medicines: “In the midst of a deadly pandemic, the Biden Administration has taken an unprecedented step that will undermine our global response to the pandemic and compromise safety. This decision will sow confusion between public and private partners, further weaken already strained supply chains and foster the proliferation of counterfeit vaccines. “This change in longstanding American policy will not save lives. It also flies in the face of President Biden’s stated policy of building up American infrastructure and creating jobs by handing over American innovations to countries looking to undermine our leadership in biomedical discovery. This decision does nothing to address the real challenges to getting more shots in arms, including last-mile distribution and limited availability of raw materials. These are the real challenges we face that this empty promise ignores. “In the past few days alone, we’ve seen more American vaccine exports, increased production targets from manufacturers, new commitments to COVAX and unprecedented aid for India during its devastating COVID-19 surge. Biopharmaceutical manufacturers are fully committed to providing global access to COVID-19 vaccines, and they are collaborating at a scale that was previously unimaginable, including more than 200 manufacturing and other partnerships to date. The biopharmaceutical industry shares the goal to get as many people vaccinated as quickly as possible, and we hope we can all re-focus on that shared objective.”

#### They lash out against infra and use COVID clout to kill it – they have public support, and a win now postpones reform indefinitely which turns case

Fuchs et al. 09/02 [Hailey Fuchsattended Yale University and was an inaugural Bradlee Fellow for The Washington Post, where she reported on national politics**,** Alice Ollstein is a health care reporter for POLITICO Pro, covering the Capitol Hill beat. Prior to joining POLITICO, she covered federal policy and politics for Talking Points Memo, Megan Wilson is a health care and influence reporter at POLITICO, “Drug industry banks on its Covid clout to halt Dems’ push on prices”, 09-02-2021, https://www.politico.com/news/2021/09/02/drug-prices-democrats-lobbying-508127]//pranav

As Democrats prepare a massive overhaul of prescription drug policy, major pharmaceutical companies are mounting a lobbying campaign against it, arguing that the effort could undermine a Covid fight likely to last far longer than originally expected. In meetings with lawmakers, lobbyists for the pharmaceutical industry have issued warnings about the reconciliation package now moving through both chambers of Congress that is set to include language allowing Medicare to negotiate the price of some drugs, which could generate billions of dollars in savings. In those conversations, K Street insiders say, lobbyists have explicitly mentioned that the fight against the coronavirus will almost certainly extend beyond the current surge of the Delta variant. And they’re arguing that now isn’t the time to hit the industry with new regulations or taxes, particularly in light of its successful efforts to swiftly develop vaccines for the virus. “For years, politicians have been saying that the federal government can interfere in the price of medicines and patients won’t suffer any harm,” said Brian Newell, a spokesperson for the Pharmaceutical Research and Manufacturers of America, or PhRMA, in a statement. “But in countries where this already happens, people experience fewer choices and less access to prescription medicines. Patients know if something sounds too good to be true, then it usually is.” The escalating warnings from the pharmaceutical industry are part of what is expected to be one of the more dramatic and expensive lobbying fights in recent memory, and a heightened repeat of the industry’s pushback to actions by former President Donald Trump to target drug prices. The proposal now under consideration in Democrats’ reconciliation package could save the federal government hundreds of billions of dollars by leveraging its ability to purchase prescription drugs, according to a report from the Congressional Budget Office. Without those funds, Democrats won’t be able to pay for the rest of the health care agenda they’ve promised to voters, including expansions of Medicare, Medicaid and Obamacare. But the plan has political power as more than a revenue raiser. Party leaders — from President Joe Biden to Senate Budget Chair Bernie Sanders (I-Vt.) — are touting it as one of the most important components of the $3.5 trillion package, with the potential to lower out-of-pocket health spending for tens if not hundreds of millions of people. Outside advocates have also zeroed in on it as the most consequential policy fight on the horizon. “This is the best chance that we have seen in a couple of decades to enact meaningful reforms to drug pricing policy in the United States that will lower the prices of prescription drugs, and it’s very clear that the drug companies are going all out to stop it,” said David Mitchell, founder of Patients for Affordable Drugs. “This is Armageddon for pharma.” Progressive Democrats and their outside allies believe they’re closer than they’ve been in decades to imposing some price controls, and worry that failure to do so this year will delay progress indefinitely given the possibility of the party losing one or more chambers of Congress in the 2022 midterms. In April, the House passed a fairly aggressive version — H.R. 3 (117) — though a handful of moderate Democrats friendly to the industry have threatened to block it when it comes back to the floor for a vote later this fall. Leadership has largely shrugged off this threat, banking on the fact that the most vulnerable frontline Democrats are vocally in favor of the policy, while most of the dissenters sit in safe blue districts. The Senate is designing its own version, outlined by Sen. Ron Wyden (D-Ore.) in June, as a middle ground between HR3 and the more narrow, bipartisan bill he and Sen. Chuck Grassley (R-Iowa) put forward last Congress. A senior Senate Democratic aide confirmed to POLITICO that the bill is nearly complete and that they’re in the process of shopping it around to undecided senators to make sure it has enough support to move forward in the 50-50 upper chamber. “It makes sense to get buy-in before releasing it rather than releasing it with fingers crossed and then tweaking it once members complain,” the aide said. But the reform push is coming at a time when the pharmaceutical industry is working hand-in-hand with government officials to combat the pandemic and enjoying a boost in public opinion as a result, even as drug costs continue to rise. The companies claim that fundamental changes to their bottom line — in addition to the Medicare provision, the reconciliation bill will likely raise corporate tax rate significantly, as high as 28 percent (a jump of 7 percentage points) — will threaten its current investments in research and development at a historically critical juncture. With the final draft of the bill expected in the coming weeks, the Pharmaceutical Research and Manufacturers of America, the lobbying arm of the pharmaceutical industry, is taking its case public. The group has recently spent at least seven figures on ads pressuring Congress not to change Medicare drug policy.

#### 0m koBig pharma always wins – independently kills aff solvency bc it causes the plan to be watered down so much that de facto monopolies can survive

Florko & Facher ‘19 [Nicholas Florko is a Stat News Washington correspondent and Lev Facher is Stat News health and life sciences writer, “How pharma, under attack from all sides, keeps winning in Washington”, 07-16-2019, Stat News, https://www.statnews.com/2019/07/16/pharma-still-winning/]//pranav

It does not seem to matter how angrily President Trump tweets, how pointedly House Speaker Nancy Pelosi lobs a critique, or how shrewdly health secretary Alex Azar drafts a regulatory change. The pharmaceutical industry is still winning in Washington. In the past month alone, drug makers and the army of lobbyists they employ pressured a Republican senator not to push forward a bill that would have limited some of their intellectual property rights, according to lobbyists and industry representatives. They managed to water down another before it was added to a legislative package aimed at lowering health care costs. Lobbyists also convinced yet another GOP lawmaker — once bombastically opposed to the industry’s patent tactics — to publicly commit to softening his own legislation on the topic, as STAT reported last month. Even off Capitol Hill, they found a way to block perhaps the Trump administration’s most substantial anti-industry accomplishment in the past two years: a rule that would have required drug companies to list their prices in television ads. To pick their way through the policy minefield, drug makers have successfully deployed dozens of lobbyists and devoted record-breaking sums to their federal advocacy efforts. But there is also a seemingly new strategy in play: industry CEOs have targeted their campaign donations this year on a pair of vulnerable Republican lawmakers — and then called on them not to upend the industry’s business model. In more than a dozen interviews by STAT with an array of industry employees, Capitol Hill staff, lobbyists, policy analysts, and advocates for lower drug prices, however, an unmistakable disconnect emerges. Even though Washington has stepped up its rhetorical attacks on the industry, and focused its policymaking efforts on reining in high drug prices, the pharmaceutical industry’s time-honored lobbying and advocacy strategies have kept both lawmakers and the Trump administration from landing any of their prescription-drug punches. “Big Pharma has replaced Big Tobacco as the most powerful brute in the ranks of Washington power brokers,” Sen. Dick Durbin (D-Ill.) said in a statement to STAT. Durbin, who recently saw the industry successfully oppose his proposal to curtail some of the industry’s patent maneuvering, added that, “Pharma’s billions allow them to continue to rip off American families and taxpayers.” The industry doesn’t get all the credit; it has also benefited from a fractured Congress and discord between President Trump’s most senior health care advisers. PhRMA, the drug industry’s largest lobbying group here, declined to comment for this article. But industry leaders have broadly argued against efforts to rein in the industry’s practices in terms of price hikes and patents, making the case that that could irreparably stifle medical innovation. The battle is far from over, and industry representatives and lobbyists are quick to hypothesize that the worst, for them, is yet to come. They point to several ongoing legislative initiatives, including in the Senate Finance Committee, that could take more concerted direct aim at their pricing strategies in Medicare. They’re waiting, too, to see if House Democrats can cut a drug pricing deal with the White House to empower Medicare to negotiate at least some drug prices. Another pending regulation, loathed by drug makers, might tie their pricing decisions in Medicare to an index of international prices. They’ve also bemoaned the Trump administration’s decision last week to abandon a policy change that would have ended drug rebates — which, the pharmaceutical industry has said, could have given drug makers more space to lower their prices voluntarily. “We’re getting killed!” one pharma lobbyist told STAT. Of course, the Trump administration’s supposedly devastating decision to abandon that proposal simply maintains the status quo. “Big Pharma has replaced Big Tobacco as the most powerful brute in the ranks of Washington power brokers.” n Valentine’s Day, Sen. Thom Tillis (R-N.C.) enjoyed a showering of love that is familiar in Washington: a flood of campaign contributions, many at the federal limit of $2,800 for a candidate or $5,000 for an affiliated political committee. One donation came from Pfizer’s CEO, Albert Bourla, who donated $5,000 to Tillis and another $10,000 to Sen. John Cornyn (R-Texas) and associated campaign committees. Another came from Kenneth Frazier, the top executive at Merck. The Tillis campaign committee eventually cashed checks from CEOs and other high-ranking executives at those companies as well as Amgen, Eli Lilly, Sanofi, and Bristol Myers-Squibb, plus two high-ranking officials at the advocacy group PhRMA. Six lobbyists at one firm that works with PhRMA, BGR, also combined to contribute $100,000 to a bevy of Republican lawmakers and the party’s campaign arms. Tillis raised an additional $64,500 from drug industry political action committees in the past quarter, according to disclosures released on Monday. A Pfizer spokeswoman declined to comment about Bourla’s contributions, and representatives for the other companies did not respond to STAT’s request for comment. Tills was one of few individual lawmakers — in many cases, the only one — to whom the executives had written personal checks during the current election cycle. While drug industry CEOs frequently contribute to political committees for congressional leadership, the breadth of executives who donated Tillis specifically is notable, particularly considering his outspoken role on pharmaceutical industry issues. While lobbyists pushed back on the notion that campaign contributions directly influence votes, the donations targeted so specifically to a particular candidate could be seen as a prime example of Washington’s system for rewarding loyalty and how industries protect their interests. The same PhRMA PAC that donated to Tillis has given generously in recent years: nearly $200,000 in the 2018 campaign cycle, roughly 58% of which was targeted toward Republicans. Drug industry PACs donated $10.3 million in total in that cycle, according to the Center for Responsive Politics. The figure two years before was even higher: a total of $12.2 million from industry-aligned PACs alone. It is no accident that the pharmaceutical industry has maintained its reputation among the nation’s most powerful lobbies, said Sheila Krumholz, the executive director of the Center for Responsive Politics, an organization that tracks political influence. “Their access and influence goes beyond this Congress or even the administration,” Krumholz said in an interview, adding that she “was struggling to think of evidence” it had waned. Pharma has a reputation here for winning on policy — often thanks to the lawmakers who are among the biggest recipients of the millions that drug corporations, employees, and the industry political arms donate each year. Even as the rhetoric has escalated, the industry has quietly worked to insulate itself from any major legislative changes. Take, for example, a recent about-face from Cornyn, the Texas Republican who took in some campaign cash alongside Tillis. As recently as February, Cornyn seemed to be positioning himself as a rare Republican figurehead for anti-pharma congressional wrath. At a widely publicized hearing before the Senate Finance Committee, he went head-to-head with AbbVie CEO Richard Gonzalez, pressing him to explain why the company had filed more than 100 patents on its blockbuster arthritis drug Humira. Cornyn introduced legislation soon after the skirmish to crack down on patent “thicketing,” a term for a drug company tactic to accumulate tens, if not hundreds, of patents to shield a drug from potential generic competition. Pharma sprung into action. They recruited congressional allies, including Tillis, to pressure Cornyn to significantly rework the bill, and they succeeded. The version of the bill that eventually cleared the Senate Judiciary Committee was stripped of language that would have empowered the Federal Trade Commission to go after patent thicketing. Instead, the bill limited how many patents a drug maker could assert in a patent lawsuit. The new version of the bill lost “a lot of teeth” and “solves a narrower problem in a narrow way,” advocates told STAT when the change was first introduced. It is far from the only example of the industry’s aggressive interventions to water down legislation. “In lots of ways they’re like the [National Rifle Association], because they have an incredible power to squash out any negative opinion, nor to feel any of the ill effects of those things,” said Pallavi Damani Kumar, an American University crisis communications professor who once worked in media relations for drug manufacturers. “It just speaks to how incredibly savvy they are.” Pharmaceutical industry lobbyists also successfully fought to keep another anti-drug industry patent proposal from Sen. Bill Cassidy (R-La.) and Dick Durbin (D-Ill.) out of a bipartisan drug pricing package moving through the Senate HELP Committee. The legislation would have allowed the FDA to approve cheaper versions of drugs, even when the more expensive product was protected by certain patents. Cassidy’s proposal never even made it into the HELP package. As the lobbyist who bemoaned the withdrawal of the rebate rule put it, Cassidy “simmered down” in the face of industry pressure. In recent weeks, the industry had targeted Cassidy in particular, in recent weeks, for fear he would break with many of his GOP colleagues to support a cap on some price hikes for drugs purchased under Medicare, a proposal so far pushed only by Democrats. “Sen. Cassidy doesn’t care what lobbyists think — he is going to do what’s best for patients,” said Ty Bofferding, a Cassidy spokesman. “Sen. Cassidy fought for the committee to include the REMEDY Act in the package, despite strong opposition from the pharmaceutical industry.” The committee eventually included half the bill’s provisions, he added, as well as four other pieces of legislation meant to prevent the industry from taking advantage of the patent system. The drug industry also notched a win by watering down another proposal in that package from Sen. Susan Collins (R-Maine) that would have blocked drug makers from suing over patents they didn’t disclose to the FDA. The version of the bill that actually made it into the package doesn’t block drug makers from suing, but instead directs the FDA to create a public list of companies that fail to disclose their patents. “This change is a big win for drug makers,” Michael Carrier, a Rutgers University professor and expert on patent gaming, told STAT. “Shaming is something drug makers don’t seem worried about.” Matthew Lane, the executive director of the Coalition Against Patent Abuse, likewise added that the altered bill “doesn’t seem to be doing much anymore.” Not all of the pharma-endorsed changes, however, are self-serving. Patent experts and federal regulators too had raised concerns with some of the bill being proposed. Cornyn’s patent bill was particularly controversial. “These provisions encourage ‘fishing expeditions’ by zealous bureaucrats, politically motivated by the popularity of efforts to reduce drug prices and garner the political benefits of being seen to be pursuing these ends,” Kevin Noonan, a patent lawyer at McDonnell Boehnen Hulbert & Berghoff wrote in a recent blog post, referring to the original Cornyn bill. Drug-pricing advocates said lobbyists have even managed to convince lawmakers to introduce some legislation they say has explicitly favored the drug industry, including intellectual property-focused legislation that would allow drug makers to patent human genes. That particular bill would “undo the bipartisan effort underway to fix pharma’s exploitation of the patent system,” said the Coalition Against Patent Abuse. And they were far from the only group raising concerns. The American Civil Liberties Union and more than 150 other groups wrote to lawmakers last month opposing the bill. Pharma’s list of policy victories goes on: Drug companies and allied patient groups forced the Trump administration to back off a proposal to make relatively minor changes to Medicare’s so-called protected classes policy. Currently, Medicare is required to cover all drugs for certain conditions, including depression and HIV. The Trump administration proposed in November that private Medicare plans should be able to remove certain drugs in those classes from their formularies, if the drugs were just new formulations of a cheaper, older version of the same drug, or when a drug spiked in price. But drug industry opposition helped convince the administration to spike that effort. A week ago, the industry struck its biggest blow yet. Three of the country’s largest pharmaceutical companies —Amgen, Eli Lilly, and Merck — prevailed in a lawsuit to strike down a Trump administration requirement that they disclose list prices in television advertisements. The lack of congressional action — despite the Democratic enthusiasm and bipartisan appetite — is still further evidence of industry’s ability to stave off defeat. As the dozens of Democrats running for president ramp up their anti-pharma rhetoric, both Trump and progressives have begun to fret that Washington’s efforts have proven to be all bark and no bite. With two weeks remaining before the August recess and an escalating 2020 campaign, some advocates fear that the window for bold action is closing quickly. “It’s appalling that we are six months into this Congress and we haven’t seen meaningful legislation passed on American’s number one issue for this congress,” said Peter Maybarduk, who leads drug-pricing initiatives for the advocacy group Public Citizen. “Congress needs to get its act together.”

#### Infra’s k2 stopping existential climate change – warming is incremental and every change in temperature is vital

Higgins 8/16 [Trevor, Senior Director, Domestic Climate and Energy, “Budget Reconciliation Is the Key to Stopping Climate Change”, 08-16-2021, https://www.americanprogress.org/issues/green/news/2021/08/16/502681/budget-reconciliation-key-stopping-climate-change/]//pranav

The United States is suffering acutely from the chaotic changes in climate that scientists now directly attribute to the burning of fossil fuels and other human activity. The drought, fires, extreme heat, and floods that have already killed hundreds this summer across the continent and around the world are a tragedy—and a warning of worsening instability yet to come. However, this week, the Senate initiated an extraordinary legislative response that would set the world on a different path. Enacting the full scope of President Joe Biden’s Build Back Better agenda would put the American economy to work leading a global transition to clean energy and stabilizing the climate. A look at what’s coming next through the budget reconciliation process reveals a ray of hope that is easy to miss amid the fitful negotiations of recent months: At long last, Congress is on the verge of major legislation that would build a more equitable, just, and inclusive clean energy economy. This is our shot to stop climate change. Building a clean energy future must start now Until the global economy stops polluting the air and instead starts to draw down the emissions of years past, the world will continue to heat up, blundering past perilous tipping points that threaten irreversible and catastrophic consequences. Stemming the extent of warming at 1.5 degrees Celsius rather 2 degrees or worse will reduce the risk of crossing such tipping points or otherwise exceeding the adaptive capacity of human society. Every degree matters. Stabilizing global warming at 1.5 degrees Celsius starts with cutting annual greenhouse gas emissions in the United States to half of peak levels by 2030. This isn’t about temporary offsets or incremental gains in efficiency—it’s about the rapid adoption of scalable solutions that will work throughout the world to eliminate global net emissions by 2050 and sustain net-negative emissions thereafter. Building this better future will tackle climate change, deliver on environmental justice, and create good jobs. It will give us a shot to stop the planet from continuously warming. It will alleviate the concentrated burdens of fossil fuel pollution, which are concentrated in systemically disadvantaged, often majority Black and brown communities. It will empower American workers to compete in the global clean energy economy of the 21st century. There is no time to lose in the work of building a clean energy future.

### DA – FDI

#### **FDI is expected to recover but is tentative – uncertainties from pandemic and economic recovery**

UNCTAD 7/21, 6-21-2021, [United Nations Conference on Trade and Development "Global foreign direct investment set to partially recover in 2021 but uncertainty remains," UNCTAD, https://unctad.org/news/global-foreign-direct-investment-set-partially-recover-2021-uncertainty-remains]//anop

Looking ahead, global FDI flows are expected to bottom out in 2021 and recover some lost ground with an increase of 10% to 15% (Figure 2). “This would still leave FDI some 25% below the 2019 level. Current forecasts show a further increase in 2022 which, at the upper bound of projections, bring FDI back to the 2019 level,” said UNCTAD’s director of investment and enterprise, James Zhan. Figure 2 - Foreign direct investment outflows, top 20 home economies, 2017 and 2018 (Billions of dollars) Figure 2 - Foreign direct investment outflows Source: UNCTAD, World Investment Report 2021. Prospects are highly uncertain and will depend on, among other factors, the pace of economic recovery and the possibility of pandemic relapses, the potential impact of recovery spending packages on FDI, and policy pressures. The relatively modest recovery in global FDI projected for 2021 reflects lingering uncertainty about access to vaccines, the emergence of virus mutations and the reopening of economic sectors. “Increased expenditures on both fixed assets and intangibles will not translate directly into a rapid FDI rebound, as confirmed by the sharp contrast between rosy forecasts for capex and still-depressed greenfield project announcements,” Mr. Zhan said. The FDI recovery will be uneven. Developed economies are expected to drive global growth in FDI, both because of strong cross-border mergers and acquisitions (M&A) activity and large-scale public investment support. FDI inflows to Asia will remain resilient as the region has stood out as an attractive destination for international investment throughout the pandemic. A substantial recovery of FDI to Africa and to Latin America and the Caribbean is unlikely in the near term.

#### **The plan decreases foreign direct investment from negative signals – turns case**

Kogan 11, Lawrence A [Lawrence A. Kogan is founder and Managing Attorney of The Kogan Law Group, P.C., a New York City–based multidisciplinary professional services firm specialized in identifying and addressing emerging regulatory, policy and trade risks posed to multinational company assets, operations and supply-chains. (2011), "Commercial High Technology Innovations Face Uncertain Future Amid Emerging “BRICS” Compulsory Licensing and IT Interoperability Frameworks" San Diego International, https://digital.sandiego.edu/cgi/viewcontent.cgi?article=1091&context=ilj]//anop

Similarly, the enactment of national laws and regulations promoting the availability and flexible use by governments of a compulsory licensing mechanism as an exception or limitation to the patent right to secure foreign companies’ patented high technologies at less than their fair market value can increase economic risks and result in acts of regulatory arbitrage and protectionist opportunism by home country as well as foreign companies operating pursuant to divergent business models. The security of property rights has been placed into question where compulsory licenses have been issued or threatened against foreign patented high technologies. Studies have shown that a corresponding reduction in the flow of knowledge-based foreign direct investment (FDI) will follow.81 82 [T]he practice of compulsory licensing comes with a price: the temporary or permanent deprivation of some part of a patent owner’s right to exclude disrupts the investment-backed expectation of the property right. In the future, pharmaceutical companies and other industries dependent upon intellectual property rights may mistrust licensing nations’ promises to protect and enforce patent rights, not to mention copyrights, and trademarks. As a result, industries that find the security of property rights lacking in a given nation may avoid engaging in foreign direct investment with that nation. Because foreign direct investment (FDI) is a major potential source of economic growth for recipient nations, the loss of such investment resources arising from compulsory licensing practices could force developing nations to pay a particularly heavy cost for providing needed medicines for its citizens.83 While government patent policy by itself is an incomplete measurement of a country’s market and investment friendliness, it is generally agreed that such legal protections reflect a country’s interest in fostering business and technology development. Through effective deterrence of imitation, “patents reduce the costs of enforcing contracts and at the same time increase the expected returns on FDI and licensing, which will have a positive effect on technology transfer. Patent rights encourage technology transfer by providing owners with legal certainty.”84 Consequently, the passage of IP laws that do not include a provision for compulsory licensing, for example, may favorably signal to foreign investors that a government is willing to allow strategic business decisions without undue interference and ensure more transparent and unbiased application of commercial laws with the prospect of reduced government corruption.85 “There is little doubt that developing countries who issue compulsory licenses also face additional risks in attracting global capital. Particularly, for MDC’s [middle developing countries], a compulsory license can trigger the loss of significant FDI.”86 If patent ownership rights indicate to prospective investors a firm’s proper regard for its intellectual property security, then surely a company’s willingness to engage in a foreign market where the government has decided to adopt or enforce anti-patent measures will convey negative signals to the investment community about the company, the quality of its management, and the strength and economic value of its patents and associated projected revenue streams. Just as the sale of a product through a low-status selling channel of a product can signal a diminution in brand status to the consumer, exposure of a patent to an uncertain legal environment can signal that the firm may not consider the patent to be as valuable as others believe. Even the threat of an ‘anti-patent’ such as a compulsory license can impair firm equity, thereby reducing the attractiveness of a country as an investment partner. Any firm calculating its returns from FDI will have to account for the possibility of these signaling-based losses.87

#### **FDI is key to long term economic stability – it dictates future investments and industries**

Susic et al 17 [I Susic1 , M Stojanovic-Trivanovic2 and M Susic3 1University of Business Studies, Jovan Ducic Street, No 23A, 78000 Banja Luka, Bosnia and Herzegovina 2 Independent University Banjaluka, Veljka Mladjenovica Street No 12E, 78000 Banja Luka, Bosnia and Herzegovina 3Enterprise Fructa Trade – Kort, Marije Bursac Street No 70, 74400 Derventa, Bosnia and Herzegovina 2017 IOP Conf. Ser.: Mater. Sci. Eng. 200 012019. https://iopscience.iop.org/article/10.1088/1757-899X/200/1/012019/pdf]//anop

Foreign direct investments (FDI) represent such a form of investment in which foreign investor keeps the ownership right, provides the control and the management of the firm in which they invested the funds, in order to achieve long-term interests. These investments are the most important instrument of foreign capital inflow because they represent a direct inflow from abroad, i.e. direct inflow of the capital in the economic system of the host country. Foreign direct investment, as a form of international capital mobility, represents an important contributor to more efficient activities in the economy. They provide faster exit to the international market and as the aftermath are ensuring improved the living standard of the society. Evaluation of investment efficiency is the basis for making investment decisions from one country to another, which will consequently lead to improvement of the economy. Foreign investments are a key development factor in the modern economy, and jointly with the trade, represent the most important leverage of an enterprise, organization of production, supplying goods and services on a global scale. FDI are supporting the companies in organizing production on a global scale, providing an efficient supply of raw materials, energy, labor as the input, and are facilitating the placement of products and services as the output in the most important markets in a profitable way. On the basis of such activities, the companies can on optimal way use its advantages in technology, expertise, and economies of scale. Developing countries having high state debt and unfavorable economic situation show huge interest in gaining as higher foreign investments as possible. It has been especially important after bank loans and various financial aid ceased to arrive in some countries. Countries in transition, aiming to integrate into the world economic system, can overcome negative economic tendencies with the help of international capital inflow. Developed countries, faced with a financial crisis, have been also interested in an increased inflow of foreign capital, since the foreign investments are the most important element of development strategies in general. With foreign direct investment is not coming just the capital from one country to another, but also the investment package containing new technologies, managerial skills and new markets. In addition, bearing higher risks, FDIs are significantly increasing the opportunities for making profits. Foreign direct investments are autonomous transactions of long-term capital movements, motivated by economic interests, with the profit at the first place.\

#### **FDI is key to COVID recovery – increases employment and strengthens relations between countries.**

Chalamish et al 20 [Dr. Efraim Chalamish is a Senior Advisor with Duff & Phelps and an Adjunct Professor of Law at New York University. Nicole Y. Lamb-Hale is a former Assistant Secretary of Commerce in the International Trade Administration and Managing Director and Chair of the CFIUS and National Security Practice at Kroll, a division of Duff & Phelps. She is a member of the Board of Directors of the Center for International Private Enterprise. Andrew Wilson is the Executive Director of the Center for International Private Enterprise. ANDREW WILSON, DR. EFRAIM CHALAMISH, NICOLE Y. LAMB-HALE. Center for International Private Enterprise, 10-21-2020, "Foreign Investment in a Post-COVID-19 World," https://www.cipe.org/blog/2020/10/21/foreign-investment-in-a-post-covid-19-world/]//anop

Just as the adverse health effects of COVID-19 will not vanish immediately but will be resolved in stages, so too will the global economy recover in stages, across industries and around the world. As both Western economies and emerging markets consider approaches to accelerate post COVID-19 economic recovery, foreign direct investment (FDI) will be an important tool for success. FDI has been one of the primary drivers of global GDP growth in recent years. FDI not only benefits economies by creating good paying jobs, it also strengthens bilateral and regional diplomatic and commercial relations among countries. Further, FDI enables the private sector to “export” best business practices, such as good corporate governance, anti-corruption, and transparency. During the pre-COVID-19 economic boom, for example, FDI in the U.S. grew dramatically. In 2015, total foreign investment in America peaked at $477 billion. In 2018, FDI fell to $296 billion, but was still significant. Attracting FDI was also an important policy objective in emerging economies prior to the COVID-19 pandemic. According to the UNCTAD 2020 World Investment Report, in 2019, 54 countries introduced at least 107 measures affecting foreign investment, most of them focused on investment liberalization, promotion and facilitation. This effort was led by Asian developing countries and emerging economies. The goal of expanding investment incentives regimes in diverse sectors, from mining to financial services, and streamlining administrative procedures, has been to maintain and increase high volumes of FDI into developing markets. COVID-19 may lead to some changes in the tactics that countries employ to attract FDI. Governments will be under pressure to ensure that the quest for FDI is appropriately balanced with efforts to protect economic resilience and national security. Can FDI stimulate the world economy post-COVID-19? It appears likely, as many assets have seen reduced valuations that can attract foreign investment. Yet while both developed and emerging economies signal that they are open for investment, COVID-19 may lead to some changes in the tactics that countries employ to attract FDI. Governments will be under pressure to ensure that the quest for FDI is appropriately balanced with efforts to protect economic resilience and national security. This may mean increased screening by investment review agencies, such as the Committee on Foreign Investment in the United States (CFIUS). COVID-19 has exposed supply chain vulnerabilities in the U.S. and other countries and has shown how struggles to acquire the products to meet citizens’ healthcare needs can become a matter of national security. In COVID-19’s wake, the scope of transactions to be reviewed by entities like CFIUS from a national security standpoint may need to be expanded to include health care considerations, to ensure that FDI does not interfere with the ability to procure necessary supplies.

#### Continued recession causes war – stats support transition wars, resource conflicts, terrorism, and diversionary wars – other authors don’t base their analysis on global studies

Royal ’10 [Jedediah, Director of Cooperative Threat Reduction at the U.S. Department of Defense, “Economic Integration, Economic Signaling and the Problem of Economic Crises”, 2010, Economics of War and Peace: Economic, Legal and Political Perspectives, ed. Goldsmith and Brauer, p. 213-215]PM

Less intuitive is how periods of economic decline may increase the likelihood of external conflict. Political science literature has contributed a moderate degree of attention to the impact of economic decline and the security and defence behaviour of interdependent slates. Research in this vein has been considered at systemic, dyadic and national levels. Several notable contributions follow. First, on the systemic level. Pollins (2008) advances Modelski and Thompson's (19%) work on leadership cycle theory, finding that rhythms in the global economy are associated with the rise and fall of a pre-eminent power and the often-bloody transition from one pre-eminent leader to the next. As such, exogenous shocks such as economic crises could usher in a redistribution of relative power (sec also Gilpin. 1981) that leads to uncertainty about power balances, increasing the risk of miscalculation (Fearon, 1995). Alternatively, even a relatively certain redistribution of power could lead to a permissive environment for conflict as a rising power may seek to challenge a declining power (Werner, 1999). Separately. Pollins (1996) also shows that global economic cycles combined with parallel leadership cycles impact the likelihood of conflict among major, medium and small powers, although he suggests that the causes and connections between global economic conditions and security conditions remain unknown. Second, on a dyadic level. Copeland's (1996. 2000) theory of trade expectations suggests that 'future expectation of trade' is a significant variable in understanding economic conditions and security behaviour of states. He argues that interdependent states are likely to gain pacific benefits from trade so long as they have an optimistic view of future trade relations. However, if the expectations of future trade decline, particularly for difficult to replace items such as energy resources, likelihood for conflict increases. as states will be inclined to use force to gain access to those resources. Crises could potentially be the trigger for decreased trade expectations either on its own or because it triggers protectionist moves by interdependent states.4 Third, others have considered the link between economic decline and external armed conflict at a national level. Blomberg and Hess (2002) find a strong correlation between internal conflict and external conflict, particularly during periods of economic downturn. They write, The linkages between internal and external conflict and prosperity are strong and mutually reinforcing. Economic conflict tends to spawn internal conflict, which in turn returns the favour. Moreover, the presence of a recession lends to amplify the extent to which international and external conflicts self-reinforce each other. (Blomberg & I less. 2002. p. 89) Economic decline has also been linked with an increase in the likelihood of terrorism (Blomberg. Hess. & Wccrapana. 2004). which has the capacity to spill across borders and lead to external tensions. Furthermore, crises generally reduce the popularity of a sitting government. "Diversionary theory' suggests that, when facing unpopularity arising from economic decline, sitting governments have increased incentives to fabricate external military conflicts to create a 'rally around the flag' effect. Wang (1996), DcRoucn (1995), and Blomberg. Mess, and Thacker (2006) find supporting evidence showing that economic decline and use of force are at least indirectly correlated. Gelpi (1997), Miller (1999), and Kisangani and Pickering (2009) suggest that the tendency towards diversionary tactics are greater for democratic states than autocratic states, due to the fact that democratic leaders are generally more susceptible to being removed from office due to lack of domestic support. DcRoucn (2000) has provided evidence showing that periods of weak economic performance in the United States, and thus weak Presidential popularity, are statistically linked to an increase in the use of force. In summary, recent economic scholarship positively correlates economic integration with an increase in the frequency of economic crises, whereas political science scholarship links economic decline with external conflict at systemic, dyadic and national levels.5 This implied connection between integration, crises and armed conflict has not featured prominently in the economic-security debate and deserves more attention. This observation is not contradictory to other perspectives that link economic interdependence with a decrease in the likelihood of external conflict, such as those mentioned in the first paragraph of this chapter. Those studies tend to focus on dyadic interdependence instead of global interdependence and do not specifically consider the occurrence of and conditions created by economic crises. As such, the view presented here should be considered ancillary to those views.

**That causes global nuclear war.**

Merlini ’11 [Cesare, was a nonresident senior fellow at the Center on the United States and Europe and is chairman of the Board of Trustees of the Italian Institute for International Affairs (IAI) in Rome, “A Post-Secular World?”, 03-30-2011, Routledge, https://www.brookings.edu/wp-content/uploads/2016/06/04\_international\_relations\_merlini.pdf]PM

Two neatly opposed scenarios for the future of the world order illustrate the range of possibilities, albeit at the risk of oversimplification. The first scenario entails the premature crumbling of the post-Westphalian system. One or more of the acute tensions apparent today evolves into an open and traditional conflict between states, perhaps even involving the use of nuclear weapons. The crisis might be triggered by a collapse of the global economic and financial system, the vulnerability of which we have just experienced, and the prospect of a second Great Depression, with consequences for peace and democracy similar to those of the first. Whatever the trigger, the unlimited exercise of national sovereignty, exclusive self-interest and rejection of outside interference would likely be amplified, emptying, perhaps entirely, the half-full glass of multilateralism, including the UN and the European Union. Many of the more likely conflicts, such as between Israel and Iran or India and Pakistan, have potential religious dimensions. Short of war, tensions such as those related to immigration might become unbearable. Familiar issues of creed and identity could be exacerbated. One way or another, the secular rational approach would be sidestepped by a return to theocratic absolutes, competing or converging with secular absolutes such as unbridled nationalism.

## Case

### Plan flaw

#### They forgot a period at the end of the plan text – formal writing, like legislation, requires one.

Coltman 16 (Lee Coltman. Coltman owns and runs a proofreading business based in West Sussex, England. “End of sentence punctuation”. 3-21-2016. Proofaway. <https://www.linkedin.com/pulse/end-sentence-punctuation-lee-coltman/>) **//TruLe**

A period is a full stop. It marks the end of a sentence. It marks the end of an idea or a thought. It marks the end of an action. After a period, something entirely new begins. It’s final: nothing is up for debate. In formal writing, the period is going to be the most common end-of-sentence punctuation mark as questions are (theoretically) being answered, not asked, and exclamation marks are discouraged because of the tone they imply. Periods have a certain finality, but it’s less forceful than an exclamation mark. Periods can be used at the end of imperative (telling someone to do something) or declarative (explaining something) sentences.

#### That’s a voter – small mistakes have huge legislative consequences.

Heath 6. Brad Heath,, 11-20-2006, "Small mistakes cause big problems," No Publication, http://usatoday30.usatoday.com/news/nation/2006-11-20-typo-problems\_x.htm//AD

In the legislative world, such small errors, while uncommon, can carry expensive consequences. In a few cases around the nation this year, typos and other blunders have redirected millions of tax dollars or threatened to invalidate new laws.

#### Drop them – losing is a reflective process that teaches them better plan writing

### Underview

### Framework

#### Psychological claim without a psychological warrant – We don’t know how we would act under the veil of ignorance since we’ve never been under it.

#### No briteline as to what constitutes a moral action under the veil since that begs the question of what it means to be moral.

#### Double-bind: Either A) We don’t know enough and can’t make a rational decision or B) We know too much and personal bias renders the veil useless.

#### Experience controls our perceptions of the world, the Veil of Ignorance demands we remove those experiences from our decision making calculus, rendering morality impossible. Individuals would not be able to imagine a just society without experience of that society.

#### No guarantee of equality behind the veil of ignorance – the person under the veil might be a risk taker and demand things that help the rich.

#### Veil of ignorance fails to weigh between competing interests—means it fails as a guide to action

Arnett 12. Jacob Brese Arnett ‘12, FMHS [“Rawl’s Veil of Ignorance: A Critique”, January, 2012]

Finally, the veil of ignorance can’t weigh between opposing interests. When behind the veil of ignorance, an individual is forced to take into account all interests that they have once they come out of the original position. However, even if an individual can imagine what someone’s interest may be, these interests can be incompatible and thus an individual would not be able to render a judgment that appeases both interests. For instance, someone might have an interest to kill someone, and someone else might have an interest not to kill. There would be no way reconcile these interests, because under the veil we have both interests. Thus, the veil of ignorance leads to action paralysis and fails to guide justice.

#### Any moral system that guides interactions between persons presumes the existence of moral actors—Rawls destroys the very notion of a self-interested individual

Arnett 12. Jacob Brese Arnett ‘12, FMHS [“Rawl’s Veil of Ignorance: A Critique”, January, 2012]

In terms of examining what constitutes a self-interested individual, we cannot remove ourselves from our social position to behind the veil of ignorance because there are certain characteristics that we use to associate our decisions. I have to take into account my interests to be self-interested behind the veil of ignorance, but if my interest is being racist, then it would be excluded underneath the veil of ignorance, and I would no longer be an actor with moral motivation. To take away something innate to the individual would destroy the very concept of a self-interested individual that the original position is based upon. This is especially true because it is often impossible for the individual to question what constitutes their interests. Being raised a Christian makes a change in belief much more difficult because that individual’s upbringing has blended together belief and the ability to question self-interest.

#### Collapses to util because under the veil of ignorance we would distribute benefits and harm equally, and thus try to achieve the greatest good for the greatest number.

### Framework

#### **The counter role of the ballot is to determine the desirability of a topical plan through evaluating the material consequences of the aff and neg.**

#### **Prefer:**

#### **[1] Weighability—scenarios can be weighed through impact calc , but resistance methods can’t—that freezes actions because there’s no way to decide between multiple actions**

#### [2] Fairness aff gets varieties of plans whereas neg gets disads and counterplans. Ground outweighs bc it controls the internal link to in round abuse and clash

#### [3] Policy education is key to advocacy – that outweighs on portable skills.

**Nixon 2K** Makani Themba-Nixon, Executive Director of The Praxis Project. “Changing the Rules: What Public Policy Means for Organizing.” Colorlines 3.2, 2000.

Getting It in Writing Much of the work of framing what we stand for takes place in the shaping of demands. **By getting into** the **policy** arena **in a proactive manner**, we can take our demands to the next level. **Our demands can become law, with real consequences** if the agreement is broken. After all the organizing, press work, and effort, a group should leave a decision maker with more than a handshake and his or her word. Of course**, this work requires** a certain amount of interaction with "the suits," as well as **struggles with** the **bureaucracy,** the **technical language, and** the all-too-common **resistance by decision makers**. Still, if it's worth demanding, it's worth having in writing-whether as law, regulation, or internal policy. From ballot initiatives on rent control to laws requiring worker protections, organizers are leveraging their power into written policies that are making a real difference in their communities. Of course, **policy work** is just one tool in our organizing arsenal, but it **is a tool we** simply **can't** afford to **ignore**. Making policy work an integral part of organizing will require a certain amount of retrofitting. **We** will **need** to develop the capacity **to translate** our **information**, data, stories that are designed **to affect the public conversation [and]**. Perhaps most important, we will need to move beyond fighting problems and on **to framing solutions** that bring us closer to our vision

of how things should be. And then we must be committed to making it so.

### Contention

#### [1] Turn – lack of IP protections causes traditional knowledge to become appropriated under public domain which is comparatively worse

Michelle Stefano, 11-13-2017, "Folklife at the International Level: Issues in Protecting Traditional Cultural Expressions," No Publication, https://blogs.loc.gov/folklife/2017/11/folklife-at-the-international-level-issues-in-protecting-traditional-cultural-expressions/

At the 2003 session, a representative of the Pauktuutit Inuit Women of Canada[7] “requested recognition by the Committee that, just as Member States’ opinions were rich and diverse, so too were the views of Indigenous Peoples” and noted that she “did not presume to speak on their behalf, since their views were as diverse as their traditional territories of origin.” The representative went on to stress that: Indigenous Peoples’ contributions to the Committee’s work were absolutely necessary to the development of valid, accepted and credible instruments that may protect Indigenous TK [Traditional Knowledge] and TCEs. Practical implementation of any models, guidelines and recommendations developed by the Committee, norm setting or otherwise, would require a process in which Indigenous Peoples were all mutually invested. Indeed, challenges relating to the protection of indigenous TCEs (and TK) have taken a significant amount of the spotlight during meetings, and rightly so. In order to reach consensus and achieve some sort of international legal instrument that serves to protect TCEs, a core issue that was brought to light early on in discussions concerns the concept and uses of “public domain,” particularly in relation to – or rather, in conflict with – indigenous, customary laws. According to the eighth edition of Black’s Law Dictionary, as cited by WIPO, public domain is defined as: The universe of inventions and creative works that are not protected by intellectual-property rights and are therefore available for anyone to use without charge. When copyright, trademark, patent, or trade-secret rights are lost or expire, the intellectual property they had protected becomes part of the public domain and can be appropriated by anyone without liability for infringement. However, as documented in the 2003 session report, a representative of the Tulalip Tribes reminded participants that ‘public domain’ is very much a Western concept, the history of which “and its relation to the development of IP rights would show that the two had developed hand in hand, as an outcome of Western intellectual movements during the late Enlightenment and the Age of Reason.” The representative was responding to an analysis on legal protections for TCEs prepared by the WIPO Secretariat and developed from previous IGC session documents.[8] This analysis outlined two ‘sides’ of debates on living cultural heritage in the public domain by noting: Holders and custodians of TCEs question whether the public domain status of cultural heritage offers the greatest opportunities for creation and development. Yet others argue that the public domain character of cultural heritage is valuable as its [sic] allows the regeneration and revitalization of cultural heritage. The public domain status of cultural heritage is also tied to its role as a source of creativity and innovation. Neither members of a cultural community nor the cultural industries may be able to create and innovate based on cultural heritage if exclusive private property rights were to be established over it. While the Secretariat acknowledged that these two arguments are not mutually exclusive, and that a “comprehensive solution may draw on both points of view,” they do echo the basic conundrum of this entire exercise: striking a balance between protecting TCEs (and their creators) while also allowing for their creative and innovative use by others. Returning to the 2003 session, the Tulalip Tribes representative underscored that “indigenous peoples did not fit easily into this [public domain] model;” the report continues: The representative emphasized that the theory was self-reinforcing and actively constructed the kinds of societies that accepted it as natural law. Indigenous peoples had their own sources of natural law, and the values of the secularized, individual property-based model was not the values that commonly moved indigenous peoples. The representative explained that in indigenous cosmology, knowledge was a gift from the Creator. There was no clear distinction between sacred and other kinds of knowledge, as indicated in WIPO/GRTKF/IC/5/3 [the aforementioned analysis]. As a result, the representative stressed the importance of a “clearer understanding of the role, contours and boundaries of the public domain in the development of an appropriate policy framework for the IP protection of TCEs,” as even the concept of ‘property’ is fundamentally at odds with indigenous worldviews. The 2003 session report continues: The representative noted that, for them, there were certainly concepts of a kind of ownership, but this was not the kind of relatively absolute ownership often presented in Western IP system. Indigenous peoples, he clarified, often conceive of themselves more as custodians or caretakers of knowledge rather than absolute owners. In their view, knowledge, lands and resources had been given to them for their collective, and sometimes exclusive, use, but only if they fulfilled the obligations to their Creator, their ancestors and their spirits. Furthermore, the representative suggested that: [I]t was for this reason that indigenous peoples had generally called for the protection of knowledge that the Western system had considered to be in the “public domain,” because it was the position of indigenous peoples that this knowledge had been, was, and would continue to be regulated by customary law. TCEs were not in the “public domain” because indigenous peoples had failed to take the steps necessary to protect the knowledge in the Western IP system, but from a failure of governments and citizens to recognize and respect the customary law regulating its use. The need to protect indigenous TCEs in what is considered the ‘public domain’ stems from serious concerns about their misuse, or misappropriation. During the ninth IGC session, three years later, Peggy Bulger elaborated on ways in which the AFC has taken such considerations into account when working to protect and promote indigenous living cultural traditions. Examples she presented included the Federal Cylinder Project and, in particular, the AFC’s longstanding collaboration with the Omaha tribe, which resulted in the “Omaha Indian Music” online collection. She noted the growing trend of repatriating “cultural materials and ensuring the protection of sensitive cultural expressions (especially sacred expressions) that had been documented in the name of scholarship.” With recent work on the Federal Cylinder Project, as preservation copies were produced, so too were copies that were then given to tribal groups represented within the collection. Moreover, partnering with the Omaha brought to light how close consultation with indigenous communities can help to illuminate – on a case-by-case basis – how ‘misappropriation’ is defined, as well as how access to certain materials needs to be restricted according to the wishes of the source community and, of course, customary law.

#### [2] plan gets circumvented – foreign countries will just create patent protections for medicines that are almost close to the patented formula which still creates biopiracy

#### IP protections can be used as defensive measures for protection of traditional knowledge – empirics flow neg

Tesh Dagne 14, [© Tesh Dagne 2014. LL.B; LL.M; JSD; Assistant Professor of Law, Thompson Rivers University Faculty of Law, Kamloops, BC. This paper is part of a research project on control of access for the utilization of biodiversity resources, funded under the TRU Internal Research Fund. The author acknowledges the TRU Research Office for the support. Also, the author thanks Jessica DeMarinis for great research assistance. Protecting Traditional Knowledge in International Intellectual Property Law: Imperatives for Protection and Choice of Modalities, 14 J. Marshall Rev. Intell. Prop. L. 25 (2014)]/.anop

Given the effectiveness of IPRs in regulating economic relations, segments of stakeholders have recently become receptive to the possible use of IP as frameworks to protect TK for external use.110 Proposals to protect TK through IP mostly include either the use of existing IPRs, or the use of their modified versions in some cases, or the use of their amended version in others. Examples in the latter category include the application of case law interpreting unmodified statutes of IPRs in a manner that responds to the interest of ILCs. In this line, the Australian Aboriginal artists successfully invoked claims of copyrights and unfair trade practices against carpets imported from Vietnam that replicated Aboriginal arts.111 In resolving the dispute that arose, the Federal Court of Australia granted compensatory damages for “personal suffering” to take account of cultural aspects.112 It decided that even though only individuals could be recognized as copyright owners: [T]here may be scope…for the distribution of the proceeds of the action to those traditional owners who have legitimate entitlements, according to Aboriginal law, to share the compensation paid by someone who has, without permission, reproduced the artwork of an Aboriginal artist.”113 The jurisprudence developed from this and similar cases have generally helped to introduce the issue of TK into the Australian IPRs establishment.114 For example, the National Indigenous Arts Advocacy Association in Australia adopted the Indigenous Label of Authenticity in 1999 to help promote the marketing of the art and cultural products, and to deter the sale of products that are falsely labeled as originating from Aboriginal peoples.115 The result of the certification of authenticity in this manner, however, has not proved fruitful and thus, the initiative has been abandoned.116 New Zealand uses existing IPRs to provide defensive measures of TK protection.117 The New Zealand Trade Marks Act was amended to prohibit the registration of trademarks that would likely offend a significant segment of the community, including the indigenous Maori people.118 In addition, the Act allows the invalidation of a registered mark upon application by a person “culturally aggrieved,” even if the mark is distinctive of a registered owner.119 Bearing in mind the holistic nature of TK, it combines the use of IPRs with initiatives for sui generis approach to TK.120 In Canada, there has yet to be any amendments to IPRs legislation based on protection for TK and TK-based resources.121 As a working paper from the Department of Indian and Northern Development indicates, however, indigenous peoples in Canada directly utilize existing Copyrights and Trademark systems to establish rights on the products of their knowledge.122 This includes the use of copyrights in the woodcarvings of Pacific coast artists, including masks and totem poles, and in the silver jewelry of Haida artists.123 In the trademark regime, the Department of Indian and Northern Affairs uses the symbol Igloo as a certification mark, which identifies Inuit artwork as authentic.124 In addition, members and groups of Aboriginal peoples protect a number of marks as official marks and certification marks to identify a wide specter of goods and services, ranging from traditional art and artwork to food products, clothing, tourist services, and enterprises.125