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Bush Good- Energy Bill

A. Uniqueness-Energy Bill Will Pass- New Compromises Will Overcome Controversies on ANWR and MTBE

Economist, 7/2/05

The White House may yet get its energy policy through Congress

Cont....

The wrangling is not over yet. The Senate and House must now go into conference to work out a compromise. The signs are that a deal is brewing, in part because some divisive issues have been sidestepped. The thorny question of whether to allow drilling in Alaska's wilds may be decided as part of a separate budget bill rather than in this conference. The Senate dabbled with imposing mandatory curbs on global-warming gases, something the House (and Mr Bush) would have rejected, but in the end backed off.

One spoiler could be MTBE, a problematic petrol additive that has polluted groundwater in parts of America. House members, especially those from Texas, want to protect the industry from lawsuits, but many senators are outraged at that idea. The other spoiler could be nuclear power. Mr Bush may try to sneak in a subsidy for new nuclear plants in the form of risk insurance against regulatory delays. That will enrage fiscal conservatives and anti-nuclear types in both chambers.

If talks break down, it will be the third time in four years that Congress has failed to pass an energy bill. This time, the odds are that something will get through—if only because both the White House and Congress are desperate to have something to show by the August recess. Whether it will be a good law is another matter.

B. Links – 1. Protection of civil liberties partisan – angers the GOP

Newsday '03, (11-6, Lexis)

The survey found that partisan polarization, which had dropped substantially in the immediate aftermath of Sept. 11, 2001, has returned with a vengeance. Republicans and Democrats diverged on issues including whether to use military force pre-emptively, allow detention of suspected terrorists without trial, give up some civil liberties to curb terrorism and go to war in Iraq. On each question, Republicans tended to answer yes and Democrats no.

2. GOP support is key to the agenda

Washington Post 1-19 '05

Bush, whose reelection strategy was predicated on record-high turnout among social conservatives, especially evangelical Christians, will need the support of his base to help pressure Congress to approve his domestic agenda over the next four years, Republicans say. While Bush remains wildly popular among most conservatives, some are wondering whether the president will play down social issues in the second term as he seeks to cement a legacy focused more on cutting taxes and creating private Social Security retirement accounts. Last week, some Republicans complained that Bush's choice to head the Republican National Committee, Kenneth B. Mehlman, has picked an abortion rights supporter to be co-chairman.

The president is sensitive to the concerns of social conservatives and has tried to reassure them over the past two days that he remains as committed as ever to outlawing same-sex marriage, according to White House officials. Privately, some Bush advisers say the president is uncomfortable picking divisive political fights over abortion and same-sex marriage that cannot be won.

3. Political Capital Key to Energy Bill

National Journal, 4/9/05

From the beginning of his first term, President Bush ranked comprehensive energy legislation as a top priority. No bill reached his desk, however, because lawmakers failed to reconcile the differences between the House and the Senate. Some energy insiders also complain that the White House never spent the political capital necessary to put together an energy package. This year, Bush has become a vocal cheerleader for energy legislation, and the staffs of the House and Senate energy committees are redoubling their efforts. Senate Energy and Natural Resources Committee Chairman Pete Domenici, R-N.M., has instructed his staff to reach out to Democrats. Last year, the energy bill approved in conference died in the Senate amid Democrats' complaints that they had been cut out of the negotiations.

Bush Good- Energy Bill

C. Impacts

ENERGY BILL KEY TO THE ECONOMY – CURRENT IMPORT STRATEGY
DOOMS COMPETITIVENESS – TRY OR DIE

Red **Cavaney** President and CEO, American Petroleum Institute, FDCH, 2-16-**2005**

A comprehensive U.S. energy policy must recognize the growing impact of these new, major competitors for energy supply in the world. For the U.S. to secure energy for its economy, government policies must create a level playing field for U.S. companies to ensure international supply competitiveness. With the net effect of current U.S. policy serving to decrease U.S. oil and gas production and increase our reliance on imports, this international competitiveness point is vital. In fact, it is a matter of national security.

A Need for Action

These global realities underscore the need for action to meet the energy challenges facing the United States. Experience tells us that - in a nation with an economy and way of life so tied to energy - inaction comes at a high cost.

What is so difficult to understand is how we could have failed to act on energy at a time when the nation has been beset by energy problems. Just look back over the last four years:

--An estimated loss of one-half to a full percentage point of GDP growth already, according to published reports, to say nothing of the related job losses, caused by higher prices, a worsening trade deficit, and a loss in international competitiveness;

--Gasoline and diesel price spikes and tight supplies in the Midwest and elsewhere; --Declining U.S. natural gas production in the face of increased demand, resulting in high prices and greater market volatility;

--Soaring heating oil prices and tight supplies in New England; and

--Electric power blackouts in the Northeast and in portions of California.

These are the results of a failed energy policy. While no energy bill %will solve all the energy problems facing our country, inaction has a direct and harmful impact on all U.S. energy- users: small business men and women, home-owners, schools and hospitals, stores, factories, and businesses of all sizes and types all over this country. Failing to pass national energy legislation hurts real people - those who rely on energy to heat their homes, fuel their vehicles, and power their small businesses. They are the ones who bear the brunt of higher energy prices and supply disruptions.

Clearly, action on energy policy is long overdue. Congress needs to approve a comprehensive, national energy policy. The key word is comprehensive. A piece-meal approach is not the answer.

Enactment of this legislation will ensure diversity in energy supplies; promote energy efficiency, new technologies, conservation, and environmentally responsible production; modernize America's energy infrastructure; strengthen our economy; and create new jobs.

Bush Good- Energy Bill

COLLAPSE OF THE ECONOMY CAUSES NUCLEAR WAR AND EXTINCTION

Beardon '00

(TE, Director, Association of Distinguished American Scientists, "The Unnecessary Energy Crisis", 6-24
<http://www.seaspower.com/EnergyCrisis-Bearden.htm>)

History bears out that desperate nations take desperate actions. Prior to the final economic collapse, the stress on nations will have increased the intensity and number of their conflicts, to the point where the arsenals of weapons of mass destruction (WMD) now possessed by some 25 nations, are almost certain to be released. As an example, suppose a starving North Korea {17} launches nuclear weapons upon Japan and South Korea, including U.S. forces there, in a spasmodic suicidal response. Or suppose a desperate China—whose long-range nuclear missiles (some) can reach the United States—attacks Taiwan. In addition to immediate responses, the mutual treaties involved in such scenarios will quickly draw other nations into the conflict, escalating it significantly.

Strategic nuclear studies have shown for decades that, under such extreme stress conditions, once a few nukes are launched, adversaries and potential adversaries are then compelled to launch on perception of preparations by one's adversary. The real legacy of the MAD concept is this side of the MAD coin that is almost never discussed. Without effective defense, the only chance a nation has to survive at all is to launch immediate full-bore pre-emptive strikes and try to take out its perceived foes as rapidly and massively as possible.

As the studies showed, rapid escalation to full WMD exchange occurs. Today, a great percent of the WMD arsenals that will be unleashed, are already on site within the United States itself {18}. The resulting great Armageddon will destroy civilization as we know it, and perhaps most of the biosphere, at least for many decades.

Bush Bad- Energy Bill

A. Uniqueness- Energy Bill Won't Pass- Capital Key

Journal News, 7/1/05

The energy bill passed by the Senate Tuesday, tired and warmed over as it is, is destined to clash with the House version over the same issues that sent last year's energy bill - and the one the year before that - to the legislative dead-battery barrel.

Energy Secretary Samuel Bodman said the administration was ready to help produce a final bill, which President **Bush** said he wants on his desk by August. It would be effective for Bush to intervene directly. When the House passed its bill in April, stuffed with \$8 billion in incentives for the energy industry, Bush groused, "I will tell you with \$55 (a barrel) oil, we don't need incentives to oil and gas companies to explore for oil and gas." Well, oil prices passed \$60 a barrel on Monday.

One potential deal-breaker this year is the same as last year: a provision to shield from lawsuits the makers of methyl tertiary-butyl ether, or MTBE, a gasoline additive that is blamed for nationwide contamination of drinking water. The House bill contains such protection, at the insistence of House Majority Leader Tom Delay, a Texas Republican in whose state several major MTBE manufacturers are located. The Senate bill does not, and the Senate refused, correctly, to include it last year.

The Senate bill is more practical in that it allocates 40 percent of \$18 billion in incentives to conservation and renewable energy sources, requiring utilities to generate 10 percent of their electricity from such sources by 2020. The House bill has no such provisions. The Senate calls for an inventory of Continental Shelf oil and gas reserves rather than plunging ahead, as the House bill does, with drilling in the Arctic National Wildlife Reserve. The Senate bill has no ANWR provision.

Cont....

That, of course, is looking way down the future road. Meanwhile, Congress continues to spin its wheels in the present.

B. Links – 1. Pro-civil liberties policy is a concession to the Democratic base

NYT '05

(3-29, Lexis)

The Democratic base, by contrast, consists of a coalition of minorities, Hollywood celebrities, latte-sipping liberals and an army of dedicated do-gooders -- advocates for women's rights, for civil liberties, for the poor, and for the homeless, labor groups, environmental groups you get the idea. They are exactly the kinds of people who could be expected to support a "generalized program of global good works."

2. Cooperation with Democrats key to Bush's Capital

Austin American Statesman '04

(11-8, Lexis)

History -- and common sense -- suggest, however, that Bush's political capital might go farther if he can replace animosity and gridlock with cooperation and compromise. "He has a golden opportunity now," said Cass Sunstein, professor of political science and law at the University of Chicago. "He's in a position of strength, but not omnipotence." Here, then, are some things analysts say Bush could do to help unify a divided nation: * Invite democratic leaders in Congress to the White House. That could help clear the slate and set a positive tone early on, said Ilona Nickels, a congressional scholar with Indiana University's Center on Congress. With 45 Democrats in the Senate, she noted, Bush will need some help to get legislation passed. "As long as Democrats are willing to filibuster, things will not get through the Senate," without some partnership.

3. Political Capital Key to Energy Bill

National Journal, 4/9/05

From the beginning of his first term, President Bush ranked comprehensive energy legislation as a top priority. No bill reached his desk, however, because lawmakers failed to reconcile the differences between the House and the Senate. Some energy insiders also complain that the White House never spent the political capital necessary to put together an energy package.

This year, Bush has become a vocal cheerleader for energy legislation, and the staffs of the House and Senate energy committees are redoubling their efforts. Senate Energy and Natural Resources Committee Chairman Pete Domenici, R-N.M., has instructed his staff to reach out to Democrats. Last year, the energy bill approved in conference died in the Senate amid Democrats' complaints that they had been cut out of the negotiations.

Bush Bad- Energy Bill

C. Impacts

ENERGY BILL PASSAGE CAUSES VIOLENT SECESSIONISM IN KEY GLOBAL HOTSPOTS BY ENCOURAGING NEW DRILLING IN CONFLICT REGIONS

Abid **Aslam**, Contributing Editor, Foreign Policy In Focus, 2-11-**2002**
(<http://www.fpif.org/commentary/2001/0107energy.html>)

The shock of Enron's disintegration has given new impetus to campaign finance reform, and the Senate Democrats are using the Enron scandal to promote their own energy bill. Debate over U.S. energy policy has almost exclusively focused on domestic energy issues--such as vehicle fuel-efficiency standards, conservation efforts, new oil and coal exploration and production. However, in the new plan advanced by Bush and Cheney, energy is seen not only as a domestic imperative, but also as a means to project U.S. influence internationally. As such, the administration's energy strategy, presented by President Bush in May, could have serious political and environmental consequences around the world. This will be especially true in areas embroiled in conflicts between states or between governments and armed secessionists, ethnic groups, peasants, or labor unions. Bush's aggressive energy strategy is likely, for example, to stir up more conflict in the following countries and regions:

West Africa, site of the controversial Chad-Cameroon oil and gas pipeline project as well as U.S. and multinational oil operations in Nigeria's troubled Niger delta region.

The Caspian region, where the strife-torn province of Nagorno-Karabakh straddles key production and pipeline sites.

Aceh, where the Indonesian government has fought a pro-independence movement for decades.

Burma (also known as Myanmar), where the central government is at war with regional insurgencies, even as it seeks to maintain its grip on the political opposition in Rangoon (the capital, also known as Yangon) and in exile.

Bush's energy plan could also engender new self-determination conflicts. First, and rather obviously, its emphasis on supply will provide impetus for exploration and production everywhere there's a hint of energy waiting to be tapped--including, for example, on indigenous lands in Brazil and Venezuela. Second, and less directly, it will involve promoting policies known to create or reinforce the inequalities of wealth and treatment that have led to conflict. Thus, minorities not yet affected by U.S. and multinational energy investment could begin to feel its effects.

CAUSES NUCLEAR WAR

Kamal **Shehadi**, Research Associate at the International Institute for Strategic Studies, December 1993, Ethnic Self Determination And the Break Up of States, p. 81

This paper has argued that self-determination conflicts have direct adverse consequences on international security. As they begin to tear nuclear states apart, the likelihood of nuclear weapons falling into the hands of individuals or groups willing to use them, or to trade them to others, will reach frightening levels. This likelihood increases if a conflict over self-determination escalates into a war between two nuclear states. The Russian Federation and Ukraine may fight over the Crimea and the Donbass area; and India and Pakistan may fight over Kashmir. Ethnic conflicts may also spread both within a state and from one state to the next. This can happen in countries where more than one ethnic self-determination conflict is brewing: Russia, India and Ethiopia, for example. The conflict may also spread by contagion from one country to another if the state is weak politically and militarily and cannot contain the conflict on its doorstep. Lastly, there is a real danger that regional conflicts will erupt over national minorities and borders.

******Uniqueness******

Energy Bill Will Pass

Energy Bill Will Pass- High Oil Prices

Telegraph Herald, 7/3/05

As oil prices continued to soar, another attempt was launched on Capitol Hill to supplant foreign oil with homegrown fuel.

Cont.....

Congress failed to pass an energy bill in previous attempts, but with gasoline prices well above \$2 per gallon, there might be more pressure to approve the legislation this time.

Sen. Charles Grassley, R-Iowa, told reporters in June he thinks a compromise will be worked out between the Senate and House versions. The Renewable Fuels Standard in the final bill might not be as ambitious as 8 billion gallons, "but we'll still end up with a lot more than the 5 billion gallons we had in the bill in 2003, and that the House had in (its bill)," he said.

Energy Bill Will Pass Soon- Bipartisan Support

Canberra Times, 7/6/05

The US Energy Policy Act of 2005 was passed with overwhelming bipartisan support (85 to 12). The Bill is now being reconciled with the version passed by the House of Representatives in April.

A National Energy Plan was the President's first priority when he came to office, since then two proposed Energy Bills have failed to pass Congress. The Bill passed this week will be on President Bush's desk before August.

Energy Bill Will Pass- Bush Capital

US News, 7/6/05

Despite persistent suggestions in the media that President Bush has become a lame duck due to his mediocre polls, top administration officials suggest that recent legislative victories indicate he may turn out to be one of the most effective second term presidents in recent history. "It's so phony it's laughable," said a top administration official of the reports.

In fact, some aides are comparing Bush's second term to Ronald Reagan's foreign policy-focused second term, even claiming that the President will have a larger legacy if he gets to pick two new Supreme Court justices and a chief judge as expected. To pump up insiders depressed by news reports of the President's poor polling, some insiders have reprinted an old Washington Post story from May 26, 1985 that suggests Reagan was washed up just six months into his term. The story says: "But despite his landslide reelection to a second term only six months ago, as Reagan prepares to make tax simplification his new top priority, he finds himself a considerably less imposing force in the Capitol than he was four years ago." Critics have made similar suggestions about Bush, but insiders cite his recent judicial victories, the surprising Senate passage of CAFTA, the likely passage of the energy bill and expectations that after a heated fight he will win approval of his Supreme Court nominee or nominees.

Energy Bill Will Pass Despite Obstacles

Natural Gas Week, 7/4/05

Acknowledging the difficulties that lie ahead during a Senate-House conference to reconcile the two versions of the legislation, ranking committee Democrat Jeff Bingaman (New Mexico) said, "We still have many hurdles to overcome. But I'm optimistic we'll pass an energy bill."

Cont....

Senate and House leaders are vowing to conference the two bills quickly. "Obviously the House and Senate bills have differences to work out and that is what conference committees are for. I look forward to partnering with Sen. Domenici and working hard to send a positive, bipartisan bill that gets to the president's desk by the August recess," said House Energy and Commerce Committee Chairman Joe Barton (R-Texas).

Alex Flint, Senate Energy and Natural Resources Committee staff director, often said a "Republican only" energy bill will not pass muster in the Senate to emphasize the point that Democrats need to be accommodated. House Energy and Commerce Committee ranking Democrat John Dingell (Michigan) hoped for the same bipartisanship in the House, saying, "I hope the bill, which passed by an overwhelming vote of 85-12, points the way for a bipartisan consensus in the conference committee that could achieve the same broad support in the House."

It Will Pass

CPR, 7/1/05

"For too long, Congress has failed to pass an energy bill, but I believe this is the year that we'll get it done," Hatch said. "The President has made enacting a comprehensive bill a priority, and Congress has passed legislation with strong bipartisan support. I have a number of provisions in the Senate bill that I believe will make a significant impact on prices and enhancing our energy security."

Energy Bill Will Pass- Political Pressures

Dallas Morning News, 6/30/05

The House and Senate negotiators who will try to resolve the massive differences between the bills are under tremendous pressure to succeed. From President Bush down, there's a strong sense that, given prices at the pump, Washington needs to do something.

A/T: MTBE Blocks

MTBE Compromise Coming

Inside Fuels, 6/30/05

Barton will likely use the RPS as a "trade off" for something the House wants to see in the bill, according to informed sources. It's highly unlikely though that that trade off would be the Senate agreeing to waive MTBE liability in exchange for a renewable energy mandate.

Amid pressure from the White House to pass an energy bill, brought to a head in a June 15 speech by President Bush offering to broker a deal on MTBE, Barton has clearly lost some negotiation strength. That is why, these sources add, Barton is considering removing the provision from the bill altogether and using other legislative vehicles to move the measure. "He's getting pressure from the White House to find a deal ... otherwise the bill won't pass," says a lobbyist.

"Chairman Barton has said that an MTBE settlement is likely, likely to be soon. And if concluded it will be positive to all parties," says a House energy committee source.

MTBE Will Be Removed From Energy Bill- Barton Will Cave

Inside Fuels, 6/30/05

The top House energy bill architect Rep. Joe Barton (R-TX) is already considering some compromises he may be willing to make when the chambers join to reconcile their separate energy bills, including conditional support for a renewable energy mandate. Barton may also be trying to remove the provision granting a liability waiver for producers of the fuel additive MTBE, the main issue standing in the way of passing an energy bill.

The bill was voted out of the Senate with overwhelming bipartisan support, placing the House on the defensive as it heads to conference, according to informed observers. President Bush wants a bill by the congressional August recess. There was bipartisan support for the package in the Senate, but the House bill, in its current form, would never pass the Senate, according to observers.

"Barton is going to have to give," says an industry lobbyist. "MTBE [is something] he's working on, and he could probably be swayed on a renewable energy mandate."

House energy committee sources would not confirm, or deny, that negotiations are underway to remove the controversial MTBE liability protection provision from the energy bill. Other informed sources say Barton is in talks with GOP leaders to try to develop a strategy to remove the MTBE provision from the energy bill and instead attach it to the sprawling highway bill, currently in conference.

MTBE Provisions Will Be Moved to Highway Bill

Washington Times, 6/29/05

An issue that has derailed the legislation in the past - how to handle producers of the gasoline additive methyl tertiary-butyl ether (MTBE) - may be sidestepped this year, just as the issue of oil and gas drilling in the Arctic National Wildlife Refuge was dogged by adding its potential revenue to the budget proposal.

Rep. Joe L. Barton, Texas Republican and House Energy and Commerce Committee chairman, has been working on a deal to include the MTBE language in the highway transportation bill and said he can get a deal "when we need to have a deal."

A/T: Won't Pass- Court Battle

Supreme Court Battle Won't Derail Energy Bill

Washington Times, 7/5/05

But Sen. Robert F. Bennett, Utah Republican, said the Senate already has been "enormously productive" this year and that Mr. Frist and other leaders are prepared to consider various bills and a Supreme Court nominee at the same time.

"I don't think any of that is going to suffer," Senate Republican Conference Chairman Rick Santorum said of asbestos legislation and the final versions of energy, highway and CAFTA bills being worked on in conference with the House. The Pennsylvania Republican also seemed hopeful that House movement on Social Security reform could still trigger Senate action.

Energy Bill Not Include ANWR

ANWR Vote will Be Separate From Energy Bill

Anchorage Daily News, 6/30/05

The Senate passed an energy bill this week that did not include ANWR drilling, but the prospect is very much alive in a budget bill Congress will take up in the fall, probably in September.

Environmentalists and Arctic Power, the pro-drilling lobby that the state of Alaska funds, are gearing up for that fight in the Senate, where a close vote is forecast.

Energy Bill Won't Pass

Energy Bill Won't Pass- MTBE, ANWR and Filibusters

Washington Week, 7/6/05

Beyond philosophical differences, there are hot button issues as well that could lead to a Senate filibuster, such as the one that doomed energy legislation in the 108th Congress. The issue of MTBE clean up and who should pay for it will not go away. Everyone knows it must be resolved or deflected if an energy bill is to become law. The Republican staff director of the Senate Energy and Natural Resources Committee has warned that a conference report with MTBE liability protection language would garner even fewer than the 58 it received last time, of 60 votes needed to end debate. The House energy bill contains a provision providing MTBE producers protection from lawsuits based on claims the gasoline additive is a defective product. The Senate bill has no such language. Drilling in the Arctic National Wildlife Refuge (ANWR) is another hot button issue. The House bill allows for drilling in ANWR. The Senate deflected the issue, also subject to a filibuster, by moving it to the budget resolution (which cannot be filibustered) that comes up for a vote later this fall. There is no language on ANWR drilling in the Senate energy bill.

Energy Bill Won't Pass- MTBE Provision and Delays

Washington Week, 7/6/05

Leaders of Congress will likely not make progress in energy bill negotiations while there remains a deadlock on the must-pass highway bill currently in conference, say congressional observers. Though President Bush has urged Congress to pass an energy bill before the August recess, those prospects are dwindling as lawmakers break for a week without even beginning the process of reconciling the two vastly different bills.

Cont. ...

The MTBE liability waiver is blamed for the inability to pass an energy bill in the Senate last Congress and if a solution is not found before the final conference agreement reaches the Senate floor this Congress the bill will likely fail again. Amid growing pressure from the White House to pass an energy bill this year, Barton has begun to explore other legislative vehicles to move the liability protection for MTBE producers, most of which are oil companies. MTBE, an oxygenate added to gasoline, has contaminated groundwater supplies throughout the country. Many lawmakers, particularly in the Northeast, are not willing to grant producers blanket protection from defective product lawsuits. The Senate is leaving it to the House to find a deal. The Senate bill does not include the provision.

Energy Bill Won't Pass- Too Many Disputes

National Journal, 7/2/05

The Senate overwhelmingly approved its energy bill on June 28 by an 85-12 vote, setting up difficult talks with the House as lawmakers race to send a compromise to President Bush by the end of July. Conference committee negotiators will grapple with a controversial House-approved provision that grants liability protection to producers of methyl tertiary butyl ether, a fuel additive that easily contaminates groundwater if it leaks from underground storage tanks. Back in November 2003, a similar MTBE provision helped to prompt a Senate filibuster that blocked an energy bill conference report. The Senate legislation passed this week does not include liability protection for MTBE producers, a provision championed by House Majority Leader Tom DeLay, R-Texas. Supporters heralded the Senate bill as more bipartisan than the House version, but the Senate included renewable energy mandates that may not pass muster with the House. The Senate bill also contains \$18 billion in energy tax incentives, far more than the \$8 billion passed by the House and the roughly \$6.7 billion advocated by the White House. Energy Secretary Sam Bodman, who joined Senate Energy and Natural Resources Committee Chairman Pete Domenici, R-N.M., and other senators at a news conference, said that the tax breaks and other incentives should be pared back. "We will be working very hard to look at different components [of the House and Senate bills] to see what can be done to reduce the cost," Bodman said.

Won't Pass- No MTBE Compromise

Cleanup Costs Will Block MTBE Compromise

Inside Fuels, 6/30/05

New disputes over cleanup cost estimates for the gasoline additive methyl tertiary butyl ether (MTBE) could complicate a compromise approach suggested by House lawmakers to limit cleanup liability for the chemical as part of the pending energy bill, water utility and other sources say.

The cost estimates -- which range from low-end industry estimates of about \$4 billion to as high as \$75 billion -- could make it difficult for lawmakers to agree to a House plan to apply funds in EPA's leaking underground storage tank (LUST) trust fund to offset industry cleanup costs for the chemical.

Opponents of the House plan say there are insufficient funds in the LUST fund to meet these costs and are pointing to a set of reports from water utilities -- scheduled for release next week -- that show the total cleanup costs to be at least \$29 billion, a source familiar with the reports says.

Efforts To Add MTBE To Highway Bill Will Fail

Inside Fuels, 6/30/05

However, the ballooning cost of the highway bill, which President Bush has already threatened to veto due to its price tag, would likely never become law if an MTBE clean-up fund were added, congressional sources predict. Though estimates of the total cost of MTBE clean-up vary, it will at least cost several billion dollars, sources estimate. Highway bill conferees have until the end of the week to strike a deal and sources say the plan to attach MTBE liability protection could doom those prospects.

No Compromise on MTBE

Oligram News, 6/21/05

Reid said there is "no way" the Senate will compromise on the issue of MTBE liability. Asked at a press briefing if he would filibuster any attempt to include MTBE liability language in the bill, Reid replied, "We will do whatever it takes" to keep it out.

The House-passed energy bill includes a provision shielding MTBE manufacturers from defective product liability lawsuits, while a majority of senators is opposed to the measure. Differences between the House and Senate on the issue were a factor in Congress's failure to pass energy legislation in the last session.

Reid said the opposition remains bipartisan and "Republican members are with us every bit as strongly this time." The House Republican leadership appears just as adamant about including MTBE liability in the energy bill.

***** General Bush Good *****
Bush Good 2NC

Protection of civil liberties is partisan and angers Republicans – our 1NC Newsday evidence says there are battles over detention rules etc. – prefer our evidence because it assumes widespread polling whereas their evidence only take into account a fraction of lawmakers

And – support of the base key to the agenda

Washington Post 1-19 '05

Bush, whose reelection strategy was predicated on record-high turnout among social conservatives, especially evangelical Christians, will need the support of his base to help pressure Congress to approve his domestic agenda over the next four years, Republicans say. While Bush remains wildly popular among most conservatives, some are wondering whether the president will play down social issues in the second term as he seeks to cement a legacy focused more on cutting taxes and creating private Social Security retirement accounts. Last week, some Republicans complained that Bush's choice to head the Republican National Committee, Kenneth B. Mehlman, has picked an abortion rights supporter to be co-chairman. The president is sensitive to the concerns of social conservatives and has tried to reassure them over the past two days that he remains as committed as ever to outlawing same-sex marriage, according to White House officials. Privately, some Bush advisers say the president is uncomfortable picking divisive political fights over abortion and same-sex marriage that cannot be won.

Delay hates expanding civil liberties

Washington Times '04

(11-11, Lexis)

"The action that the president is taking in the war on terrorism is about making the world a safer and better place and making America more secure," he said. Jonathan Grella, spokesman for House Majority Leader Tom DeLay, Texas Republican, said Democrats' charges on civil liberties are an attempt to play to their base. He singled out MoveOn.org, which began as a pro-Clinton, anti-impeachment Web site and evolved into a barometer of opinion among liberal activists.

Delay key to the agenda

LA Times 12-19-99

As House majority whip, DeLay is the No. 3 leader in the House GOP hierarchy. That puts him in charge of maintaining party discipline and turning the GOP agenda into legislative victories. He is unabashed in his willingness to twist arms and badger fellow Republicans into voting the party line--a key job because they hold only a five-seat majority. DeLay's nickname is "The Hammer," a tribute to his bare-knuckle tactics.

GOP opposes pro-civil rights policies

NYT '05

(1-23, Lexis)

Hence, Democrats have hit at Republicans not only over the lavish inaugural, but also over energy conservation ("Now!") and tax cuts ("Not now!"). And Republicans have questioned the patriotism of Democrats who criticize Mr. Bush's security policies, saying that qualms about civil liberties must take a back seat "in a time of war."

Generic Bush Good 1NC

POLITICAL CAPITAL IS FINITE – THE PLAN DRAINS MOMENTUM BUSH NEEDS TO GET FUTURE LEGISLATION

Mark **Seidenfeld**, Associate Professor @ Florida State University College of Law, Iowa Law Review, October, 19**94** (80 Iowa L. Rev. 1)

The cumbersome process of enacting legislation interferes with the President's ability to get his [or her] legislative agenda through Congress much as it hinders direct congressional control of agency policy-setting. 196 A President has a limited amount of political capital he can use to press for a legislative agenda, and precious little time to get his agenda enacted. 197 These constraints prevent the President from marshalling through Congress all but a handful of statutory provisions reflecting his policy [*39] vision. Although such provisions, if carefully crafted, can significantly alter the perspectives with which agencies and courts view regulation, such judicial and administrative reaction is not likely to occur quickly. Even after such reaction occurs, a substantial legacy of existing regulatory policy will still be intact.

In addition, the propensity of congressional committees to engage in special-interest-oriented oversight might seriously undercut presidential efforts to implement regulatory reform through legislation. 198 On any proposed regulatory measure, the President could face opposition from powerful committee members whose ability to modify and kill legislation is well-documented. 199 This is not meant to deny that the President has significant power that he can use to bring aspects of his legislative agenda to fruition. The President's ability to focus media attention on an issue, his power to bestow benefits on the constituents of members of Congress who support his agenda, and his potential to deliver votes in congressional elections increase the likelihood of legislative success for particular programs. 200 Repeated use of such tactics, however, will impose economic costs on society and concomitantly consume the President's political capital. 201 At some point the price to the President for pushing legislation through Congress exceeds the benefit he [or she] derives from doing so. Thus, a President would be unwise to rely too heavily on legislative changes to implement his policy vision.

Ext – Partisan

(_) Action on civil liberties sparks partisan battles

Providence Journal '01

(12-11, Lexis)

The Constitution is important, but not when compared with congressional prerogatives. Which is too bad, since a debate about civil liberties in wartime at the congressional level might be instructive. But both sides are now locked in partisan embrace: Republicans argue that it is critical to the war on terrorism to support whatever President Bush proposes, and Democrats respond by exaggerating the effects of Mr. Bush's wartime measures.

(_) Protection of civil liberties partisan – Dems love it, GOP hates it

Japan Economic Newswire '04

(11-10, Lexis)

Ashcroft, 62, has been popular with conservatives for his tough antiterror policies, but Democrats and civil liberties groups have criticized him for undermining civil liberties following the Sept. 11, 2001 terrorist attacks on the United States.

A2: Public Popularity

(_) The public supports current infringements on civil liberties

Evening Sun '01

(12-10, Lexis)

Polls indicate that the public **overwhelmingly supports** the president's rather limited infringements on civil liberties, suggesting that Democrats are taking **political risks** in attacking him on that score assuming that Republicans make an issue of the matter.

***** General Bush Bad *****
Ext – Concession

(_) Protecting civil liberties is a key issue for Democrats

Houston Chronicle '04

(7-28, Lexis)

Even a speech by Teresa Heinz Kerry, the wife of presumptive presidential nominee John Kerry, focused largely on promoting Democratic base issues such as protecting the environment from global warming, promoting alternative fuels to create energy independence and protecting civil liberties.

(_) Civil rights are an ideological Democratic issue

Des Moines Register '03

(9-17, Lexis)

How things have changed. Mainline Republican philosophy was once all about practicality, like balancing the budget and keeping government from meddling in people's lives. At their best, Democrats were the ideological ones: for human rights, diversity and inclusion, civil liberties and protecting the vulnerable.

Bush Bad – Public 2NC

(_) Public supports expanding civil liberties

Arkansas Democrat Gazette '04

(10-31, Lexis)

While most anti-Bush voters are upset by the progress of the war in Iraq, my problems with his administration have less to do with the prosecution of that increasingly unpopular adventure than with the cavalier attitude some members of the administration take toward the civil liberties traditionally enjoyed by American citizens. As any number of commentators have noted, the American vice is fear and we are never weaker than when we willingly relinquish our freedom in exchange for vague promises of security. The Bush administration cannot be blamed for the criminal actions that occurred on Sept. 11, 2001, but it is responsible for exploiting the trust of a shocked and wounded nation.

(_) Revitalizing Bush's public popularity key to the success of his agenda

CNN '05

(3-29, Lexis)

KING: The president won that election, Dana, but he is in the middle of another campaign to get his domestic agenda, principally Social Security, through the Congress. They cannot be happy at the White House about the timing of this. Are they worried? BASH: Well, certainly they understand here that the president's credibility and that his public support is really crucial to getting his domestic agenda passed, primarily Social Security. And they do understand that his poll numbers, as we've been reporting over the past several days, have -- they have been going down.

***** Patriot Act *****
Bush Bad – 1NC

(_) Revising Patriot Act popular – unique coalition in Congress supports the plan

Intelligencer Journal '05

(4-14, Lexis)

As the federal government prepares to renew the act, thoughtful members of both parties are raising questions about some of the more controversial aspects of the law. In fact, opposition to the act's broad reach has led to the creation of a unique alliance composed of conservative Republicans and the American Civil Liberties Union, who are at the forefront of the fight to change or eliminate certain parts of the act before it is renewed. The alliance includes former Congressman Bob Barr, an archconservative from Georgia who holds that the Patriot Act amounts to an unjustified trampling of American rights.

Bush Bad – Bipart

Patriot Act revision bipartisan

San Antonio Express News '05

(2-15, Lexis)

Bush used the occasion to spur lawmakers to renew some provisions of the Patriot Act, which will expire at the end of 2005. Republicans and Democrats in Congress have vowed to revisit the legislation and amend controversial provisions that deal with surveillance.

Bipart support for amending the Patriot Act

Boston Globe '04

(11-14, Lexis)

Nancy Murray, coordinator for the ACLU's Civil Liberties Task Force, said the local campaigns to urge congressional revision of the Patriot Act have gained momentum as more people understand the details of provisions in the law. "It's become a truly bipartisan issue," said Murray, whose task force works with local groups on drafting and winning support for resolutions. "Even conservatives look at aspects of the act and say that the government is overstepping," she said. "People obviously want to be safe, but they feel a lot of what's in the Patriot Act doesn't make us more safe, just less free."

Even conservative GOP supports altering the Patriot Act – bipartisan

Newsweek '04

(4-26, Lexis)

Nonetheless, Treverton feels that the act itself will have less effect on how voters cast their ballots in November. "We will have some debate about the Patriot Act, but I don't think there is likely to be a lot of political heat," he says. "There are some hot buttons, but on the whole most people I speak to say, if I am not doing anything wrong, I have nothing to fear... They are so concerned about terror threat that the expansion of police and intelligence powers is seen as being warranted." Treverton may be right, but the expansion of those powers does have civil libertarians, Constitutional lawyers and even some law enforcement officials concerned. Some conservative Republican lawmakers have also joined Democrats in criticizing portions of the law as being too intrusive and are now threatening to allow the provisions to expire. "I don't think it is a partisan issue, and I don't think it should be," says M. David Gelfand, a professor of Constitutional law at Tulane Law School.

Bush Bad – Dems

Revising the Patriot Act is a concession to the Democrats

Washington Post '04

(10-24, Lexis)

Since 9/11, many on the left have accused the Bush administration of manipulating the fear of terrorism for political gain. Democrats denounce Karl Rove for drawing from a slush fund of popular anxiety to bankroll the president's reelection. Liberals decry the USA Patriot Act, arguing that Attorney General John Ashcroft has exploited widespread feelings of vulnerability to reverse decades of progress in the realm of civil liberties. Progressives generally agree that the White House has tried to turn national security into a mute button, muffling criticism with charges of insufficient patriotism and warnings about demoralizing the troops.

Cooperation with Democrats key to Bush's agenda

Austin American Statesman '04

(11-8, Lexis)

History -- and common sense -- suggest, however, that Bush's political capital might go farther if he can replace animosity and gridlock with cooperation and compromise. "He has a golden opportunity now," said Cass Sunstein, professor of political science and law at the University of Chicago. "He's in a position of strength, but not omnipotence." Here, then, are some things analysts say Bush could do to help unify a divided nation: * Invite democratic leaders in Congress to the White House. That could help clear the slate and set a positive tone early on, said Ilona Nickels, a congressional scholar with Indiana University's Center on Congress. With 45 Democrats in the Senate, she noted, Bush will need some help to get legislation passed. "As long as Democrats are willing to filibuster, things will not get through the Senate," without some partnership.

Democrats support revising the patriot act

The Nation '04

(7-16, Lexis)

Working with (Congressman) Conyers, the Ranking Democrat on the House Judiciary Committee, Democrats have introduced legislation to end racial profiling, limit the reach of the Patriot Act, and make immigration safe and accessible. Leader Pelosi is a cosponsor of the End Racial Profiling Act, the Security and Freedom Ensured Act (SAFE), and the Safe,

Powerful coalition of lobbies supports the plan

Legal Intelligencer '05

(4-6, Lexis)

The ACLU is part of an unusual coalition of liberal and conservative groups, including the American Conservative Union, that have come together in a joint effort to lobby Congress to repeal key provisions of the Patriot Act.

A2: GOP Backlash

Even the GOP supports revision of the Patriot Act

Legal Intelligencer '05

(4-6, Lexis)

Gonzales told lawmakers yesterday the provision has been used 35 times, but never to obtain library, bookstore, medical or gun sale records. But the criticism has led five states and 375 communities in 43 states to pass anti-Patriot Act resolutions, the ACLU says. Even some Republicans are concerned. Senate Judiciary Chairman Arlen Specter, R-Pa., has suggested it should be tougher for federal officials to use that provision.

Bush Good – Loss

Revising the Patriot Act is a loss for Bush

Atlanta Journal Constitution '05

(4-8, Lexis)

The Patriot Act, the subject of a just-beginning congressional debate over its controversial sections, may well become a defining document for the United States. If left wholly intact, as the Bush administration desires, it will signal a willingness to accept one peril --- the erosion of civil liberties safeguards --- to protect against another --- terrorism. An America true to its roots will reject that as an unequal trade.

Bush opposes revising the Patriot Act

IPS-Inter Press Service '05

(2-25, Lexis)

Feingold has introduced three bills to limit provisions of the USA Patriot Act, legislation passed shortly after the Sep. 11, 2001 attacks that curtails civil liberties in the interest of cracking down on terrorist activities. Bush is pressing Congress to renew the controversial law without change.

Bush Good – General

Strong support for current Patriot Act – its bipartisan

Gonzales '05

(Alberto, Attorney General, FNS, 4-6, Lexis)

Following the attacks of September 11th, the administration and Congress came together to prevent another tragedy from happening again. One result of our collaboration was the USA Patriot Act, which was passed by Congress with **overwhelming bipartisan support** after carefully balancing security and civil liberties. And since then, this law has been integral to the government's prosecution of the war on terrorism. We have dismantled terrorist cells, disrupted terrorist plots, and captured terrorists before they could strike.

***** Racial Profiling *****
Bush Bad – 1NC

Action against racial profiling popular, bipart, and a win for Bush

IPS '04

(Inter Press Service, 9-13, Lexis)

Heralding a public campaign against profiling, the 50-page report, 'Threat and Humiliation,' charges that the practice has actually grown since the Sep. 11, 2001 terrorist attacks on New York and the Pentagon despite a pledge by President George W. Bush to end it. Amnesty is urging Congress to enact the End Racial Profiling Act of 2004 that has been endorsed by a bipartisan group of 140 lawmakers.

Bush Bad – 2NC

The plan is massively popular, bipartisan, and a win for Bush – our 1NC IPS evidence says existing legislation similar to the plan has been endorsed by over 140 lawmakers, showing support for the plan will be widespread

And – winners win for Bush

Ornstein '04

(Norm, Resident Scholar, American Enterprise Institute, 11-14, Lexis)

There are other ways the president could begin his second term. Perhaps he'll be able to start with some issues that are left over from his first term, such as medical malpractice reform and his comprehensive energy bill, using his political capital to ram them through, and then using the capital replenished by those victories to build momentum until he's ready to fight the larger battles on Social Security and taxes.

And – the plan's a concession to Democrats

Gannett News Service '04

(9-2, Lexis)

Democrats: John Kerry supports affirmative action programs that seek to expand diversity and has voted against attempts in the Senate to weaken those efforts. He and other Democrats support a ban on racial profiling and legislation that would toughen penalties for hate crimes.

Cooperation with Democrats key to Bush's agenda

Austin American Statesman '04

(11-8, Lexis)

History -- and common sense -- suggest, however, that Bush's political capital might go farther if he can replace animosity and gridlock with cooperation and compromise. "He has a golden opportunity now," said Cass Sunstein, professor of political science and law at the University of Chicago. "He's in a position of strength, but not omnipotence." Here, then, are some things analysts say Bush could do to help unify a divided nation: * Invite democratic leaders in Congress to the White House. That could help clear the slate and set a positive tone early on, said Ilona Nickels, a congressional scholar with Indiana University's Center on Congress. With 45 Democrats in the Senate, she noted, Bush will need some help to get legislation passed. "As long as Democrats are willing to filibuster, things will not get through the Senate," without some partnership.

Ext – Bush Bad – Win

Action on racial profiling is a win for Bush

Hartford Courant '04

(7-29, Lexis)

In the 2000 election, a coalition of American Muslim organizations endorsed George W. Bush, citing, among other things, his commitment to end racial profiling. Muslims active in the Democratic Party acknowledge that Bush still enjoys pockets of strong support in their community.

More evidence

UPI '04

(7-23, Lexis)

Democrats argue Bush's tax cuts were more beneficial to higher-wage earners and that the jobs created do not make up for the more than 2 million jobs lost since 2001. Bush Friday again sounded the theme of the "soft bigotry of low expectations" in education and bannered his No Child Left Behind Act, which set educational standards, achievement measurement for schools, tutoring and vouchers to attend other schools, even private ones, for students in underperforming schools, and various reading, math and science programs. Cleanup of old industrial sites in inner cities had also benefited communities, he said. And he reminded the audience that his was the first administration to ban racial profiling in federal law enforcement.

Ext – Bush Bad – Dems

Democrats support ending racial profiling

The Nation '04

(7-16, Lexis)

Working with (Congressman) Conyers, the Ranking Democrat on the House Judiciary Committee, Democrats have introduced legislation to end racial profiling, limit the reach of the Patriot Act, and make immigration safe and accessible. Leader Pelosi is a cosponsor of the End Racial Profiling Act, the Security and Freedom Ensured Act (SAFE), and the Safe,

Bush Good – 1NC

Anti-racial profiling legislation is a loss for Bush and angers the GOP

Gannett News Service '04

(9-2, Lexis)

Republicans: President Bush angered civil rights leaders in January 2003 when he sided with plaintiffs challenging the University of Michigan's affirmative action program as an unconstitutional race-based remedy. He has directed federal law enforcement to prohibit the use of racial profiling. Most Republicans and Bush have opposed additional penalties for crimes motivated by prejudice.

Bush Good – 2NC

Action against racial profiling saps Bush's political capital – our 1NC Gannett News Service evidence says the plan is a loss for the president and it alienates a majority of his Republican Base

And – Losers lose

Barnes '03

(Fred, Executive Editor, Weekly Standard, 3-24, Lexis)

Norm Ornstein of the American Enterprise Institute has a theory that winners win. That sounds tautological, but it means that winners create confidence in their ability to keep winning and thus improve their chances of doing just that. But lose or hit a roadblock, and the opposite occurs. "If you're not winning, you look vulnerable," Ornstein says. Rebuffs by allies and the U.N. "make Bush look less formidable. He looks not impotent but weaker." There's something to this. Certainly Daschle and House Democratic leader Nancy Pelosi and Democratic presidential candidates act as though they believe it. Their criticism of Bush has become frequent and harsh. They're encouraged by polls. Only 36 percent of Americans now say things are getting better in America, down from 46 percent in December. And the number of people who think the economy is in poor shape has nearly doubled (from 16 percent to 32 percent) over the past year.

No turns -- plan's unpopular and saps political capital despite some bipartisan support

Sun Sentinel '04

(7-15, Lexis)

Moose and others say the proposed federal law would be a strong deterrent against racial profiling. But although the bills have bipartisan support and are making their way through Congress, proponents say winning a federal prohibition against racial profiling won't be easy because some legislators are resistant.

***** Immigration *****
Bush Good – 1NC

Post-9/11 political shifts have made easing detainment of immigrants massively unpopular

Miami Business Daily Review '02

(4-1, Lexis)

Before Sept. 11, Congress and President Bush seemed poised to enact a bipartisan immigration reform making it easier for several million current illegal immigrants to gain legal status and for some INS detainees to win their release. Then Mohammed Atta came along with his band of Arab hijackers, some of whom were in this country illegally. The 9-11 attacks hugely heightened the political pressure to clamp down on immigration and detain noncitizens. The immediate focus was on immigrants of Middle Eastern origin, but many other national groups were affected as well. "When the planes crashed into the World Trade Center, immigrants rights went down with the buildings," says William Flynn, a Stetson University law school professor and a partner at Fowler White Boggs Banker in Tampa.

Bush Good – Political Capital

No Congressional support for helping detainees – saps political capital

Col. Bob Pappas, retired marine, July 18, 2005, [<http://www.chronwatch.com/content/contentDisplay.asp?aid=15202&catcode=13>]

In a rush to be at the front of those arguing to close the Guantanamo prison facility, Mel Martinez, first term “RINO” senator from Florida, and favorite of the Bush administration in his recent election race against Bill McCollum, who was an “avant garde” terrorism expert with years of experience in the U.S. House of Representatives, placed himself with those who believe Guantanamo must be inhabited by “evil spirits” and should be closed. The problem is that wherever those prisoners go, so will the evil spirits because evil spirits inhabit the prisoners. Is Martinez’s position designed to please his liberal supporters or is it to advance himself? In any event, his moment in the news gets nowhere with the vice president who says that there are no plans to close Guantanamo. And this writer says, “Bravo!” Of course, Congress can make it happen, but there isn’t one--not one representative or senator, certainly not Martinez--willing to expend the political capital to make it so.

Times have changed – 9/11 changed the terms of the immigration debate – easing restrictions is now extremely unpopular

Seattle Times ‘01

(10-18, Lexis)

Before Sept. 11, a powerful alliance of Hispanic groups, organized labor, business, Republican campaign strategists, liberals and religious lobbies had joined forces with the Bush administration in a bid to enact a major liberalization of immigration policy. Republicans aligned with Bush had become convinced that the GOP's past anti-immigration stands were killing the party's chances to win Hispanic votes. Businesses, in turn, were desperate to fill low-end jobs in the hotel, restaurant and construction industries, and other difficult positions. Organized labor formally abandoned its opposition to immigration, which had been based on the view that the new arrivals threatened U.S. workers, instead viewing the surge of legal and illegal workers as a key source of new members to build unions. The moment appeared ripe for legislation granting illegal workers some form of amnesty, perhaps including green cards that could lead to citizenship. "We were moving slowly but surely to do these things," said Daniella Henry, head of the Haitian American Community Council in Delray Beach, Fla., "and all of a sudden everything was crushed, just like the World Trade Center." Rep. Howard Berman, D-Calif., one of the strongest proponents of amnesty and liberalized immigration policy, said he and allies may be able to revive proposals to grant legal status to illegal immigrants by using a security argument. "An orderly program of earned adjustment, based on work history and continuity of work, that involves stages of getting full status, lets us know who is here," Berman said. "When they go through a process of adjudication, they come out of the shadows." Although there appears to be broad support for tightening borders and preventing terrorists from moving freely within the United States, both programs still face some political obstacles. "Each proposal needs to be measured against the standard of: Does it really do anything to make us safer and at what cost?" said Jeanne Butterfield, executive director of the American Immigration Lawyers Association. The suspects in the Sept. 11 terrorist attacks, a number of whom used lax immigration regulations and easy access to student and other visas to enter the country, have changed the focus of the immigration debate in a number of other ways.

Bush Good – GOP Backlash

GOP hates the plan – supports restrictions on immigrants

San Antonio Express News '05

(6-18, Lexis)

A guest worker program is opposed by key Republicans on the House Judiciary subcommittee on immigration, who vow to clamp down on illegal immigration and restrict the number of immigrants entering the U.S.

Republicans oppose easing immigration restrictions

LA Times '04

(10-31, Lexis)

Meissner noted that significant immigration reform would probably pose a more daunting political challenge for Bush than for Kerry, because dozens of Republican members of the House are opposed to easing immigration restrictions.

GOP will oppose any change to immigration law that isn't more restrictive

Statesman Journal '04

(2-9, Lexis)

As to whether it will be passed, that's a political decision. I'm very pessimistic. Normally, when a president has an important piece of legislation, he usually lines up the votes ahead of time. I know there is a group of at least 70 Republicans who will probably be against any change to the immigration laws that are not (more) restrictive. Whether or not the president will be able to put together a coalition of moderate Republicans and Democrats is the issue.

GOP factions oppose any easing of immigration laws

LA Times '03

(11-1, Lexis)

The legislation has 37 co-sponsors in the Senate and 59 in the House. But an influential wing of House Republicans opposes any easing of immigration restrictions. Rep. Robert W. Goodlatte of Virginia, chairman of the House Agriculture Committee, is said to be working against the bill behind the scenes, and Rep. Tom Tancredo of Colorado, leader of a faction called the Congressional Immigration Reform Caucus, which wants to tighten U.S. borders, denounced the bill.

Bush Good – GOP Unity

Immigration legislation shatters GOP unity

Orlando Sentinel '04

(12-31, Lexis)

While Republicans begin the new year with a firm grip on both the White House and Capitol Hill, few issues divide them as much as immigration. Some in the party oppose new restrictions, because they think they will hurt businesses in need of low-cost labor or will hurt the GOP politically with the growing Hispanic vote or are simply contrary to the nation's values and history. Others see immigration as a huge social, economic and security problem. Those fault lines pose a tricky political challenge for Bush.

Immigration crushes GOP unity – crucial issue

San Francisco Chronicle '04

(10-15, Lexis)

When Bush finally announced a major immigration reform proposal last January, it was vilified by immigrant advocates as inadequate and set off a major backlash in his own party. Congress quickly buried the measure. "He's got a problem within his party," said Angela Kelley, deputy director of the National Immigration Forum, a pro-immigration advocacy group. "There is a deep divide between restrictionist Republicans who want to keep newcomers out and who are pursuing failed policies, and the forward-thinking pro-immigrant Republicans who want to find solutions to reform our immigration and are quite frankly I think on the right side of the issue."

Immigration divides Republicans

The Record '04

(1-25, Lexis)

The Republican Party is bitterly divided on immigration, with some lawmakers opposing any reward for illegal workers and urging further restrictions. Others, however, support Mr. Bush's approach of acknowledging the dependence of business on immigrant workers and providing a steady supply.

Immigration proposals jack Republican unity

Washington Post '03

(12-21, Lexis)

The difference this time around is the division within the Republican Party. The flap over Ridge's remark was a symptom of a far more significant conflict. Republicans, even more than Democrats, have long been ambivalent about immigration; business and libertarians are generally for increasing the number of immigrants allowed in each year, rank-and-file voters more often for lowering it. In the past year or so, that internal divide has deepened and intensified. Part of what's widening the rift is fear of terrorism, part is concern about the economy. Though there's no evidence that immigrants make the nation less safe or "steal" American jobs, anti-immigration Republicans have done a brilliant job of exploiting the public's anxiety. In the years since 9/11, Tancredo's restrictionist Congressional Immigration Reform Caucus has more than quadrupled from some 15 members to 69. Now that reform is again under discussion, they frequently find themselves at odds with more immigrant-friendly Republicans, and the conflict is shaping up as a potential battle for the soul of the party. If the restrictionist wing prevails, there could be dire consequences not just for the GOP, but for the nation. The immigration issue now cuts a fault line clear through the Republican -- and conservative -- universe.

Bush Good – Public

The war on terror is popular – public does not care about immigrants

Victor **Romero**, Professor of Law, Penn State, The Dickinson School of Law, Journal of Gender, Race, and Justice, Spring, **2003**, p. 207

Moreover, there are no significant signs that the public is willing to shelve immigration policy as a weapon in the war against terrorism, and thus we cannot expect that the political branches will either. And perhaps that is as it should be

The public supports detaining immigrants

Victor **Romero**, Professor of Law, Penn State, The Dickinson School of Law, Journal of Gender, Race, and Justice, Spring, **2003**, p. 208

Our national policies, for better or worse, are determined by our representative government, duly elected by our voting public, and in theory, they try to capture majoritarian sentiment. If, despite the apparent flaws in implementation, most of the public feels comfortable using immigration law to combat terrorism, then our republican democracy should support that.

The public is indifferent to violations of detainees' rights

Richard **Leone**, The War on Our Freedoms, **2002**, p. 9

The administration has also required male immigrants already legally in the United States from twenty different countries, mostly Arab and South Asian, to register with the Immigration and Naturalization Service, regardless of their status. Those who fail to register are subject to fines, entry in the National Crime Information Center database, and possible deportation. In the process, the administration detained almost 2000 men, almost all for immigration violations, and refused to release their names or any other information about them. Many of the detainees were held without any charges filed against them for weeks and months) on minor immigration violations, others as material witnesses. Some have been deported, others have been released, but several are still incarcerated. While a few news outlets have reported about particular individuals who appear to have been unfairly detained, by and large these policies have not evoked significant public concern.

More people favor the war on terror than civil liberty protections

Carol **Lewis**, professor of political science and public administration at the University of Connecticut, Public Administration Review, Jan/Feb **2005**

A national survey on civil liberties conducted in August 2002 found an even split on the issues of civil liberties and security: "A small but statistically significant number of Americans have shifted toward the civil liberties side of the issue since last year, although majorities still support some government actions that could be seen as curtailing such liberties" (NPR/Kaiser/Kennedy School of Government, August 7-11, 2002).

People care more about the war on terror than protecting civil liberties

Carol **Lewis**, professor of political science and public administration at the University of Connecticut, Public Administration Review, Jan/Feb **2005**

Public opinion about civil liberties in the context of terrorism is often formulated in terms of a trade-off, that is, the extent to which civil liberties must be or should be sacrificed for security. One example is the standard question, "What concerns you more right now?" (table 4). Another example is the question asked in an ABC News/Washington Post poll (June 7-9, 2002): "What do you think is more important right now-for the FBI (Federal Bureau of Investigation) to investigate possible terrorist threats, even if that intrudes on personal privacy, or for the FBI not to intrude on personal privacy, even if that limits its ability to investigate possible terrorist threats?" Seventy-one percent responded in favor of investigating threats, compared to 18 percent responding in favor of personal privacy.

Bush Good – Flip-Flop

Bush is against rights for detainees, the plan would be a flip flop

Newsday July 5, 2005

Now we view trials by jury for those we suspect of terrorism as a luxury, rather than a constitutional and moral necessity. Since 9/11 we've allowed the president to declare people to be "enemy combatants." They can be thrown into a stateside military brig or held indefinitely without charge at the Pentagon's prison at Guantanamo Bay, Cuba. The media suffers spasms over whether detainees at Guantanamo have been abused. This is important. But in a sense it is another diversion. The most fundamental abuse is rounding people up and holding them indefinitely at an enclave chosen to be beyond the law's reach. The Supreme Court a year ago disagreed with the premise. It said the Guantanamo detainees have a right to contest their confinement in federal court. The Bush administration has defied the high court, claiming that military tribunals for which it alone writes the rules are sufficient. This president would render the military superior to civil power.

Bush supports detention without charge – the plan would be a flip flop

Pittsburgh Post-Gazette, July 28, 2005

"Judges are mindful of not getting in the way of a president during a war in Iraq," Fidell said, and they know that Congress is "missing in action" on defining the rules and procedures for holding detainees. But Fidell sees signs that judges are growing impatient over a key administration argument: that detainees "can be held forever as combatants and never be charged."

Bush Good – A2: Ethnic Lobbies

Pro-immigrant lobbies lack clout in Congress

American Bar Association '99

(August, Lexis)

This is nowhere more apparent than in the treatment of immigrants, who do not have a powerful lobby in Congress and who are among the most defenseless people in America. As members of our society, they are entitled to basic fairness and due process of law. The 1996 immigration law deprives them of both.

Bush Good – A2: Hispanic Lobby

Hispanic lobby is small and will always support the Democrats – easing restrictions on immigration is political suicide

Sailer '02

(Steve, National Correspondent, UPI, National Review, 11-15, Lexis)

The other side scoffs that Hispanics will **always** vote more for Democrats than for Republicans; therefore, increasing immigration would be **political suicide** in the long run. In the short run, they argue, Hispanic voting power is currently **small** enough to allow Republicans to salvage the party's distant future by imposing an immigration cutback now.

Hispanic lobby ignites equal opposition from hardened political forces

Irish Times '05

(6-8, Lexis)

The Hispanic lobby wields tremendous and growing power. But it also **inspires hard grained opposition** from forces in American politics hostile to anything that smacks of amnesty for the undocumented.

Bush Bad – General

The plan would be an olive branch to the democrats

San Francisco Chronicle, June 28, 2005

Two Democratic senators who were part of the delegation to the prison, Ron Wyden of Oregon and Ben Nelson of Nebraska, said Monday that Congress should come up with concrete rules for handling detainees there. The senators said more precise rules would help ensure that prisoners would not be abused and that the United States would not suffer further embarrassments because of the way detainees were treated. "Even in a war, reasonable Democrats and Republicans on a bipartisan basis ought to be able to ... establish a precise legal status for these and future prisoners," Wyden said, adding that he and Nelson would work with Senate Republicans to draft legislation on the issue.

Non-unique and turn – pressure has already forced a limited version of the plan. The link is non-unique, and it proves the only opposition to the plan is within the executive branch

Immigrants' Rights Update, Vol. 18, No. 3, May 20, 2004, <http://www.nilc.org/immlawpolicy/arrestdet/ad080.htm>

In response to criticism leveled by the U.S. Justice Dept.'s Office of the Inspector General (OIG) against government agencies for their treatment of non-U.S. citizens who were arrested and detained in connection with the government's investigation of the Sept. 11, 2001, attacks, the Dept. of Homeland Security's undersecretary for border and transportation security has issued new guidance regarding how noncitizens arrested by U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP) officers are to be treated. In its June 2, 2003, report, the OIG detailed numerous instances of abuse suffered by post-9/11 detainees, including being held too long without being informed of the charges against them, being prevented from meeting with family and counsel, and being subjected to unduly harsh treatment. (For more, see "OIG Report Criticizes the Government's Treatment of 9/11 Detainees," Immigrants' Rights Update, July 15, 2003, p. 1.) The guidance issued by Undersecretary Asa Hutchinson "is intended to refine and clarify existing procedures to ensure that aliens are promptly notified of their custody status and of the immigration charges to be lodged against them, while retaining sufficient flexibility in emergency or other extraordinary circumstances," according to the Mar. 30, 2004, memo containing the guidance.

Bush Bad – McCain

McCain supports easing immigration restrictions

Washington Post '03

(12-21, Lexis)

So, too, in Washington. Pro-immigrant GOP legislators, many from border states -- Sens. John McCain and John Cornyn, Reps. Jeff Flake and Jim Kolbe -- are pressing for measures to expand the legal labor supply and restore the rule of law in heavily immigrant states by rerouting the illegal flow through legal channels. No fewer than three GOP-sponsored guest-worker bills are circulating on the Hill, along with a measure that would grant legal status to high-school graduates who entered the country illegally as young children.

Coop With McCain Key- He Can Derail Bush's Agenda if Alienated CSM, 6/20/01

But his actions might also prove to be a shrewd political strategy, similar to that employed by President Bill Clinton: triangulation. By positioning himself between the GOP White House and the Democrats, McCain is casting himself as a centrist, appealing to the same band of independent voters who supported his 2000 presidential bid, and who could fuel an independent run in 2004.

As a senator, McCain's ability to shape the debate is far more limited than Mr. Clinton's. Moreover, he could still prove a useful ally to the president - especially if he helps create support among Democrats for items like a national missile defense or Social Security reform.

Even so, McCain's work with Democrats could be a big problem for the White House, in a year where every senator's vote counts. And it could force Bush to compromise further on his agenda - or risk ceding the center to his former rival.

McCain is effectively creating "another power center," says George Edwards, a political scientist at Texas A & M University in College Station. "It's going to be a problem for the White House..." Every time McCain is giving some Republican patina to a Democratic bill, "he allows Democrats to claim they're the ones being bipartisan, and not Bush.

Cont....

But some suggest that the White House may be trying to work out some sort of quid pro quo with McCain, promising not to work against his campaign-finance bill in exchange for his support on other issues.

In response to a question about possible behind-the-scenes dealmaking with McCain, a senior administration official asked to "pass."

Rep. Christopher Shays (R), McCain's House counterpart on campaign finance, says there's "no quid pro quo" between McCain and the White House. "Each issue stands on its own," he says. "But obviously, to the extent that trust can be built up between ... a very powerful senator and national figure and the president of the United States, the better it is for both of them," he adds.

Certainly, opposition from a popular senator from the same party can severely undermine a president, as Lyndon Johnson discovered when Sen. J. William Fulbright became an early foe of the Vietnam War.

Bush Bad – Hispanic Lobby

Easing restrictions on immigration is an olive branch to the Hispanic lobby

Sailer '02

(Steve, National Correspondent, UPI, National Review, 11-15, Lexis)

How Hispanics voted last week is crucial to a contentious dispute among Republican strategists. One camp, which the Bush administration actively favored before Sept. 11, argues that Republicans must win a higher share of Latino votes than the 35 percent Bush captured in 2000 and that the best way to do that is to **please Hispanic voters** by easing immigration restrictions.

Hispanic lobby politically powerful

Insight on the News '2K

(7-3, Lexis)

He said he hoped the amendment to the Mexican constitution allowing Mexicans to retain their nationality when they are granted U.S. citizenship would not only permit Mexican Americans to better defend their rights at a time of rising anti-immigrant fervor, but also help create an ethnic lobby with political influence similar to that of American Jews." Emphasis added.

Bush Bad – Immigrant Lobby

Pro-immigrant lobby loves the plan and is key to the agenda – anti-immigration forces weak

Gimpel '98

(James, Associate Prof Gov't, Maryland, Washington Times, 7-13, Lexis)

Second, a strong pro-immigration interest group lobby has arisen in the past 20 years that has fought very effectively for more open entry and immigrants' rights. These groups have advanced their cause by working in coalition and by providing information to the large number of undecided members of Congress whose constituencies fail to voice their views on immigration matters. One of the most influential groups in Washington is the American Immigration Lawyers Association, the official organization of the immigration bar. AILA's small membership of about 4,500 is influential because it is well-funded and has considerable expertise on the issue. Labor unions have now joined the lobby promoting less restrictive immigration policy. While unions have long opposed large-scale immigration as harmful to its members' economic interests, the growing number of Hispanics and Asians employed in service industries have become targets for union organizing since the late 1980s. Concerned about the long-term drop in union membership, labor leaders have turned to generous immigration policy as a means for re-energizing a flagging movement. Largely unskilled immigrants coming to join their family members have now become instruments for rebuilding a depleted rank-and-file. On the other side of the issue, the pro-restriction lobby is not nearly as well developed or as well coordinated. The leading restrictionist organization, FAIR, found itself isolated in the 1995-1996 round of immigration reform against a diverse and well-organized coalition of pro-immigration groups, which included high-tech industries, religious organizations, union leaders and libertarians. Members of Congress and staff whom we interviewed told us the pro-restriction lobby has a public relations problem that limits its impact on many otherwise sympathetic politicians on Capitol Hill. They associate restrictionist groups with radical environmental and controversial population-control organizations who oppose immigration due to the threat of overpopulation. Most politicians consider these groups to be on the fringe, and consequently their views are not taken as seriously.

***** Guantanamo Bay *****

Bush Good – Partisan

GOP supports indefinite detainment at Guantanamo – its partisan

Newsweek '05

(6-27, Lexis)

Democrats like Ms Pelosi and Mr Lantos are finally taking half-hearted steps to show concern, but congressmen from Mr Bush's Republican Party want the Guantanamo prisoners to be locked up for life without trial. Most Republicans agree with their president that, when it comes to terror suspects, human rights must take second place to the torture techniques approved by the Bush administration to extract information from inmates. As for the Democrats, many are willing to forgo their conscience to appear loyal in the current atmosphere in which you are either a patriot or a traitor.

Congressional support of Guantanamo is split – partisan issue

IHT '05

(International Herald Tribune, 7-1, Lexis)

HEADLINE: Congress is divided over prison : A partisan split on Guantanamo BYLINE: Neil A. Lewis SOURCE: The New York Times DATELINE: WASHINGTON: BODY: A hearing before the House Armed Services Committee provided a stark display of how Democrats and Republicans are reacting in different ways to accusations about abuse at Guantanamo Bay, Cuba. For Republicans, the mission at the hearing Wednesday was simple and direct: Defend the U.S. military's detention center at Guantanamo as humane and deserving of admiration throughout the world. For some Democrats, the task was more complicated: Praise the patriotism and work of the vast majority of military personnel at Guantanamo, while raising questions about abuse of prisoners.

Bush Good – Delay

Tom Delay opposes action on Guantanamo detainee's rights

Boston Globe '05

(6-22, Lexis)

House Democrats spent three hours last week discussing the issue, and Senate Democrats are set to have a meeting on it this week. House Democrats also called yesterday for a special, bipartisan commission to investigate alleged abuses at Guantanamo. Both White House spokesman Scott McClellan and House majority leader Tom DeLay, Republican of Texas, said the commission was unnecessary.

Guantanamo – Bush Bad

Revising enemy combatant designation popular with Dems and moderate GOP

St. Petersburg Times '04

(10-28, Lexis)

This approach has much to commend it, particularly now that we have seen just how unmoored from the rule of law the government has become in fighting terrorism. One wonders whether the Bush administration would have so readily abandoned the Geneva Conventions in Afghanistan and Iraq, or whether it would have approved the detention of Americans as "enemy combatants" with no due process rights, had there been a voice within the Pentagon and Justice Department raising objections. The Senate plan stands in stark contrast to the "civil liberties" board President Bush created by executive order in August. His board is toothless and ineffectual, and was undoubtedly designed to be a rubber stamp on administration policies. It is chaired by the deputy attorney general and other senior officials from other agencies, and it is made up primarily of political appointees whose own actions will be the ones under scrutiny. The board has no power to investigate complaints and will be operating essentially in secret. But getting the Senate proposals passed is going to require the steely will of the Democrats and moderate Republicans on the conference committee. Since the House bill does virtually nothing to protect the rights of Americans, it is vitally important that the Senate language and its muscular civil liberties rubric survive. Whatever emerges from the committee, it is likely to lead to more expansive powers of government to conduct domestic surveillance and information collection. Only a truly independent board can effectively push back, reminding government officials that the interests of freedom as well as national security must be considered.

Bipart support for expanding civil liberties regarding Guantanamo

The Nation '05

(2-7, Lexis)

Taguba had discovered not only deplorable conditions and chaos but unlawful interrogation tactics and patterns of prisoner treatment linking Iraq to Afghanistan and Guantanamo. Hersh's expose jolted Congress into bipartisan--if short-lived--action; the Senate Armed Services Committee called for Bush Administration officials to do more than blame a few "bad apples," and the dissembling, evasiveness and, in Ashcroft's case, stonewalling merely increased pressure on the Administration to come clean. In June the first batch of secret memos was released, and multiple official investigations were tasked to report on detention and interrogation policies and practices. This documentary record failed to provide the vaunted cleansing, but it has substantially enriched our understanding of the history of the present.

Bush Bad – Specter

Senator Specter loves the plan

Boston Globe '05

(6-16, Lexis)

An influential Republican senator yesterday pushed for the GOP-led Congress to establish the rights of Guantanamo Bay detainees, a change that would remove control over procedures for handling those enemy combatants from President Bush and the courts. Arlen Specter, the Senate Judiciary Committee chairman from Pennsylvania, told a packed hearing room that it was time for the legislative branch to bring order to the confusion that surrounds the rights of hundreds of prisoners, many of whom have been held without trial for more than three years.

SUPPORT OF SPECTER KEY TO AGENDA

The Hotline 11-8, 2004

The "small but stubborn band" of moderate Senate GOPers -- including Sens. Arlen Specter (R-PA), Susan Collins (R-ME), Olympia Snowe (R-ME), George Voinovich (R-OH) and Lincoln Chafee (R-RI) -- will exercise "considerable power" in determining Pres. Bush's second-term agenda, political experts said.

Because of the Senate rule requiring a 60-vote majority to "shut off debate" on most bills, moderate lawmakers on both sides of the aisle have "far more clout" there than their like-minded counterparts in the House. U of ME Prof. Mark Brewer: "It puts people like Snowe and Collins in a really advantageous position. ... They will be the voices of moderation there, talking to Republicans in the Senate and House saying, "This is the direction we have to go."

Most attention will be on Specter, who won re-election on 11/2 to a fifth term. He is in line to chair the Senate Judiciary Cmte, where he will oversee "hot-button issues" such as SCOTUS appointments and reauthorization of the USA Patriot Act. Ex-Senate Judiciary staff dir. Manus Cooney: "He's wanted this gavel for a long time, and I don't see him effectively turning that gavel into a proxy for the administration's agenda."

Bush Bad – A2: GOP Lx

Even Republicans support ending indefinite detention at Guantanamo

Newsweek '05

(6-27, Lexis)

Still, the most effective pressure on the White House comes not from its foes but its friends. Several years of international criticism of Guantanamo Bay yielded few concessions until GOP members of Congress started posing sharp questions about Gitmo's damage to America's image. A senior White House official and a senior European diplomat tell NEWSWEEK the administration is intensively discussing the return of Afghan prisoners to their home country for detention, as President Hamid Karzai has requested. "It was never the goal of the United States to hold these people indefinitely," said the White House aide, who, like the diplomat, declined to be named for fear of interfering with the ongoing Afghan discussions.

Republican support for Guantanamo is eroding

Washington Post '05

(6-20, Lexis)

"Debate on Guantanamo Heats Up Ahead of Senate Hearings," declared Radio Free Europe/Radio Liberty, based in Prague. RFE/RL noted high in its story that only four of the 500 Guantanamo prisoners have been formally charged with a crime. "Even the solid support of majority Republicans in Congress, who have consistently viewed Guantanamo as necessary in the post-Sept 11 battle against terrorism, is eroding," said Dawn, the leading English language newspaper in Pakistan.

***** Other Links ****
Korematsu – Bush Bad

Korematsu decision politically unpopular

Chicago Tribune '98

(10-5, Lexis)

As Rehnquist recognizes, the internment continues to be controversial. In the 50 years since it happened, several presidents have formally apologized, Congress has passed reparations legislation, and the Supreme Court itself has declared that its wartime cases came to a shameful result. This January, Fred Korematsu received the Medal of Freedom--one of the highest civilian honors bestowed by our nation--for fighting his government's decision to imprison him.

Oversight Board – Bush Bad

Civil liberties oversight board popular – bipart

Slate '04

(10-20, Lexis)

The NYT has a similar take on the administration's Rodney King move. The Post doesn't: WHITE HOUSE ASSAILS PARTS OF BILLS. For instance, as the Post explains and an editorial bemoans, while the White House supports most of the Senate bill it opposes a provision that would create a civil liberties oversight board, a proposal that has bipartisan support.

Oversight Board – Bush Good

Civil liberties oversight board saps bush's political capital

Fetchet '04

(Mary, FDCH Political Transcripts, 10-20, Lexis)

It also creates an effective national counterterrorism center and civil liberties board. The crucial questions we now face are whether the White House, House leadership, the conferees in Congress, will have the fortitude and insight to overcome partisan politics and to work collaboratively to create proposed legislation that is palatable to both houses.

Carnivore – Bush Bad

Carnivore unpopular

Frontrunner '05

(1-19, Lexis)

Reuters (1/19) reports, "The FBI has all but retired its controversial e-mail wiretap system formerly known as Carnivore, turning instead to commercially available software, according to two recently released reports to Congress. The monitoring system developed to intercept the e-mail and other online activities of suspected criminals was not used in fiscal years 2003 and 2002, according to the reports obtained by the Electronic Privacy Information Center under the Freedom of Information Act."

Carnivore controversial with lawmakers

Security Management '01

(12-1, Lexis)

Technology is always 180 degrees out of phase with respect to social norms. While the FBI's controversial e-mail eavesdropping software Carnivore is state of the art technology in crime fighting (with more advanced software to follow), the protection of citizens rights is all the more important for lawmakers, such as Congressman Dick Arney (R-TX), to fight for.

Bipart opposition to carnivore – including Tom Delay

Chicago Tribune '98

(3-16, Lexis)

The White House has sought a new encryption policy that would give law enforcement agencies or an approved third party the "key" to decode encrypted private files. The administration, particularly the FBI, argues that such safeguards are necessary to adequately investigate terrorism, drug trafficking and other crimes that may be plotted over e-mail or the Internet. The coalition, formed to build support for Lofgren's legislation, which she has resubmitted, has heavy financial backing from Silicon Valley companies, along with other business groups, including the U.S. Chamber of Commerce and the National Association of Manufacturers. Businesses argue that the administration's argument for export controls on encryption software on national security grounds is pointless, because equally powerful software is now made overseas. Most nations agreed in 1991 to lift export restrictions on encryption software, but the United States maintained its controls. U.S. companies fear the controls are costing them sales and eventually will undermine their technological advantage. Rep. Sam Gejdenson (D-Conn.) said that all administrations tend to favor law enforcement and national security over civil liberties and business interests. He recalled Bush administration cabinet secretaries arguing over whether "it would endanger U.S. security to allow the foreign sale of 286 computers," which now are laughably obsolete. The coalition has drawn politicians and interest groups from a remarkably wide spectrum of ideologies, united by their concern about government intrusion on civil liberties. Tom DeLay, a House Republican leader from Texas, and Rep. Maxine Waters, a Los Angeles Democrat, are both co-sponsors of Lofgren's bill.

Delay key to the agenda

LA Times 12-19-99

As House majority whip, DeLay is the No. 3 leader in the House GOP hierarchy. That puts him in charge of maintaining party discipline and turning the GOP agenda into legislative victories. He is unabashed in his willingness to twist arms and badger fellow Republicans into voting the party line--a key job because they hold only a five-seat majority. DeLay's nickname is "The Hammer," a tribute to his bare-knuckle tactics.

Carnivore controversial in congress

E-Commerce '01

(November, Lexis)

The deployment of the Carnivore technology has been controversial, in part because the FBI admitted to Congress that the technology is capable of capturing all information going to and from a subscriber account or IP address, including content information the capture of which ordinarily requires a warrant or wiretap order. Id. The FBI reports, however, that the technology permits it to tailor the capture of information according to the level of authorization it has received.

Extraordinary Rendition – Bush Bad

Extraordinary rendition extremely controversial – no Congressional support

US Fed News '04

(11-22, Lexis)

Rep. Markey released the following statement today regarding the status of the torture provisions in the 9/11 Intelligence bill: "I am very pleased that after vigorous opposition was mounted to strip the torture provisions from the 9/11 bill, House and Senate negotiators decided to remove controversial immigration provisions from the bill that included language that would facilitate the outsourcing of torture." Sections 3032 and 3033 of H.R.10, the House-passed version of the bill, would have legitimized the practice of extraordinary rendition-the practice of sending detained aliens to other nations where they are likely to face interrogation under torture.

Extraordinary rendition politically unpopular

UPI '04

(10-5, Lexis)

Critics of the House bill say that it includes too many provisions not recommended by the commission; others argue that the Senate legislation, which focuses mainly on intelligence reform, is too narrow and ignores or finesses some potentially controversial issues, such as federal standards for identity documents like drivers' licenses, and stricter controls over people entering and leaving the country. Hastert spoke as the White House and other senior GOP leaders moved to distance themselves from a provision in his bill that would legalize a process known as extraordinary rendition: the removal by U.S. authorities of non-citizens to other countries -- including especially those like Jordan, Egypt and Saudi Arabia that routinely practice torture.

Workplace Drug Testing – Bush Good

GOP strongly supports workplace drug testing without probable cause

Iowa Employment Law Letter '97

(Feb, Lexis)

Pundits suggest that Iowa's restrictive drug testing law is on the way out. Indeed, advocates for change, including the Iowa Association of Business & Industry, are interested in modifications to the drug testing law that will permit new liberties in testing job applicants as well as current employees. Mandatory drug testing after accidents, a loosening of the "probable cause" standard, and other changes are anticipated if the GOP majority has its way on this critical employment issue. While tax cuts and anti-crime measures are at the top of the Republican agenda, expect a more aggressive approach to some Iowa employment regulations that businesses have decried for years as being too restrictive and "anti-employer." As the session moves forward, we will endeavor to keep you posted on any significant employment legislation that might affect your workplace.

Courts Lx – Bush Good

COURT LINKS TO POLITICS – CAUSES MASSIVE LOBBY PRESSURE, CONGRESSIONAL BACKLASH, PRESIDENTIAL INVOLVEMENT, AND PUBLIC BACKLASH.

Cannon and Johnson, Professor @ Kentucky and Professor @ Texas A&M, Judicial Policies, 1999
p. 22-3

Members of the secondary population are not directly affected by a judicial policy; however, some members may react to a policy or its implementation. This reaction usually takes the form of some type of feedback directed toward the original policy maker, another policy maker, the implementing population, or the consumer population.

The secondary population may be divided into four subpopulations: government officials, interest groups, the media, and the public at large. First, there are government officials. This subpopulation includes legislators and executive officers who are not immediately affected by the decision. Though usually unaffected directly, these individuals are often in a position to support or hinder the implementation of the original policy. This subpopulation is distinguished from other secondary subpopulations in that its members have direct, legitimate authority in the political system, and they are often the recipients of political pressure from the public. Clearly, for example, Congress and state legislatures substantially affected implementation of *Roe v. Wade* with the passage of laws restricting the funding of abortions.

The second subpopulation is interest groups, which are often activated by court policies even when they are not directly affected by them. Subsequent pressures by these groups may help facilitate or block effective implementation of the judicial policy. National, state, and local pro-life organizations have worked diligently to discourage providers from offering abortion services and women from obtaining abortions. These groups have also maintained considerable pressure on public officials and the courts to limit the implementation of pro-choice policies.

The third subpopulation is the media, which communicate the substance of judicial policies to potentially affected populations. Included here are general and specialized media, which may affect implementation or consumption by editorial stance or simply by the way they report (or do not report) judicial policies. Media attention to a policy, descriptions of reactions to it, and support or criticism of it can play a large role in determining the amount and direction of feedback courts and implementors get. Media reports of activities by pro-choice and pro-life groups have helped keep the abortion issue at the forefront of American politics.

The fourth subpopulation consists of members of the public at large, insofar as they do not fall within the consumer population. The most important segment of this subpopulation is attentive citizens—those who are most aware of a judicial policy. This segment includes individuals who may be related to the consumer population (e.g., parents of teenage girls seeking an abortion), politically active people (e.g., political party workers), or just people who follow the news pretty regularly. The reactions of secondary populations and how they may influence the implementation process are considered in Chapter 5.)

Court Lx – Bush Good

COURT ACTION CAUSES HEAVY INTEREST GROUP LOBBYING THAT CAUSES CONGRESS AND THE PRESIDENT TO GET INTO POLITICAL BATTLES

Cannon and Johnson, Professor @ Kentucky and Professor @ Texas A&M, Judicial Policies, 1999
p. 136-7

Finally, interest groups may enhance the implementation of judicial policies by turning to other groups or institutions for assistance. As we discussed in Chapter 1, both pro-choice and pro-life groups have turned to state governments, Congress, and the federal executive branch to advance their policy objectives. In addition, these groups have allied with other liberal and conservative interest groups, respectively in political battles. If this type of alliance is not uncommon, As we saw in Box 5-2, distributors of sexually oriented material were allied with groups representing respectable publications, filmmakers, and distributors to work against restrictive interpretations of the Constitution's freedom of speech and press guarantees.]

JUDICIAL ACTION PROVOKES POLITICAL REACTIONS

Cannon and Johnson, Professor @ Kentucky and Professor @ Texas A&M, Judicial Policies, 1999
p. 1

President Andrew Jackson, unhappy with a Supreme Court decision, is said to have retorted: "John Marshall has made his decision, now let him enforce it." His remark reminds us of a central fact of American democracy: judicial policies do not implement themselves. In virtually all instances, courts that formulate policies must rely on other courts or on nonjudicial actors to translate those policies into action. Inevitably, just as making judicial policies is a political process, so too is the implementation of the policies—the issues are essentially political, and the actors are subject to political pressures.

COURT ACTION CAUSES INTEREST GROUP PRESSURE ON CONGRESS

Cannon and Johnson, Professor @ Kentucky and Professor @ Texas A&M, Judicial Policies, 1999
p. 26

Feedback is another behavioral response to judicial policies. It is directed toward the originator of the policy or to some other policy-making agency. The purpose of feedback behavior is usually to provide support for or make demands upon political actors (including judges) regarding the judicial policy. Feedback is often communicated through interest groups or the media. Almost immediately after the Supreme Court announced its abortion decision, feedback in the form of letters to the justices began. Also, some members of Congress let the Court know of their displeasure with the abortion decision by introducing statutory restrictions or constitutional amendments to overturn *Roe*. Manifestations of displeasure or support by various interest groups have been directed at the Court and other political institutions, such as Congress and state legislatures. In varying degrees, these types of feedback have led to modifications of the policy—as we can see in the Court's *Webster* and *Casey* decisions abandoning the trimester system and allowing the states greater leeway in regulating abortion.

Agency Lx – General

BUSH WILL BE HELD ACCOUNTABLE FOR AGENCY ACTION

Seidenfeld '94

(Mark, Associate Prof Florida State College Of Law, Iowa LR, Fall)

Unlike the courts and even the agencies themselves, the President is [*13] directly elected and hence politically accountable. Thus, we should expect presidential influence on agency decision-making to constrain agency policy to conform to democratically determined values. 68 Furthermore, the President is the unique official who is answerable to the entire electorate. 69 Consequently, the President stands to pay a price if his policies benefit special interest groups to the detriment of society as a whole. 70

PRESIDENT HELD ACCOUNTABLE FOR INDEPENDENT AGENCY ACTION BY THE PUBLIC

Peter M. Shane, Dean and Professor of Law, University of Pittsburgh School of Law, Arkansas Law Review, 1995 (48 Ark. L. Rev. 161)

The reason for the insignificance of the transparency argument is that, even without plenary power to second-guess all bureaucratic policy makers, the President may well be held generally and properly accountable for overall bureaucratic performance in any event. That is because voters know the President has appointed all key policy makers and the most important managers of executive affairs. The President's value structure is likely to dominate the bureaucracy even if he is not formally able to command all important policy decisions. Professor Abner Greene has recently catalogued a series of reasons why this is so: OMB reviews virtually all agency budgets; the Attorney General controls most agency litigation; the President's support may be critical to an agency in its negotiations with Congress. 184 For these reasons, Presidents do not inevitably have less influence over "independent" agencies than they do over "purely executive" establishments. 185

PUBLIC HOLDS PRESIDENT ACCOUNTABLE FOR INDEPENDENT AGENCY ACTION

Abner S. Greene, Visiting Associate Professor of Law @ Benjamin N. Cardozo School of Law, University of Chicago Law Review, Winter, 1994 (61 U. Chi. L. Rev. 123)

Furthermore, independent agencies are not totally unaccountable. 207 Although the President may not remove the heads of such agencies for policy disagreements, he does control (with the Senate) appointment and reappointment; he may often select the chairperson of the agency; the agency might depend on the President for information and for support during budgetary negotiations with Congress; the agency's budget probably goes through the Office of Management and Budget for review; and most agencies must work through the Department of Justice with regard to litigation. Furthermore, citizens can still hold both Congress and the President accountable for appointments to the independent agencies, and for the legislative delegations to those agencies. Therefore, there is enough accountability to prevent the independent [*179] agencies from being truly free-floating. The remaining degree of insulation from at-will presidential removal enables some degree of policy independence, thus helping to ameliorate the concentration of power problem. Given the framers' focus on ensuring against the concentration of legislative and executive power in either political branch, and given the implicit concession, through the establishment of our cumbersome system of checks, that accountability could be sacrificed in the name of dividing power, the independent agencies on balance help preserve the framers' values.

***** Internal Links *****

Political Capital Key

Political capital key to the agenda

Light, prof of political science @ U of Michigan, 1999 (Paul, The President's Agenda, p. 25-6)

Call it push, pull, punch, juice, power, or clout—they all mean the same thing. The most basic and most important of all presidential resources is capital. Though the internal resources time, information, expertise, and energy all have an impact on the domestic agenda, the President is severely limited without capital. And capital is directly linked to the congressional parties. While there is little question that bargaining skills can affect both the composition and the success of the domestic agenda, without the necessary party support, no amount of expertise or charm can make a difference. Though bargaining is an important tool of presidential power, it does not take place in a neutral environment. Presidents bring certain advantages and disadvantages to the table.

25-6

Political capital is key to the agenda

Pika, et al '02 (Joseph, professor in the Department of Political Science and International Relations at the University of Delaware, The Politics of the Presidency, Fifth Edition, p. 293-294)

◀Resources: Political Capital. One of the most important resources for a president is political capital. This is the reservoir of popular and congressional support with which newly elected presidents begin their terms. As they make controversial decisions, they "spend" some of their capital, which they seldom are able to replenish. They must decide which proposals merit the expenditure of political capital and in what amounts. Reagan, for example, was willing to spend his capital heavily on reducing the role of the federal government, cutting taxes, and reforming the income tax code, but not on antiabortion or school prayer amendments to the Constitution. Material resources determine which proposals for new programs can be advanced and the emphasis to be placed on existing programs.▶

Political Capital Finite

Political capital finite

Deseret Morning News '05

(1-4, Lexis)

But in getting there, let me promise you this: my proposals will not be influenced by personal ambition or political need. It has often been said that political power is finite – that is the more you use, the less you have. If that is true, whatever political capital I now possess will be used for the good of this state.

Spending capital depletes it – finite

Washington Times '03

(7-3, Lexis)

"Political capital is a very finite commodity and you want to spend it strategically," said Matthew T. Felling of the Center for Media and Public Affairs. "Previous administrations have had to spend their political capital or have just had it deducted from their account through various scandals."

Bush's political capital is finite – legislative fights jack his agenda

Newsday 3-4-01

GIVE PRESIDENT George W. Bush credit for this: Less than two months ago it did not look as if he would have a honeymoon, and it certainly didn't seem as if he deserved one—not after the way he won the election. But he's having a honeymoon now, and he has earned it. Bush's transition to power has been nearly seamless, the smoothest takeover in our memory. He has assembled a top-notch White House team and a strong cabinet. He has demonstrated a sure sense of how to use the power of the White House. He has clearly established his priorities. And for a candidate who seemed to be undergoing a peculiar form of torture when delivering a set speech, he was comfortable and, more important, able to communicate clearly in his address to a joint session of Congress Tuesday night. Of course, what Bush ultimately does will be more important than what he says he wants to do or the style in which he goes about doing it.

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It has been Bush's consistent, bold and uncomplicated approach to his agenda that has been so impressive. Instead of trying to do too much, as Bill Clinton and Jimmy Carter did in their first weeks in office, Bush has not only established his priorities but done it in so forceful a manner that he is dictating Washington's agenda. Indeed, not only Washington's agenda, but the world's.

--CONTINUES--

He and his White House team seem to understand that using the levers of presidential power is an art form that deserves the highest priority. Some presidents never quite get that. It's a matter of trying to influence, rather than dictate, of moving people and institutions slowly, sometimes one step at a time, of creating and controlling expectations, of understanding that a president's power is finite and must be used frugally but effectively.

political cap is finite

WASHINGTON TIMES - 8/30/99
← These are all sweeping, even revolutionary ideas that will have an enormous impact on the future security of this country and on the economic security of every American. And they are a far cry from the timid, minimalist ideas that President Clinton kept proposing in his State of the Union addresses but never did anything about.

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All three ideas are Reaganite in their boldness. They reflect Ronald Reagan's belief that, given the limited amount of political capital a president has to spend, it is best to invest it in a few ambitious, high-priority reforms that will have a lasting impact on the nation and the world. "One thing a president can't do is get overextended and try to spend too much capital on too many projects," Mr. Bush recently told the National Journal's James A. Barnes. >

A2: Political Capital

Political capital thesis wrong – inaction depletes agenda setting power

Perry '01

(John L., Senior Editor, News Max, 2-17, <http://newsmax.com/commentmax/get.pl?a=2001/2/17/163618>)

Political capital is the only currency that doesn't exist until spent. Presidents fearful of exhausting it by expenditure are bankrupt already and don't know it. Presidential political capital is the one national asset that cannot be conserved. If it is not invested – invested creatively – it is lost forever. American television screens, Internet monitors and print media are filled with sage commentary about whether the new American president should, or should not, expend his political capital, when, how much and on which issues. They assume there must be a finite amount available to him – just that much and that's all. Perhaps it's squirreled away in some White House vault or folded into 30-day certificates of deposit in his name over at Riggs National Bank. President Bush hasn't a dime's worth of political capital. He, just like every other new president, enters the Oval Office flat broke politically.

Losers Lose

Losers lose

Barnes '03

(Fred, Executive Editor, Weekly Standard, 3-24, Lexis)

Norm Ornstein of the American Enterprise Institute has a theory that winners win. That sounds tautological, but it means that winners create confidence in their ability to keep winning and thus improve their chances of doing just that. But lose or hit a roadblock, and the opposite occurs. "If you're not winning, you look vulnerable," Ornstein says. Rebuffs by allies and the U.N. "make Bush look less formidable. He looks not impotent but weaker." There's something to this. Certainly Daschle and House Democratic leader Nancy Pelosi and Democratic presidential candidates act as though they believe it. Their criticism of Bush has become frequent and harsh. They're encouraged by polls. Only 36 percent of Americans now say things are getting better in America, down from 46 percent in December. And the number of people who think the economy is in poor shape has nearly doubled (from 16 percent to 32 percent) over the past year.

Losers lose – perception key

Ornstein '01

(Norm, Total Politics Badass, Roll Call, 9-10, Lexis)

In a system where a President has limited formal power, perception matters. The reputation for success - the belief by other political actors that even when he looks down, a president will find a way to pull out a victory - is the most valuable resource a chief executive can have. Conversely, the widespread belief that the Oval Office occupant is on the defensive, on the wane or without the ability to win under adversity can lead to disaster, as individual lawmakers calculate who will be on the winning side and negotiate accordingly. In simple terms, winners win and losers lose more often than not.

Political losses destroy Bush

Perry '01

(John L., Senior Editor, News Max, 2-17, <http://newsmax.com/commentmax/get.pl?a=2001/2/17/163618>)

Bush's foes on Capitol Hill will watch him like jackals watch a new zebra entering the Serengeti. Whenever they see him hesitate, or retreat a step, they will move closer, turning perceived weakness into actual weakness. Down that scenario lies the political equivalent of being eaten alive.

Losers lose

Ornstein '93

(Norman, The Dude, Roll Call, 4-27, Lexis)

But the converse is also, painfully, true. If a president develops a reputation for being weak or for being a loser - somebody who says, "Do this!" and nothing happens, who is ignored or spurned by other interests in the political process - he will suffer death by a thousand cuts. Lawmakers will delay jumping on his bandwagon, holding off as long as possible until they see which side will win. Stories about incompetence, arrogance, or failure will be reported always, and given prominence, because they prove the point.

Winners Win

Winners win for Bush

Ornstein '04

(Norm, Resident Scholar, American Enterprise Institute, 11-14, Lexis)

There are other ways the president could begin his second term. Perhaps he'll be able to start with some issues that are left over from his first term, such as medical malpractice reform and his comprehensive energy bill, using his political capital to ram them through, and then using the capital **replenished** by those victories to **build momentum until** he's ready to fight the larger battles on Social Security and taxes.

Inaction depletes political capital – must be invested to spur future victories

Lindberg '04

(Tod, Editor, Policy Review, Washington Times, 12-7, Lexis)

Now, in the usual metaphor of political capital, presidents who have it often make the mistake of trying to "hoard" it. They put their political capital in a safe place in order to bolster their personal popularity. They do not "risk it" in pursuit of political victories, whether on their policy agenda or for controversial judicial appointments, etc. And therein, in the conventional application of the metaphor, lies peril. For political capital, when hoarded, does not remain intact but rather diminishes over time through disuse. It "wastes away" - and with it, a president's popularity and reputation. Therefore, again in the conventional use of the metaphor, it is mere prudence for a president to "invest" his political capital. Only by seeking political victories and winning them by such judicious investment can a president maintain and even increase his political capital. Who dares wins. This is, of course, a most mellifluous metaphor for the activists in the president's camp. It promises reward for ambitious action and warns against the high price of a lack of ambition. In fact, it almost sounds like a sure thing: The president takes his political capital, invests it and reaps a mighty return.

Winners win

Barnes '03

(Fred, Executive Editor, Weekly Standard, 3-24, Lexis)

Norm Ornstein of the American Enterprise Institute has a theory that winners win. That sounds tautological, but it means that winners create confidence in their ability to keep winning and thus improve their chances of doing just that. But lose or hit a roadblock, and the opposite occurs. "If you're not winning, you look vulnerable," Ornstein says. Rebuffs by allies and the U.N. "make Bush look less formidable. He looks not impotent but weaker." There's something to this. Certainly Daschle and House Democratic leader Nancy Pelosi and Democratic presidential candidates act as though they believe it. Their criticism of Bush has become frequent and harsh. They're encouraged by polls. Only 36 percent of Americans now say things are getting better in America, down from 46 percent in December. And the number of people who think the economy is in poor shape has nearly doubled (from 16 percent to 32 percent) over the past year.

Winners win – perception key

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In a system where a President has limited formal power, perception matters. The reputation for success - the belief by other political actors that even when he looks down, a president will find a way to pull out a victory - is the most valuable resource a chief executive can have. Conversely, the widespread belief that the Oval Office occupant is on the defensive, on the wane or without the ability to win under adversity can lead to disaster, as individual lawmakers calculate who will be on the winning side and negotiate accordingly. In simple terms, winners win and losers lose more often than not.

Winners win

Ornstein '93

(Norman, The Dude, Roll Call, 4-27, Lexis)

Winning comes to those who look like winners. This only sounds redundant or cliché-ish. If power is the ability to make people do something they otherwise would not do, real power is having people do things they otherwise wouldn't do without anybody making them - when they act in anticipation of what they think somebody would want them to do. If a president develops a reputation as a winner, somebody who will pull out victories in Congress even when he is behind, somebody who can say, "Do this!" and have it done, then Members of Congress will behave accordingly. They will want to cut their deals with the president early, getting on the winning team when it looks the best and means the most. They will avoid cutting deals with the opposition. Stories that show weakness, indecisiveness, or incompetence in the White House - and there are always lots of them - will go unreported or will be played down because they will be seen as the exception that proves the rule of strength and competence.

Winners Win

Quick legislative victories are key to expand Bush's political capital

Perry '01

(John L., Senior Editor, News Max, 2-17, <http://newsmax.com/commentmax/get.pl?a=2001/2/17/163618>)

The reality is that a president creates, not expends, political capital by acting decisively. Indeed, that is the only way he can accomplish anything of lasting stature. Bush's foes on Capitol Hill will watch him like jackals watch a new zebra entering the Serengeti. Whenever they see him hesitate, or retreat a step, they will move closer, turning perceived weakness into actual weakness. Down that scenario lies the political equivalent of being eaten alive. On the other hand, each time Bush steps forward with confidence and puts his political future on the line, he grows stronger, not weaker. The jackals will still make passing attacks, but they will at the end of the stalk slink off with bellies empty. As one of those presidents who has come on the scene with low perceptions of strength, Bush has really no option – if he truly wants to succeed – other than to step off boldly, and keep moving that way.

Only a risk that the plan increases Bush's political power

Carlisle '02

(Margo, Director, Senate Steering Committee, Enter Stage Right, 11-18, <http://www.enterstageright.com/archive/articles/1102/1102filibusters.htm>)

Republicans are today appropriately applauding President Bush for his remarkable "expenditure of political capital" in pursuit of the congressional victories needed to provide legislative support for his policies. While public understanding of that truism is unimportant as long as the White House understands it, another, more apropos truth is widely misunderstood. The political capital myth is just that, a myth. It is impossible for political capital to be "expended" (if expended means decreased or depleted) any more than can a supply of courage, love, or power be diminished by use. In Washington especially, power applied is power augmented. Power, or to go back to current terms, "political capital", which goes unused, dwindles and evaporates. Power unused is power forgotten.

Winners win – Bush needs to spend political capital to regain control of his agenda

Fortier 6-9-2005

(John, Research Fellow and Executive Director, Continuity of Government Commission, American Enterprise Institute, The Hill, "Bush has lost control of the agenda", P. 16, Lexis, Accessed: 6/9/2005)

Bush is said to have learned a negative lesson from his father's presidency, that when you have political capital you should spend it. Where Bush 41 saw his post-Gulf War approval ratings plummet from 90 percent to 30 percent in part because he was not seen as having a domestic agenda, Bush 43 used every bump in his job approval ratings to go to Congress to pass more legislation. Bush's initial "honeymoon" period spawned tax cuts and education reform. Sept. 11 led to a number of anti-terror measures. The surprising Republican gain in the midterm elections forced action on the Bush plan for a Department of Homeland Security and a dividend-tax cut. And the boost in the president's popularity at the start of the Iraq war led to a Medicare prescription-drug benefit. Bush has had remarkable success in keeping Congress focused on his agenda, and there have been few periods of time between his foreign-policy moves and his domestic legislative priorities that he did not seem to be in charge. So it is not surprising that after Bush's bigger-than-expected victory and congressional gains in 2004 he would claim a mandate and push for two long-standing items on his agenda: Social Security reform and fundamental tax reform. So why has Bush lost some of his luster on Capitol Hill? Democrats are more united, perhaps because of the Bush strategy of seeking mostly Republican votes but also because of differences over Iraq and the lingering conflict from a high-stakes election in the fall. There have also been retirements of key moderates, which have made the parties in Congress even more polarized. But the main reason for Bush's difficulties is that he has lost control of the legislative agenda, and that has much to do with his Social Security plan. Social Security reform is a project of enormous scale and a long timeframe. If the president had been able to push for Social Security reform shortly after the election, get initial congressional action on the Hill within a couple of months and sign a bill by midyear, then we would all be talking about the president's agenda. But instead we waited through a period of selling the plan to the public while hearing discordant voices from the president's party on the Hill, and today, even by the most optimistic scenario, we are months away from significant votes on the president's plan. Just as nature abhors a vacuum, so does Congress, and the time that could have been spent debating the president's plan was filled with Terri Schiavo and judicial filibusters. Those issues may help or hurt the president with certain constituencies, but most importantly they take our eye away from the big item that the president wants to pursue. This loss of control of the agenda is especially harmful to President Bush because he is generally seen as a strong and decisive leader by the American people, even by many who strongly disagree with him. Now it is true that Congress has addressed a number of smaller Bush priorities, such as tort and bankruptcy reform, and the 109th could be a productive Congress with passage of a highway bill and an energy bill. It is also true that Bush's job approval has slipped only slightly and that it would not take much to move him from the mid-40s to the mid-50s, leaving him in a much stronger position. Finally, if the president does succeed in passing a substantial Social Security reform package in the next year, most will forget about this time at sea. But until that happens or the president is able to retake control of Congress's agenda, we will compare his second term unfavorably to his first. All second-term presidents face difficulties, especially with members of Congress who will have to face reelection in the future when the president will not. But Bush's rough patch in Congress is not primarily the result of some magical forces or trends that doom second-term presidents. His problems are his own making because he has lost control of the legislative agenda. This may not be much comfort to the administration, but it does indicate that the ship could be righted. The duck is not so much lame as it has lost its way.

A2: Winners Win

Ornstein concedes – unpopular policies aren't a win

Ornstein '93

(Norman, The Dude, Roll Call, 4-27, Lexis)

Winning in this regard does not mean forcing sweeping proposals, in toto, down the throats of lawmakers. It means compromising, cutting back, and ceding ground to build majorities, but doing so in ways that make it clear that you are in control.

WINNERS LOSE – THE PUSH DRAINS POLITICAL CAPITAL

Seidenfeld 94 (Mark, associate professor of law at Florida State University, *Iowa Law Review*, October, LN)

Repeated use of such tactics, however, will impose economic costs on society and concomitantly consume the President's political capital.²⁰¹ At some point the price to the President for pushing legislation through Congress exceeds the benefit he derives from doing so. Thus, a President would be unwise to rely too heavily on legislative changes to implement his policy vision.

WINS THAT DRAIN POLITICAL CAPITAL DO NOT BREED MORE WINS

Plattner 2001 (Troy – Univ of Illinois-Chicago – Urbana - The Orange and Blue Observer
http://216.239.53.100/search?q=cache:GQkjFLp_954C:www.uiuc.edu/ro/observer/archiv e/vol10/issue4/conserv.html+%22political+capital%22+bush%22+%22death+penalty%2 2&hl=en&ie=UTF-8)

The concept of "political capital" is likely at the forefront of Bush's approach to conservatism. In fact, when asked to name a failure of the first Bush administration, the President replied that his father had overestimated his own capital and spent too much of it too soon, a mistake that gave rise to his political deficit in the 1992 election. Thus, while Bush is decidedly more moderate than past Republican leaders, his moderation is partially due to his awareness of how much political capital he has and where it would be poorly spent. A president could easily spend his entire term in office throwing himself headlong against walls like *Roe v. Wade* or the entitlement system, but this would drain nearly all of his energy and dissipate any opportunities for give-and-take with the opposition. In particular, if Bush were to attempt this course of action with his slim margin of power, he would conclude these next four years having accomplished little in the policy arena and having lost significant ground politically. If he instead continues to play on themes that show the promise of tangible success, such as tax relief and education reform, he could close his first term with greater success and a wider political base than any of the pundits currently think possible. President Bush knows this better than anyone else. Compassionate conservatism, for all its concessions and omissions, is a proper and effective harmonization of traditional conservative ideology to the present political environment.

WINNERS LOSE – EVEN POPULAR PROGRAMS DRAIN POLITICAL CAPITAL

Zelinsky '98 (Edward, Professor of law at the Cardozo School of Law at Yeshiva University, *Harvard Law Review*, December, LN)

The legislative process is not costless: time and man-hours devoted to one piece of legislation are not available for others; by expending political capital on one law, a legislator has less to expend on others; even routine legislation can absorb significant amounts of legislative time, energy, and decisionmaking capacity.

Moderate GOP Key

Moderate GOP key to the agenda

Portland Press Herald '04

(11-15, Lexis)

The open question is whether moderates will continue to hold decisive votes in the Senate, where a minority can still block legislation, after Republicans strengthened their hold on Congress and the White House in the Nov. 2 election. U.S. Sens. Olympia Snowe and Susan Collins, both R-Maine, say they expect their roles to remain pivotal in what has been a bitterly divided chamber. "I don't see how that dynamic changes," Snowe said. "I think everybody is trying to get their sea legs about how we're going to proceed." Even though Republicans gained four seats in the Senate, their total of 55 leaves them a handful short of the 60 votes needed to end debate on any controversial bill or nomination. "Sixty is still the magic number for getting major legislation through the Senate," Collins said. "As long as that's the case, the moderates are going to play a key role in bridging the partisan divide and helping to come up with compromises that will allow the president to get some version of his agenda through."

Compromise with moderate Republicans key to Bush's agenda

Hotline '03

(1-30, Lexis)

In Bush's SOTU he focused his agenda on only a handful of key initiatives compared to Pres. Clinton's last SOTU in which he laid out "63 priorities" -- few of which made it through the GOP-controlled Congress. But even with a "short checklist" and a Congress controlled by his own party, the president's agenda is not a given on Capitol Hill. Some of his measures "could hinge on compromises with moderate Republicans as well as with key Democrats." Bush's plan, though, "fits a pattern: This White House sets priorities and sticks with them -- varying the strategies to fit the political terrain." The new agenda "includes another round of tax cuts so radical that even supporters were surprised, with 'sweeteners' such as new resources for AIDS victims in Africa and drug addicts in America, which could blunt criticism that this administration is just about business."

Moderate Republicans key

Portland Press Herald '04

(11-15, Lexis)

Democrats are counting on them. U.S. Sen. Byron Dorgan of North Dakota, head of the Democratic Policy Committee, says moderates will remain important in legislative negotiations. "There are a pretty aggressive number in the Republican conference who want to make their presence felt," Dorgan said. "I think they will continue to have an important role in trying to help find compromises." Grover Norquist, who as president of Americans for Tax Reform advocates a more conservative agenda than moderates embrace, cast no aspersions against Snowe and Collins. "The two senators from Maine are great assets to the Republican Party and we look forward to working with them on moving the president's agenda forward to make the country richer, better, more secure," Norquist said. In a Senate with 51 Republicans, 48 Democrats and an independent, the moderates were pivotal on some major decisions.

GOP Base Key

SUPPORT OF THE BASE KEY TO THE AGENDA

Washington Post 1-19 '05

Bush, whose reelection strategy was predicated on record-high turnout among social conservatives, especially evangelical Christians, will need the support of his base to help pressure Congress to approve his domestic agenda over the next four years, Republicans say. While Bush remains wildly popular among most conservatives, some are wondering whether the president will play down social issues in the second term as he seeks to cement a legacy focused more on cutting taxes and creating private Social Security retirement accounts. Last week, some Republicans complained that Bush's choice to head the Republican National Committee, Kenneth B. Mehlman, has picked an abortion rights supporter to be co-chairman.

The president is sensitive to the concerns of social conservatives and has tried to reassure them over the past two days that he remains as committed as ever to outlawing same-sex marriage, according to White House officials. Privately, some Bush advisers say the president is uncomfortable picking divisive political fights over abortion and same-sex marriage that cannot be won.

GOP Unity Key

GOP unity key to the agenda

National Journal '05

(4-2, Lexis)

Now, however, in the most demanding legislative year of Bush's presidency thus far, House Republicans face growing divisions within their ranks. The House Republican leadership team has been struggling to assert continuing control over a GOP rank and file that is expressing increased independence from the president and party leaders. While some House Republicans foresee success at the end of the day, others fear a meltdown. Nothing less than the fate of Bush's second-term agenda is at stake. The tension between Republican lawmakers and the now-lame-duck Bush was palpable in recent interviews. "It's not our function to salute whenever the president gives an order," said second-term Rep. Tom Cole, R-Okla. "The president's program won't go anywhere without united Republican cohesion."

Democrats Key

Democratic cooperation key to the agenda

Hotline '04

(12-9, Lexis)

Wall Street Journal's Hunt writes that GOPers are poised for "historic achievements" in Pres. Bush's 2nd term, bucking the trend of scandal and unrest that many 2nd term presidents face, while Dems "fear they may be right." Unlike his 2nd term predecessors, Bush "has a clear and bold agenda and a reasonably unified party that controls Congress." However, Bush's agenda is a "risky undertaking" and "will require some forceful and skillful leaders, something that the Bush" admin. "continues to lack in the economic arena." GOPers will have to court some Dems to pass such major domestic initiatives. The key to this bipartisan support is whether the WH "backs off its intent to finance the Social Security transition costs with more borrowing." But the WH "said no new taxes; that would make it almost impossible for any serious Dem to come on board" (12/9).

Compromise with democrats key to bush's agenda

Hotline '03

(1-30, Lexis)

In Bush's SOTU he "focused his agenda on only a handful of key initiatives" compared to Pres. Clinton's last SOTU in which he laid out "63 priorities" -- few of which made it through the GOP-controlled Congress. But even with a "short checklist and a Congress controlled by his own party, the president's agenda is not a given on Capitol Hill." Some of his measures "could hinge on compromises with moderate Republicans as well as with key Democrats." Bush's plan, though, "fits a pattern: This White House sets priorities and sticks with them -- varying the strategies to fit the political terrain." The new agenda "includes another round of tax cuts so radical that even supporters were surprised, with 'sweeteners' such as new resources for AIDS victims in Africa and drug addicts in America, which could blunt criticism that this administration is just about business."

Democratic support key to the agenda

WWD '01

(2-7, Lexis)

Democratic support for Bush's trade agenda is particularly crucial in the Senate, where the parties are split 50-50. While the administration could muster one more vote from Vice President Dick Cheney in case of a tie, cooperation from Democrats is crucial in order to secure 60 votes to cut off a filibuster.

Olive branches increase Bush's capital

Norm Ornstein, Senior Fellow @ AEI, The Dessert NEWS 2-4-01

Lexis

/ Bush, of course, pledged during the presidential campaign to "change the tone" in Washington -- and his very public efforts to reach out and talk with Democrats on Capitol Hill have only strengthened his hand. So long as Bush is perceived to be the one offering the olive branch, Democrats know they risk losing public support if they pugnaciously unsheathe their knives.

Concessions to Democrats Give Bush Political Capital to Pass His Agenda

Schnieder, 12/18/00 (William, political analyst, cnn)

What he has to do is create his own honeymoon. He has to build up a reservoir of good will to overcome all the bad feeling coming out of this election, which is why he's trying to reach out to Democrats and to women and minorities. He needs that political capital to get his program passed.

A2: Concessions Bad

Concessions Won't Alienate Conservative Base- They Fear Abandoning Bush

The National Journal June 9, 2001

Despite the fissures on Capitol Hill, where a handful of Republican moderates are demanding more say in party affairs and some House conservatives want to move further to the right, most GOP operatives think that Bush will be given the latitude he needs. "Republicans will get behind their President-he's the leader of the party," said one well-connected GOP lobbyist. "If they split with him, they will all hang alone."

Democrats will cooperate – concessions are key to the agenda

National Journal, 11/11/00

But there is reason to think that Bush might find some success. "If we reach out at the beginning of the process, the opportunity is there to build a bipartisan consensus," Rep. John A. Boehner, R-Ohio, who is close to the Bush campaign, said in an interview the day after the election. "Substantial numbers of Democrats will be willing to work with us. At least one-fourth of House Democrats really want to accomplish something for their constituency, if they are dealt with fairly by us." James Clacconi, a veteran of past Republican White Houses who has helped the younger Bush's campaign, suggests that "both parties will be compelled by politics, and by people's expectations, to come together."

A2: Concessions

Concessions not key – Democrats won't compromise

Washington Post '05

(1-10, Lexis)

As President Bush prepares for his second term, Democrats in Washington and around the country are organizing for a year of confrontation and resistance, saying they are determined to block Bush's major initiatives and thereby deny him the mandate he has claimed from his reelection victory last November. The Democrats' mood and posture represent a contrast to that of four years ago, after Bush's disputed victory over Al Gore. Then, despite anger and bitterness over how the 2000 election ended, Democrats were tentative and initially open to Bush's calls for bipartisan cooperation. Today, despite Bush's clear win over Sen. John F. Kerry (D-Mass.), Democrats across the ideological spectrum say they are united in their desire to fight. In part that mood reflects the reality that Democrats are even more of a minority party than they were when Bush was sworn in four years ago, their ranks smaller in both the House and Senate and their ability to influence the legislative agenda sharply diminished. But the unity of purpose also underscores a hardening of attitudes among Democrats -- from elected officials and strategists to grass-roots activists and party constituencies -- that Bush's domestic agenda presents opportunities to divide the GOP, break apart Bush's winning coalition and recapture some of the voters who supported Bush last fall. Democrats said they see opportunities on Social Security, where Bush wants to partially privatize the system by allowing younger workers to divert payroll taxes to personal accounts; judicial appointments, where both sides are gearing up for a clash over a possible Supreme Court vacancy; and revising the tax code. Bush may find his best chance to win Democratic votes for his call to limit medical malpractice lawsuits. Bush has opened the year with calls for bipartisanship, telling newly elected members of Congress last week that he hoped to work across party lines to solve the country's problems. Democrats, however, appear to have little interest in building bridges to the White House, saying they do not believe Bush is genuinely interested in cooperation or compromise with the opposition.

Reaching out to Democrats alienates Republican support

Moore and Kerpen '05

(Stephen and Phil, Club For Growth, 2-23, <http://www.humaneventsonline.com/article.php?id=6672>)

The most popular analogy for the politics of Social Security reform is the Hillarycare fight of 1993. This analogy is not only the overarching theme of many media accounts of the politics of Social Security, but appears to also be the basis of the Democrats' strategy. President Bush is trying to avoid such a political Pearl Harbor by flirting with the option that he will raise taxes to "pay for" Social Security reform. But by trying to reach across the aisle to win the support of liberal Democrats, Bush is risking a mass exodus of his own conservative Republican supporters. The House Republican Study Committee has announced its members won't vote for a tax hike to fix Social Security.

' Bipartisan Concessions Break GOP Unity

Time, 12/25/00

Bush's other alternative is to define bipartisanship as governance from the center, with members of both parties helping shape and steer legislation. Republicans say, correctly, that the Democrats who are calling for this brand of bipartisanship are pursuing a "wedge strategy," trying to create a schism between g.o.p. moderates and conservatives. "The Democrat view of bipartisanship is, Do it their way," Republican whip Tom DeLay, the fiery G.O.P. leader, told TIME. "The true burden of bipartisanship is on the minority." In other words, he wants Bush to use the pickoff strategy.

Concessions alienate the GOP base

Milwaukee Journal Sentinel '01

(1-8, Lexis)

But the Bush team believes that the cost of such gestures would outweigh the benefits. Bush advisers say that pre-emptive concessions to Democrats could alienate the GOP base, demonstrate weakness to Congress and cause voters to doubt his word -- a dangerous prospect after a campaign in which he stressed his determination to restore "integrity" to the Oval Office.

Flip Flop

Flip flops jack Bush's agenda

Fitts '96

(Michael A., Professor of Law @ University of Pennsylvania Law School, Penn LR, Jan)

Centralized and visible power, however, becomes a double-edged sword, once one explores the different ways in which unitariness and visibility can undermine an institution's informal influence, especially its ability to mediate conflict and appear competent. In this context, the visibility and centralization of the presidency can have mixed effects. As a single visible actor in an increasingly complex world, the unitary president can be prone to an overassessment of responsibility and error. He also may be exposed to a normative standard of personal assessment that may conflict with his institutional duties. At the same time, the modern president often does not have at his disposal those bureaucratic institutions that can help mediate or deflect many conflicts. Unlike members of Congress or the agencies, he often must be clear about the tradeoffs he makes. Furthermore, a president who will be held personally accountable for government policy cannot pursue or hold inconsistent positions and values over a long period of time without suffering political repercussions. In short, the centralization and individualization of the presidency can be a source of its power, as its chief proponents and critics accurately have suggested, as well as its political illegitimacy and ultimate weakness.

FLIP FLOPS KILL POLITICAL CAPITAL

Jeffery E. Cohen, Presidential Responsiveness and Public Policy Making, 1997, p.123

A president cannot, without good reason, alter his policy stance. And even if he has good reason to change his policy position on an issue, he may have to bear some costs from doing so. The public and other political elites may view him as waffling, indecisive, weak, uncommitted, and/or duplicitous.

A2: Flip-Flop

Bush switches his position on issues constantly—it's not unique

University Wire 4-2-02

Little has been going right for President Bush lately, but few seem to have noticed his presidency is in real danger of drifting.

For instance, Bush once seemed to take campaign promises seriously but now seems to have forgotten that he stood for anything at all.

Case in point. When asked during the campaign whether he would veto the McCain-Feingold campaign finance reform bill, Bush replied, "Yes, I would." Last week, Bush signed into law the very same McCain-Feingold bill he vowed to veto. Reaching Olympian heights of cynicism, the very same day he signed that bill banning soft money he raised \$ 3 million in soft money for the Republican Party. And then appointed one of the bill's chief critics, Michael Toner, to enforce it at the Federal Election Commission.

Another case in point. "I do not support import fees," wrote Bush in his memoir. "I'll work to end tariffs and break down barriers everywhere, entirely, so the whole world trades in freedom," candidate Bush said in 1999.

And wouldn't you know it: Three weeks ago, Bush slapped tariffs up to 30 percent on imported steel. To add insult to his credibility's injury, two weeks ago he imposed tariffs averaging 29 percent on the lumber imports from Canada, America's neighbor and closest of friends. The European Union has already pledged retaliation, planning to tax American textiles, steel and food. David Broder, a respected columnist, wrote, "The steel tariff decision...looks more and more like one of the worst of the Bush presidency."

Bush criticized former-President Clinton for being too involved in the Middle East but now, realizing that no nation in the region will help him make war on Iraq unless he gets involved in the peace process, he has decided to play a more active role. Unfortunately, it looks like a case of too little too late.

Political flip-flops are common among presidents—they're necessary to adapt to changing political climates

Van Horn, et al '01 (Carl, affiliated with the John J. Heldrich Center for Workforce Development at Rutgers University, Politics and Public Policy, Third Edition, p. 181-182)

<It is not uncommon for chief executives to contradict one of their publicly stated positions rather than to pursue policies that displease important voting blocs. For much of his public career, George Bush supported a woman's right to choose an abortion, but he shifted positions 180 degrees in order to fit comfortably on the Republican ticket in 1980. By 1988, when he sought the presidency on his own, Bush had become an ardent advocate of restrictions on abortion. Reagan often changed his mind at politically opportune moments, making adept adjustments in his positions on Social Security, farm subsidies, public works programs, and import restrictions. For much of his public career, Clinton supported policies aligned with liberal ideologies. He shifted his position somewhat in order to garner enough mainstream support to defeat Bush in the 1992 presidential elections. By 1995 it was often difficult to tell the difference between his policy proposals and those of the Republican Congress. Ironically, political leaders sometimes have to follow changes in the political wind in order to stay in charge.> 181 - 182

Focus Key

FOCUS IS KEY TO AGENDA – POLITICAL CAPITAL IS FINITE AND BUSH NEEDS AGENDA SPACE TO GET THINGS THROUGH

George C. Edwards and Andrew Barrett, both are professors @ Texas A&M, Presidential Agenda Setting in Congress, feb. 5-6, 1999 online

◀ The White House must obtain agenda space for its proposals in order to build momentum and obtain congressional commitments of support for them. Moreover, it is to the president's advantage for Congress to use his proposal as the starting point in marking up a bill (McKelvey 1976). Having the president's own proposal on the agenda makes his bargaining position known to members of Congress and provides him a greater chance to define the terms of debate and thus the premises on which members of Congress make their decisions (Edwards 1989, 206-209).

In addition, the White House wants to ensure that its proposals compete favorably with other proposals on the agenda. If presidents are not able to focus Congress's attention on their priority programs, the programs will become lost in the complex and overloaded legislative process. Moreover, presidents and their staff have the time and energy to lobby effectively for only a few bills at a time, and the president's political capitals inevitably limited. As a result, presidents wish to focus on advancing their own initiatives rather than opposing or modifying the proposals of others. Thus, the White House not only wants its initiatives to be on the congressional agenda but also prefers to have fewer congressional initiatives with which it must deal. ➤

Focus on Plan Trades off with the rest of Bush's Agenda

Andres, 2000 (Gary, president for legislative affairs for Bush Administration, Presidential Studies Quarterly, September)

◀ The constraint of "time" is another trade-off the White House must manage. Members of Congress regularly criticize the White House for only being able to focus on one single issue at a time, a trait common to the White House legislative office that routinely works this

way during major legislative battles, focusing its attention to winning a key vote on the House or Senate floor, and disposing of it before moving on to another project. Congress, with its diverse committee system and decentralized power structure, processes a variety of issues simultaneously. A typical legislative day might find two or three key issues on the floor, leadership meetings about the agenda for the following week, and a half a dozen critical markups in committees. Given all the issues Congress can present to the president and the limited number of hours in a day or week, it is critical how the White House prioritizes. The White House must decide which issues to get involved with and which to ignore or delegate to others within the administration. The resolution of these choices and the trade-offs ultimately shape the White House-congressional agenda. ➤ 557-8

A2: Focus

THERE'S NO FOCUS LINK – QUICK PASSAGE OF PLAN MEANS NO RESOURCES SPENT.

Paul Light, Professor @ U of M, The President's Agenda, 1991 p. 167-8

Once an item reaches the top of the President's agenda, it stays until one of two events occurs: the program may pass, automatically making room for another priority, a first cousin or an unrelated program, or it may be deliberately abandoned by the President or the staff. If Congress fails to approve the item or if the program costs increase, the President must give serious consideration to removal. As we shall see in chapter 8, these decisions involve considerable staff conflict. >

AGENDA FOCUS IS CONSTANTLY SHIFTING – PLAN WON'T DISRUPT TOP PRIORITIES

Paul Light, Director of Governmental Studies @ Brookings Institute, The President's Agenda, 1999

The President's agenda is a remarkable list. It is rarely written down. It constantly shifts and evolves. It is often in flux even for the President and the top staff. Items move onto the agenda one day and off the next. Because of its status in the policy process, the President's agenda is the subject of intense conflict. The infighting is resolved sometimes through mutual consent and "collegial" bargaining, sometimes through marked struggle and domination. It is not surprising that we know so little about it. 7

Focus doesn't guarantee success of the agenda—other factors like political capital outweigh

Pfiffner '99 (James, professor of political science at George Mason University, Presidential Policymaking: An End of Century Assessment, ed: Shull, p. 32-33)

In considering presidential policy success with Congress much of the popular press dwells on the force of personality and the tactical details of winning votes, but the consensus of scholars is that presidential success with Congress depends on factors over which presidents have little control. For instance, George Edwards argues that presidential skills—that is, the ability to effectively lobby members of Congress, do favors, and make threats—are effective only "at the margins." ²² Paul Light argues that political capital—partisan seats in Congress, electoral margin, and public approval—is most likely to determine success with Congress, not presidential personality, skills, or energy.

Focus hurts Bush

Cook '01 (Charles, political analyst for CNN, *Washington Quarterly*, Summer, LN)

As noted before, one of the strengths of this White House — its ability to stay focused and disciplined — can become a weakness as well. As Democratic strategist Tom King puts it, "It seems that . . . Bush learned all the right lessons from his father's administration, but he has come up with the wrong answers, i.e., he's learned focus, focus, focus, but not breadth." The strength of this White House's approach is its focused, highly disciplined way of relentlessly drilling their message through the media. Although delivering a message in this manner is effective and coherent, their approach may be too narrow and their message too focused. King, a former political director for the Democratic Congressional Campaign Committee, argues, "By focusing only on one specific part of solutions, he's given the impression that his policies lack depth. Bush doesn't need that perception." One-dimensional approaches to large, complex, and important issues can be both short-sighted and dangerous if they come across as simplistic. King suggests "an umbrella for each specific issue with specific solutions under the umbrella" as an alternative. Instead, you can call this "the silver-bullet presidency." For every major problem, the administration has a silver-bullet proposal to address it. Weakening economy? Cut taxes. Energy crisis? Drill in the ANWR. Inefficient, bureaucratic delivery of social services? Faith-based initiatives.

Public Popularity Key

Revitalizing Bush's public popularity key to the success of his agenda

CNN '05

(3-29, Lexis)

KING: The president won that election, Dana, but he is in the middle of another campaign to get his domestic agenda, principally Social Security, through the Congress. They cannot be happy at the White House about the timing of this. Are they worried? BASH: Well, certainly they understand here that the president's credibility and that his public support is really crucial to getting his domestic agenda passed, primarily Social Security. And they do understand that his poll numbers, as we've been reporting over the past several days, have -- they have been going down.

Popularity increases Bush's political capital – key to the agenda

National Review 8-6-01

Answer: Because polls do more than just predict (sometimes badly) the results of elections. The president's job-approval ratings have a here-and-now effect on his ability to push his agenda through Congress and in the national media. To Democrats on Capitol Hill, Bush's anemic polls mean one thing: opportunity. "The numbers?" says one Democratic strategist. "They tell Tom Daschle to push full steam ahead on the Patients' Bill of Rights and make Bush veto it. They tell Dick Gephardt to push full steam ahead on a discharge petition and a vote on campaign-finance reform and make the president veto it. They tell Democrats to push full steam ahead on the environment."

They've certainly gotten the message. But Bush's ratings affect more than just Democrats. "It's hard to imagine [the Democrats] being more aggressive-they've been so aggressive from the outset," says Ed Gillespie, a Republican consultant with close White House ties. "But [the poll numbers] do have an effect on some of our shakier Republicans in hanging in against the Democrats. " And the numbers mean that George W. Bush has a little less power to stiffen Republican spines.

Popularity key to the agenda

San-Diego Union Tribune, May 25, 2001. Pg. Lexis [Bo]

But the president should stick firmly to his conservative principles and, when necessary, go over the heads of lawmakers to sell his agenda to the American people. That is exactly what Bush did successfully in building support for his tax cut. Like Ronald Reagan 20 years ago, Bush discovered that boosting popular support for his major initiatives is the most effective way to gather votes on Capitol Hill. With the Senate in Democratic hands, the president will have to build his majorities one at a time, issue by issue.

Public Popularity Hurts Bush

Public popularity hurts Bush's agenda – 2 reasons

- Popular Presidents Unwilling to Compromise
- Congress Fears Agenda Will Hurt Them in Elections

Bond & Fleisher '90 [Jon & Richard, professors of political science, *The President in the Legislative Arena*]

Two considerations explain why presidential popularity might have little effect—or even negative effects—on the opposition. First, popular and unpopular presidents may behave differently in their dealings with Congress. Feeling that they have the support of the people, popular presidents may be less compromising. An unwillingness to compromise on partisan presidential proposals is likely to lead to increased partisan voting in Congress and, hence, more support from the president's party and less support from the opposition.

Second is the question of credit. Nelson Polsby (1986, 207) observes: "[M]uch of the sharpest kind of partisan conflict on Capitol Hill revolves . . . around the question of credit. Members of the party in opposition to the President must ask themselves whether they can afford to support programs that may help to perpetuate the administration in office." Few voters have information about levels of presidential support in Congress. As noted above, the primary determinants of the outcomes of congressional elections are the relative quality of the candidates and the vigor of their campaigns (Jacobson and Kernell 1983). Members of the president's party tend to get credit for his policies even if they do not support them; members of the opposition are not likely to receive credit even if they do. Consequently, members of the opposition are likely to follow their basic partisan predisposition and oppose the positions of popular presidents because they have little to gain from their support and much to lose if the president succeeds. 27

POPULARITY UNIQUELY HURTS BUSH NEWSDAY, 4/18/01

It is primarily those with weak attitudes who are susceptible to cognitive dissonance. Therefore, as Bush's popularity grows so does the strong negative attitude toward his policies by those who strongly opposed him during the campaign. In short, a bitter campaign with a one-vote decision may lead to coping by some via cognitive dissonance, but will lead to stronger opposition by a large percentage of others who felt disenfranchised by the election.

CONSENSUS OF STUDIES SHOWS THAT CONGRESSIONAL OPINION ISN'T CHANGED BY POPULARITY

Bond & Fleisher '90 [Jon & Richard, professors of political science, *The President in the Legislative Arena*]

In addition, there are theoretical problems. Some of the confusion results from lack of clarity about what the theory linking popularity and presidential support actually predicts. Edwards's (1986) argument and analysis suggest that presidential popularity exerts strong, direct effects on congressional decision making. Despite Rivers and Rose's (1985) criticisms of his interpretation, Edwards reports some very strong relationships between partisan public approval and partisan support in Congress, which seem to support his conclusions about the importance of presidential popularity. But, virtually every study of congressional behavior suggest that such external forces as public opinion will have marginal effects at best. Moreover, in his discussion of "presidential prestige" as a source of presidential power, Neustadt (1960, 87) emphasizes that it "is a factor operating mostly in the background as a conditioner, not the determinant, of what Washingtonians will do about a President's request."

Bipart Key

BIPART KEY TO AGENDA

National Journal 1-22

Despite the wide-eyed goals some Republicans have espoused since the election, Sen. Charles Grassley, R-Iowa, warns that no majority party in the Senate can simply ride roughshod over the minority.

"Even if we had 60 Republicans, nothing is going to get done in the Senate unless you have a bipartisan approach," Grassley said in an interview. As Senate Finance Committee chairman, he will be at the center of the battles over reforming Social Security and rewriting the tax code. "The necessity for bipartisanship," Grassley added, "is going to give minority elements in both political parties an opportunity to have a voice."

Bipartisanship key to the agenda – GOP can't go it alone

Schieber 6-6-2005

(Noam, Staff, The New Republic, "Business Card", P.6, Lexis, Accessed: 6/9/2005)

Despite their majorities in the House and Senate, Republicans simply don't have the votes to pass their Social Security, trade, or immigration proposals without help from Democrats--the increasingly blue-collar and nativist cast of the GOP precludes that. And, unfortunately for the GOP, Bush spent the first four years of his presidency alienating moderate Democrats with his slash-and-burn legislative tactics, his radical foreign policy, and his appeals to social conservatism. If not for all the bad will Bush engendered, New Democrats might have supported some of his second-term proposals. In 1999, a Pew Research Center study found that, although New Dems were socially liberal, they favored investing Social Security funds in the stock market, less restrictive trade laws, and cuts in capital gains taxes--all popular items in the business community. But a recently updated version of the Pew poll reveals that the New Democrats no longer exist as a type. The practical effect of Bush's radicalism has been to drive them into the arms of liberal Democrats, whose share of the electorate has doubled. Today, the former New Democrats reject Bush's agenda largely on partisan grounds. According to Pew, for example, Democratic support for means-testing Social Security drops 20 percentage points once Bush's name is attached to it. And the Central American Free Trade Agreement has languished on the Hill since the House New Democratic Caucus came out against it. Of course, even as these high-profile priorities have stalled, Democrats have occasionally cooperated with the GOP when certain business interests lobbied them aggressively. In March, for example, 14 Democrats voted to prevent a filibuster of a bill tightening bankruptcy laws, clearing the measure for passage. If nothing else, K Street assumed it could continue to rack up wins using these ad hoc coalitions. But that assumption fell apart when the second major consequence of Bush's first-term political strategy--emboldened social conservatives--reared its ugly head. Earlier this year, conservative evangelical leaders, convinced that Bush owed them his reelection, began petitioning the Republican leadership for a showdown over judges. In response, Democrats threatened to slow Senate activity to a halt, informing K Street that the chief casualty could be its still-unfulfilled agenda. As the Los Angeles Times reported last month, Democratic Senators Tom Carper and Herb Kohl warned three major business groups--the Business Roundtable, the Chamber of Commerce, and the National Association of Manufacturers (NAM)--not to expect any favors from Democrats if the GOP turned "the Senate into a rubber stamp for the president." The leaders of all three groups promptly told Bill Frist they were sitting out his filibuster fight. Eventually, the inability to find Democratic allies for ambitious Bush initiatives, combined with the prospect of a Senate so deadlocked it jeopardized onetime sure bets, such as bills limiting asbestos liability and medical malpractice awards, demoralized the business community. In a column for National Review Online last Friday, economist Larry Kudlow sighed, "Hopes were high [after the election] that little could stop the implementation of a true conservative agenda, one that featured supply-side economic reform, investor-owned Social Security reform ... legal-abuse-curbing tort reform.... But the hoped-for domestic reform agenda has gone nowhere." As time wore on, the business wing of the GOP began to shift from neutrality on the filibuster question to outright opposition. Last week, according to The Washington Post, NAM announced it hoped that "leveler heads prevail"--a message Republicans surely heard.

Delay Key

Delay Key- He Will Destroy Bush's Agenda if Angered The White House Bulletin March 31, 2003

Time (4/7, Tumulty, Waller) reports in its "Notebook" column, "From the moment George Bush began campaigning as a 'compassionate conservative,' he maintained a pointed distance from fellow Texan Tom DeLay, a fiery congressional conservative known as 'the Hammer.' But the House majority leader now seems to have Bush's ear. In early March DeLay became the fifth invitee to the regular breakfasts that the President holds with House Speaker Dennis Hastert, House minority leader Nancy Pelosi, Senate majority leader Bill Frist and Senate minority leader Tom Daschle." Time adds, "Why the rapprochement? Bush appreciated DeLay's support on Iraq: when some Republicans were criticizing the war rhetoric last summer, DeLay gave an impassioned speech in favor of military action. Bush also knows DeLay could be a problem if he's not in the loop. The Hammer 'has the ability to blow things up' if he's not consulted, says a House G.O.P. aide. But what Bush now needs most is DeLay's ability to push legislation through the House. While most criticism of his foreign policy has been silenced, the President has faced much rougher sledding on domestic issues. The Senate has handed him a series of embarrassing setbacks: stalling judicial nominee Miguel Estrada, blocking Alaskan oil drilling and last week cutting Bush's proposed tax cut in half. Some Democrats are already balking at another Bush initiative: in addition to a request for \$75 billion to pay for the war, the Administration is drafting ambitious postwar plans that include providing health care to the entire Iraqi population."

Delay Most Important Player on Capitol Hill Chataanooga Times, 8/19/01

The whip is officially charged with counting votes and keeping party members in line. But the whip also helps decide the schedule, strategy and overall policy of the party in the House. It is a coveted position of clout from which political forces like Newt Gingrich -- the GOP whip for much of the 1980s -- developed nationwide followings. Many observers regard Tom DeLay, the Republican majority whip from Texas, as the most powerful man on Capitol Hill today.

Bush Push

COMPARATIVE EVIDENCE THAT NORMAL MEANS IS PRESIDENTIAL ACTION

George C. Edwards, Professor of Political Science at Texas A&M University and director of the Center for Presidential Studies in the Bush School, and Andrew W. Barrett, assistant lecturer and Ph.D. candidate in political science at Texas A&M University, 2000, Polarized Politics: Congress and the President in a Partisan Era, ed. by Bond and Fleischer, pg. __ (Gedmark)

For decades, scholars have maintained that the president has a significant—indeed, the most significant—role in setting the policy-making agenda in Washington (see, for example, Huntington 1973). John Kingdon's careful study of the Washington agenda found that "no other single actor in the political system has quite the capability of the president to set agendas . . . the president can single handedly set the agendas, not only of people in the executive branch, but also of people in Congress and outside the government" (1995, 23). Frank Baumgartner and Bryan Jones, in their broad examination of agenda setting, concluded that "no other single actor can focus attention as clearly, or change the motivations of such a great number of other actors, as the president" (1993, 241). Jon Bond and Richard Fleisher argue that "the president's greatest influence over policy comes from the agenda he pursues and the way it is packaged" (1990, 230). (10-41)

Bush Steals Credit

Bush will steal credit for the plan – he turns losses into wins

Lambro '02

(Donald, Snr Political Correspondent, Washington Times, 3-16)

If there is one political skill President Bush has in spades, it is his ability to defuse Democratic issues that have the potential to hurt him or his party at the ballot box. This talent may be the overriding story of the 2002 congressional elections. The day after the votes are cast, the headlines could read: "Bush robs Democrats of most issues."

The president and his advisers are practitioners of the old political axiom that you can't beat something with nothing. Thus, the White House has either come up with lighter alternatives to the Democrats' agenda, or in several key areas has embraced the Democrats' proposals and effectively removed them from the campaign debate.

This political balancing act is still a work in progress and fraught with peril. Shift too many times to the left of center and you begin to lose parts of your base. Fail to appeal to the political center, where the swing voters are, and the administration could end up losing a lot of close elections, control of Congress and its agenda.

BUSH TAKES CREDIT EVEN FOR LIBERAL POLICIES – HE'LL CO-OPT ANYTHING

Bulletin's Frontrunner '02

(3-25)

The San Francisco Chronicle (3/24, Sandalow) reports President Bush "wasn't entirely serious when he told a Washington audience this month that Senate Majority Leader Tom Daschle presented no threat to his re-election." Speaking to Daschle, who was "seated nearby at the head table," Bush said, "What are you going to run on, Tom? Patient's bill of rights? I'm for it, Enron? I'm against it. Campaign reform? I'll sign it. Child care, Tom? I'm going to expand child care to those who don't even have children. Medicare, Tom? Under my plan, you don't have to be sick." The Chronicle adds, "Most of the crowd howled in laughter. But for many Democrats in the audience, Bush's attempt at humor may have sounded too real to be funny." On "education, immigration, air safety, trade -- and now a ban on soft money -- Bush has embraced the language, if not the legislation, of his Democratic counterparts." Even as he "pushes core conservative priorities -- lower taxes, less regulation, a strong military -- Bush has co-opted so many Democratic issues that the party has lost many of its points of attack." Publicly, Democrats "have little choice but to praise Bush for moving in their direction. But as a matter of politics, many are beginning to worry they are losing any advantage they might have held on popular issues heading into the November election". Brookings Institution analyst Stephen Hess said, "They can't lay a glove on him. He co-opts things as they come down the path, and cuts the opposition off at the knees. And he's done it time and again." The Chronicle adds, "With the economy recovering, Enron slipping from the front page and Bush's record-high popularity showing no sign of faltering, Democrats' hopes of scoring big gains in the mid-term election are beginning to fade." In a "display of political resiliency reminiscent of the master politician who served before him -- President Clinton -- Bush has been able to either blunt differences with his opponents, or claim victory even in the face of defeat."

BUSH WILL STEAL CREDIT FOR THE PLAN

Mason '97

(David M., Policy Analyst @ Heritage Foundation, Heritage Foundation Reports, Feb)

Lesson #1: A vigorous and ongoing public campaign is essential to overall policy success. Celebrating victories, and claiming credit by doing so, is a key component of policy marketing. Congress faces a disadvantage in this regard in comparison to the President, who generally has the last word, assuming he signs a piece of legislation. Even if the President has fought a policy in Congress, he can adopt it by signing the final bill, and even seek credit from both sides by claiming to have moderated problematic but specific aspects of a proposal. This ability to claim a victory and then continue to campaign on it (as he has done, for example, with welfare reform) is a key element of Clinton's political success.

BUSH WILL STEAL CREDIT EVEN IF HE DIDN'T PUSH THE PLAN

NPR '01

(6-18)

EDWARDS: So if the president is forced to sign a bill he doesn't like, he can turn it to his advantage.

ROBERTS: Absolutely. Look, one of the things that George Bush learned while he was governor of Texas is that the person who actually signs the bill gets the credit. And he's happy to spread the credit around. He's happy to say other people are responsible for this, as well. And I'm sure you will see signing ceremonies with the Democratic senators and the House members--John Dingell and Dr. Norwood all around. But in the end, it's the person who is the executive, who's sitting in the governor's office or the Oval Office that is associated with the good things that happen and the bad things that happen, and he's well aware of that. So he can try to mold the bill, but in the end he'll get the credit.

Bush Takes Blame

BUSH WILL TAKE THE BLAME FOR ANY POLICY

NPR '04

(3-13)

LIASSON: Well, I would say that his challenges are less difficult than John Kerry's. He does have a lot of money. He also has resources that only an incumbent president has. He has the bully pulpit of the White House. No matter what he does, it gets news coverage. On the other hand, he takes credit or blame for all of the things that happen in the world, in the economy, that he has very little control over. There are some downsides for the president of having a very long general election campaign and a very long period between the end of the contested primaries and the beginning of the conventions, and both Republicans and Democrats have pointed this out to me.

BUSH WILL BE BLAMED – HE'S THE COMMANDER-IN-CHIEF

The Times '02

(11-11)

Here is the big risk for Bush. For Republicans, triumphalism will be the big temptation in the coming months. However, the more they exult in their domination, the more they will be condemned if things go wrong. Depriving the Democrats of power has also deprived Bush of his whipping boys. The Senate as his servant cannot be his scapegoat, too. So while the economy still struggles, modesty is his safest policy. Events will defy prophecy. They always do. The economy may boom again. Or not. But what is inescapable is that Bush will get all the credit, and all the blame. He is the Commander-in-Chief, and in spades. There can be no doubt where the buck stops now. As he wakes each day to find his mid-term election dreams fulfilled, he can only be haunted by the parting words of the ghosts: "Be careful what you wish for, George".

PUBLIC WILL HOLD BUSH RESPONSIBLE FOR POLICY ACTION

Fitts '96

(Michael, Prof Law @ U Penn Law School, U Penn LR, Jan)

Finally, the public may hold the president more responsible simply because individual members of Congress are less likely to be held responsible. As many political scientists have observed, public perceptions of members of Congress seem to present a classic collective action problem, in which no one individual member appears to have a significant effect on collective government action. In this context, it can be quite easy to avoid individual responsibility for collective decisions because each representative faces a prisoner's dilemma in effecting change. 210 No one is a "but for" cause of an event. Even if the result is not literally collective, moreover, the information problems faced by the public in assessing the individual contribution of a representative in a body such as Congress can be overwhelming. 211 Where constituents do not surmount this prisoner's dilemma, individual members of Congress who avoid responsibility enjoy a structural advantage. 212 This is one explanation for the well-known "incumbency effect" that members of Congress enjoy, in which they avoid responsibility for nationally contentious issues and claim it for locally favorable results. 213

PRESIDENT WILL BE ACCOUNTABLE FOR EVERY ACTION

Fitts '96

(Michael, Prof Law @ U Penn Law School, U Penn LR, Jan)

In this situation, one can easily understand the perceived value of a modern, more unitary presidency. As noted above, there is merit to an institution that has greater power to take action and, at the same time, to be held more systemically responsible - that is, to serve in somewhat the same role as strong parties. 202 Modern [886] presidents, however, still operate in a complicated political environment in which numerous actors within all branches contribute to policy outcomes. Even with a unitary president, the public's ability to determine who is responsible for what policy outcome, and the extent of any mistakes, remains limited. In this context, the centralization and visibility of the unitary president, which is viewed as an advantage under theories of collective action, can also contribute to the public's overestimation of presidential responsibility and power.

Teflon Bush

BUSH IS TEFLON – BAD PRESS WON'T HURT HIM WITH THE PUBLIC

Washington Times '04

(7-13)

A Teflon president "Media coverage of President Bush has been largely unflattering this campaign season, but there's little indication the bad press has affected the country's view of him," the Boston Globe reports, citing a survey released yesterday. "The findings may be more ominous for the Democratic challenger, John Kerry, who - at least until last week's selection of John Edwards as his running mate - was largely missing from national campaign coverage and had left an 'indistinct' impression on voters with one notable exception. The study found that the public says he is significantly more likely to 'flip-flop' on the issues than Bush," reporter Mark Jurkowitz said.

"Neither of these guys is in control of their message, but it's probably not hurting Bush as much," said Tom Rosenstiel, director of the Project for Excellence in Journalism. 'Bush has suffered a huge onslaught of [negative] news coverage, but it's generally not having any impact on people's perceptions. Meanwhile, Kerry has not made much of an impression because he's been absent. ... The news is probably, on balance, worse for Kerry.'

NOTHING WILL STICK TO BUSH

Buffalo News '04

(4-10)

BUSH EXEMPLIFIES TEFLON PRESIDENT/ BODY: Saddam Hussein tries to buy uranium in Africa -- bad intelligence. Saddam has weapons of mass destruction -- bad intelligence. Saddam is tied to 9/11 -- bad intelligence. Saddam is funding terrorism the world over -- bad intelligence. The people of Iraq will embrace us with open arms -- bad intelligence. This incredible run of bad luck may not be the fault of one individual, but it certainly is the responsibility of one man. Doesn't anything stick to him

BUSH IS TEFLON – NOTHING HURTS HIM

Buffalo News '04

(4-10)

VALLIERE: Not sure. I mean right now it seems like nothing is a political problem for Bush. SCHAFFLER: Yes. VALLIERE: He's got the most amazing Teflon, whether it's what's happening in Iraq or oil or the economy, whatever. So right now, no. I'd say the big story politically, Rhonda, is that the Kerry campaign seems to be floundering. And the more and more Democrats I talk to inside the Beltway are starting to have buyer's remorse on Kerry. A lot of them are saying, in private, is it too late to nominate John Edwards? And the answer is, yes, it is too late.

BUSH IS A KEVLAR PRESIDENT – HE'S INVINCIBLE

UPI '04

(United Press International, 4-3)

Meanwhile, Bush is proving surprisingly resilient to public angst over an Iraq in spiraling turmoil, highly publicized allegations of ignoring pre-Sept. 11 terrorism threats and sundry other criticisms of his administration – from allegations of arranging an oil-price lowering before the election to purposely misrepresenting the costs of his Medicare reform proposals passed by Congress.

If Ronald Reagan was the so-called Teflon president, it could be argued Bush is the Kevlar president.

"At a time when people feel insecure and threatened they instinctively support the president, particularly if he is a picture of strength and resolve, which this president is," Schneider said. "I think he is doing well because of his image of strength and resolve, but I don't know if that is going to last. People will get exasperated with the casualties in Iraq."

No Teflon Bush

BUSH'S TEFLON DAYS ARE OVER – ELECTION YEAR POLITICS WILL BE BRUTAL AND HE WON'T BE ABLE TO AVOID MEDIA SCRUTINY

Washington Post '04

(4-6)

Salt Lake City, Utah: You mentioned Bush's Teflon-like quality in maintaining strong popular support despite the 9/11 commission, Iraq, and other embarrassing evidence. Could much of this be related to our own media's treatment of the incumbent? Particularly damning was Joe Wilson's depiction of journalists who didn't want to end up in "Guantanamo", left out of the information loop by the Bush administration. Do you have a sense of how this has affected the media in portraying Bush's record, and in turn what its effect on public opinion has been? Is it a case of a media that is simply doing a poor job of balancing politics with journalism, genuine fear of retaliatory measures by the White House, or even complicity in supporting Bush outright? I do not direct this specifically at the Washington Post, but rather American journalism in general. Perhaps it was excusable after 9/11, but these days what is prompting media outlets to largely write a blank check for every suspicious policy this administration comes up with? Vaughn Ververs: There has been plenty of criticism aimed at the media's coverage of the president in the past, but not so far this year. The gloves have come off and the coverage reflects a much more aggressive press than the administration had to deal with in its first three years. I do think journalists worry about access, but they weren't getting any before so that's hardly a reason to refrain. The bottom line is that Bush was given the benefit of the doubt after 9/11 but now that it's an election year, those days are over.

BUSH ISN'T TEFLON ANYMORE – 9/11 COVER-UP ALLOWS HIM TO BE BLAMED

Salon '02

(4-16)

The Bush administration has been adept at spinning itself out of trouble in the past. Enron? That's not a political scandal, it's a business story -- and in any case, didn't Kenny Boy give some Democrats money too? Those secret meetings with energy moguls -- it's essential that they stay private if the vice president is ever to get "unvarnished" opinions from his corporate friends. California electricity price-gouging -- we knew nothing, nothing. Osama bin Laden -- yes, he got away but he's no longer Fugitive No. 1, our anti-terror war is much broader than any one villain. Whenever faced with bubbling political problems, the Bush strategy has been to tough and bluff it out -- which has worked well in the face of a supine opposition party, a compliant press and poll numbers borne aloft by patriotic fervor. But that was yesterday. Today talk radio is crackling with the angry voices of 9/11 victims' families. This time, not even blaming it all on Clinton is going to work for them.

BUSH'S TEFLON IS GONE

Rathod '04

(Anoop, Dartmouth Free Press, 4-14)

This widespread disaffection with Bush also manifests a greater trend. Accompanying John Kerry's resurrection in Iowa, similar to Bill Clinton's in 1992, has been the precipitous fall of George W. Bush. The last few months have caught Bush out of his characteristic Teflon stride. And the trend has only been solidified by a combination of a haphazard State of the Union Address, an uninspired and pathetic performance on Meet The Press, the testimony of former counter-terrorism czar Richard Clarke in the 9/11 inquiry, and the upcoming trial of Vice President Dick Cheney.

TIMES HAVE CHANGED – NO MORE TEFLON

UPI '04

(United Press International, 3-17)

Bush therefore had to go back to presenting himself as a "war president." He had no choice. His "war leader" strategy therefore resembles a last stand around the flag, or a retreat into an old and secure fortress. It has, after all, worked for the president and his political team very well for two and half years now. But times have changed, and the new risks are very real. First, Bush no longer wears invulnerable Teflon armor when presenting himself as a war president. For the first time, he faces a critic of national stature with daily access to the hot headlines of the major newspapers and network news shows. Bush therefore is going to face a relentless barrage of questions and accusations on his "war leader" record that he has never faced before.

******Economy******
Key Econ- Gas Prices

ENERGY BILL KEY TO SOLVE GAS PRICE SPIKES – INCREASES REFINERY CAPABILITIES

Red **Cavaney** President and CEO, American Petroleum Institute, FDCH, 2-16-**2005**

The expansion of refinery capacity must also be a national priority. Recent gasoline price increases, while primarily caused by increased crude oil prices, have underscored the fact that U.S. demand for petroleum products has been growing faster than - and now exceeds growth in domestic refining capacity. While refiners have increased the efficiency, utilization and capacity of existing refineries, these efforts have not enabled the refining industry to keep up with growing demand. Even with a projected expansion of product imports of 90 percent, DOE's Energy Information Administration forecasts a need for 5.5 million barrels a day of additional refinery capacity and a 2 percent increase in refinery utilization.

Government policies are needed to create a climate conducive to investments to expand refining capacity. The refining situation needs to be addressed now. The federal government needs to act as a facilitator for coordinating and ensuring the timely review of federal, state and local permits to expand capacity at existing refineries and possibly even build a new refinery. Passage of the energy bill would be an important step by encouraging new energy supply and streamlining regulations, leading to greater production and distribution flexibility.

KEY TO PREVENT A GLOBAL ECONOMIC COLLAPSE

Analyst Wire '04

(8-1)

FRED KATAYAMA, CNNfn CORRESPONDENT (voice over): As gas prices remain sky high, consumers tighten their wallets in the U.S. And in Japan, the world's second largest economy, businesses crimped spending last quarter.

Economist Stephen Roach predicts a 40 percent chance the global economy will slide into a recession next year. STEPHEN ROACH, MORGAN STANLEY: It's not just that the oil price rises and therefore the economy rolls over. It's that higher oil prices, if they hit a strong economy, they will not hurt that much. If they hit a vulnerable economy, they will hurt a lot. In the U.S. right now, I think is at its maximum state of vulnerability. KATAYAMA: Vulnerable because of sluggish job and wage growth and the U.S. budget and trade deficits. And Europe's and Asia's economies are at risk because of their heavy reliance on exports. What's more, the price of crude oil has spurted from \$ 33 to \$ 47 this year. And, historically, an energy price spike has preceded just about every global recession.

GLOBAL NUCLEAR WAR

Mead '92 (Walter, total economics badass and member of NPQ Board of Advisors, New Perspectives Quarterly, Summer, P. 30)

If so, this new failure – the failure to develop an international system to hedge against the possibility of worldwide depression – will open their eyes to their folly. Hundreds of millions – billions – of people around the world have pinned their hopes on the international market economy. They and their leaders have embraced market principles – and drawn closer to the West – because they believe that our system can work for them.

But what if it can't? What if the global economy stagnates – or even shrinks? In that case, we will face a new period of international conflicts: South against North, rich against poor. Russia, China, India – these countries with their billions of people and their nuclear weapons will pose a much greater danger to world order than German and Japan did in the '30s.

High Gas Prices Kill Econ

NEW GAS HIKES WILL COLLAPSE THE ECONOMY

Telegraph Herald '04

(4-28)

Some economists say things could get worse. "It could cause a recession if oil prices go high enough," David Wyss, chief economist at Standard & Poor's in New York, told the Associated Press this week. Oil price shocks have played a role in four of the last five U.S. recessions during the past three decades, according to the Associated Press. The price of crude, the key component in gasoline, has flirted with a record-smashing \$42 per barrel in recent weeks. While the price has retreated more than \$2 since May 17, due in large part to OPEC's reported willingness to step up production, many analysts worry crude prices could remain high for the remainder of the year. High gas prices act much like a tax, as consumers forsake some discretionary spending for the necessity of filling up their cars. Since consumers fuel two-thirds of the nation's economy, spending cutbacks in other areas could hurt an economic recovery that appears to be picking up steam, analysts say. With diesel prices also on the rise, truckers are living with higher fuel surcharges, which in turn get passed along to manufacturers and, ultimately, consumers.

HIGH GAS PRICES DRAG DOWN ALL ECONOMIC SECTORS – SPURING RECESSION

Denver Post '04

(6-1)

Could oil at \$40 a barrel and gasoline over \$2 a gallon trigger an economic slowdown? 'Most of the times when inflation has surprised people in the last 30 years, caught them off guard, it was because of oil prices,' said Christopher Wolfe, head of equities for JPMorgan Private Bank. A jump in oil prices has accompanied nearly every recession that the country has suffered since World War II, according to research by James Hamilton, a professor at the University of California, San Diego. Consumers divert dollars they might spend elsewhere to cover higher fuel costs. Businesses must also spend more to produce and transport goods. Every \$10 gain in oil prices shaves about 1 percent off economic growth, and each 1-cent rise per gallon in gasoline prices leaves consumers with \$1 billion less to spend elsewhere, Wolfe said. 'The numbers can be disputed, but the direction can't,' Wolfe said. 'Higher gasoline prices will eventually start to bite into the consumer story.' Because the U.S. imports about 60 percent of its oil, and because imports subtract from GDP growth, higher oil prices reduce economic growth. The biggest damage has come, however, when the Federal Reserve counters higher oil prices with higher interest rates. Higher oil prices and interest rates, fewer mortgage refinancings and tax breaks create a recipe for slower consumer spending.

High Gas Prices Kill Heg

HIGH GAS PRICES CONSTRAIN MILITARY AIRLIFT CAPABILITIES

PR Newswire '04

(8-13)

"Furthermore, the ATSB's decision not to grant the loan guarantee to United Airlines was a political and economic failure. Ironically, the ATSB denied United's request in the name of protecting taxpayers, ignoring the will of Congress. Yet if the company terminates its employee pensions, taxpayers may be forced to pay many more times the amount of those guarantees in real money. "Congress must develop a national energy policy to stabilize and lower the price of fuel for the airline industry and for the rest of the economy. It must also provide a comprehensive health care plan for Americans that enables airlines to keep its employees healthy at reasonable costs. "Additionally, Congress must preserve foreign ownership limits and cabotage protections, vital to the ability of U.S. carriers to compete and provide vital strategic lift capacity to the military. Congress should also provide tax relief to the airline industry, which has borne much of the cost of federally-mandated security enhancements and has already contributed \$2 billion to national security efforts. "Lastly, Congress must follow the stop-gap pension legislation passed this year with a permanent fix to the crushing deficit reduction contribution rules for defined benefit pension plans. Failure to do so will mean this government is turning its back on millions of Americans and their families. "In order to help keep the airline industry strong and safeguard its enormous contribution to the economy and security of this nation, we need to take a clear look at the real problems and identify creative solutions. Squeezing pilots for additional concessions when they've already given so much is not the answer."

THAT CRUSHES POWER PROJECTION AND HEGEMONY

Defense And Foreign Affairs Daily '04

(1-19)

How badly does the US need new aerial refueling tankers? The war against terrorism has forced DoD to shift its focus from procurement of high technology weapons to the seemingly mundane subject of logistic support which requires transporting men and materials to seemingly endless sites around the globe. It is an accepted fact that it takes three men in the US to support a single man overseas. These continued overseas deployments were expected to continue until the war on terrorism was won. The US' overstretched, undermanned military had managed to cope with its global responsibilities largely by its ability to rapidly move troops and supplies from one spot to another mostly through airlift. Without its fleet of support aircraft global projection of US power would be impossible. It follows then that the need for new air refueling tankers makes them the "Achilles heel" of global air transportation.

THE IMPACT IS NUCLEAR WAR

Khalilzad '95

(Zalmay, Washington Quarterly, Spring)

Under the third option, the United States would seek to retain global leadership and to preclude the rise of a global rival or a return to multipolarity for the indefinite future. On balance, this is the best long-term guiding principle and vision. Such a vision is desirable not as an end in itself, but because a world in which the United States exercises leadership would have tremendous advantages. First, the global environment would be more open and more receptive to American values — democracy, free markets, and the rule of law. Second, such a world would have a better chance of dealing cooperatively with the world's major problems, such as nuclear proliferation, threats of regional hegemony by renegade states, and low-level conflicts. Finally, U.S. leadership would help preclude the rise of another hostile global rival, enabling the United States and the world to avoid another global cold or hot war and all the attendant dangers, including a global nuclear exchange. U.S. leadership would therefore be more conducive to global stability than a bipolar or a multipolar balance of power system.

Key Econ- Natural Gas

ENERGY BILL KEY TO NATURAL GAS INDUSTRY – IN PARTICULAR, IT SOLVES SUPPLY PROBLEMS

Red Cavaney President and CEO, American Petroleum Institute, FDCH, 2-16-2005

Comprehensive energy legislation will also help America develop and diversify its sources of natural gas supply, both domestically and internationally, to meet increased demand for clean-burning natural gas. DOE projects total demand for natural gas will increase by 40 percent by 2025, primarily as a result of its increased use for electricity generation and industrial applications.

America's natural gas policy has encouraged the use of this clean- burning fuel while discouraging the development of new supplies. The result is the current tight supply/demand balance and the prospect of continual future tightening, if action is not taken. Natural gas markets have distributed supplies efficiently, but prices have risen and markets have become more volatile due to the tight supply/demand balance. To ensure the long-term availability of adequate, affordable natural gas supplies, the nation must develop its abundant domestic supplies and diversify its supplies by tapping into global supplies through liquefied natural gas (LNG).

However, there is no "silver bullet" - no single policy to alleviate the tight supply/demand balance. Rather, a balanced portfolio of policies is needed. Both comprehensive energy legislation and regulatory changes are overdue. While conservation and efficiency can have important, near-term effects and must be pursued, the urgent need to develop future supplies must also be addressed. For too long, the supply side of the equation has been ignored. Much of the domestic resource base has been placed "off limits" - either directly through withdrawals and moratoria or indirectly through constraints on operations that delay development and/or make it uneconomic.

THIS IS KEY TO THE ECONOMY

Laurence Downes, Chairman of the American Gas Association, FDCH, 2-16-2005

The natural gas industry is at a critical crossroads. Natural gas prices were relatively low and very stable for most of the 1980s and 1990s, largely as a result of ample supplies of natural gas. Wholesale natural gas prices during this period tended to fluctuate around \$2 per million Btus (MMBtu). But the balance between supply and demand has become very tight since then, and, therefore, even small changes in weather, economic activity, or world energy trends have resulted in significant wholesale natural gas price fluctuations.

Market conditions have changed significantly since the winter of 2000-2001. Today our industry no longer enjoys prodigious supply; rather, it treads a supply tightrope, bringing with it unpleasant and undesirable economic and political consequences-most importantly high prices and higher price volatility. Both consequences strain natural gas customers-residential, commercial, industrial and electricity generators.

Since the beginning of 2003, the circumstances in which our industry finds itself have become plainly evident through significantly higher natural gas prices. Natural gas prices have consistently hovered in the range of \$5-6 or more per MMBtu in most wholesale markets. In some areas where pipeline transportation constraints exist, prices have skyrocketed for short periods of time to \$70 per MMBtu. Simply put, natural gas prices are high and volatile, and the marketplace is predicting that they will stay high. At this point there is no significant debate among analysts as to this state of affairs. Changing the current supply/demand balance requires continuing efforts aimed at energy efficiency as well as initiatives to provide more natural gas supply.

As this Committee well knows, energy is the lifeblood of our economy. More than 60 million Americans rely upon natural gas to heat their homes, and high prices are a serious drain on their pocketbooks. High, volatile natural gas prices also put America at a competitive disadvantage, cause plant closings, and idle workers. Directly or indirectly, natural gas is critical to every American.

Key Natural Gas

UNIQUENESS ONLY GOES OUR WAY – NATURAL GAS IS DEAD WITHOUT A BOOST FROM ENERGY BILL

Donald Santa, President of the Interstate Natural Gas Association, FDCH, 2-16-2005

Mr. Chairman, INGAA appreciates the opportunity to share its views on the aspects of comprehensive energy legislation that directly and uniquely affect the interstate natural gas pipeline industry. After years of debate and negotiation, the need for legislation to address national energy policy has never been greater. The natural gas supply and infrastructure situation, in particular, is crying out for policy solutions. We hope that in the weeks ahead we will be able to work with you in enacting an effective energy bill. Thank you.

ENERGY BILL KEY TO NATURAL GAS INDUSTRY – DEVELOPS KEY TECH AND EXEMPTS EXPLORATION AND PRODUCTION

Red Cavaney President and CEO, American Petroleum Institute, FDCH, 2-16-2005

The hydraulic fracturing and stormwater provisions of the energy bill will have a positive impact on natural gas, as well as oil, exploration and production:

Hydraulic Fracturing. The energy bill clarifies that hydraulic fracturing should not be regulated under the Safe Drinking Water Act. Fracturing technology plays a particularly important role in developing nonconventional resources such as coalbed natural gas (CBNG) and natural gas trapped in sand stone (in the west, near-shore and offshore Gulf of Mexico, and Alaska's Cook Inlet). Nonconventional resources must play a greater role in supplying future domestic natural gas supplies. The National Petroleum Council estimates that 60 to 80 percent of all wells drilled in the next decade will require fracturing. Any uncertainty about regulation of such operations should be removed. CBNG, in particular, might be developed and brought to the market more quickly than more remote Arctic or deepwater reserves. Stormwater. The energy bill provides a needed clarification that the existing exploration and production (E&P) exemption applies to E&P construction activities too. Despite an explicit exemption in the Clean Water Act for stormwater discharged from E&P operations, recent regulatory proposals have sought to subject construction at E&P sites to the type of stormwater requirements imposed on other types of construction activities like the building of shopping centers. This regulatory approach is counter to congressional intent and imposes unnecessary costs on domestic E&P operations.

IN PARTICULAR, THESE EXEMPTIONS ARE KEY TO THE ECONOMY

Laurence Downes, Chairman of the American Gas Association, FDCH, 2-16-2005

Without prudent elimination of some current restrictions on U.S. natural gas production, producers will struggle to increase, or even maintain current production levels in the Lower-48. This likely would expose 63 million homes, businesses, industries and electric-power generation plants that use natural gas to unnecessary levels of price volatility- thus harming the U.S. economy and threatening America's standard of living. If America's needs for energy are to be met, there is no choice other than for exploration and production (E&P) activity to migrate into new, undeveloped areas. There is no question that the nation's natural gas resource base is rich and diverse. It is simply a matter of taking E&P activity to the many areas where we know natural gas exists. Regrettably, many of these areas-largely on federal lands-are either totally closed to exploration and development or are subject to so many restrictions that timely and economic development is not possible. As we contemplate taking these steps, it is important that all understand that the E&P business is-again as a result of technological improvements- enormously more environmentally friendly today than it was 25 years ago. In short, restrictions on land access that have been in place for many years need to be reevaluated if we are to address the nation's current and future energy needs.

A/T: Not Solve Short Term

EFFICIENCY STANDARDS IN THE ENERGY BILL SOLVE SHORT TERM PRICE SPIKES

Laurence **Downes**, Chairman of the American Gas Association, FDCH, 2-16-**2005**

At present there is no significant ability to increase natural gas production in the very near term because production is essentially occurring at full capacity. In this context, additional demand-whether generated by weather or economic activity-produces great volatility in prices. In essence, in instances of additional demand the market rationalizes through price volatility.

In this context, only efficiency measures can, in the near term, moderate demand and, therefore, moderate prices. Market-driven conservation can have an impact in the short term, but true efficiency measures can only be effective in the longer term. Over the last twenty years, America's households have decreased their natural gas consumption 1% per year on average. Similarly, commercial and industrial concerns have made great strides in improving their efficiency. These trends will undoubtedly continue, but government can take steps to make quantum leaps in efficiency.

AGA strongly endorses addressing the nation's energy policy on a comprehensive basis, with energy efficiency playing an essential role. The conference report on the Energy Policy Act of 2003 includes a large number of energy efficiency provisions, addressed not only to natural gas but also to almost all fuel sources. Congress should move forward with these provisions as an integral element of a comprehensive energy bill. These relatively modest provisions can pay enormous dividends in the longer haul.

Natural Gas Industry Brink

NATURAL GAS INDUSTRY ON BRINK

Laurence **Downes**, Chairman of the American Gas Association, FDCH, 2-16-**2005**

The natural gas industry is at a critical crossroads. Natural gas prices were relatively low and very stable for most of the 1980s and 1990s, largely as a result of ample supplies of natural gas. Wholesale natural gas prices during this period tended to fluctuate around \$2 per million Btus (MMBtu). But the balance between supply and demand has become very tight since then, and, therefore, even small changes in weather, economic activity, or world energy trends have resulted in significant wholesale natural gas price fluctuations.

Natural Gas Key Econ

HIGH NATURAL GAS PRICES KILL ECONOMY – JOB LOSS, MNC SHIFT

Laurence **Downes**, Chairman of the American Gas Association, FDCH, 2-16-**2005**

This year, like the past several years, the most important step the entire Congress can take to address these pressing issues is to enact a comprehensive energy bill with provisions ensuring that lands where natural gas is believed to exist are available for environmentally sound exploration and development. Additionally, it is appropriate to create incentives to seek and produce this natural gas. These steps are necessary to help consumers and the economy.

The "Natural Gas Outlook to 2020" by the American Gas Foundation underscores all of these concerns. That study looks at anticipated natural gas demand and supply in the year 2020. The report expects that, if the nation continues on its present course, by 2020 natural gas prices will increase by 70 percent, reaching approximately \$13.76. This is anticipated to lead to increased unemployment, plant closings, and the movement of industrial operations overseas, just as it has in the last several years. It also indicates that, in two alternative policy scenarios (the "expanded" and the "expected"), customers can save annually \$200 billion or \$120 billion when compared to going forward on a status quo basis.

NATURAL GAS INDUSTRY KEY TO COMPETITIVENESS

World Watch Institute 2001 [WWI is an environmental, social, and economic think tank, "The Choice: An Energy Strategy for the 21st Century" May 17 <http://www.worldwatch.org/press/news/2001/05/17/>]

Natural Gas: The Bridge to a Hydrogen Economy

Natural gas is the cleanest and fastest-growing fossil fuel, and despite the recent increase in price, has become the fuel of choice for power generation. But the challenge with natural gas is not to drill for it in ecologically-sensitive areas, as the administration apparently seeks to do, but rather to develop highly-efficient new uses for the fuel. Such uses include cogeneration, or the combined use of heat and power, and "micropower" technologies.

"Micropower" is the term used to describe the unmistakable global trend in power generation toward decentralized, efficient units, such as fuel cells and microturbines, that operate primarily on natural gas. It is a shift as profound as the move from mainframes to personal computers, creating equally significant new business opportunities. Locking the U.S. power system into the twentieth-century, large-scale, fossil and nuclear-based models will cripple the global competitiveness of the U.S. energy industry while exacerbating health and environmental problems.

Energy Bill Key Econ- Manufacturing

ENERGY BILL KEY TO MANUFACTURING – SOLVES DISRUPTIVE
PATCHWORK POLICY BY STATES AND SOLVES MARKET CERTAINTY,
WHICH IS KEY TO INVESTMENT

Industry Week March, 2005

No doubt about it -- manufacturing is a powerfully hungry energy consumer. Some estimates show manufacturing may account for as much as one-fourth of electricity consumption in the United States and one-third of natural gas consumption. In 2002, the industrial sector (which includes manufacturing, mining, minerals and construction) accounted for nearly one-third of all U.S. energy consumption, according to the Department of Energy's statistical arm, the Energy Information Administration (EIA).

Its enormous appetite for fuel puts manufacturing squarely on the firing line in today's changing energy landscape. Political turmoil in key energy-producing markets, environmental concerns, increasing global demand, as well as the lack of a national energy policy, are just a few of the factors wreaking havoc on both energy availability and cost. How companies respond to these changing and challenging dynamics could provide a strategic advantage or drag their businesses under. U.S. MANUFACTURERS operate in a world largely fueled by fossil fuels. Total primary energy consumption in the U.S. reached 98.2 quadrillion British thermal units (Btu) in 2003, with 86% of that appetite being met by petroleum products, natural gas and coal, according to the EIA. In its "Annual Energy Outlook 2005," the statistical agency projects U.S. energy consumption will increase to 133.2 quadrillion Btu in 2025, with a large percentage of that demand still met by fossil fuels.

Such heavy reliance on fossil fuel comes at a cost. Energy demand in developing Asia, including China and India, is projected by the EIA to more than double in the next 25 years, making them formidable competitors in the energy markets. A review of the fossil fuels illustrates additional shortcomings of these traditional energy sources.

* Oil -- While growing world demand is helping boost crude oil prices, nearing \$ 50 a barrel at January's end, price volatility and spikes also result from political and economic instability in key petroleum-producing nations in the Middle East, Nigeria and elsewhere. Additionally, if EIA predictions hold true, U.S. demand will increase more rapidly than domestic production, making the United States ever more dependent on imported sources of energy. Meanwhile, efforts to increase U.S. production by opening the Arctic National Wildlife Refuge in Alaska and other environmentally protected areas to drilling are stymied by intense opposition.

* Natural Gas -- Until recently, natural gas prices in the United States were relatively inexpensive. Growing constraints on domestic supply have sent prices surging in the last three years. Unlike oil, a world market for natural gas does not exist due to problems associated with its transport, notes economist Donald Norman of the Manufacturers Alliance/MAPI, an Arlington, Va.-based business research group. Therefore, regional supply drives costs. A number of suggestions have been advanced to increase the U.S. supply of natural gas, including building a pipeline to access the large natural gas reserves in Alaska. Environmental and financial considerations make that a long-term prospect at best. A shorter-term solution is to increase imports of liquefied natural gas (LNG). Three of four existing U.S. LNG terminals are expected to expand by 2007, with additional terminals on the horizon. However, LNG terminals raise environmental and safety concerns. They also are incurring some "not in my backyard" resistance, says the Conference Board, a New York-based business research organization.

* Coal -- Coal is plentiful in the United States. It also is cited as a major source for acid rain and greenhouse gas emissions. Nonetheless, the rising cost of natural gas, as well as a robust domestic supply, is re-energizing interest in the fuel. The Department of Energy, educational institutes and manufacturers, particularly chemical manufacturers, are engaged in research of "clean coal" technology, including the conversion of coal into gas or oil. Coal gasification has been pursued in the U.S. and has been proven technically, but development has been directed on utility power generation, not industrial/manufacturing facilities, says the DOE's Paul Scheihing, team leader, chemicals and enabling technologies at the Office of Industrial Technologies, Office of Energy Efficiency and Renewable Energy. "The challenge is to gasify coal and make heat and power and feedstocks for chemical and other industrial plants cost effectively and also meet stringent environmental requirements."

* Electricity -- A major blackout in parts of the United States and Canada in August 2003 exposed weaknesses in the nation's electricity grid, and many warn that the problem will only grow worse without major investments to upgrade the infrastructure. Those warnings come as electricity demand in the U.S. is forecast to soar. Total U.S. electricity consumption is projected by the EIA to grow at an average rate of 1.8% per year between 2003 and 2025. Moreover, electricity generation today depends largely on fossil fuels, primarily coal and increasingly on natural gas, followed by nuclear power. MAPI's Norman notes that much of the increasing generating capacity expected in upcoming years is natural-gas fired, "but a lot of these plants were planned when natural gas prices were much lower."

An Uncertain Future

EXACERBATING AN ALREADY COMPLEX ENERGY SITUATION is the lack of national direction on energy policy, says the Conference Board, in its 2004 report, "Strategic Energy Management: The State of the Debate." "In some countries, such as the United States, the lack of a clear national energy policy can complicate and compound investment decisions and management priorities already made complex by supply and price uncertainties," the report notes.

The absence of federal action also has spurred states to pursue their own divergent policies, further complicating business decision-making. For example, while the United States has withdrawn from the Kyoto Protocol, 29 states have completed climate change action plans to meet their share of the U.S. target under Kyoto, says John Byrne, director of the Center for Energy & Environmental Policy at the University of Delaware in Newark. Further, he says, 19 states have passed "what are called renewable energy portfolio standards that require suppliers in these states to provide a portion of their electricity from renewable energy options." For example, he cites New York, which requires 25% by 2013, and New Jersey, which requires 6.5% by 2008.

Manufacturing Key Econ

Strong Manufacturing Sector Key to Economy and Leadership

Vargo, '03 (Franklin, National Association Manufacturers, FNS, 10/1)

I would like to begin my statement with a review of why manufacturing is vital to the U.S. economy. Since manufacturing only represents about 16 percent of the nation's output, who cares? Isn't the United States a post-manufacturing services economy? Who needs manufacturing? The answer in brief is that the United States economy would collapse without manufacturing, as would our national security and our role in the world. That is because manufacturing is really the foundation of our economy, both in terms of innovation and production and in terms of supporting the rest of the economy. For example, many individuals point out that only about 3 percent of the U.S. workforce is on the farm, but they manage to feed the nation and export to the rest of the world. But how did this agricultural productivity come to be? It is because of the tractors and combines and satellite systems and fertilizers and advanced seeds, etc. that came from the genius and productivity of the manufacturing sector. Similarly, in services -- can you envision an airline without airplanes? Fast food outlets without griddles and freezers? Insurance companies or banks without computers? Certainly not. The manufacturing industry is truly the innovation industry, without which the rest of the economy could not prosper. Manufacturing performs over 60 percent of the nation's research and development. Additionally, it also underlies the technological ability of the United States to maintain its national security and its global leadership. Manufacturing makes a disproportionately large contribution to productivity, more than twice the rate of the overall economy, and pays wages that are about 20 percent higher than in other sectors. But its most fundamental importance lies in the fact that a healthy manufacturing sector truly underlies the entire U.S. standard of living -because it is the principal way by which the United States pays its way in the world. Manufacturing accounts for over 80 percent of all U.S. exports of goods. America's farmers will export somewhat over \$50 billion this year, but America's manufacturers export almost that much every month! Even when services are included, manufacturing accounts for two-thirds of all U.S. exports of goods and services. If the U.S. manufacturing sector were to become seriously impaired, what combination of farm products together with architectural, travel, insurance, engineering and other services could make up for the missing two-thirds of our exports represented by manufactures? The answer is "none." What would happen instead is the dollar would collapse, falling precipitously -- not to the reasonable level of 1997, but far below it -and with this collapse would come high U.S. inflation, a wrenching economic downturn and a collapse in the U.S. standard of living and the U.S. leadership role in the world. That, most basically, is why the United States cannot become a "nation of shopkeepers."

Manufacturing Sector Vital to US Economy- Key to Every Other Sector

DeRocco, '04 (Emily, Ass't Secretary Labor Dept, FDCH, 6/2)

The first theme concerns the importance of the manufacturing sector. The United States is the world's leading producer of manufactured goods, and standing alone, the U.S. manufacturing sector would represent the world's fifth-largest economy. Manufacturing remains a powerful engine of economic growth and is vital to the technology boom. The manufacturing sector leads the nation in productivity growth, which is key to increasing our standard of living. Moreover, the manufacturing base is as important to this country's economy today as it has ever been. Despite the rise and fall of industries and the effects of globalization, American manufacturing's real Gross Domestic Product has increased by 45% over the last 15 years. In addition, our manufacturing base generates enormous economic activity in other industry sectors. American manufacturers are leaders in research and development investment, e-business applications, and technology integration.

Manufacturing Sector Key to Economy

Times Union, 11/9/03

But such views ignore our economy's critical dependence on manufacturing productivity as its engine for economic growth. Manufactured goods have always been the vital center of the United States' trade and prosperity.

To the extent that production passes to foreign manufacturers, or even to America's own companies operating abroad, we pay a price in lost investment, lost factories and lost jobs.

More Evidence

Baltimore Sun, 12/7/03

"Manufacturing has played a very important role in our economy," said Helen D. Bentley, the former Baltimore County congresswoman who long worked to sustain the city's port. "It's the guts of our economy, and it's the key to what made America great."

Manufacturing supported 23 million jobs in the United States last year - 15 million manufacturing jobs and another 8 million jobs in other sectors tied to manufacturing, said Hank Cox, a spokesman for the National Association of Manufacturers in Washington. Members of the association - the country's largest industrial trade association - include GM, Ford Motor Co. and Maytag Corp. Manufacturing spins off a flurry of other jobs, from the ones that supply the raw material to the ones that sell the finished product, down to the diners that feed workers at the plant.

"They just have a way of generating a lot of economic activity all around them. There are manufacturing workers, and restaurants spring up to serve them. It brings money into the community," Cox said.

A/T: Deficits

Energy Bill Not That Big- Crafted to Not Increase Deficit Environment and Energy Daily, 3/2/05

Lawmakers yesterday acknowledged that the energy legislation, which in the last session of Congress had a \$30 billion price tag, will be significantly smaller this year to reflect the across-the-board federal budget cuts and freezes designed to help reduce the massive federal budget deficit.

ETHANOL RFS SOLVES THE TRADE DEFICIT – KEY TO PREVENT COLLAPSE OF THE ECONOMY

Raci Oriona **Spaulding**, Transnational Law & Contemporary Problems, Spring, **2003**
(13 Transnat'l L. & Contemp. Probs. 277)

Furthermore, almost half of the United States trade deficit is caused by oil imports. 121 If the United States maintains its current rate of oil importation, many believe oil will likely account for sixty to seventy percent of the U.S. trade deficit in the next ten to twenty years. 122

The United States could drastically reduce its reliance on foreign oil, and thereby decrease the federal trade deficit by enacting an RFS. Even without the existence of an official RFS, ethanol use alone has already decreased the U.S. trade deficit by \$ 2 billion each year. 123 Under an RFS, energy requirements will be met by renewable sources produced domestically, which will decrease the demand for oil and decrease the need to import it. This result is critical given predictions that within the next two decades, petroleum imports will account for sixty to seventy percent of the U.S. trade deficit if importation continues at its present rate. 124 Trade deficits are undesirable because they weaken the value of the dollar and instigate fear in stock market investors that foreign investors will take their money elsewhere. 125 These factors contribute to stock market crashes and depressions. 126 An RFS would help prevent these phenomena by decreasing the need for oil importation which would reduce the U.S. trade deficit.

*****Oil*****

Energy Bill Solves Oil/Econ/Fossil Fuels

Energy Bill Key to Solve Oil Dependence, energy shocks and competitiveness

Cornyn, 7/1/05, (John, Senator, US Fed News)

In June the Senate worked to pass a comprehensive energy bill that will help diversify our country's energy supply, increase domestic production and conservation, and encourage innovative technologies to meet our growing energy needs. I was successful in including amendments to the bill that will benefit Texas industry, including making additional money available for Texas from oil and gas produced off-shore, and ways to assist the businesses working on new energy development technology. The bill has unprecedented conservation and efficiency measures. It also modernizes and expands the nation's electricity grid, and encourages the design and deployment of advanced nuclear, clean coal, and hydrogen technologies aimed at moving America away from its dependence on foreign oil. There is still much work to be done. The bill still must go through conference with the House, and some issues have yet to be resolved - including the safe harbor for MTBE. It is critical that Congress pass this comprehensive energy package to meet the growing energy needs of our country, maintain our global competitiveness, and decrease our dependence on foreign energy sources.

Energy Bill Reduces Fossil Fuel Dependence- Spurs Renewables and Promotes Conservation

Canberra Times, 7/6/05

This is not just rhetoric; last week the US Senate passed an Energy Bill to diversify away from fossil fuels and offered formal recognition that mandatory action on climate change was necessary. Where does this leave Australia? As the largest per capita greenhouse gas emitter in the world, a champion of voluntary management of greenhouse gas emissions and a steadfast opponent of market based limitations and incentives, Australia now stands alone.

Now no developed country stands either beside or behind Australia on energy or climate matters.

The new US legislation will require energy suppliers to source at least 10 per cent of their entire supply from renewable sources by 2020. To help businesses meet this requirement, the Senate Finance Committee approved \$US14.4 billion for tax incentives and credits, particularly for renewable sources such as solar, wind, bio-diesel and ethanol production. These tax breaks over the next decade will foster domestic and industrial energy efficiency, hybrid fuel transport, export markets and more efficient fossil fuel technology.

Energy Bill Spurs Biofuels- Solves Oil Dependence

Washington Week, 7/6/05

The amendment is based on a bill Harkin introduced earlier this year entitled the "National Security and Bioenergy Investment Act of 2005," S. 1210. It follows themes also present elsewhere in the Senate comprehensive energy bill, "the Energy Policy Act of 2005," which the Senate overwhelmingly approved June 28 by a vote of 85 to 12. The national security implications of the growing dependence on imported oil, and increasingly natural gas, is having a major influence on Congress and energy policy, Senate sources say. Rapidly escalating energy costs have always been a prime factor in fashioning energy legislation. Harkin's bill turns away from relying on the nation's oil patch to fix energy problems and looks to the farm belt instead.

The Bioenergy Investment Act characterizes biofuels as "the safest and least costly approach to mitigating these risks [to the national security, environmental and economic health of the U.S.]. The amendment calls for more than \$2 billion in spending for various biofuels initiatives. It offers what one Senate source described as a "suite of ideas" for speeding up the process for developing new production methods from unique feedstocks. The source added that while the Senate energy bill calls for an eight billion gallon renewable fuels mandate "it should be in [the] double digits."

With an eye on growing U.S. dependency on imported oil, the objective of the amendment is to stimulate "technologies and processes necessary for abundant commercial production of bio-based fuels at prices competitive with fossil fuels." The amendment also seeks to spur development in the rural economy by creating new biofuel industries and markets for agricultural products, including dedicated energy crops grown specifically as feedstocks for production of transportation fuel or as substitutes for petroleum in industrial processes, such as making plastics or chemicals.

Harkin's amendment joins a host of other provisions in the Senate energy bill supporting continued growth of the U.S. biofuels industry, particularly those produced from agricultural and forestry waste and other non-traditional sources. The underlying energy bill includes a mandate for the use of eight billion gallons of renewable fuels annually by 2015. The so-called renewable fuels standard (RFS) was amended with a provision, authored by Sen. Maria Cantwell (D-WA), calling for the use of 250 million gallons of cellulosic ethanol annually starting in 2013, and for each year thereafter. A provision of the RFS language adds a multiplier of 2.5 for cellulosic ethanol, meaning for every gallon of ethanol produced from feedstocks, such as corn stover, sugar cane bagasse or municipal solid waste, it replaces 2.5 gallons of renewable fuel a refiner needs to use to meet its share of the renewable fuels standard.

The Harkin measure also broadens the scope of the Biomass Research and Development Act of 2000, which promotes research into biofuel feedstocks in the agricultural and forestry sector. It adds language promoting "research on, and development and demonstration of, biobased fuels and biobased products, and the methods, practices and technologies ... for their production." The research and development of biofuels would be accomplished through competitively awarded grants, contracts and assistance. Universities, national laboratories and private entities are all eligible for the \$1 billion the measure would authorize. The Harkin amendment would expand the capabilities of existing ethanol and biodiesel plants to use non-traditional feedstocks.

The amendment sets a goal of one billion gallons of cellulosic biofuels production by 2015. To help bring the cost down to be competitive with gasoline and diesel fuel, the measure calls for a "reverse auction" for grant funds and assistance, beginning one year after the first 100 million gallons of cellulosic biofuels are produced, or three years after the bill is enacted, whichever comes first.

A/T: Your Ev Assumes Senate Bill

Energy Bill Will Most Closely Resemble Senate Version- Efficiency Measures Will Be Added

Washington Week, 7/6/05

A bipartisan group of House lawmakers, some potential energy bill conferees, is likely to attach key energy efficiency measures to the energy bill during House-Senate conference in an effort to match provisions contained in the Senate version of the bill.

At a June 28 press conference, House Energy Efficiency and Renewable Energy Caucus Co-Chairs Reps. Zach Wamp (R-TN) and Mark Udall (D-CO) unveiled the "Energy Efficiency Cornerstone Act" (EECA) that seeks to add new efficiency standards for appliances and permanently extends a major federal building energy conservation program. The bill has the support of key Republican lawmakers, including Reps. Ralph Hall (R-TX) and Sherwood Boehlert (R-NY), who will likely push for including some measures in the upcoming House-Senate energy bill conference. The move comes in an effort to bring the House bill on par with the Senate version that passed the chamber June 28 by an overwhelming majority of 85-12.

Congressional sources say Wamp and another backer, Rep. Tom Allen (D-ME), are trying to get "as many cosponsors as possible." They are also likely to circulate a "dear colleague" letter soon to gauge House support for the measure. "Our hope is that some cosponsors will carry it forward in the conference," says an energy efficiency advocate. The official also added that Rep. Hall, who heads the House energy and air quality subcommittee and Boehlert, chairman of the House Science Committee, will likely be key players in the conference negotiations since they both head committees of jurisdiction over the energy bill. Both lawmakers also support including more efficiency measures. "Chairman Hall and [Sherwood] Boehlert will be there to watch it," says the official.

The EECA bill provides tax incentives to highly-efficient new homes, commercial buildings and combined heat and power systems and a tax credit for hybrid vehicles and fuel cells. The bill also requires federal agencies to ensure the corporate average fuel economy (CAFE) of new light-duty vehicles in their fleets rises by at least 3 miles per gallon from 2004 baseline and allows hybrid vehicles and other oil-saving measures to qualify as part of a federal alternative fuel vehicle purchase requirement.

The bill also includes measures that are currently part of the Senate energy bill, including a federal- industry voluntary agreement to reduce and independently verify an overall industrial energy intensity by 2.5 percent annually and the permanent reauthorization of the energy savings performance contract (ESPC) that the House energy bill capped at \$500 million. Congressional and efficiency advocates say the new measure will bring the House-passed energy bill (H.R. 6) more closely in line with the Senate's version of the energy bill that efficiency advocates say has stronger provisions including more robust energy efficiency tax incentives for consumers and industry.

House Will Cave to Senate on Energy Efficiency Measures

Washington Week, 7/6/05

A source with the Alliance for an Energy Efficient Economy is upbeat that most efficiency measures from the Senate bill will get included in any conference report. "We are hoping the House will concede to the Senate on these issues since they will need every energy-efficiency point they can get to have the [conference bill] pass the Senate," the source says.

Energy Bill Key to Ethanol

ENERGY BILL KEY TO ETHANOL

St. Louis Post-Dispatch (Missouri) February 20, **2005**

Farmers control more than half the nation's ethanol production and own most of the plants under construction, hastening a shift from farming for food and feed to farming for energy. Tiny towns like Coon River, Iowa, and Wahoo, Neb., left behind by economic globalization, see ethanol plants as their ticket for economic renewal. A new energy bill proposed in Congress would bolster the fuel's future with a government guarantee.

Ethanol Solves Oil

Ethanol Solves Oil Dependence

Renewable Fuel News '04

(12-20, Lexis)

The U.S. government should spend \$1.9 billion over the next decade on research and incentives to help cellulosic-based ethanol become cost competitive with other biofuels and gasoline, a new report recommends.

Growing Energy: How Biofuels Can Help End America's Oil Dependence was released by the Biotechnology Industry Organization (BIO) and conducted by staff from the Natural Resources Defense Council, the Union of Concerned Scientists and others. A preliminary report was issued in June (see RFN, 6/21/04).

The report discusses how biofuels can help boost the U.S. rural economy, clean up the environment and reduce dependency on foreign oil, but specifically focuses on cellulosic-based ethanol. "If we follow an aggressive plan to develop cellulosic biofuels between now and 2015, America could produce the equivalent of nearly 7.9 million barrels of oil per day by 2050," the report said. That figure is equal to more than 50% of the U.S. current total oil use in the transportation sector and more than 3 times as much as the U.S. imports from the Persian Gulf.

The biggest obstacle to cellulose is getting it to be cost competitive with other fuels. Some companies have touted recent success in reducing the cost, such as Genencor International, Inc. and the National Renewable Energy Laboratory, while others, such as Canadian company Iogen, continue to work towards goal of producing the fuel at \$1.30/gal (see RFN, 7/12/04).

Numerous cellulosic-based projects have been proposed over the last decade, but none have been built mostly because the companies have been unable to resolve cost-related issues. The only exception to that is Iogen's demonstration plant in Ottawa.

ETHANOL CAN COMPLETELY END OIL DEPENDENCE BY 2020

Jaffe '04

(Sam, The Scientist Editor, "Independence Way," Washington Monthly, July/August, <http://www.washingtonmonthly.com/features/2004/0407.jaffe>]

The good news is that we don't have to wait to build the perfect fuel cell. If mass-produced cellulosic ethanol pans out, it's still a better fuel--for our environment and our security--than gasoline or old-fashioned ethanol. By expanding our domestically-raised supply of cellulosic ethanol, we can begin the slow process of weaning ourselves off Middle East oil. (It only costs about \$50 to retrofit a car to run on ethanol alone.) Because ethanol doubles as an internal combustion fuel, we can begin creating an ethanol infrastructure even as fuel-cell research continues apace. Once fuel-cell technology matures, Detroit can start making cars that don't require internal combustion engines but run on the same fuel as cars already on the road. By 2020, the United States could have a transportation economy that spews only trace amounts of pollutants, adds no carbon dioxide to the atmosphere, and runs entirely on domestically produced fuel.

ETHANOL DRASTICALLY REDUCES OIL DEPENDENCE

Times Union '01

(11-1, Lexis)

Cellulosic ethanol produced by the fermentation of sugars obtained from agricultural and municipal wastes, and from the harvesting of natural crops, could help farmers and reduce our dependence on imported oil. Lugar and Woolsey predicted that the overall costs of cellulosic ethanol are likely to be in the same ballpark as those of crude oil. A new process proposed by Masada Resources, which is building a plant in Middletown, can convert about 49 pounds of such waste into a gallon of ethanol. Masada's core conversion process is over 60 years old. This can alleviate our solid waste disposal problems and yield a clean, renewable fuel for automobiles and future fuel cells.

******A/T: Successionism******

A/T: Successionism Turn

This Evidence is About the 2000 Energy Bill- Since 9/11 Our Energy Policy Has Shifted- Focusing on Russia, Iraq and Domestic Sources- Not the Regions their Evidence Assumes

Guardian (London) January 23, **2003**

The US energy department frightened politicians with a study in 2001 known as the Cheney report after the former head of Halliburton oil services group, now US vice-president, who wrote it. He predicted that imported oil would need to rise from 10.4 million barrels a day at present to 16.7 million barrels a day by 2020.

The report spelled out the US dependence on a stable energy market and the need for a foreign policy that would protect America's energy supply. "In a global energy marketplace, US energy and economic security are directly linked not only to our domestic and international energy supplies, but to those of our trading partners as well," it said. "A significant disruption in world oil supplies could adversely affect our economy and/or ability to promote foreign and economic policy objectives, regardless of the level of US dependence on oil imports."

George Bush, like Mr Cheney, is a former oil man, as are many of his close staff, so they need no lessons on how the energy world works. As politicians, they also know that their voters' commitment to cheap and available petrol for their car is seen as an inalienable right not far short of bearing arms.

Traditionally, America looked to Saudi Arabia and Venezuela for its crude supplies. But since the September 11 terrorist attacks, carried out in the main by Saudi nationals, the former important Middle East ally has been deemed unreliable while political turmoil in Venezuela has virtually halted exports to the US.

Washington has been wooing Russia and African nations to secure future supplies but there is nothing like the ultra-cheap-to-produce reserves in Iraq sitting just below the desert sands.

THIS EVIDENCE ALSO DOES NOT ASSUME THAT WE INVADED IRAQ

- a) MEANS THAT THE SECESSIONISM SIGNAL IS NOT UNIQUE – KURDS AND SUNNI VS SHIITE ETHNIC CONFLICTS ARE HUGE.
- b) WE CAN GET ALL THE OIL WE NEED FROM THERE – NO IMPERATIVE TO PROVOKE UNEXPLORED REGIONS

A/T: Successionism Turn

CHINA AND INDIA MAKE IT INEVITABLE

Houston Chronicle 2-16-2005

Soaring global oil demand in North America and Asia has already sparked bidding wars for oil reserves between energy companies from the East and West that are trying to secure oil streams from politically-charged places like the Middle East, Africa and even Latin America.

The demand predicament isn't likely to go away any time soon.

As more Chinese drivers take to the road in cars rather than on bicycles, and Indian families increasingly cook on electric ranges instead of over wood-fired flames, surging energy demand in the developing world will sop up oil and natural gas almost as fast as it can be pulled from the ground.

NEW ENERGY BILL NEEDED TO MOVE AWAY FROM IMPORTS

Red Cavaney President and CEO, American Petroleum Institute, FDCH, 2-16-2005

API welcomes this opportunity to present the views of its member companies on national energy legislation. We support passage of comprehensive energy legislation consistent with the H.R. 6 conference report passed by the House of Representatives in the last Congress. We are pleased that the Subcommittee and the full Committee are moving aggressively to pass it. Your swift action will send a powerful signal that the new Congress recognizes the need to address the serious energy problems facing our nation. We also very much appreciate the House's action in passing national energy legislation several times over the past four years.

The Need for National Energy Legislation

The sad fact is that the current policy framework has failed U.S. consumers. The net effect of current oil and natural gas policy is to decrease reliance on U.S. production and increase dependence on foreign imports. Moreover, while crude oil imports have been growing for some time, product imports have also started to grow due to constraints on U.S. refining capacity.

THIS ENERGY BILL IS FOCUSED ON RENEWABLES, CONSERVATION, AND DOMESTIC SUPPLY

Dallas Morning News 2-17-2005

The energy bill would encourage domestic oil and gas production, conservation and development of alternative fuels. Critics say it gives away too much to industry.

******Energy Bill Bad******
Energy Bill=Succession

ENERGY BILL CAUSES SECESSIONISM

Abid **Aslam**, Contributing Editor, Foreign Policy In Focus, 2-11-**2002**
(<http://www.fpif.org/commentary/2001/0107energy.html>)

In the process of pursuing its new energy strategy, the U.S. government risks sparking new conflicts over the allocation of resources and the distribution of wealth. Regardless of their roots, such conflicts often come to be expressed as ethnonationalism or secession. Witness the role of economic liberalization in the breakup of Yugoslavia, which began as a series of disputes over the federal budget and the republics' respective debt burdens. Or consider India's Uttar Pradesh, where well-to-do farmers who benefited from the Green Revolution are now pushing to establish their own state, free from the poverty that characterizes much of the state. (Ironically, the farmers intensified their thus-far-nonviolent campaign after the central government agreed to carve out a new state for marginalized but politicized indigenous groups known as "scheduled tribes.")

Energy Bill Bad- Budget

Energy Bill Collapses Fiscal Discipline

Washington Week, 7/6/05

However, budget watchdogs fear that the bill will balloon to an exorbitant amount in conference. "If the past is any indication, the budgetary waistline of this energy bill will expand so much in conference that it won't be recognizable when it rolls back to the Senate floor," says Ashdown, who predicts the bill could cost \$100 billion when it comes out of conference.

C. FAILURE TO HOLD THE LINE ON SPENDING ENSURES DEFICITS DESTROY THE U.S. ECONOMY

Ornstein '04

(Norman, Resident Scholar / AEI, Roll Call, 7-7)

Today's budget deficit is 4.2 percent of our GDP. That's a large but not alarming number - a figure that, by itself, could be sustainable indefinitely without deeply damaging the economy. But any realistic projection of the revenue base that we can use to cover these future obligations shows a dismal future - one in which the deficit balloons to almost 16 percent of GDP by 2030, and nearly 29 percent of GDP by 2040. That is not merely unsustainable. It's downright catastrophic - the equivalent of a suitcase nuclear bomb set off in the middle of our economy.

All of this is occurring while we blithely go about cutting the tax base and adding funding for a host of other problems, including homeland security, defense, the environment, education and highways - just to name a few that get overwhelming support from Congress and the American people. Our debate about "fiscal discipline" focuses overwhelmingly on the tiny share of the budget that is in discretionary domestic spending. Cut it all out and we still have staggering obligations and huge future deficits.

Energy Bill Kills Economy

Energy Bill Kills Economy- Private Motives Solve

Taylor, '04 (Jerry, CATO, 4/16, http://www.cato.org/pub_display.php?pub_id=2615)

President Bush's contention that the energy bill promises a cure for everything that ails the economy is likewise preposterous. Almost every one of the 1,000-plus pages of the bill is dedicated to throwing taxpayer subsidies at politically favored energy industries. Now, it's no surprise that the companies which will receive this kind of gift are all for it -- or that the employees of those companies and the businesses dependent upon them are likewise charmed by the proposal. But with the federal government already a half trillion dollars in the red, can we really afford such generosity, particularly when the recipients of this tax-funded largesse are among the largest and healthiest corporations in the world?

Nor is there any reason to think that spreading federal tax dollars like pixy dust over uncompetitive technologies will magically transform them from ugly market ducklings into beautiful economic swans. If something like clean coal technology has economic merit, it will have no trouble attracting investors. If it doesn't, then no amount of federal subsidy will magically give it economic merit.

This is not ivory tower theory -- it's hard historical fact. If throwing tax money at "neat-o" technologies that couldn't pull their weight in the marketplace were a worthwhile endeavor, we'd all be driving cars powered by "synfuels," or, alternatively, tooling around in roomy, conventional automobiles getting 75-plus miles per gallon. Meanwhile, we'd be lighting our homes with electricity generated by the neighborhood fusion power plant (or, alternatively, from nuclear power plants delivering electricity that was literally "too cheap to meter"), or would even have unplugged from the power lines completely thanks to ubiquitous, low-cost residential solar energy panels.

Today's political energy fads -- be they "clean coal" technology, hydrogen powered fuel cells, or whatever -- are no different than yesterday's. Nor are today's politicians any better positioned to outguess private investors than yesterday's. All that has changed is a new set of hucksters have come around to fleece a new set of voters. We might as well burn the money and dance around the fire for all the good these expenditures will do.

Putting established energy sectors on the dole is even less justified. If investors can't make a buck by building a natural gas pipeline from the Alaskan North Slope to southern Alaska, then fine -- it tells us that the project will be a net drain on the economy. Likewise, if small oil producers in the Lower48 can't compete with producers elsewhere, it tells us that their labor and capital could be more productively invested elsewhere. Subsidizing such projects and industries simply shovels money into an economic black hole.

Virtually nothing in the energy bill currently languishing in the Senate will improve the performance of America's energy markets. On the contrary, it would transfer money from taxpayers to well-connected energy industries that either don't need the hand out or shouldn't get it in the first place. America should "just say no" to this modern version of political tonic water.

Energy Bill Kills Economy

Energy Bill Doesn't Help Economy or Reduce Fossil Fuel Dependence

Taylor and Becker, '03 (Jerry and Dan, CATO and Sierra Club, 11/3)

A House/Senate energy conference committee is preparing to disgorge a 1,700-page legislative abomination that should cause both the Left and Right to choke. Although the bill has yet to be released, enough is known to conclude that it will be three parts corporate welfare to one part cynical politics. It is **so wholly without merit that even we -- policy analysts from the Cato Institute and the Sierra Club respectively, who rarely agree about anything -- can agree that the bill is a shocking abdication of our leaders' responsibility.**

The centerpiece of the bill is a nearly \$20 billion package of tax breaks and **production subsidies designed to further rig the market to favor well-connected energy producers** (almost all of which already enjoy plenty of federal handouts) at the expense of others. The biggest winners will include nuclear power (a technology investors have shunned for over 20 years), small domestic oil producers (source of the among the highest-cost oil in the world market today), "clean coal" technology (which has yet to produce a commercially operable plant despite billions in public subsidies over the past couple of decades), and various exotic energy technologies that can't attract much private capital from skeptical investors.

In an unrugged market, **a technology with economic merit needs no subsidy.** Likewise, if a technology were without economic merit, no public subsidy -- no matter how large -- would turn an ugly market duckling into a beautiful economic swan.

Ethanol producers are another bunch that will make out like thieves. Apparently, the lavish subsidies bestowed on that industry over the past couple of decades haven't been enough to placate farmers given that the price of corn has dropped by nearly 50 percent since 1985 even while ethanol production has doubled. So Congress and the administration are preparing to put the hammer down to further artificially increase demand for corn with a combination of new ethanol subsidies and preferences.

Make no mistake -- the ethanol program is about nothing other than fattening ADM and other ethanol producers at the expense of others. And ADM counts on the farmers who grow the corn to provide the political muscle. Ethanol does nothing to improve air quality and only uses slightly less oil to manufacture than it displaces upon use. Still, the Midwest is a region that throws its presidential and congressional votes to those that promise farmers the biggest sack of federal loot -- so ethanol we shall have regardless of its merit as a fuel source.

Various energy fads also find their way to the federal trough. The highest profile example is President Bush's \$1.7 billion "Freedom Car" initiative, which promises commercially viable hydrogen powered fuel cells in a couple of decades, though it fails to require that Detroit actually make any vehicles with these new engines.

A bold new idea? Hardly. The same initiative -- accompanied by the same promises -- was part of President Nixon's "Project Independence." Unfortunately, hydrogen-powered fuel cells are only marginally closer to commercial viability today than they were 30 years ago.

It's hard to dismiss the suspicion that the "Freedom Car" initiative would be more aptly titled the "Symbolic Diversion" initiative, particularly because an article in Science reported last July that we could secure the same degree of pollution abatement promised by the Symbolic Diversion Car at 1/100th the price by adopting conventional, off-the-shelf technologies -- all of which the president (oddly enough given his enthusiasm for hydrogen powered fuel cells) opposes if secured through regulation.

Finally, **the bill** slows down but ultimately **forces the restructuring of the electricity sector along increasingly dubious lines.** This, despite the fact that **the deterioration of the transmission system is directly related to the brave new world of managed competition endorsed by this bill.** So, at the end of the day, **the bill establishes a new regulatory scheme that won't solve the system's problems and won't prevent blackouts.**

In sum, for those who are concerned about such things, **this bill will not substantially increase energy supplies, will not reduce dependence on foreign oil, and will not accelerate the development of viable new technologies.** It will, however, provide a politically useful but ultimately dishonest symbol of action while dispensing a stunning amount of pork for the well connected at taxpayer expense.

A good energy bill would remove subsidies and market distortions -- not add to them -- so that energy technologies could compete based on their merits, not their political merit. Unfortunately, that's asking more than either political party seems willing to deliver. That's what leads these two odd bedfellows to call for Congress and the White House to start over. Come up with an energy plan that actually takes us forward. And the current energy bill? Put that in the only place it belongs: the recycling bin.

Energy Bill Kills Economy

Energy Bill Kills Economy and Causes Energy Shocks

Taylor, 5/12/03 (Jerry, CATO, http://www.cato.org/pub_display.php?pub_id=3093)

Consider: The GOP saw fit to force companies to add renewable fuel (i.e., ethanol made from corn) to gasoline even though it takes more energy to produce ethanol than is gained by burning the stuff in engines. Moreover, ethanol is three times more expensive to produce than gasoline (which is why it has to be mandated upon an unwilling fuels industry) and it can't be shipped in pipelines used for standard gasoline. This makes ethanol even more expensive and renders the nation more vulnerable to occasional regional supply shocks. But it is made from corn.

The Republicans also chose to cap the liability faced by owners of nuclear power plants for damages that may result from radiation accidents. But an important first principle of markets is that entrepreneurs should face all the costs of doing business, including the possibility of damages inflicted on third parties

The bill expands the government owned-and-operated Strategic Petroleum Reserve to 1 billion barrels even though the existence of a public inventory undermines the incentive for private inventories. Moreover, political control over inventories increases rather than decreases risk in petroleum market operations and encourages more, not less, price volatility. The GOP also saw fit to reduce the time over which electricity transmission assets are depreciated so that "needed" transmission is built. Yet economists agree that the proper mixture of generation and transmission should be determined by market forces rather than by provisions of the tax code.

Republicans also created a tax deduction for small refiners to comply with new diesel fuel sulphur rules. If the GOP thought the rules were too costly, they should have repealed them. Going this route, however, gives a leg-up to inefficient small corporations and blurs the true cost of environmental regulations.

Another tax credit was established for small crude oil and natural gas producers to increase domestic production. Beyond the silliness of preferring greater domestic production from small companies rather than from large ones, energy prices are set in world markets regardless of how much we import. Fewer imports accordingly make us no less vulnerable to petroleum market shocks.

Energy Bill Not Solve Oil/Warming

Energy Bill Doesn't Solve Oil or Warming

Boston Globe, 7/5/05

THE US SENATE last week **passed** a version of the **energy bill** that is superior to the House's, but that is faint praise. Neither version requires improvements in auto fuel efficiency or limits on the greenhouse gases emitted by power companies or manufacturers. They are both head-in-the-sand packages that will leave the United States vulnerable to oil shortages and price spikes while doing little to curb the global threat of climate change.

Cont....

Nationwide, energy companies have plans for more than 100 new coal plants. The signal they continue to get from Washington despite the Senate's resolution is a green light for an acceleration of this country's production of greenhouse gases.

Energy Bill Doesn't Solve Oil or Warming- Encourages Fossil Fuel Use

Palm Beach Post, 7/3/05

The Senate **Energy Bill** that passed last week 85-12 is better than the House bill, but it doesn't rate rave reviews.

With oil prices topping \$60 a barrel, the bill does **little** to address the underlying causes of high energy prices and the nation's **dependence** on foreign oil. It authorizes an inventory of oil and gas resources in coastal waters that could lead to drilling off Florida's shores, a potential disaster for tourism. And it does nothing to address global warming, though senators said in a nonbinding "sense of the Senate" resolution they like the idea of mandatory controls of the industry-generated gases that contribute to the problem. Nice words, and many hope this first official recognition of global warming by some Republicans will translate into positive legislation in the future.

Energy Bill Not Lower Oil Prices

Energy Bill Has No Effect on Oil Prices- Chinese Demand

Boston Globe, 7/3/05

The rise of China is also having a profound impact on the US economy. China's insatiable thirst for oil has pushed the price of crude to nearly \$60 a barrel. Over the past two years China has absorbed 35 percent of the world's increased output of oil. The US Senate last week passed an energy bill designed to boost production and encourage conservation. But the truth is, if Chinese demand continues to grow briskly, the price of oil is likely to stay relatively high no matter what the Senate has to say about it.

Energy Bill Won't Effect Short Term Prices

Dallas Morning News, 6/30/05

Neither version will actually bring down energy prices in the short term, something even the politicians will admit, if pressed. So walking away with no bill _ as happened in last year's energy conference committee _ would be no real tragedy.

Now, the sticking points:

Subsidies for oil and gas producers: The House bill is full of them; most should go. As Bush has said, with oil above \$50 a barrel, taxpayers don't need to pay companies to search for it.

Energy Bill Won't Effect Short Term Prices

Times Picayune, 6/29/05

Even if they reach a compromise, congressional leaders said, the legislation will do little immediately to lower gasoline prices, which average \$2.11 a gallon on the Gulf Coast, up more than 30 cents from a year ago, according to the Department of Energy.

"This bill doesn't bring down the price at the pump or the price of natural gas or electricity in the near term," said Sen. Jeff Bingaman, D-N.M., the top-ranking Democrat on energy issues. "But it puts in place policies that will be very good for American consumers."