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| **2012-2013 Junior Varsity Packet** | |
| * Mass Transit Aff * Mass Transit Neg * Port Security Aff * Port Security Neg | * Federalism DA * Federalism DA Aff * Taxes Bad DA * Taxes Bad DA Aff |
| **Resolved: The United States federal government should substantially increase its transportation infrastructure investment in the United States.** | |

Mass Transit Affirmative

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# Summary

This affirmative argues that the current focus on transportation infrastructure puts too much emphasis on highways and cars making it harder for poor people to get to work and have economic opportunities. Because it is expensive to buy and maintain a car, the focus on highways and roads at the expense of public transportation is discriminatory against poor and minority communities.

The affirmative plan is to increase investment in mass transit infrastructure. Mass transit includes things like buses and subways/light rail. This kind of infrastructure can transport many people at a lower cost and can increase economic opportunities for all.

Besides reinforcing segregation, a lack of mass transit also has other negative effects. The reliance of cars increases air pollution because driving a lot releases a significant amount of exhaust. Additionally, when people drive all the time, they walk less making them more likely to be overweight. The culture that surrounds cars also has the effect of disconnecting us from one another, unlike mass transit where people are more likely to talk and interact when put into close quarters. Finally, decreasing reliance on cars could help encourage people to stop living in environmentally destructive suburbs and instead move back into the city, decreasing urban sprawl.

# Glossary

Vocabulary

**Car culture**. America’s love of cars that is seen in music, movies, etc.

**Communities of color.**  Hispanic, black, Asian or other non-white group of people living together or connected in some way.

**Cycle of poverty.** This theory says that poor families do not have the necessary resources to escape poverty and stay in poverty for many generations. So if a grandparent is poor, their grand-child is likely to also live in poverty.

**Emissions.** Something emitted, such as the pollution from a car.

Gentrification. the process by which higher income households displace lower income residents of a neighborhood, changing the character of that neighborhood.

Mass transit. Transportation infrastructure that can move many people at once such as buses or subways/light rail.

Marginalized communities. Groups of people who have been discriminated against.

**Moral obligation.** Something you have to do because it is the right thing to do.

Segregation. The separation between people of different races. In this case, in terms, of where people live and work.

**Social inequality.** Differences between groups of people who do not have the same social status. In the US, this can mean differences in access to education, health care, housing, etc.

Subsidy. Government financial support of an industry or thing.

**Urban.** Relating to the city or town.

Urban Sprawl. The development of large suburbs outside of major cities.

# 1AC 1/5

Contention One – The Status Quo

Current transportation infrastructure policy spends billions on highways while ignoring public transit. This situation is discriminatory against the poor and communities of color

Karyn Rotker, Attorney of Law, 2007 (Poverty & Race 16.5, " Transportation: Regional Equity & Environmental Justice", http://search.proquest.com/docview/210339531)

In August, 2007, a bridge on an interstate highway came crashing down during rush hour in Minneapolis. Commentators seized upon the disaster as a sign of the need for more government spending on infrastructure. But **conversations about "infrastructure" routinely focus on building**, **maintaining and expanding highways**, **treating public transit as an afterthought at best**. **For decades, the federal government** (and many state governments) **have lavished billions upon billions of dollars on highway construction**, **while funding for mass transit lags far behind**. **The neglect of transit is discriminatory**: The 2000 Census showed that nearly one in four African Americans, and large percentages of Latinos and Asians, live in households without vehicles available, compared to only 7% of non-Hispanic whites. **Communities of color are far more likely than whites to depend on public transportation to get to work**. **Governmental disregard of transit strands low-income persons and communities of color, often in inner cities though also in rural areas, while job growth, economic development and housing migrate to wealthier, whiter suburbs**. At the same time, federal mandates that require regional planning frequently limit the influence of central cities in transportation and regional development. The precise structures vary from community to community. In some cities, activists have challenged the disproportionate amount of money pumped into modes of transit used by better-off, whiter communities, while transit modes used by inner-city residents are starved. The most well-known example was the case in which Los Angeles bus riders challenged how much money was going to the rail system. In Milwaukee, a majority-minority city surrounded by a ring of overwhelmingly white suburbs, survival of the transit system is at issue. **There are clear disparities in auto ownership and drivers** **licenses** **between the predominantly low-income and minority residents** of Milwaukee's central city **and the predominantly white residents of suburban counties**. **Census data confirm** **that** Milwaukee residents, **especially those living in the central city**, **remain far more likely to rely on public transportation** than do suburban residents.

# 1AC 2/5

Contention Two – The Harms of Transportation Inequality

Current lack of public transportation creates communities segregated along racial lines. Transportation directly influences the special layout of communities

Robert D. Bullard, Glenn S. Johnson, and Angel O. Torres, Ph.D. in Sociology at Iowa State University; Associate Professor at Clark Atlanta University; Geographic Information Systems Training Specialist, 2004 ("Highway Robbery Transportation Racism And New Routes to Equity", Page 3-5)

**Transportation systems** do not spring up out of thin air. They **are planned** and, in many cases, planned **poorly** **when it comes to people of color**. **Conscious decisions** **determine** the **location** **of freeways**, **bus stops**, **fueling stations**, **and train stations**. Decisions to build highways, expressways, and beltways have far-reaching effects on **land use**, energy policies, and the environment. Decisions by county commissioners to bar the extension of public transit to job-rich economic activity centers in suburban counties and instead spend their transportation dollars on repairing and expanding the nation's roads have serious mobility implications for central city residents. **Together, all these transportation decisions shape United States metropolitan areas**, growth patterns, physical mobility, and economic opportunities.' **These same transportation policies have also aided**, and in some cases subsidized, **racial**, economic, and environmental **inequities** **as evidenced** **by** the **segregated housing** **and spatial layout** of our central cities and suburbs. **It is not by chance that millions of Americans have been socially isolated** and relegated **to economically depressed** and deteriorating **central cities and that transportation apartheid has been created**. An Affair with the Automobile **Over the past 75 years,** **automobile production** and highway construction **have multiplied**, **while urban mass transit** **systems have been dismantled** or allowed to fall into disrepair. The American automobile culture was spurred by massive government investments in roads (3 million miles) and interstate highways (45,000 miles). Automobiles account for 28 percent of our nation's energy consumption. Transportation consumes 67 percent of the petroleum used in the United States.' And over 75 percent of transportation energy is used by highway vehicles. From 1998 to 1999, US gasoline consumption rose by 2.5 percent and vehicle miles traveled increased by 1.4 percent. More cars on the road has meant more pollution, traffic congestion, wasted energy, urban sprawl, residential segregation, and social disruption. Indeed, **not all Americans** **have received the same benefits from** the massive **road and highway spending** over the past several decades. Generally, the benefits of highways are widely dispersed among the many travelers who drive them, while the burdens of those roads are more localized. Having a seven-lane freeway next door, for instance, is not a benefit to someone who does not even own a car. **People of color are twice as likely to use nonautomotive modes of travel** public transit, walking, and biking to get to work, **as compared to their white counterparts**. **In urban areas**, **African Americans and Latinos** **comprise** **54 percent of transit users** (62 percent of bus riders, 35 percent of subway riders, and 29 percent of commuter riders).5

# 1AC 3/5

This situation effects many groups and must be explicitly addressed

Eric Mann et al, members of the Labor/Community Strategy Center, 2006

(Eric Mann, Kikanza Ramsey, Barbara Lott-Holland, and Geoff Ray, “An Environmental Justice Strategy for Urban Transportation”. http://urbanhabitat.org/files/ 1%20Eric%20Mann.pdf)

Across the United States, **federal** and state **transportation funds favor suburban commuters and auto owners at the cost of the urban poor, the working class, the lowest income communities of color, the elderly, high school students, and the disabled.** People dependent on public transit for their transportation needs suffer dilapidated buses, long waits, longer rides, poor connections, service cuts, overcrowding, and daily exposure to some of the worst tail-pipe toxins. The movement for first-class, regional transportation systems that give priority to the transitdependent requires the mobilization of those excluded and marginalized from politics-as-usual, and will challenge the pro-corporate consensus. **Equity demands a mass movement of funds from the highway and rail interests to bus systems, from suburban commuters, corporate developers, and rail contractors to the urban working class of color**. Such a transformation will not happen—cannot happen— until a mass movement of the transit-dependent is built from the bottom up. A Transit Strategy for the Transit-Dependent In 1993, the Labor/Community Strategy Center (LCSC) in Los Angeles founded the Bus Riders Union (BRU)—now the largest multi-racial grassroots transportation group in the U.S.—with more than 3,000 members representing the roughly 400,000 daily bus riders. The BRU’s 12 years of organizing, significant policy and legal victories, and analytical and theoretical expertise can be used as a resource for the urgent work of mass transit reconstruction in U.S. urban communities. The needs and the leadership capacity of the urban working class of color must play a central role in developing sustainable communities**. We must aim to: reduce suburban sprawl; promote ecological and environmental public health; create non-racist public policy; and focus on the transportation needs of society’s most oppressed and exploited. The needs of the working class and communities of color are both an end in themselves and an essential building block of any effective organizing plan**.

# 1AC 4/5

Failure to address transportation inequality guarantees cycles of poverty

Timo Ohnmacht et al,  University of Applied Science and Arts, Switzerland, 2009

(Timo Ohnmacht, Hanja Maksim, Manfred Max Bergman, Ashgate Publishing Company, *Mobilites and Inequatlities)*

**In Urban Areas social inequity is evident in terms of social deprivation that may occur both caused by lack of access to mobility** and as **a consequence of mobility-related degredation of living conditions** (e.g. caused by air pollution noise emissions etc.). Many cities in Europe still have **highly stressed neighbourhoods** and traffic corridors, which **also have** a high concentration of population groups with **a low rate of motorization or** who **are badly served by public transport**. In such areas, the two categories of problem overlap: **mobility** (especially motorized transport**) becomes a risk, contributing to the deterioration of living conditions**; **and the lack of mobility facilities prevents people from** participating in society, limits **access to education, the labour market** etc. **Poverty and deprivation structures are thus mutually reinforced**, also from a socio spatial point of view.

And reliance on cars locks in a system of dependence and directly causes many deaths every year

John Bly, Senior Project Manager at Honeywell, 2011

(May, http://aladinrc.wrlc.org/bitstream/handle/1961/9866/Bly,%20John%20-%20Spring%20'11.pdf?sequence=1)

Through ideological, social, political and physical means, the automobile has hijacked what it means to be mobile, as well as the very possibility of achieved mobility. This paper explores the various ways in which **cars have created and continue to reinforce a system** in America **that is almost completely reliant on them. This system externalizes its costs onto the environment and victims of ‘auto accidents,’ suppresses safer and more democratic means of mobility, demands continual supplies of foreign oil, claims valuable agricultural and urban land as well as time, and kills more non-participating bystanders every year than the number of people that died in the attack on the World Trade Center on September 11, 2001**. After exposing the costs of the system and the mechanisms of its reproduction, I conclude with a few ideas on how to move beyond the automobile.

In order to address these harms we offer the following plan:

**The United States federal government should substantially increase its investment in urban mass transit transportation infrastructure.**

# 1AC 5/5

Contention 3 – Solvency

Increasing investment in mass transit is crucial to decrease social inequality and create movements for change

Eric Mann et al, members of the Labor/Community Strategy Center, 2006

(Eric Mann, Kikanza Ramsey, Barbara Lott-Holland, and Geoff Ray, “An Environmental Justice Strategy for Urban Transportation”. http://urbanhabitat.org/files/ 1%20Eric%20Mann.pdf)

**Mass Transit:** The Heart of the New Revolution Transportation **is a great multifaceted issue around which to build a movement, because it touches so many aspects of people’s lives.** **Transportation affects public health, access to jobs, childcare, housing, medical care, education, and more.** **It is inextricably tied to the history of the civil rights movement now and in the past**. **Now it has taken on a life and death urgency because of the public health crisis and global warming brought on by the automobile. Public transportation can be a great unifier—bringing together people of all races and classes who seek a saner, healthier world in which wars for oil and energy are exposed and opposed.**

And change in federal funding is the crucial issue

Robert D. Bullard, Glenn S. Johnson, and Angel O. Torres, Ph.D. in Sociology at Iowa State University; Associate Professor at Clark Atlanta University; Geographic Information Systems Training Specialist, 2004 ( "Highway Robbery Transportation Racism And New Routes to Equity", Page 3-5)

Many Americans have cars and the majority of American workers opt for private automobiles, which provide speed and convenience. Most drivers forego carpooling, with three-fourths of all commuting cars carrying only one person. Generally, people who commute using public transit spend twice as much time traveling as those who travel by car. Consider that the average commute takes about 20 minutes by car, 38 minutes by bus, and 45 minutes by train. For millions of inner-city residents, public transportation is the only means of getting around. For them, there is no question that energy-efficient public transportation is needed for easy access to child-care services shopping, job centers, and health care services. Routes of Transportation Apartheid The disparity of fruits borne by various transportation development projects is a grim story of a stolen harvest with disproportionate burdens and costs paid for in diminished health and life opportunities by poor people and people of color. Many **federally subsidized transportation** construction and **infrastructure** **projects cut wide paths** **through low-income** **and people of color** **neighborhoods**. **They physically isolate residents** **from their institutions** and businesses, disrupt once-stable communities, displace thriving businesses, contribute to urban sprawl, subsidize infrastructure decline, create traffic gridlock, and **subject residents to elevated risks from accidents**, spills, and explosions from vehicles carrying hazardous chemicals and other dangerous materials. Adding insult to injury, **cutbacks in mass transit subsidies have the potential to further isolate the poor in inner-city neighborhoods** **from areas experiencing job growth** compromising what little they already have.

# Urban Sprawl Add-on

[\_\_\_\_] Investing in mass transit could significantly reduce urban sprawl by reducing reliance on cars

Trip **Pollard,** Senior Attorney and Director, Land and Community Program at Southern Environmental Law Center, **2004**

(“Follow the money: transportation investments for smarter growth,” Temple Environmental Law & Technology Journal, Spring, 2004, 22 Temp. Envtl. L. & Tech. J. 155)

Greater analysis and scrutiny should be given to numerous aspects of transportation infrastructure decisions in order to better understand the likely impacts of these decisions on land development and transportation patterns and to identify opportunities to promote smarter growth. As noted above, **the** amount and comparative **level of investment in various transportation modes is an important influence on land development and transportation patterns**. **Heavy spending on highways and other roads has spurred sprawl and provided few meaningful alternatives to motor vehicle use**. **Investments in transit,** on the other hand, **tend to foster more compact development patterns and to reduce driving**. However, this is a very broad generalization and investments in road projects need not be antithetical to smarter growth and more sustainable transportation. The location, type, and scale of project selected for investment within a particular mode are additional factors influencing the impacts of transportation funding decisions. For example, **the impacts of funding a massive new highway through the countryside are very different than the impacts of extending and upgrading a network of smaller streets in an existing community.** Another significant feature of infrastructure funding decisions is the degree of connectivity a project provides to other transportation facilities. Funding a system of cul-de-sac streets that funnels all drivers in a suburban residential area onto a large collector road to go to work or to a store, for example, is likely to result in longer driving distances, more traffic congestion and less walking or bicycling than funding a connected grid of streets that provides alternative routes for drivers to reach any particular destination and more direct routes for pedestrians and cyclists.

# Urban Sprawl Add-on

[\_\_\_\_] Urban sprawl destroys the environment and causes a variety of social ills

Leonardo R. Grabkowski, reporter for the San Francisco Chronicle, 2012

(San Francisco Chronicle, “Negative Effects of Urban Sprawl”, http://homeguides.sfgate.com/negative-effects-urban-sprawl-1716.html)

**Spreading out development creates water distribution problems and can lead to water overconsumption. A typical low-density or suburban community uses more water than a high-density city community.** Landscaping is the primary culprit for this excessive use of water. According to the EPA, 30 percent of the water used daily in the United States is devoted to outdoor use. Loss of Wildlife Habitat The San Francisco Bay Area, with over 400,000 acres of natural landscape, is one of the nation’s six hotspots for biological diversity, according to the Center for Biological Diversity. The region has a wide variety of plant and animal species; unfortunately, 90 of them, including the California tiger salamander, are listed as endangered or threatened. **Rapid development can negatively affect wildlife by tearing down, clearing, or building over its habitat, potentially threatening survival**. This is not only a problem in the San Francisco Bay Area; **it’s a problem in all of America.** Increased Racial and Economic Disparity **When residents relocate** outside of a city’s core, they take their tax dollars with them. Often, it’s **the city’s poorest residents that are left behind. This creates economic disparity and stratification based upon location. It also creates funding problems for the core, which directly affects the money available for education, crime prevention, and maintenance and upkeep.** **Urban sprawl can also lead to economic “white flight.”** According to “Urban Sprawl: A Reference Guide,” urban sprawl leads to racial segregation as minorities are often left behind in the poorest parts of a region. This problem may not be as widespread as it has been in the past, but it's present nonetheless. Increased Risk of Obesity People living in suburban areas are more likely to be obese than people living in urban areas, according to the Ontario College of Family Physicians and the American Planning Association. Both studies show that people living in suburban areas tend to rely on their vehicles more often--even for short trips--instead of walking or cycling. This lower level of activity increases the risk of obesity, which can lead to other health problems such as heart disease, high-blood pressure and diabetes.

# Urban Sprawl Add-on- Link Extensions

### [\_\_\_\_] Road focus and car dependence promotes sprawl which harms the environment

Islam et.al. 2008 (Anna Brandon Lynn, and Bridget Maher, “Negative Environmental Impacts of American Suburban Sprawl and the Environmental Argument for New Urbanism”

<http://sitemaker.umich.edu/section007group5/home>)

The dependency on automobiles for transportation is one of the biggest factors in the environmental impacts of “suburban sprawl” and “urban growth.” Suburban growth as a result of highways being built after WWII made rural areas more accessible for development increasing the reliance on automobiles to get to and from the city for work (Southerland 164). This reliance has been furthermore encouraged through the relative decrease in gasoline prices since the 1970s (Southerland 165). City development in the past has been mainly focused on planning, “…towns and cities at a larger scale with a reliance primarily on automobile travel (Doi 485).” This type of urban growth results in a number of adverse effects on the environment. Growth of this nature requires people to travel larger distances for even basic needs, therefore making automobiles a necessary form of travel. One of the strategies for solving the overwhelming reliance on automobiles has been the construction of “compact cities.” The idea is that “compact cities” offer a closer community, a neighborhood, and a better quality of life that decreases the reliance on automobiles and therefore promotes a more environmentally friendly city. Mass transit and public transportation drastically decreases the amount of air pollution and reliance on oil.

### [\_\_\_\_] Mass transit allows for more efficient land use

Arizona PIRG Education Fund, 2009 “a federation of independent, state-based, citizen-funded organizations that advocate for the public interest.”(“Why and How to Fund Public Transportation”, march 2009, <http://www.uspirg.org/sites/pirg/files/reports/Why-and-How-to-Fund-Public-Transportation.pdf)//DD>

Transportation and land-use problems are tightly connected. On the one side, light rail, commuter rail and rapid bus systems allow development of more walkable communities where using a car is an option rather than a requirement. For example, communities that are more compact save money because smaller networks can be constructed for driving, sewage, electricity and parking. Many central cities thrive as physical “hubs” for business activity, many doubling their population during the work day. Such massive influxes of people would be impossible if everyone drove long distances and required parking.

# Air Pollution Add-on

### [\_\_\_\_] Road focused transportation leads to air pollution and health problems

Trip Pollard, Senior Attorney and Director, Land and Community Program at Southern Environmental Law Center, 2004

(“Article: Follow the money: transportation investments for smarter growth,” Temple Environmental Law & Technology Journal, Spring, 2004, 22 Temp. Envtl. L. & Tech. J. 155)

**Extensive road building and motor vehicle use, as well as the sprawl spurred by current transportation approaches, are linked to virtually every pressing environmental problem and to serious public health concerns.** One of the most dramatic impacts of current development and transportation patterns is the rapid loss of open space. Over 25 million acres were developed nationwide between 1982 and 1997, and the rate of land consumption is accelerating. n16 This phenomenal growth has caused a massive loss of productive farmland and forests, wetlands, wildlife habitat, and other precious resources. Rapid growth spurred by transportation investments also impacts both water quality and quantity. Roads, parking lots, and buildings are replacing millions of acres of forests, farms, and wetlands that would otherwise filter water. The rise in the amount of impervious surfaces increases the volume of pollutant runoff, increases erosion, and slows groundwater replenishment, thus depleting water supplies. n17 In addition, land bulldozed for roads and development is a major source of silt in rivers and streams, and road use and maintenance introduces herbicides, pesticides, antifreeze, and other pollutants into the water. n18 **Road-centered transportation investment policies have had severe air pollution impacts as well. Motor vehicles are a major source of pollutants such as carbon monoxide and smog-causing nitrogen oxides and volatile organic compounds;** trucks, diesel buses, and road building equipment also emit soot, particulate matter, and other pollutants. Among other things, **these emissions can cause premature death, lung tissue damage, asthma attacks, visibility impairment, and forest damage.** The American Lung Association estimates that 137 million Americans live in areas violating ozone health standards. n19 The Clean Air Act and technological advances have sharply curtailed the amount of pollution released per mile from driving; however, this progress has been offset by the dramatic increase in the amount of miles driven. n20 [\*162] Vehicle emissions also are a major source of greenhouse gases, which could have catastrophic environmental, health, and economic impacts by causing global climate change. The average vehicle emits more than one pound of carbon dioxide per mile, n21 and transportation is the largest source of carbon dioxide emissions in the United States. n22 There is growing evidence linking automobile dependence and sprawling settlement patterns to a number of other serious public health problems. n23 The federal Centers for Disease Control (CDC) found that by increasing the distances between activities, and thereby discouraging walking, sprawl increases obesity. n24 Physical inactivity also contributes significantly to health problems such as diabetes, cardiovascular disease, and certain forms of cancer. Moreover, traffic crashes claimed the lives of almost 43,000 people annually in recent years, and more sprawling metropolitan areas tend to have higher rates of traffic fatalities. n25

# Air Pollution Add-on

#### [\_\_\_\_] Air pollution is a serious threat – it kills 70,000 people in the U.S. every year

Bernie Fischlowitz-Roberts, Analyst at the Earth Policy Institute, 2002

(“Air Pollution Fatalities Now Exceed Traffic Fatalities by 3 to 1,” Earth Policy Institute, September 17th, http://www.earth-policy.org/plan\_b\_updates/2002/update17)

The World Health Organization reports that 3 million people now die each year from the effects of air pollution. This is three times the 1 million who die each year in automobile accidents. A study published in The Lancet in 2000 concluded that air pollution in France, Austria, and Switzerland is responsible for more than 40,000 deaths annually in those three countries. About half of these deaths can be traced to air pollution from vehicle emissions. In the United States, traffic fatalities total just over 40,000 per year, while air pollution claims 70,000 lives annually. U.S. air pollution deaths are equal to deaths from breast cancer and prostate cancer combined. This scourge of cities in industrial and developing countries alike threatens the health of billions of people. Governments go to great lengths to reduce traffic accidents by fining those who drive at dangerous speeds, arresting those who drive under the influence of alcohol, and even sometimes revoking drivers' licenses. But they pay much less attention to the deaths people cause by simply driving the cars. While deaths from heart disease and respiratory illness from breathing polluted air may lack the drama of deaths from an automobile crash, with flashing lights and sirens, they are no less real. Air pollutants include carbon monoxide, ozone, sulfur dioxide, nitrogen oxides, and particulates. These pollutants come primarily from the combustion of fossil fuels, principally coal-fired power plants and gasoline-powered automobiles. Nitrogen oxides can lead to the formation of ground-level ozone. Particulates are emitted from a variety of sources, primarily diesel engines. "Smog"-a hybrid word used to describe the mixture of smoke and fog that blankets some cities-is primarily composed of ozone and particulates.

# Obesity Add-on

### [\_\_\_\_] Expanding mass transit substantially decreases obesity and health care costs

**Treasury Department 2012**

(“A NEW ECONOMIC ANALYSIS OF INFRASTRUCTURE INVESTMENT”, MARCH 23, 2012, <http://www.treasury.gov/resource-center/economic-policy/Documents/20120323InfrastructureReport.pdf>)

**If improved infrastructure changed the way Americans live and work, there would be significant benefits to health and wellness.** For example, **MacDonald et al. find that** improving neighborhood environments and **increasing the public’s use of light rail transit would benefit health to the extent it causes increased physical activity, a reduction in the incidence of obesity** (body mass index greater than 30), **and a reduction in the odds of becoming obese**.44 Using data on individuals before (July 2006 to February 2007) and after (March 2008 to July 2008) the completion of a light rail system in Charlotte, North Carolina, **they find that the use of light rail to commute to work is associated with a nearly 1.2 point reduction in body mass index as well as an 81 percent reduction** **in the odds of becoming obese**. Moreover, improved perceptions of neighborhoods as a result of the availability of light rail were associated with 15 percent lower odds of obesity as well as higher odds of meeting weekly recommended physical activity levels for walking and vigorous exercise (9 percent and 11 percent, respectively). In addition to all of the personal benefits associated with a healthier life style, **overall costs on our health care system are substantially reduced when obesity rates are lowered, given that health care costs for the obese are almost twice the rate for normal weight individuals**. Finkelstein et al. find that between 1998 and 2006, the prevalence of obesity in the United States increased by 37 percent, adding $40 billion dollars to health care costs. 45

[\_\_\_\_] Obesity causes 300,000 deaths a year

Douglas Besharov, American Enterprises Institute, 2003

(Testimony before Committee on Agriculture, April 3, <http://www.aei.org/publications/pubID.16861,filter.all/pub_detail.asp>)

Being overweight is not simply a matter of aesthetics. **The growing girth of Americans is a major health catastrophe.** Overweight people are three times more likely to have coronary artery disease.[5] two to six times more likely to develop high blood pressure, [6] more than three times as likely to develop type 2 diabetes, [7] and twice as likely to develop gallstones than normal weight people.[8] **Obesity**, of course, **is more serious, causing an estimated 50 to 100 percent increase in premature deaths (estimated to be 300,000 deaths per year).**[9]

# Car Accidents Add-on

### [\_\_\_\_] Mass transit reduces the number of auto accidents significantly

Arizona PIRG Education Fund, a federation of independent, state-based, citizen-funded organizations that advocate for the public interest, 2009

(“Why and How to Fund Public Transportation”, march 2009, http://www.uspirg.org/sites/pirg/files/reports/Why-and-How-to-Fund-Public-Transportation.pdf)

**The Bureau of Transportation Statistics estimates that motor vehicles cause over 40,000 accidental deaths and almost 3 million injuries each year**.11 **By contrast, less than 300 deaths annually take place on public transit**.12 Using conservative estimates to quantify these costs in financial terms, the National Highway Traffic Safety Administration in 2002 estimated an average social cost from accidents totally 15.8 cents per vehicle mile or 4.3 percent of GDP.13 Substituting driving with public transit tends to reduce death and injuries because **transit is safer**.14 Rail and buses have lower crash risk per-passenger-trip because professional drivers tend to have lower crash rates and total vehicle traffic is reduced. Bus passengers have about one-tenth the per-mile crash fatality rate as automobile passengers. **Rail passengers have a rate of risk about one-quarter that of drivers** — higher than bus because of generally higher speeds. **More compact communities have far lower crash and fatality rates than less compact communities.**

[\_\_\_\_] Auto accidents are a significant cause of death- kill more per year than war

Taras Grescoe, frequent contributor to the New York Times, 2012

(Straphanger: Saving our Cities and Ourselves from the Automobile, http://www.utne.com/environment/straphanger-public-transport-ze0z1206zsie.aspx?page=5)

You would be hard pressed to track down the name of the latest victim**: in the last minute alone, two humans somewhere on the planet have had their lives cut short by cars.** **Year in, year out, automobiles kill 1.2 million people around the world, and injure 20 million. It is a hecatomb equivalent to a dozen fully loaded jumbo jets crashing every day, with no survivors, yet one so routine the majority of fatalities go unreported**—as though being crushed by glass and metal had become just another of death’s “natural causes”. **War, in comparison, is an inefficient scourge of the human race: among people aged ten to twenty four, the automobile long ago beat out armed conflict as the leading cause of death.**

# Lack of Mass Transit Leads to Poverty/ Segregation

[\_\_\_\_] Lack of public mass transit aggravates inequalities

Moulding, J.D. candidate, Georgetown University Law Center, 2005

(Georgetown journal on Poverty Law & Policy, "Fare or Unfair? The Importance of Mass Transit for America's Poor", Hein Online)

The **underdevelopment of public transportation** in America **has exacerbated our nation's** economic and **social inequalities**. A decades-long trend of **prioritizing automobile** use at the expense of public transportation **has undercut an important means of improving the lives of low-income Americans**, especially in urban areas. **While the consequences of high-way transit network** for the environment and energy consumption have **received attention, the economic impact on the poor is relatively overlooked.**

# Lack of Mass Transit Leads to Poverty/ Segregation

[\_\_\_\_] Current transportation policies exclude marginalized communities from jobs and opportunities

Center for Social Inclusion 2006

(“Racism and Racial Discrimination in the U.S.: Federal Disinvestment in Opportunity for Marginalized Communities”. The Center for Social Inclusion is a national policy strategy organization that works to dismantle structural racial inequity and increase well-being for all. http://www.assetfunders.org/library/documents/CSIonUSandCERD.pdf)

In all of the public spheres listed in Article 1, **U.S. policies** create conditions that disproportionately **exclude marginalized communities** and groups **from enjoying fundamental freedoms and opportunities**, such as good jobs and good schools. Some policies may be facially race-neutral but perpetuate the historic racial exclusion that is embedded in our institutions. **Present-day federal transportation,** housing, education and fiscal policies **perpetuate the racial exclusion** that was built into federal policies from the 1930s through 50s – policies that created middle-class White suburbs and poor, non-White inner-city neighborhoods. While the incomes and racial identities of cities and suburbs have been changing, **people of color continue to be deeply isolated from opportunities**. **Poor people of color** **are** much more **likely** than poor Whites **to live in concentrated** poverty **neighborhoods that lack opportunities**, like good jobs, good schools, and quality services. Concentrated poverty neighborhoods are neighborhoods where at least 20% (rural) or 40% (urban) of the population lives at or below the federal poverty level.3More than two-thirds of people living in concentrated urban poverty are Black or Latino, even though they are one-fourth of the US population.4 In rural America, half of poor rural Blacks and Native Americans live in concentrated poverty and 27% of all poor rural Latinos live in areas of high poverty.5 Gulf Coast states have high rates of concentrated poverty compared to the rest of the country (26% in Alabama, 41% in Louisiana, and 41% in Mississippi).6 More than 1 out of every 10 neighborhoods in New York City is a concentrated poverty neighborhood (248 total, or 11.2% of all neighborhoods) and these neighborhoods are predominately people of color (87.5% of these neighborhoods are over 80% non-White). Of the 923,113 people living in concentrated poverty in New York, 37.1% are Black and 49.7% Latino, compared to 8.4% White.7 (See Appendix A for a map of concentrated poverty in neighborhoods of color in New York City). o **Very poor neighborhoods** of color **have far less to no jobs in their neighborhoods** compared to other areas of the City. (See Appendix B for a map showing the relationship between concentrated poverty, neighborhoods of color, and location of jobs).

# Car Culture Leads to Systemic Violence

[\_\_\_\_] Owning a car is not a choice – it is forced on us by the infrastructure we choose to support. Mass transit is critical to break the cycles of discrimination and violence

Zack Furness, Columbia College Chicago Department of Humanities, 2010

(One Less Car, pg. 8)

**The** historical **transformation of the United States into a full-blown car culture is** commonly, though somewhat **erroneously, attributed to choice or desire**, **as if the aggregation of individual consumer choices and yearnings necessarily built the roads, lobbied the government, zoned the real estate, silenced the critics, subsidized auto makers, underfunded public transit, and passed the necessary laws to oversee all facets of these projects since the 1890s.** One of the primary stories used to bolster this broad-based claim is that of america’s love affair with the automobile—a common trope in U.S. popular culture that colors our understanding of transportation history and also buttresses some of the most partisan arguments posed by the car’s vigorous defenders. 27 it is unquestionable that many americans do, in fact, love their cars and cling to the myth of “The road” with the zeal of Madison avenue and Jack Kerouac combined. However, the fidelity of the narrative is almost irrelevant when considering how it is put to use and for whom it is made to work. That is to say, while the love affair serves a variety of social and cultural functions in the **United States, it is particularly compelling to a relatively small group of freemarket ideologues and multinational corporations** (particularly oil conglomerates) who largely govern and/or profit from the production, marketing, sales, and regulation of the automobile. indeed, **the love story satisfies two of the most cherished myths of free-market capitalism concurrently: it corroborates the idea that consumer choices equal authentic power** (i.e., people vote with their wallets), **and it normalizes the false notion that consumer desires ultimately determine the so-called evolution of technologies**—**a position that ignores the profound roles that material and cultural infrastructures play in the success of any technology,** much less the development of technological norms. Such explanations not only are misleading; they also effectively downplay some of the most undemocratic and thoroughly racist decision-making processes at the heart of postwar urban development and transportation policy implementation in the United States, as well as the political influence historically wielded by what could easily be termed an automobile-industrial complex. 28 This is not to suggest that power is always exerted from the top down, nor to imply that the average person plays no role in the production or contestation of technological and cultural norms. rather, it is simply a way of acknowledging **that technological desires and choices**, particularly **those concerning transportation and mobility, are necessarily constrained by the profit imperatives of very specific and very powerful institutions and organizations.**

# Inequality Should Come First

[\_\_\_\_] The government has a moral obligation to address economic inequality

Congressional Black Caucus 2009

(Opportunities for All -Pathways Out of Poverty, Bi-Annual Report, January—June 2009, thecongressionalblackcaucus.lee.house.gov/reports/Bi\_Annual\_Report\_June\_2009.pdf)

As our nation’s economic uncertainty continues, **millions of Americans already struggling to overcome systemic poverty are encountering greater hardships**. **Millions more are grasping to maintain their quality of life during this turmoil**. This crisis is particularly acute among African Americans. More than 24% of African Americans live below the poverty line and African Americans are 55% more likely to be unemployed than other Americans. The Congressional Black Caucus (CBC), in its continued role as the Conscience of **Congress, has a moral obligation to address inequality and injustice as never before in history.** We are aggressively advancing the role of government to empower and protect American families by collectively pursuing a legislative agenda that addresses the priori- ties of our constituents**. We believe that we have a responsibility and obligation to eradicate poverty by utilizing the full constitutional power, statutory authority, and resources of our government to provide opportunities for all and to develop pathways out of poverty**. Some of these opportunities and pathways include economic opportunities, job training, livable wages, education, mental health services, affordable housing, health care, child nutrition and a responsible foreign policy.

# Answers to: No Impact to Poverty

#### [\_\_\_\_]

#### [\_\_\_\_] Poverty is a hidden evil that systematically targets the weak and poor, constantly causing harm

James Gilligan, professor of Psychiatry at the Harvard Medical School, Director of the Center for the Study of Violence, 1996

(Violence: Our Deadly Epidemic and its Causes, p 191-196)

**The deadliest form of violence is poverty**. You cannot work for one day with the violent people who fill our prisons and mental hospitals for the criminally insane without being forcible and constantly reminded of the extreme poverty and discrimination that characterizes their lives. Hearing about their lives, and about their families and friends, you are forced to recognize the truth in Gandhi’s observation that the deadliest form of violence is poverty. Not a day goes by without realizing that trying to understand them and their violent behavior in purely individual terms is impossible and wrong-headed. Any theory of violence, especially a psychological theory, that evolves from the experience of men in maximum security prisons and hospitals for the criminally insane must begin with the recognition that these institutions are only microcosms. They are not where the major violence in our society takes place, and the perpetrators who fill them are far from being the main causes of most violent deaths. **Any approach to a theory of violence needs to begin with a look at the structural violence in this country.** Focusing merely on those relatively few men who commit what we define as murder could distract us from examining and learning from those structural causes of violent death that are far more significant from a numerical or public health, or human, standpoint. **By “structural violence” I mean the increased rates of death, and disability suffered by those who occupy the bottom rungs of society, as contrasted with the relatively lower death rates experienced by those who are above them. Those excess deaths** (or at least a demonstrably large proportion of them) **are a function of class structure**; **and that structure is itself a product of society’s collective human choices**, concerning how to distribute the collective wealth of the society. These are not acts of God. I am contrasting “structural” with “behavioral violence,” by which I mean the non-natural deaths and injuries that are caused by specific behavioral actions of individuals against individuals, such as the deaths we attribute to homicide, suicide, soldiers in warfare, capital punishment, and so on. Structural violence differs from behavioral violence in at least three major respects. \***The lethal effects of structural violence operate continuously, rather than sporadically**, whereas murders, suicides, executions, wars, and other forms of behavioral violence occur one at a time. \*Structural violence operates more or less independently of individual acts; independent of individuals and groups (politicians, political parties, voters) whose decisions may nevertheless have lethal consequences for others.

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# Answers to: Segregation Declining

**[\_\_\_\_]**

[\_\_\_\_] Segregation is increasing not decreasing

Daniel Lichter, Cornell University, 2011

(http://npc.umich.edu/publications/u/2011-16%20NPC%20Working%20Paper.pdf, May 3, National Poverty Center Working Paper Series #11 – 16)

Third, our analyses showed that **patterns of racial and class segregation were distinct but overlapping phenomena. Poor minorities—both in metro and nonmetro areas—are highly ghettoized spatially at the macro-scale leve**l (across communities and counties). Significantly, **the poor and nonpoor—regardless of race—became more segregated from each other during the 2000s**. Concentrated poverty was much higher among America’s minority rather than among white populations. Rural blacks, in particular, were especially likely to be concentrated in poor places and counties. Moreover, our multivariate models indicated that counties—even less populated nonmetro counties—with heavy concentrations of racial minorities (especially blacks) are most likely to have spatially segregated poor populations. **The policy implications are clear: because spatial and social mobility often go hand-in-hand, the segregation of the minority poor from the nonpoor connotes persistent racial injustice, limited opportunities for upward social mobility, and the reproduction of poverty and inequality from one generation to the next**.

# Solvency Extension

[\_\_\_\_] Central federal planning is crucial to alter patterns of urban segregation

Robert D. Bullard, Glenn S. Johnson, and Angel O. Torres, Ph.D. in Sociology at Iowa State University; Associate Professor at Clark Atlanta University; Geographic Information Systems Training Specialist, 2004 ( "Highway Robbery Transportation Racism And New Routes to Equity", Page 3-5)

People of color communities are not waiting for government, business or mainstream environmental groups to come up with a "silver-bullet solution to address the transportation racism that fuels suburban sprawl and uneven development. **Some communities and groups are taking action**. Whether central city, suburb, or rural, **it will take a coordinated effort among the divergent interests to fix the nation's transportation problems**. **Transportation racism and suburban sprawl act in concert to suck the life out of central cities**. Employing smart growth strategies to address both problems would go a long way towards bringing economic vitality back to many declining urban communities. **It will also take time and resources to arrest suburban sprawl and the negative impacts it has had on central cities**. **Clearly, people of color organizations that have long track records in civil rights** have a ready-made issue in transportation equity and smart growth. They need only seize the issue as their own. Without transportation equity, many of our nation's neighborhood revitalization efforts, brownfields redevelopment, location-efficient mortgages, transit-oriented development, and related smart growth initiatives will be difficult, if not impossible, to implement. Building a Transportation Equity-Smart Growth Movement Race still matters in the United States, and running from it solves "hing. **Addressing social equity and improving race relations needs** **to be explicit priorities in transportation equity** and smart growth initiatives. **Racial polarization is impeding community and economic develop in almost every metropolitan region that has large Concentrations of people of color**. **Dismantling** **racial barriers** and institutional racism **would go a long way** towards boosting financial incentives and reinvestment in central-city neighborhoods. ft makes little sense to have only white men and women in suits talking to each Other about solving regional air pollution, transportation, sprawl, and overall quality of life problems. **Transportation planning is too important to be left solely in the hands of urban planners**, many of whom drive cars, seldom use public transit, and have few real world experiences with poor people and 194 HIGHWAY ROBBERY people of color. Having transit riders on the local or regional transit provider's board and metropolitan planning organizations is a good first step in broadening stakeholder input into decision-making. However, serving on boards or sitting at the table is not sufficient. **There must be some real power-sharing with poor people and people of color and other underrepresented groups before real change and real solutions are possible**. **There must be a national strategy to develop and disseminate transportation equity** and smart growth messages to everybody involved in the equitable transportation movement to make sure our voices are heard loud and clear.

# Answers to: No Riders

### [\_\_\_\_]

### [\_\_\_\_] Increased government support of mass transit resolves the main reasons people don’t use mass transit

Prum and Catz, 2011- \* Assistant Professor, The Florida State University AND \*\* Director, Center for Urban Infrastructure; Research Associate, Institute of Transportation Studies, University of California, Irvine (Darren and Sarah, “GREENHOUSE GAS EMISSION TARGETS AND MASS TRANSIT: CAN THE GOVERNMENT SUCCESSFULLY ACCOMPLISH BOTH WITHOUT A CONFLICT?” 51 Santa Clara L. Rev. 935, 971-972)//AWV

Within the context of transit (and depending on the consumer’s location), the ability to select between viable substitutes becomes an issue where policy makers wish to use transit options as part of an overall greenhouse gas reduction program. Personal freedom and cost play a large role in guiding the consumer’s preferences, but those preferences begin to change when certain population densities and price points make mass transit more competitive with other readily available alternatives.204 In achieving the proper price point for mass transit, the expense of constructing the project and the on-going operational costs can overburden these options, making them unaffordable choices in the consumer’s eyes when other important factors, such as population density, weigh against them.205 However, in these situations, the government can strategically provide financial incentives that can level the opportunity costs and give consumers viable alternatives, despite the drawbacks from other important aspects.206 Thus, a variety of market factors like personal freedom, population density, and cost must reach critical levels whereby consumers are willing to consider meaningful substitute modes; but the financial model for the entity providing the service needs to be viable, with adequate funding from all of its sources.

### [\_\_\_\_] Reason that people don’t use public transportation is because it is not available – plan could resolve this

Weyrich and Lind **200**3 (Paul M. and William S., “How Transit Benefits People Who Do Not Ride It: A Conservative Inquiry”, October,

http://www.apta.com/gap/policyresearch/Documents/how\_transit\_benefits.pdf)

A major reason why Americans do not use public transportation at the same rate as Europeansis that good public transportation is not available. As we noted in an earlier study, only about one-half of all Americans have any public transit service, and only about one-quarter have

service they call “satisfactory.”34 In most cases, high quality transit – transit good enough to draw riders from choice – means rail transit. That, in turn, usually means electrified railways,

if the rail transit system is carrying lots of passengers.

# Answers to: No Riders

### [\_\_\_\_]

### [\_\_\_\_] People will ride mass transit – becoming increasingly popular, especially with new generations

Grescoe **20**12 - writer, frequent contributor to the NYT, the Independent, and National Geographic, (Taras, Straphanger: Saving our Cities and Ourselves from the Automobile)

If you credit the demographers, this transit trend has legs. The “Millenials”, who reached adulthood around the turn of the century and now outnumber baby boomers, tend to favor cities over suburbs, and are far more willing than their parents to ride buses and subways. Part of the reason is their ease with iPads, MP3 players, Kindles, and smartphones: you can get some serious texting done when you are not driving, and earbuds offer effective insulation from all but the most extreme commuting annoyances. Even though there are more teenagers in the country than ever, only ten million have a driver’s license (versus twelve million a generation ago). Baby boomers may have been raised in Leave it to Beaver suburbs, but as they retire, a significant contingent is favoring older cities and compact towns where they have the option of walking and riding bikes. Seniors, too are more likely to use transit, and by 2025 there will be 64 million Americans over the age of 65. Already, dwellings in older neighborhoods in Washington, D.C., Atlanta, and Denver, especially those near light rail or subway stations, are commanding enormous price premiums over suburban homes. The experience of European and Asian cities shows that if you make buses, subways, and trains convenient, comfortable, fast, and safe, a surprisingly large percentage of citizens will opt to ride rather than drive.

### [\_\_\_\_] Mass transit use rises as gas prices soar

Hargreaves 2012 -CNNMoney (Steve, http://money.cnn.com/2012/03/12/news/economy/mass-transit/index.htm, 3-12-12)

Ridership on the nation's trains and buses hit one of the highest levels in decades, with officials crediting high gas prices, a stronger economy and new technology that makes riding public transit easier. In 2011, Americans took 10.4 billion trips on mass transit, which includes buses, trains, street cars and ferries, according to the American Public Transportation Association. That's a 2.3% increase over 2010 and just shy of the number of trips in 2008, when gasoline spiked to a record national average of $4.11 a gallon. "As people get jobs and go back to work, they get on mass transit more," said Michael Melaniphy, president of APTA. "And then when people look at gas prices, they really get on transit more."Melaniphy said gas prices near $4 a gallon tends to be the tipping point that pushes more people onto mass transit.

# Answers to: No Riders

### [\_\_\_\_]

### [\_\_\_\_] 2/3 of people are in metropolitan areas and can’t ride Mass transit because it isn’t there

BAF, 2011 Transportation Infrastructure Report 2011 Building America’s Future Falling Apart and Falling Behind Building America’s Future Educational Fund Building America’s Future Educational Fund (BAF Ed Fund) is a bipartisan coalition of elected officials dedicated to bringing about a new era of U.S. investment in infrastructure [www.bafuture.com](http://www.bafuture.com)

The 100 largest U.S. metropolitan regions house almost two-thirds of the population and generate nearly three-quarters of our GDP. In 47 states—even those traditionally considered ‘rural,’ like Nebraska, Kansas, and Iowa—the majority of GDP is generated in metropolitan areas.13 And over the next 20 years, 94% of the nation’s economic growth will occur in metropolitan areas.14 Metropolitan areas are already home to the most congested highways, the oldest roads and bridges, and the most overburdened transit systems—and the strains on the transportation system are only bound to get worse. By 2035, an estimated 70 million more people will live in U.S. metropolitan regions. More people bring more commerce and greater transportation demands. Every American accounts for about 40 tons of freight to be hauled each year—so an additional 2.8 billion tons of freight will be moved to and from major metropolitan regions in 2035.15 Our transportation system is simply not up to the task. Our transportation system has also not adapted to the energy realities of the 21st century. Air pollution and carbon emissions—the majority of which in the United States are generated by transportation—threaten the environment. Reliance on foreign oil has imperiled our national security. And fluctuating gas prices are making Americans’ car-dependent lifestyles simply unaffordable. We are increasingly aware that for all these reasons a trans-portation system largely run on gasoline is environmentally and economically unsustainable. In a global economy, businesses need access to manufacturing plants and distribution centers, to international gateways like ports and airports, and to consumers in both metropolitan and rural regions. People need reliable and efficient ways to commute to work and go about their daily lives. We need a modern infrastructure system if we are to meet both needs. And if we don’t create a transportation system that functions reliably and cost-effectively in the 21st century, companies operating in this globalized world can simply choose to do their business elsewhere—taking U.S. jobs and revenues with them.

# Answers to: No Riders

### [\_\_\_\_]

### [\_\_\_\_] Empirically, new and upgraded mass transit increases ridership

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Bailey, 2007- Federal Programs Advisor at the New York City Department of Transportation.(transportation policy analyst <http://www.apta.com/resources/reportsandpublications/Documents/apta_public_transportation_fuel_savings_final_010807.pdf>)

A final analysis was completed to estimate the effect of an expansion of public transportation service and use. Total ridership, as measured in unlinked trips, was doubled. Growth in public transportation use was assigned to two major sources: improvements to an existing route or system, and extensions and new routes. By conducting an analysis of growth on public transportation systems from 1999 to 2004, the research team found that approximately one-third of ridership growth is associated with improvements to existing routes, while two-thirds has resulted from new routes and modal extensions. The necessary growth in route miles and modal extensions was estimated using recent improvements to public transportation systems in the U.S., using the average increase in ridership relative to the route miles built. Figures from several recent rail and high-quality bus projects were collected directly from public transportation agencies. Most major improvements and extensions to public transportation systems currently operate either light rail, commuter rail, or high-quality bus systems. For households, an increase in the number of route miles served by high-quality public transportation service would increase the total number of households with the option to use public transportation, as well as the total number of employment sites served by public transportation networks. The number of households that would have improved or new public transportation service is estimated using some basic assumptions about the distribution of residences:

• Residential density is assumed to be the average for urbanized areas across the U.S. Current urbanized areas were defined by the 2000 Census, and generally represent cities and suburbs that have a combined population of over 50,000 people. This is a conservative estimate because public transportation alignments are generally targeted to areas that have been zoned and built up at a higher density than other areas in the city.

• The area served by new routes are assumed to overlap with areas served by parallel or nearby routes by 25 percent. Existing public transportation availability was estimated using the NHTS 2001 data. NHTS 2001 staff provided a special data set to the research team that uses the geographic location of each respondent and a 1994 database of bus lines and rail stops to calculate the distance between each respondent and public transportation services. Relative increases in total public transportation route mileage is based on existing services from 2004.

# Answers to: Road Focus Good for Economy

[\_\_\_\_]

[\_\_\_\_] Highways infrastructure is failing now even with lots of government investment

Jack Schenendorf et al., of Counsel Covington and Burling LLP, 2011

(For nearly 25 years, Mr. Schenendorf served on the staff of the Committee on Transportation and Infrastructure of the U.S. House of Representatives. He was Chief of Staff from 1995 to 2001. “Modernizing U.S. Surface Transportation System: Inaction Must Not Be an Option”, 7-22, <http://www.aem.org/PDF/2011-07-27_SchenendorfModernizingSystem.pdf>, DOA: 4-10-12)

In the past three decades or so, however, the total number of highway lane miles grew only 4.4 percent. As a result, hours of delay per traveler almost tripled from 1982-2005, and total hours of delay increased fivefold. **In urban areas alone, congestion resulted in 4.8 billion hours of traveler delays and consumption of an additional 3.9 billion gallons of fuel in 2009**. **Freight movements have been similarly affected: th**e top 25 truck bottlenecks in the U.S. (primarily at interstate inter- changes) account for about 37 million truck hours of delay each year. **These problems aren’t only the result of a steadily growing usage, but also of deteriorating conditions.** As of 2006, **more than half of total** vehicle **miles traveled** **on the** federal highway **system occurred on roads that were not in good condition**. More than one-quarter of the nation’s bridges are structurally deficient or functionally obsolete.

# [\_\_\_\_]

# Answers to: Road Focus Good for Economy

### [\_\_\_\_] Public transit is key to local and national economies – greater mobility and increased productivity

Weisbroad and Reno 2009 (Glen, researcher at the Economic Development Research Group, Inc. and Arlee, of Cambridge Systematics, Inc. “Economic Impact of Public Transportation Investment,” <http://www.apta.com/resources/reportsandpublications/Documents/economic_impact_of_public_transportation_investment.pdf>)

In addition to the cost savings described above, a shift from auto to public transportation would facilitate increased productivity and competitiveness within cities (as discussed in Section 4.3). This benefit stems from two factors: (1) reduction in wage premiums paid to attract workers to more-congested areas with higher travel times and costs, and (2) enhancement of access to labor and customer markets, which bring scale and “agglomeration” economies.

[\_\_\_\_] **Mass transit investment provides thousands of jobs and boosts urban economies**

APTA 2012, (American Public Transportation Association, March “Economic Recovery: Promoting Growth”, <http://www.apta.com/resources/reportsandpublications/Documents/Economic-Recovery-APTA-White-Paper.pdf>)]

Throughout the country, public transportation systems provide jobs with good wages that stay in local communities. When those employees make purchases, they help boost their local economies, providing benefits beyond the value of their wages—they buy goods and services that fund more jobs. Noted economists have calculated that for every $1 billion invested in public transportation, more than 36,000 jobs are supported. Investment in public transportation also flows to private-sector transit industry manufacturers and their suppliers. These firms employ many people, which further multiplies the effects of public transportation dollars when these individuals spend their wages in their communities. Approximately 74 percent of government funding for public transportation goes toward supporting hundreds of thousands of private sector jobs. It is estimated that every $1billion of public transportation capital investment creates 24,000 jobs. Every$1 billion spent on public transportation operations supports or creates more than 41,000 jobs. In 2010, the industry spent $37.2 billion on operating costs and $17.9 billion on capital costs, which created and supported nearly 2million jobs.1Estimates of the number of jobs created by public transportation include three levels supported by public transportation spending. The highest level is jobs created directly at public transit systems or by operators and manufacturers of transit equipment, followed by indirect jobs supported by the purchase of products and services by public transportation businesses. The third level takes in other indirect jobs created when public transportation workers spend their earnings in the greater economy. In this way, dollars from public transportation spending effectively travel to many different industries across the country.

# Answers to: Road Focus Good for Economy

### [\_\_\_\_] Investment in mass transit provides the most jobs per dollar spent.

Phillips 2009 -transportation policy expert for the Environmental Defense Fund (“A stimulating investment - mass transit”, San Francisco Chronicle, November 22, 2009 <http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2009/11/21/IN2H1ALLFM.DTL#ixzz1ySjUopPk>)

Whether such a bill can be put to the best use for jobs depends on whether Congress and the Obama administration invest in the right type of transportation infrastructure. One good approach would be to focus on repairing existing infrastructure: fill the potholes and refurbish old bridges that cost Americans time, money and wear and tear on vehicles. However, the best approach would be to direct new investment in public mass transit because it creates the most jobs per dollar spent, according to the Surface Transportation Policy Project. It also responds to the growing demand for good transit that began with rising gasoline prices in 2008. In addition, mass transit investment also cuts air and global warming pollution. In fact, a report by the Duke University Center on Globalization, Governance & Competitiveness shows that increasing investment in conventional and green transit bus systems would cut greenhouse gas pollution around the country. It would also create high-quality, long-term manufacturing jobs in nearly every state in the eastern United States as well as Northern California.

### [\_\_\_\_] Government support of mass transit is key to save American manufacturing

Fitzgerald et.al. 2010- professor and director of the graduate program in Law, Policy and Society and a Senior Research Fellow at the Kitty and Michael Kukakis Center for Urban and Regional Policy at Northeastern University (Joan, Granquist, Khatiwada, McLaughlin, Renner, “Reviving the U.S. Rail and Transit Industry: Investments and Job Creation”, WorldWatch Institute)//AWV

The bottom line is that the United States needs to focus on high-end manufacturing. A strategy for doing so is to link manufacturing to other policy goals. Countries in both Europe and Asia have successfully linked the development of state-of-the-art public transit systems to manufacturing. These countries are now exporting or producing technologically sophisticated transit vehicles around the world. It is time for the United States to become a producer, rather than a consumer, of transit vehicles. But no single industry will save U.S. manufacturing—the country needs a coherent industrial policy. In reports such as this one, the authors are con- strained by the boundaries of current policy debate if they expect to be taken seriously. As a result, even though the above analysis indicates that the level of funding proposed under the International Competitiveness scenario would most forcefully accelerate the development of a strong U.S. transit industry, the less-ambitious Increased Domestic Investment level is recommended here—and even this is an aggressive funding scenario given the current political climate. Nevertheless, the analysis in this report plainly suggests that if U.S. manufacturing is to experience a serious revival that produces more than fragmented show- case projects and scattered jobs, public policy needs to think much bigger and more boldly than it currently does.

# Answers to: Road Focus Good for Economy

### [\_\_\_\_] Mass transit helps the US economy by providing jobs, generating tax revenue, expanding exports, reducing trade deficits, and increasing manufacturing

Feldman 2009 (Jonathan Michael, “From Mass Transit to New Manufacturing”, American Prospect; April 2009, Vol. 20 Issue 3, pA12-A16, 5p)

A new industrial-policy initiative for domestic production of masstransit products could help the United States overcome multiple economic challenges. It could provide highwage jobs, generate tax revenue, expand exports, and reduce trade deficits. This mass-transit-production strategy requires a new kind of industrial and planning policy to overcome the limits of traditional public works. It’s not enough to lay more tracks and upgrade rail facilities. The government has to support domestic production of trains, signals, and related transit hardware and software. According to the Institute for Supply Management, U.S. manufacturing activity recently fell to its lowest level in 28 years. Manufacturing has also suffered across the globe. But overseas the downturn reflects mainly the recession, while in the U.S. there is a long-term manufacturing decline. Traditional public-works outlays alone won’t restore American manufacturing—but they could supply new demand if we had industrial policies in place. Mass transit could be the incubator for an industrial renaissance, based on new kinds of producers and processes. If public investment is connected to developing new industries, then government spending will not “crowd out” private investment. On the contrary, the public outlay could provide demand for new private investments. But when the market and existing firms fail to make the necessary investments, the government must fill the void.

# Answers to: Gentrification Turn

**[\_\_\_\_]**

[\_\_\_\_] The answer to gentrification is more, not less mass transit

[Lloyd Alter](http://www.treehugger.com/author/lloyd-alter/), fmr. President of the [Architectural Conservancy of Ontario](http://arconserv.ca/), 2010  
(Does New Public Transit Increase Gentrification and Lower Ridership?, October 22, http://www.treehugger.com/cars/does-new-public-transit-increase-gentrification-and-lower-ridership.html)

It seems counter-intuitive that people would move to an area because of an investment in transit and then drive, but hey, it's America. **It** also **is counter-intuitive to think that the investment and upgrading that comes from gentrification is not a good thing**, but the report points out that poor people, who benefit most from transit, can be displaced and have to move further from the transit that is their only option. In the end, **the report** makes some solid recommendations to get the best of both worlds. They **advocate incentives to build affordable housing, reduced parking requirements** (so people who move there have fewer cars) **and other incentives to get people out of their cars and onto transit**. But ultimately **the answer is to make the United States like almost every other civilized country: install good clean transit that is affordable and comfortable, and stop subsidizing the car**, the roads and the parking. In most of the world there is no stigma to transit and the ethnicity of the riders pretty much mirrors the ethnic mix of the cities it runs through. Transit is for everyone.

# Answers to: Gentrification Turn

**[\_\_\_\_]**

[\_\_\_\_] Cities can take many steps to avoid gentrification

Lesley Williams Reid and Robert M. Adelman, Georgia State University, 2003

(The Double-edged Sword of Gentrification in Atlanta, http://www.asanet.org/footnotes/apr03/indexthree.html)

In response to events in recent years, **the Atlanta city government created a task force to deal with the negative aspects of gentrification.** **The task force suggested that the city institute aggressive affordable housing policies, especially for low-income residents; provide incentives for builders to include affordable housing in new developments; use land seized by the city through tax foreclosures for affordable housing; prevent property tax liens from being sold to private collection agencies; and educate longtime residents on predatory lending and below-market price sales scams**. But, as sprawl and long commutes continue to plague Atlanta, the demand for in-town housing will increase. Developers and renovators will be more than happy to meet that demand. Indeed the biggest challenge facing Atlanta is to prevent those who control the market from defining the terms of gentrification. This is a task few cities have done well, and in a city built on a mantra of pro-growth, pro-development, no-holds-barred boosterism, it is a particularly daunting task.

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# Answers to: Crime Turn

**[\_\_\_\_]**

[\_\_\_\_] Mass transit decreases crime in bad neighborhoods because of police presence

House Logic, 2010 (April 23, 2010, <http://www.houselogic.com/home-advice/green-living/public-transportation-adds-value-home/>)

Another stereotype about public transportation is that it brings criminals into the neighborhood. **Research shows**, however, **that the existing socio-demographic makeup of the neighborhood is what drives crime, not its proximity to public transportation**.  As **the Department of Urban Planning** **at** the **U**niversity of **C**alifornia, **L**os **A**ngeles, School of Public Policy and Social Research **found** when it studied [the issue](http://www.uctc.net/papers/550.pdf), **transit stations and surrounding neighborhoods in L.A. “are no more unsafe than other city streets. In fact, if we consider only serious crime, rail stations are safer than many city streets because of the higher rate of police deployment.”** The study did find that the type of crime committed was influenced by the environment. Pick-pockets work in crowds, while car theives work park-and-ride lots.

[\_\_\_\_] Crime is at an all time low

New York Times, 2011 (May 23, <http://www.nytimes.com/2011/05/24/us/24crime.html>)

**The number of violent crimes in the United States dropped significantly** last year, to what appeared **to** be **the lowest rate in nearly 40 years,** a development that was considered puzzling partly because it ran counter to the prevailing expectation that crime would increase during a [recession](http://topics.nytimes.com/top/reference/timestopics/subjects/r/recession_and_depression/index.html?inline=nyt-classifier). **In all regions, the country appears to be safer. The odds of being murdered or robbed are now less than half of what they were in the early 1990s**, when violent crime peaked in the United States. Small towns, especially, are seeing far fewer murders: **In cities with populations under 10,000, the number plunged by more than 25 percent last year.**

# Answers to: Federalism

### [\_\_\_\_] Non unique link – federal government dominates transportation policy

Dilger 2011, -Senior Specialist in American National Government (Robert Jay, “Federalism Issues in Surface Transportation Policy: Past and Present”, 1-5-11, Congressional Research Service)

American federalism, which shapes the roles, responsibilities, and interactions among and between the federal government, the states, and local governments, is continuously evolving, adapting to changes in American society and American political institutions. The nature of federalism relationships in surface transportation policy has also evolved over time, with the federal government’s role becoming increasingly influential, especially since the Federal-Aid to Highway Act of 1956 which authorized the interstate highway system. In recent years, state and local government officials, through their public interest groups (especially the National Governors Association, National Conference of State Legislatures, National Association of Counties, National League of Cities, U.S. Conference of Mayors, and American Association of State Highway and Transportation Officials) have lobbied for increased federal assistance for surface transportation grants and increased flexibility in the use of those funds. They contend that they are better able to identify surface transportation needs in their states than federal officials and are capable of administering federal grant funds with relatively minimal federal oversight. They also argue that states have a long history of learning from one another. In their view, providing states flexibility in the use of federal funds results in better surface transportation policy because it enables states to experiment with innovative solutions to surface transportation problems and then share their experiences with other states. Others argue that the federal government has a responsibility to ensure that federal funds are used in the most efficient and effective manner possible to promote the national interest in expanding national economic growth and protecting the environment. In their view, providing states increased flexibility in the use of federal funds diminishes the federal government’s ability to ensure that national needs are met. Still others have argued for a fundamental restructuring of federal and state government responsibilities in surface transportation policy, with some responsibilities devolved to states and others remaining with the federal government.

# Answers to: States CP

**[\_\_\_\_]**

[\_\_\_\_] Transportation equity is a moral obligation that the federal government is responsible for

Thomas W Sanchez, chair of the Department of City and Metropolitan Planning at the University of Utah, 2010 (Poverty & Race 19.4, "Transportation and Civil Rights", http://search.proquest.com/docview/744192726)

**Transportation infrastructure can displace residents and permanently damage community structure** and integrity. **Both the construction and operation of infrastructure can impair (or benefit**) **walkability and livability**. Use of motor vehicles and rail cause air pollution, noise and pedestrian hazards, disproportionately affecting people living near them. **Preferential investments in auto-centered transport have generated a transit-dependent subclass that has substantial barriers to access**. **Transportation systems facilitate race-, ethnic- and class-based segregation, contributing to environmental injustice**. On-road mobile sources contribute to the highest health risks near major roadways. **Land use decisions should be made with an attempt to protect sensitive individuals where air pollution is expected**. There are lessons to be learned from environmental law and process. At the scoping stage in the National Environmental Policy Act (NEPA) process, there should be adequate consideration of Title VI and environmental justice. **Minority and low-income populations should be identified early and their concerns examined and addressed, at the planning stage**. **Cumulative impacts need to be considered**. **The precautionary principle should be invoked**. As the recent massive and catastrophic oil leaks in the Gulf of Mexico have shown, categorical exclusions to the need for a proper environmental impact statement (EIS) cannot be lightly granted by federal agencies. But even an EIS is not a solution if social needs and cultural history are not properly considered, as was shown in the Port Angeles case. **The responsibilities of planners are more than legal**, **because a conservative federal judiciary has undercut legal requirements. Planners' responsibilities are also moral and ethical**. **Just as a number of faithbased organizations have undertaken environmental concerns due to a sense of responsibility for stewardship of God's creation**, **planners need to get back to their roots of responsibility**. **Solutions need to be sought, not just by advocates and not just in faith**, **but also in legislatures and Congress**. Fixing the Sandoval decision, returning the "private attorney general" provision for private right of suit under Title VI, and incorporating environmental justice concepts into statute would be important steps. Also important is avoiding panic-driven decisions to cut public transportation services to those who most need them. The ARRA "shovel-ready project" concept has led to funding too many pothole-filling efforts. **The larger American polity needs to be considered, with a return to the American creed of social mobility and opportunity**.

# Answers to: States CP

### [\_\_\_\_]

### [\_\_\_\_] Federal action is key to investor predictability – the private sector won’t lend for transit infrastructure without consistent federal support

**Melaniphy, 12** - President & CEO American Public Transportation Association (Michael, Testimony efore The Subcommittee on Transportation, Housing and Urban Development, and Related Agencies of the Senate Committee on Appropriations, 3/21,

Federal Transit Administration Programs

Capital Investment Grants (New Starts) – APTA was pleased to see the Senate continue to support the New Starts program in MAP-21.  The New Starts program is the primary source of federal investment in the construction or expansion of heavy rail, light rail, commuter rail, and bus rapid transit projects.  The success of these major, multi-year capital projects requires predictable support by Congress and the FTA.  Congress established Full Funding Grant Agreements (FFGAs) to provide this predictability.  A continued commitment to federal investment will also influence the willingness of private financial markets to finance public transportation projects and it will help ensure that the bond ratings will remain high and interest rates will remain low. We urge the Congress to recognize the importance of long-term, predictable funding for all highway and transit programs, including New Starts.  APTA believes that the New Starts program should grow at the same rate as the rest of the transit program, as it is essential to enhancing our nation’s mobility, accessibility and economic prosperity, while promoting energy conservation and environmental quality.

**Mass Transit Negative**

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# Glossary

Vocabulary

**Car culture**. America’s love of cars that is seen in music, movies, etc.

**Communities of color.**  Hispanic, black, Asian or other non-white group of people living together or connected in some way.

**Cycle of poverty.** This theory says that poor families do not have the necessary resources to escape poverty and stay in poverty for many generations. So if a grandparent is poor, their grand-child is likely to also live in poverty.

**Emissions.** Something emitted, such as the pollution from a car.

Gentrification. the process by which higher income households displace lower income residents of a neighborhood, changing the character of that neighborhood.

Mass transit. Transportation infrastructure that can move many people at once such as buses or subways/light rail.

Marginalized communities. Groups of people who have been discriminated against.

**Moral obligation.** Something you have to do because it is the right thing to do.

Segregation. The separation between people of different races. In this case, in terms, of where people live and work.

**Social inequality.** Differences between groups of people who do not have the same social status. In the US, this can mean differences in access to education, health care, housing, etc.

Subsidy. Government financial support of an industry or thing.

**Urban.** Relating to the city or town.

Urban Sprawl. The development of large suburbs outside of major cities.

# Answers to: Urban Sprawl Add-on

**[\_\_\_\_]**

[\_\_\_\_] There are many other causes besides transportation infrastructure

Dee Striker, writer for the San Francisco Chronicle, 2007

(“What are the Causes of Urban Sprawl”, http://homeguides.sfgate.com/causes-urban-sprawl-2577.html)

Urban sprawl is loosely defined as low-density residential, and sometimes commercial, development that is outside the borders of higher density urban centers. Urban sprawl communities are typically automobile-oriented as opposed to pedestrian-friendly. **Planners, scholars, community activists and public officials all offer numerous possibilities as to the causes of urban sprawl.** Lack of Comprehensive Planning The Planners Web Sprawl Guide suggests that **little to no regional planning is one of the major causes of urban sprawl.** If officials in densely populated urban centers plan in isolation without consulting nearby communities, the result is sometimes poorly planned developments on the outskirts of urban centers. Instead of bridging the existing infrastructure and amenities of surrounding communities, these less densely populated areas often incur new public expenses for infrastructure improvements without regard to a regional plan or pooled resources. A regional plan would anticipate the growth of new areas and gradually execute the necessary planning initiatives to create a cohesive community. Rapid Population Growth The Sierra Club notes that **although population growth is not the only cause of urban sprawl, it is a major factor.** Rapid population growth is a particularly large contributor to urban sprawl in the Western and Southern regions of the United States. A sharp increase in residents beyond the capacity of nearby urban centers necessitates the creation of new communities. As the regional population continues to increase, communities begin to spread farther and farther away from city centers. Subsidized Infrastructure Improvements One condition that encourages urban sprawl, according to Towson University Center for Geographic Information Sciences, occurs when municipalities subsidize the cost of infrastructure such as roads and sewers to un- or under-developed areas. Such an action incentivizes the creation of communities outside of city centers without requiring comprehensive plans or suggesting alternative development options. Consumer Preferences One cause of urban sprawl that is difficult to quantify is preference. Useful Community Development, a site dedicated to progressive urban planning, cites the desire for larger homes, more bedrooms and bigger yards as one of the causes of urban sprawl. **Some people simply prefer more space or more home square footage than what is affordable or available in more crowded city centers.**

# Answers to: Urban Sprawl Add-on

**[\_\_\_\_]**

[\_\_\_\_] Mass transit programs increase urban sprawl by allowing people to easily commute into the city

Edward L. Glaeser, economics professor at Harvard, 2009

(“What Would High-Speed Rail Do to Suburban Sprawl?”, http://www.lawrence.edu/fast/finklerm/Glaeser%20on%20High%20Speed%20Rail.doc)

**But there is little evidence documenting that rail has strong positive effects on land use.** Unfortunately, **all of the evidence on this question comes from intraurban, not interurban rail lines.** Atlanta’s rail line had little impact on population or employment within the metropolitan area. BART, the Bay Area Rapid Transit system serving the San Francisco region, seems to have done more, but the **effects are** still **modest.** Nathaniel **Baum-Snow and** Matthew **Kahn** **have done the most comprehensive look at new intraurban rail** systems in 16 cities. I asked **them to examine whether population levels rose close to new rail stations, and they found no evidence** for that. Moreover, the story of Ciudad Real should make us question the presumption that rail will centralize. **If a** Dallas-Houston **line stops** somewhere **between** the **two cities**, and fosters the growth of a new exurb, **the result will be more, not less, sprawl**.

# Answers to: Urban Sprawl Add-on

**[\_\_\_\_]**

[\_\_\_\_] Instead of increasing centralization, mass transit increase emigration out of the city by allowing for short commutes

Jason Kambitsis, city planner and contributing editor for Wired.com, 2010

(Wired, “High-Speed Rail as a Conduit of Sprawl”, http://www.wired.com/autopia/2010/03/high-speed-rail-and-sprawl/)

It’s fast, it’s efficient and it is the future of transportation, but will high-speed rail cause sprawl? Yes, it could, warn some urban planners. **Despite the promise of creating more densely populated urban centers,** high-speed **rail could do quite the opposite by making it easier for people to live far from urban centers.** Let’s use California as an example, since high-speed rail has made the most progress there. The Golden State, long known as a trendsetter for transportation and environmental policy, has received more than [$2.3 billion in stimulus funds](http://gov.ca.gov/press-release/14304/) toward a proposed line [linking San Francisco and Los Angeles](http://www.cahighspeedrail.ca.gov/map.htm) by way of the Central Valley. The money is earmarked for construction, land acquisition and engineering and it follows the $9.95 billion allocated by a state ballot initiative. If and when the line is completed by 2030, riders will zip between the two cities in 2 hours and 38 minutes and pay less than half what it would cost to fly. **But that** convenience **could increase emigration from California’s urban centers to the exurbs and beyond. In other words, it could lead to more sprawl. An example of this can be seen in cities like Palmdale, which is** 58 miles **north of Los Angeles.** By **cutting the commute time** between those two cities from [1 hour and 25 minutes](http://maps.google.com/maps?client=firefox-a&rls=org.mozilla:en-US:official&channel=s&hl=en&source=hp&q=palmdale%20to%20los%20angeles&um=1&ie=UTF-8&sa=N&tab=wl), to 27 minutes**, outward growth** of the Los Angeles area **will undoubtedly continue.** It’s easy to see why — **home prices** **in Palmdale are more than** [half of those in L.A.](http://www.zillow.com/local-info/CA-Palmdale-home-value/r_40227/), and high-speed **rail could make getting downtown as quick and easy as living downtown.** **Pushing people further into the exurbs runs counter to a major goal of** high-speed **rail**, namely cutting our carbon output while creating denser, more sustainable communities.

# Answers to: Air Pollution Add-on

**[\_\_\_\_]**

[\_\_\_\_] Mass transit results in more, not less emissions

Randal O’Toole, senior fellow at the Cato Institute, 2009

(Congressional Testimony, “On Transit and Climate”, <http://www.cato.org/testimony/ct-ro-20090707.html>)

Transit Is Not Significantly Cleaner than Driving Even if more subsidies to transit could attract significant numbers of people out of their cars, it would not save energy or reduce greenhouse gas emissions because transit uses as much energy and generates nearly as much greenhouse gas per passenger mile as urban driving. As described in my Cato Institute Policy Analysis no. 615 (http://www.cato.org/pubs/pas/pa-615.pdf), the following data are based on the Department of Energy's Transportation Energy Data Book, the Federal Transit Administration's National Transit Database, and the Federal Highway Administration's Highway Statistics. In 2006, the nation's transit systems used an average of 3,444 BTUs and emitted 213 grams of CO2 per passenger mile. The average passenger car used 3,445 BTUs—just 1 BTU more—and emitted 245 grams of COsup>2 per passenger mile, just 15 percent more. While transit appears slightly cleaner than autos, as shown in figure three, auto and light truck energy efficiencies have rapidly improved, while transit energy efficiencies have declined. Since CO2 emissions are proportional to energy consumption, these trends hold for greenhouse gas production as well. We can expect these trends to continue. If auto manufacturers meet the Obama administration's new fuel-economy standards for 2016—even if they fail to improve energy efficiencies beyond that—by 2025 the average car on the road will consume only 2,600 BTUs and emit only about 186 grams of CO2 per passenger mile—considerably less than most transit systems (figure four). This rapid improvement is possible because America's auto fleet almost completely turns over every 18 years. By comparison, cities that invest in rail transit are stuck with the technology they choose for at least 30 years. This means potential investments in transit must be compared, not with today's cars, but with cars 15 to 20 years from now. In much of the country, the fossil-fuel-burning plants used to generate electricity for rail transit emit enormous amounts of greenhouse gases. Washington's Metrorail system, for example, generates more than 280 grams of CO2 per passenger mile— considerably more than the average passenger car. Light-rail systems in Baltimore, Cleveland, Denver, Philadelphia, and Pittsburgh all emit more greenhouse gases per passenger mile than the average SUV. In places, such as the West Coast, that get much of their electricity from renewable sources, it would be wiser and more cost-effective to apply that electricity to plug-in hybrids or other electric cars that can recharge their batteries at night when renewable power plants generate surplus energy. As Professor Lave said, the "law of large proportions" dictates that "the biggest components matter most." In other words, since more than 90 percent of urban travel is by auto and only 1.6 percent is by transit, small improvements in autos can be far more significant than large investments in transit.

# Answers to: Obesity Add-on

**[\_\_\_\_]**

### [\_\_\_\_] The harms of obesity are massively overblown – there’s no scientific basis for their claims

Patrick Basham and John Luik,Director – Democracy Institute, Health Policy Writer, 2006

(“Four Big, Fat Myths”, The Telegraph, 11-26, http://www.telegraph.co.uk/news/uknews/1535176/Four-big,-fat-myths.html)

Yet **the obesity epidemic is a myth manufactured by public health officials in concert with assorted academics and special-interest lobbyists**. These crusaders preach a sermon consisting of four obesity myths: that we and our children are fat; that being fat is a certain recipe for early death; that our fatness stems from the manufacturing and marketing practices of the food industry (hence Ofcom's recently announced ban on junk food advertising to children); and that we will lengthen our lives if only we eat less and lose weight. The trouble is, **there is no scientific evidence to support these myths**. Let's start with the myth of an epidemic of childhood obesity. The just-published Health Survey for England, 2004 does not show a significant increase in the weight of children in recent years. The Department of Health report found that from 1995 to 2003 there was only a one-pound increase in children's average weight. Nor is there any evidence in claims that overweight and obese children are destined to become overweight and obese adults. The Thousand Families Study has researched 1,000 Newcastle families since 1954. Researchers have found little connection between overweight children and adult obesity. In the study, four out of five obese people became obese as adults, not as children. There is not even any compelling scientific evidence to support the Government's claim that childhood obesity results in long-term health problems and lowers one's life expectancy. In fact, the opposite may be true: **we could be in danger of creating a generation of children obsessed with their weight with the consequent risk of eating disorders that really do threaten their health**. Statistics on the numbers of children with eating disorders are hard to come by, but in the US it is estimated that 10 per cent of high school pupils suffer from them. Recent studies show adults' attempts to control children's eating habits result in children eating more rather than less. Parental finger wagging increases the likelihood that children develop body-image problems as well as eating disorders.

# Answers to: Obesity Add-on

### [\_\_\_\_] Obesity is a tiny health risk – their evidence is biased exaggeration

**Center for Consumer Freedom 2008**

(“CDC Must Retract Obesity Deaths Study”, http://www.consumerfreedom.com/article\_detail.cfm/article/161?nd=1)

In the past few years, **the federal government has waged an all out war to scare Americans about our so-called "obesity epidemic**." The Surgeon General says it's [just as dangerous as the threat of terrorism](http://www.time.com/time/2004/obesity/index.html). A leading Harvard expert compares obesity to a [massive tsunami heading toward American shores](http://au.health.yahoo.com/050316/3/3r3b.html). The director of the CDC called it [worse than the Black Death](http://www.theledger.com/apps/pbcs.dll/article?AID=/20041108/NEWS/411080310/1036). Unfortunately, [trial lawyers who see dollar signs where the rest of us see dinner](http://www.consumerfreedom.com/issuepage.cfm/topic/32) have seized on the CDC's 400,000 deaths number to justify their frivolous crusades. **Now word comes from experts within the CDC that excess weight is about one-fifteenth as dangerous as previously thought**, and has a lower death toll than diseases like septicemia and nephritis. Each death is of course tragic. But has anyone heard of the septicemia "epidemic" or the nephritis "tsunami**"? It turns out that the 70 million Americans who are technically “overweight” have no increased mortality risk**. The real problems occur only among the small percentage of Americans with a [Body Mass Index of 35 or more](http://www.bmiscale.com/). To put that in perspective, ["fat actress" Kirstie Alley](http://www.sho.com/site/fatactress/people.do) and ["fat adult actress" Anna Nicole Smith](http://www.sky.com/showbiz/article/0,,50002-1174850,00.html) both had a BMI of 31 -- before they lost weight. Shortly after the 400,000 study was published, Science magazine [reported on a storm within CDC's headquarters](http://www.consumerfreedom.com/article_detail.cfm?article=162). Many top researchers warned a political agenda to exaggerate the risk of obesity had trumped scientific concerns. Debate was suppressed, and at least [one agency expert said he feared speaking out would cost him his job.](http://www.sciencemag.org/cgi/content/full/304/5672/804) An internal investigation was launched soon thereafter. The CDC buried a [summary](http://www.cdc.gov/nccdphp/publications/actual_causes.htm) of its findings on their website, and requests for the full report have gone unfulfilled. But the overview does acknowledge, "the fundamental scientific problem centers around the limitations in both the data and the methodology." In January the CDC disclosed that a small mathematical error had artificially raised their 400,000 estimate by 35,000 deaths. Some admission. If NASA operated this way, Neal Armstrong would be landing on Pluto about now. What's the difference between the original 400,000 statistic and the updated 26,000 figure? Primarily, it's that the new study uses more recent data. The 400,000 number took data from as long ago as 1948 and didn't adjust for improved medical care. Those who were able to complete high-school math and [noted this problem months ago](http://www.consumerfreedom.com/news_detail.cfm?headline=2535) can claim some measure of vindication. Unbelievably, the CDC had the more recent data readily available on its own computers. [The CDC collects that data](http://www.cdc.gov/nchs/nhanes.htm). Why didn't they use it? No one is saying. Now a CDC scientist who co-authored the original 400,000 deaths estimate admits the new number is "[a step forward](http://www.iht.com/articles/2005/04/20/news/fat.php)." Yet the agency's official position is that it will take no position. The [CDC proclaims the science is too new](http://www.theledger.com/apps/pbcs.dll/article?AID=/20050420/ZNYT02/504200403), debates about methodology "[detract from the real issue," and we shouldn't focus so much on obesity deaths anyway](http://www.ajc.com/opinion/content/opinion/0205/25cdc.html). Funny. It didn't have any of these quibbles when it announced the 400,000 number and said obesity would soon become the number one cause of preventable death. **It's said that a lie can travel halfway round the world while the truth is putting on its shoes. Well, the truth about obesity is finally lacing up.** And that's bad news for trial lawyers pursuing obesity lawsuits against food and beverage companies as well as the self-appointed diet dictators seeking extra taxes on foods they don't like.

# Answers to: Car Accidents Add-On

**[\_\_\_\_]**

[\_\_\_\_] New car technology proves trend towards safety measures to prevent car accidents

Washington Times, 2012

(June 10, <http://www.washingtontimes.com/news/2012/jun/10/safety-measure-lets-cars-talk-to-each-other-to-avo/>)

It’s also possible for connected cars to exchange information with traffic lights, signs and roadways if states and communities decide to equip their transportation infrastructure with similar technology. The information would be relayed to traffic management centers, tipping them off to congestion, accidents or obstructions. If cars are reported to be swerving in one spot on a roadway, for example, that could indicate a large pothole or obstruction. The constant stream of vehicle-to-infrastructure, or V2I, information could give traffic managers a better picture of traffic flows than they have today, enabling better timing of traffic signals to keep cars moving, for example. Correspondingly, cars could receive warnings on traffic tie-ups ahead and rerouting directions. In a line of heavy traffic, the systems issue an alert if a car several vehicles ahead brakes hard even before the vehicle directly in front brakes. And the systems alert drivers when they’re at risk of rear-ending a slower-moving car. [NHTSA](http://www.washingtontimes.com/topics/national-highway-traffic-safety-administration/) has been working on the technology for the past decade along with eight automakers: [Ford](http://www.washingtontimes.com/topics/ford/), General Motors, Honda, Hyundai-Kia, Mercedes-Benz, Nissan, Toyota and Volkswagen. “We think this is really the future of transportation safety, and it’s going to make a huge difference in the way we live our lives,” said Scott Belcher, president of the Intelligent Transportation Society of America, which promotes technology solutions to transportation problems.

[\_\_\_\_] 2010 was an all-time low for car fatalities

National Highway Traffic Safety Administration, 2012

(Februrary 9, www.nhtsa.gov/staticfiles/administration/pdf/Budgets/FY-2013\_Budget\_Highlights.pdf)

In 2010, the number of overall traffic fatalities reached the lowest level in recorded history (since 1949). In 2010, 32,885 people lost their lives on US roadways, a 2.9 percent decrease from 2009 (33,883). NHTSA’s success is attributed to the combined efforts of the various offices of the Agency. Below are highlights of NHTSA’s FY 2013 budget proposal, which is based on the Administrations Reauthorization Policy Proposal for Surface Transportation.

# No Harms – Segregation Declining

**[\_\_\_\_]**

[\_\_\_\_] Racial segregation has been reduced

Lingqian Hu, assistant professor at the University of Wisconsin-Milwaukee, 2010

(May 2010, “Urban Spatial Transformation and Job Accessibility: Spatial Mismatch Hypothesis Revisited,” Google Scholar. http://digitallibrary.usc.edu/assetserver/controller/item/etd-Hu-3392.pdf).

**During the last several decades**, many metropolitan areas have experienced notable shifts in demographics. **Racial segregation between African Americans and Whites** has been one of the central issues in the U.S. Although African Americans as a whole still face great constraints in the housing and labor market, racial segregation **has been reduced** (Wilson, 1980; Massey 2001). Moreover, with the increasing size of the African American middle class, differences within African Americans have enlarged in terms of their residential locations and socioeconomic status (Wilson, 1987; Fischer, 2003). Furthermore, African Americans gradually have become a relatively smaller minority group as Hispanics and Asians immigrate to major cities. **The original dichotomy of African Americans and Whites is no longer as crucial**; rather, segmentations of other racial/ethnic groups are also relevant. At the same time, poor people become more segregated from the affluent majority over time (Massey and Eggers, 1993; Abramson, Tobin, and VanderGoot, 1995). Economic segregation becomes increasingly evident in the urban spatial transformation. Therefore, instead of examining racial/ethnic minorities, this research focuses on low-income job seekers. Results of this research depict low-income job seekers’ different labor market conditions with respect to the spatial arrangements of low-income jobs and job seekers, and provide direct input to the planning and policy efforts which aim to reduce poverty.

[\_\_\_\_] The most recent studies indicate that segregation is declining in the US

David Ariosto, staff writer at CNN, 2012

(Study: Segregation in U.S. on decline, but disparities persist, http://articles.cnn.com/2012-01-31/us/us\_segregation-decline-study\_1\_segregation-jacob-vigdor-neighborhoods?\_s=PM:US)

**Segregation of African-Americans in cities and towns across the United States has dropped to its lowest level in more than a century, according to a recent study**. The Manhattan Institute report, released two days before the start of Black History month, points to **federal housing policies, changes in public perception and demographic shifts since the 1960s that have helped integrate the nation**. Still, the study adds, America's social and income disparities continue. "We thought about racial inequality and thought that neighborhoods had something to do with it," said **economist Jacob Vigdor** of Duke University, who **co-wrote the study with Edward Glaeser** of Harvard University **at the New York-based conservative think tank.**

# No Harms – Car Focus is Declining

**[\_\_\_\_]**

[\_\_\_\_] People are moving back into the cities now due to high transport costs

Judson Kidd, real estate advisor at Caldwell Banker, 2012

(“The Re-Urbanization of Atlanta” May 6th 2012 Coldwell Banker NRT Development Advisors)

The Unites States Census Bureau recently released updated population estimates for the first time since 2010, and the results were quite surprising.  Despite signs of economic recovery and nearly two years after the technical end of the recession, a reverse trend has developed.  **The exodus of buyers to the outlying suburbs** where homes are larger **is over**.  In fact, **the annual rate of growth in American cities and surrounding urban areas has now surpassed that of the suburbs for the first time in over 20 years.**This decrease in population in outlying areas or “Exurbs” is due to various factors.  For one, the substantial loss in home values in these areas has buyers looking for property with increased price stabilization and higher short-term ROI potential.  With foreclosure inventory nearing the bottom within the I-285 corridor, market sales are on the rise and taking prices along for the ride.  **Energy costs have a direct impact on this new trend** as well.  **The high cost of gasoline discourages long commutes**, and larger suburban homes generally come with higher heating and cooling costs. Finally, young buyers prefer an urban location, and with the emergence of the “Echo Boomers” as the next wave of new home purchasers, **this trend is likely to continue.**

# No Harms – Poverty

**[\_\_\_\_]**

[\_\_\_\_] Lack of education is the main cause of poverty, not transportation

Blake Bailey, National Center for Policy Analysis, 2003

(“How to Not Be Poor,” Jan 15, http://www.ncpa.org/pub/ba428/)

Furthermore, these lower propensities for poverty last throughout a person's life. **In every adult age group, people who fail to obtain a high school degree are more than twice as likely to fall into poverty.** People ages 25 to 54 are nearly three times as likely. The numbers are worse for long-term poverty - poverty that lasts for years. An Organization for Economic Cooperation and Development (OECD) report found that in the United States: **High school dropouts suffer a long-term poverty rate of 14.2 percent, while high school grads have only a 3.8 percent long-term poverty rate**. Only 1.2 percent of adults receiving some education beyond high school are poor long-term.

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# No Solvency – Social Inequality

**[\_\_\_\_] Turn- Mass Transit fees reduce social welfare- empirically proven**

Winston, Maheshri, 2006 – Brookings Institution, U.C. Berkeley (Clifford, Vikram, “On the Social Desirability of Urban Rail Transits,” Brookings Institution, 08/23/06, http://www.brookings.edu/~/media/research/files/papers/2006/8/rail%20systems%20winston/08\_rail\_systems\_winston.pdf)//AX

The evolution of urban rail transit in the United States over the past twenty years has been marked by three inescapable facts that signal an inefficient allocation of transit resources. Rail’s share of urban travelers is declining during a period when there has been little investment in new roads; its deficits are rising sharply; and yet investment to build new systems and extend old ones continues. In 1980, two million Americans got to work by rail transit. Today, in spite of an increase in urban jobs and transit coverage, fewer than one million U.S. workers commute by rail, causing its share of work trips to drop from 5 percent to 1 percent.1 Although rail transit’s farebox revenues have consistently failed to cover its operating and capital costs since World War II, governmental aid to cover transit deficits has been increasingly available. Since 1980, annual operating subsidies have climbed from $6 billion to more than $15 billion today (APTA Transit Fact Books, figures in 2001 dollars). Capital subsidies have also increased as transit agencies struggle to maintain and provide new facilities, track, and rolling stock. These worrisome trends, however, have not curbed U.S. cities’ appetite for rail transit service. During the 1990s, Cleveland, Washington, Santa Clara, Sacramento and other cities expanded their systems, while Los Angeles, Denver, Dallas, and St. Louis built new ones. Recently, Houston and Minneapolis opened new light rail lines while small, sparsely populated cities such as Sioux City, Harrisburg, and Staunton, Virginia suggested that they want federal funds to help build their systems. And although county residents repeatedly nixed a referendum to build a $4 billion extension of Washington’s Metro out to Dulles airport, planners nevertheless circumvented popular will and diverted increased toll revenue from the Dulles toll road to finance a portion of the ultimate extension. Any private firm that was losing market share and reporting increasing losses would be hard pressed to attract funds to expand. Almost certainly, it would try to determine the most efficient way to contract. Of course, a transit agency does not seek to maximize profits, but its public financing is justified only if it is raising social welfare, where social welfare can be measured as the difference between net benefits to consumers and the agency’s budget deficit, also taking into account relevant externalities (for instance, the reduction in roadway congestion attributable to rail). Although the costs and benefits of public rail transit operations have been debated in the policy community (see, for example, Litman [1]), we are not aware of a recent comprehensive empirical assessment of rail’s social desirability.2 The purpose of this paper is to estimate the contribution of each U.S. urban rail operation to social welfare based on the demand for and cost of its service. We find that with the single exception of BART in the San Francisco Bay area, every U.S. transit system actually reduces social welfare. Worse, we cannot identify an optimal pricing policy or physical restructuring of the rail network that would enhance any system’s social desirability without effectively eliminating its service. Rail transit’s fundamental problem is its failure to attract sufficient patronage to reduce its high (and increasing) average costs. This problem has been complicated enormously by new patterns of urban development. Rail operations, unfortunately, are best suited for yesterday’s concentrated central city residential developments and employment opportunities; they are decidedly not suited for today’s geographically dispersed residences and jobs. At best, urban rail service may be socially desirable in a few large U.S. cities if its operations can be adjusted to mirror successful privatization experiments conducted abroad. Ironically, however, rail transit enjoys powerful political support from planners, civic boosters, and policymakers, making it highly unlikely that rail’s social cost will abate.

# No Solvency – Social Inequality

**[\_\_\_\_] Turn- promoting Mass Transit as the answer to Social Inequality only hurts social welfare- it empirically won’t help but will prevent real solutions**

Winston, Maheshri, 2006 – Brookings Institution, U.C. Berkeley (Clifford, Vikram, “On the Social Desirability of Urban Rail Transits,” Brookings Institution, 08/23/06,

http://www.brookings.edu/~/media/research/files/papers/2006/8/rail%20systems%20winston/08\_rail\_systems\_winston.pdf)//AX

Could any system be transformed to have a positive effect on social welfare? We are unable to find ways to significantly raise the net benefits of the nation’s transit systems given their current operations. However, recently privatized rail transit systems in foreign cities, notably Tokyo and Hong Kong, have been able to eliminate deficits by reducing labor and capital costs and by introducing more comfortable cars and remote payment mechanisms, among other innovations, that have reduced operating costs and expanded ridership. We therefore investigated which, if any, U.S. rail transit systems would become socially desirable assuming privatization reduced short-run total costs 20 percent—a plausible estimate based on U.S. and foreign experience with bus transit privatization (Winston and Shirley [3]). With the exception of BART, which already generates small net benefits, we found that such a cost reduction would result in only the New York City and Chicago systems producing positive net benefits. We are not aware of any public officials who have endorsed complete privatization of rail transit. On the other hand, a few have encouraged bus transit agencies to contract with private companies in an effort to reduce costs. Private contracting would be a politically more feasible alternative to privatization, but it appears that at best it would enable only a few rail systems to be socially justified. Because no policy option exists that would enhance the social desirability of most urban rail transit systems, policymakers only can be advised to limit the social costs of rail systems by curtailing their expansion. Unfortunately, transit systems have been able to evolve because their supporters have sold them as an antidote to the social costs associated with automobile travel, in spite of strong evidence to the contrary.40 As long as rail transit continues to be erroneously viewed in this way by the public, it will continue to be an increasing drain on social welfare.

# No Solvency – Social Inequality

[\_\_\_\_] The problem with racism and poverty is not mobility rather its residential segregation.

Turner at al 2009 (Margery Austin Turner, Vice President for Research at the Urban Institute, where she leads efforts to frame and conduct a forward-looking agenda of policy research and Karina Fortuny. Researcher at the Urban Institute, “Residential Segregation and Low-Income Working Families”, February 2009, DM)

**Segregated housing patterns not only separate white and minority neighborhoods, but also help create and perpetuate the stubborn disparities in employment, education, income, and wealth. More specifically, res- idential segregation distances minority jobseekers (particularly blacks) from areas of employment growthand opportunity**. Beginning in the late 1960s, John Kain argued that **the concentration of blacks in segre- gated central-city neighborhoods limited their access to employment, as growing numbers of jobs moved to predominantly white suburban locations (**Kain 1968). **As demand for labor shifted away from the neighborhoods where blacks were concentrated, discrimination in housing and mortgage markets prevented blacks from moving to communities where job growth was occurring, and information and transportation barriers made it difficult to find and retain jobs in these distant locations.** William Julius Wilson (1987) expanded on this basic “spatial mismatch” story, arguing that **the exodus of jobs from central-city locations, combined with the persistence of residential segregation, contributed to rising unemployment among black men during the 1980s, as well as to worsening poverty and distress in black neighborhoods.2 More recent evidence confirms that residential segregation continues to separate minorities from centers of employment opportunity, and that this separation contributes to unequal employment outcomes** (Raphael and Stoll 2002). But **the traditional image of minorities trapped in central-city neighborhoods while jobs disperse to more and more distant suburban locations is probably too simplistic. Today, minority workers** (and especially low-skilled black workers) **are still overrepresented in central cities, while jobs** (especially low-skill jobs) **are widely dispersed throughout the suburbs**. However, in the decades since Kain first articulated the spa- tial mismatch hypothesis, many minorities have gained access to housing in the suburbs. The barriers of segregation and discrimination are falling (slowly perhaps, but perceptibly), and nonblack minorities (whose numbers are growing) appear to face substantially lower levels of segregation than blacks. Nonetheless, **the suburban residential communities where minorities live are generally not the suburban jurisdictions that offer the most promising job opportunities**. In many metropolitan regions, **job growth has been the most robust in predominantly white suburbs and weakest in predominantly black suburbs** (Turner 2008). Recent research indicates that nearly half of all low-skill jobs in the white suburbs are inaccessible by public transportation, making it particularly difficult for minority residents of other sub- areas to reach them (Stoll, Holzer, and Ihlanfeldt 2000). **And the race or ethnicity of new hires into low- skill jobs generally matches the racial composition of the area where jobs are located** (Stoll et al. 2000). **Black workers in particular are underrepresented in jobs located in predominantly white suburban com- munities. And although jobs in the central business district may be accessible for workers of all races and ethnicities, these jobs tend to be highly competitive and may require higher skills** (Holzer 2001). Thus, **residential segregation continues to put considerable distance between minority workers—especially African Americans—and areas of greatest employment opportunity. Residential segregation also contributes to minorities’ unequal educational attainment, which reinforces their disadvantage in today’s labor market**.

# No Solvency – Car Culture

**[\_\_\_\_]**

[\_\_\_\_] Car culture is too essential to our society – alternatives won’t be taken seriously

Philip J Vergragt, Visiting Scholar at MIT, 2004

(Management for Sustainable Personal Mobility: The Case of Hydrogen Fuel Cells” Autumn 2004)

So far, each of these **solutions** has **captured only a** very **small fraction of the market, with the car** (including SUVs and vans) **continuing to be** the **preferred** solution **for personal mobility**. **This is no surprise if we take into account the entrenchment of the car system**, and with it the petrol system, in Western industrialised societies (Knot et al. 2001). **The inertia in such a system is enormous**, not just for economic, scientific and technological infrastructure reasons, but also **because of the vested interests of powerful key actors such as** vehicle **manufacturers and oil companies**, mining companies, petrol stations, dealers and repair shops. **Moreover, many authors have noted the powerful position of the car as a modern cultural icon** (Grin et al. 2003). Governments do not escape societal preferences; on the contrary, **government policies are expressions of** such **preferences**. Furthermore, governments can do what societal interest groups cannot: for instance, regulate emissions to air. However, **governments in democratic industrialised societies do not regulate** personal **car use** or choice of car. Hence, government regulation has, until recently, concentrated on controlling the negative impacts of car use (such as exhaust emissions), through technologies such as the catalytic converter, and by providing fiscal incentives to change consumers' behaviour: for example, by reducing fuel duty on unleaded petrol. Further, governments can increase tax on unleaded petrol (as has been done in Europe but much less so in the US) and they can regulate access to inner cities by permits, parking fees and congestion charges.

# No Solvency – Car Culture

**[\_\_\_\_]**

[\_\_\_\_] There won’t be a transition away from cars—The love of the car prevents people from seeing any problems

Robert Creighton, MA student at The New School for Public Engagement, 2005

(“Absence of Motion: Stillness in Cars” Project Thesis for the Master of Arts in Media Studies New School University)

**Automobiles have played an essential role in** the development of **U.S. culture** throughout the last century. They represent better than any other consumer product the overwhelming power of the industrialization processes that were refined at the turn of the nineteenth century – **so much so that the last** one **hundred years could be** rightly **called the century of the car**. The impact of their production techniques and the business models of those that made them cannot be overstated. **The car reached into all aspects of our lives.** However it is **the cultural impact of the car** that **has the greatest role in society**. " The space that they occupy in the American psyche leads to **the love affair with cars** that we have maintained over the last 70 years. It **acts as a mask when we want to ask difficult questions** about the role of automobility in the future. Our emotional attachment to the car hides the inherent problems that they bring to the table. Car trouble has serious implications beyond the everyday frustrations one experiences in traffic. Yet the methodology of the car remains the same. Commercials espouse freedom, openness, and motion. These past ideals dominate the discussion of cars in the public sphere of the United States and throughout the rest of the world. The following examples will suggest how we’ve arrived at this point where the emotional attachment to the automobile is still so strong.

# No Solvency – No Riders

[\_\_\_\_] No one will use mass transit – Europe Proves

RobertUtt, Ph.D., is Herbert and Joyce Morgan Senior Research Fellow in the Thomas A. Roe Institute for Economic Policy Studies at The Heritage Foundation, 2011

(“Time to End Obama’s Costly High-Speed Rail Program,” 2/11, <http://www.heritage.org/research/reports/2011/02/time-to-end-obamas-costly-high-speed-rail-program>)

If one’s knowledge of European travel preferences comes from Time, The New York Review of Books, and Pink Panther movies, then the President’s statement would seem to ring true. Sadly, the reality is quite different. European and Asian governments have paid staggering sums to subsidize a mode of travel that only a small and shrinking share of their populations uses.[[18]](http://www.heritage.org/research/reports/2011/02/time-to-end-obamas-costly-high-speed-rail-program" \l "_ftn18) In its most recent report on European travel patterns, the European Commission noted that passenger rail’s share of the European market (EU-27) declined from 6.6 percent in 1995 to 6.3 percent in 2008, reaching a low of 5.9 percent in 2004. Market shares for autos and buses also fell over the period, while the airlines’ market share jumped. In effect, Europeans are adopting more American modes of travel, despite massive taxpayer subsidies for rail. They are shifting their travel to unsubsidized, taxpaying airlines, which expanded their market share from 6.5 percent in 1995 to 8.6 percent in 2008. Indeed, by 2008, passenger rail’s share of the transportation market was the lowest of all modes, except travel by sea and motorcycles.[[19]](http://www.heritage.org/research/reports/2011/02/time-to-end-obamas-costly-high-speed-rail-program" \l "_ftn19) Although the total size and scope of European subsidies for passenger rail are not known, a recent report by Amtrak’s Inspector General indicated that they are sizable and likely exceed what the U.S. government pays for highways. One purpose of the review was to address the contention that passenger rail in other countries, especially HSR, operates at a profit (that is, without subsidies). For 1995–2006, the study found that the governments of Germany, France, the United Kingdom, Spain, Denmark, and Austria spent “a combined total of $42 billion annually on their national passenger railroads.”[[20]](http://www.heritage.org/research/reports/2011/02/time-to-end-obamas-costly-high-speed-rail-program" \l "_ftn20) These six countries have a combined population of 269 million, and their expenditure of $42 billion on passenger rail in 2006[[21]](http://www.heritage.org/research/reports/2011/02/time-to-end-obamas-costly-high-speed-rail-program" \l "_ftn21) is roughly proportional to the $54.8 billion that the government of the United States (population of 309 million) spent on all forms of transportation, including highways, rail, aviation, water transport, and mass transit.[[22]](http://www.heritage.org/research/reports/2011/02/time-to-end-obamas-costly-high-speed-rail-program" \l "_ftn22) Data from individual countries reveal the financial catastrophes that the U.S. could confront if it embraces Euro-style passenger rail programs. According to the left-leaning The Economist, passenger rail subsidies reached $8.9 billion in 2008– 2009, and the magazine wondered: It is not clear why the public should be heavily subsidizing a mode of transport that accounts for a tiny minority of all travel: 8% of the total distance travelled in Britain during 2009, compared with 85% by cars and vans. The relatively few who use railways often are disproportionately well-off: three-fifths of the traffic is concentrated in the wealthy commuting counties of the south-east.[[23]](http://www.heritage.org/research/reports/2011/02/time-to-end-obamas-costly-high-speed-rail-program" \l "_ftn23) Despite these massive subsidies, rail ticket prices are still comparatively high. At present, two people traveling from Heathrow airport to downtown London can hire a limousine that meets them at the baggage claim and takes them directly to their destination for less than the cost of taking the Heathrow Express to Paddington Station and then taking the Tube or a taxi to their final destination.

# No Solvency – No Riders

### [\_\_\_\_] Only works in urban areas with lots of jobs- most of the country won’t use it

**O’Toole, 2010** - senior fellow at the Cato Institute (Randal, “Fixing Transit The Case for Privatization”, 11/10, <http://www.cato.org/pubs/pas/PA670.pdf>)

At best, all this money has done is arrest the decline in transit ridership. In 1944, about 84 million Americans lived in urban areas, and they rode transit an average of 275 times a year. Since that year, per capita urban ridership declined steadily to 60 trips per year in 1965 and less than 50 trips per year in 1970. Since then, it has fluctuated—mainly in response to gasoline prices—between about 40 and 50 trips a year, settling at 45 trips per year in 2008. 30 Although the national average is 44 trips per urban resident, fewer than two dozen urban areas out of the more than 320 that provide transit service exceed this average. Transit systems in nearly half of all urban areas with transit service attract fewer than 10 rides per resident per year. As Table 1 suggests, urban areas with high rates of transit ridership tend to have large concentrations of jobs at the urban core (such as New York City; San Francisco; and Washington, DC) or are college towns (as in State College, Pennsylvania; Ames, Iowa; and Champaign–Urbana, Illinois). The presence or absence of expensive rail transit does not seem to be an important factor in the overall use of transit. While per capita ridership may have remained steady at about 40 to 50 trips per year, transit’s share of travel has declined as per capita urban driving has grown. From 1970 through 2008, per capita transit ridership stagnated, but per capita driving of personal vehicles grew by 120 percent. 31 As a result, transit’s share of motorized urban travel fell from 4.2 percent in 1970 to 1.8 percent in 2008. 32

### [\_\_\_\_] Mass transit fails – people empirically won’t use it even if it is funded

**Wall Street Journal, 2012** – editorial (“Why Your Highway Has Potholes,” 4/15,

<http://online.wsj.com/article/SB10001424052702303815404577333631864470566.html?mod=WSJ_Opinion_LEADTop>

Since 1982 government mass-transit subsidies have totaled $750 billion (in today's dollars), yet the share of travelers using transit has fallen by nearly one-third, according to Heritage Foundation transportation expert Wendell Cox. Federal data indicate that in 2010 in most major cities more people walked to work or telecommuted than used public transit.

Brookings Institution economist Cliff Winston finds that "the cost of building rail systems is notorious for exceeding expectations, while ridership levels tend to be much lower than anticipated." He calculates that the only major U.S. rail system in which the benefits outweigh the government subsidies is San Francisco's BART, and no others are close to break-even.

# No Solvency – No Riders

#### [\_\_\_\_] Infrastructure alone does not solve

Miles Tight and Moshe Giovoni 2010

(The Role of Walking and Cycling in Advancing Healthy and Sustainable Urban Areas” BUILT ENVIRONMENT VOL 36 NO 4)

Sustainable mobility is the new paradigm in transport planning and policy (Banister, 2008) and ‘Planning and health is big news’ (Boarnet, 2006, p. 5) according to a special issue of the Journal of the American Planning Association on ‘Planning’s role in building healthy cities’. At the heart of the new planning and policy model are two modes of transport which until recently did not seem to register as being important, at least in the eyes of many researchers, planners and policy-makers. These modes are walking and cycling, commonly referred to as ‘active travel’. Now the number of research papers related to walking and cycling is growing rapidly. A recent review of evidence on cycling as a commuting mode (Heinen et al., 2010) found more than 100 relevant studies, the majority of them including empirical evidence. The interest is not only within academia, it is also evident in the fi eld. Some of the largest and most prosperous cities in the world, New York, London and Paris, amongst others, are adopting pro-walking and cycling policies, investing in appropriate supporting infrastructure, and have recently (Paris and London) rolled out large cycle-hire schemes. Transport strategies for most cities include an element (at least offi cially) that promotes the use of these modes. Despite this, transport, even for short distances, is still heavily dominated by the use of the private car. Perhaps one of the first realizations emerging from the latest research on walking and cycling is that promoting walking and cycling **use is not just a simple question of infrastructure provision.**

### [\_\_\_\_] No one will use it- only 10% of jobs are near mass transit

**O’Toole, 2011** - senior fellow at the Cato Institute  (Randal, “Transportation: From the Top Down or Bottom Up?,” 5/25, <http://www.cato.org/publications/commentary/transportation-top-down-or-bottom>)

Central planners' fascination with trains is a wonder to behold. A group called Reconnecting America laments that only 14 million American jobs — about 10 percent — are located within a quarter mile of transit, by which they mean rail transit. The group advocates spending a quarter of a trillion dollars to increase this to 17.5 million jobs, or 12.5 percent.

Simply putting transit close to jobs, however, doesn't mean people will ride it. The Brookings Institution recently ranked San Jose as the second-most transit-accessible urban area in America, while Chicago was ranked 46th. Yet the Census Bureau says only 3.4 percent of San Jose commuters use transit, compared with 13.2 percent in Chicago.

# No Solvency – Not Sustainable

### [\_\_\_\_]

### [\_\_\_\_] Mass transit isn’t economically sustainable and will collapse

**O’Toole, 2008** - senior fellow at the Cato Institute  (Randal, “Light-Rail Systems Are a False Promise,” 9/16, <http://www.cato.org/publications/commentary/lightrail-systems-are-false-promise>

Rail transit has become such an albatross around the necks of the American cities that have it that it is hard to imagine that anyone of good will would wish it upon Kansas City. Rail transit is expensive to build, to operate and maintain. One of rail transit’s dirty secrets is that the entire system - rails, cars, electrical facilities, stations - must be replaced, rebuilt or rehabilitated roughly every 30 years. This costs almost as much as the original construction, which means for taxpayers that rails are a "pay now, pay more later" proposition. The Chicago Transit Authority is on the verge of financial collapse. The agency estimates it needs $16 billion it doesn’t have to rehabilitate tracks and trains. To keep the trains running, the agency siphoned money away from the city’s bus system and lost a third of its bus riders between 1986 and 1996. Newer systems face other financial challenges. San Jose’s light-rail system put the city’s transit agency so far in debt that when sales tax revenues fell short early in this decade, it was forced to cut bus and rail service by 20 percent. Rail construction almost always costs more than the original estimates. Denver voters approved a 119-mile rail system in 2004 on the promise that it would cost $4.7 billion to build it by 2017. The current estimate is up to $7.9 billion, and the regional transit agency says the system might not be complete until 2034.

# Road Focus Better – Automobile Industry

[\_\_\_\_] Automobile dependency is key for boosting the economy

Todd Litman and Felix Laube, founder and executive director of the Victoria Transport Police, 2012

(“Automobile Dependency and Economic Development”, www.vtpi.org/ecodev.pdf)

Automobile dependency has various impacts that affect economic development.6 These are summarized below and some are discussed in detail later in this paper. *1. Increased Mobility And Convenience For Motorists* **Automobile dependency directly benefits vehicle users: favorable pricing, investment, facility design, parking and land use practices make driving relatively fast, convenient and affordable**. **It also allows businesses to use more centralized distribution systems** and Just-In-Time production, **and to access a wider range of possible employees and customers, which can cause certain types of agglomeration efficiencies, such as large retail centers. These savings and efficiencies can increase economic development if they increase the productivity of local industries**. These productivity benefits are separate and in addition to consumer benefits from increased mobility. However, not all increased vehicle use by producers represents increased productivity. As discussed later in this paper, **automobile dependent transportation systems and land use patterns require more travel to provide a given level of services.**

# Road Focus Better – Jobs

[\_\_\_\_] The automobile industry is key to providing jobs, nearly 10% of recent jobs were directly created through the automobile industry

Adam Hershand *Jane* Farrell, *an economist at the Center for American Progress Action Fund,Special Assistant for Economic Policy at CAPAF,* 2012

(A[uto Industry Provides Bright Spot In Jobs Report, Proving Again That Letting It Fail Would Have Been The Wrong Course](http://thinkprogress.org/economy/2012/04/06/459857/auto-industry-bright-spot/), <http://thinkprogress.org/economy/2012/04/06/459857/auto-industry-bright-spot/> April 6th 2012)

Today’s jobs report from the Department of Labor shows that **the private sector** [has added jobs](http://www.marketwatch.com/story/economy-fights-headwinds-politics-for-jobs-gain-2012-04-06?link=MW_latest_news) **for the past 25 months consecutively. One particular bright spot: auto industry employment continued its winning streak**. **Nearly ten percent of the 120,000 U.S. jobs added in March were a result of strong growth in the motor vehicles and parts manufacturing sector, serving as yet another wake-up call regarding whose ideas are working for the economy**. Many Republicans — including the GOP’s presidential front-runner, Mitt Romney, said we should “let Detroit go bankrupt“. Auto industry jobs suffered a steady decline in the 2000s even before the Great Recession hit. From March 2001 — the previous cycle peak — to December 2007, auto jobs fell from 1.24 million to 956,000. As the housing bubble economy deflated and the financial crisis on Wall Street threw us further into a tailspin, auto industry employment fell by another one-third. **Fortunately, the Obama administration had the** [vision and perseverance](http://www.whitehouse.gov/the-press-office/fact-sheet-obama-administration-auto-restructuring-initiative-general-motors) **to come to the aid of the auto industry in early 2009. By organizing a restructuring of the industry instead of letting it go bankrupt, the Administration saved hundreds of thousands of American jobs and a vital sector of the U.S. economy**. The graph here shows the cumulative net change in motor vehicles and parts industries jobs since June 2009–the month that General Motors filed for Chapter 11 bankruptcy and the Obama administration’s strategy for restructuring the American auto industry really kicked into high gear. **From June 2009 to March 2012, the industry increased employment by more than 22 percent, or 139,000 new jobs created. And last week, U.S. automakers registered their** [strongest sales growth since early 2008](http://www.calculatedriskblog.com/2012/03/us-light-vehicle-sales-at-151-million.html)**, even stronger than during the** [successful “Cash for Clunkers” program](http://www.americanprogress.org/issues/2010/10/cash_over_clunkers.html) **in summer 2009. Industry output growth recovered, too. After falling 60 percent in 2008 and 25 percent in 2009, U.S. motor vehicle output grew by 27 percent in 2010 and 12 percent in 2011, adjusting for inflation**. Growth in 2011 was held back by the March 2011 Japanese earthquake, which disrupted global automotive supply chains. **Without the Obama administration’s bold efforts to restructure the American auto industry, not only would these auto industry jobs not exist, but hundreds of thousands of other jobs upstream and downstream from the auto industry would have disappeared as well.**

# Road Focus Better- Economy Impact

[\_\_\_\_] Economic collapse leads to poverty and unemployment

Sharing for Success 2012

(Sharing For Success, “Lack of Jobs in Georgia Leads to Increase in Poverty”, <http://job-library.classifieds1000.com/poverty/20111104-154315-Lack-of-Jobs-in-Georgia-Leads-to-Increase-in-Poverty>)

I know, the title seems to say it all, but it wouldn't be much of an article without a few facts to back it up.   Recent census data indicates the poverty level in Georgia is one of the highest in the U.S. **More than 1.8 million residents fall into the category of financially impoverished**. This puts Georgia in the number three spot behind Louisiana and Mississippi. Joblessness impacts a number of other key factors in the state. Georgia also ranked high among the uninsured. Approximately 19 percent of the state's population is uninsured. Georgia has joined other states to challenge the President's healthcare plan. **The rising number of uninsured, stems from increases in insurance premiums and the growing number of residents who, for one reason or another, find themselves without gainful employment**. These issues need to be addressed, and Obama's healthcare "solution" is not a "one size fits all" plan. Georgia's uninsured numbers beat out Louisiana, Mississippi, Nevada, New Mexico, South Carolina and Texas.That's not much consolation for a state desperately trying to remedy the situation with little success. To make matters worse, Georgia's population is growing. Census figures from 2010 rank it ninth most populous, with a growth rate of 18.3 percent. This is far beyond the national growth rate of 9.7 percent. **State budget cuts have worsened the effects of the declining economy**. State representatives stress a need for jobs and economic investment. Democrats say revenue from state and federal levels is needed to balance out state cuts that seem to be driving the poverty levels. Whatever side of the political fence you reside on, one thing is certain: **those living at or below the poverty level** in Georgia **do not have a chance to improve their quality of life until additional jobs are created.** It really doesn't matter where they come from-jobs created by small business owners, large companies moving to the state or the government. At this point, Georgia needs jobs, and needs them now.

# Roads Focus Better- Answer to: No Trade-off

[\_\_\_\_]

[\_\_\_\_] Increasing funding for mass transit directly trades off with funding for highways

Gerald E Frug, Samuel R. Rosenthal Professor of Law at Harvard University, 1998

(“CITY SERVICES”, LexisNexis, 4/98)

Highway maintenance also raises broader issues than the need to fill potholes. Fixing the streets is simply one of the many direct costs imposed on cities by America's automobile-based society: cities spend money policing the streets, sweeping them, installing traffic signals, and sending the fire department and paramedic services when accidents occur. n223 And **highways are only one ingredient in a transportation system** that can either link metropolitan residents together or divide them from each other. **Decisions about the allocation of funds for highways, mass transit, and bicycle paths have had a major impact** on the design of the area's streets, housing, and commercial life and, with it, the accessibility of jobs for the poor. Indeed, some cities and neighborhoods have excluded the region's mass transit system to prevent "undesirables" from having easy access to them, and highways have been located to separate the region into racially identifiable spaces. n224 This history of isolating the poor makes it clear that **a decision to shift resources from highways to a fully accessible mass transit system would affect the lives of everyone** in the region, not just those who ride the trains. n225 So does a recognition of the effect that such a shift would have on the extent of car generated pollution throughout the metropolitan area.

# Road Focus Better – Answers to: Highways Declining Now

[\_\_\_\_] US infrastructure is strong now

Charles Lane, Washington Post editor, 2011

(Charles, “The U.S. infrastructure argument that crumbles upon examination”, 10-31, <http://www.washingtonpost.com/opinions/the-us-infrastructure-argument-that-crumbles-upon-examination/2011/10/31/gIQAnILRaM_story.html>)

So how come my family and I traveled thousands of miles on both the east and west coasts last summer without actually seeing any crumbling roads or airports? On the whole, the highways and byways were clean, safe and did not remind me of the Third World countries in which I have lived or worked. Should I believe the pundits or my own eyes? For all its shortcomings, U.S. infrastructure is still among the most advanced in the world — if not the most advanced**.** I base this not on selective personal experience but on the same data alarmists cite. The contiguous United States(that is, excluding Alaska and Hawaii) cover 3.1 million square miles, including deserts, mountain ranges, rivers and two oceanic coastlines. In a world of vast dictatorships (China), tiny democracies (Switzerland) and everything in between, from Malta to Mexico, the challenge of building and maintaining first-rate roads, bridges, railroads, airports and seaports in a country like the United States is extraordinary — and so is the degree to which the United States succeeds. When you compare America’s WEF rankings with those of the 19 other largest countries, it stands second only to Canada, which is lightly populated — and whose infrastructure is linked with ours. Among the 20 most populous countries, the United States ranks behind France, Germany and Japan, in that order. This would seem to confirm the case for U.S. inferiority in the developed world. But France and Germany, in addition to being substantially smaller than the United States, are part of the European Union, a borderless single market from the Baltic Sea to the Black Sea. Sure enough, when you average out the scores of all 27 E.U. nations, the United States beats them by a clear margin. The WEF produced its rankings based on a survey in which business executives were asked to rate their respective countries’ infrastructure on an ascending scale of 1 to 7. Barbados’s 5.8 average score means that paradise’s execs are a smidgen happier with their infrastructure than are their American counterparts, who gave the United States an average score of 5.7. This is a “national disgrace”? Barbados has one commercial airport. The United States has more than 500. The WEF asked executives to rate “railroad infrastructure,” without distinguishing between freight (which excels in the United States) and passenger (which does not). Perhaps the survey’s subjectivity accounts for odd results such as Guatemala outranking Italy. Or that the U.S. score plunged below 6.0 for the first time in 2008 — proof of a sudden drop in the actual quality of our roads and bridges, or merely an indicator of the general despondency that hit U.S. businesses along with the Great Recession? **And while that D from the American Society of Civil Engineers is undoubtedly sincere, the organization has a vested interest in greater infrastructure spending, which means more work for engineers**. The engineers’ lobby has given America’s infrastructure a D in every one of its report cards going back to 1998, except for 2001, when the mark was D-plus.

Crime Turn

### [\_\_\_\_] Mass transit attracts increased crime

Gary Stoller, reporter for USA Today, 2011

(“US: Crime Lurks Outside Airports, Rail Stations”, Mass Transit Magazine, 7/12/11, http://www.masstransitmag.com/news/10295844/us-crime-lurks-outside-airports-rail-stations)//LP

The CAP Index study finds that the likelihood of crime is nearly eight times higher than the national average outside Philadelphia airport and nearly five times higher outside Newark airport. The likelihood of crime exceeds the national average outside 28 of 29 big-city airports in the study and outside all 26 central train stations, says CAP Index, which uses statistics, demographics and computer modeling to determine the likelihood of crime. Of the 29 airports, about half have surrounding neighborhoods where the likelihood of crime is more than four times higher than the national average. Of 26 central train stations, 21 have surrounding neighborhoods where the likelihood is more than four times higher. CAP Index President Jon Groussman says his company's analysis of law enforcement and clients' loss data shows a large number of crimes are committed in such neighborhoods. "You are clearly getting into a more elevated risk potential" when you enter a neighborhood with a crime likelihood at least four times the national average, he says. CAP Index says its crime-risk determinations are 70% to 90% accurate. Like other probability formulas, CAP Index's methodology has its limitations, company officials acknowledge, because it does not take into account various variables, including police force size, amount of security equipment being used and current events. Rosemary Erickson, a criminologist and security expert, says CAP Index is "extremely useful for predicting crime," and travelers should heed its findings for neighborhoods outside airports and central train stations. The areas outside airports and central train stations have a higher likelihood of crime because they're often poor neighborhoods and are probably not as effectively policed as some downtown areas, says Lewis Yablonsky, emeritus professor of criminology at California State University-Northridge.

[\_\_\_\_] Crime causes long term psychological impacts to the victims, causing more poverty.

Scott Erickson, MS in Criminal Justice Studies, 2012

( February 12, <http://dailycaller.com/2010/02/19/the-financial-impact-of-crime/#ixzz22ADB7rw1> )

Intangible costs associated to crime are often difficult to quantify; however **it is not difficult to imagine the long term effect that psychological trauma or a reduced quality of life have on victims of crime**. **Upwards of** [**5 million Americans**](http://www.house.leg.state.mn.us/hrd/pubs/costcrime.pdf) **are estimated to receive mental health therapy directly related to their victimization**. This represents a significant financial cost in both real terms as well as in estimates of reduced individual productivity. **The trauma associated to criminal victimization often leads to troubled** personal and professional **relationships and can limit the anticipated earnings an individual might expect to produce** throughout their lifetime. Recognizing the reduction in **lost opportunity costs significantly increases the financial impact that crime places upon society**.

# Crime Turn – Impact Extension

[\_\_\_\_] Crime costs society over $130 billion each year.

Scott Erickson, MS in Criminal Justice Studies, 2012

(February 12, <http://dailycaller.com/2010/02/19/the-financial-impact-of-crime/#ixzz22ADB7rw1> )

Seeking to more accurately account for these hidden cost estimates, **economist David Anderson provided a disquieting account of the financial impact of crime** in his 1999 study [The Aggregate Burden of Crime](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=147911)**. Anderson estimated** t**he cost of crime within the United States to be upwards of $1.7 trillion annually**. His estimates far exceeded those of previous studies; however a closer examination of his methodology provides a useful insight into his conclusions.Anderson’s study included a comprehensive analysis of previously overlooked variables such as the aforementioned reduction in opportunity costs emanating from both the commission of crime as well as the victimization of crime. Often unrecognized are the potential earnings forecasts attributable to those serving time for criminal activity. **Anderson estimated that each incarcerated inmate represented an annual productivity loss of over $23,000**. **Calculating lost opportunity costs coupled with the time and effort that individuals expend on securing their assets from crime, Anderson placed the annual loss from these variables alone at over $130 billion**.

# Gentrification Turn

[\_\_\_\_] An investment in mass transit will contribute to a greater gentrification as it causes people to move from the suburbs to the cities inevitably rising house prices

Gerg St. Martin, Writer for Coalition on Sustainable Transportation, 2010

(New Transit May Cause Unintended Gentrification, <http://www.costaustin.org/jskaggs/?p=1333>)

A Northeastern report warns of the unintended consequences of first-time expansion of transit into some metropolitan neighborhoods. **Extending public transportation to a metropolitan neighborhood** for the first time can, in some cases**, raise rents, bringing in a population of wealthier residents who would rather drive than take public transportation**. That’s the conclusion of a report by the Kitty and Michael Dukakis Center for Urban and Regional Policy, which found that **new public transit investments can sometimes lead to gentrification that prices out renters and low-income households**—people considered core public-transportation users—**working against the public goal of boosting transit ridership**. The study, released today, urged planners and policymakers to consider the unintended consequences of neighborhood gentrification when expanding or improving public tr ansit, given the risk that transit investment can cause undesirable neighborhood change. “Transit planners frequently speak of the need for transit-oriented development to support ridership, but what transit stations need is transit-oriented neighbors who will regularly use the system,” said Stephanie Pollack, the report’s lead author and associate director of the Dukakis Center. “**In the neighborhoods (around the country) where new light rail stations were built**, almost every aspect of neighborhood change was magnified,” added Barry Bluestone, director of the Dukakis Center and the report’s coauthor. “**Rents rose faster**; owner-occupied units became more prevalent**. Before transit was built, these neighborhoods had been dominated by low-income, renter households**.” The report, “Maintaining Diversity In America’s Transit-Rich Neighborhoods: Tools for Equitable Neighborhood Change,” was funded by the Rockefeller Foundation. It includes new research analyzing socioeconomic changes in 42 neighborhoods in 12 metropolitan areas across the United States first served by rail transit between 1990 and 2000. The report’s findings, researchers said, also raise concerns about equity. Core transit riders are predominantly people of color and/or low-income who disproportionately live in transit-rich neighborhoods. Researchers calculated that transit-served metropolitan regions are currently home to over half of all African Americans, 60 percent of all Hispanics and 70 percent of all immigrants in the United States. The report’s recommendations include advising policymakers to get ahead of the issues using coordinated and community-responsive planning tools, and designing policies that attract core and potential transit users to these now transit-rich neighborhoods. To moderate increases in rents, future housing policies should include funding for land and property acquisition, preservation of existing affordable housing, and creation of new affordable housing, researchers said.

# Gentrification Turn

[\_\_\_\_] An increase in house prices will cause reinforce segregation and force people who can’t afford to pay increased rents out of their own neighborhoods

Thomas W. Sanchez et al, an associate professor of Urban Affairs and Planning and research fellow in the Metropolitan Institute at Virginia Tech, 2003

(Rich Stolz is Senior Policy Analyst at Center for Community Change. Jacinta S. Ma is a Legal and Policy Advocacy Associate at The Civil Rights Project at Harvard, “Moving to Equity: Addressing Inequitable Effects of Transportation Policies on Minorities”)

Another housing-related impact of transportation policies is gentrification. **Gentrification is** commonly characterized as a transformation of neighborhood conditions that encompass physical, economic, and demographic dimensions and can be defined as “**the process by which higher income households displace lower income residents of a neighborhood, changing the essential character and flavor of that neighborhood**.”122 It occurs for a number of reasons, including increased desirability of an area due to a transportation investment such as extension of a commuter rail line, new or improved train service or station, or addition of a highway ramp or exit. Most commonly, gentrification has been portrayed in terms of residential location patterns, such as “back to the city” flows of middle-income households from the urban fringe or suburbs or elsewhere within a metropolitan area. Gentrification, however, manifests itself through reinvestment and rehabilitation of previously degraded neighborhoods, improving the physical condition and appearance of both residential and commercial properties. Due to the perception that increased property values, increased safety, and improved neighborhood amenities signal neighborhood revival, middle- income households upgrade housing conditions for their personal consumption. While owner- occupied single-family residences replace renter occupancy, businesses that target the demographic group of middle-income homeowners transform older, traditional commercial locations through reinvestment and rehabilitation of structures. Thus, the gentrification process entails physical property improvements, a demographic change to higher income levels, more “yuppie” (young, urban professionals) households, and property value increases. Some neighborhood gentrifications absorb vacant properties, while others involve replacement (or displacement) of households no longer able to afford housing due to housing cost (price/rent) appreciation. While some consider property value increases resulting from gentrification to be positive, **such changes have also been criticized for worsening the well-being of low-income persons, especially in neighborhoods of color**. Some have argued that **increases in property values** are capitalized in rent increases, which then **push households that are less able to pay to other neighborhoods or to undesirable housing arrangements**.123 In particular, some argue that certain antisprawl land use policies that direct housing development away from the urban fringe reduce housing affordability and limit housing choice, especially for low-income households. Others have argued, in addition to causing displacement, that **gentrification is undesirable because it leads to homogenous neighborhoods that are not socioeconomically or culturally diverse**.124 However, there is insufficient data to draw specific conclusions about the net social and economic impacts of transportation investments on gentrification and displacement.

# Gentrification Turn – Link Extension

**[\_\_\_\_]**

[\_\_\_\_] New public transit projects increase gentrification, pricing people out of their own neighborhoods

[Andrew Nusca](http://www.smartplanet.com/search?q=andrew+nusca), editor of SmartPlanet, 2010

(New public transit encourages gentrification, lowers ridership, study says, October 22, http://www.smartplanet.com/blog/smart-takes/new-public-transit-encourages-gentrification-lowers-ridership-study-says/11832)

**If you were to extend the reach of public transportation to an underserved neighborhood**, **you would expect ridership to increase and rents to drop, right?** Wrong, according to a new study. [A new report from the](http://www.northeastern.edu/news/stories/2010/10/transitreport.html) Dukakis Center for Urban and Regional Policy at Northeastern University says that **the result may be the complete opposite — that is, attract a population of wealthier residents who prefer private cars to public buses and trains**. The report, [which can be found here (.pdf)](http://www.northeastern.edu/dukakiscenter/documents/TRN_Equity_final.pdf), found that **new public transit investments can**, in some cases, **lead to gentrification. That means renters and low-income resident**s — you know, the folks you think would ride public transportation — **get priced out of the neighborhood and, once again, away from easy access to the very system that’s thought to serve them the most.**

# Spending Link

[\_\_\_\_] Urban transit funds are wasteful and cost billions- the economic payoff is marginal because the benefits are so localized

Randal O’Toole, Cato Analyst, 2012

(CATO INSTITUTE, “Urban Transit”, June 2010, http://www.downsizinggovernment.org/transportation/urban-transit)

The Department of Transportation's Federal Transit Administration has an annual budget of more than $10 billion, nearly all of which is spent on subsidies to state and local governments.2 In addition, the economic stimulus bill of 2009 added a further $8 billion in subsidies over a period of years.3 Through these subsidies and related regulations, federal policymakers play a major role in shaping urban transportation choices. **Transit funding is costly to taxpayers, and it is not a proper function of the federal government. It encourages state and local governments to pursue high-cost and less-efficient transportation solutions**—in particular, rail transit. Outside of a few hyper-dense cities in the world, rail transit is a luxury for the few paid for by everyone. **Commuter trains and subways may be necessary to keep Manhattan going, but that doesn't mean that everyone else in the nation should subsidize them**. Outside of New York City, rail transit makes little economic sense.

### [\_\_\_\_] Plan would cost a LOT of money

Fitzgerald et.al. 2010- professor and director of the graduate program in Law, Policy and Society and a Senior Research Fellow at the Kitty and Michael Kukakis Center for Urban and Regional Policy at Northeastern University (Joan, Granquist, Khatiwada, McLaughlin, Renner, “Reviving the U.S. Rail and Transit Industry: Investments and Job Creation”, WorldWatch Institute)//AWV

The Federal Transportation Administration’s 2010 National State of Good Repair Assessment estimates that $13.5 billion is needed to replace U.S. buses and $16.2 billion to replace U.S. railcars that have exceeded their useful life or whose conditions fall below the acceptable minimum threshold.23 To remedy the bus backlog and maintain the existing fleet, annual investments of $6.8 billion over six years would be needed, or a total of almost $41 billion. For rail, remedying the backlog and maintaining the existing fleet would require $5.8 billion annually over six years, or almost $35 billion. This combined investment of $76 billion would do nothing to actually expand bus and rail and meet the pent up demand for additional transit services. Addressing the needs for both maintenance and expanded service would require even further investments.

# Spending Link

[\_\_\_\_] ****Mass Transit is expensive, it costs over $125,000 per passenger!****

Financial God 2012

(Financial God “Cars Are the Mass-Transit Solution of the Future”, <http://www.financialgod.com/cars-are-the-mass-transit-solution-of-the-future/> DM)

**Public agency corruption** **Mass transit is becoming more and more expensive,** and cities everywhere are decrying a lack of funding. **It costs hundreds of millions to billions of dollars to build new lines, and because mass transit corporations are usually taxpayer-funded public organizations, they not only hold a local market monopoly due to government privilege, but they also hold a gun to the local citizen’s head**. If they don’t get the exorbitant compensation increases they feel they deserve, they can bring the city to a grinding halt**. The city I live in recently extended a subway line and constructed a few new stations at a total cost of nearly $1 billion, and even the transit agency itself estimates that only around 8,000 people use this new line. Most of those were also existing bus riders. Therefore, the government spent around $125,000 per passenger so that they could sit in a train in a dark tunnel for a few kilometers, instead of a bus**. Talk about a massive waste of resources! **That money could have been spent elsewhere for a better return, or, better yet, could have been returned to the taxpayers. Keep in mind that maintenance costs for the tunnel, workers and trains also amount to another tens of millions per year.** I wonder how many people pocketed out of that deal. **Mass transit is expensive Building** [**elevated rail**](http://en.wikipedia.org/wiki/Elevated_railway) **or subterranean tunnels is very expensive and prone to significant cost overruns and corruption, as the government overpays and construction companies profit from mismanagement of public funds**. Elevated rail also has the extra cost of “not in my backyard” protests and compensation. At-grade rail is less expensive, but imposes significant penalties in the form of eminent domain evictions, grade-crossings, and slower transportation speeds. It is one of the worst ways of building a mass-transportation network, except where it is historical and a tourist attraction in places like San Francisco and Toronto. **Mass-transportation lines are also rigid. They cannot easily accommodate shifting patterns of demand**. A grid network would be more flexible, but costs are usually so prohibitive that these are only built in places where they really make sense, like Manhattan.

# Federalism Link

[\_\_\_\_] Federal involvement in mass transit would be a deep blow to federalism

Samuel Staley, senior research fellow with the Reason Foundation, associate director of the DeVoe L Moore Center at Florida State University, 2009

(11-16-09, “Federal Takeover of Subways: Another Blow to Federalism,” http://reason.org/blog/show/federal-takeover-of-subways-an)

**The Federal government's approach to its proposed takeover of subway and light rail safety regulation is an all too common way it approaches problem solving: Identify a problem, identify a political solution, but the federal government in charge**. Secretary Ron LaHood says as much based on statements reported in the *Washington Post*: "Administration officials said they are responding to a growing number of collisions, derailments and worker fatalities on subways -- and in particular to the fatal June 22 crash on Metro's Red Line and failures in oversight that have surfaced in its wake. Those failures have been the subject of an ongoing investigative series in The Washington Post. "After the [Metro] train crash, we were all sitting around here scratching our heads, saying, 'Hey, we've got to do something about this,' " Transportation Secretary Ray LaHood said in an interview. "And we discovered that there's not much we could do, because the law wouldn't allow us to do it." "Metro spokeswoman Lisa Farbstein said the agency had not seen details of the proposal. "The bottom line is we welcome additional safety oversight with open arms," she said. This Administration has shown little tolerance for boundaries established by tradition or Constitutional principle. Perhaps this is because the President is a former law professor who taught Constitutional law; he knows how to get around the law to make the system work for him. **Subways are particularly noteworthy, as both a test case for the breakdown of federalism as well as setting the tone for how local governance will be handled by the Federal Government in the future. Most transit agencies, unlike Amtrak and airlines, are well within state jurisdictional boundaries** (Washington, D.C. Metro being a notable exception). The **Obama** Administration **will use its funding precedent--most capital costs for transit agencies are funded by the Federal Government--as the mechanism for taking over rail transit agencies**. The trick will be trying to accomplish this, like highway funding, through incentives instead of direct mandates. Interesting, virtually no one in the media seems to even understand the Constitutional principles involved. Intercity rail and airlines can be regulated by the federal government because they plausibly fall under the interstate commerce regulatory authority of the federal government. That doesn't apply to the vast majority of rail transit systems, including those in Los Angeles, Denver, San Francisco, Dallas and even Chicago. Yet, this shouldn't be a surprise. **Progressive political philosophies show little respect for governing principles that divide or limit the power of government**. President Obama is not just a progressive politician, he's also a populist. So, **using the Federal government to address an identified political problems is consistent with an overall political philosophy, even if it isn't consistent with principles of federal-state governance embedded in the U.S. Constitution.**

# Federalism Link

[\_\_\_\_] States are much more important to mass transit funding now

Gordon, 2011 – Economic Analyst at Charles River Associates (Michael, “Funding Urban Mass Transit in the United States”, Boston College Economics Honor’s Thesis, http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2007981, p. 23-24, 3-23-11)//AWV

Hess and Lombardi first provide a history of urban mass transit, noting important developments throughout the years and how they affected funding. They note that state approaches to funding urban mass transit often influence local government funding.77 Furthermore they find that “federal support has become proportionately less significant while local and state governments have grown increasingly responsible for transit’s operating and capital expenses.”78 They also discuss the importance of dedicated state and local taxes, in particular, local option transportation taxes (LOTTs). These LOTTs “include levies on sales, property, and income that often require voter approval but provide reliable and ongoing sources of revenue.”79 These dedicated funds provide a stable source of revenues for urban mass transit systems. Furthermore, Hess and Lombardi note the prevalent impact of politics on the funding and spending process. They write that politicians often prefer to contribute towards the more visible capital expenses instead of the more necessary operating expenses. Ideally, capital funding would improve efficiency so that operating funding becomes less necessary, but this is often not the case.80 Instead, funding capital expenses encourages overcapitalization and does not necessarily improve efficiency.81 Despite this overcapitalization, Hess and Lombardi then transition to note that some transit agencies have started using local funding to bypass the federal and state new starts criteria, which require years of planning.82 Overall, they find that local and state funding has and will become more relevant.83

# States CP Solvency

### [\_\_\_\_] State funding is more efficient

Gordon, 2011 – Economic Analyst at Charles River Associates (Michael, “Funding Urban Mass Transit in the United States”, Boston College Economics Honor’s Thesis,

http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2007981, p. 42-43, 3-23-11)//AWV

In spite of the large amount of federal funding, this finding implies that state and local funds are more efficient than federal funds, which could happen for a number of reasons. First, the idea of fiscal federalism states that a centralist federal government should have less control and influence than more localized sources because it is further removed from the system needs.140 The federal government may not know as well as more localized governments how to best use the funds, but it may attach restrictions to them anyways. Additionally, urban mass transit agencies often apply for federal funds for projects that they may not need. For example, the federal ARRA program funds capital improvements, while state and local sources may instead fund more necessary operating measures. Agencies may choose to apply for federal funds (e.g. ARRA) for projects simply because the funds are available, even if the agency would not undertake these projects otherwise.

### [\_\_\_\_] Federal funding is inefficient

Gordon, 2011 – Economic Analyst at Charles River Associates (Michael, “Funding Urban Mass Transit in the United States”, Boston College Economics Honor’s Thesis, http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2007981, p. 45-46, 3-23-11)//AWV

Including only total capital funding with a breakdown of operating funding levels produces similar results regarding levels of funding.144 Again, the federal operating funding term has a very large coefficient (2.146). This implies that the total federal funding term coefficient of the earlier regression is not greater than one solely due to capital funding considerations. This exemplifies that federal funding is also less effective than other levels of government at providing operating funding. An increase in one dollar of federal funding for operating expenses increases total expenses by over two dollars according to this regression, demonstrating that increasing federal funding would not help decrease urban mass transit agency deficits.

# States CP Solvency

### [\_\_\_\_] States comparatively better for mass transit funding

Gordon, 2011 – Economic Analyst at Charles River Associates (Michael, “Funding Urban Mass Transit in the United States”, Boston College Economics Honor’s Thesis,

http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2007981, p. 53, 3-23-11)//AWV

However, the federal government should continue to stay away from funding operating expenses unless it gives funds through the state and local governments in a similar proportional process. The state and local governments appear best equipped to handle operating funding. Local governments should continue to heavily fund operating expenses to ensure that the systems continue to operate, as urban mass transit systems provide an important service. State governments, however, must further consider equity concerns when funding the urban mass transit systems since often many of the state residents do not live near the systems and do not necessarily benefit from its operation. For example, citizens of western Massachusetts do not benefit greatly from continued MBTA operations in Boston. Yet, state dollars are extremely important to keep these systems running, and state funding reduces the deficit effectively.

# Capitalism Link

**[\_\_\_\_] Public Transportation will be implemented to serve capitalist interests and widen inequality**

**Farmer 2011** Farmer Sociology Dep’t Roosevelt University 2011 Stephanie Uneven public transportation development in neoliberalizing Chicago, USA Environment and Planning http://envplan.com/epa/fulltext/a43/a43409.pdf,KB

**Public transportation policy is one dimension of spatial restructuring deployed by entrepreneurial governments** to create place-based competitive advantages for global capital. **Transportation represents a fixed, place-based geographic element where the local and the global interact; where global processes shape local geographies and where local politics shape global networks**. As Keil and Young (2008) suggest, transportation should now be considered in relation to globalized trade and economic networks and consumption-oriented patterns of everyday life. Growth demands in cities experiencing gentrification, the development of luxury consumption spaces, and a surge of tourism have placed pressure on local agencies to expand airports, roads, 1156 S Farmerand rail and public transit capacities. Large-scale urban redevelopment plans have made a comeback as city planners conceive of megaprojects that concentrate new public transit investment in the revalorized core (Fainstein, 2008; Keil and Young, 2008; Swyngedouw et al, 2002). Air transportation has become the leading form of global connectivity, influencing the decisions of global, national, and regional elites to create air-transportation infra-structure (Cidell, 2006; Erie, 2004; Keil and Young, 2008; Phang, 2007). For instance, there is a growing network of world-class cities (Shanghai, London, and Tokyo) that enables air travelers to connect seamlessly from one global city core to the next, with direct express train service from the downtown business core to the city's international airports (Graham and Marvin, 2001). These specialized **public transit systems more closely integrate a city into global markets, thereby making the city more attractive for business activities** (Brenner and Theodore, 2002; Graham, 2000). The resulting ``premium network spaces'' are ``geared to the logistical and exchange demands of foreign direct investors, tourist spaces or socioeconomically affluent groups'' (Graham and Marvin, 2001, page 100). Interactions with the surrounding residential districts are carefully managed by filtering `proper' users through nonstop services or prohibitively expensive fares. In addition, premium transport services tend to be bundled with upscale shopping centers, entertainment spectacles, hotels, or office spaces to form a giant, integrated bubble of luxury. Subsequently, sociospatial relations are reconfigured as premium infrastructure bypasses devalorized places and exclude economically disadvantaged users from accessing the transit service.

## Russian Oil Links

### [\_\_\_\_] The current roads focus in transportation policy exacerbates oil dependence

**Sandalow, 2007 -** David Sandalow is Energy and Environment Scholar at The Brookings Institution (“Ending Oil Dependence”, 1/22,<http://www.brookings.edu/views/papers/fellows/sandalow20070122.pdf>)

Americans are driving more and enjoying it less. Between 1993 and 2003, vehicle miles traveled in the U.S. increased 26%. Drivers report spending more time in their cars each day – up from 49 minute average in 1990 to 62 minutes today. Traffic congestion is a growing frustration for millions. 32 More sensible growth patterns could help improve quality of life while reducing oil dependence. “Transit-oriented development” – building mixed-use communities around transit stations – is one increasingly popular approach. A recent study found that doubling ridership on mass transit nationally could save 1.4 billion gallons of gasoline per year. 33 Longstanding federal subsidies for urban highway construction have contributed to the current mix of traffic congestion, driver unhappiness and oil consumption. Ironically, repeated experiences in major U.S. cities demonstrate that building more roads fails to solve traffic congestion. One expert summed it up by saying: “Trying to cure traffic congestion by building more roads is like trying to cure obesity by loosening your belt.” 34 The most recent federal highway bill, passed in August 2005, provides four times more funding for highways than mass transit. 35

**Russian Oil Links**

### [\_\_\_\_] **Federal support for mass transit is vital to shifting away from new road construction – it’s vital to substantially decreasing oil dependence**

**Nelder, 2009** - Chris Nelder is an energy analyst and consultant who has written about energy and investing for more than a decade (“Is Obama's Infrastructure Plan Built to Last?,” Energy & Capital, 1/14, [http://www.energyandcapital.com/articles/obama-infrastructure-energy/813)//DH](http://www.energyandcapital.com/articles/obama-infrastructure-energy/813)/DH)

It is abundantly clear to me, as it is to any student of peak oil or anybody who has read my column or my books, that rail is the obvious priority for the future of transportation. Rail is by far the cheapest and most fuel-efficient form of transport, requiring about a third less fuel than air for personal travel, and as little as 3% of the energy for freight. Yet, our current rail system is a joke compared to the rest of the developed world. As James Howard Kunstler has remarked, even Bulgaria would be ashamed of our rail system. Destinations are limited, especially in the West, and most of the trains run on diesel. Our fastest train, Amtrak's Acela, only does about 100 mph on its short run from Boston to D.C., less than half the speed of modern high-speed trains elsewhere. If we really intend to have an infrastructure that survives peak oil, we have to transform it to run on renewably generated electricity. We also have to expand it massively and take millions of cars and transport trucks off the road. Doing so would probably cost trillions of dollars and would be worth every penny. For example, a high-speed rail corridor for the Northeast would run about $32 billion. Laying high-speed rail between the major cities of California would cost north of $40 billion. So far, however, I have seen little suggestion of such an ambitious transformation. The funding package approved in October by Congress would grant a paltry $13 billion to passenger rail over five years, of which three-fourths would go to Amtrak. Another $5 billion is currently proposed by the House transportation and infrastructure committee for intercity rail. That's not transformation spending; that's barely better than maintenance spending. In fact, despite Obama's pledge to devote funds to projects beyond "roads and bridges," it's now looking like the states might hijack those funds and try to pour much of the Obama stimulus package money into roads and cars. According to a report by Bloomberg, Missouri plans to spend $750 million of it on highways and nothing on mass transit. Utah would devote 87% of its share to new roads, and Arizona would spend $869 million on highways. Presumably, other states have similar priorities. I'm not unsympathetic to the plight of the states. Saddled with declining revenues due to the recession and a crumbling road, bridge and airport infrastructure badly in need of repair, they have to do something. In the absence of strong federal leadership into mass transit, they have little choice but to try to maintain what they have. A spokesman for House Transportation and Infrastructure Committee Chairman James Oberstar quoted in the Bloomberg article was blunt: "We like the environmentally friendly way of doing things but the charge we were given was to come up with something that can happen quickly," he said. "We can't lose sight of what the primary goal here is, and that is to put people to work." Not Just Jobs, but the Right Jobs Which brings us to the key point: Instead of seeking "shovel ready" projects that can be started within 180 days to create new jobs ASAP, the Obama team should be looking at the long view on energy and ensuring what we build now is truly built to last. Roads—especially new roads—are definitely not that. According to the director of Washington-based Building America's Future, some $16.5 billion in mass transit projects can be started within a year. (By comparison, tens of billions of dollars have already been committed to high-speed electric rail in Europe and Asia.) Those projects should be our immediate national priority, followed by some deep and serious planning for a long-term transportation infrastructure that will survive $150 oil and declining supply. President Roosevelt created just such a planning board as part of the New Deal, which eventually resulted in the interstate highway system. By planning for it now, we could achieve a somewhat orderly transition away from liquid fuels and toward efficient electric transport. We'll still create millions of new jobs, only they'll be theright jobs. Jobs that won't disappear the next time oil spikes.

**Port Security Affirmative**

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Summary

This Affirmative case argues that the United States should invest in measures to improve security in US ports in order to prevent terrorists from smuggling deadly material, particularly nuclear weapons material through a US port that receives goods for import.

There is substantial concern that deadly materials could arrive in the United States due to weak port security because the United States imports hundreds of millions of goods every year and those goods arrive on containers from abroad aboard large ocean vessels. Nuclear materials, or other forms of deadly materials, could arrive in these boxes and then be detonated in the United States or immediately in a port.

If terrorists were able to assemble a nuclear weapon, they could detonate the nuclear weapon as a regular bomb. But even if they were not able to detonate an actual weapon, they could simply explode the nuclear material, spewing radiation for miles. A simple blast of the nuclear material is known as a “dirty bomb.”

Glossary

**Vocabulary**

Al-Qaeda. The terrorist organization that is responsible for the 9-11 attacks.

Containers. Large boxes of goods that arrive in the United States from abroad. They are off-loaded from large ships and then distributed via truck and train throughout the United States.

Dirty bomb. The explosion of nuclear material as a way to spread the nuclear material around. It is not a direct explosion.

Fissile material. Nuclear material that can be detonated.

Imports. Goods that enter the US and are then sold in the US.

Port. A place where goods arrive via a container ship and are imported into a country.

Weapon of Mass Destruction (WMD). Nuclear, Chemical, and Biological weapons are considered to be WMDs.

Glossary

**Acronyms**

**CBP.** Customs & Border Patrol

**CBPO.** Customs & Border Patrol Officer

**CBW.** Chemical and Biological Weapons

**DOD.** Department of Defense

**DHS.** Department of Homeland Security

**IED.** Improvised Explosive Device

**GAO.** General Accounting Office.

**HEU.** Highly Enriched Uranium

**NPT.** Nuclear Non-Proliferation Treaty

**RDD.** Radiological Dispersion Device

**RPG.** Rocket Propelled Grenade

**URC.** United States Regulatory Commission

**WMD.** Weapons of Mass Destruction

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#### Contention 1 – The Current Situation

#### Congress will not act to improve port security now

Stamford Advocate, 2012

(May 9, “Maritime Industry Awaits Action in Congress”, http://www.stamfordadvocate.com/news/article/Martime-industry-awaits-action-in-Congress-3544112.php)

**The maritime businesses should not expect any industry-related legislation soon from Congress** as the Republican-controlled House and Democratic-controlled Senate continue to do battle. Joan M. Bondareff, an attorney with the Washington, D.C., office of [Blank Rome LLP,](http://w3.nexis.com/new/search/XMLCrossLinkSearch.do?bct=A&risb=21_T14683658970&returnToId=20_T14683687707&csi=169235&A=0.4689847744014277&sourceCSI=162599&indexTerm=%23CC0007H79%23&searchTerm=Blank%20Rome%20LLP,%20&indexType=C) told more than 150 participants at the Tugs & Barges Marine Log Conference & Expo on Tuesday at the Stamford Marriott that **the impasse will continue** until after the presidential and congressional elections in November.

"This Congress is in considerable gridlock, and nothing much will happen until after election," said Bondareff, who focuses on marine transportation and environmental issues. **Much of proposed transportation funding that is tied up in the 2013 federal budget pertains to maritime programs, including port security and improvements**, said Bondareff, who encouraged the audience to contact their senators and representatives to urge action on maritime-related legislation.

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#### Contention 2 – Harms

#### The risk of a terror attack involving weapons of mass destruction is increasing

Robert Galluci, President, John D. and Catherine T. MacArthur Foundation, 2012

(April 5, Huffington Post, http://www.huffingtonpost.com/robert-gallucci/nuclear-terrorism\_b\_1406712.html

We should all be concerned that **perhaps during one morning rush hour in a major American city, a nuclear weapon of crude and improvised design will be detonated**. Such a device's yield will be far smaller than that of the bombs dropped on Hiroshima and Nagasaki, but still tens of thousands will die instantly from the blast, burns and radiation. Over the following month, thousands more will succumb to burns, injuries, or the effects of radiation. The blast area will be uninhabitable for months or longer. **This is not the stuff of pulp fiction or sensational television; it is a credible scenario.** **There is clear** [evidence](http://www.washingtonpost.com/wp-dyn/content/article/2010/01/25/AR2010012502598.html) **that terrorist organizations, such as al-Qaeda, are interested in acquiring and using nuclear weapons. They seek to inflict maximum damage with an economy of means; nothing can accomplish this end more effectively and with more certainty than a nuclear weapon.**

#### Lack of security means terrorists could detonate a weapon of mass destruction – WMD – in a US port

Lt. Morgan James et al, Naval Postgraduate School, 2007

(Port Security Strategy 2012, edocs.nps.edu/npspubs/scholarly/TR/2007/NPS-97-07-003.pdf)

The disruption of port operations may come in three forms: Injuring and/or evacuation of port workers Damaging infrastructure of the port Contaminating port facilities with a chemical weapon or a dirty bomb Vehicle-borne IEDs and **pier-side release or detonation of weapons of mass destruction (WMD) have been identified to be the prominent land threats to port operation**s. Vehicle borne IEDs are improvised explosive devices carried either in a vehicle or inside a shipping container. IEDs can be made easily from readily available materials. The delivery of such devices is noted to be either by personnel (suicide bombers) or vehicles. From the various IED bombing incidents on 1 October 2005 in Bali, Indonesia, on 9 September 2004 at the Australia Embassy in Indonesia, on 5 August 2003 at the Marriott Hotel in Indonesia, and on 19 April 1995 in Oklahoma City in the United States, it was noted that vehicle borne IEDs are preferred mode of terrorist operation as it has enough explosive power to cause significant damage to infrastructure which, in the case of a port, may severely impact port operation. **WMDs are weapons that possess the capacity to inflict extensive damage to infrastructure or the populace, or deny the use of critical geography through contamination. The successful deployment of a weapon of mass destruction would result in large economic loss and/or loss of life.**

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#### Entry through US ports is easy now – screening is inadequate

Jim Kouri, Vice President of the National Association of Chiefs of Police, 2012

(CPP, February 22, U.S. bound cargo remains vulnerable to terrorists, WMD <http://www.examiner.com/law-enforcement-in-national/u-s-bound-cargo-remains-vulnerable-to-terrorists-wmd>)

It may seem unbelievable to most Americans that the Department of Homeland Security (DHS) that more than ten years after the worst terrorist attack in U.S. history**, the vast majority of cargo containers entering the U.S. go unchecked**. Incredibly, it’s true and the alarming details are outlined in the GAO report published this week by the Government Accountability Office (GAO), the investigative arm of the U.S. Congress. The Maritime Transportation Security Act (MTSA) of 2002 and the Security and Accountability For Every (SAFE) Port Act of 2006 required the Department of Homeland Security (DHS) to take actions to improve maritime transportation security. Also, the Implementing Recommendations of the 9/11 Commission Act of 2007 (9/11 Act) required, among other things, that by July 2012, 100 percent of all U.S.-bound cargo containers be scanned. Within DHS, U.S. Customs and Border Protection (CBP) is responsible for container security programs to address these requirements. Sadly, the GAO report reveals that **the DHS agency responsible for screening cargo, Customs and Border Protection (CBP), still lacks the ability to check 100% of the containers that enter the U.S. through seaports each day**. Under the 9/11 Commission Act, all U.S-bound cargo containers must be scanned because they are vulnerable to threats from terrorists and could be used to smuggle nuclear and radiological materials. To meet the goal, DHS has spent hundreds of millions of dollars on faulty systems that didn’t get the job done. In fact, the agency dropped more than $200 million on 1,400 radiation portal monitors that weren’t up to the task, according to a blog published by a public-interest group that investigates and exposes government corruption and ineptitude -- Judicial Watch. “Uncertainty persists over how DHS and CBP will fulfill the mandate for 100 percent scanning given that the feasibility remains unproven in light of the challenges CBP has faced implementing a pilot program for 100 percent scanning,” state the GAO investigators. In addition, the GAO reveals that several years ago it asked Homeland Security officials to perform an analysis to determine whether 100% scanning is even feasible, but the agency hasn’t bothered doing it. Congressional investigators have logically concluded that CBP is “no longer pursuing efforts to implement 100 percent scanning” by the mandatory July 2012 deadline. The GAO reveals that several years ago it asked Homeland Security officials to perform an analysis to determine whether 100% scanning is even feasible, but the agency never did it. Congressional investigators have logically concluded that CBP is “no longer pursuing efforts to implement 100 percent scanning” by the mandatory July 2012 deadline. **The GAO’s findings could not have come at a worst time, on the heels of an international study on maritime trafficking that reveals weapons, drugs and banned missile are regularly smuggled aboard reputable ships owned by major companies in the U.S. and Europe.**

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#### Use of WMD in a port will destroy nearby population centers

Jon D. Haveman and Howard J. Shatz, Public Policy Institute of California, 2006

(Protecting the Nation’s Seaports: Balancing Security and Costs, www.ppic.org/content/pubs/repo-rt/r\_606jhr.pdf)

Beyond their economic role, **the largest seaports are also near major population centers, so the use of a weapon of mass destruction at a port could injure or kill thousands of people. In addition, a weapon such as a nuclear device could cause vast environmental and social disruption** and destroy important non-port infrastructure in these urban areas such as airports and highway networks.

#### A successful nuclear terrorist attack would cause a police state

Mohamed Sid-Ahmed, Al-Ahram Weekly political analyst, 2004

(Al-Ahram Weekly, "Extinction!" 8/26, no. 705, http://weekly.ahram.org.eg/2004/705/op5.htm)

**What would be the consequences of a nuclear attack by terrorists? Even if it fails,** it would further exacerbate the negative features of the new and frightening world in which we are now living. **Societies would close in on themselves, police measures would be stepped up at the expense of human rights**, tensions between civilizations and religions would rise **and ethnic conflicts would proliferate. It would also speed up the arms race and develop the awareness that a different type of world order is imperative if humankind is to survive**.

Therefore we propose the following

**Plan: The United States federal government should increase investment in its transportation infrastructure by investing in enhanced detection for chemical, biological, and nuclear weapons at US ports.**

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#### Contention 3 – Solvency

#### US needs to increase funding and support for port security

Jon D. Haveman and Howard J. Shatz, Public Policy Institute of California, 2006

(Protecting the Nation’s Seaports: Balancing Security and Costs, www.ppic.org/content/pubs/repo-rt/r\_606jhr.pdf)

Finally**, the U.S. government should reconsider the level of staffing and funding devoted to port security efforts. Under current programs, 12,000 facility and vessel security plans and more than 5,600 C-TPAT plans will need monitoring** (with the number of C-TPAT plans steadily rising). The U.S. Coast Guard has gained a large set of new duties that need staffing. **New technologies need developing.** Customs officials must review large amounts of new information to target high-risk containers. Personnel from the Coast Guard and other parts of the government need training in tasks previously unknown to them. Finally, **new security equipment will need maintenance, repair, and upgrading.**

#### Increasing investment will protect ports

Wendy Keefer, Lawyer at Keefer and Keefer, 2008

(Container Port Security: A Layered Defense Strategy to Protect The Homeland and The International Supply Chain; CAMPBELL LAW REVIEW Vol. 30:139; <http://law.campbell.edu/lawreview/articles/30-1-139.pdf>)

#### **Priority should be given to effective security solutions that complement and improve the business processes already in place, and which build a foundation for 21st century global trade. A more secure supply chain also can be a more efficient supply chain**. ... . **Technology plays a particularly important role in providing for screening of cargo at the critical nodes of the supply chain through data acquisition, delivery, and analysis** (e.g., the secure transmission of cargo manifests). **It also provides for certainty, through scanning and imaging of cargo at those nodes where multiple cargo flows join**, (e.g., **at ports of departure and entry). Such information built into normal business process as a preventative measure also leverages recovery capabilities by providing necessary information to key decision makers on the safety, security and prioritization of cargo**. B**etter technologies may permit more efficient cargo screening and examinations of a larger number of containers, ideally, prior to departing for and entering United States ports**. Certainly**, a continued focus on technology is appropriate.**

Economy Add-On

#### [\_\_\_\_] Terrorist attack sparks global depression

Richard Haas, President, Council on Foreign Relations, 2006

(PREVENTING CATASTROPHIC NUCLEAR TERRORISM, March, <http://www.cfr.org/content/-publications/attachments/NucTerrCSR.pdf>

**A nuclear attack by terrorists against the United States has the potential to make the terrorist attacks of September 11, 2001, look like a historical footnote**. In addition to the immediate horrific devastation, **such an attack could cost trillions of dollars in damages, potentially sparking a global economic depression**. Although, during the 2004 presidential campaign, President George W. Bush and Democratic challenger Senator John F. Kerry agreed that terrorists armed with nuclear weapons worried them more than any other national security threat, the U.S. government has yet to elevate nuclear terrorism prevention to the highest priority. Despite several U.S. and international programs to secure nuclear weapons and the materials to make them, major gaps in policy remain

#### [\_\_\_\_] Any nuclear attack would devastate the global economy

Matthew C. Weinzierl, Council of Economic Advisers Economist, 2004

(The National Interest, "The Cost of Living: The Economics of Preventing Nuclear Terrorism," Spring, LN)

**Nuclear terrorism presents an unparalleled threat to the United States. The economic impact alone of a nuclear terrorist attack would undoubtedly be staggering. Estimates of the direct economic cost of one potential scenario-a crude nuclear device detonated in lower Manhattan-range well over $ 1 trillion.** Even this estimate cannot capture the full tragedy of such a scenario, which could include half a million deaths, a zone of total destruction one mile wide, and radiation extending for miles around the blast's center. For the protectors of America's national interest, **no single issue is more urgent and frightening.**

Answers to: Port Screening Now

#### [\_\_\_]

#### [\_\_\_] Less than 3% of cargo entering US ports is scanned

Janice Hahn, US Representative, 2012

(<http://hahn.house.gov/press-release/rep-hahn-congressional-leader-ports-wins-passage-port-security-amendment>, May 9, “Rep. Hahn - Congressional Leader on Ports - Wins Passage of Port Security Amendment”)

Unfortunately **less than 3% of cargo coming into the country is scanned, giving terrorist opportunities to smuggle themselves or their weapons into the United States with little risk of detection.** An attack on the Port of Los Angeles complex, for example, would cost billions to the regional economy and put thousands of port employees out of work and cause the demise of hundreds of local businesses.

#### [\_\_\_] Department of Homeland Security is not scanning containers

Laura Richardson, US Representative (D-CA), 2012

(Congressional Documents and Publications, May 9, Congresswoman [Laura Richardson](http://w3.nexis.com/new/search/XMLCrossLinkSearch.do?bct=A&risb=21_T14683658970&returnToId=20_T14683673387&csi=247474&A=0.13662523131856086&sourceCSI=162599&indexTerm=%23PE000A0V6%23&searchTerm=Laura%20Richardson%20&indexType=P) Asks GAO to Examine Port Security Vulnerabilities; Rep. [Laura Richardson](http://w3.nexis.com/new/search/XMLCrossLinkSearch.do?bct=A&risb=21_T14683658970&returnToId=20_T14683673387&csi=247474&A=0.13662523131856086&sourceCSI=162599&indexTerm=%23PE000A0V6%23&searchTerm=Laura%20Richardson%20&indexType=P) News Release)

Today, Congresswoman [Laura Richardson](http://w3.nexis.com/new/search/XMLCrossLinkSearch.do?bct=A&risb=21_T14683658970&returnToId=20_T14683673387&csi=247474&A=0.13662523131856086&sourceCSI=162599&indexTerm=%23PE000A0V6%23&searchTerm=Laura%20Richardson%20&indexType=P) submitted a request to the Government Accountability Office (GAO) to examine security vulnerabilities in our nation's ports. "As Ranking Member of the Homeland Security Subcommittee on Emergency Preparedness, Response and Communication, I have been a strong advocate for ensuring the safety of our nation's ports. I have repeatedly asked the Secretary of Homeland Security when she has appeared before the committee on what the department has done to address risks at our ports. Unfortunately, **the Department of Homeland Security has been inherently slow in addressing the need to scanning containers before they enter U.S. ports and have not made any substantial efforts to study what is needed to need to keep our ports safe from a terrorist attack. As a senior member of the Committee on Homeland Security, I have been consistent and strong voice on** **port security and that is why I have asked the GAO to study security gaps that currently exist."**

Answers to: Action Now Solves

#### [\_\_\_]

#### [\_\_\_] Customs-Trade Partnership and Container Security Initiative fail

Jon D. Haveman and Howard J. Shatz, Public Policy Institute of California, 2006

(Protecting the Nation’s Seaports: Balancing Security and Costs, www.ppic.org/content/pubs/repo-rt/r\_606jhr.pdf)

Compliance is the weaker link. **The Customs-Trade Partnership Against Terrorism, for example, depends on U.S. Customs and Border Protection validation of security plans for thousands of companies**. However, **given a lack of enforcement mechanisms, there is no guarantee that firms, once validated, will continue to carry out their security plans and procedures**. Likewise, the Container Security Initiative depends on the cooperation of foreign governments. In some cases, foreign governments decline to inspect containers that U.S. authorities deem high-risk. The United States can then order the containers not to be loaded onto the ship at the foreign port or can inspect the container in its U.S. port of arrival. However, even with these options, some high-risk containers go uninspected (U.S. Government Accountability Office, 2005b**). Even full compliance will not guarantee success. As part of the Container Security Initiative, oceangoing ship operators must provide the manifest, or list of the contents of ship cargo, to U.S. officials in advance. However, the carrier has no way of knowing the accuracy of the manifest, since it gets the information from the individual companies shipping the goods.**

#### [\_\_\_] Port security isn’t getting funding

Jesse Hereford, Vice Chairman of the Border Trade Alliance, 2012

(May 1, “House Homeland Security Subcommittee on Border and Maritime Security Hearing;   
"Using Technology to Facilitate Trade and Enhance Security at Our Ports of Entry." [p://homeland.house.gov/sites/homeland.house.gov/files/Testimony%20-%20Hereford.pdf](http://homeland.house.gov/sites/homeland.house.gov/files/Testimony%20-%20Hereford.pdf)

**In port security**, much like in aviation, **there is no more important technology than an experienced CBPO who can spot an anomaly or identify a traveler who might seek to do us harm. Unfortunately, this vital element of border and port security is growing increasingly hard to come by**. Your Subcommittee will get no argument from the trade community and the constituency that the BTA represents that the Border Patrol is not an integral component of our nation's border security strategy. But the increased attention that Congress and this and previous administrations has directed towards Border Patrol has left the agency responsible for security at the ports of entry, Customs and Border Protection, **coming up short in the chase for dwindling human and technological resources**.

Answers to: Terrorists Can’t Get Weapons Into Ports

#### [\_\_\_]

#### [\_\_\_] Terrorists can use ports as weapons conduits

Jon D. Haveman and Howard J. Shatz, Public Policy Institute of California, 2006

(Protecting the Nation’s Seaports: Balancing Security and Costs, www.ppic.org/content/pubs/repo-rt/r\_606jhr.pdf)

The need to secure ports and the supply chain feeding goods into the ports stems from two concerns. The first is that transporting something from one place to another—**the very activity that the ports facilitate—is an important activity for terrorists. Terrorists could use a port as a conduit through which to build an arsenal within the nation’s borders.**

Answers to: Port Disruptions Won’t Hurt the Economy

#### [\_\_\_]

#### [\_\_\_] Seaports are terrorist targets, attacks disrupt the economy

Jon D. Haveman and Howard J. Shatz, Public Policy Institute of California, 2006

(Protecting the Nation’s Seaports: Balancing Security and Costs, www.ppic.org/content/pubs/repo-rt/r\_606jhr.pdf)

**Temporarily shutting down a major U.S. port could impose significant economic costs throughout not only the United States but also the world.** Al-Qaeda leader Osama bin Laden has labeled the destruction of the U.S. economy as one of his goals: “If their economy is finished, they will become too busy to enslave oppressed people. It is very important to concentrate on hitting the U.S. economy with every available means.” The potential for a port closure to disrupt economic activity has been made clear several times in recent years. In 2002, the closure of all West Coast ports was clearly responsible for some element of economic disruption, with estimates of lost activity ranging from the hundreds of millions of dollars per day to several billion. In September 2005, Hurricane Katrina further served to reinforce the fact that ports are an integral feature of our goods distribution system. The closure of the Port of New Orleans and many smaller ports along the Gulf Coast is likely to have adversely affected U.S. grain exports, although at the time of this writing, cost estimates were not available. **Hurricane Katrina further illustrated the effects of disruptions to the flow of oil, gasoline, and natural gas to the nation’s economy**. **That a natural disaster can produce such a result implies that an attack on oil terminals at U.S. ports could be both desirable and effective for terrorists.**

#### [\_\_\_] An attack on the LA-Long Beach ports would disrupt the US economy

Jon D. Haveman and Howard J. Shatz, Public Policy Institute of California, 2006

(Protecting the Nation’s Seaports: Balancing Security and Costs, www.ppic.org/content/pubs/repo-rt/r\_606jhr.pdf)

**Combined, the complex is the largest port by value in the United States and the fifth-largest container port in the world. If terrorists wanted to wreak havoc on the U.S. economy, the Los Angeles–Long Beach complex would certainly be a prime target for attack**. In 2004, the complex processed $243 billion worth of traded goods, just over 10 percent of all U.S. trade, 25 percent of all waterborne trade, or an amount equal to about 2 percent of U.S. gross domestic product (GDP). **Because imports constitute the vast majority of this trade, and because these imports are often used as inputs to other products, a terrorist attack on these ports could disrupt the U.S. economy.**

Answers to: Terrorists Can’t Get Weapons Into Ports

#### [\_\_\_]

#### [\_\_\_] WMDs can be moved through shipping containers

Lt. Morgan James et al, Naval Postgraduate School, 2007

(Port Security Strategy 2012, edocs.nps.edu/npspubs/scholarly/TR/2007/NPS-97-07-003.pdf)

Containers provide terrorist a method to gain unauthorized access into a country. **It is possible for terrorist to infiltrate a shipping container in the container’s country of origin and travel inside the container to its destination with WMDs. If the terrorists are not detected, they will have unauthorized access to the importing nation, enabling them to execute malicious intentions.**

#### [\_\_\_] An Improvised Explosive Device (IED) attack on a port will directly shut it down

Lt. Morgan James et al, Naval Postgraduate School, 2007

(Port Security Strategy 2012, edocs.nps.edu/npspubs/scholarly/TR/2007/NPS-97-07-003.pdf)

The second scenario considered localized damage to power sub-stations, fuel storage/distribution location, or passenger cruise ship terminal by forceful by a vehicle-borne IED. The non redundant power supply to the port’s cranes is located within the premises of the port, but only protected by small mesh fencing and bollards**. It is possible for a vehicle carrying an IED to penetrate the port’s perimeter fencing, or refuse to stop at the gate, and proceed to drive through the fencing protecting a power substation and detonate the IED. This action would result in damaging the power substation which disrupts the power supplied to a substantial portion of the port’s cranes. If the ports’ cranes lost power, the port would loose ship on-load and off-load capabilities. This action would halt port operations in the affected portions of the port until the power substation could be repaired. An attack on a fuel storage location would likely causes severe pollution. If a terrorist was able to attack a cruse ship, they would likely kill several people, and decimate the cruise industry by inducing fear in its customers.**

Answers to: Terrorism Not an Existential Threat

**[\_\_\_]**

#### [\_\_\_] Retaliation means terror attack causes extinction

Greg Easterbrook, senior editor with The New Republic, 2001

(November, p. www.cnn.com/TRANSCRIPTS/0111/01/gal.00.html)

Terrorists may not be held by this, especially suicidal terrorists, of the kind that al Qaeda is attempting to cultivate. But I think, if I could leave you with one message, it would be this: that the search for terrorist atomic weapons would be of great benefit to the Muslim peoples of the world in addition to members, to people of the United States and Western Europe, because **if an atomic warhead goes off in Washington, say, in the current environment or anything like it, in the 24 hours that followed, a hundred million Muslims would die as U.S. nuclear bombs rained down on every conceivable military target in a dozen Muslim countries.**

#### [\_\_\_] Even a small nuclear attack would instantly collapse the economy

John Kenneth Galbraith, Harvard Economics Prof, 2000

(“Economic Aspects,” http://www.reachingcriticalwill.org/legal/nwc/mon1galb.html)

Such is the vulnerability of **the American economy** that in the form we know it; it **could be brought to an end by the most elementary of nuclear attacks**. This **could be accomplished by a tactical nuclear weapon on downtown New York. With such an attack there would, of course, be massive death and destruction**. But additionally **the American economy would be made non-functional.** No longer in the economic world would it be known what was owned and what possessed in the banks. That knowledge would be destroyed along with the people that convey the information. **The trading of securities would, of course, come to an end but, as seriously, so would the knowledge throughout the country of what is owned. Those with ownership in and income from the financial world** — stocks, bonds and other financial instruments — **would find a record of their possessions eliminated.** It would be true for individuals and for corporations throughout the country. Ownership would come to an end; of assets possessed there would no longer be a record. **Capitalism as it is known would be finished. This**, to repeat, **would be the result of one small nuclear weapon.**

Answers to: Low Risk of Terror Attack

**[\_\_\_]**

#### [\_\_\_] Impact of a terror attack means the risk cannot be dismissed

Virginia Pilot, 2012

(February 5, <http://hamptonroads.com/2012/02/millions-containers-now-find-%E2%80%98boom-box%E2%80%99>)

They look harmless enough. And, so far, they have been – just the same old shipping containers we’ve seen rumbling along our highways for decades. The one rattling by in the lane next to you could be loaded with anything from fruit to furniture. Mark Laria dwells on the tiny chance that it carries the next 9/11. Laria is port director at the Norfolk field office of U.S. Customs and Border Protection. In the 10 years he’s been here, roughly 10 million containers have come and gone. **None has been the dreaded “boom box” – the one security experts warn could be rigged with a terrorist bomb. Even so, Laria said, the stakes are too high to blow off the risk: “I don’t know if I’d be able to recover if some event happened – some 9/11 – and it was tracked back to a container that came through Hampton Roads.”**

Answers to: Terrorists Can’t Get Material

#### [\_\_\_]

#### [\_\_\_] This attack will be nuclear-secret documents prove terrorists have the necessary material

Graham Allison, Prof @ Harvard, 2010

(Foreign Policy, A Failure to Imagine the Worst, 25 January, <http://www.foreignpolicy.com/articles/2010/01/25/a_failure_to_imagine_the_worst?page=0,0>)

The U.S. national security establishment's principal failure prior to Sept. 11, 2001, was, the commission found, a "failure of imagination." Summarized in a single sentence, the question now is: Are we at risk of an equivalent failure to imagine a nuclear 9/11? After the recent attempted terrorist attack on Northwest Airlines Flight 253, this question is more urgent than ever. The thought that terrorists could successfully explode a nuclear bomb in an American city killing hundreds of thousands of people seems incomprehensible. This essential incredulity is rooted in three deeply ingrained presumptions. First, no one could seriously intend to kill hundreds of thousands of people in a single attack. Second, only states are capable of mass destruction; nonstate actors would be unable to build or use nuclear weapons. Third, terrorists would not be able to deliver a nuclear bomb to an American city. In a nutshell, these presumptions lead to the conclusion: inconceivable. Why then does Obama call nuclear terrorism "the single most important national security threat that we face" and "a threat that rises above all others in urgency?" Why the unanimity among those who have shouldered responsibility for U.S. national security in recent years that this is a grave and present danger? In former CIA Director George Tenet's assessment, "the main threat is the nuclear one. I am convinced that this is where [Osama bin Laden] and his operatives desperately want to go." When asked recently what keeps him awake at night, Secretary of Defense Robert Gates answered: "It's the thought of a terrorist ending up with a weapon of mass destruction, especially nuclear." Leaders who have reached this conclusion about the genuine urgency of the nuclear terrorist threat are not unaware of their skeptics' presumptions. Rather, they have examined the evidence, much of which has been painstakingly compiled here by Rolf Mowatt-Larssen, former head of the CIA's terrorism and weapons-of-mass-destruction efforts, and much of which remains classified. Specifically, who is seriously motivated to kill hundreds of thousands of Americans? Osama bin Laden, who has declared his intention to kill "4 million Americans -- including 2 million children." The deeply held belief that even if they wanted to, "men in caves can't do this" was then Pakistani President Pervez Musharraf's view when Tenet flew to Islamabad to see him after 9/11. As Tenet (assisted by Mowatt-Larssen) took him step by step through the evidence, he discovered that indeed they could. Terrorists' opportunities to bring a bomb into the United States follow the same trails along which 275 tons of drugs and 3 million people crossed U.S. borders illegally last year

Answers to: Terrorist Threat Decreasing

**[\_\_\_]**

#### [\_\_\_] Regional Al Qaeda affiliates are growing

Rick Nelson, CSIS, 2011

(Confronting and Uncertain Threat: The Future of Al Qaeda and its Associated Movements, September 7, <http://csis.org/publication/confronting-uncertain-threat>, p. X)

**Al Qaeda and associated movements (AQAM) has become an increasingly diffuse security threat**. Although the Afghanistan-Pakistan borderlands may have represented the epicenter of global terrorism in the past decade**, al Qaeda’s various regional affiliates are growing in prominence. The past several years also have seen a rise in al Qaeda–inspired plots by small cells or unaffiliated individuals based in the West.**

#### [\_\_\_] Demographic trends indicate the terror threat will grow

Rick Nelson, CSIS, 2011

(Confronting and Uncertain Threat: The Future of Al Qaeda and its Associated Movements, September 7, <http://csis.org/publication/confronting-uncertain-threat>, p. X)

According to a CSIS study on demographics, **there is a strong linkage between “youth and poverty on the one hand and chronic violence**, social instability, and recurring civil war on the other.” **Many al Qaeda–affiliated groups have emerged from the type of stratified, chaotic, and conflict- ridden environments often catalyzed by demographic shifts.**

Violence and instability are also important for AQAM on the ideological level. Bin Laden and other AQAM figures have seized on disparate local tensions and conflicts in an attempt to weave a single global narrative. Without such grievances, this global narrative would have very little resonance on a local level.

One should not assume that all future conflict and social unrest will automatically lead to AQAM infiltration. Muslim insurgents in the ethnically Malay provinces of south Thailand, for example, have rejected offers of assistance from foreign militants. That said, **as long as conflicts like the one in southern Thailand persist, the potential exists for AQAM infiltration**.

Answers to: Arab Spring Solves Terrorism

#### [\_\_\_]

#### [\_\_\_] Terrorists being released from jails, anti-US sentiment still strong, radicalization due to moderates selling out

[Daniel L. Byman](http://www.brookings.edu/experts/bymand.aspx), Director of Research, [Saban Center for Middle East Policy](http://www.brookings.edu/saban.aspx), 2011

(September 1,<http://www.brookings.edu/opinions/2011/0901_al_qaeda_byman.aspx> Al Qaeda’s Future: How Likely is Another Attack?)

Fortunately for Zawahiri, the operating environment in much of the Arab world is freer than it has been in decades. **The Libyan uprising and Egyptian revolution resulted in the opening of jails,** [**releasing many jihadists**](http://www.almasryalyoum.com/en/node/484767)**. Some have laid down arms, but others may rejoin the struggle. In Yemen, the collapse of the Saleh regime has increased AQAP's freedom of action, enabling it to expand operations in many parts of the country.** Even in countries where the regimes remain intact, their security services will now focus on student demonstrators and intellectuals, not jihadists—because democratic activists, not terrorists, are the biggest threat to their hold on power. Fortunately for Zawahiri, it will be easy to keep lambasting the United States. Although the Obama administration played an important role in helping ease out Egyptian President Hosni Mubarak and U.S. forces were integral to ending Moammar Qaddafi's rule in Libya, the United States remains deeply unpopular in the Arab world. Even though U.S. forces are officially supposed to end their presence in Iraq at the end of the year, significant numbers are likely to remain in Iraq in some capacity. Although these forces will play a lesser role in safeguarding the country, and U.S. officials hope they will stay off the front pages, their presence still angers many in the region. And of course the United States will stay in Afghanistan for years to come. **Nor will the United States end its cozy relationship with the region's dictators anytime soon**. Already, the United States has turned a blind eye as Saudi Arabia has tried to stop demonstrators from toppling Bahrain's al-Khalifa family. In addition, Washington will be caught between its desire to maintain good relationships with other friendly dictators like Jordan's King Abdullah and its need to work with new democrats. This balancing act will leave everyone dissatisfied and give al Qaeda fodder for a public relations offensive. And of course the United States and Israel will remain close friends. **The inevitable disappointments of Arab-world Islamists will also provide al Qaeda with a fertile atmosphere for recruitment. In Egypt, Islamists are expected to do well in coming elections. But they are not expected to abrogate the peace treaty with Israel or forcibly Islamicize society.** Such pragmatism meets with applause internationally, but it may anger the more radical and idealistic members of these groups. Eventually there will be charges that moderate Islamist leaders are selling out, charges that [Zawahiri has already made and will make again](http://www.almasryalyoum.com/en/node/484767).

Answers to: Al Qaeda Threat Decreasing/Bin Laden Dead

**[\_\_\_]**

#### [\_\_\_] Al Qaeda is still a threat – Complacency about Osama’s death increases the risk al Qaeda will rebound

Max Boot, National Security at CFR, 2011

(Max, August 8, “A False Sense of National Security” Los Angeles Times, [http://www.cfr.org/national-security-and-defense/false-sense-national-security)](http://www.cfr.org/national-security-and-defense/false-sense-national-security%29)

**U.S. government officials are probably premature when they rush to proclaim,** as the Washington Post reported, **that Al Qaeda is "on the brink of collapse." Such predictions have been made many times before, and each time have been disproved by this terrorist group with its alarming ability to regenerate itself. It does not take much in the way of resources to carry out a terrorist strike** (the Sept. 11 operation cost an estimated $500,000), **so Al Qaeda does not need much infrastructure to pose a threat. Moreover, Al Qaeda is not the only terrorist organization we have to worry about. Other Islamist extremists are capable of planning attacks with scant direction or assistance from Al Qaeda Central.** These organizations range from Al Qaeda in the Arabian Peninsula and Al Qaeda in Iraq to the Haqqani network, the Afghan Taliban, the Pakistani Taliban, Lashkar-e-Taiba, Hezbollah, Kataib Hezbollah and Hamas. None of these groups have pulled off anything on the scale of Sept. 11, thank goodness, but several of them have undoubtedly killed far more people — and dominated far more territory — than Bin Laden ever did. Al Qaeda in Iraq managed to take over a substantial portion of the Sunni Muslim areas of Iraq before suffering devastating defeats in 2007 and 2008, but it continues to set off bombs**. Hamas has taken over the Gaza Strip and is rapidly building up its arsenal. Hezbollah is the most powerful force in Lebanon and has more missiles than some nation-states.** The Pakistani Taliban is steadily undermining the government in Islamabad with one atrocity after another. Lashkar-e-Taiba has almost sparked war between India and Pakistan with its terrorist attacks in India and undoubtedly will strike again. Kataib Hezbollah, along with other Iranian-backed Shiite terrorist groups, is asserting its power in Iraq as the U.S. prepares to withdraw. **By focusing too much on Al Qaeda and its charismatic founder — now resting at the bottom of the Arabian Sea — we risk not devoting sufficient resources or attention to these other threats**, which are less publicized but ultimately may be just as dangerous. We have already seen one sign of this premature triumphalism: President Obama ordered 30,000 "surge" troops to come home from Afghanistan by September 2012 against the advice of his military commanders. The battle against the Haqqani network and Taliban — two of the most dangerous terrorist groups in the world — is far from won. It will be much harder to defeat Bin Laden's allies in Afghanistan with the U.S. force reduced by a third before the end of next summer's fighting season. Defenders of the administration's Al Qaeda-centric approach may argue that only Al Qaeda has shown the will and capacity to strike the American homeland. But **other groups are targeting us as well, and sooner or later they may succeed.**

Answers to: Detection Fails

**[\_\_\_]**

#### [\_\_\_] Improved sensor placement solves

Lt. Morgan James et al, Naval Postgraduate School, 2007

(Port Security Strategy 2012, edocs.nps.edu/npspubs/scholarly/TR/2007/NPS-97-07-003.pdf)

Several studies have examined the use of container ships to deliver undesired cargo to a United States seaport. Explosives may be denoted upon container ship arrival or after transportation to a high-value installation within the United States. **Detecting undesired cargo, especially biological and chemical agents, inside a container presents technical challenges. Coupled with the vast amount of containers arriving at domestic ports, the task of detecting WMD and other undesired cargo is difficult. In most cases, sensors need to be placed in close proximity to the container to be effective.**

#### [\_\_\_] All ports should be equipped with nuclear and radiation detection devices

Lt. Morgan James et al, Naval Postgraduate School, 2007

(Port Security Strategy 2012, edocs.nps.edu/npspubs/scholarly/TR/2007/NPS-97-07-003.pdf)

**The CBP works closely with the port operators, port authority, USCG and other agencies and use the most recent technology for the detection of nuclear and radioactive materials at the various check points. In addition, they have implemented a layered defense security strategy by extending the surveillance zone to the host countries through the Customs-Trade Partnership Against Terrorism (C-TPAT). These initiatives and activities have hardened the security of the border but presently not every port is equipped with the same capability. To deter and prevent the smuggling of radio active materials, every port needs to be equipped with the nuclear and radioactive detectors.**

Answers to: Terrorists Will Attack the Port Directly

#### [\_\_\_]

#### [\_\_\_] Improving port security infrastructure deters terror attacks

Lt. Morgan James et al, Naval Postgraduate School, 2007

(Port Security Strategy 2012, edocs.nps.edu/npspubs/scholarly/TR/2007/NPS-97-07-003.pdf)

The objective of deterrence has its own objective hierarchy and its two sub- objectives which are to prevent physical attack attempts and to prevent the attempted importation of WMDs and terrorist cells. **In order to prevent an attempted physical attack, it is necessary for the port to maintain the perception that it has adequate security measures. In order to accomplish this task, the sub-objective of preventing physical attack attempts is adequate sensors in place: adequate visible physical barriers, visible security checkpoints, and physical patrols. The sub-objectives of preventing attempted importation of WMD or terror cells are similar to those of prevent physical attack attempts. They include: random inspections, intelligence-based inspections, sensors (both the right type of sensors and an appropriate number), and an effective manifest screening process.**

Answers to: Plan Leads to Shipping Delays

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#### [\_\_\_] New advances in screening technology means no delays

Jerrold L. Nadler, Edward J. Markey and Bennie G. Thompson, Democratic representatives from New York, Massachusetts and Mississippi, 2012

(Cargo, the Terrorists’ Trojan Horse; June 26, <http://www.nytimes.com/2012/06/27/opinion/the-dangerous-delay-on-port-security.html>)

Homeland Security says it uses a “layered, risk-based approach” to cargo scanning, which, instead of comprehensive scanning, targets specific cargo thought to be high-risk. But this approach is inadequate. Recent advances in screening technologies have undermined Homeland Security’s contention that the technology is not available to scan all cargo containers without disrupting commerce. An effective high-volume container screening system was installed in the Port of Hong Kong in 2005. Trials of new, American-made technology have demonstrated that scanning all containers would be feasible at many ports. The world’s largest marine terminal operators have offered to work with the department to put the law into effect. Cost and technology have never been the primary obstacles to meeting this mandate. What is missing is a sense of urgency and determination. We recognized that the scanning of 100 percent of all cargo containers in five years could be a challenging deadline to meet. That is why we included the authority to extend the deadline in cases in which Homeland Security certified that there are at least two major obstacles relating to the availability and accuracy of the technology, the logistics of its deployment and use, or impacts to trade. Now Homeland Security is using this authority to simply exempt itself from any meaningful compliance with the law we wrote to close a dangerous loophole in United States security. We have urged the department over the last five years to make the law a reality, to no avail. Our nation can no longer risk such delays.

States Counterplan Answers

**[\_\_\_\_]**

[\_\_\_\_] Permutation – do the plan where the federal government has jurisdiction

Jon D. Haveman and Howard J. Shatz, Public Policy Institute of California, 2006

(Protecting the Nation’s Seaports: Balancing Security and Costs, www.ppic.org/content/pubs/repo-rt/r\_606jhr.pdf)

Jurisdictional conflicts. **Federal, state, and local governments all may have oversight over some portion of port activities. In addition, some ports are managed by local or regional port authorities, whereas others are managed by local or state governments or by private entities.**

States Counterplan Answers

#### [\_\_\_]

#### [\_\_\_] Federal jurisdiction over sea port security

Ariel Ghaith Pinto, Engineering Management and Systems Engineering Old Dominion University, 2011 (US Port Security; Chapter 12)

The U.S. Maritime Transportation Security Act (MTSA), designed to protect U.S. ports and waterways from terrorist attacks, was signed into law on November 25, 2002. The MTSA seeks to prevent security incidents in the maritime supply chain, in particular, the port link in this chain. The MTSA also incorporated the international security requirements found in the International Ship and Port Security (ISPS) Code that was ratified earlier in 2002 by the United Nations’ International Maritime Organization (IMO). The ISPS Code is a risk management code for securing ships and ports, e.g., monitoring the access and control of people and cargo to ships and ports and ensuring the availability of security communications. The Code requires ports and marine terminals, serving seagoing vessels of 500 gross tonnage and upwards, to have security plans, officers and certain equipment in place (i.e., in order to comply with the Code) by July 1, 2004. Port security plans include access control, responses to security threats and drills to train staff (Staff, 2004). On March 1, 2003 the U.S. Department of Homeland Security (DHS) was established. The DHS has federal responsibility for funding, standards and strategies (to do so) for the security of ports and other transportation infrastructures. Further, the U.S. Coast Guard was removed from the U.S. Department of Transportation and placed under the authority of the DHS. The U.S. Coast Guard’s maritime security program includes, for example, the deployment of Coast Guard personnel as “Sea Marshalls” aboard certain ships entering and leaving ports, the creation of the High Interest Vessel Boarding Program and the establishment of port security zones around ships and high-risk port facilities (to prevent sabotage or other subversive acts). Sea Marshals provide security to a vessel’s pilot and crew during its transit while in port, thereby diminishing the potential for vessel hijacking. Security zones protect port waterways, vessels and facilities from security incidents. The Coast Guard has also established the Maritime Security Level (MARSEC) system to indicate the severity of a security threat: 1) level one -- a threat is possible, but not likely; 2) level two -- terrorists are likely active in an area; and 3) level three -- a threat is imminent to a given target. The DSH unit, the U.S. Bureau of Customs and Border Protection (CBP), has established voluntary international security programs that are designed to provide point-of-origin to final destination visibility and control over containerized freight movements. These voluntary programs include the: 1) the Container Security Initiative (CSI), in which CBP works with foreign ports to identify potentially dangerous shipments before they arrive in the U.S. and 2) the Customs-Trade Partnership Against Terrorism (C-TPAT), through which CBP provides streamlined clearance of cargo to shippers that establish appropriate security procedures. The CSI is a bilateral agreement between the U.S. and a foreign port, whereby the foreign port is to identify high risk containerized cargo and work with deployed CBP officers (at the foreign port) to target such cargo.

States Counterplan Answers

**[\_\_\_\_]**

[\_\_\_\_] Only the federal government has jurisdiction over federal channels

Marinelink 2012

(Ports Urge Congress to Support Port Security Grants; March 7, <http://www.marinelink.com/news/congress-security-support342938.aspx>)

At two separate Congressional hearings, representatives of the American Association of Port Authorities (AAPA) emphasized the need for federal support for seaport security and maintenance and improvements to federal navigation channels. Port industry leaders illustrated the challenges underfunding security and dredging pose for national security and U.S. international competitiveness. As the House Appropriations Committee begins work on the Fiscal Year 2013 budget, AAPA executives reminded Congressional leaders of the critical role ports play for the nation – serving as a front line of defense on international borders and facilitating overseas trade, 99 percent of which moves by water. Captain John Holmes, Deputy Executive Director of Operations at the Port of Los Angeles, testified before the Homeland Security Subcommittee regarding Port Security Grants within the Federal Emergency Management Agency. “The fiscal year 2012 funding level represents a 59 percent cut from the prior year and 75 percent less than the authorized level,” Holmes stated. “This will harm our ability to expand protection of our maritime assets, carry out Port-Wide Risk Management Plans, and fund federal mandates, such as installation of TWIC readers.” Kurt Nagle, President and CEO, submitted testimony to the Energy and Water Subcommittee on the budget for the U.S. Army Corps of Engineers’ Civil Works program. The testimony focused on the need for full use of the Harbor Maintenance Tax annual revenue for maintenance dredging and the need to adequately fund needed channel deepening projects. “The federal government has a unique Constitutional responsibility to maintain and improve the infrastructure which enables the flow of commerce, and much of that infrastructure in and around seaports have been neglected for too long, particularly the capacity of the federal channels, which affects the ports’ ability to move cargo efficiently into and out of the U.S,” Nagle wrote. “This hurts U.S. business, hurts U.S. workers, and hurts our national economy.”

Topicality – Infrastructure

**[\_\_\_]**

**[\_\_\_] Security measures are infrastructure**

Lt. Morgan James et al, Naval Postgraduate School, 2007

(Port Security Strategy 2012, edocs.nps.edu/npspubs/scholarly/TR/2007/NPS-97-07-003.pdf)

The **security measures undertaken by the port authority and port operators play a key role in deterring intrusions. First, the infrastructure that port operators install, such as container scanners, would help to defray intruders from planting contraband in containers.**

**[\_\_\_] Security expansion is part of infrastructure expansion**

Michael McFaul, US Representative, 2012

(House Homeland Security Subcommittee on Border and Maritime Security Hearing; May 1,  
"Using Technology to Facilitate Trade and Enhance Security at Our Ports of Entry.";   
Testimony by [Rep. McCaul,](http://w3.nexis.com/new/search/XMLCrossLinkSearch.do?bct=A&risb=21_T14683658970&returnToId=20_T14683734313&csi=247474&A=0.9660863238063168&sourceCSI=162599&indexTerm=%23PE000A255%23&searchTerm=Rep.%20McCaul,%20&indexType=P) Michael <http://homeland.house.gov/sites/homeland.house.gov/files/05-01-12%20McCaul%20Open.pdf>

Over the last few years **the Department of Homeland Security (DHS) has increased the number of CBP officers. While these men and women may be needed to address specific gaps, it is clear that we cannot secure the ports of entry only with boots on the ground. A key to security is the maintenance and expansion of infrastructure. Our nation's ports of entry need modernization**.

Article: Maritime Industry Awaits Action in Congress

Stamford Advocate, May 8, 2012, “Maritime Industry Awaits Action in Congress”, <http://www.stamfordadvocate.com/news/article/Martime-industry-awaits-action-in-Congress-3544112.php>

The maritime businesses should not expect any industry-related legislation soon from Congress as the Republican-controlled House and Democratic-controlled Senate continue to do battle.

[Joan M. Bondareff](http://www.stamfordadvocate.com/?controllerName=search&action=search&channel=news&search=1&inlineLink=1&query=%22Joan+M.+Bondareff%22), an attorney with the Washington, D.C., office of Blank Rome LLP, told more than 150 participants at the Tugs & Barges Marine Log Conference & Expo on Tuesday at the Stamford Marriott that the impasse will continue until after the presidential and congressional elections in November.

"This Congress is in considerable gridlock, and nothing much will happen until after election," said Bondareff, who focuses on marine transportation and environmental issues.

Much of proposed transportation funding that is tied up in the 2013 federal budget pertains to maritime programs, including port security and improvements, said Bondareff, who encouraged the audience to contact their senators and representatives to urge action on maritime-related legislation.

"Don't wait for the lame-duck session to make your case to Congress," she said, commenting that there is federal funding immediately available to help ship operators to curb pollution emitted from their diesel engines. "There's $29 billion out there. If you don't apply for it, someone else will get it."

Bondareff is one of a series of speakers addressing participants during the two-day event, which ends today.

Besides federal legislation, other topics revolve around environmental issues, ship building, markets and regulatory issues.

Stamford is ideally suited to host the conference and expo because of the number of companies involved in the industry in Greater New York and Fairfield County, said [John Snyder](http://www.stamfordadvocate.com/?controllerName=search&action=search&channel=news&search=1&inlineLink=1&query=%22John+Snyder%22), editor and publisher of MarineLog, the 135-year-old publication serving vessel owners and operators, ship builders and maritime architects. It has a circulation of 32,000.

"There are a lot of operator’s rights here in this area -- Moran, McAllister, Reinauer and K-Sea. These conferences focus on the coastal tug and barge market," said Snyder, pleased with the turnout, which includes 32 vendors, exhibiting their products and services.

The number of registrants surpassed last year's total.

"I think the economy is picking up," said Snyder, who attended a similar event last month in Houston which saw a 14 percent increase in participation. "What impressed me was that companies were hiring right at the show."

One of those expanding its staff is [Machine Support USA](http://www.stamfordadvocate.com/?controllerName=search&action=search&channel=news&search=1&inlineLink=1&query=%22Machine+Support+USA%22) Inc., in Houma, La., a division of [SKF Group](http://www.stamfordadvocate.com/?controllerName=search&action=search&channel=news&search=1&inlineLink=1&query=%22SKF+Group%22), which is participating for the first time. It sent [Kevin St. Pierre](http://www.stamfordadvocate.com/?controllerName=search&action=search&channel=news&search=1&inlineLink=1&query=%22Kevin+St.+Pierre%22), area sales manager, to man a booth displaying its products.

"We're hiring in the field and in sales. The federal government is issuing more permits (for oil exploration)," he said, noting that it impacts his company's clients. "We do a lot of work for customers who are here."

Next to him, [Michael Feder](http://www.stamfordadvocate.com/?controllerName=search&action=search&channel=news&search=1&inlineLink=1&query=%22Michael+Feder%22), sales manager for Wallingford-based Infra-Metals, also a first-time participant was ready to do business.

"We're a structural steel supplier. Our product goes into tug boats, barges and marine work platforms. We've been selling into the marine industry more than 10 years," he said. "There are lots of towing companies in the Northeast."

Article: US Bound Cargo Remains Vulnerable to Terrorists

Daily Examiner, February 22, 2012, <http://www.examiner.com/article/u-s-bound-cargo-remains-vulnerable-to-terrorists-wmd>

It’s been more than a decade since Islamic terrorists attacked the U.S., yet the agency created to protect the nation from another strike is asleep at the wheel, failing to adequately screen the monstrous amounts of cargo that enter the country each day, according to a government report issued this week.

"Cargo containers that are part of the global supply chain -- the flow of goods from manufacturers to retailers -- are vulnerable to threats from terrorists [including [weapons of mass destruction](http://www.examiner.com/topic/weapons-of-mass-destruction)]," state the government analysts who assembled data for the [**new report**](http://www.gao.gov/assets/590/588253.pdf)**.**

It may seem unbelievable to most Americans that the Department of [Homeland Security](http://www.examiner.com/topic/homeland-security) (DHS) that more than ten years after the worst terrorist attack in U.S. history, the vast majority of cargo containers entering the U.S. go unchecked. Incredibly, it’s true and the alarming details are outlined in the GAO report published this week by the [Government Accountability Office](http://www.gao.gov/assets/590/588253.pdf) (GAO), the investigative arm of the U.S. Congress.

The [Maritime Transportation Security Act](http://www.tsa.gov/assets/pdf/MTSA.pdf) (MTSA) of 2002 and the Security and Accountability For Every (SAFE) Port Act of 2006 required the Department of Homeland Security (DHS) to take actions to improve maritime transportation security.

Also, the Implementing Recommendations of the [9/11 Commission Act of 2007](http://www.intelligence.senate.gov/laws/pl11053.pdf) (9/11 Act) required, among other things, that by July 2012, 100 percent of all U.S.-bound cargo containers be scanned. Within DHS, U.S. Customs and Border Protection (CBP) is responsible for container security programs to address these requirements.

Sadly, the GAO report reveals that the DHS agency responsible for screening cargo, Customs and Border Protection (CBP), still lacks the ability to check 100% of the containers that enter the U.S. through seaports each day. Under the 9/11 Commission Act, all U.S-bound cargo containers must be scanned because they are vulnerable to threats from terrorists and could be used to smuggle nuclear and radiological materials.

To meet the goal, DHS has spent hundreds of millions of dollars on faulty systems that didn’t get the job done. In fact, the agency dropped more than $200 million on 1,400 radiation portal monitors that weren’t up to the task, according to a blog published by a public-interest group that investigates and exposes government corruption and ineptitude -**-** [**Judicial Watch.**](http://www.judicialwatch.org)

“Uncertainty persists over how DHS and CBP will fulfill the mandate for 100 percent scanning given that the feasibility remains unproven in light of the challenges CBP has faced implementing a pilot program for 100 percent scanning,” state the GAO investigators.

In addition, the GAO reveals that several years ago it asked Homeland Security officials to perform an analysis to determine whether 100% scanning is even feasible, but the agency hasn’t bothered doing it.

Congressional investigators have logically concluded that CBP is “no longer pursuing efforts to implement 100 percent scanning” by the mandatory July 2012 deadline.

The GAO reveals that several years ago it asked Homeland Security officials to perform an analysis to determine whether 100% scanning is even feasible, but the agency never did it. Congressional investigators have logically concluded that CBP is “no longer pursuing efforts to implement 100 percent scanning” by the mandatory July 2012 deadline.

The GAO’s findings could not have come at a worst time, on the heels of an [**international study**](http://www.homelandsecuritynewswire.com/dr20120208-major-shipping-companies-inadvertently-aid-smugglers) on maritime trafficking that reveals weapons, drugs and banned missile are regularly smuggled aboard reputable ships owned by major companies in the U.S. and Europe.

As an example it lists the case of weapons traffickers who evaded international embargoes on Iran and North Korea by hiding illegal goods in sealed [shipping containers](http://www.gao.gov/new.items/d0886t.pdf) using a tactic pioneered by drug smugglers.

The GAO report concludes: "Uncertainty persists over how DHS and CBP will fulfill the mandate for 100 percent scanning given that the feasibility remains unproven in light of the challenges CBP has faced implementing a pilot program for 100 percent scanning. In response to the [**SAFE Port Act**](http://www.gao.gov/new.items/d0886t.pdf) requirement to implement a pilot program to determine the feasibility of 100 percent scanning, CBP, the Department of State, and the Department of Energy announced the formation of the Secure Freight Initiative (SFI) pilot program in December 2006."

Article: SMART Port Security

**Representative Candice Miller,** March 22, **2012**, “SMART Port Security,” http://candicemiller.house.gov/2012/03/miller-smart-port-security-act-to-combat-threats-before-they-reach-our-shores.shtml

WASHINGTON – U.S. Representative Candice Miller (MI-10), Chairman of the Homeland Security Subcommittee on Border and Maritime Security, today introduced the Securing Maritime Activities through Risk-based Targeting for Port Security Act (SMART Port Security Act) in the U.S. House of Representatives. Miller’s bipartisan bill seeks to improve and update our maritime and port security. Miller said:

“More than 11 million cargo containers arrive in America’s ports every year which present the potential for dangerous materials to be smuggled into our country through the supply chain. Port and maritime security are becoming increasingly essential components of a total national security plan. We are faced with the fact that if there is a major disruption at one of the nation’s ports, especially a terrorist attack, the resulting potential effects will cause a crippling of the global supply chain and cause severe economic damage to the nation.

“Recognizing the growing threat to the global supply chain, I introduced this legislation to improve and update our laws governing our ports by enhancing security measures overseas before threats reach our shores, to foster a collaborative environment between Customs and Border Protection and the U.S. Coast Guard in sharing port security duties, and to leverage the maritime security work of our trusted allies. Our nation’s maritime borders are equally important as our southern and northern borders and each one is vital to our global commerce and our national security. In an era of tight budgetary times, we must ensure that we are making the best use of limited tax-payer dollars. My legislation seeks to guard against these threats in a risk-based, coordinated way that enhances the programs in place to protect our maritime borders.”

Miller’s SMART Port Security Act will:   
• Encourage the Department of Homeland Security components with shared jurisdiction to cooperate in maritime operations and partner with state and local law enforcement agencies in order to enhance the nation’s maritime security;  
• Secure the supply chain through the use of a risk-based methodology;  
• Find cost savings through increased collaboration with international, federal, state, and local partners.

Miller’s legislation builds upon the SAFE Port Act of 2006 (P.L. 109-347) by enhancing security measures overseas before threats reach our shores, emphases a stronger collaborative environment between Customs and Border Protection and the U.S. Coast Guard in sharing port security duties, and leverages the maritime security work of our trusted allies. Miller’s bill is the result of more than a year of congressional oversight hearings focused on the nation’s maritime security, including hearings with the Commandant of the Coast Guard, Customs and Border Protection Air and Marine Officials and a hearing on the Global Supply Chain. Additionally, the SMART Port Security Act incorporates several maritime provisions from the DHS Authorization bill.

**Port Security Negative**

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Glossary

Vocabulary

**Al-Qaeda.** The terrorist organization that is responsible for the 9-11 attacks.

**Containers.** Large boxes of goods that arrive in the United States from abroad. They are off-loaded from large ships and then distributed via truck and train throughout the United States.

**Dirty bomb.** The explosion of nuclear material as a way to spread the nuclear material around. It is not a direct explosion.

**Fissile material.** Nuclear material that can be detonated.

**Imports.** Goods that enter the US and are then sold in the US.

**Port.** A place where goods arrive via a container ship and are imported into a country.

**Weapon of Mass Destruction (WMD**)**.** Nuclear, Chemical, and Biological weapons are considered to be WMDs.

Glossary

Acronyms

**CBP.** Customs & Border Patrol

**CBPO.** Customs & Border Patrol Officer

**CBW.** Chemical and Biological Weapons  
  
**DOD.** Department of Defense

**DHS.** Department of Homeland Security

**IED.** Improvised Explosive Device

**GAO.** General Accounting Office.

**HEU.** Highly Enriched Uranium

**NPT.** Nuclear Non-Proliferation Treaty

**RDD.** Radiological Dispersion Device

**RPG.** Rocket Propelled Grenade

**URC.** United States Regulatory Commission

**WMD.** Weapons of Mass Destruction

Economy Add-on Answers

#### [\_\_\_]

**[\_\_\_] The costs of an attack would be a drop in the bucket compared to the size of the US economy**

Jon D. Haveman and Howard J. Shatz, Public Policy Institute of California, 2006

(Protecting the Nation’s Seaports: Balancing Security and Costs, www.ppic.org/content/pubs/repo-rt/r\_606jhr.pdf)

In the scenario of a one-year reconstruction, **the U.S. economy could suffer losses of almost $45 billion, the authors argue**. These include direct costs, indirect costs, and induced costs. Direct costs arise as a direct result of the halt in shipping. For example, if car parts are being imported, the car manufacturer can neither assemble nor sell more cars. Indirect costs result from the fact that other domestic firms supply parts to the same car manufacturer. These parts would no longer be needed, so these firms would sell fewer parts as an indirect result of the halt in trade. Induced costs result from the reduction of consumption spending by households whose members worked in the affected industries. About 64 percent of this loss would occur outside the five-county Los Angeles region; some would occur elsewhere in California, but most would occur outside the state. These are not trivial costs. For comparison, **the new eastern span of the San Francisco–Oakland Bay Bridge is expected to cost around $6 billion, and policymakers have gone to enormous pains finding money to pay for it. The estimated costs of a one-year closure of Terminal Island are more than seven times that large. Nevertheless, U.S. GDP is more than $11.7 trillion, next to which the economic costs of an attack do seem small.**

**[\_\_\_] The economy will adapt to closed ports**

Jon D. Haveman and Howard J. Shatz, Public Policy Institute of California, 2006

(Protecting the Nation’s Seaports: Balancing Security and Costs, www.ppic.org/content/pubs/repo-rt/r\_606jhr.pdf)

The more sanguine estimate of the economic effects, in Chapter 2, results from an evaluation of the observed economic disruption from previous similar events. This more direct examination of the economic evidence indicates that in many cases, particularly port closures of relatively short duration, economic activity is more delayed than disrupted. The authors find that **consumers and producers wait out the strike, storm, or other disruption, all the while accumulating demand that occurs in a flurry once the flow of goods resumes. The evidence indicates that for longer disruptions, economic agents are very creative and can find ways to work around a bottleneck such as a closed port.**

Economy Add-on Answers

#### [\_\_\_]

#### [\_\_\_] Redundancies and contingencies reduce disruption impacts

Edward E. Leamer and Christopher Thornberg, professor of statistics at UCLA and senior economist with the UCLA Anderson Forecast, 2006

(UCLA Anderson Forecast, Protecting the Nation’s Seaports: Balancing Security and Costs, www.ppic.org/content/pubs/report/r\_606jhr.pdf)

Of course, a labor action is not the same as a terrorist attack; labor actions can be anticipated to some extent, whereas lack of anticipation is intrinsic to terrorist attacks. However, similarities remain. The labor actions of the sixties and seventies were often marked by wildcat strikes and work slowdowns, deliberately created to reduce or prevent mitigating actions on the part of the companies involved. Furthermore, there cannot now be an unexpected, surprise terrorist strike at U.S. ports. **Because of the terrorist threat, many businesses have put in place redundancies and contingencies that will help mitigate the disruption caused by a port attack, just as they undoubtedly did in anticipation of the port strikes that loomed in the 1960s.**

#### [\_\_\_] Other sectors offset

Edward E. Leamer and Christopher Thornberg, professor of statistics at UCLA and senior economist with the UCLA Anderson Forecast, 2006

(UCLA Anderson Forecast, Protecting the Nation’s Seaports: Balancing Security and Costs, www.ppic.org/content/pubs/report/r\_606jhr.pdf)

Our results do not say that no business was hurt by port labor actions or that profits were not adversely affected by the increase in transaction costs. Some industries, some firms, and some regions were surely adversely affected. Nor do we claim that a terrorist attack on the ports and the resultant disruption to the supply chain would not harm any region or company—certainly some firms and regions would be affected. However, as is often the case in a modern complex economy, when one industry or area suffers as a result of some economic disturbance, another prospers as a result of an offsetting shift in demand: There are winners and losers. Our main point here is that these **past disruptions were insufficient to cause any noticeable change in the aggregate flow of the economy: Either the losses were small compared with the overall economy or they were largely offset by gains elsewhere.** We believe that **the same would be likely after a terrorist attack on a port: Its effects are not likely to show up other than in imports and exports.**

Low Risk of Port Terrorism

#### [\_\_\_]

#### [\_\_\_] Risks decreasing, alternative transportation methods solve, catastrophic impacts empirically denied

Edward E. Leamer and Christopher Thornberg, professor of statistics at UCLA and senior economist with the UCLA Anderson Forecast, 2006

(UCLA Anderson Forecast, Protecting the Nation’s Seaports: Balancing Security and Costs, www.ppic.org/content/pubs/report/r\_606jhr.pdf)

**Although the United States is considerably more trade-dependent today than in earlier periods, this potential vulnerability is offset by a number of factors. One is the shift from ship to aircraft for delivery of many high-value, time-sensitive goods, particularly on the export side. Second, countermeasures to a terrorist strike, such as increased inspections of containers**, may be more onerous for imports coming from uncertain ports than for exports packaged in the United States. And although a widespread labor action would stop most maritime trade completely, a terrorist strike would only slow trade rather than stop it. **When added together, these factors mean that the disruption to the flow of goods as a result of a current terrorist attack could be roughly similar in size to the effect of a major port strike in the 1960s**. Therefore, we feel that these historic labor actions correspond closely enough to the kind of port disruption that a terrorist attack might bring to tell us a lot about the probable effect on the national economy of a terrorist attack on the ports. **We will show how these labor actions are visible in the import data and export data of the period. In all cases, there was a small increase in import volume before these actions, a drop in volume during the action, and a large surge in import volume after the dispute was settled. Because of the size of that postdisruption volume surge, the overall loss of trade during a labor action was very small and in some cases nonexistent.**

Low Risk of Port Terrorism

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#### [\_\_\_] Only a 1 in 80,000 chance of being killed by a terrorist

The New Republic, 2008

(December 24, p. 22)

As a result of this psychological bias, large numbers of **Americans have overestimated the probability of future terrorist strikes:** In a poll conducted a few weeks after September 11, respondents saw a 20 percent chance that they would be personally harmed in a terrorist attack within the next year and nearly a 50 percent chance that the average American would be harmed. Those alarmist predictions, thankfully, proved to be wrong; in fact, **since September 11, international terrorism has killed only a few hundred people per year around the globe, as John Mueller points out in Overblown. At the current rates, Mueller argues, the lifetime probability of any resident of the globe being killed by terrorism is just one in 80,000.**

#### [\_\_\_]Terrorism is not an existential threat

The New Republic, 2008

(December 24, p. 22)

Last March he declared that, "if we don't recognize the struggle we are in as a significant existential struggle, then it is going to be very hard to maintain the focus." **If nuclear attacks aren't likely and smaller events aren't existential threats, I asked, why did he say the war on terrorism is a "significant existential struggle**"? "**To me, existential is a threat that shakes the core of a society's confidence and causes a significant and long-lasting line of damage to the country**," he replied. **But it would take a series of weekly Virginia Tech-style shootings or London-style subway bombings to shake the core of American confidence; and Al Qaeda hasn't come close to mustering that frequency of low-level attacks in any Western democracy since September 11. "Terrorism kills a certain number of people, and so do forest fires," Mueller told me. "If terrorism is merely killing certain numbers of people, then it's not an existential threat**, and money is better spent on smoke alarms or forcing people to wear seat belts instead of chasing terrorists."

Al Qaeda Threat Decreasing

#### [\_\_\_]

**[\_\_\_] Al Qaeda has alienated its supporters**

[Bruce Riedel](http://www.brookings.edu/experts/riedelb.aspx), Senior Fellow, [Foreign Policy](http://www.brookings.edu/foreign-policy.aspx), [Saban Center for Middle East Policy](http://www.brookings.edu/saban.aspx), 2011

**(**How the United States Enable Al Qaeda, http://www.brookings.edu/opinions/-2011/0905\_al\_qaeda\_911\_riedel.aspx)

**But al Qaeda also made its share of mistakes. The terror group’s lack of a vision is an existential lapse. By offering only violence and death, it denies Muslims what they yearn for, such as democracy and a just peace settlement for the Palestinians. And by killing thousands of fellow Muslims and blowing up civilians in the streets and markets of Iraq, Jordan, and Saudi Arabia, al Qaeda has alienated its own constituents by drowning them in blood.**

**[\_\_\_] Al Qaeda no longer capable of large scale attacks**

Brian Michael Jenkins, senior adviser to the president of the RAND Corporation, 2011

(The Long Shadow of 9/11: America’s Response to Terrorism, Ed. Bruce Michael Jenkins and Paul Hodges, p. 4)

**There is consensus in this volume that the United States has accomplished a great deal in the past ten years. Al Qaeda’s capacity for centrally directed, large-scale terrorist operations has been greatly reduced, if not eliminated entirely.**

Al Qaeda Threat Decreasing

#### [\_\_\_]

**[\_\_\_] Military and police security measures have decimated Al Qaeda**

Brian Michael Jenkins, senior adviser to the president of the RAND Corporation, 2011

(The Long Shadow of 9/11: America’s Response to Terrorism, Ed. Bruce Michael Jenkins and Paul Hodges, p. 4)

**The United States cannot prevent every terrorist attack, but it is much better equipped today to handle future terrorist threats. U.S. intelligence has shifted its priorities from nation-states to transnational actors and has reconfigured itself to meet the new threats. The intelligence operation that led to the successful raid on bin Laden’s compound in Abbottabad, Pakistan, displayed this greatly increased effectiveness. Al Qaeda’s ranks have been decimated, its capabilities degraded, not only as a result of U.S. intelligence, military, and Special Operations but also very much as a consequence of unprecedented international cooperation among the world’s security services and law enforcement organizations.**

No WMD Terrorism

#### [\_\_\_]

#### [\_\_\_] No nuclear terror – terrorists cant acquire, build, or deliver a bomb

Steve Chapman,reporter and editorial writer for Chicago Tribune, 2012

(RealClearPolitics, “The Implausibility of Nuclear Terrorism”, http://reason.com/archives/2012/05/17/the-implausibility-of-nuclear-terrorism)

But remember: After Sept. 11, 2001, we all thought more attacks were a certainty. Yet **al-Qaida** and its ideological kin **have proved unable to mount a second strike**. Given their inability to do something simple -- say, shoot up a shopping mall or set off a truck bomb -- it's reasonable to ask if they have a chance at something much more ambitious. Far from being plausible, **argued** Ohio State University **professor John Mueller** in a recent presentation at the University of Chicago, "**the likelihood that a terrorist** group **will come up with an atomic bomb seems** to be **vanishingly small.**" **The events required** to make that happen **comprise** a multitude of **Herculean tasks**. First, **a terrorist group has to get a bomb** or fissile material, perhaps from Russia's inventory of decommissioned warheads. **If that were easy, one would have already gone missing**. Besides, **those devices are** probably **no longer a danger**, since **weapons that are not** scrupulously **maintained** (as those have not been) **quickly** **become** what one expert calls "radioactive **scrap metal**." If terrorists were able to steal a Pakistani bomb, **they would still have to defeat** the **arming codes and other safeguards** designed to prevent unauthorized use. As for Iran, **no nuclear state has ever given a bomb to an ally** -- for reasons even the Iranians can grasp. Stealing some 100 pounds of bomb fuel would require help from rogue individuals inside some government who are prepared to jeopardize their own lives. The terrorists, notes Mueller, would then have to spirit it "hundreds of miles out of the country over unfamiliar terrain, and probably while being pursued by security forces." Then comes the task of **building a bomb**. It's not something you can gin up with spare parts and power tools in your garage. It **requires millions of dollars, a safe haven and advanced equipment** -- plus people with **specialized skills**, lots of time and a willingness to die for the cause. And if al-Qaida could make a prototype, another obstacle would emerge: **There is no guarantee it would work**, and there is **no way to test** it. Assuming the jihadists vault over those Himalayas, **they would have to deliver the weapon** onto American soil. Sure, drug smugglers bring in contraband all the time -- but seeking their help would confront the plotters with possible exposure or extortion. **This,** like every other step in the entire process, **means expanding the circle of people who know what's going on, multiplying the chance someone will** blab, back out or **screw up**.

No WMD Terrorism

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[\_\_\_] The risk of nuclear terrorism is low – it is too expensive for terrorist organizations

John Mueller, department of political science at Ohio State University, 2008

(1/1/2008, The Atomic Terrorist, p. http://polisci.osu.edu/faculty/jmueller/APSACHGO.PDF)

Assessing the financial costs. The discussion so far has neglected to consider the **financial costs** of the extended operation in all its cumulating, or cascading, entirely, but these **could** easily **become monumental. There would be expensive equipment** to buy, smuggle, and set up, **and people to pay**--or pay off. Some operatives might work for free out of utter dedication to The Cause, but the **vast conspiracy requires in addition the subversion of a considerable array of criminals and opportunists, each of whom has** **every incentive to push the price** for cooperation **as high as possible**. Alarmists **Zimmerman and Lewi**s (2006) **suggest the** entire **caper could be pulled off for $10 million. The conspirators would be lucky to buy off three people** with such a paltry sum. Moreover, **the terrorists would be required to expose** **their** ultimate **goals** to at least some of the corrupted, **and at that point** (if not earlier) **they would become potential extortion victims. They could not afford to abandon unreliable people** who know their goals (though they could attempt to kill them), **and such people would** now **enjoy** essentially **monopoly powers ever to escalate their price**. **The cost** of the operation in bribes alone **could** easily **become ten times the sum** suggested by Zimmerman and Lewis. And **even at that, there would be,** of course, **a considerable risk that those so purchased would**, at an exquisitely opportune moment of their choosing, decide to **take the money and run**--perhaps **to the authorities** representing desperate governments with essentially bottomless bankrolls and an overwhelming incentive to expend resources to arrest the atomic plot and to capture or kill the scheming perpetrators.

No WMD Terrorism

#### [\_\_\_]

#### [\_\_\_] No risk of nuclear terrorism

Jason Sigger,Defense Policy Analyst focusing on Chemical, Biological, and Nuclear Defense issues, 2010

(“Terrorism Experts Can Be Alarmists, Too”, http://armchairgeneralist.typepad.com/my\_weblog/-2010/01/terrorism-experts-can-be-alarmists-too-1.html)

**You find the famous bin Laden 1998 quote about WMDs, references from George "slam dunk" Tenet's book on al Qaeda** intentions and actions in the desert, meetings between Muslim scientists and suppliers, statements by terrorists that were obtained under "interrogations," **and yes, even Jose Padilla's "dirty bomb**" - a charge which people may remember **the US government dropped because it had no evidence on this point. And no discussion about AQ would be complete without the "mobtaker" device that never really emerged in any plot against the West**. That is to say, **we have a collection of weak evidence of intent without any feasible capability and zero WMD incidents - over a period of fifteen years, when AQ was at the top of their game, they could not develop even a crude CBRN hazard**, let alone a WMD capability. **Mowatt-Larsen doesn't attempt to answer the obvious question - why didn't AQ develop this capability by now**? He points to a June 2003 article where the Bush administration reported to the UN Security Council that there was a "high probability" that al Qaeda would attack with a WMD within two years. The point that the Bush administration could have been creating a facade for its invasion into Iraq must have occurred to **Mowatt-Larsen,** but he dodges the issue. This is an important report to read, but not for the purposes that the author intended. It **demonstrates the extremely thin thread that so many terrorist experts and scientists hang on when they claim that terrorists are coming straight at the United States with WMD capabilities.**

No Solvency – Detection

#### [\_\_\_]

#### [\_\_\_] No solvency for port shut-downs: If a WMD is detected, the port will be shut-down

Lt. Morgan James et al, Naval Postgraduate School, 2007

(Port Security Strategy 2012, edocs.nps.edu/npspubs/scholarly/TR/2007/NPS-97-07-003.pdf)

**A detection or activation of a WMD in the port would result in the disruption all port operations. Importation of a WMD provides terrorists the ability to inflict severe damage in the importing country**.

#### [\_\_\_] Detection devices don’t solve direct ship attacks

Lt. Morgan James et al, Naval Postgraduate School, 2007

(Port Security Strategy 2012, edocs.nps.edu/npspubs/scholarly/TR/2007/NPS-97-07-003.pdf)

The first scenario considered small boat attacks on ports. **Small boats loaded with explosives can penetrate the waterside of the port and detonate in the port vicinity. This action would cause damage to the ports’ systems and equipment and disrupt the normal operations of the port. From the military point of view, a small boat attack would elevate the force protection level of the ship. It would also create psychological effects within the U.S. populace and generate retaliatory outcries**. The USS COLE (DDG 67) attack in Yemen in October 2000 and French tanker Limburg’s attack in October 2002 demonstrated the potential major threat from the explosive-laden boats.

#### [\_\_\_] Bad weather undermines security sensors

Lt. Morgan James et al, Naval Postgraduate School, 2007

(Port Security Strategy 2012, edocs.nps.edu/npspubs/scholarly/TR/2007/NPS-97-07-003.pdf)

**Weather also determines the effectiveness of the in-place security measures**. For example, **a rain storm would greatly affect the performance of sensors or communications equipment** along with the patrolling profile of the security personnel.

No Solvency – Detection

#### [\_\_\_]

#### [\_\_\_] Explosives can be divided, making detection impossible

Lt. Morgan James et al, Naval Postgraduate School, 2007

(Port Security Strategy 2012, edocs.nps.edu/npspubs/scholarly/TR/2007/NPS-97-07-003.pdf)

**The first scenario considers an individual or group with the purpose to cause maximum destruction to the port facility and the in-port ship. One way to achieve this goal is to break up the explosive weapons into various parts carried by different shipments into the port. The insider would coordinate the different shipment of weapons by selecting a shipment that is less likely to be marked for inspection. It is difficult to detect any possible existence of weapons since most components can be mixed with other legitimate items such as electronics, machinery and raw manufacturing materials. Alternatively, the random check conducted can also be exploited.** Assembly of the weapons would be done by the insider(s) disguised as workers of the port (e.g. machinery operators, dock workers etc). **Detonation of explosives would be coordinated in conjunction with the docking of a ship. The explosives could be installed near the bay and cargo landing areas (near to the fuel tanks of the ship). The attack potentially could generate enough fuel explosives to cause substantial destruction to the port.**

No Solvency – Delays Turn

#### [\_\_\_]

[\_\_\_] Enhanced port security leads to serious delays in shipping that harm the economy and national security

Conrad et al, Sandia National Laboratories, 2003

(Stephen Conrad, Walter Beyeler, Richard Thomas, Thomas Corbet, Theresa Brown, Gary Hirsch, and Christopher Hatzi, How Do We Increase Port Security Without Imperiling Maritime Commerce? Using Flight Simulators and Workshops to Begin the Discussion, http://www.garybhirsch.com/industry\_files/A-port-paper.pdf)

Especially since the events of 9-11, container shipments through US ports are believed to be a potential pathway for introduction of weapons of mass destruction (WMD) into the United States. Currently only about 2% of all cargo containers are inspected. New security measures have been implemented, and others proposed, in an effort to reduce this perceived threat. These measures call for additional processes and equipment to be used in container shipment in an effort to better characterize and control cargo. **Requiring new security measures can change** important performance characteristics of the port such as **the time and cost required to import and export goods. These** performance **changes can suppress overall demand for shipping,** and change the relative attractiveness of ports to importers, exporters, and cargo carriers. The current inspection process was designed primarily to enforce tariffs and intercept illicit drugs and other contraband, and may not be well suited to interdicting WMD. In addition to any long-term performance changes created by security measures, **the transition from the current system to an inspection system tailored for security may impose additional costs and delays**. Effective security measures must take account of the economic consequences they entail. The National Strategy for the Protection of Critical Infrastructures and Key Assets (2003) issued by the White House states that “**security solutions to the container shipping challenge should recognize that**, in many cases, **commerce**, including essential national security materials, **must continue to flow…Stifling commerce to meet security needs simply swaps one consequence of a security threat for another**.” Successful port operations requires the coordinated action of many disparate people and organizations, including ship owners, port authorities, importers and exporters, labor unions, and government agencies. Negotiating the appropriate balance between security and cost requires considering the consequences of alternatives on these diverse interests.

No Solvency – Delays Turn – Link Extension

#### [\_\_\_]

#### [\_\_\_] Enhanced port security leads to delays in shipping, undermining the economy

Lt. Morgan James et al, Naval Postgraduate School, 2007

(Port Security Strategy 2012, edocs.nps.edu/npspubs/scholarly/TR/2007/NPS-97-07-003.pdf)

**The port operators are primarily concerned with continued operation with minimal cost while maintaining an efficient and continuous flow of cargo. Additional costs incurred in enhancing security will erode profit margin**. **Since the port operators are profit-conscious, it is desired that the terminals continue to operate with minimal cost.** The second scenario considered was a large ship attack on ports. Ships laden with WMDs pose a potential threat. Another aspect to study is the use of the ship itself. Because of their large size and weight, the use of the ship as a kinetic weapon to port operations or to the military installations is a very viable threat. The large amount of momentum created by the large ship enables the infliction of severe damage to any vessel. If the large ship is laden with volatile cargo, the ship presents a major concern for port operations. Explosives from the ship can cause severe damage to the port, severely disrupting normal port operations.

Spending Link

[\_\_\_\_] Enhanced port security would cost billions

ABC News 2006

(How Much Is Too Much for Port Security?, [Z. BYRON WOLF](http://abcnews.go.com/author/z_byron_wolf)

Sept. 13, 2006, http://abcnews.go.com/US/Politics/story?id=2425748&page=1#.UATHLxxrP7p)

Then he implied the same was true of port security, suggesting **there was no way to entirely** **safeguard America's ports.** The federal government has spent $10 billion on port security since 2004, according to Chertoff. **The new bill would allocate nearly $9 billion more over the next five years** to beef up security at the nation's ports. While Chertoff encouraged its passage, he tried to convince Sen. Frank Lautenberg, D-N.J., that **scanning 100 percent of the cargo coming into the country was logistically impossible.** "You know, it's like I get in my car or I put my daughter in my car. I understand it's not 100 percent safe. If I wanted my daughter to be 100 percent safe, I'd put a 5-mile-an-hour speed limit cap on the car, and it wouldn't go more than 5 miles an hour." Noting that the costs would be immense, he also argued against an amendment offered by Sen. Charles Schumer, D-N.Y., that would require screening of all shipping containers coming into the United States. "No matter how hard we may try, we cannot eliminate every possible threat to every individual in every place at every moment. And if we could, it would be at an untenable cost to our liberty and our prosperity," Chertoff said to the committee. **"We don't want to undercut our economy while trying to protect it.** We also don't want to undercut our civil liberties while trying to protect them."

States Counterplan Solvency

[\_\_\_\_] **State, local, and private entities own the ports – they are the correct ones to do the plan**

American Society of Civil Engineers, 2009

(Report Card of America‘s Infrastructure <http://www.infrastructurereportcard.org/> sites/default/files/RC2009\_full\_report.pdf)

Due to a lack of adequate data, ASCE was unable to assess the condition of, or assign a grade to, the infrastructure of the nation’s more than 300 ports and harbors. **Ports**, which **are owned and operated largely by state, local, and private entities, are not required to report on the condition of their infrastructure to the federal government.**

Topicality – Infrastructure

**[\_\_\_]**

**[\_\_\_]** **“Port Security” includes more than port infrastructure**

Jon D. Haveman and Howard J. Shatz, Public Policy Institute of California, 2006

(Protecting the Nation’s Seaports: Balancing Security and Costs, www.ppic.org/content/pubs/repo-rt/r\_606jhr.pdf)

**Each container trip to the United States has, on average, 17 different stop**s, or points at which the container’s journey temporarily halts. The adage “goods at rest are goods at risk” readily applies to the terrorist threat. **The container will be at rest at any point in the journey that involves a change in mode of transportation**. While at rest, the container is vulnerable to thieves and terrorists alike. **Providing port security therefore involves closely scrutinizing activities not only at the port but at points all along the shipping chain**. The truck driver picking up the container at the U.S. port, often poorly paid and possibly an illegal immigrant not well integrated into U.S. society may himself represent vulnerability in the system.

**[\_\_\_] Port Security is not infrastructure**

Jon D. Haveman and Howard J. Shatz, Public Policy Institute of California, 2006

(Protecting the Nation’s Seaports: Balancing Security and Costs, www.ppic.org/content/pubs/repo-rt/r\_606jhr.pdf)

There is no way to completely inspect all of the millions of containers entering the United States. They are about as large as a full- size moving van and are often tightly packed. Inspecting each thoroughly would bring commerce to a halt, exactly the kind of reaction that terrorists hope to generate.

Given the difficulties of complete inspection, defense needs to be layered, with checks at multiple stages on a container’s journey. Even if a check at one stage has a low probability of uncovering a problem, multiple checks throughout the supply chain raise that probability a great deal. Such a **layered defense can be divided into five areas: (1) intelligence—gaining information about which containers might be risky, (2) information about contents—having shippers notify authorities about the goods they are shipping, (3) procedural uniformity—creating standard procedures regarding packing and moving goods so that anomalies will be seen more easily, (4) limiting access—enforcing greater control over who may come near containers and ports, and (5) technology—the development of new inspection and tracking technologies**.

**Federalism Disadvantage**

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Summary

The federalism disadvantage partially stems from the Tenth Amendment to the Constitution, which states that powers not explicitly given to the federal government are reserved for the states. The federal government possesses only those powers enumerated by the Constitution. Included among these enumerated powers are the powers to raise and coin money, the power to spend that money, the power to regulate foreign and interstate commerce, and the power to provide for the defense of the United States.

Generally speaking, the states are responsible for policy action on domestic issues, including education, welfare, health, and criminal justice where the Constitution does not provide authorization for the federal government to act. States do have some authority over environmental regulation and environmental protection.

The purpose of federalism, striking a balance between the powers of the state and the federal government, is to ensure that one branch of government, particularly the federal government, does not obtain too much power. The trick is to determine precisely *how* and *where* to strike the balance.

There are a number of reasons that federalism is arguably good. In the debate, you should be sure to extend at least one piece of evidence that makes each of the following arguments. If you win some of these arguments you may be able to turn back the affirmative case by impacting your disadvantage into their harm area.

‑ Federalism promotes public participation. Since state governments are "closer to the people," individuals are arguably more likely to participate in state government politics; they are more likely to know their representatives, to think that the issues are important, and to have a more direct stake in the outcome.

‑ Federalism alleviates social and ethnic tensions. Individual states in a federalist system are supposed to be able to make their own policy choices that diverge from the national norm. As long as those choices are allowed, individuals are more likely to have their preferences protected and live as they wish. If they are not able to make these decisions for themselves, they may decide to succeed or fight other groups whose interests and preferences they may see as mutually exclusive.

‑ Federalism encourages policy experimentation and innovation. If different states adopt different policies, each will likely adopt some policies that work and some that fail. Other states, and the national government, can learn from that experimentation. If the federal government only adopts a single policy, and it fails, there may be no alternatives on the horizon.

‑ Federalism provides opportunities for a number of individuals and groups to have power. If the states all have their own strong policy‑making apparatuses and areas of authorities, it prevents the tyrannical concentration of power in one group.

Glossary

**Federal.** The federal government is the central government in Washington, D.C.

**Federalism.** Federalism is the balance of power between the state governments and the federal government.

**Liberty.** Liberty is the idea that human beings have control over their own actions.

**Majoritarianism.** Majoritarianism is the belief that we should do what most people want even if the desires of the majority infringe on the minority.

**Subsidy.** An amount of money that is designated to support a particular project.

**Supremacy Clause.** Article VI, Section 2, of the U.S. Constitution is known as the Supremacy Clause because it provides that the "Constitution, and the Laws of the United States … shall be the supreme Law of the Land." It means that the federal government, in exercising any of the powers enumerated in the Constitution, must prevail over any conflicting or inconsistent state exercise of power.

Federalism 1NC Shell

A. Uniqueness – Obama has given authority over transportation infrastructure to the states now, enabling a strong balance of federalism

Bruce Katz, Vice President of the Metropolitan Program @ the Brookings Institute, 2012

(“Remaking Federalism to Remake the American Economy,” February 16, <http://www.brookings.edu/research/papers/2012/02/16-federalism-katz>)

On the programmatic front, President **Obama has worked to enable states** and localities **to tackle structural challenges** in integrated ways. **The administration’s Sustainable Communities Initiative**—a partnership among the Department of Transportation, Department of Housing and Urban Development (HUD) and Environmental Protection Agency (EPA)— **has**, for example, **given cities and metropolitan areas resources, information and tools to make sharper connections between housing, transportation and environmental resources.** On regulatory matters, President **Obama has used federal actions to set a “floor rather than a ceiling”** on a range of consumer protection, clean energy and environmental matters. **This has left room for the states to innovate** on auto emission standards in California, for example, and to seek redress for mortgage abuses through the States Attorney Generals. To date, President **Obama’s approach to economic restructuring has tended toward the more permissive, enabling end of the federalist spectrum.**

Federalism 1NC Shell

B. Link – Growth in federal power and taking over of jurisdiction undermines state power

Harvard Journal of Law and Public Policy, 2000

(Spring, p. 565-6)

The new term actually gives us a new perspective on the enumerated powers. **No power granted to Congress** - think of the Commerce Clause - **may be so construed as to preempt entirely the states' power over the people.** I employ the phrase "power over the people" for two reasons. First, this phrase emphasizes that the reserved powers of the states must somehow reflect general sovereign powers, which are powers over people. The "States qua States" cases preserve the states' power over some people - those who are state employees. **A state that may resist commandeering so as to retain only the power to exist in name possesses no meaningful powers.** Second, I refer to the states' power over "people" because the Court has overlooked "the people" in its arguments over the Tenth Amendment, and "the people's" rights are also reserved. The Tenth Amendment expresses a triangular relationship among the federal government, state governments, and the people. Although the context for Tenth Amendment litigation has involved disputes between states and the federal government, residual state authority also inures to the benefit of "the people." **In any contest between Congress and the states, a decision that favors expanded federal powers necessarily disfavors the states and the people**. When Justice Souter wrote in Alden that "the commerce power is no longer thought to be circumscribed," he meant, implicitly, that the people have reserved no powers over commerce or anything affecting it.

C. Impact – Federalism is crucial to prevent tyranny

Ernest Young, Law Professor, University of Texas, 2004

(TEXAS LAW REVIEW, November pp. 59-60)

More fundamentally, our **federalism has always been justified as a bulwark against tyranny.** Madison extolled federalism as part of the "double security" that the new Constitution would provide for the people; just as the three branches of the central government were to check one another, the state governments would check the center. As Lynn Baker and I have discussed elsewhere, Madison's discussion in Federalist 46 emphasized worst case scenarios, in which the states would have to oppose the national government militarily, and this emphasis has sometimes distracted critics of federalism from more prosaic - but also more relevant - mechanisms by which  federalism protects liberty. **Even in the Founding period, however, state autonomy buttressed individual liberty in other, less dramatic ways. States may oppose national policies not only militarily but politically, and in so doing they may serve as critical rallying points for more widespread popular opposition.** Madison and Jefferson, out of national power during the Federalist administration of John Adams, worked through the Virginia and Kentucky legislatures to oppose the Alien and Sedition Acts. The states thus, as Professor Friedman puts it, "serve as an independent means of calling forth the voice of the people." **More recently, "Some state and local governments have proven themselves formidable lobbyists and indefatigable litigants" on issues such as affirmative action, benefits for the disabled, and environmental policy**

Uniqueness – Federal Power Restrained Now

**[\_\_\_] Health care decision promotes federalism now**

Forbes, 2012

(June 29, <http://www.forbes.com/sites/daviddavenport/2012/06/29/federalisms-silver-lining-in-the-healthcare-decision/>)

But **the 193-page U.S. Supreme Court opinion on the constitutionality of the healthcare reform bill does actually leave conservatives, and especially those concerned about states’ rights and federalism, some room for encouragement**. In fact, one could argue that conservatives won all the major constitutional battles in this case but, thanks to some deft footwork by Chief Justice Roberts, still managed to lose the war.  **The big constitutional questions in this case were whether there are any limits to the federal government’s power under the Commerce Clause and the conditional spending power and, to each of those questions, a strong majority of the Court said “yes,” and moreover, held that Congress’ actions in this case exceeded those limits.**

**[\_\_\_] The Supreme Court has recently limited the federal government’s power to force the states to take action**

Forbes, 2012

(June 29, http://www.forbes.com/sites/daviddavenport/2012/06/29/federalisms-silver-lining-in-the-healthcare-decision/)

But **of even greater practical significance was the Court’s holding that the federal government had, through its conditional spending power, unconstitutionally coerced the states into bending their Medicaid programs to the preferences of Congress**.  The last major Supreme Court decision in this area, South Dakota v. Dole in 1986, addressed a state complaint that the federal government overstepped its authority when it said South Dakota would lose federal highway money if it did not raise its legal drinking age to 21.  Since the federal government has no constitutional power to set the legal drinking age, it was attempting to use financial leverage to get the states to follow its policy.  The Court held that Congress could deploy its spending power in this way, but that there was a limit, when the financial inducement was “so coercive as to pass the point at which pressure turns into compulsion.”  Not surprisingly, no case has found such a limit to have been reached in the 26 years since. **Today, the Court said the limit on the federal spending power had been improperly crossed by Congress in the healthcare reform bill.  Rather than the “relatively mild inducement” the Court found when five percent of South Dakota’s highway funds were at risk, today’s Court said that losing all of a state’s Medicaid funding was more like “a gun to the head.”  The Court noted that Medicaid spending accounts for over 20% of the average state’s total budget, whereas 5% of South Dakota’s highway funding was less than one half of one percent of its total budget at the time.  So we now know there is some limit beyond which the federal government may not go in withholding state funding to incentivize (bribe?) a state to do Washington’s bidding**.

Uniqueness – Federal Role in Transportation Decreasing

**[\_\_\_] States are taking the lead currently in the absence of federal support for transportation**

Scott Thomasson, President, NewBuild Strategies LLC, 2012

(Council on Foreign Relations, Encouraging U.S. Infrastructure Investment

April 2012, http://www.cfr.org/infrastructure/encouraging-us-infrastructure-investment/p27771)

**States are already looking at new ways to finance infrastructure as federal funding becomes uncertain and their own budgets are strained. More states rely on PPPs to share the costs and risks of new projects**, and they are finding new sources of nontax revenues to fund investments, like tolling and higher utility rates. But at the same time, federal regulations and tax laws often prevent states from taking advantage of creative methods to finance projects. **Federal programs designed to facilitate innovative state financing are underfunded, backlogged, or saddled with dysfunctional application processes**. Many of these obstacles can be removed by adjusting regulations and tax rules to empower states to use the tools already available to them, and by better managing federal credit programs that have become so popular with states and private investors. In cases where modest reforms can make more financing solutions possible, good ideas should not be held hostage to "grand bargains" on big legislation like the highway bill or the failed 2010 energy bill. Congress should take up smaller proposals that stand a chance of passing both houses this year—incremental steps that can unlock billions of dollars in additional investments without large federal costs. Any proposals hoping to win Republican support in the House need to have a limited impact on the federal deficit and focus on reducing, rather than expanding, federal regulations and bureaucracy. Some progress can also be achieved by circumventing Congress entirely with executive branch action.

Answers to: No Threshold

**[\_\_\_]**

[\_\_\_] Small policy decisions are the greatest threat to federalism

Cynthia **Lebow,** Associate Dir @ the RAND Institute  **1997**

(Cynthia C., U. Tennessee Law Review, Spring, p. n162)

If Congress may do this, presumably it has the power to pre-empt state-court rules of civil procedure and judicial review in classes of cases found to affect commerce. This would be the type of gradual encroachment hypothesized by Professor Tribe: **"Of course, no one expects Congress to obliterate the states, at least in one fell swoop. If there is any danger, it lies in the tyranny of small decisions in the prospect that Congress will nibble away at state sovereignty, bit by bit, until someday essentially nothing is left but a gutted shell**."

Answers to: No Threshold

**[\_\_\_]**

**[\_\_\_] After the Supreme Court’s health care ruling, now is a key time and transportation infrastructure funding will be a defining issue**

Dylan Scott, Staff writer for GOVERNING Magazine, 2012

(Health Ruling Sets Up Potential Fallout for Federalism, June 29, http://www.governing.com/blogs/fedwatch/gov-supreme-court-ruling-potential-fallout-for-federalism.html)

**What does this mean for other federal-state programs**? Federal education funding, for example, is based on states meeting certain student achievement goals. Likewise**, states must meet federal safety requirements to receive some infrastructure and transportation funding. Does the Court's decision change the federal-state relationship and lay the grounds to challenge future attempts by Congress to set conditions for federal funding to states? “I think that’s the million-dollar question, and it might**,” said Lisa Soronen, executive director of the State and Local Legal Center, during a discussion on the ruling’s implications Friday. “**But only time will tell.”**

Link – Transportation

[\_\_\_\_] Despite the federal highway act, states should play a larger role in public infrastructure to deter pork barrel spending.

Richard Nathan Co-director of the Nelson A. Rockefeller Institute of Government 2005

(“There will always be a New Federalism.” For the American Enterprise Institute. Dec. 14 http:// federalismproject.org/depository/NathanRoundtablePaper.pdf AD 07/06/09)

Rediscovery by Liberals The paradox is that federalism is being rediscovered by liberals. Rep. Barney Frank (D. Mass) recently was compared to states’ righter and former U.S. Senator Strom Thurmond when Frank argued that the states (with Massachusetts out front) should be the arbiters of gay marriage. 2 Barney Frank is not alone. **Other liberals see the states, particularly states with liberal leaders, as the appropriate governments to deal with many program issues.** • Protecting Medicaid ― The federal government has tried several strategies to slow the growth of the Medicaid program, which aids the elderly, the disabled, and poor families. But since the program has a broad constituency of recipient groups (not just the poor) and multiple provider interests, states have fought hard (and so far pretty much successfully) to shield Medicaid from Washington’s retrenchment efforts. • Cleaning Up the Environment ― This is a policy area in which many states are ahead of the curve compared to the federal government, as shown by the nine-state Northeastern accord to freeze power plant emissions and similar regional efforts underway in California, Washington, and Oregon. 3 • Equalizing School Aid ― Hard-charging activists in many states are pulling every lever ― courts, the executive, and legislative ― to distribute school aid in ways that give more aid to poor core-city and rural communities and provide more aid overall. • **Providing Public Infrastructure ― Although the federal highway act is a big factor in the transportation field, activists at the state level generally see states as their best avenue for rehabilitating, maintaining, and constructing new roads, schools, parks, and other public facilities. Some of this is old-fashioned pork barreling**, but that doesn’t diminish its importance in providing facilities for services advocated by the supporters of public education, libraries, economic development, the arts, recreation, parks, etc.

[\_\_\_\_] States have power over transportation infrastructure now

Bruce Katz, Vice President of the Metropolitan Program @ the Brookings Institute, 2012

(“Remaking Federalism to Remake the American Economy,” February 16, <http://www.brookings.edu/research/papers/2012/02/16-federalism-katz>)

**Our federal republic diffuses power among different layers of government and across disparate sectors of society. States are the key constitutional partners, because they have broad powers over such market-shaping policy areas as infrastructure**, innovation, energy, education and skills training.

Link – Transportation

[\_\_\_\_] Empirically, states have control over transportation and domestic issues. The plan is a form of coercive federalism in which the federal government does not consult with the states.

Raymond **Scheppach,** Ph.D. Executive Director, National Governors Association, **2006**

(Raymond C. Will the 2008 election improve state-federal relations?; The next president faces a crucial choice in how he'll get along - not just with foreign governments - but with leaders at home in the 50 states. Stateline.org. July 9 Lexis)

**Federalism scholars often point to two recent periods in which federalism was defined very differently. Between 1980 and 1996, there was "cooperative" federalism,** an era ushered in by the Reagan administration and marked by a genuine partnership between states and the federal government. President Reagan engaged in discussions and negotiations with the nation's governors over a huge swap proposed for domestic **programs in which the federal government would take responsibility for all Medicaid and states would take responsibility for transportation and other domestic issues.** Although this dialogue did not lead to any major legislative changes, both sides embraced a real federal-state partnership. Cooperative federalism continued through the early years of the Clinton administration, which saw passage of the Unfunded Mandates Reform Act in 1995, and welfare reform in 1996. Both the Republicans in Congress and the Democratic president worked cooperatively with governors to enact these two bills. Welfare reform not only turned an individual entitlement program into a block grant, but it also gave states substantial authority to tailor the program to the needs of their citizens. **From the mid-1990s through the present, we have been in a period of "coercive federalism," where the federal government more often just tells the states what to do. It does not ask for advice or enter into serious negotiation with the states.**

[\_\_\_\_] Federal transit subsidies are wasteful and undermine state action - jurisdiction should remain devolved to states and local governments.

Randal O’Toole CATO Institute Senior Fellow 2006

(Randal.. “A Desire Named Streetcar: How Federal Subsidies Encourage Wasteful Local Transit Systems.” Policy Analysis – CATO Institute. Jan. 5 <http://www.cato.org/pub_display.php?pub_id=5345>)

Prior to 1964, when Congress began subsidizing transit, the industry was mostly private. Since then, the industry **has been almost entirely taken over by state and local governments. Today more than three of every four dollars spent on transit come from taxpayers, not transit riders. The effectiveness of local transit systems is undermined by federal subsidies, which encourage the construction of highly visible and expensive services such as light-rail trains to suburban areas despite the chronically low number of riders on those routes. Federal subsidies to transit advocacy groups and misguided environmental and labor regulations also encourage a large investment of taxpayer money in wasteful transit systems. The ideal solution would be to devolve transit and other transportation funding entirely to state and local governments.** Short of that, Congress should reform the federal transportation funding system to minimize the adverse incentives it creates.

Link – Federal Support/Block Grants

[\_\_\_\_] Federal support to the states undermines federalism

Darien Shanske, Associate Professor of Law, University of California, Winter 2012

(Virginia Tax Review HOW LESS CAN BE MORE: USING THE FEDERAL INCOME TAX TO STABILIZE STATE AND LOCAL FINANCE, p. 423)

Yet there are still deeper issues to be considered. First, **the federal financing subsidy undermines truly competitive federalism because the central government is putting its thumb on the scale in favor of certain activities - specifically, borrowing. Furthermore, this subsidy allows sub-national governments to avoid internalizing the full cost of their borrowing because the borrowing is subsidized by the national government, and so this subsidy is particularly suspec**t.

[\_\_\_\_] Federal subsidies to the states undermine interstate competition

John O. McGinnis and Ilya Somin, Research Professor, Northwestern Law School, and Assistant Professor of Law, George Mason University School of Law, 2004

(NORTHWESTERN LAW REVIEW, Fall, pp. 117-8)

**Federal subsidies to the states undermine interstate competition** in two major ways. **First, to the extent that horizontal competition is motivated by a desire to increase state tax revenue by attracting migrants or preventing emigration, the existence of an alternative source of revenue necessarily diminishes state incentives to compete.** In addition to serving as a substitute source of state revenue, federal grants can sometimes undermine interstate competition more directly by enabling the states to establish a cartel by acceding to a common federal grant condition. The federal government in this scenario acts as the cartel manager, punishing defecting states by withdrawing their funding. For example, states seeking to avoid tax competition can create a cartel by the adoption of a federal policy that denies grants to states with tax rates below a certain level. The federal government can often crush vertical competition simply by paying the states not to compete with it. Federal grants to states are a particularly effective tool for restricting competition because, unlike in the case of preemptive mandates, state governments are actually likely to support them due to their desire to acquire additional federal funds. **Finally, federal grants to state governments can undermine diversity by attaching conditions that force dissenting states to conform to the preferences of the majority. Both liberal and conservative interest groups can use such conditions to impose their preferences on recalcitrant minority states.**

Link – Domestic Action

[\_\_\_\_] Domestic issues are reserved for the states

Ellis Katz, 1997

(AMERICAN FEDERALISM: PAST, PRESENT, AND FUTURE, p. http://usinfo.state.gov/journals/itdhr/0497/ijde/katz.htm)

**The powers granted to the federal government are relatively few in number and deal mainly with foreign and military affairs and national economic issues, such as the free flow of commerce across state lines. Most domestic policy issues were left to the states to resolve in keeping with their own histories, needs and cultures.**

Answers to: Federal-State Power Not Zero Sum

**[\_\_\_]**

[\_\_\_] Federal exercise of power reduces state power

John Yoo, law professor, 1997

(SOUTHERN CALIFORNIA LAW REVIEW, p. 1352)

It is important to note that Justice Kennedy did not differentiate between laws that regulated states qua states and those that regulated private parties in areas that might be thought to lie within state power. **Following Chief Justice Rehnquist's majority opinion, Justice Kennedy's concurrence treated the exercise of any federal power as a diminution of the power of the states and hence a reduction of state sovereignty**

[\_\_\_\_] Expansion of federal power reduces states’ rights

Rex Lee, Fmr Solicitor General, 1996

(Rex, Brigham Young U. Law Review, p. 369)

Thus, though the state circle of power is larger than that of the federal government, federal power is supreme and preempts state power within the area covered by the smaller circle. **If the circle of federal power is expanded**, as shown by the broken line, **the nonpreempted portion of the state’s power circle – and therefore the effective area in which the states may govern – is correspondingly diminished.**

Impact – Tyranny

#### [\_\_\_\_] Strong federalism is necessary to protect against the concentration of power and prevent tyranny

James Gardner, Professor of Law, State University of New York, 2003

(GEORGETOWN LAW JOURNAL, June, p. 1007-8)

"The accumulation of all powers . . . in the same hands," wrote Madison "may justly be pronounced the very definition of tyranny." To protect liberty, then, power must be divided. Federalism serves this guiding principle of American constitutional design by parceling out government powers among different levels of government. Federalism, it must be borne in mind, is a creation of the national Constitution, not state constitutions. It is not the result of a fortuitous series of agreements reached one by one by the separate peoples of the original thirteen states; on the contrary, federalism represents the deliberate decision of a single national polity to divide governmental power for the purpose of protecting the liberty of all. **Federalism protects liberty by giving the state and national levels of government substantial powers sufficient to allow each to monitor and check the abuses of the other. n14 As with the horizontal separation of powers that divides governmental power into legislative, executive, and judicial branches, each level of government in this vertically fragmented system is given the power and incentive to struggle against the other: "Ambition," as Madison put it, "must be made to counteract ambition."** nThe result is a compound federal republic in which power is deeply fragmented, reducing as far as possible by structural means the likelihood that a tyrannical measure of power can be accumulated in a single set of hands:  In a single republic, all the power surrendered by the people, is submitted to the administration of a single government; and the usurpations are guarded against by a division of the government into distinct and separate departments. In the compound republic of America, the power surrendered by the people, is first divided between two distinct governments, and then the portion allotted to each, subdivided among distinct and separate departments. Hence a double security arises to the rights of the people. The different governments will control each other; at the same time that each will be controled by itself.

Impact – Tyranny

#### [\_\_\_\_] Federalism promotes diversity and stops tyranny

HASTINGS LAW JOURNAL, 2002

(January, pp. 439‑40)

**Federalism is often claimed to serve many diverse values. It "increases opportunity for citizen involvement in democratic processes," will better satisfy citizen preferences by catering to tastes at a state level, provides citizens with the option of moving to a state with public policies perceived to be more congenial, enables states to experiment with innovative public policies, preserves a government structure that inhibits a potentially tyrannical concentration of power in the central government,** insures the continuance of discrete political and social communities, and ensures clear political accountability for government actors in each of the central and state governments. Federalism is not, of course, an unqualified boon.

#### [\_\_\_\_] Federalism is important to preserve liberty and prevent the concentration of power

HASTINGS LAW JOURNAL, 2002

(January, pp. 433‑4)

I have a different perspective. **Federalism** is not a dysfunctional anachronism, a nostalgic symbol of a pre‑industrial America. Rather, when properly viewed and applied, it **is crucial to preservation of individual liberty and a valuable device to preserve a healthy balance of power among governmental institutions. The institutional benefits of federalism are not simply preservation of state autonomy as a counter to federal power but also operate less directly to preserve the scheme of separated powers within the federal government.**

#### [\_\_\_\_] Decentralized government maximizes individual freedom

Dalton Cross, Law Professor, Texas, 2000

(HARVARD JOURNAL OF LAW & PUBLIC POLICY, Fall, p. 165)

Government can be made more responsive to the popular will by keeping the policy-making unit closer to the people. **As a matter of simple arithmetic, the smaller the policy-making unit, the fewer the number of people who will be discontented by any policy choice. Individual freedom means leaving policy choices with the individual; if a choice must be removed from the individual by government, individual freedom is served to the extent that it is removed no farther than necessary.**

Impact – Liberty

**[\_\_\_] Every violation of liberty must be rejected at all costs**

Sylvester **Petro,** Professor of Law at Wake Forest **1974**

(University of Toledo Law Review Spring, pg. np)

However, one may still insist, echoing Ernest Hemingway—“I believe in only one thing: liberty”. And it is always well to bear in mind David Hume’s observation: “**It is seldom that liberty of any kind is lost all at once.” Thus, it is unacceptable to say that the invasion of one aspect of freedom is of no import because there have been invasions of so many other aspects**. **That road leads to chaos, tyranny, despotism and the end of all human aspiration**. Ask Solzhenistyn. Ask Milovan Djilas. In sum, if one believes in freedom as a supreme value and the proper ordering principle for any society aiming to maximize spiritual and material welfare, then **every invasion of freedom must be emphatically identified and resisted with undying spirit**.

**[\_\_\_] And liberty outweighs the affirmative’s impacts - makes all evil’s possible**

Daniel Callahan, Fellow at the Institute of Society and Ethics, 1973

(The Tyranny of Survival, Pages 91-93)

There seems to be no imaginable evil which some group is not willing to inflict on another for the sake of survival, no rights, liberties or dignities which it is not ready to suppress. It is easy, of course, to recognize the danger when survival is falsely and manipulatively invoked. Dictators never talk about their aggressions, but only about the need to defend the fatherland, to save it from destruction at the hands of its enemies. But my point goes deeper than that. It is directed even at legitimate concern for survival, when that concern is allowed to reach an intensity which would ignore, suppress or destroy other fundamental human rights and values. **The potential tyranny of survival as a value is** that it is **capable**, if not treated sanely, **of wiping out all other values. Survival can become an obsession and a disease, provoking a destructive singlemindedness that will stop at nothing**. We come here to the fundamental moral dilemma. If, both biologically and psychologically, the need for survival is basic to man, and **if survival is the precondition for any and all human achievements**, and if no other rights make much sense without the premise of a right to life - then **how will it be possible to honor and act upon the need for survival without, in the process, destroying everything in human beings which makes them worthy of survival**. To put it more strongly, **if the price of survival is human degradation, then there is no moral reason why an effort should be make to ensure that survival. It would be the Pyrrhic victory to end all Pyrrhic victories**.

Answers to: State Power Harms Minority Rights

**[\_\_\_]**

[\_\_\_] Federalism encourages political accountability, which protects minority rights

Neil Siefel, Associate Professor of Law and Political Science at Duke University School of Law, 2008

(“INTERNATIONAL DELEGATIONS AND THE VALUES OF FEDERALISM”, Law and Contemporary Problems, Winter)

Second, democratic self-government is supposed to be facilitated when there exists a robust space for participatory politics at levels closer to the people who are governed. 21 **Federalism**, observed Justice O’Connor for the Court in Gregory, “**increases opportunity for citizen involvement in democratic processes**.” 22 On this point, she referenced Alexis de Tocqueville, who “understood well that **participation in local government is a cornerstone of American democracy**.” 23 Third, **political responsiveness and accountability are believed to be encouraged when states compete for mobile citizens who can vote with both their hands and their feet**. 24 Justice O’Connor wrote for the Gregory Court that **federalism “makes government more responsive by putting the States in competition for a mobile citizenry**.” 25 Responsiveness and accountability are distinguishable but related. One way to ensure responsiveness is not through exit but through voice 26 —that is, voting politicians out of office or pressuring them. This is often what is meant by accountability.

Answers to: State Power Decreases Efficiency

**[\_\_\_]**

**[\_\_\_] State power is crucial to effective policy solutions**

Joseph J. Foy, Ph.D. at the University of Notre Dame, 1996

(“Applying the New Federalism of 1996: Governors and Welfare Reform”, Notre Dame, p.2-3, http://citation.allacademic.com//meta/p\_mla\_apa\_research\_citation/0/8/3/5/0/pages83501/p83501-2.php)

With the passage of The Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) in 1996, America experienced an emergence of the “new federalist” policies that began during the presidency of Richard Nixon and blossomed under Ronald Regan. Defined primarily by its emphasis on “devolving” federal influence over social policies to the states, the new **federalism** of the mid-1990s **gave state governments more freedom to decide how to manage and implement social programs while simultaneously increasing pressure on state officials to make those programs work.** An obvious effect of this move in power was the pushing of states to the forefront of the debates surrounding social policies. **Rather than continuing to sing backup to the federal government’s lead, the states now had a greater role in determining the course of some of the most long- standing controversies in modern-American political history.** 1 **The devolution of authority from the federal government to the states** not only opened a door for state governments to have a greater say in policy choices, it also offered “students of politics a unique opportunity to pinpoint the determinants of state- level policy choices – a case in which the fifty states responded virtually simultaneously to a single policy mandate.” 2 This rare occurrence in which the American states were opened up as a laboratory for policy analysis on the same set of policy choices within the same time period offers a chance to see not only the impact federal policy has across the states, but it **enables a look into the specific political activities of state governments in determining policy outcomes.**

Article: Remaking Federalism to Remake the American Economy

**Bruce Katz**, Vice President Metropolitan Program, Brookings, February 16, **2012**, “Remaking Federalism to Remake the American Economy,” <http://www.brookings.edu/research/papers/2012/02/16-federalism-katz>

At the most basic level, the U.S. needs *more jobs*— 12.1 million by one estimate—to recover the jobs lost during the downturn and keep pace with population growth and labor market dynamics. Beyond pure job growth, the U.S. needs *better jobs*, to grow wages and incomes for lower- and middle-class workers and reverse the troubling decades-long rise in inequality.

To achieve these twin goals, the U.S. needs to restructure the economy from one focused inward and characterized by excessive consumption and debt, to one globally engaged and driven by production and innovation. It must do so while contending with a new cadre of global competitors that aim to best the United States in the next industrial revolution and while leveraging the distinctive assets and advantages of different parts of the country, particularly the major cities and metropolitan areas that are the engines of national prosperity.   
  
This is the tallest of economic orders and it is well beyond the scope of exclusive federal solutions, the traditional focus of presidential candidates in both political parties. Rather, the next President must look beyond Washington and enlist states and metropolitan areas as active co-partners in the restructuring of the national economy.   
  
Remaking the economy, in essence, requires a remaking of federalism so that governments at all levels “collaborate to compete” and work closely with each other and the private and civic sectors to burnish American competitiveness in the new global economic order.   
  
The time for remaking federalism could not be more propitious. With Washington mired in partisan gridlock, the states and metropolitan areas are once again playing their traditional roles as “laboratories of democracy” and centers of economic and policy innovation. An enormous opportunity exists for the next president to mobilize these federalist partners in a focused campaign for national economic renewal.   
  
Given global competition, the next president should adopt a vision of collaborative federalism in which:

* the federal government *leads where it must* and sets a robust platform for productive and innovative growth via a few transformative investments and interventions;
* states and metropolitan areas *innovate where they should* to design and implement bottom-up economic strategies that fully align with their distinctive competitive assets and advantages; and
* a refreshed set of *federalist institutions* maximize results by accelerating the replication of innovations across the federal, state and metropolitan levels.

**Federalism Disadvantage Affirmative**

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Not Unique – Federal Power Growing

**[\_\_\_]**

[\_\_\_] Non-unique – Recent Supreme Court decisions have gutted federalism

Richard Peltz-Steele, professor of law at UMass Law School Dartmouth, 2012

(Dismantling Federalism Is A Shortcut With A Very Steep Price, 7/08, http://www.forbes.com/sites/realspin/2012/07/08/dismantling-federalism-is-a-shortcut-with-a-very-steep-price/print/)

**Recent decisions from the Supreme Court delivered a one-two punch to American federalism**.  While media focus on the political impact of the immigration and healthcare decisions on the elections**, our constitutional system is reeling** from a blow of greater proportion. In the first high-profile decision, Arizona substantially lost its battle to maintain a state immigration enforcement system.  The dispute arose from the gap between what the feds say and what they do, specifically the failure to police immigration to the satisfaction of Arizona taxpayers. The decision in Arizona v. United States was mostly about federal preemption of state law.  And preemption law is notoriously fuzzy: “eye of the beholder” unfortunately characterizes the Court’s approach.  The majority saw the Arizona case as an instance of Congress so thoroughly “occupying the field” that no room remained for state law.  Justice Thomas, in a concise dissent, reasoned that Congress had not precluded state law such as Arizona’s, which merely echoes federal law. Whatever one thinks of Justice Scalia’s dissent, he got the facts right.  The difference between majority and dissenter perceptions turns in part on whether the President’s inaction in enforcing federal immigration law has preemptive significance.  And certainly, as Scalia wrote, the Framers would have abhorred this result; the states always have cherished their borders.  One columnist wryly noted that the Framers would not have signed a constitution abolishing slavery.  True, but that deficiency of our Constitution was addressed through amendment.  No amendment yet has erased state borders. Preemption always poses a fuzzy question, but the Court’s ruling against Arizona takes a bite out of state power.  Expansive federal inaction was read to displace a traditionally sound exercise of state police power that only sought to complement federal law—as written.  **The states now seem more than ever at the mercy of the federal government and its deep pockets to decide what is and is not the province of the state electorate**. So what local policy decisions will next take up residence between Capitol Hill and K Street?  Healthcare, it seems.  **In NFIB v. Sebelius**, the Court substantially upheld the national healthcare initiative advanced by the President, including the controversial individual mandate. The Court majority rejected the mandate as an exercise of Commerce Clause power.  But leaving academic jaws agape, the majority capitalized on a marginal, throw-it-at-the-wall-and-see-if-it-sticks Government argument that the penalty for failure to comply with the mandate was not a penalty at all—rather, a tax within the power of the Taxing Clause (as well as the Sixteenth Amendment, a further flimsy stretch). **The majority’s use of the Taxing Clause dealt another blow to federalism.**

Not Unique – Federal Power Growing

**[\_\_\_]**

[\_\_\_] Federal intrusion on the states now

Peter Harkness, founder and publisher emeritus of GOVERNING, 2012

(January, “What Brand of Federalism is Next?”, <http://www.governing.com/columns/potomac-chronicle/gov-col-what-brand-of-federalism-is-next.html>)

In this atmosphere, **the Obama administration has pursued a very unique mixture of collaborative and coercive strategies in dealing with states and localities, making it hard to define just what kind of federalism we’re seeing. The health-care, education and financial regulation reform bills, the climate change proposal and the massive financial stimulus bill all represented an aggressive use of federal power, some of it unprecedented and some pre-empting state regulations**.

Not Unique – Federal Transportation Influence Growing

**[\_\_\_]**

**[\_\_\_] Growing federal role in transportation policy now and states like it**

Robert Jay Dilgerm, Senior Specialist in American National Government at the Congressional Research Service, 2011

(January 10, 2011, “Federalism Issues in Surface Transportation Policy: Past and Present,” <http://www.fas.org/sgp/crs/misc/R40431.pdf>)

American federalism, which shapes the roles, responsibilities, and interactions among and between the federal government, the states, and local governments, is continuously evolving, adapting to changes in American society and American political institutions. **The nature of federalism relationships in surface transportation policy has also evolved over time, with the federal government’s role becoming increasingly influential, especially since the Federal-Aid to Highway Act** of 1956 **which authorized the interstate highway system**. **In recent years, state and local government officials, through their public interest groups** (especially the National Governors Association, National Conference of State Legislatures, National Association of Counties, National League of Cities, U.S. Conference of Mayors, and American Association of State Highway and Transportation Officials) **have lobbied for increased federal assistance for surface transportation grants and increased flexibility in the use of those funds.**

No Link – Supremacy Clause

**[\_\_\_]**

#### [\_\_\_] No link – under the Supremacy Clause, federal law is preeminent

Erwin Chemerinsky, law professor at Duke, 2004

(BROOKLYN LAW REVIEW, Summer pp. 1316-7)

Article VI of the Constitution contains the Supremacy Clause, which provides that the Constitution, and laws and treaties made pursuant to it, are the supreme law of the land**. When a state law conflicts with federal law, the federal law controls and the state law bows under the principle of federal supremacy. As the Supreme Court declared: "Under the Supremacy Clause, from which our pre-emption doctrine is derived, any state law, however clearly within a State's acknowledged power, which interferes with or is contrary to federal law, must yield**." In Gade v. National Solid Waste Management Association, the Court summarized the tests for preemption: Pre-emption may be either expressed or implied, and is compelled whether Congress' command is explicitly stated in the statute's language or implicitly contained in its structure and purpose. Absent explicit pre-emptive language, we have recognized at least two types of implied pre-emption: field pre-emption, where the scheme of federal regulation is so pervasive as to make reasonable the inference that Congress left no room for the States to supplement it, and conflict pre-emption, where compliance with both federal and state regulations is a physical impossibility, or where state law stands as an obstacle to the accomplishment and execution of the full purposes and objectives of Congress.

No Link – Grants

**[\_\_\_]**

**[\_\_\_] The plan will be voluntary grants given to the states that want them – doesn’t mandate anything**

Washington Post 2012

([Ashley Halsey III](http://www.washingtonpost.com/ashley-halsey-iii/2011/05/26/AGriQzBH_page.html), July 23, Transit agencies get $787 million in federal grants, http://www.washingtonpost.com/local/trafficandcommuting/transit-agencies-get-787-million-in-federal-grants/2012/07/23/gJQAVfs84W\_print.html)

**From Alaska to Florida**, from Hawaii to Maine, **the Obama administration** on Monday **spread $787 million in grants to help repair and restore the nation’s transit systems**. With $150 million [already committed](http://www.washingtonpost.com/blogs/dr-gridlock/post/senate-committee-approves-money-for-metro/2011/09/21/gIQA0g5zlK_blog.html) for [that purpose](http://www.washingtonpost.com/blogs/dr-gridlock/post/senate-committee-approves-money-for-metro/2011/09/21/gIQA0g5zlK_blog.html)to the Washington Metropolitan Area Transit Authority, the D.C. region was left out of the new round of funding, other than a $1.5 million grant to improve bus stations, shelters and real-time information. Baltimore received $40 million to replace a 65-year-old bus barn and Ocean City will get $2 million to replace aging buses. Virginia’s share of the federal largess is $2 million for paratransit vans in Hampton Roads and an additional $1 million for statewide transit management. **Federal Transit Administrator Peter Rogoff said his agency received 836 applications for the money, requesting $4 billion**. **He called**[the grants](http://www.fta.dot.gov/about/12322_14745.html)**a downpayment toward meeting the need for transit restoration and repair that has been deferred by transit systems in an era of tight budgets.**

No Internal Link – Not Zero Sum

**[\_\_\_]**

[\_\_\_] No threshold – The federal government is nowhere near expanding power enough to threaten state governments

Ernest Young, Law Professor, University of Texas, 2003

(TEXAS LAW REVIEW, May, p. 1607)

One of the privileges of being a junior faculty member is that senior colleagues often feel obligated to read one's rough drafts. **On many occasions when I have written about federalism - from a stance considerably more sympathetic to the States than Judge Noonan's - my colleagues have responded with the following comment: "Relax. The States retain vast reserves of autonomy and authority over any number of important areas. It will be a long time, if ever, before the national government can expand its authority far enough to really endanger the federal balance. Don't make it sound like you think the sky is falling."**

[\_\_\_] No internal link – federalism is a concept, not a distribution of power – it’s not zero sum

Bradley Bobertz,Environmental Law Professor, 2003

(PACE ENVIRONMENTAL LAW REVIEW, pp. 88-9)

Let us begin by demystifying the word "federalism." **Federalism, itself, simply refers to any system of power-sharing in which authority is distributed between what is typically a larger political unit, such as the United States, and what are typically smaller political subdivisions, such as the states, which are a part of, but at least partially independent from, the larger body**. The European Union and its constituent nations are an example of federalism, as were the Articles of Confederation that the Constitution supplanted. **Federalism, in other words, is a structural notion that has no meaning independent of its particularizing details. Under any given system of federalism, the larger political body can have a great deal more power than its political subunits, as is the case in some European nations, or the subunits can wield comparatively more power than the larger political unit, as was the case under the Confederate Constitution during the American Civil War.** In normal usage, then, the term "federalism" is agnostic as to how power is distributed. "Federalists" of the founding generation favored a strong national government in relation to the states, while the modern Federalist Society appears to favor the diminishment of national power vis-a-vis the states

Strong Federal Government Good – Liberty

**[\_\_\_]**

#### [\_\_\_] Turn – A Strong national government is critical to protect liberty

James Gardner, Professor of Law, State University of New York, 2003

(GEORGETOWN LAW JOURNAL, June p. 1010-11)

Thus, although federalism contemplates the division of power to protect "liberty," I shall treat this conventional use of the word as a kind of synecdoche that names only one part of the broader notion of achieving, or creating the conditions that enable citizens to achieve, a substantively desirable way of life**. Under this broad definition of liberty, the national government of the United States contributes to and protects the liberty of American citizens in at least three distinct ways: (1) by using its affirmative powers in pursuit of the good, (2) by practicing self-restraint, and (3) by restraining state governments from impairing the ability of citizens to achieve the good. First and foremost, the national government protects liberty by using its affirmatively granted powers for the good of the citizenry.** This conception of governmental power is broad enough to embrace any conception of the state, from a minimalist, night-watchman state to the contemporary European-style social welfare state. Whatever version of the state a society chooses to adopt, a government must exist and must possess certain powers that enable the polity collectively to achieve the goals that it sets for itself. Under the U.S. Constitution, the national government has many powers that fit this description. **The commerce power, spending power, and various military powers have all been used many times to achieve through direct action by the national government objectives that the American polity has collectively decided will make it better off. The commerce power alone, for example, has given us environmental regulation; social, health, and welfare programs; most of the administrative state; and even much of our civil rights legislation, to name only a few of its principal uses.**

Strong Federal Government Good – Liberty

**[\_\_\_]**

[\_\_\_] And changing times demand a national response – problems are now national, not local

Evan Caminker, Law Professor, University of Michigan, 2001

(ANNALS OF THE AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE, March, p. 88‑9)

Madison was right; over the course of two centuries, we have become a unified nation with primarily national rather than state affiliations and loyalties. **The prevailing early sentiment that states were better guardians of individual liberty was substantially repudiated in the Civil War era, with the opposite sentiment being reflected in the Reconstruction Amendments' broad grants of congressional power to enforce individual rights against states. The prevailing early sentiment that states were primary and better repositories of the general police power was substantially repudiated in the New Deal era, when Congress acquired concurrent authority to exercise a good deal of the modern police powers. Indeed, the domestic issues most prominently addressed by national politicians today include education, crime, medical care, and welfare‑‑the staples of the states' traditional police powers. Finally, modern developments in transportation and communication technologies have enabled a physical mobility and communicative connectedness that, by and large, lead us to perceive ourselves as national citizens first and state citizens second.**

Strong Federal Government Good – Tyranny

**[\_\_\_]**

[\_\_\_] Turn – federal power is necessary to check state power

James Gardner, Professor of Law, State University of New York, 2003

(GEORGETOWN LAW JOURNAL, June p. 1010-11)

The multiplicity of power centers in the American scheme can create the impression that the system is chaotic--a pure, Hobbesian war of all against all without any purpose other than the accumulation of power. This is not the case--or at least need not be the case. In the Framers' view, what unifies the dispersion of governmental power is the people, for the entire system is designed to assure as far as possible that their wishes be done and their liberties left intact. “**The Federal and State Governments," Madison observes, "are in fact but different agents and trustees of the people, instituted with different powers, and designated for different purposes." Federalism is thus more than a passive institutionalization of social conflict; it is a dynamic system that is designed to be manipulated by the people to produce results they desire. Hamilton put this point clearly: In a confederacy the people, without exaggeration, may be said to be entirely the masters of their own fate. Power being almost always the rival of power; the General Government will at all times stand ready to check the usurpations of the state governments; and these will have the same disposition towards the General Government.** The people, by throwing themselves into either scale, will infallibly make it preponderate. If their rights are invaded by either, they can make use of the other, as the instrument of redress.

Strong Federal Government Good – Minority Rights

**[\_\_\_]**

[\_\_\_] Federalism destroys individual rights and democracy

Mitchell Crusto, Associate Professor, Loyola University New Orleans, 2000

(16 Ga. St. U.L. Rev. 517, SPRING)

The essence of the federalism paradox is that **the Court's new pro-state government orientation purports to protect state governments from an overbearing central government; but, ironically, it does not purport to protect the people from overbearing state governments. The federalism paradox refers to the inevitable tension between majority rule and protection of minority and individual rights. Federalism that promotes states' rights arguably promotes democracy, which is by definition majority rule. However, majority rule can lead to oppression of minority interests and individual rights. Many of those rights are constitutionally protected. Hence, federalism encroaches upon constitutionally-protected rights.**

[\_\_\_] Qualified sources conclude our way

Mitchell Crusto, Associate Professor, Loyola University New Orleans, 2000

(16 Ga. St. U.L. Rev. 517, SPRING)

Critiquing the Court's new federalism doctrine, one celebrated liberal constitutional scholar, **Harvard law professor Laurence Tribe, raises concerns that the Supreme Court's "new" federalism unduly victimizes the oppressed**. 77 Another noted liberal constitutional scholar, **Georgetown professor Mark Tushnet, identified the importance of a federal system that preserves or enhances value- pluralism over one that merely administers power**. 78 Hence, **many important constitutional scholars recognize that the federalism paradox must be addressed in order to develop an effective federalism doctrine, one that does not derogate individual and minority rights**.

Strong Federal Government Good – Efficiency

**[\_\_\_]**

[\_\_\_] Federalism leads to ineffective responses to a variety of crucial problems

Stephen M. Griffen, Professor in Constitutional Law, Tulane School, 2007

(St. Johns Journal of Legal Commentary Spring- “Symposium: Federalism Past, Federalism Future: A Constitutional Law Symposium: Stop Federalism Before It Kills Again: Reflections On Hurricane Katrina, 2007)

And so **it is still the case that when natural disasters strike, the divided power of the federal structure presents a coordination problem**. The kind of coordination that had to occur to avoid the Katrina disaster requires long-term planning before the event. **The American constitutional system makes taking intergovernmental action difficult and complex**. The process of coordinating governments can take years. In many ways, the government was just at the beginning of that process at the time of Katrina, [n48](http://www.lexisnexis.com.proxy.lib.umich.edu/us/lnacademic/frame.do?tokenKey=rsh-20.623515.1689064805&target=results_DocumentContent&reloadEntirePage=true&rand=1215280977638&returnToKey=20_T4099813154&parent=docview" \l "n48#n48) although we are now four years distant from the terrorist attacks of September 11, 2001 that set the latest round of disaster coordination in motion. Suppose, however, that we don't have the luxury of taking the time to satisfy every official with a veto. This is the key point of tension between what contemporary governance demands and what the Constitution permits. The kind of limited change that occurred in 1927 can take us only so far. **What Hurricane Katrina showed was that even after decades of experience with natural disasters, the federal and state governments were still uncoordinated and unprepared.** The reasons they were unprepared go to the heart of the constitutional order. **Unless we learn some lessons, Katrina will happen again. It may be a massive earthquake, an influenza pandemic, a terrorist attack, or even another hurricane, but the same ill-coordinated response will indeed happen again unless some attention is paid to the constitutional and institutional lessons of Katrina. We need to "stop** **federalism" before it kills again**. That is, we need to stop our customary thinking about what federalism requires in order to prevent another horrific loss of life and property.

No Impact – Tyranny

**[\_\_\_]**

#### [\_\_\_] The mere existence of the states prevents the impacts

Evan Caminker, Law Professor, University of Michigan, 2001

(ANNALS OF THE AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE, March, p. 88‑9)

The allocation of significant regulatory authority to the states within a federal system is frequently defended as serving the following structural values: enhancing the responsiveness of government to the specific interests of members of a heterogeneous society, both by decentralizing decision making and by generating competition for a mobile citizenry; enabling states to act as laboratories experimenting with diverse solutions to economic and social problems; and stimulating the development of democratic skills and attitudes by increasing citizen participation in self‑governance. **Moreover, the mere existence of states as independent institutions serves as a structural check against the risk that Congress will either assert power that does not lawfully belong to it or wield the power it does lawfully enjoy too frequently or indiscriminately. As observed by Alexander Hamilton, The State legislatures . . . will constantly have their attention awake to the conduct of the national rulers, and will be ready enough if anything improper appears, to sound the alarm to the people, and not only to be the VOICE, but, if necessary, the ARM of their discontent.**

No Impact – Tyranny

**[\_\_\_]**

#### [\_\_\_] Public pressure prevents the impact

Ilya Somin, Ph.D. Candidate, Department of Government, Harvard University, 2001

(GEORGETOWN LAW JOURNAL, January, p. 485)

The problem of transparency that Justice O'Connor detected in the case of federal commandeering is much more serious in the case of federal subsidies to state governments. **State officials faced with commandeering statutes and other unfunded mandates from the federal government have an obvious incentive to publicize their complaints and use their lobbying power to mobilize opposition. Indeed, such opposition has resulted in numerous state‑government‑initiated lawsuits to curtail such mandates and even in the passage of the Unfunded Mandates Reform Act of 1995, a federal statute intended to curb them. Although this activity is unlikely to completely negate deeply rooted voter ignorance, it may at the very least diminish it to some degree.**

**Taxes Bad Disadvantage**

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Summary

This disadvantage argues that if the federal government spends more money on infrastructure that the government will raise certain taxes to pay for the increase in expenditures. These taxes don’t necessary have to be taxes on personal income but could be taxes on items like gasoline or carbon.

Tax increases could undermine economy because when people are taxed they have less money to spend to purchase goods. They also have less money purchase goods if their taxes are higher. When taxes are higher businesses have less money to invest and to higher workers. Workers themselves may have less of incentive to work because the government will collect more and more taxes from their paychecks. All of this reduced spending by businesses and consumers will reduce economic activity, threatening the economy.

Glossary

Consumer. A consumer is an individual person who purchases a product.

Draconian. Draconian means extreme.

Fuel tax. A fuel tax is a tax on gasoline or other motor fuels such as diesel.

Stimulus. When the government spends a lot of money it is considered to be a stimulus because that expenditure of money means that more money is available in the economy to buy goods and stimulate economic activity.

Taxes. A tax is the percentage of a person’s income or price of a good that is paid to the government.

Taxes Bad Disadvantage Shell

A. Uniqueness -- No tax increases now

New York Times, 2012

(May 11, “House Approves $310 Billion in Budget Cuts,” http://www.nytimes.com/2012/05/11/us/house-approves-310-billion-in-cuts.html?\_r=1)

**Democrats said Republicans had become captives to a pledge never to raise taxes, foisting on Congress a draconian plan that “asks more from those who have less and less from those who have more**,” as Representative Steny H. Hoyer of Maryland, the No. 2 House Democrat, put it.

B. Link -- Infrastructure spending is paid for out of general tax revenues. Since there is no more money in the coffers, the plan would result in a tax increase

[Edward **Glaeser**](http://topics.bloomberg.com/edward-glaeser/), an economics professor at [Harvard University](http://topics.bloomberg.com/harvard-university/), 2012

(Bloomberg, February 14, “Spending Won’t Fix What Ails US Infrastructure,” <http://www.bloomberg.com/news/2012-02-14/spending-won-t-fix-what-ails-u-s-transport-commentary-by-edward-glaeser.html>)

**The stimulus delivered a dollop of highway spending provided with general tax dollars, and the** [**Congressional Budget Office**](http://www.cbo.gov/ftpdocs/126xx/doc12699/01-31-2012_Outlook.pdf) **projects that the Trust Fund will be broke by 2014. Yet Congress is now promoting a vast new** [**road spending bill**](http://www.cbo.gov/ftpdocs/127xx/doc12754/hr7.pdf). **The budget the president presented yesterday supports paying for infrastructure with “current user-financed mechanisms**,” **but also proposes tapping “part of the savings from ending the war in** [**Iraq**](http://topics.bloomberg.com/iraq/) and winding down operations in Afghanistan,” **which just means using general** [**tax revenue**](http://topics.bloomberg.com/tax-revenue/) **to pay for highways.**

Taxes Bad Disadvantage Shell

C. Impact -- Tax increases will slow growth and cause unemployment

William W. Beach, Director of the Center for Data Analysis (CDA) at The Heritage Foundation, 2010

(September 20, 2010, “Obama Tax Hikes: The Economic and Fiscal Effects,” http://www.heritage.org/research/reports/2010/09/obama-tax-hikes-the-economic-and-fiscal-effects)

**Center for Data Analysis economists estimated the likely economic and fiscal effects of the Obama tax plan by introducing it into a model of the U.S. economy that leading government agencies and Fortune 500 companies use to produce economic forecasts**. This economic model, which covers FY 2011 to FY 2020, produced results that are displayed in Appendix 2 of this Report**. The Obama tax plan would result in:**

**• Slower economic growth:** Inflation-adjusted gross domestic product (GDP) would fall by a total of $1.1 trillion between FY 2011 and FY 2020. GDP in 2018 would fall by $145 billion alone. The growth rate of the economy would be slower for the entire 10-year period.

**• Fewer jobs: Slower economic growth would result in less job creation. Employment would fall by an average of 693,000 per year over this period**

* **238,000 fewer jobs in the critical economic recovery year of 2011;**
* In one year alone, 2016, job losses top 876,000.

**• More unemployed Americans: Slower growth in employment translates to a higher unemployment rate, which would rise more each year during the 10-year period than it would without the Obama tax hikes.**

**In other words, for Americans who are unemployed now, their prospects of employment would worsen under the Obama tax plan.**

Uniqueness – No Tax Increases Now

[\_\_\_\_]

[\_\_\_\_] The increase would be unique – no tax increases now

William W. Beach, Director of the Center for Data Analysis at The Heritage Foundation, **2010**

(September 20, “Obama Tax Hikes: The Economic and Fiscal Effects,” http://www.heritage.org/research/reports/2010/09/obama-tax-hikes-the-economic-and-fiscal-effects)

If Congress enacts the Obama tax hike, it will have changed the course of long-standing tax policy. With the exception of the recently enacted Patient Protection and Affordable Care Act (PPACA), **no Congress has voted to raise significant sums of new tax revenues since 1996. Indeed, the fundamental tax policy of this country until now has been to reduce tax burdens. This policy has largely been driven by a bipartisan understanding that lower tax rates support stronger economic growth. Certainly, that view animated the debates over the 2001 and 2003 tax legislation, each of which resulted in lower, though temporary, tax rates and tax liabilities.**

Link – Transportation Infrastructure Investment Increases Taxes

**[\_\_\_\_]**

#### [\_\_\_\_] Transportation infrastructure spending paid for with taxes

Transportation Finance.org, 2012

(“Financing,” <http://www.transportation-finance.org/funding_financing/financing/>)

**Traditionally, transportation infrastructure has been financed primarily through a combination of state and local taxes and fees and-for major projects-Federal grants funded by national motor fuels taxes.** These resources are typically combined to fund projects on a "pay-as-you-go" basis, meaning that projects have often been built in phases or increments as funds become available over a period of years

#### [\_\_\_\_] New infrastructure will be paid for with higher gas taxes

Dr. Jean Rodrigue, Hofstra University, 2012

(“The Financing of Transportation Infrastructure,” <http://people.hofstra.edu/geotrans/eng/ch7en/appl7en/ch7a2en.html>)

**Several transport infrastructures are subsidized by revenues from other streams since their operating costs cannot be compensated by existing revenue. For instance,** [**public transport systems are subsidized**](http://people.hofstra.edu/geotrans/eng/ch6en/conc6en/revenueustransit.html) **in part by revenues coming from fuel taxes or tolls**.

Answers to: Pay for the Plan Another Way

#### [\_\_\_\_\_] No money now for new transportation – New programs would require more taxes

Robert Poole, director of transportation at Reason Foundation, **20**11

(“Advocates Calling for More Transportation Spending Need to See the Big Budget Picture,” Reason, <http://reason.org/news/printer/advocates-calling-for-more-transpor>)

What this changed context means for transportation is the subject of this column. The grandiose dreams sketched out only three years ago by the Policy & Revenue Commission for a massively expanded federal role, and echoed in 2009 by Rep. Jim Oberstar (D-MN, who lost his seat in the 2010 elections), have become irrelevant - despite still being reflected in President Barack Obama’s original 2012 budget proposal to more than double the size of the program. Economist Robert Samuelson put his finger on the problem in a recent column in the Washington Post, “Big Government on the Brink.” We have created what he calls a “suicidal government,” by which he means that “government has promised more than it can realistically deliver and, as a result, it repeatedly disappoints by providing less than people expect.” And as a result, he writes, “The system can no longer make choices, especially unpleasant choices, for the good of the nation as a whole.” Rep. Paul Ryan’s (R-WI) plan to reduce federal spending over the next decade down to 20% of Gross Domestic Product (GDP) was attacked as a radical fantasy when first introduced, but in a few short weeks it so changed the debate that the president submitted a replacement for his original 2012 budget plan, with the new version looking more like Ryan’s plan over the next few years (even though aiming only to get down to 22% of GDP in the out years). The Gang of Six in the Senate, like President Obama’s deficit reduction commission from last fall, is talking about eliminating countless sacred-cow “tax-expenditures” as part of wide-ranging tax simplification. There is even serious talk about scrapping tax-exempt municipal bonds. Yet as I read the missives put forth by every major transportation group, I see calls for larger programs and greater federal spending, as if none of this larger context exists. But the fact is, the federal transportation program that has grown tremendously since creation of the Highway Trust Fund in 1956, and is due for radical surgery. Business-as-usual in transportation—as in every other federal program—is no longer an option. In the short-term (i.e., the current reauthorization bill), there will be no federal fuel tax increase and the program will be sized to what existing highway user taxes bring in. Period. Bills to increase tax rates must originate in the House, and not even the White House is proposing an increase. There is no general fund money available to supplement what gas taxes bring in. Consequently, we need to learn to live with this new reality

Tax Increases Hurt the Economy

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#### [\_\_\_\_] Tax increase will cause substantial economic harm

William W. Beach, Director of the Center for Data Analysis at The Heritage Foundation, **2010**

(September 20, “Obama Tax Hikes: The Economic and Fiscal Effects,” http://www.heritage.org/research/reports/2010/09/obama-tax-hikes-the-economic-and-fiscal-effects)

Bad economic news is mirrored by several other key economic indicators:

* Business investment would fall every year of the 10-year period by an average of $33 billion below the level it would be without the tax hikes;
* Investment in residences would also fall by an average of $13 billion each year;
* Personal savings would decrease by $38 billion in 2011 alone, and savings by Americans would continue below baseline for each of the following four years;
* Total disposable lost income after subtracting inflation would equal $726 billion for the 10-year period; and
* Lost consumer spending after inflation would equal $706 billion over this time period.

In short, **the economic harm is significant and widespread. Individuals and households throughout the income distribution will bear the brunt of the economic slowdown, resulting in fewer employment opportunities, lower wages, lost consumption, and lower savings. Congress needs to understand that it will raise additional revenues on the backs of those citizens it often works to help through income redistribution programs.**

#### [\_\_\_\_] Tax increase will result in lower economic output

William W. Beach, Director of the Center for Data Analysis at The Heritage Foundation, **2010**

(September 20, “Obama Tax Hikes: The Economic and Fiscal Effects,” http://www.heritage.org/research/reports/2010/09/obama-tax-hikes-the-economic-and-fiscal-effects)

*Lower Economic Output.* **GDP will be, on average, $111 billion lower over the 2011 to 2020 forecast horizon. The projected slowdown in the U.S. economy will result largely from significantly reduced incentives to save and invest in productive capital and technology through higher capital gains and dividend taxes. The productive capacity of the economy is also lowered by the disincentive for high-income individuals to supply their labor due to the higher marginal tax rates on income.**

Tax Increases Hurt the Economy

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**[\_\_\_\_] Taxing capital causes stagnation**

William W. Beach, Director of the Center for Data Analysis at The Heritage Foundation, **2010**

(September 20, “Obama Tax Hikes: The Economic and Fiscal Effects,” http://www.heritage.org/research/reports/2010/09/obama-tax-hikes-the-economic-and-fiscal-effects)

Arguably, many high-income individuals earn their income from capital income rather than labor income. However, **at the macro (aggregate) level, the marginal effects of tax rates also affect individuals on the cusp of moving into the high-income brackets. Therefore, it is not only current high-income individuals who are discouraged from supplying their labor, but also those who, through a little more labor supply, would find themselves in the high-income bracket. Economic stagnation frequently results from just this “unseen” event: Someone somewhere simply does not work harder or more cleverly because of high taxation; and the result hurts everyone through slower economic growth**.

Tax Increases Cause Unemployment

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#### [\_\_\_\_] Higher taxes reduce employment

William W. Beach, Director of the Center for Data Analysis at The Heritage Foundation, **2010**

(September 20, “Obama Tax Hikes: The Economic and Fiscal Effects,” http://www.heritage.org/research/reports/2010/09/obama-tax-hikes-the-economic-and-fiscal-effects)

*Reduced Employment.* Total employment would decrease by an average of 693,000 jobs over the 2011 to 2020 forecast horizon. Annual job losses would peak at 876,000 in 2016, and would continue to fall, albeit at a slower pace, through 2020. This forecast path would delay any sort of recovery in the labor market. The employment losses are caused by the direct and indirect effects of the higher tax rates on labor and capital. **The direct effect happens at the margins where individuals choose to supply less labor due to the higher marginal tax rate. This is a relatively small effect when compared to the indirect effects that are set in motion by the changes in decisions to invest and grow the productive capacity of the economy. The higher capital income tax and the increased disincentives for saving and investment will likely force business owners to operate below potential and decrease their (planned and actual) investment in new equipment. A slowdown (or even continued pullback) in real business investment will lead to decreased levels of economic output that, in turn, will cause wages and salaries to be lower than they otherwise could have been, or cause employment levels to be lower. Capital gains also represent the additional value that entrepreneurs create when they implement new technologies, find better ways to make or deliver products and services, or introduce a better product or service to the market.** Often these entrepreneurs will start a new company. Higher capital gains taxes discourage potential entrepreneurs who must already overcome the riskiness of the endeavor (i.e., the possibility of earning little or no return), borrowing, or other financing costs of the endeavor, as well as myriad other tangible and intangible constraints when deciding whether to become an entrepreneur

Tax Increases Cause Unemployment

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#### [\_\_\_\_] Increased taxes depress growth, jobs and GDP

Rea Hederman, Jr., Assistant Director, Center for Data Analysis and Research Fellow and Alfredo Goyburu, 2004

(“An Increase in the Gas Tax Would Hurt Consumers and Slow the Economy,” 3-18, Heritage Foundation, <http://www.heritage.org/research/reports/2004/03/an-increase-in-the-gas-tax-would-hurt-consumers-and-slow-the-economy>)

Some leaders in Congress want to increase the federal tax on gasoline by 5.45 cents per gallon, for the first year, and then index it to inflation. They would use the revenue from this tax increase to finance additional spending on highways and other transportation projects, which they say will benefit the economy. Macroeconomic analysis performed by the Center for Data Analysis at the Heritage Foundation, however, shows that increasing the gas tax would depress economic activity and the incomes of millions of Americans. It would also raise significantly less revenue than its proponents project. The President should be commended for his firm stand against raising the federal gasoline tax, and Congress would do well to abandon proposals to increase the gas tax and instead focus on spending highway dollars more efficiently, ideally by turning them back to the states.[1] The Real Cost of the Gas Tax Analysts in the Center for Data Analysis (CDA) estimated the economic and fiscal effects of a higher gas tax using a well-known econometric model of the U.S. economy.[2] The model allows analysts to vary the gas tax and simulate the effects of higher spending on infrastructure construction, if adequate details about that construction are available. Because such details were not available, CDA analysts instead used the additional revenues from the higher gas tax to pay down national debt, which is an alternative way of infusing government spending into a segment of the economy that is tightly aligned with investment decisions. [3]This macroeconomic analysis found that: Personal savings would average $8 billion less per year from 2005 to 2014. $82 billion of the $131 billion increase in federal revenues over 10 years would be financed out of foregone or lower personal savings. Gross Domestic Product would decline by $6.5 billion per year, in real terms, from 2005 to 2014. In other words, this $131 billion in government revenues would shrink the economy by $65.5 billion. There would be, on average, 37,000 fewer job opportunities each year. That works out to one lost job for every $351,000 in new taxes, which is equal to 11 years of work at average yearly wages.[4] Total federal revenues would fall short of gas tax proponent's projections by $3.7 billion. Family disposable income would be, on average, $2.5 billion less per year, in real terms. That's equivalent to the cost of sending 532,600 students to college each year. [5] Congressman Don Young (R-AK) proposed an increase of the federal gas tax from 18.4 cents per gallon to 23.85 cents per gallon in the first year as part of the 2004 highway bill. While this twenty-nine percent tax increase has not generated major support, Congress should not bring the gas tax increase back as a policy proposal. While raising the gas tax would increase government revenues, it would only do so at the expense of economic growth, jobs, and family income.

Tax Increases Cause a Recession

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#### [\_\_\_\_] Maintaining low tax rates critical to stop an economic downturn

Bloomberg, 2010

(August 17, http://www.bloomberg.com/news/2010-08-17/tax-cuts-are-only-way-to-economic-growth-commentary-by-david-blanchflower.html)

**If we don’t act fast, a plunge into depression is a growing risk in** both **the U.S**. and the U.K. Quantitative easing will probably have to be started again this year in both countries. **The** so-called **Bush tax cuts, which are scheduled to expire at the end of the year, should be extended as soon as possible**. In the U.K., the draconian public-spending cuts alongside the increase in value-added tax planned for the end of the year should both be scrapped. Now is the time to cut taxes, not increase them. Payroll tax holidays are the way to go.

**U.S.** [**unemployment**](http://www.bloomberg.com/apps/quote?ticker=USURTOT:IND) **remains worryingly high at 9.5 percent and initial jobless claims are up again. Banks are still not lending, especially to small businesses** and even though mortgage rates are at historic lows, **house prices show no signs of recovering. Consumer confidence is down and spending is slowing.** The recently announced trade figures were ghastly. U.S. exports in June were $150.5 billion compared with $200.3 billion of imports, which resulted in a goods-and-services deficit of $49.9 billion, up from $42 billion in May.

Talk of exit strategies for the Federal Reserve that we heard earlier in the year has now disappeared; the Federal Open Market Committee at its meeting last week confirmed that the recovery was slowing and downgraded its growth outlook. Incentives to Hire The announcement that the Fed will recycle the proceeds of maturing mortgage-backed securities into new purchases of long- dated Treasuries is welcome. But banks aren’t lending and firms need incentives to hire, so the Fed move isn’t enough, especially since quantitative easing will take time to work. **It’s time for tax cuts, which have the added advantage that they work quickly. Firms respond to incentives.**

Tax Increases Collapse Investor Confidence

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[\_\_\_\_] Higher taxes collapse economic supports

Investor's Business Daily, 2010

(November 16, p. online)

The more you let a person or business keep of the fruits of their labor, the more they will labor**. The greater the chance of profit, the likelier investors and entrepreneurs will take risks. But if you let the top tax rate rise to nearly 40%**, a burden exceeding that of medieval serfs, **the economic wheels fall off.** It's a myth that the Bush tax cuts cost us jobs and revenues and led to the current crisis. As Julie Borowski of Freedom Works points out, citing Treasury Department data, **the Bush-era tax cuts increased production and innovation, which led to the rich paying a larger share of tax**es. Borowski says that if the Bush tax rates are extended, the top 1% of income earners will pay 37% of taxes with the current 35% marginal tax rate. Under Obama's proposal, these individuals will pay only 31% of taxes with the proposed 39.6% marginal tax rate. So Axelrod and Obama have it exactly backward. Their plan would result in the rich paying a lesser percentage of total taxes. The way to soak the rich is to lower their tax rates. The way to expand revenues is to expand the tax base, not rates. It's been said that if you control the language, you control the debate. The debate has been whether the Bush tax cuts should be extended for the "wealthy" or just the middle class or a combination of the two. The debate shouldn't be about "cuts" at all, but about maintaining current tax rates that have been in existence for nearly a decade. And it shouldn't be about the "wealthy," but about the successful, the risk takers, entrepreneurs and small businessmen who create the jobs the middle class, suffering from long-term near double-digit unemployment, sorely need. **As taxes rise, people and businesses tend to engage in behavior that will reduce their tax burden. A rising tax burden and the added costs of hiring additional employees leads businesses not to expand or to think twice about adding extra workers. Investors put their money elsewhere.**

[\_\_\_\_] Tax increase will crush investor confidence in the economy

Fred Thompson, former US Senator, 2010

(August 23, http://www.texasgopvote.com/blog/congress-must-renew-bush-tax-cuts-08143)

On Dec. 31, 2010, almost every working American will be hit with a massive, across-the-board tax increase on their income and investments.

On this date, the Bush tax cuts, enacted in 2001 and 2003, completely expire.

**We must urge Congress and the president to renew the Bush tax cuts early, before they expire and before investors lose confidence in the U.S. economy.**

The automatic tax increase will begin on Jan. 1, 2011, and could have catastrophic consequences for the economy.

Tax Increases Collapse Investor Confidence

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[\_\_\_\_] And investor confidence is critical to the economy

National Commission on Fiscal Responsibility ’10

(4/27/10, “National Commission on Fiscal Responsibility Holds Its Inaugural Meeting,”, lexisnexis)

Moreover, other things being equal, increased federal debt implies higher taxes in the future to cover the associated interest costs -- **higher taxes that may create disincentives to work, save, hire and invest**. High levels of debt also decrease the ability of policy-makers to respond to future economic and financial shocks. And, indeed, **a loss of investor confidence in the ability of the government to achieve fiscal sustainability can itself be a source of significant economic and financial instability,** as we have seen in a number of countries in recent decades.

Answers To: No Impact On Small Business

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[\_\_\_\_] Higher tax rates have a big impact on small businesses

JD Foster, Heritage Foundation, 2010

(States News Service, August 26, p. online)

MYTH: Small businesses would be only marginally affected by higher taxes rates.

FACT: **Successful, growing, hiring small businesses are especially targeted by higher tax rates.**

Another popular myth offered to sustain the Obama tax hikes is that higher tax rates would fall on too few small businesses to matter. While less than 2 percent of tax returns reporting small-business income would be subject to the higher tax rates Obama proposes, there is much more to the story.

**Millions of American taxpayers earn a few bucks on the side. Sometimes the extra income is from a lucrative hobby; sometimes the work is more serious**. Millions of these sideliners are honest enough to report their earnings as small-business income. But they are not small businesses in the traditional sense. They have no employees. They have no fixed place of business. They do not offer services widely.

True small businesses have employees. They invest in machinery. They offer goods and services widely. **And the successful ones earn significant sums to compensate for the risks of running the business and to earn a return on capital invested, typically plowing those earnings back into the business so it can expand further by investing more money and hiring more workers. And because they earn significant sums, successful small businesses earn the bulk of small business income. So, while only a small portion of taxpayers reporting small-business income would face Obama's higher rates, those facing the higher rates are the successful and expanding small businesses that create new jobs the economy needs to grow. According to a survey by the National Association of Independent Business, the businesses most likely to face Obama's higher rates are those employing between 20 and 250 workers. Raising rates on successful small businesses is a big part of the reason why the Obama tax hikes would hurt the economy.**

**Taxes Disadvantage Answers**

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Glossary

Consumer. A consumer is an individual person who purchases a product.

Draconian. Draconian means extreme.

Fuel tax. A fuel tax is a tax on gasoline or other motor fuels such as diesel.

Stimulus. When the government spends a lot of money it is considered to be a stimulus because that expenditure of money means that more money is available in the economy to buy goods and stimulate economic activity.

Taxes. A tax is the percentage of a person’s income or price of a good that is paid to the government.

Uniqueness – Tax Increases Now

[\_\_\_\_\_] Obama raising taxes

Jon Healey, Los Angeles Times, 2012

(President Obama's Mondale-esque call for higher taxes By Jon Healey July 9, 2012, 5:27 p.m. http://www.latimes.com/news/opinion/opinion-la/la-ol-president-obama-tax-hikes-wealthy-20120709,0,3604168.story)

Republicans like to talk about President **Obama** as if he were Jimmy Carter, but sometimes he **sounds** more **like** Carter's erstwhile vice president, Walter **Mondale -- the guy who promised voters** in 1984 that **he would raise their taxes if** he were **elected. Obama** doesn't put his fiscal plan in those terms, naturally. Instead, he **talks about raising taxes on Americans who make more than $250,000** (for couples; for individuals, the cutoff is $200,000), while maintaining the current rates on everybody else. The president revisited that topic Monday, calling on Congress to renew the Bush-era tax cuts for middle- and lower-income Americans for another year while postponing the decision on "the wealthy" until after the election. The point was to remind voters that presumptive GOP nominee Mitt Romney isn't the only one calling for tax cuts. Obama also was trying to defend himself against a meme advanced by the GOP and its conservative allies that the president was leading the country toward "one of the biggest tax increases in history" -- the expiration in January of the Bush-era tax cuts, the temporary reduction in payroll taxes and an assortment of other pending changes in tax law. VIDEO: Obama says election will decide economic fate His proposal would eliminate about $1.2 trillion in tax increases over 10 years. Yet **because it would allow some** of the **Bush-era breaks to lapse, it would result in a tax increase of about $700 billion compared with current law.** That's the revenue projected from not renewing the Bush-era cuts for the top two tax brackets, a level reached by less than 2% of those who file income tax returns.

[\_\_\_\_\_] Tax hike coming – cuts will expire

David Sampson, former deputy secretary of the U.S. Department of Commerce and as assistant secretary of Commerce for Economic Development, 2012

(America's Upcoming Economic Train Wrecks: Tax Hikes, Budget Cuts, April 24, 2012, http://www.usnews.com/opinion/blogs/economic-intelligence/2012/04/24/americas-upcoming-economic-train-wrecks-tax-hikes-budget-cuts)

Couple that with the expiration of the Bush-era tax rates. **All of the current tax rates on personal income, capital gains and dividends, and estates are set to expire on December 31**, 2012. **This means every American taxpayer and business is facing an automatic tax increase on New Year's Day**, unless Congress acts to extend the current rates.

Uniqueness – Tax Increases Now

#### [\_\_\_\_\_] Obama pushing a tax increase

Wall Street Journal, 2012

(July 8, “Democrats and the Tax Cliff,” http://online.wsj.com/article/SB10001424052702304898704577482481625506736.html?mod=googlenews\_wsj)

**President Obama has staked his re-election on the promise to raise taxes on anyone making more than $200,000 a year**, but it's going to be fascinating to see if he can hold other Democrats through Election Day. **June marked the third month in a row of lousy job creation, and the economy is growing slowly even as the January 2013 tax cliff grows closer by the day.** Already, as many as six Democratic Senators are hedging their bets as the economy looks worse. That list includes Joe Manchin of West Virginia, Jon Tester of Montana, Claire McCaskill of Missouri, Bill Nelson of Florida, Ben Nelson of Nebraska and Jim Webb of Virginia.

#### [\_\_\_\_\_] Tax rates will rise in the future

Wall Street Journal, 2012

(July 8, “Democrats and the Tax Cliff,” http://online.wsj.com/article/SB10001424052702304898704577482481625506736.html?mod=googlenews\_wsj)

**No doubt other Congressional Democrats from battleground states also feel jittery over the White House "Taxmageddon" strategy for** 2013 but aren't ready to publicly cross the White House. Last month Bill Clinton suggested a delay in raising the tax rates, before recanting amid a media uproar.  **If Congress doesn't act to change the law, tax rates on income, capital gains, dividends and estates are all scheduled to rise in January.**

No Link – Won’t Increase Taxes Because of the Plan

[\_\_\_\_\_] Even if a tax increase would have been normal in the past, the new political climate means they wouldn’t pay for the plan in that way

Dan Primack, Senior Editor at Fortune, 2011

(2/17, Fortune/CNN Finance <http://finance.fortune.cnn.com/2011/02/17/why-obama-cant-save-infrastructure/)

Increases in transportation infrastructure spending traditionally have been paid for via gas tax increases, but today's GOP orthodoxy is to oppose all new revenue generators (even if this particular one originated with Ronald Reagan). This isn't to say that Republicans don't believe the civil engineers – it's just that they consider their version of fiscal discipline to be more vital. In other words, America's infrastructure needs are stuck in a holding pattern.

[\_\_\_\_\_] Raising taxes is just too controversial, policymakers will choose different ways to pay for the plan

Ellen Dannin, Fannie Weiss Distinguished Faculty Scholar and Professor of Law, Penn State Dickinson School of Law, **20**11

(“Crumbling Infrastructure, Crumbling Democracy: Infrastructure Privatization Contracts and Their Effects on State and Local Governance ,” NORTHWESTERN JOURNAL OF LAW AND SOCIAL POLICY, <http://ssrn.com/abstract=1776350>)

Public officials may say that there are no alternatives because of public resistance to taxes. They see privatization as providing improved infrastructure while not raising taxes and as **allowing the blame for unpopular decisions,** such as imposing or raising tolls or fees, to be shifted to a private contractor. Chicago officials, for example, contended that “it would have been impossible for the City to have both kept the parking-meter system and raised the rates to the same extent as the lease, because there was not sufficient political will to do so . . . .”121 The Chicago Inspector General found these claims to be untrue in the case of privatizing Chicago’s parking meters;122 however, a study of Kansas policymakers concluded that the public is unlikely to support tolls to the extent it sees tolls as taxes.123 73 Although opinion on the issue of the public’s acceptance of raising taxes is mixed, the public has loudly opposed increased tolls and fees. That opposition does not mean the public approves of public subsidies to privatize infrastructure. Rather, that acceptance is more likely the result of the public’s lack of information. In any case, fear of citizen resistance to and retaliation for raising taxes is an important factor in decisions to privatize infrastructure.124 “Given that the option of raising taxes to fund an increasing number of transportation projects remains politically **radioactive,** policymakers continue to pursue a range of alternate funding mechanisms and P3s are a critical trend here.”125

Tax Increases Good for the Economy – Budget Deficits

[\_\_\_\_\_] Taxes key to address debt problem

Michael Linden, Director for Tax and Budget Policy at American Progress, 2012

(Seth Hanlon, Director of Fiscal Reform for CAP's Doing What Works project, and Jordan Eizenga is a Policy Analyst with the Economic Policy team at American Progress., Ten Charts that Prove the United States Is a Low-Tax Country, June 10, 2011 http://www.americanprogress.org/issues/2011/06/low\_tax.html)

The United States is a low-tax country. That’s true for individuals and for corporations, and it’s true whether you compare us to other countries or the America of the past. No matter how you slice it the conclusion is the same. **Conservatives like to claim** that our **budget deficits are purely a “spending problem.”** Said Senate Minority Leader Mitch McConnell (R-KY): “We don’t have this problem because we tax too little. We have it because we spent too much.” It’s a popular talking point, but it simply isn’t true. **Deficits do not stem from spending levels alone.** They are the product of a mismatch between spending and revenue. And when revenue is as low as ours is, you end up with big deficits. Here are 10 charts demonstrating the simple, clear truth that **federal taxes in the U**nited **S**tates are very low. Recently, President Obama met with a group of House Republicans to discuss the federal budget and the national debt. During the course of that meeting, the president noted, correctly, that taxes **today are even lower than they were under** President Ronald **Reagan**. This fact was met with “a lot of ‘eye-rolling’” from the Republicans. They didn’t believe him. This anecdote suggests that perhaps the reason conservatives think we don’t have a revenue problem is because they don’t know the facts. Taxes today are lower than they were under President Reagan. They’re lower today than they’ve been in 60 years. And they’re lower than they are in most developed countries. **We** do **have a debt problem coming down the road. That debt problem is the result of an aging population, rising health care costs, and, yes, revenue levels that are too low.**

Tax Increases Good for the Economy – Budget Deficits

[\_\_\_\_\_] Taxes are necessary for deficit reduction

Timothy Noah, Senior Editor at the New Republic, 2012

(The New Republic: Raise Taxes On The Middle Class, July 16, 2012 http://www.npr.org/2012/07/16/156835192/the-new-republic-raise-taxes-on-the-middle-class)

Eventually, though, **income tax rates need to return across the board to the Clinton-era levels. "I don't want to raise taxes on the middle class," Obama says. But if he doesn't, he can forget about achieving meaningful deficit reduction.** Taxes need to rise for the rich — and I'd argue they should rise a lot higher than to a top marginal rate of 39.6 percent. (I'd create three additional brackets for incomes above $1 million, $10 million, and $20 million, and have the marginal tax rate rise gradually from 39.6 percent to 70 percent, which is what it was when Ronald Reagan came into office.) But once it's established that the rich will pay their fair share, taxes on the middle class ought to rise, too. It would be political suicide for Obama to say any of this right now, because voters think taxes are already too high. But **federal tax rates are not too high at all; they're at historic lows. A new C**ongressional **B**udget **O**ffice **report, which examines the impact of all federal taxes** (including the progressive income tax and the ever-rising regressive payroll tax) **says the average effective tax rate for all households** (i.e., the percentage of total income, including federal benefits, that a household pays in all federal taxes) **was 17.4 percent** as of 2009, the last year for which data are available. **That's the lowest effective tax rate recorded** since 1979, and if the IRS had effective tax rate data going further back it would be the lowest since a lot earlier than that. (Effective taxes were comparatively high in 1979.) Since 1979, the average effective tax rate has fallen for all five income quintiles (i.e., the lowest, second-lowest, middle, second-highest, and highest 20 percent). For the middle quintile, which represents the dead center of the middle class, average effective tax rates dropped from 18.9 percent in 1979 to 11.1 percent in 2009.

Tax Increases Good for the Economy – History Proves

[\_\_\_\_\_] Tax increase would benefit the economy – Clinton era

Robert Reich, Chancellor's Professor of Public Policy at the University of California at Berkeley, was Secretary of Labor in the Clinton administration, 2012

(The Truth About Obama's Tax Proposal (and the Lies the Regressives Are Telling About It), 7/10, http://www.huffingtonpost.com/robert-reich/obama-tax-proposal\_b\_1661908.html)

A third lie is Obama's proposal will "increase uncertainly and further retard investment and job creation," as the Journal puts it. Don't believe it. **The real reason businesses aren't creating more jobs is American consumers** -- whose purchases constitute 70 percent of U.S. economic activity -- **don't have the money to buy more, and** they **can no longer borrow as before. Businesses won't invest and hire without consumers. Even as executive pay keeps rising, the median wage keeps dropping -- largely because businesses keep whacking payrolls. The only people who'd have to pay substantially more taxes under Obama's proposal are those earning far in excess of $250,000 -- and they aren't small businesses.** They're the fattest of corpulent felines. **Their spending will not be affected if their official tax rate rises from** the Bush **35** percent **to** the Bill Clinton **39.6 percent.** In fact, most of these people's income is unearned -- capital gains and dividends that are now taxed at only 15 percent. If the Bush tax cuts expire on schedule, the capital gains rate would return to the same 20 percent it was under Bill Clinton (the Affordable Care Act would add a 3.8 percent surcharge). Funny, **I don't remember the economy suffering under** Bill **Clinton's taxes**. I was in Clinton's cabinet, so perhaps my memory is self-serving. But I seem to recall that **the economy generated 22 million net new jobs** during those years, **unemployment fell dramatically, almost everyone's income grew, poverty dropped, and the economy soared.** In fact, it was the strongest and best economy we've had in anyone's memory. In sum: Don't fall for these big lies -- Obama wants to extend the Bush tax cut "only for some people," small businesses will be badly hit, businesses won't hire because of uncertainty this proposal would create, or the Clinton-era tax levels crippled the economy, **A ton of corporate and billionaire money is behind these lies** and others like them, as well as formidable mouthpieces of the regressive right such as Rupert Murdoch's Wall Street Journal editorial page.

Answers to: Tax Increases Hurts the Economy

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#### [\_\_\_\_] Allowing a tax increase won’t hurt the economy

CBS News, 2012

(“Will Tax Hikes Hurt Economic Growth,” February 2, http://www.cbsnews.com/8301-505123\_162-57369933/will-tax-hikes-hurt-economic-growth/

As this issue heats up, **you will hear again and again that tax increases, particularly on the wealthy, will depress economic growth. However, as I** [**detailed in a previous article**](http://www.cbsnews.com/8301-505123_162-39741024/did-the-bush-tax-cuts-lead-to-economic-growth/)**, there's very little evidence that tax changes of the magnitudes and types being considered will have a significant impact on economic activity: Economic theory helps us to determine which types of taxes are best in terms of efficiency, but the equity of taxes -- who pays them and whether it's fair -- also matters**. Questions of equity must be resolved in the political arena, economics cannot help here, and equity is one of the factors that determines whether a tax is feasible. If allowing the Bush tax cuts to expire for the wealthy is the only acceptably equitable way to raise taxes in this political environment, then there is little evidence that this will be harmful. The cost of allowing these tax cuts to expire is low, and there is much to be gained in terms of reducing our long-term budget problem.

Answers to: Tax Increases Hurt Small Businesses

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[\_\_\_\_] No impact on small businesses

Alexander Eichler, business reporter at The Huffington Post, 2012

(High Taxes On The Rich Not A Problem For Small Business: Report The Huffington Post, Posted: 07/20/2012 http://www.huffingtonpost.com/2012/07/20/small-business-rich-taxes\_n\_1690823.html?ncid=edlinkusaolp00000003)

Gary Korkes, owner of Oakwood Market in Detroit. A left-leaning think-tank has called into question claims by conservatives that tax hikes on the rich would affect large amounts of small business owners. Analysts are looking askance at a claim that raising taxes on the rich would spell doom for America's small business owners. According to a policy brief from the Center on Budget and Policy Priorities, a left-leaning think tank, if Congress were to let the Bush-era tax cuts expire for the wealthiest Americans, it would probably leave most small businesses unharmed. (Hat tip to The Washington Post.) That's a conclusion that runs counter to what many conservative politicians have said, among them Mitt Romney, the GOP nominee for president. Last summer, when Berkshire Hathaway CEO Warren Buffett first made his call to tax American millionaires at a higher rate than current U.S. tax policy dictates, Romney argued that such a tax hike would put an additional burden on small businesses, since some of them file taxes as individuals. However, the CFPB **analysts, citing Treasury Department data, said** that **a tax increase on the rich would only affect about 2.5 percent of all small business owners.** (A separate estimate from the Joint Center on Taxation said that the number of affected small businesses would be closer to 3.5 percent.) Moreover, **the historical record suggests that higher tax rates might actually be good for small business payrolls. The authors offer data showing that the pace of small business job growth was twice as fast under** President Bill **Clinton, who raised taxes, as it was under** President George W. **Bush**, who cut them during his first year in office.

Answers to: Tax Increases Hurt Small Businesses

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[\_\_\_\_] No tax impact on small businesses

Glenn Kessler, Washington Post, 2012

(How ‘massive’ is Obama’s tax cut/tax increase? Posted by Glenn Kessler at 06:00 AM ET, 07/10/2012 http://www.washingtonpost.com/blogs/fact-checker/post/how-massive-is-obamas-tax-cuttax-increase/2012/07/09/gJQAhbLGZW\_blog.html)

**As for the statements about Obama raising taxes on “job creators,”** we have written before that **Republicans tend to exaggerate this effect.** The Joint Committee on Taxation has determined that **only 3 percent of all “small businesses” would be affected by Obama’s proposal,** a point the president noted on Monday. However, that 3 percent does account for 50 percent of the estimated $1 trillion in business income reported in 2011. Still, there are limitations with this data because the number of tax returns filed by “flow-through entities” — such as law firms — has soared in recent years. We have also previously noted that a recent Treasury Department study, using a broad definition and a narrow definition of small businesses, found that 11 percent or 8 percent of the returns, respectively, showing income of more than $200,000 had some small business income. Under the broad definition, these businesses represented 64 percent of small business income; under the more narrow definition, such firms had 57 percent of small business income. But **Romney’s assertion that taxes affect business hiring decisions is simplistic.** When we have written about this issue before, **small business owners specifically rejected the idea that higher taxes would “kill jobs.” They noted that income that is used for business expenses — such as employee wages — are fully deductible. “I invested more in my business, especially as tax day drew near, because the alternative was giving a big slice of the money to Uncle Sam,” one small business owner said.**