# 1nc

## 1

#### Interpretation: Debaters may not modify evidence.

Violation highlighted in green

In 2004, some 970 million people, around 15 percent of the world’s population, were living below the extreme poverty line of $1 a day (more strictly defi ned, $392.88 annually) in 1993 Purchasing Power Parity (PPP) terms (Chen and Ravallion 2007, 16579).3 Furthermore, those living below this very low poverty line fell on average around 28 percent below it. Th eir average annual purchasing power therefore corresponded to approximately $420 in the US in 2008 dollars.4¶ Th ese are the poorest of the poor. Th e World Bank also uses a somewhat less miserly poverty line, namely $2 dollar a day, or an annual amount of $785.76 PPP 1993. Th e Bank’s data show that around 40 percent of the world’s population, or over 2.5 billion people, lived in income poverty so defi ned in 2004,5 with this population falling on average 41 percent below this higher line.6 Individuals I[];[\p[]p[]\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\n this much larger group could buy, on average, about as much in 2004 as could be bought in the US in 2008 for $690.¶ The Effects of Global Income Poverty on Health¶ The effects of such extreme income poverty are foreseeable and extensively documented. It is estimated that around 13 percent of all human beings (830 million) are chronically undernourished, 17 percent (1.1 billion) lack access to safe water, and 41 percent (2.6 billion) lack access to basic sanitation (UNDP 2006, 174, 33). About 31 percent (2 billion) lack access to crucial drugs and 25 percent (1.6 billion) lack electricity (Fogarty n.d., IEA 2002). Some 780 million adults are illiterate (UNESCO 2006), and 14 percent of children aged between fi ve and 17 (218 million) are child laborers, more than half in hazardous work (ILO 2006, 6).¶ Worldwide, diseases related to poverty, including communicable, maternal, perinatal, and nutritionrelated diseases, comprise over 50 percent of the burden of disease in low-income countries, nearly ten times their relative burden in developed countries (WHO 2006b, 3). If the developed world had its proportional share of poverty-related deaths (onethird of all deaths), severe poverty would kill some 16,000 Americans and 26,000 citizens of the European Union each week.¶ The cycle of mutually reinforcing poverty and disease besetting low income countries, and particularly the poorer communities in these countries, could be broken by signifi cantly reducing severe poverty. But it is also possible to make substantial progress against the global burden of disease more directly by improving health care in developing countries.¶ Poverty does not merely render poor people more vulnerable to disease, but also makes it less likely that they can obtain medical treatment for the diseases they contract. This is because in poor countries medical care is rarely available for free, and poor people are typically unable to buy either the care needed by themselves or their families or the insurance policies that would guarantee them such care. The price of health care in poor countries therefore also plays a crucial role in explaining the catastrophic health situation among the global poor.

#### Original article:

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#### Standards:

#### 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. Outweighs any other voter bc only ours defines what the role of a judge is, which controls the internal link to viewing fairness and education

#### 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

## 1

#### **Interp – the affirmative must defend a reduction of IP on a medicine.**

#### **“medicines” treat or cure, whereas vaccines prevent – o/w on specificity since it’s about the COVID vaccine**

Vecchio 7/22 (Christopher Vecchio, [CFA, Senior Strategist,], 7-22-2021, “Delta Variant Concerns Won't Cripple Markets, US Economy“, DailyFX, accessed: 8-9-2021, https://www.dailyfx.com/forex/video/daily\_news\_report/2021/07/22/market-minutes-delta-variant-concerns-wont-cripple-markets-us-economy.html) ajs

Let’s stick to the facts. The COVID-19 vaccines are not medicines, which by definition “treat or cure diseases.” Vaccines “help prevent diseases,” an important distinction. Why does this matter? Because data coming out of some of the world’s developed economies with high adult vaccination rates suggest that the vaccines are working as intended: tail-risks have been reduced, with hospitalizations and deaths falling relative to the recent spike in infections (which have been occurring primarily among the unvaccinated at this point). Put another way, vaccines are like a Kevlar vest for the immune system; while they don’t make you bulletproof, they dramatically increase the odds of surviving an adverse event.s

#### Violation – their advantage area is about vaccines which means either a. they solve nothing and vote neg on presumption because vaccines aren’t “COVID-19 medicines” or b. they violate

#### Negate –

#### 1] Limits – expanding the topic to preventative treatment or medical interventions allows anything from surgery to medical devices to education strategies or mosquito repellent to prevent malaria. Destroys core generics like innovation which are exclusive to disease curing – core of the topic is about proprietary information.

#### Voters:

#### Drop the debater – they have a 7-6 rebuttal advantage and the 2ar to make args I can’t respond to,

#### Use competing interps reasonability invites arbitrary judge intervention since we don’t know your bs meter,

#### No RVIs –illogical – you shouldn’t win for being fair – it’s a litmus test for engaging in substance,

Comes first – indicts the 1ac – any potential neg abuse was caused by aff abuse

## 2

#### 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.

#### Big 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.

## Case

### Underview

#### The A point – [1] presumes you’re winning the aff [2] it’s arbitrary every author is biased [3] they can’t just say all neg authors are without specific indicts bc not every neg author is from the WTO [4] bias is good means authors are more researched into their work

#### The b point group with c point – [1] you also have a long link chain [2] assume 100% risk of link until they contest it anything else invites intervention

#### The c point – [1] no briteline of tiny probability [2] there’s no warrant for why low probability things can flip both ways [3] regard low probability there are still warrants and experiences proving it can happen

#### The D point – [1] don’t do the work for them they need to win specific arguments against neg args its intervention [2] ppl recognizing dangerous spath is empirically not true that’s why wars have happened and CC is still exacerbating

#### The E point – sure but out evidence proves these specific scenarios are more probable

### Framing

#### Existential threats outweigh:

#### A] Even the most conservative estimates prove reducing existential risk outweighs all other impacts, regardless of probability – actively prioritize our calculus since you are cognitively biased against it

Whittlestone 17 – (Jess Whittlestone, PhD in Behavioural Science and has worked as a policy consultant for government, specialising in security and foreign policy. She also has experience as a freelance journalist for a number of online magazines, including Quartz, Vox, and Aeon. Before her PhD, she studied Maths and Philosophy at Oxford, and played a key role in developing 80,000 Hours' coaching process and research. Currently, Jess is a Postdoctoral Research Associate at the Leverhulme Centre for the Future of Intelligence at Cambridge, “The Long-Term Future”, Effective Altruism, 11-16-17, Available Online at <https://www.effectivealtruism.org/articles/cause-profile-long-run-future/>, accessed 12-4-18, HKR-AM)

The number of people alive today pales in comparison to the number who could exist in the future. It may therefore be extremely important to ensure that human civilization flourishes far into the future, enjoying fulfilling lives free of suffering.

There are a number of ways we might work to ensure a positive future for humanity. We could work to better understand and prevent extinction risks - catastrophic events that have the potential to destroy all life on this planet.[1] We may want to focus on the broader category of existential risks- events that could dramatically and irreversibly curtail humanity’s potential.[2] Or we might focus on increasing the chance that the lives of our descendants are positive in other ways: for example, improving democracy or the ability of institutions to make good decisions.

Attempts to shape the long-term future seem highly neglected relative to the problems we face today. There are fewer incentives to address longer-term problems, and they can also be harder for us to take seriously.

It is, of course, hard to be certain about the impact of our actions on the very long-term future. However, it does seem that there are things we can do - and given the vast scale we are talking about, these actions could therefore have an enormous impact in expectation.

This profile sets out why you might want to focus your altruistic efforts on the long-term future - and why you might not. You may be particularly inclined to focus on this if you think we face serious existential threats in the next century, and if you’re comfortable accepting a reasonable amount of uncertainty about the impact you are having, especially in the short-term.

The case for the long-term future as a target of altruism

The case for focusing on the long-term future can be summarised as follows:

The long-term future has enormous potential for good or evil: our descendants could live for billions or trillions of years, and have very high-quality lives;

It seems likely there are things we can do today that will affect the long-term future in non-negligible ways;

Possible ways of shaping the long-term future are currently highly neglected by individuals and society;

Given points 1 to 3 above, actions aimed at shaping the long-term future seem to have extremely high expected value, higher than any actions aiming for more near-term benefits.

Below we discuss each part of this argument in more detail.

The long-term future has enormous potential

Civilisation could continue for a billion years, until the Earth becomes uninhabitable.[3] It’s hard to say how likely this is, but it certainly seems plausible - and putting less than, say, a 1% chance on this possibility seems overconfident.[4] You may disagree that 1% is a reasonable lower bound here, but changing the figure by an order of magnitude or two would still yield an extremely impressive result. And even if civilisation only survives for another million years, that still amounts to another ~50,000 generations of people, i.e. trillions of future lives.[5]

If our descendants survive for long enough, then they are likely to advance in ways we cannot currently imagine - even someone living a few hundred years ago could not possibly have imagined the technological advances we’ve made today. It is possible they might even develop technology enabling them to reach and colonise planets outside our solar system, and survive well beyond a billion years.[6]

Let’s say that if we survive until the end of the Earth’s lifespan, there is a 1% chance of space colonisation. This would make the overall probability of survival beyond Earth 1 in 10,000 (1% chance of surviving to a billion years, multiplied by a 1% chance of surviving further given that). This sounds incredibly low, but suppose that space colonisation could allow our descendants to survive up to 100 trillion years[7]. This suggests we could have up to 1/10,000 x 100 trillion years = 10 billion expected years of civilisation ahead of us.

If we expect life in the future to be, on average, about as good as the present, then this would make the whole of the future about 100 million times more important than everything that has happened in the last 100 years. In fact, it seems like there could be more people in the future with better lives than those living today: economic, social, and technological progress could enable us to cure diseases, lift people out of poverty, and better solve other problems. It also seems possible that people in the future will be more altruistic than people alive today[8] - which also makes it more likely that they will be motivated to create a happy and valuable world.

However, it’s precisely because of this enormous potential that it’s so important to ensure that things go as well as possible. The loss of potential would be enormous if we end up on a negative trajectory. It could result in a great deal of suffering or the end of life.[9] And just as the potential to solve many of the world’s problems is growing, threats seem to be growing too. In particular, advanced technologies and increasing interconnectedness pose great risks.[10]

There are things we can do today that could affect the long-term future

There are a number of things we could work on today that seem likely to influence the long-term future:

Reducing extinction risks: We could reduce the risk of catastrophic climate change by putting in place laws and regulations to cut carbon emissions. We could reduce the risks from new technologies by investing in research to ensure their safety. Alternatively, we could work to improve global cooperation so that we are better able to deal with unforeseen risks that might arise.

Changing the values of a civilisation: Values tend to be stable in societies,[11] so attempts to shift values, whilst difficult, could have long-lasting effects. Some forms of value change, like increasing altruism, seem robustly good, and may be a way of realizing the very best possible futures. However, spreading poorly considered values could be harmful.

Reducing suffering risks: Historically, technological advances have enabled great welfare improvements (e.g. through modern agriculture and medicine), but also some of the greatest sources of present-day suffering (e.g. factory farming). To prevent the worst risks from new technologies, we could improve global cooperation and work on specific problems like preventing worst-case outcomes from artificial intelligence.

“Speeding up” development: Boosting technological innovation or scientific progress could have a lasting “speed up” effect on the entire future, making all future benefits happen slightly earlier than they otherwise would have. Curing a disease just a few years earlier could save millions of lives, for example. (That said, it’s not clear whether speeding up development is good or bad for existential risk - developing new technologies faster might help us to mitigate certain threats, but pose new risks of their own.)

Ripple effects of our ordinary actions: Improvements in health not only benefit individuals directly but allow them to be more economically successful, meaning that society and other individuals have to invest less in supporting them. In aggregate, this could easily have substantial knock-on effects on the productivity of society, which could affect the future.

Other ways we might create positive trajectory changes: These include improving education, science, and political systems.

Paul Christiano also points out that even if opportunities to shape the long-term future with any degree of certainty do not exist today, they may well exist in the future. Investing in our own current capacity could have an indirect but large impact by improving our ability to take such opportunities when they do arise. Similarly, we can do research today to learn more about how we might be able to impact the long-term future.

The long-term future is neglected, especially relative to its importance

Attempts to shape the long-term future are neglected by individuals, organisations and governments.

One reason is that there is little incentive to focus on far-off, uncertain issues compared to more certain, immediate ones. As 80,000 Hours put it, “Future generations matter, but they can’t vote, they can’t buy things, they can’t stand up for their interests.”

Problems faced by future generations are also more uncertain and more abstract, making it harder for us to care about them. There is a well-established phenomenon called temporal discounting, which means that we tend to give less weight to outcomes that are far in the future. This may explain our tendency to neglect long-term risks and problems. For example, it’s a large part of why we seem to have such difficulty tackling climate change.

Generally, there are diminishing returns to additional work in an area. This means that the neglectedness of the long-term future makes it more likely to be high impact.

Efforts to shape the long-term future could be extremely high in expected value

Even if the chance of our actions influencing the long-term trajectory of humanity is relatively low, there are extremely large potential benefits, which mean that these actions could still have a very high expected value. For example, decreasing the probability of human extinction by just one in a million could result in an additional 1,000 to 10,000 expected years of civilisation (using earlier assumptions).[12]

Compare this to actions we could take to improve the lives of people alive today, without looking at longer-run effects. A dramatic victory such as curing the most common and deadly diseases, or ending all war, might only make the current time period (~100 years) about twice as good as otherwise.[13] Though this seems like an enormous success, given the calculations above, decreasing the probability of human extinction would be 10 or 100 times better in expectation.

We might want to adjust this naive estimate downwards slightly, however, given uncertainty about some of the assumptions that go into it - we could be wrong about the probability of humanity surviving far into the future, or about the value of the future (if we think that future flourishing might have diminishing value, for example.) However, even if we think these estimates should be adjusted downwards substantially, we might very conservatively imagine that reducing the likelihood of existential risk by one in a million only equates to 100 expected years of civilization. This still suggests that the value of working to reduce existential risk is comparable to the value of the biggest victories we could imagine in the current time period - and so well worth taking seriously.

#### [b] Gateway issue - we need to be alive to assign value and debate competing moral theories- extinction literally ends the debate on “ought” [c] moral theories were formulated prior to the Anthropocene and human capacity for collective death so they cannot be relied on in situations of existential risk [d] no coherent moral theory can allow for extinction because it means the end of value

#### War worsens structural inequalities – a] takes away valuable resources to combat issues like economic and social injustice b] war falls the hardest on those who can’t protect themselves – especially nuclear war c] those who fight war are more likely to be worse off socially – aff ballot actively consigns the oppressed to fight for the state d] war kills everyone – death means we literally cannot fight injustice

#### That is the only egalitarian metric---anything else collapses cooperation on collective action crises and makes extinction inevitable

Khan 18 (Risalat, activist and entrepreneur from Bangladesh passionate about addressing climate change, biodiversity loss, and other existential challenges. He was featured by The Guardian as one of the “young climate campaigners to watch” (2015). As a campaigner with the global civic movement Avaaz (2014-17), Risalat was part of a small core team that spearheaded the largest climate marches in history with a turnout of over 800,000 across 2,000 cities. After fighting for the Paris Agreement, Risalat led a campaign joined by over a million people to stop the Rampal coal plant in Bangladesh to protect the Sundarbans World Heritage forest, and elicited criticism of the plant from Crédit Agricolé through targeted advocacy. Currently, Risalat is pursuing an MPA in Environmental Science and Policy at Columbia University as a SIPA Environmental Fellow, “5 reasons why we need to start talking about existential risks,” https://www.weforum.org/agenda/2018/01/5-reasons-start-talking-existential-risks-extinction-moriori/)

Infinite future possibilities I find the story of the Moriori profound. It teaches me two lessons. Firstly, that human culture is far from immutable. That we can struggle against our baser instincts. That we can master them and rise to unprecedented challenges. Secondly, that even this does not make us masters of our own destiny. We can make visionary choices, but the future can still surprise us. This is a humbling realization. Because faced with an uncertain future, the only wise thing we can do is prepare for possibilities. Standing at the launch pad of the Fourth Industrial Revolution, the possibilities seem endless. They range from an era of abundance to the end of humanity, and everything in between. How do we navigate such a wide and divergent spectrum? I am an optimist. From my bubble of privilege, life feels like a rollercoaster ride full of ever more impressive wonders, even as I try to fight the many social injustices that still blight us. However, the accelerating pace of change amid uncertainty elicits one fundamental observation. Among the infinite future possibilities, only one outcome is truly irreversible: extinction. Concerns about extinction are often dismissed as apocalyptic alarmism. Sometimes, they are. But repeating that mankind is still here after 70 years of existential warning about nuclear warfare is a straw man argument. The fact that a 1000-year flood has not happened does not negate its possibility. And there have been far too many nuclear near-misses to rest easy. As the World Economic Forum’s Annual Meeting in Davos discusses how to create a shared future in a fractured world, here are five reasons why the possibility of existential risks should raise the stakes of conversation: 1. Extinction is the rule, not the exception More than 99.9% of all the species that ever existed are gone. Deep time is unfathomable to the human brain. But if one cares to take a tour of the billions of years of life’s history, we find a litany of forgotten species. And we have only discovered a mere fraction of the extinct species that once roamed the planet. In the speck of time since the first humans evolved, more than 99.9% of all the distinct human cultures that have ever existed are extinct. Each hunter-gatherer tribe had its own mythologies, traditions and norms. They wiped each other out, or coalesced into larger formations following the agricultural revolution. However, as major civilizations emerged, even those that reached incredible heights, such as the Egyptians and the Romans, eventually collapsed. It is only in the very recent past that we became a truly global civilization. Our interconnectedness continues to grow rapidly. “Stand or fall, we are the last civilization”, as Ricken Patel, the founder of the global civic movement Avaaz, put it. 2. Environmental pressures can drive extinction More than 15,000 scientists just issued a ‘warning to humanity’. They called on us to reduce our impact on the biosphere, 25 years after their first such appeal. The warning notes that we are far outstripping the capacity of our planet in all but one measure of ozone depletion, including emissions, biodiversity, freshwater availability and more. The scientists, not a crowd known to overstate facts, conclude: “soon it will be too late to shift course away from our failing trajectory, and time is running out”. In his 2005 book Collapse, Jared Diamond charts the history of past societies. He makes the case that overpopulation and resource use beyond the carrying capacity have often been important, if not the only, drivers of collapse. Even though we are making important incremental progress in battles such as climate change, we must still achieve tremendous step changes in our response to several major environmental crises. We must do this even while the world’s population continues to grow. These pressures are bound to exert great stress on our global civilization. 3. Superintelligence: unplanned obsolescence? Imagine a monkey society that foresaw the ascendance of humans. Fearing a loss of status and power, it decided to kill the proverbial Adam and Eve. It crafted the most ingenious plan it could: starve the humans by taking away all their bananas. Foolproof plan, right? This story describes the fundamental difficulty with superintelligence. A superintelligent being may always do something entirely different from what we, with our mere mortal intelligence, can foresee. In his 2014 book Superintelligence, Swedish philosopher Nick Bostrom presents the challenge in thought-provoking detail, and advises caution. Bostrom cites a survey of industry experts that projected a 50% chance of the development of artificial superintelligence by 2050, and a 90% chance by 2075. The latter date is within the life expectancy of many alive today. Visionaries like Stephen Hawking and Elon Musk have warned of the existential risks from artificial superintelligence. Their opposite camp includes Larry Page and Mark Zuckerberg. But on an issue that concerns the future of humanity, is it really wise to ignore the guy who explained the nature of space to us and another guy who just put a reusable rocket in it? 4. Technology: known knowns and unknown unknowns Many fundamentally disruptive technologies are coming of age, from bioengineering to quantum computing, 3-D printing, robotics, nanotechnology and more. Lord Martin Rees describes potential existential challenges from some of these technologies, such as a bioengineered pandemic, in his book Our Final Century. Imagine if North Korea, feeling secure in its isolation, could release a virulent strain of Ebola, engineered to be airborne. Would it do it? Would ISIS? Projecting decades forward, we will likely develop capabilities that are unthinkable even now. The unknown unknowns of our technological path are profoundly humbling. 5. 'The Trump Factor' Despite our scientific ingenuity, we are still a confused and confusing species. Think back to two years ago, and how you thought the world worked then. Has that not been upended by the election of Donald Trump as US President, and everything that has happened since? The mix of billions of messy humans will forever be unpredictable. When the combustible forces described above are added to this melee, we find ourselves on a tightrope. What choices must we now make now to create a shared future, in which we are not at perpetual risk of destroying ourselves? Common enemy to common cause Throughout history, we have rallied against the ‘other’. Tribes have overpowered tribes, empires have conquered rivals. Even today, our fiercest displays of unity typically happen at wartime. We give our lives for our motherland and defend nationalistic pride like a wounded lion. But like the early Morioris, we 21st-century citizens find ourselves on an increasingly unstable island. We may have a violent past, but we have no more dangerous enemy than ourselves. Our task is to find our own Nunuku’s Law. Our own shared contract, based on equity, would help us navigate safely. It would ensure a future that unleashes the full potential of our still-budding human civilization, in all its diversity. We cannot do this unless we are humbly grounded in the possibility of our own destruction. Survival is life’s primal instinct. In the absence of a common enemy, we must find common cause in survival. Our future may depend on whether we realize this.

### Pandemics

#### TRIPS reduces global health inequality

Samir Raheem Alsoodani 15, “"The WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) may offered an access to essential pharmaceutical drugs for developing countries,” Journal Of the College of law /Al-Nahrain University 2015, Volume 17, Issue 2, Pages 393-410, <https://www.iasj.net/iasj/article/109180>

To conclude, it is beyond doubt that the TRIPS Agreement and its later, permanent amendment of 2005 attempted in good faith to address an urgent issue faced by many developing countries with regards to accessing essential medicine. To a certain extent in its basic tenets, it has had a profound and positive effect on the system, as it has made permanently possible the opportunity for the poorest countries to obtain medications more cheaply through manufacture in developing countries under a compulsory licensing system. Certain positive outcomes arguably include the fact that disputes have been brought under the jurisdiction of one regulatory body, and the least developed Members have found some redress in the power balance regarding costs paid to the pharmaceutical industries based in the wealthier, developed countries (even if this redress has only been to the extent of facilitating increased bargaining capability). This can be considered a triumph from the perspective of universal human rights.

#### Global health inequality is decreasing

Davidson R Gwatkin 17, Senior Associate at the Johns Hopkins Bloomberg School of Public Health, “Trends in health inequalities in developing countries,” February 23rd, 2017, <https://www.thelancet.com/pdfs/journals/langlo/PIIS2214-109X(17)30080-3.pdf>

A similar picture emerges from several other studies that have been done in the past few years. The only study of child mortality, for which trends are especially difficult to assess because of the large sample sizes required, was done by Eran Bendavid,2 who reported faster declines in child mortality among poor populations than among wealthier populations overall and in 61 of the 85 countries he studied between 2002 and 2012. The remaining studies focused on health-service coverage. Two covered several types of reproductive, maternal, newborn, and child health interventions: Sarah Alkenbrack and colleagues3 reported overall inequality declines for the four intervention types that they examined, and Victora and colleagues4 noted a similar trend for the several interventions that they studied. Others have focused on specific types of reproductive, maternal, newborn, and child health intervention. For example, John Ross5 showed that the poor–rich disparity in terms of contraceptive prevalence fell overall and in three-quarters of 46 countries followed. Similarly, two multicountry investigations6,7 of changes in immunisation inequalities showed overall reductions but wide intercountry variations. The findings of all these studies are remarkably similar. To some degree, such similarity is unsurprising, because all the investigators used the same—and only—sources of suitable information: household survey data from the well known Demographic and Health Survey and Multiple Indicator Cluster Survey programmes. But in other respects, the approaches taken vary substantially— for example, the investigators look at many different health indicators, use many different definitions of inequality, and measure change in many different ways. The similarity of results despite such difference in approach makes the results mutually reinforcing and produces an unusually distinct picture of a glass that is clearly more than half full, but still well over a quarter empty.

#### Multiple alt causes to high drug prices and limited access

Kilberg et al 16 (William J. Kilberg is the most senior partner in the Labor and Employment Law Practice Group at Gibson, Dunn & Crutcher LLP. He has served on the firm’s Executive Committee, five-member Management Committee, and as Partner-in-Charge of the Washington office. He has argued many significant matters before eight United States Courts of Appeals and the United States Supreme Court., James A. Paretti, Jr. is an experienced management-side employment and labor relations attorney with in-depth political and policy knowledge of labor, pension, healthcare and employment law, regulations and legislation. Jim is well versed in all aspects of legislative and political processes with demonstrated knowledge in the substance of federal labor and employment policy. He has over two decades of experience working with federal legislators and policymakers, including former Speaker of the U.S. House of Representatives, Chairmen of the U.S. House Committee on Education and the Workforce, and senior level administration officials., Marisa Maleck focuses on litigation, regulatory matters and public policy, with a focus on consumer products. As a former senior counsel at a bio-tech company and in private practice, Marisa has substantial experience with and is skilled in providing creative solutions in the face of uncertainty. Marisa represents clients in a variety of matters with a focus on FDA-regulated products like food, beverages, pharmaceuticals, medical devices, wellness products, cosmetics, tobacco and cannabis. As a former senior counsel at an FDA-regulated biotech company and as a former partner in King & Spalding’s Litigation and Global Disputes practice group, she handled hundreds of suits in a multi-district litigation, multiple agency inquiries, an FTC lawsuit and 10+ state Attorney Generals actions. ), “The United Nations' Misguided Approach to Healthcare Access”, 9-6-16, The Federalist Society, <https://fedsoc.org/commentary/fedsoc-blog/the-united-nations-misguided-approach-to-healthcare-access> NT

The Panel Is Poised To Ignore Real Access Problems The Panel’s misguided focus on patents has led the U.S. State Department to encourage the Panel to abandon its “narrow mandate” and instead focus on actual obstacles that stand in the way of persons obtaining life-saving drugs. Echoing the WHO, the State Department has pointed to four main reasons that the developing world lacks access to healthcare: (1) an inability to select and use medicines rationally; (2) unaffordable drug prices; (3) unreliable health and supply systems; and (4) inadequate financing. **None of these barriers are directly related to patents**. First, irrational drug use is a serious barrier to access. The WHO defines “irrational use” as any use that is not “appropriate to [patients’] clinical needs, in doses that meet their own individual requirements, for an adequate period of time, and at the lowest cost to them and their community.” Two recent studies conducted in Africa illustrate this problem. One study conducted at Kapiri Mposhi District Hospital in Central province, Zambia found a high prevalence of irrational drug use. Fifty percent of 680 patient records surveyed showed some form of inappropriate drug use. And a study in Sudan found that 73% of participants reported to have acquired and used medication without a prescription at least a month prior to the study. Second, there is no doubt that affordability is a barrier to access. But patent protections are not to blame. In fact, patents do not protect the vast majority of essential medicines, which the WHO defines as “those drugs that satisfy the health care needs of the majority of the population.” 350 of these 375 “essential medicines” are available in generic versions and are thus sold at a much lower price point. Moreover, data shows that patent-holding companies do not frequently make use of patent laws in developing countries, even where they could. Moreover, **patent rights do not explain the high cost of drugs in the developing world.** The WHO itself points out that **taxes, tariffs** and other government policies play a significant role in keeping drug prices high in emerging markets. And, in fact, reports have concluded that excessive tariffs and taxes on imported medicines **may inflate the cost of medicines by up to one-third.** When combined with taxes on medicines, government-imposed levies account for an additional 55% in India; 40% in Sierra Leone; 34% in Nigeria; and 29% in Bangladesh. In any event, contrary to the Panel’s suggestion, patent protections ultimately help keep the costs of drugs low. To be sure, patented drug prices will often decline only after a patent expires. But the decline in price after patent expiration is not evidence that the drug manufacturer charged too much for the product. To the contrary, the decline in price of a formerly patented medicine is consistent with an efficient market. Patents expire after a certain period of time fixed by law. As economists have explained, during this period, prices will reflect both the costs of production and the company’s research and development costs. The exclusivity period that the patent creates attracts investment, which enables the innovator company to recoup its research and development costs. Once the patent expires, other companies may create generics that are priced lower. But these lower costs reflect the fact that copycat companies only need to recoup production costs, not research and development. In other words, a patent’s provision of an opportunity for an innovator company to recover costs enables it to produce the medicine in the first place. And the patent’s eventual expiration allows for robust competition that drives prices down. Third, as many experts point out, structural and economic barriers are a significant barrier to access to medicine in the developing world. Poor infrastructure and weak healthcare systems plague third-world countries. Several countries’ medical centers are located in remote areas that may only be reached through impassable roads. Also, many drugs and vaccines must be stored at certain temperatures. But many developing countries lack reliable electricity and sanitary facilities to enable proper storage. In India, for example, a quality-control study followed a series of vaccine vials through the supply-chain delivery process. The study found that 76 percent of the vaccines could not be used because they were stored in substandard storage facilities. Fourth, experts also acknowledge that developing countries tend to underinvest in health. In 2001, for example, African leaders met in Abuja, Nigeria, and pledged to allocate 15 percent of their national budgets to health. The 2015 DATA Report found, however, that between 2011 and 2013, just eight of the 47 countries for which there was data available spent 15 percent or more on health: Uganda, Rwanda, Malawi, Swaziland, Nigeria, Ethiopia, Liberia, and Togo. Twenty countries did not reach even the 10 percent level. If anything, patent protections could incentivize further investment in health in these countries. \* \* \* The UN has a real opportunity to address the critical issue of healthcare access. As it stands now, however, it seems poised to do more damage than good.