# Agenda Politics

## Links

Generic Infrastructure Link

Public distrusts where infrastructure investment goes

Orski, February 5, [2012, Ken, “WHY PLEAS TO INCREASE INFRASTRUCTURE FUNDING FALL ON DEAF EARS” newgeography, <http://www.newgeography.com/content/002662-why-pleas-increase-infrastructure-funding-fall-deaf-ears>]

There are various theories why appeals to increase infrastructure spending do not resonate with the public. One widely held view is that people simply do not trust the federal government to spend their tax dollars wisely. As proof, evidence is cited that a great majority of state and local transportation ballot measures do get passed, because voters know precisely where their tax money is going. No doubt there is much truth to that. Indeed, thanks to local funding initiatives and the use of tolling, state transportation agencies are becoming increasingly more self-reliant and less dependent on federal funding Another explanation, and one that I find highly plausible, has been offered by Charles Lane, editorial writer for the Washington Post. Wrote Lane in an October 31, 2011 Washington Post column, "How come my family and I traveled thousands of miles on both the east and west coast last summer without actually seeing any crumbling roads or airports? On the whole, the highways and byways were clean, safe and did not remind me of the Third World countries. ... Should I believe the pundits or my own eyes?" asked Lane ("The U.S. infrastructure argument that crumbles upon examination"). Along with Lane, I think the American public is skeptical about alarmist claims of "crumbling infrastructure" because they see no evidence of it around them. State DOTs and transit authorities take great pride in maintaining their systems in good condition and, by and large, they succeed in doing a good job of it. Potholes are rare, transit buses and trains seldom break down, and collapsing bridges, happily, are few and far between. The oft-cited "D" that the American Society of Civil Engineers has given America’s infrastructure (along with an estimate of $2.2 trillion needed to fix it) is taken with a grain of salt, says Lane, since the engineers’ lobby has a vested interest in increasing infrastructure spending, which means more work for engineers. Suffering from the same credibility problem are the legions of road and transit builders, rail and road equipment manufacturers, construction firms, planners and consultants that try to make a case for more money. This does not mean that the country does not need to invest more resources in preserving and expanding its highways and transit systems. The "infrastructure deficit" is real. It’s just that in making a case for higher spending, the transportation community must do a much better job of explaining why, how and where they propose to spend those funds. Unsupported claims that the nation’s infrastructure is "falling apart" will not be taken seriously. People want to know where their tax dollars are going and what exactly they’re getting for their money. Infrastructure advocates must learn from state and local ballot measures to justify and document the needs for federal dollars with more precision so that the public regains confidence that their money will be spent wisely and well.

#### Transportation spending alienates moderates

CRNC, June 4

[2012 “ Obama Threatens Bold Agenda When Republican “Fever” Breaks” http://www.crnc.org/2012/06/04/obama-threatens-bold-agenda-when-republican-fever-breaks/]

“I believe that if we’re successful in this election, when we’re successful in this election, that the fever may break, because there’s a tradition in the Republican Party of more common sense than that,” Obama said to the crowd at the $5,000 per-plate fundraiser. “My expectation is that if we can break this fever, that we can invest in clean energy and energy efficiency because that’s not a partisan issue.” Other items on the to-do list once the conservative sickness passes apparently include a tax-laden deficit reduction plan, immigration reform, and a mass-transit focused highway bill. Or at least, that’s all the stuff he was willing to own up to. Of course the reality is probably even more frightening. Without having to worry about reelection, Obama could toss aside any political concerns, worrying fretting about alienating moderates, and slide even further towards the left-wing. Should he be reelected you can be sure the modest spending restraint he’s been forced to show in the last few months will be forgotten in favor of more spending, more nationalization, and more regulation.

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#### Infrastructure programs empirically incur political backlash

Callen 2009 [Zachary, University of Chicago,

“THE SEAMS OF THE STATE: INFRASTRUCTURE AND INTERGOVERNMENTAL RELATIONS IN AMERICAN STATE BUILDING” Department of Political Science, Philosophy Dissertation, http://gradworks.umi.com/3369449.pdf]

This national involvement makes sense, since infrastructure projects are expensive, often require overcoming coordina- tion puzzles that involve multiple levels of governance, and are central to the nation-state’s objectives of defense and economic development. Despite these considerations, the earliest American infrastructure projects were undertaken primarily by state and local governments. Of course, the national state was not fully divorced from early internal improvement efforts. In a few cases, the national state did supply manpower and funds for early trans- portation infrastructure projects, such as canals and turnpikes (Maass, 1951). However, the decentralized nature of American federalism handicapped the majority of meaningful 153 national attempts to participate in infrastructure production. There were two persistent barriers restricting national involvement in infrastructure promotion. First, the Constitution itself limited the reach of the national state, so questions were continually raised through- out the antebellum period over whether the federal government could legally even build an infrastructure system. More politically relevant, regional competition also stalled any at- tempts at national action on the antebellum infrastructure problem. State representatives feared that federal aid would assist some regions while overlooking others, effectively offering an enormous advantage to regional rivals (Larson, 2001). Given the competition that fuels a great deal of interstate interaction in the United States, the risk of losing federal public works projects led to significant opposition to the bulk of American internal improvement schemes for most of the 18th and early 19th centuries.

Infrastructure changes fuel political tensions

Callen 2009 [Zachary, University of Chicago,

“THE SEAMS OF THE STATE: INFRASTRUCTURE AND INTERGOVERNMENTAL RELATIONS IN AMERICAN STATE BUILDING” Department of Political Science, Philosophy Dissertation, http://gradworks.umi.com/3369449.pdf]

The broader implication, then, is that institutional structures do not merely constantly replicate themselves, in an ongoing, positively reinforcing feedback loop (DiMaggio and Pow- ell, 1983). To the contrary, at the same time that institutions produce logics that rebuild their current arrangements, institutions also generate tensions that generate institutional change. 161 Thus, institutional logics can both corrode current processes, and at the same time, also gen- erate new rules to replace the system currently buckling under its own weight. This suggests a more organic, flowing approach to institutional change, contingent on internal contradic- tions rather than external interference. This tendency for institutions to generate internal tensions that cause fragmentation and then reconstitution is especially strong in multi-level institutional systems, where there are multiple spheres interacting with one another. In such circumstances, there is both greater competition across fields as well as the generation of new ideas that can travel across institutions, thereby challenging existing structures. Hence, increasing institutional complexity, though it may enhance an institutional system’s reach, also introduces fragility and impermanence into that same structure. Furthermore, the teetering nature of American federalism, and the tendency of local imbalances to fuel national state growth, is limited to neither railroads nor antebellum politics.

#### Americans dislike infrastructure spending

Council on Foreign Relations, June 2012 (Road to Nowhere: Federal Transportation Infrastructure Policy, p. 5)

WHAT THE PUBLIC WANTS Though Americans share Obama’s enthusiasm for making infrastructure improvement a priority, nationwide opinion polls suggest they oppose typical options for funding it. A 2011 Rockefeller Foundation poll found that nearly 80 percent of voters agree that “in order for the United States to remain the world’s top economic superpower we need to modernize our transportation infrastruc- ture and keep it up to date.”15 Two out of three voters believed improving the country’s transporta- tion infrastructure is “highly important.” Yet similar margins do not want to have to pay for it: 71 percent oppose increasing the gas tax, 64 percent oppose new tolls on existing roads and bridges, and 58 percent oppose paying more for each mile driven. FUTURE PROSPECTS Congress has four broad options: continue transfers from the general fund, increase gas taxes, find other revenue sources, or spend less. Republican leaders oppose tax increases or higher deficits. The Republican House version of the highway bill proposes using alternative revenue streams, such as new offshore gas and oil exploration royalties, to fill the highway fund gap and keep transportation spending at current levels, adjusted for inflation, for five years. The Democratic Senate version would authorize roughly two years of spending at current levels, adjusted for inflation, borrowing from the general fund and other smaller funds (e.g., for pensions and for repairing leaking underground tanks). Negotiations for a long-term highway bill have collapsed, however. Few policymakers expect passage of a long-term bill before the 2012 election. Good ideas contained in both the Republican and Dem- ocratic bills—including the tenfold increase in TIFIA federal funding to leverage more private capi- tal—will remain on the backburner until then. But even if some combination of the two pending highway bills had passed, the fundamental prob- lems of U.S. transportation policy would have remained unresolved. Neither bill offers a long-term revenue solution to the highway fund shortfall. It is unlikely the Re- publicans’ scheme of using energy exploration royalties would cover the gap. The Democrats’ scheme is hardly better, diverting precious federal dollars from other programs. Neither bill increases real spending levels. The status quo is the best option on the table—levels at which the United States will struggle simply to maintain, much less improve, its transportation infra- structure. And neither bill sets a clear strategic plan about what the country’s transportation infrastructure priorities should be.16 Federal funding allocation decisions continue to follow the same formulas that have been in place for decades, which favor highway and road projects spread evenly across the coun- try. To be sure, programs like TIGER, which distribute funds based on merit, or TIFIA, which dis- tribute funds based on financial viability, are welcome, albeit small and limited, steps in the right di- rection, as is giving the private sector a larger role in transportation project finance, especially with an estimated $500 to $600 billion in private equity waiting in the wings ripe for such investments.17 Pri- vate money could inject greater accountability and sensitivity to shifting consumer demand. But a more thoughtful federal funding plan would set strategic long-term goals to better target appropria- tions, gauge project merit, and guide private investment decisions. If the country is serious about en- ergy independence, for example, more resources could be devoted to mass transit and rail. Or, with economic growth now more dependent on a robust export economy, more resources could be devot- ed to shoring up some regional corridors over others. With or without a set of national transportation strategic priorities, more responsibility is set to devolve to state and local municipalities and the private sector. There is some indication that local municipalities are stepping up to the challenge, with the support of voters who appear more willing to pay for improving their own local infrastructure. Since 2000, 71 percent of state and local trans- portation ballot initiatives have passed.18 In several western cities—Los Angeles, Denver, Phoenix, Las Vegas, and Salt Lake City—voters agreed to raise their own sales tax to finance specific local in- frastructure projects. Without using any federal funds, Chicago is embarking on an ambitious multi- billion-dollar, multiyear infrastructure improvement plan, complete with an infrastructure fund to leverage private capital.19 6 7 But Washington needs to meet this challenge with positive initiatives. Infrastructure can still be a priority in tight fiscal times. It was for the United Kingdom in 2010: when the Conservative govern- ment enacted painful austerity measures that cut 20 percent of government agencies’ funding, it also committed the country to a $320 billion, five-year national infrastructure plan.20 Today’s favorable environment of low long-term interest rates and depressed construction costs will not last indefinite- ly. Stronger U.S. economic growth in the future will depend heavily on the decisions made today.

Infrastructure Investment Link

Infrastructure investment is politically explosive

Shrum, July 2 [2012, Robert, “The Right-Wing Backlash Against John Roberts” The Daily Beast,

http://www.thedailybeast.com/articles/2012/07/02/the-right-wing-backlash-against-john-roberts-over-obamacare.html]

Republican politicians have to satisfy a base that instinctively, bitterly, rejects anything and everything that comes from Obama as fundamentally un-American. Many in that base just can’t abide an African-American in the White House. For them, the anti-Vietnam War Bill Clinton was an illegitimate president and Obama even more so, because Republicans have a natural right to rule in the name of the old majority that is fading away as America becomes a majority of minorities, patriotic but no longer a patriarchy, a nation, too, of immigrants and gays. The resulting backlash to this, the grievance and paranoia, have been harnessed to the self-interest of plutocrats like the Koch brothers, the supermen of the super PACs. They don’t share or care about the Snopesian reflex against diversity and equality, except as it suits their own ends. They play on it to trick people into voting against themselves, against their own economic prospects, in order to restore the era of the robber barons. As this conspiracy-ridden, billionaire-fueled process strengthens its hold, the Raving Loony Party has turned on its own history. Recall the achievements of modern Republican presidents. Dwight Eisenhower built the interstate highway system; today’s GOP reviles any such large-scale investment in infrastructure as profligate government excess. Richard Nixon’s Environmental Protection Agency—and it’s irrelevant whether he really cared about the issue or simply compromised—is now a Republican target for disempowerment, dismemberment, or outright extinction. Immigration reform that provides a path to citizenship, negotiated with Ted Kennedy and signed into law by Ronald Reagan in 1986, is a mortal sin that must never be repeated. And George H.W. Bush’s agreement to increase taxes, as critical as Bill Clinton’s economic plan was in achieving the balanced budget of the late 1990s, is a cardinal heresy.

Transportation infrastructure costs political capital

Ong, July 18th [Carah, Miller Center: University of Virginia, 2012, “Solving the Rancor of Executive Privilege Disputes” http://millercenter.org/ridingthetiger/category/narrative-2012]

Although President Eisenhower signed the 1954 Federal Aid Highway Act in the days following Nixon’s speech, both Congress and state leaders resisted the bill because of costs and Eisenhower’s insistence that it be budget-neutral. But, the president pressed his case to Congress and eventually struck a deal with governors, creating a national gasoline tax to fund the interstate system. On June 29, 1956, President Eisenhower signed the Federal-Aid Highway Act, which authorized the building of the interstate highway system, the largest public works project in the nations history, providing $25 billion for the construction of 41,000 miles of roads over a period of 20 years. The nation faces a very similar challenge today in its declining transportation infrastructure. This Spring, the Miller Center released a report, titled “Are We There Yet? Selling America on Transportation” that calls attention to the nation’s transportation infrastructure challenges. The report puts the situation frankly: Two imperatives have collided: on the one hand the imperative to invest in a transportation system that will continue to grow our nation’s economy, create jobs, and enhance U.S. competitiveness; on the other hand, the imperative to come to grips with the nation’s short- and long-term fiscal problems, including especially the federal treasury’s unsustainable and still growing level of debt. In short, it’s not that our political leaders don’t agree that transportation is important or that infrastructure investments are needed; rather they can’t agree on whether or how to fund those investments given the current budget situation.

Congress doesn’t want infrastructure spending

Orski, February 5, [2012, Ken, “WHY PLEAS TO INCREASE INFRASTRUCTURE FUNDING FALL ON DEAF EARS” newgeography, <http://www.newgeography.com/content/002662-why-pleas-increase-infrastructure-funding-fall-deaf-ears>]

Finding the resources to keep transportation infrastructure in good order is a more difficult challenge. Unlike traditional utilities, roads and bridges have no rate payers to fall back on. Politicians and the public seem to attach a low priority to fixing aging transportation infrastructure and this translates into a lack of support for raising fuel taxes or imposing tolls. Investment in infrastructure did not even make the top ten list of public priorities in the latest Pew Research Center survey of domestic concerns. Calls by two congressionally mandated commissions to vastly increase transportation infrastructure spending have gone ignored. So have repeated pleas by advocacy groups such as Building America’s Future, the U.S. Chamber of Commerce and the University of Virginia’s Miller Center. Nor has the need to increase federal spending on infrastructure come up in the numerous policy debates held by the Republican presidential candidates. Even President Obama seems to have lost his former fervor for this issue. In his last State-of-the-Union message he made only a perfunctory reference to "rebuilding roads and bridges." High-speed rail and an infrastructure bank, two of the President’s past favorites, were not even mentioned. Why pleas to increase infrastructure funding fall on deaf ears There are various theories why appeals to increase infrastructure spending do not resonate with the public. One widely held view is that people simply do not trust the federal government to spend their tax dollars wisely. As proof, evidence is cited that a great majority of state and local transportation ballot measures do get passed, because voters know precisely where their tax money is going. No doubt there is much truth to that. Indeed, thanks to local funding initiatives and the use of tolling, state transportation agencies are becoming increasingly more self-reliant and less dependent on federal funding Another explanation, and one that I find highly plausible, has been offered by Charles Lane, editorial writer for the Washington Post. Wrote Lane in an October 31, 2011 Washington Post column, "How come my family and I traveled thousands of miles on both the east and west coast last summer without actually seeing any crumbling roads or airports? On the whole, the highways and byways were clean, safe and did not remind me of the Third World countries. ... Should I believe the pundits or my own eyes?" asked Lane ("The U.S. infrastructure argument that crumbles upon examination"). Along with Lane, I think the American public is skeptical about alarmist claims of "crumbling infrastructure" because they see no evidence of it around them. State DOTs and transit authorities take great pride in maintaining their systems in good condition and, by and large, they succeed in doing a good job of it. Potholes are rare, transit buses and trains seldom break down, and collapsing bridges, happily, are few and far between. The oft-cited "D" that the American Society of Civil Engineers has given America’s infrastructure (along with an estimate of $2.2 trillion needed to fix it) is taken with a grain of salt, says Lane, since the engineers’ lobby has a vested interest in increasing infrastructure spending, which means more work for engineers. Suffering from the same credibility problem are the legions of road and transit builders, rail and road equipment manufacturers, construction firms, planners and consultants that try to make a case for more money. This does not mean that the country does not need to invest more resources in preserving and expanding its highways and transit systems. The "infrastructure deficit" is real. It’s just that in making a case for higher spending, the transportation community must do a much better job of explaining why, how and where they propose to spend those funds. Unsupported claims that the nation’s infrastructure is "falling apart" will not be taken seriously. People want to know where their tax dollars are going and what exactly they’re getting for their money. Infrastructure advocates must learn from state and local ballot measures to justify and document the needs for federal dollars with more precision so that the public regains confidence that their money will be spent wisely and well.

Republicans hate infrastructure investment

Hartmann, July 12 [2012, Thom, Hartmann is a New York Times bestselling Project Censored Award winning author and host of a nationally syndicated progressive radio talk show. “On the News With Thom Hartmann: Public Transportation System Is Failing Low-Income Workers, and More” truth-out.org,

http://truth-out.org/news/item/10298-on-the-news-with-thom-hartmann-public-transportation-system-is-failing-low-income-workers]

In screwed news...our public transportation system is failing low-income workers. According to a new study by the Brookings Institute – only a quarter of Americans can get to work in less than 90 minutes using public transportation. For a lot of Americans who can't afford a car – or the gas to commute the average 13 miles it takes for the typical American to get to work – then public transportation is the only option. But that means long, exhausting commutes. The study goes on to recommend that it's, "critical then for the nation to focus on smart transit investments." That means spending federal money on infrastructure – something that Republicans in Congress have absolutely refused to do, despite the fact that America currently has a $2 trillion infrastructure deficit – meaning we need at least $2 trillion worth of repairs just to get everything up-to-date.

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Map-21 is a congressional failure – leaves major problems unresolved

Klein, July 13th [2012, Ezra, “14 reasons why this is the worst Congress ever” Washington Post,

http://www.washingtonpost.com/blogs/ezra-klein/wp/2012/07/13/13-reasons-why-this-is-the-worst-congress-ever/]

The transportation-infrastructure fiasco. Surface transportation bills are where Congress deals with another of the most fundamental jobs of federal governance: Setting aside money for roads, runways, bridges, and subways systems, and other mainstays of our transportation infrastructure. Sen. Dick Durbin called them “the easiest bill[s] to do on Capitol Hill.’ At least, they used to be. In 2005, Congress passed, and President George W. Bush signed, the Safe, Accountable, Flexible, Efficient Transportation Equity Act. That bill expired in September 2009. But Congress couldn’t agree on a replacement. What followed were 10 short-term extensions of the transportation funding. “Stopgaps,” in congressional parlance. Finally, on June 29 of this year, Congress passed the Moving Ahead for Progress in the 21st Century Act. But rather than setting transportation policy for four or five years, as was the previous norm, it only set it for two years. And it left most of the major problems — like how to handle the the increasing inadequacy of the gas tax — for later.

Link- Aviation

Congress dislikes aviation spending

Flightglobal, 2012 [July 22, The service puts a wealth of global intelligence at your fingertips, covering everything from airline fleets, routes and traffic, through to aircraft finance, industry regulation and more. Worldwide specialist editors and data researchers are dedicated around the clock to uncovering the information that really matters. “US Congress fails to pass FAA funding extension” Flightglobal, http://www.flightglobal.com/news/articles/us-congress-fails-to-pass-faa-funding-extension-359858/]

Members of the US Congress have adjourned for a week without passing an FAA funding extension, which means the agency will need to furlough roughly 4,000 employees. The Senate failed to approve an extension that passed the US House that entailed capping the subsidy in the Essential Air Service (EAS) programme at $1,000 per passengers. The current funding extension expires at midnight on 22 July. Members of the Senate pushed for a "clean" bill without any stipulations. "I'm very disappointed that Congress adjourned today without passing a clean extension of the FAA bill," said US Department of Transportation Secretary Ray LaHood. "Because of their inaction, states and airports won't be able to work on their construction projects, and too many people will have to go without a paycheck. While the political differences resulted in failure to pass a funding extension, analysts at JP Morgan noted the shutdown would result in the collection forfeiture of numerous airline taxes levied at the time of purchase, including a 7.5% domestic ticket tax. The FAA has been running on funding extensions passed by Congress since 2007 when the previous multi-year reauthorisation to fund the agency expired. Since that time the US House and Senate have been haggling over passing a new reauthorisation bill. Previous extensions have allowed FAA to continue collecting ticket and fuel taxes for its continuing operations.

Congress now dislikes aviation security spending

Hinton, 2011 [Christopher, 9/8

“A decade after 9/11, airport security shifts focus” http://articles.marketwatch.com/2011-09-08/economy/30745751\_1\_rapiscan-airport-security-covenant-aviation-security]

WASHINGTON (MarketWatch) — When the terrorist Mohamed Atta walked through security checkpoints at the airports in Portland, Maine and in Boston on Sept. 11, 2001, it was a fragmented screening system that made it possible for him to reach his flight. A decade and tens of billions of tax dollars later, experts say airport security improved dramatically even as the flying public grumbled about the growing layers of scrutiny confronting them. The government takeover strengthened screening standards, and a huge investment in high-tech body scanners has made it harder for terrorists to target aircraft. Now spending is expected to level off as the bulk of the scanner investment winds down over the next few years and Congress seeks to shrink the national budget deficit. But there are still plenty of growth opportunities for business and investors as the government agency that manages airport security shifts its strategic emphasis from stopping weapons to finding people. It’s a potential $4 billion market for private industry, based on what the Transportation Security Administration, or TSA, currently spends on aviation security. “Businesses that are good at data analysis, behavior-pattern recognition, big data handling, data-visualization — all ought to come out ahead,” said Stewart Baker, who headed the Department of Homeland Security from 2005 through 2009.

CO2 Capture

Congress doesn’t support CCS

CBO, June [2012, “Federal Efforts to Reduce the Cost of Capturing and Storing Carbon Dioxide” Congressional Office of the United States, http://www.cbo.gov/sites/default/files/cbofiles/attachments/43357-06-28CarbonCapture.pdf]

Reduce or Eliminate DOE’s Support for CCS Given the limits on DOE’s ability to lower the costs of CCS through its currently planned activities, lawmakers could substantially reduce or discontinue funding for both developing and demonstrating the technology. If little coal-fired generation capacity was being built in the United States, lawmakers might decide that the develop- ment of technologies such as CCS would have little effect on either reducing CO2 emissions or preserving the nation’s ability to use coal-fired power plants in the future. Moreover, even if DOE’s cost reduction target was attained, coal-fired plants with CCS would not be com- petitive with plants that lacked the technology unless policies were adopted that imposed costs on carbon emissions. Scaling back or eliminating the CCS programs would reduce the need for future annual appropriations for those activities. Moreover, eliminating larger-scale technology demonstration projects would reduce DOE’s involvement in fields in which the agency has a mixed track record and in which U.S. industry is generally not poised to follow up with subsequent investment. An option that would reduce or discontinue support for CCS would not necessarily apply to the funding already provided for demonstration projects, however. Much of that money has been obligated (that is, legally committed for some purpose that will result in outlays) but not yet spent, and because of the CCS-equipped demonstration plants that have been canceled or put on hold, a great deal of it may never be spent. The eventual disposition of those obligated but unspent funds is currently unknown. Because DOE has signed agreements with several private investors to help pay for the five large-scale demonstra- tion plants that are still being built or that are planned to be built, spending for CCS could not be eliminated immediately. In addition, because of existing agreements, DOE might bear some shutdown costs if its support of those plants was terminated or reduced.

Congress won’t like the plan – they prioritize more immediate concerns

IRGC, 2009 [Geneva, 2009, International Risk Governance Council, “Power plant CO2 capture technologies Risks and risk governance deficits” http://www.irgc.org/IMG/pdf/Power\_Plant\_CO2\_Capture\_CN.pdf]

This deficit has to do with “a tendency to ignore long-term risks and costs relative to the day-to-day needs that seem to be – and sometimes are – urgent” [IRGC 2009]. This deficit arguably applies to climate change mitigation measures in general, not solely to power plant CO2 capture systems. Symptomatic of this deficit, however, is the relatively slow pace of progress in demonstrating the viability of capture and storage in full-scale power plant applications – a need that has been recognised and widely promoted by governments, as well as industry, for many years, but which nevertheless remains elusive. For example, current timetables in the EU envision up to twelve such demonstrations within the next five years, but the financing of such projects is contingent on income from a carbon pricing policy that has yet to be implemented. In the US, promises of government funding for large-scale projects are often contingent on annual appropriations by the US Congress, which may or may not materialise. Immediate concerns often slow or prevent actions to address longer-term issues and risks.

Hazardous Waste

Republicans want waste in Yucca

eNewsUSA 2/2 [2012, “Is It Time To Move Past The "Obsession With Yucca Mountain"?” http://enewsusa.blogspot.com/2012/02/is-it-time-to-move-past-obsession-with.html

The Commission's proposal for a "consent-based approach to siting future nuclear waste management facilities" was met with some opposition from Republican members and witnesses who argued we must follow the law and build Yucca Mountain. Congress decided Yucca Mountain was the best available option for our nation's nuclear waste over 25 years ago. Committee members pointed out that decades of work and billions of taxpayer and ratepayer dollars were poured into the project, only to have it shuttered by the Obama administration. Given the urgency of our nation's nuclear crisis, we do not have the time or the money to start over. In response to the Republican position, full Committee Ranking Member Henry Waxman (D-CA) said in an opening statement, "Twenty-five years after the 1987 amendments to the Nuclear Waste Policy Act, it is clear that this top-down, federally mandated approach has not worked. The Department of Energy has terminated its Yucca Mountain activities. Last year – and again this year – Congress has provided no funding for Yucca Mountain. Even the biggest advocates for Yucca Mountain in the Republican House have not acted to provide any funding. . . The Blue Ribbon Commission spent nearly two years conducting this review and its recommendations are timely. The Commission recommendations deserve our serious consideration. They raise a number of important policy questions, such as whether a new organization should be established to address the nuclear waste problem, how the Nuclear Waste Fund should be used, and whether one or more centralized storage facilities should be developed in addition to one or more geologic repositories. Answering these questions requires an open mind and a willingness to move past a narrow obsession with Yucca Mountain. The Senate Energy & Natural Resources (ENR) Committee, Chaired by Senator Jeff Bingaman (D-NM), with Ranking Member Lisa Murkowski (R-AK) is conducting a hearing on the report today (February 2). The witnesses simply include the two co-chairmen Hamilton and Scowcroft who are expected to deliver their same joint statement.

Bipartisan congressman oppose waste transportation

Washington Post, 2011 [July 28, Steven Mufson “Yucca Mountain commission to recommend that a new site be found for nuclear waste” http://www.washingtonpost.com/business/economy/yucca-mountain-commission-to-recommend-that-a-new-site-be-found-for-nuclear-waste/2011/07/28/gIQAhayrfI\_story.html]

A blue-ribbon commission assigned by President Obama in January 2010 to come up with an alternative to the plan for a nuclear waste repository at Nevada’s Yucca Mountain will recommend that at least one new site be found to store waste left over from the nation’s nuclear power plants, people familiar with the report said Thursday. The commission — chaired by former Democratic congressman Lee Hamilton and Brent Scowcroft, national security adviser to President George H.W. Bush — does not suggest where that storage site would be located. Their report, to be issued Friday, does urge the creation of a new federal corporation to manage the site, rather than turning it over to the Energy Department, which is responsible for managing nuclear waste. And it recommends guidelines for a selection process — such as giving local communities, but not states, the power to veto a facility. Many members of the commission believe that New Mexico, which already has a nuclear waste storage facility, might prove more receptive than Nevada to a federal waste site. The group also recommends finding an interim storage site for waste that is now being stored at 10 closed reactors at nine different sites. All but one of the sites have the used nuclear fuel in dry casks, and the commission said there would be fewer security risks if the waste were stored in one place. Critics say that any central waste site would require costly preparations and expensive and potentially hazardous transportation, while dry casks commonly used at power plants could last decades. Obama asked Energy Secretary Steven Chu to create the 15-member commission after his administration decided against going ahead with long-delayed plans to create a national nuclear waste storage site at Yucca Mountain. For years, electric utilities with nuclear power plants paid about $23 billion in fees to the federal government to finance the repository, and substantial preparation was done at the Nevada site. Some of those utilities have filed lawsuits to recover the money. Opponents of the Yucca site pointed to possible corrosion, water contamination and earthquake hazards. The issue of nuclear waste storage flared up after an earthquake and resulting tsunami rocked the Fukushima Daiichi complex in Japan in March. Damage there extended to the spent fuel pools, which contributed to the release of radioactive materials. The report contains no dissenting opinions, but members of the commission could not reach agreement on whether to move ahead with reprocessing of used nuclear fuel, a process used today in France. One person who was familiar with the commission’s deliberations and asked for anonymity to preserve relationships with commission members said that even members who favored reprocessing did not believe that it would eliminate or even significantly reduce the need for nuclear waste storage over the next three decades.

Republicans hate the plan because they want Yucca

Restuccia, 12 [1/26, Andrew, “Federal commission urges permanent nuclear waste storage strategy” The Hill,

<http://thehill.com/blogs/e2-wire/e2-wire/206861-federal-commission-calls-for-permanent-nuclear-waste-storage-site>]

Policymakers must act quickly to establish at least one site to permanently dispose of the country’s nuclear waste, a federal commission created by President Obama said Thursday. The Blue Ribbon Commission on America's Nuclear Future takes no position on the Obama administration’s decision to scuttle long-delayed plans to store spent fuel and nuclear waste at Yucca Mountain in Nevada. But the commission’s final report, released Thursday after two years of deliberation, says the Obama administration must work with states to quickly identify and develop a site for the permanent geologic storage of waste. "The need for a new strategy is urgent, not just to address these damages and costs but because this generation has a fundamental, ethical obligation to avoid burdening future generations with the entire task of finding a safe, permanent solution for managing hazardous nuclear materials they had no part in creating," the report says. The issue has plagued policymakers for decades. Congress first identified Yucca Mountain as the site for permanent nuclear waste storage in 1987, but the project has seen years of delay. The Obama administration ultimately halted work on Yucca, a move that Republicans say was motivated by politics, not science. The commission — which is co-chaired by former Rep. Lee Hamilton (D-Ind.) and former national security adviser Brent Scowcroft — recommends that policymakers use a “consent-based approach” to determining waste storage and disposal sites. Under that approach, states and communities would be given more input on whether they want to house a storage facility. Many Nevada citizens and politicians, including Senate Majority Leader Harry Reid (D-Nev.), were vocally opposed to Yucca Mountain. The report also recommends establishing an independent agency responsible for nuclear waste management. The Energy Department currently oversees waste storage and disposal. About 65,000 tons of spent nuclear fuel is being stored at 75 nuclear reactors around the country. Experts have long called for a permanent storage site. Republicans on the House Energy and Commerce Committee applauded the report Thursday. "The commission underscored the need for prompt action on a long-term storage disposal facility, and we believe Yucca Mountain remains the most shovel-ready, thoroughly studied option," committee Chairman Fred Upton (R-Mich.) and Environment and the Economy subcommittee Chairman John Shimkus (R-Ill.), both strong supporters of Yucca Mountain, said in a statement.

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Republicans want to open waste restrictions

Grijalva 5/31 [Raul, Daily Kos, “House Republicans Try to Gut The Clean Water Act” http://www.dailykos.com/story/2012/05/31/1096312/-House-Republicans-Try-to-Gut-The-Clean-Water-Act]

In a misguided effort to make things easier for their corporate friends, House Republicans are pulling out all the stops this year to roll back laws that have protected our water supply for decades. The Clean Water Act, a historic piece of legislation passed in 1972 on a bipartisan basis, is at risk of being severely weakened in a few days while no one watches. We can’t have a healthy, successful nation if we’re willing to trade our most important natural resources for a few dollars in a few well-connected pockets. This is not the first time the law has been threatened, but it’s the most serious showdown in years. Since its passage the Clean Water Act has protected our streams, rivers and lakes that provide fresh drinking water and recreation for millions of Americans. Unfortunately, two confusing and misguided Supreme Court decisions handed down in 2001 and 2006 left nearly 60 percent of our country’s streams, at least 20 million acres of wetlands, and 117 million Americans’ drinking water at increased risk of pollution. The George W. Bush administration used those two decisions as an opportunity to exclude many water sources from protection and make enforcing pollution controls much more difficult. Today the Environmental Protection Agency is working to restore these protections. Instead of helping that effort, House Republican leaders are advancing an energy and water appropriations bill that prevents the administration from applying the Clean Water Act to many of our country’s streams, lakes, rivers, and wetlands. If the bill becomes law, the effect would be immediate. We're expecting the final House vote next week. My home state of Arizona stands to bear the worst of this attack. Very suddenly, 79 percent of our streams would be open to toxic waste dumping and other forms of pollution and contamination. If my conservative colleagues get their way, the Clean Water Act would simply no longer apply. It’s time the House majority set aside corporate special interests and put the best interests of the public first. Arizona demands it, the country demands it, and it’s the right long-term decision for the economy. Arizona has faced some hard decisions over the years about how to keep clean water flowing out of our faucets. We all know and remember the importance of conserving water and planning wisely for the future, both in our cities and in rural areas. This misguided Republican effort doesn’t just put 3.3 million Arizonans -- and many more millions of Americans around the country -- at risk, it throws years of careful decision-making out the window. All our efforts to date would be for nothing. Residents of Phoenix and Maricopa County -- more than 3.8 million at last count -- have much to lose. The EPA estimates that 3,014,148 people in the area will be at risk of having their drinking water polluted if these Clean Water Act protections are not guaranteed. These aren’t just scary numbers, they’re the truth. If we don’t stop this dirty water bill, 79 percent of Maricopa County residents, not to mention almost 146,000 residents of Yuma County, could pay an unacceptable price with their water, their health, and even their lives. This will be just one of the many anti-environmental votes forced by the House Republican majority this year. Whatever else it does, it highlights the cynical attitude that guides their policy decisions. Clean water is not a luxury we buy when we’re rich and ignore when we’re not. It’s a basic human need that shouldn’t be sold to the highest corporate bidder, especially when it’s Congress -- sent to Washington to do the people’s business -- that’s doing the selling. Arizona can't afford this threat to clean water. Neither can any other state. The many existing strains on this country’s diminishing clean water supplies, from industrial pollution to extreme forms of energy extraction to growing populations and changing climate, are enough for us to handle.

High Speed Rail

Republicans hate high speed rail

Bradley, 7/11 [2012, William, Huff Post Politics “A Ticket to Ride: High-Speed Rail Moves Forward on a Historic (and Bumpy) Track in California” http://www.huffingtonpost.com/william-bradley/a-ticket-to-ride-highspee\_b\_1666733.html]

Last Friday's narrow passage of legislation authorizing the beginning of construction of the first high-speed rail system in America was a dramatic moment many years in the making. And while it was undertaken entirely by Democrats at the end, some famous Republican politicians made it happen along the way. In fact, it would never have happened without them. Which makes the current version of the once Grand Old Party and its knee-jerk opposition to the project all the more ironic. It's Governor Jerry Brown who gets the credit -- and takes the heat from conservatives, sizable elements of the media, and the old energy economy interests whose die-hard opposition naturally underlies the opposition -- for pushing the project over the political goal line. But had former Governor Pete Wilson (ironically, a longtime Brown bete noire) not gotten the ball rolling in 1996 with the creation of the California High-Speed Rail Authority, it might not have happened. And had Brown's far more friendly predecessor, Governor Arnold Schwarzenegger, not supported the empowering initiative and pushed for ever more funding even as the economy sank into the great global recession, promoting high-speed rail through the very end of his term in January 2011, it would not have happened at all. Brown joined U.S. Transportation Secretary Ray LaHood Monday at the Port of Oakland to announce a $15 million grant to expand its rail yard and especially to discuss the legislature's decision to begin construction of the high-speed rail project. The plan is to begin construction in the winter, now that the release of funding -- a combination of already approved state bond funds and federal grants -- has been approved for that purpose. LaHood hailed the decision as a landmark in U.S. transportation policy. Brown, who loves the story, cited the example of Abraham Lincoln building the transcontinental railroad during the Civil War to make light of objections raised against the new project. (More about that later.) Right-wing opponents of transit and advocates of the old energy economy have succeeded in blocking the Obama administration's plans to begin high-speed rail elsewhere in America. Only California, with first Schwarzenegger and then Brown in staunch and steely support for the past few years of a shaky economy, remained. Would America join most of the rest of the advanced industrial world in developing high-speed rail? Or would it stay stuck in the old energy economy model? After taking office a year and a half ago, Brown retooled the state's troubled high-speed rail agency and had its business plan overhauled, then pushed it through the state legislature. Brown's big victory on Friday afternoon came when the state Senate voted to authorize the beginning of construction of California's long-awaited and controversial high-speed rail system. The vote was 21 to 16. The bill passed the Assembly on Thursday by a vote of 51 to 27. All Republicans in both houses were opposed, though some didn't show or vote in the Senate. Four Democrats voted no. Three of them were always opponents of this project, though some in the state press corps don't seem to have understood that, with a couple tweeting their surprise about Silicon Valley Democrat Joe Simitian's no vote. He's only been attacking the project for years now, perhaps with an eye to NIMBY voters as he runs for county supervisor. Two of the other Democratic no votes joined to make up a trio of constant critics for the past several years. The fourth, however, state Senator Fran Pavley, was on some level a surprise, as she is a staunch environmentalist and liberal who authored and co-authored the state's two landmark laws on greenhouse gas emissions. The first being the tailpipe emissions bill signed into law in 2002 by then Governor Gray Davis. The second, of course, being the overall climate change act, AB 32, signed into law in 2006 by Schwarzenegger. But Pavley is running this year in a new district which is much more conservative. She is likely to win it, but didn't need to set up a line of attack on the bullet train. I believe that, had her vote been absolutely needed, she would have voted yes. As it was, the needed 21 votes were secured Friday after major lobbying efforts by Brown, state Senate President Pro Tem Darrell Steinberg, whom many had doubted but who clearly came through in the clutch, House Democratic Leader Nancy Pelosi, organized labor, and various business leaders, among others. The opponents of high-speed rail, dominated by the Republican Party, deliberately conflate the facts about the funding for this project as part of their agenda to further wreak havoc on the state budget and block Brown's November revenue initiative. The funds in question do not come from California's general fund, aside from some interest payments down the line which are minor. They come instead from proceeds of already approved bonds backed by Schwarzenegger and many others in 2008 and from federal funds, which Schwarzenegger played the lead role in securing, especially from some states whose conservative Republican governors spurned funding in 2009 and 2010. But the anti-bullet train PR, aided by reporting that in some cases deliberately distorts and in others glides over the facts, was much more effective than the pro-side, which made only a minimal effort. Distortion and poor reporting led to a false meme, based on a Field Poll, that getting high-speed rail going would kill Brown's initiative. About a fifth of supporters said that passage would make them less likely to vote yes. And a fifth, naturally unreported, said that passage would make them more likely to vote yes. The poll -- the release of which was geared directly to the legislative vote -- did not present voters with the facts about where the money comes from, either. Ironically, the people who were pushing this meme -- concern trolling all the way -- are opponents not only of high-speed rail, but of raising taxes on the rich. They include LA Times columnist George Skelton, who has devoted several columns to his opposition to raising taxes on the rich as well as the bullet train itself, and Sacramento Bee columnist Dan Walters, who has been attacking Brown for about 40 years now. Skelton likes to praise Brown's liberal father, but Walters built his career attacking Brown, during his first governorship, and Democratic liberals, for the far right Sacramento Union, which was owned by Eastern billionaire Richard Mellon Scaife, one of the principal funders of far right think tank and media efforts around the country. The paper was also owned at one point by an agent of the apartheid government of South Africa. The ostensibly liberal Bee hired Walters as part of its effort to kill the Union, which finally closed in 1994. There has been a very sophisticated and persistent PR campaign against high-speed rail in California, because this is where the hope can be snuffed out in America. And the anti-side's PR has definitely gotten the best of things. But the pro-bullet train's side has notably lacked a powerful and persistent communications operation of its own. There are many statements and articles attacking the project that could be readily pushed back. But no one has been doing it on anything like a regular basis. As a result, high-speed rail opponents have largely enjoyed free rein with their PR and attendant media coverage. Opposition hinges on the silly notion that right-wing control of Congress, a key funding source, is assured in perpetuity. And on conflation of funding sources. Aside from some interest payments, which amount to budget dust, none of the authorized project will be financed out of the state's general fund. The start-up phase will be financed by federal grants and already authorized bonds. Because Brown and other proponents have pointed to real history in discussing this project and likening its opponents to the naysayers who attended similar great ventures, a beat reporter and would-be pundit described the debate as "History vs. Math." Better to describe it as history vs. pottery shards realism. Because the "math" is a myth that depends on the most fragmentary understanding of politics. The project, which is very long-range, a couple of decades, actually, until ultimate fruition, is only short of federal funds if one assumes that right-wing Republicans will control the House of Representatives in perpetuity.

Republicans oppose rail funding

AP, 7/9 [Washington Post, 2012, “Even with state approval, $68B California high-speed rail plan still a long way from reality” http://www.washingtonpost.com/business/even-with-state-approval-68b-california-high-speed-rail-plan-still-a-long-way-from-reality/2012/07/09/gJQAOsJyYW\_story.html]

SACRAMENTO, Calif. — California lawmakers may have given their OK to what could be the nation’s first high-speed rail line, but the project is still a long way from leaving the station. The bullet train has prominent supporters such as President Barack Obama and Gov. Jerry Brown, but backers must still overcome a number of challenges, including environmental concerns, clashes with local leaders over land use, a $68 billion overall price tag with no funding guarantees and an increasingly disenchanted public. Supporters applauded Friday when the state Legislature narrowly approved $4.5 billion in state funding for rail improvements and to begin construction of the initial segment of high-speed track in the agricultural Central Valley. The move enabled the state to tap $3.2 billion in federal bond money. Critics, however, are redoubling their efforts to derail the project that could eventually link Los Angeles and San Francisco with trains traveling up to 220 mph. Among those gearing up for a fight are the farmers whose land is in the path of the massive infrastructure project. The Madera and Merced county farm bureaus, along with other parties, have filed a lawsuit to halt the project on grounds that the state has not done enough environmental vetting. The plaintiffs say the train would render 1,500 acres of fertile land unfarmable and disrupt 500 agricultural businesses. “We are going to protect our property,” said Frank Oliveira, a farmer who has been active in opposing the plan. Brown, a Democrat, has made the project a touchstone of his administration. “I believe we’re going to go all of the way. Just taking the first step in and of itself will create value for our state,” he told reporters Monday at an event with U.S. Transportation Secretary Ray LaHood at the Port of Oakland. Brown initially tried to prevent courts from using the state’s complex environmental law to stop construction but backed down under pressure as he sought to win lawmakers’ approval. On Monday, he suggested the law might benefit from reforms to discourage people trying to keep projects from coming too close to their property. Some observers say the state might avoid an injunction delaying the project because courts often give the state the benefit of the doubt in environmental complaints. However, California has some of the most stringent environmental regulations in the country, and even if the lawsuits are thrown out, construction could be bogged down for years by the requirements of the California Environmental Quality Act. LaHood on Monday praised Democratic lawmakers for approving the project, despite intense pressure from critics. He said it reinforces California’s position as a leader in high-speed rail. “The president’s vision is to get America to have high-speed rail. There’s no better place to do it than in California,” he said at a separate event in San Francisco. Funding is another potential line of attack against the state’s largest-ever construction project. California voters approved $10 billion in bonds for the project in 2008 and Friday’s vote assured that the state will be able to collect $3.2 billion in federal money that could have been rescinded if lawmakers failed to act. That leaves $55 billion still needed to finish the line, assuming it doesn’t go over budget. The cost is lower than the California High-Speed Rail Authority’s initial $98 billion estimate. LaHood said officials initially didn’t know where all the money would come from for the interstate highway system, but they forged ahead anyway. “Fifty years later, we have the best road system in America built with federal, state and private dollars, and that is the direction for high-speed rail,” he said. Congressional Republicans have said they will block any further funding for the bullet train, and investors have not flocked to the project as hoped. California voters also appear less willing to support additional funding. A Field Poll in December found the 2008 rail bond would fail if put to a vote today. The administration’s latest business plan relies on private investment and industrial fees from California’s cap-and-trade program to reduce greenhouse gas emissions to fill much of the funding gap for the rail line. “The money is there,” Brown said. “We have the capability in California in a $2 trillion annual economy to finance this thing.”

Republicans hate high-speed rail

Doyle, 6/30 [2012, Michael, Bee Washington Bureau, “House Republicans take stand against high-speed rail spending” Fresnobee.com, http://www.fresnobee.com/2012/06/29/2893074/house-republicans-take-stand-against.html]

WASHINGTON -- The Republican-controlled House on Friday reiterated its intention not to spend new federal dollars next year on California's controversial high-speed rail project. By a 239-185 vote, cast nearly entirely along party lines, the House approved language authored by Rep. Jeff Denham, R-Turlock, meant to block the high-speed rail spending. The amendment was added to a Fiscal 2013 transportation spending bill. "We've got highways that are falling apart. We've got bridges that are falling apart," Denham said Friday. "We need to ensure our gas tax dollars get used for their intended purpose -- of actually improving our roads." Denham's amendment sent a signal, in part, as the $51 billion transportation and housing bill did not include any funds for the Obama administration's high-speed rail initiative. California officials have indicated they do not need a new infusion of federal dollars during Fiscal 2013, which starts Oct. 1. In a similar vein, Rep. Tom McClintock, R-Elk Grove, won House approval Friday for an amendment blocking new federal spending for a subway system in San Francisco. Newlands and Company Inc. - A train travels through a wind farm in an illustration from the California High-Speed Rail Authority. McClintock's new congressional district, starting next year, includes portions of Calaveras, Tuolumne, Fresno, Madera and Mariposa counties.

ITS (Intelligent Transportation System)

Government doesn’t like funding ITS

GAO 2012 [March, “Report to the Committee on Science, Space, and Technology, House of Representatives” INTELLIGENT TRANSPORTATION SYSTEMS Improved DOT Collaboration and Communication Could Enhance the Use of Technology to Manage Congestion, http://www.gao.gov/assets/590/589430.pdf]

Funding constraints pose a significant challenge to transportation agencies in their efforts to deploy ITS technologies because of competing priorities and an overall constrained funding situation.35 ITS projects must compete for funding with other surface transportation needs, including construction and maintenance of roads, which often take priority, according to officials from transportation and stakeholder agencies we interviewed. As we reported in 2005, transportation officials often view adding a new lane to a highway more favorably than ITS when deciding how to spend their limited transportation funds.36 DOT has noted that funding constraints might explain why the rate of adoption of arterial management technologies over the past decade has been flat. In addition, the 2010 deployment survey found that 55 percent of agencies responsible for managing freeways, compared with 36 percent of agencies responsible for managing arterial roadways, plan to invest in new ITS in 2010 to 2013. Transportation agencies face difficult decisions regarding the allocation of their transportation funding, and many have faced severe revenue declines in recent years, restricting the availability of funds for transportation improvements. For example, a county transportation official we interviewed reported that the funds for deploying and maintaining ITS have been reduced annually over the last 3 to 4 years because of reduced county revenues, which has led to the county suspending almost all deployment of ITS field devices.

Transportation officials must identify priorities and make trade-offs between funding projects that preserve or add new infrastructure and those that improve operations, such as ITS projects. Preserving infrastructure is a high priority for state and regional decision makers. Traffic growth has outpaced highway construction, particularly in major metropolitan areas, which puts enormous pressure on roads.37 According to FHWA’s most recent projections (using 2006 data), less than half of the vehicle miles traveled in urban areas are on good-quality pavements and about one-third of urban bridges are in deficient condition.38 As five stakeholders and officials from four transportation agencies we spoke with noted, ITS projects have difficulty competing for funding with other needs, such as road and bridge maintenance projects. For example, one city transportation official told us the city must devote most of its resources to highway and bridge projects rather than new technology, and in some cases the city has resorted to demolishing unsafe bridges because of lack of funds rather than repairing or replacing them.

ITS and Transport bills are partisan quagmires

Lovaas 2/1 [Deron, Federal Transportation Policy Director, NRDC2012, “Worst. Transportation. Bill. Ever.” Red Green and Blue, http://redgreenandblue.org/2012/02/01/worst-transportation-bill-ever/]

Partisanship is the reason for constant gridlock in Congress. One exception has been the issue of transportation. NRDC is on the record — analyzing and critiquing yet supporting – the bipartisan federal transportation bill that passed the Senate Environment and Public Works Committee. Passage of that bill through committee was made possible by the collaboration of two leaders diametrically opposed on the partisan spectrum: Sens. Barbara Boxer (D-CA) and Jim Inhofe (R-OK). Boxer and Inhofe cobbled together a two-year transportation bill called MAP-21, and while it is far from perfect it includes some advances in transportation policy. Better yet is the Senate Commerce Committee’s addition to the bill, which includes provisions that would benefit our environment. This is a stark contrast with the House of Representatives, which is rolling out its uniquely terrible bill in pieces this week. The first thing to note is that to pay for the transportation bill, the House is taking the unprecedented step of marking up three drilling bills in the Natural Resources Committee. One opens Alaska’s Arctic National Wildlife Refuge to drilling; another would actually require new drilling off the Atlantic and Pacific coasts (including more drilling in the Gulf of Mexico, which is still recovering from the disastrous BP oil spill); and another opens millions of acres in the western U.S. to oil shale development. These bills would damage some of America’s most pristine natural resources, and as I’ve written about many times before they would do nothing to boost the nation’s energy independence. Moreover, the linkage with transportation policy breaks dramatically with the tradition of relying mostly on “user fees” (e.g., fuel taxes and tolls on roads), a useful tool that is especially important to fiscal conservatives. In fact, I spoke at a briefing yesterday with some unlikely allies including policy experts with the Reason Foundation and theCompetitive Enterprise Institute who also oppose larding the transportation bill up with drilling schemes. So the House GOP approach has two strikes against it: It would harm the environment and it violates an important principle in transportation finance. Strike three: It won’t work. The revenue from new drilling is too little, too late – and it is speculative at best. (Who knows what leases might sell, whether drilling will strike oil, what the market conditions will be if it does, and so on?) As policy analyst Erich Zimmerman of Taxpayers for Common Sense puts it, “It’s akin to buying the Ferrari today because you’re pretty sure the raise is coming sometime in the future.” Dumb, dumb, dumb. And the transportation bill these schemes would supposedly help fund? Even dumber. Indeed, the transportation bill drafted by Republicans on the House Transportation and Infrastructure Committee is a 700+ page march of horribles. To get an idea, start with Title III, which is supposedly all about “environmental streamlining.” This section contains sweeping changes to environmental reviews, which are key to providing those of us in the public some oversight when highway agencies propose paving parts of our communities. The demolition of community and environmental protections can be put into four buckets: Wholesale delegation of authority for reviews, and for determining whether or not they should even be performed (by deeming a project “categorically excluded” from such scrutiny), to state highway agencies; Limits on what alternatives can be reviewed, or challenged, in the review process; One-size-fits-all, arbitrary deadlines for completing or challenging reviews regardless of project size, including nasty provisions that imperiously grant “deemed approved” status to projects if reviewing analysts or citizens take too long to comment; and Loopholes such as waivers from review should the president decide a project is warranted, waivers if the federal portion of the funding is small, as well as waivers in case of an emergency (already provided for under current law). This is just a preliminary list of awful provisions undermining community involvement and environmental protection with transportation project development; I’ll write about others if I uncover them. Okay, what about the investments included in the legislation? The bill spends about $260 billion of our taxpayer dollars, the majority of which, of course, goes to highways. The good news is that much of this is devoted to repairing bridges, a tribute to work that groups like Transportation for America have done to shine a light on the perilous state they’re in. There is also a section with grants for intelligent transportation systems, which can reduce emissions by improving traffic flow using better technology. Pretty much the best that can be said about the rest of the bill’s investments is that transit spending doesn’t shrink as a proportion of the whole bill’s investments. What about the bad news? The bill, of course, takes a hatchet to bicycle and pedestrian funding. The Safe Routes to School program is eliminated, and funding is withdrawn for bicycle/pedestrian coordinators at state highway agencies. And a new and disastrous loophole has been added to a much bigger program, the Congestion Mitigation and Air Quality Improvement Program (CMAQ), opening it up to projects that funnel single-occupant-vehicle drivers around. This program was enacted twenty years ago to address the twin goals of reducing congestion as well as air quality; this new provision could unleash proposals for highway expansions that reduce pollution in their first few years but increase it over time, endangering public health and the environment. Oddly, the bill also removes a provision requiring that cost-effectiveness be a criterion for allocating these dollars. So this bill undercuts the largest environmental program other than the transit account in the bill. There are provisions worthy of analysis for their environmental implications in the planning title (creating, for example, a national plan with goals including energy savings and environmental protection) and the area of private financing (dramatically expanding the TIFIA program as the Senate bill does, and capitalizing state infrastructure banks). But the former look toothless and the latter appear to benefit highways more than transit or other alternatives. Whereas NRDC found the Senate transportation bill to be, overall, a positive step toward collaborative federal policy-making, regrettably we have but one recommended course of action for the House version: Kill the bill.

Mass Transit

Republicans hate funding mass transit

Rep. Nadler, 2/6 [Jerrold, Jerrold Nadler represents the 8th Congressional district of New York. He is a senior Member of the House Transportation and Infrastructure Committee.2012, The Hill’s Congress Blog, “GOP's transportation bill would eviscerate mass transit funding” <http://thehill.com/blogs/congress-blog/economy-a-budget/208937-rep-jerrold-nadler-d-ny>]

Last week, House Republicans on both the Transportation and Infrastructure and the Ways and Means committees approved the worst transportation bill I have seen in my 19 years in Congress. Perhaps the worst provision of this terrible bill – H.R. 7, the American Energy and Infrastructure Jobs Act – would eliminate the guaranteed funding for mass transit that we have relied on for 30 years, and would make transit dependent on the politics of annual appropriations, which, if the last year has taught us anything, leads to dysfunction and inaction. This is a draconian and unacceptable blow to transit funding, one which would result in disastrous changes for millions of New Yorkers and others who rely on mass transit for basic mobility and economic functioning. At center stage is a Republican proposal to move transit funding into a new ‘Alternative Transportation Fund’ in the bill, in which transit would have to compete with numerous other unrelated programs. For the last 30 years, revenues from the gas tax have been used for both highways and mass transit; now, receipts would only go toward highway funding. Under the bill, Republicans plan to provide $40 billion to cover four years of transit funding – although we still don’t know where the money would come from – so there is no guarantee for any transit funds after 2016, when we’ll have to resort to fighting for every additional dollar during the appropriations process. Transit projects would no longer count on the dedicated money collected in the Highway Trust Fund. Such a reality could mean a virtual construction and service freeze by the MTA and other transit agencies, for fear that the federal government won’t come through with funding. This is absolutely unacceptable, and a major step by the Majority Party to dismantle transit. In fact, Transportation Committee Chairman John Mica (R-FL) has directly stated that this provision, which guts transit funding, is the primary purpose of the bill. In New York, the MTA moves 8.5 million passengers every day. That’s more people than the population of the entire state of Virginia. 8.5 million people. And that’s just in one day. We cannot tolerate these efforts to punish New York and other urban centers. I frankly cannot believe that we are going back to the idea that transit is somehow less deserving of guaranteed federal funding. It is such an outdated way of thinking that would, if enacted into law, set us back decades. In 1982, President Reagan raised the gas tax and added mass transit to the Highway Trust Fund. He certainly believed that mass transit deserved stable funding. It has worked well for the last three decades, and there is no reason to change it now. This bill is a dagger aimed at the hearts of urban and suburban areas across the country. I challenge any Republican who represents any urban or suburban district in the United States with mass transit to vote for this bill on the House floor.

Republicans hate mass transit

Freemark, 2/6 [2012, Yonah, The Transport Politic, “Time to Fight” http://www.thetransportpolitic.com/2012/02/06/time-to-fight/]

Actions by members of the U.S. House over the past week suggest that Republican opposition to the funding of alternative transportation has developed into an all-out ideological battle. Though their efforts are unlikely to advance much past the doors of their chamber, the policy recklessness they have displayed speaks truly poorly of the future of the nation’s mobility systems. By Friday last week, the following measures were brought to the attention of the GOP-led body: The Ways and Means Committee acted to eliminate the Mass Transit Account of the Highway Trust Fund, destroying public transportation’s source of steady federal financing for capital projects, first established in the 1980s. The members of the committee determined that to remedy the fact that gas taxes have not been increased since 1993,\* the most appropriate course was not to raise the tax (as would make sense considering inflation, more efficient vehicles, and the negative environmental and congestion-related effects of gas consumption) but rather to transfer all of its revenues to the construction of highways. Public transit, on the other hand, would have to fight for an appropriation from the general fund, losing its traditional guarantee of funding and forcing any spending on it to be offset by reductions in other government programs.\*\* This as the GOP has made evident its intention to reduce funding for that same general fund through a continued push for income tax reductions, even for the highest earners. The House Transportation and Infrastructure Committee approved a transportation reauthorization bill on partisan lines (with the exception of one Republican who voted against it, Tom Petri of Wisconsin) that would do nothing to increase funding for transportation infrastructure in the United States over the next five years despite the fact that there is considerable demand for a large improvement in the nation’s road, rail, and transit networks just to keep them in a state of good repair, let alone expand them to meet the needs of a growing population. The committee voted to eliminate all federal requirements that states and localities spend 10% of their highway funding on alternative transportation projects (CMAQ), such as Safe Routes to School, sidewalks, or cycling infrastructure, despite the fact the those mandated investments are often the only ones of their sort that are actually made by many states. The committee eliminated the Obama Administration’s trademark TIGER program, which has funded dozens of medium-scale projects throughout the country with a innovative merit-based approach. Instead, virtually all decisions on project funding would be made by state DOTs, which not unjustly have acquired a reputation as only interested in highways. Meanwhile, members couldn’t resist suggesting that only “true” high-speed rail projects (over 150 mph top speed) be financed by the government — even as they conveniently defunded the only such scheme in the country, the California High-Speed Rail program. The same committee added provisions to federal law that would provide special incentives for privatization of new transportation projects — despite the fact that there is no overwhelming evidence that such mechanisms save the public any money at all. And under the committee’s legislation, the government would provide extra money to localities that contract out their transit services to private operators, simply as a reward for being profit-motivated. Meanwhile, House leadership recommended funding any gaps in highway spending not covered by the Trust Fund through a massive expansion in domestic energy production that would destroy thousands of acres of pristine wilderness, do little for decreasing the American reliance on foreign oil, and reaffirm the nation’s addiction to carbon-heavy energy sources and ecological devastation. New energy production of this sort is highly speculative in nature and would produce very few revenues in the first years of implementation. As a special treat, the same leadership proposed overruling President Obama’s decision to cancel the Keystone XL pipeline by bundling an approval for it into the transportation bill. This litany of disastrous policies were endorsed by the large majority of Republicans on each committee, with the exception of two GOP members in House Ways and Means\*\*\* and one in the Transportation Committee who voted against the bill, though the vote was entirely along party lines for an amendment attempting to reverse course on the elimination of the Mass Transit Account. Fortunately, these ideas are unlikely to make it into the code thanks to the Senate, whose members, both Democratic and Republican, have different ideas about what makes an acceptable transportation bill. I’ll get back to that in a bit. The House’s effort to move forward on a new multiyear federal transportation bill — eagerly awaited by policy wonks for three years — follows intense and repeated Republican obstructions of the Obama Administration’s most pioneering efforts to alter the nation’s transportation policy in favor of investments that improve daily life for inhabitants of American metropolitan areas. As part of that process, federally funded high-speed rail, streetcar, and transit center projects have been shot down by local politicians as a waste of money, even as road construction has continued apace. The Tea Party’s zany obsession with the supposed U.N. plot to take over American land use decisions through Agenda 21 seems to have infected GOP House members and even presidential contenders. Michele Bachmann’s claim in 2008 that Democrats are attempting to force people onto light rail lines to travel between their housing “tenements” and government jobs may have made it into the mind of Newt Gingrich, who recently made the claim that the “elite” in New York City who ride the subway and live in high-rise condos don’t understand “normal” Americans. What kind of language is this? In the Senate, there is clear evidence that the hard-core proposals of the House will not become law. The upper body’s Environment and Public Works Committee unanimously endorsed a different type of transportation reauthorization, one that would last only two years but that would reform and simplify the grants provided by the Department of Transportation so that they are more based on merit in such matters as ecological sensitivity and the creation of livable communities. Similarly, in the Senate Banking Committee, the transit portion of the proposed bill (approved unanimously) would maintain funding guarantees and allow transit agencies to use federal dollars for operations spending during periods of high unemployment, which would be an excellent policy if pushed into law. How the Senate will be able to compromise with the House in time for the March 31st deadline set by the current legislation is up in the air. The strange and laudable part of the Senate side of the story — at least as compared to the House — is the bipartisan nature of decision-making there. Why are Republicans in the Senate promoting a transportation bill that explicitly would promote multimodalism as a goal, in a contrast to the highway focus of their peers in the House? Why are they accepting environmental criteria as appropriate measures of quality in transportation policy? Perhaps the Democratic Party’s control of the Senate makes fighting such ideas a waste of time. Or perhaps longer Senate terms in office allow clearer, more reasonable thinking. Whatever the reason, in the long-term, it is hard to envision reversing the continued growth of the GOP’s strident opposition to sustainable transportation investments in the House. As I have documented, density of population correlates strongly and positively with the Democratic Party vote share in Congressional elections; the result has been that the House Republicans have few electoral reasons to articulate policies that benefit cities. Those who believe in the importance of a sane transportation policy need to make more of an effort to advance a sane transportation politics to residents of suburban and rural areas, who also benefit from efforts to improve environmental quality, mobility alternatives, and congestion relief, but perhaps are not yet convinced of that fact. Doing so would encourage politicians hoping for votes outside of the city core — Democratic or Republican — to promote alternatives to the all-highways meme that currently rules the GOP in the House. In the face of such actions, it becomes imperative in the short term not only to ramp up citizen opposition to the defunding of transit and associated programs, but also to full-throatily endorse those leaders who will stand up to fight. Not working for their election in the fall risks policies like those being advanced in the House being passed by an acquiescent Senate and signed by a future president. Such actions would put in question the potential improvement of existing programs and turn back on the policy

Links - National Infrastructure Bank

Congress dislikes a national infrastructure bank

AFP 11 [November 3, “Republicans defeat Obama-backed infrastructure bill” http://www.google.com/hostednews/afp/article/ALeqM5jl3R7Nxkn0UPPDQyhg0SWsMg7tDw?docId=CNG.415a7b70d2c87769867bb7263cd5057f.b01]

WASHINGTON — US Senate Republicans blocked a $60 billion plan Thursday to overhaul crumbling roads and bridges, part of US President Barack Obama's campaign-season drive to boost the faltering economy. Lawmakers voted 51-49 in favor of ending debate on the legislation, falling short of the 60 needed to do so in the face of united opposition from the chamber's 47 Republicans, joined by one centrist Democrat and an independent. The proposal included $50 billion for roads, airports, bridges, railways and other infrastructure and another $10 billion to create a "national infrastructure bank." Republicans thwarted the bill because it would have been funded with a 0.7 percent surcharge on people making more than $1 million annually -- a recurring Democratic tactic meant to embarrass the president's foes ahead of the November 2012 elections. Obama blasted Republicans as "out of touch" with struggling Americans and demanded his foes explain why they "refuse to put some of the workers hit hardest by the economic downturn back on the job rebuilding America." "It's time for Republicans in Congress to put country ahead of party and listen to the people they were elected to serve. It's time for them to do their job and focus on Americans' jobs," he said in a statement. Obama, whose reelection bid will largely turn on what voters make of his stewardship of the sour US economy, offered a $447-billion jobs package in September only to see the divided Congress reject it. Democrats have sought to move forward with parts of the president's plan, but to date just one has cleared the House of Representatives: Repealing a never-enforced rule requiring government agencies to withhold three percent of payments to contractors in order to guard against tax cheats. Republican Senate Minority Leader Mitch McConnell, who has said his party has no greater priority than defeating Obama next year, accused Democrats of playing politics. "The truth is, Democrats are more interested in building a campaign message than in rebuilding roads and bridges. And frankly, the American people deserve a lot better than that," he said. Senators also rejected a rival Republican proposal that would have been funded with tens of billions of dollars in unspent funds and would have rolled back regulations, notably tied to environmental protection, that the party views as stifling economic growth. ]

Ranking House republicans dislike the bank

Progressive Railroading, 11 [10/13, “Mica reiterates opposition to national infrastructure bank” Rail News: Federal Legislation & Regulation,

http://www.progressiverailroading.com/federal\_legislation\_regulation/news/Mica-reiterates-opposition-to-national-infrastructure-bank--28418#]

Yesterday, U.S. Rep. John Mica (R-Fla.), who chairs the House Transportation and Infrastructure Committee, said at a committee hearing that President Obama’s proposal for a “national infrastructure bank” to help finance infrastructure maintenance and improvements is “dead on arrival in Congress.” “We do not need more federal bureaucracy,” said Mica in a prepared statement. “The federal government also has existing financing programs that serve the same purpose as a national infrastructure bank, such as TIFIA, RRIF and others, that we can improve and strengthen.” Thirty-three state infrastructure banks already exist, “and we can ensure financing and build upon this foundation” without creating new levels of federal bureaucracy, he said. Also at yesterday’s meeting, U.S. Rep. John Duncan (R-Tenn.), who chairs the House Highways and Transit Subcommittee, said he opposed a national infrastructure bank. “Current [federal] law allows a state to use their federal-aid funding to capitalize a state infrastructure bank and provide loans and loan guarantees to appropriate transportation projects that the state deems most important,” he said in a prepared statement.

#### GOP opposes NIB --- they want to prevent an Obama win.

**Cooper**, 1/25/**2012** (Donna – Senior Fellow with the Economic Policy team at American Progress, Will Congress Block Infrastructure Spending?, Center for American Progress, p. <http://www.americanprogress.org/issues/2012/01/infrastructure_sotu.html>)

The House is not the only problem. Sen. Reid late in 2011 put the president’s American Jobs Act, which included $60 billion to repair our schools and fund a National Infrastructure Bank, to a vote, but Senate filibuster rules that require 60 favorable votes to put a bill on the floor for consideration made moving this infrastructure funding bill impossible. After failing to reach that 60-vote threshold, Sen. Reid said, “Republicans think that if the economy improves, it might help President Obama. So they root for the economy to fail and **oppose every effort to improve it**.”

Links-NextGen

Congress doesn’t like NextGen

Salam 12

Sakib bin Salam, Policy Intern at Eno Center for Transportation, “NextGen: Aligning Costs, Benefits, and Political Leadership,” April 2012.

Third, the airlines and general aviation users have been hesi­tant to bear equipage costs due to low profitability, econom­ic turmoil, and a lack of clear incentives to justify investing in NextGen. Operators are unlikely to invest until, at a minimum, the FAA is ready to deliver the promised benefits. This leads to a stalemate: operators are uncertain whether investing in NextGen is worthwhile, when the infrastructure is not yet fully in place, and without equipage the infrastruc­ture by itself is ineffective. The FAA has mandated equi­page of Automated Dependent Surveillance-Broadcast Out (ADS-B) that allows the equipped aircraft to send transmis­sion to other equipped aircraft ADS-B ground stations for all operators by 2020. However, there is uncertainty over when other NextGen on-board equipment will be required, particularly ADS-B In which allows the equipped aircraft to receive transmission from other ADS-B ground stations and other aircraft. Fourth, NextGen faces funding issues that pose some very difficult policy decisions. Work on the ground infrastruc­ture aspect of NextGen is currently funded by the Facilities and Equipment account of the AATF and some progress, albeit slow, has been made on this project. However, recent reports by the Congressional Budget Office and the Gov­ernment Accountability Office show that current AATF revenues are inadequate to fund NextGen.2 Despite recent resolution over the long overdue FAA reauthorization bill, little progress has been regarding securing a full-fledged modernization funding plan. The current bill authorizes a flat amount of $2.731 billion over four years for Next­Gen and funding is still subject to annual appropriation. A project that is already endangered by uncertainties regarding its worth would benefit from a stable and adequate funding source.

## Internals

### **Agency action links to PC**

#### **Agency action makes it harder for presidents to have leverage**

Ponder (prof @ Drury University) 12

Daniel, Presidential Quarterly vol 42 issue 2 p 300-323, Presidential Leverage and the Politics of Policy Formulation, dw: June 2012, da: 7-19-2012, lido

Staff as Director.  Politically charged issues are likely to be centralized, and staff acts as the “director” of policy making so as to ensure a high degree of responsiveness. Bureaucrats in the executive branch are thus largely responsible for implementation rather than a source of independent authority. Staff as Facilitator.  If a policy cuts across numerous department or agency jurisdictions, presidents centralize less often, preferring to obtain gains from expertise, and thus act as “facilitators,” coordinating the work of departments and agencies, playing a developmental role themselves, but by necessity neither controlling nor fully delegating the formulation of a particular policy. Staff as Monitor.  Finally, policy formulation can be fully delegated to external agencies. The White House staff can, and often does, maintain a role in supervising the content in what might be referred to as a policy of “decentralized centralization.” In other words, departments and/or agencies can make policy, but the White House staff monitors the content and maintains “creative control” over the final outcome. This is similar to the process of legislative clearance wherein policies are cleared with the White House to make sure they are consistent with the president's program. Staff monitors bureaucrats in times of high leverage. Bureaucrats do not have reelection incentives, but a president's leverage and the leeway and warrants that vary with that leverage ground and guide executive decision makers. The public component plays an important role but not in the same way that members of Congress will use public opinion as a means to decrease uncertainty. Rather, leverage acts as a signal quantifying the president's place in institutional context (see also Kamarck 2009). If leverage and centralization are correlated, the arrow of causality most likely flows from presidential leverage to the decision to centralize. However, it should not be interpreted that leverage itself represents a public preference against centralization; rather leverage provides the president with an advantageous strategic position, and he is less threatened by the political context, making it more likely that policy will be decentralized. With the exception of high-profile policy initiatives (such as the Clinton and Obama health care reform efforts), the public is unlikely to know (or even care) whether the policy proposal is centralized or decentralized.21 Clinton's effort at health care reform was scuttled in part because political opposition successfully branded the process as closed off and elitist; in short, opposition forces were successful at redefining what the president was trying to do, much to the detriment of the administration and its reform effort.22 When the stakes are high, it is often to the president's advantage to decentralize policy making for political reasons (such as cultivating inclusiveness), or policy expediency, such as when the issue is complex or cuts across department and agency jurisdictions (see Ponder 2000; Rudalevige 2002). Thus, leverage allows presidents to politicize and makes centralization less necessary. My expectation is that presidents with high levels of leverage will centralize less, and I explain why below.

### **Bipart key**

#### **Bipartisan spin key to agenda**

Villalobos, Vaughn and Azari 12

Jose, Justin, Julia. prof@Texas-El Paso, prof @ Boise State, Prof @ Marquette. Presidential Studies Quarterly volume 42 issue 3 pages 549-576. Politics or Policy? How Rhetoric Matters to Presidential Leadership of Congress. Dw: September 2012, da: 7-19-2012, lido

The second category of presidential messages moves away from the electoral logic of mandate rhetoric and toward the normative ethos of bipartisanship. In this category, rather than grounding an argument in a perceived mandate, the president makes the case for his policy proposal by highlighting efforts for having (or having had) the two major parties (and, thus, the two elected institutions) come together over common bonds—despite their political differences—to work on behalf of the public good. The logic here is quite different, as presidential messages of bipartisanship frequently contain within them not implicit threats but explicit pleas as well as references to evidence of bipartisan partnership. Furthermore, with these appeals for unity comes an incentive for congressional support: shared credit. The president who “goes bipartisan” is also the president who invites members from the other side of the aisle to Rose Garden bill-signing ceremonies and compliments rather than rebukes partisan opponents during subsequent State of the Union reflections. A president who complements his policy proposal messages with bipartisan rhetoric is not, however, necessarily a benevolent, nonstrategic actor. As Coleman and Manna (2007, 401) note, “arguably weakening partisan loyalties in the public and an electoral base somewhat independent of fellow partisans in Congress provide presidents with incentives to portray themselves in their communications as above the political fray and virtually above or outside the system of partisanship and elections altogether.” Indeed, in their study of presidential partisan rhetoric, Coleman and Manna find that the relative degree of partisanship (or bipartisanship) in a presidential speech is driven by strategy, with the strength of a presidential embrace or snub of partisanship determined by the president's political situation.6 This conclusion squares with case study work done by Neustadt (1960) and Bonds (2002), whose analyses of Harry Truman's attempt to sell the Marshall Plan to Congress presents a bipartisan strategy rooted not in normative considerations, but rather in political pragmatism, in this case due to the political weaknesses of Truman's successor presidency.7 Indeed, as Neustadt (1960, 54) contends, “The plain fact is that Truman had to play bipartisanship as he did or lose the game.” Similarly, in an article that argues “bipartisanship is every bit as political as partisanship,”Trubowitz and Mellow (2005, 433) add that bipartisan rhetoric is also motivated by a president's strategic desire to court swing voters while demonstrating political independence.8 Accordingly, we hypothesize the following: H2: As presidential appeals to bipartisanship increase, presidential success in Congress will increase.

#### **Without bipartisanship, negotiations over agenda items become impossible**

Cohen 1

William, counselor at CSIS, Principles for a national security

Consensus, The Washington Quarterly, 24:2, 73-81, da: 7-20-2012, lido

Finally, a more bipartisan approach to the formulation of national security policy specifically can only occur with a less partisan approach to political discourse generally. Social and political observers alike have chronicled an absence of civility in the public sphere and increasing hostility in the political sphere. Debate too often gives way to diatribe, and practical problemsolving to rhetorical finger-pointing. At times—such as the Desert Fox strikes—the enmity has become so intense that some openly question the motivations of the leaders on the opposite side of the aisle. At other times—such as during the national debate on the CTBT—incendiary rhetoric is used to inflame core constituencies, gain political advantage, or to humiliate or embarrass one's opponents. Such scorched earth tactics may be chauvinistically satisfying, but they only diminish the trust and respect among policymakers that is essential to responsible and reasonable compromise.

### Budget link booster

#### **As the deficit grows political leverage decreases**

Villalobos, Vaughn and Azari 12

Jose, Justin, Julia. prof@Texas-El Paso, prof @ Boise State, Prof @ Marquette. Presidential Studies Quarterly volume 42 issue 3 pages 549-576. Politics or Policy? How Rhetoric Matters to Presidential Leadership of Congress. Dw: September 2012, da: 7-19-2012, lido

Budgetary Situation.  With regards to the budgetary situation, one may expect that a president's success in Congress decreases as the deficit grows, since less funding will be available for instituting presidential initiatives that require some measure of appropriations. Alternatively, the advent of a budgetary surplus is likely to increase the number of proposals passed in a year given a greater amount of funding available for more government programs and other spending opportunities. We thus expect that increases in the deficit decrease the likelihood of proposal passage. We calculate the deficit variable using the standard measure for the fiscal year deficit (or surplus) divided by the total federal outlays (see Rudalevige 2002, 141-43).

Dems Key

#### **Democrats are needed to get Obama’s agenda passed – repubs hate him**

AP 10

No auth, Obama: Economy coming back slowly but surely, <http://thegrio.com/2010/08/18/obama-says-economy-coming-back-slowly-but-surely/>, dw: 8-18-2010, da: 7-20-2012, lido

Underscoring voters’ concern over the economy: A new Associated Press-GfK poll shows 61 percent of those surveyed believe the economy has gotten worse or stayed the same on Obama’s watch. Americans are also growing increasingly frustrated with the progress Obama has made in bringing the country out of the recession, with just 41 percent approving of his handling of the economy, down from 44 percent in April. Still, three-quarters also say it’s unrealistic to expect noticeable economic improvements in the first 18 months of the president’s term. Obama’s attempts to draw attention to what his administration has done to fix a flagging economy, plus what he still wants Congress to pass, come against the backdrop of a bitterly partisan midterm election season. He has spent the week promoting his message that voters should keep Democrats in power over Republicans that he claims lack any positive ideas. All 435 House seats, one-third of the Senate and most governors’ jobs are on the ballot in November. The political campaigning also continues Wednesday for the president. Obama will speak at a fundraiser for Ohio Gov. Ted Strickland, a Democrat trying to keep his job against a tough challenge by former Republican Rep. John Kasich. The president then will go to Florida to raise cash in Miami for Democrats. Already this week, the president’s stops have included a Los Angeles fundraiser that raised $1 million for the Democratic Congressional Campaign Committee on Monday, and two events in Seattle that raised $1.3 million for Sen. Patty Murray and Washington Democrats on Tuesday. Obama’s aides say he takes seriously the job of giving personal attention to candidates and helping them make the case about the upcoming election. The results are vital for him too, as Obama needs Democrats to retain their congressional majorities if he is to keep pressing an agenda that has received virtually no Republican support.

### Flip Flops Kill PC

#### **Flip Flops kill political capital**

Fitts 96

Michael, prof of law, University of Penn Law review, 144 U. Pa. L. Rev. 19, Paradox of Power in the Modern State: Why a Unitary, Centralized Presidency May Not Exhibit Effective or Legitimate Leadership,

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 increasibly complex world, the unitary president can bee prone to an overassessment of responsibility and error. He also may be exposed to a normative standad of personal assessment that may conflict with his institutional duties. As 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 poitical repercussions. In short, the centralization and individualization of the presidence can be a source of its power, as its chief proponents and citics accurately have suggested, as well as its political illegitimacy and ultimate weakness.

### Focus Link

#### **A lack of focus on issues detracts from the president’s ability to get agenda passed**

Edwards and Barrett 99

George and Andrew, profs at Texas A&M, Presidential Agenda Setting in Congress, <http://www-polisci.tamu.edu/upload_images/9/SP13Agenda.pdf>, dw: 2-6-1999, da: 7-20-2012, lido

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 capital is 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.

### Losers Win

#### **Losers Win – when presidents are looked down upon they have more political leverage**

Ponder (prof @ Drury University) 12

Daniel, Presidential Quarterly vol 42 issue 2 p 300-323, Presidential Leverage and the Politics of Policy Formulation, dw: June 2012, da: 7-19-2012, lido

Presidents can use leverage strategically so as to maximize their power potential. The notion of the president's public standing to attitudes toward government as a whole derives in part from Stephen Skowronek's observation that “Presidents stand preeminent in American politics when government has been most thoroughly discredited, and when political resistance to presidency is weakest, presidents tend to remake the government wholesale” (1993, 37). Indeed, at one level, presidential leverage can be conceived of as having a familial resemblance to Skowronek's“warrant” for power, by which he means a kind of license or authority to put political power into action (1993, esp. chaps. 2 and 3). Skowronek argues that these warrants are contingent on the political time in which presidents' serve. Leverage is similar in that it systematically measures or quantifies this contingency and identifies when a president truly does “stand preeminent” in American politics. This state of affairs obtains when leverage is high. When government action (or inaction) has left the public wanting, distrustful, and/or skeptical of political action, presidents may enjoy leverage over competing institutions and thus feel emboldened to increase the variety of their public policy proposals, perhaps realizing increased policy success in the legislative arena. Presidential leverage conveys how presidents (via the imperfect measure of presidential approval) fare in the presence of public attitudes in the other institutions of government, with specific reference to trust in government. When the public lacks trust in other institutions and the president is able to rise above those institutions, he builds distance between himself and the beleaguered institutions of government; on the downside, he may sense he has more of a warrant for action than is actually the case (see Schlesinger 1973; Skowronek 1993).9

### PC Finite

#### **Political Capital can’t be regained – Carter proves**

Light (prof of pol sci) 99

Paul, The President’s Agenda, p 32-33, dw: 1999, da: 7-18-2012, ldonnelly

Though capital can be refreshed during the term, the pattern remains: capital is expended with choice, and can be replaced only to a limited extent. Even when there is a rally-round-the-flag crisis in foreign affairs, it is not clear how long the rise in public support will remain. Within two months of the 1979 crisis, with hostages still in Teheran, Carter’s public approval had drpped back from 80 percent to 50 percent. And scarcely two weeks before the 1980 Democratic national convention, a “dump Carter” movement gained momentary strength as party leaders sought a nominee who could win in the Noveber election. Thus, it is difficult to predict just how much capital can be regenerated through national crisis. Furthermore, does public approval in a rally-round crisis affect decisions in the domestic arena? Did the hostage crisis help Carter’s domestic agenda? Did domestic crisis increase capital? If the trends in public approval over the past twenty years serve as an indication of declining capital, declarations of war on energy or poverty create only moderate increases in support that rarely last.

### **PC Key – Trades Off**

#### **Exerting political capital on projects trades off with the president’s ability to use political capital on other projects**

Seidenfeld 94

Mark, prof @ florida state college of law, A Big Picture Approach to Presidential Influence on Agency Policy-Making, dw: October 1994, da: 7-17-2012, lexis, lido

Although President Clinton significantly modified OMB regulatory review, he retained the central concept of having OMB preview particular agency decisions and communicate its concerns to the agency outside of notice and comment proceedings. n195 Given the problems of interference with particular agency decisions, the first question raised by the big picture approach is whether any such OMB review program is justified. The big picture approach recognizes that the President must not only define overarching policy themes, but also that he must have a mechanism for monitoring agency compliance with those themes. Nonetheless, the preferred mechanisms for implementing the big picture approach are through a coherent legislative agenda and the appointment of agency heads who share the President's regulatory vision. Unfortunately, these mechanisms by themselves may not be up to the task of constraining "runaway" bureaucracies within agencies. The cumbersome process of enacting legislation interferes with the President's ability to get his legislative agenda through Congress much as it hinders direct congressional control of agency policy-setting. n196 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. n197 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. n198 On any proposed regulatory measure, the President could face opposition from powerful committee members whose ability to modify and kill legislation is well-documented. n199 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. n200 Repeated use of such tactics, however, will impose economic costs on society and concomitantly consume the President's political capital. n201 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.

PC key

#### **Presidents actions influence ability to have popularity to get other projects done**

Chen 97

Jeffrey, prof @ Fordham, Presidential Responsiveness and Public Policy Making, p 2, da: 7-17-2012, dw: 1997, lido

Moreover, the public holds the president responsible for the policies that he implemented. Effective policies once implemented have a way of building public support for the president. Although responsiveness to the public may build short-tern public support, that support may erode quite quickly if the policies that result from that responsiveness are ineffective or defective. And the public will rarely blame itself for ill-conceived policies. Thus, the president has a strong incentive to produce policies that will prove effective, not only to help shape the character of government and the nation as he desires, but also to lay a foundation for public support into the future. And this future support is likely to be more stable than short-term support generated through responsiveness because it is built on the actual performance of public policies. From this, a president’s reputation as a leader will emerge; such reputations are quite resistant to revision. To ensure such effective policies, presidents aim to control the policymaking process, from the determination of agenda priorities to the substance of the policies to the implementation process. This control need undercuts any responsiveness tendency, except when the public and the president ﬁnd themselves in agreement. Such agreement is not always present, which leads the president to manufacture agreement by mobilizing the public behind his alternatives—an act of leadership, not responsiveness. Thus, the president is presented with a classic quandary. He must be responsive to the public. This is something that the public expects, but it also has short-tenn beneﬁts in terms of public support. But the president is also expected to lead, and other factors, like long-term support and the quality of public policy, drive the president to control the policy-making process. This naturally creates a banier to short-term responsiveness to the public. This book is about how presidents manage these contradictory expectations. My basic argument, which ﬂows from the calculations of costs and beneﬁts associated with both responsiveness and leadership, is that presidents will be responsive when such behavior does not constrain their ability to control the policy-making process. Primarily, presidents will demonstrate their responsiveness symbolically. Political symbolism is found in all actions and decisions, but the mix of symbolism and substance vary. The more heavily that mix leans toward pure symbolism, the more responsive the president is expected to be.

#### **Political Capital is key to the agenda**

Light (prof of pol sci) 99

Paul, The President’s Agenda, p 25-26, dw: 1999, da: 7-18-2012, lido

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. Perhaps the best way to illustrate the impact of capital is to compare Kennedy’s early legislative failures with Johnson’s eventual victories.

#### **Political Capital key – Ford proves**

Light (prof of pol sci) 99

Paul, The President’s Agenda, p 13-14, dw: 1999, da: 7-18-2012, lido

In his concern for his political strength. Johnson was not unique among recent Presidents. The first-year panic about dwindling resources affected all of them: Carter entered office w+ith barely 50 percent of the vote Kennedy and Nixon with less than half. Ford with none. Perhaps Ford represented the most extreme situation. According to one Ford official. “We began the term, such as it was, under the worst possible circumstances. We weren't elected; we had only two years left before the 1976 elections; the staff was in shock; the policy process was on the skids; and we faced a basically hostile Congress. The ‘in’-baskets were full, and nothing was going out. Then Ford granted the pardon. We just didn’t have enough political push."

#### **Having the resources of political capital is key to supporting agenda**

Light (prof of pol sci) 99

Paul, The President’s Agenda, dw: 1999, da: 7-18-2012, lido

Presidential scholars often overrat the President’s “push,” confusing the Chief Executive’s literal powers with actual influence. Peraps the most important source of this confusion is the failure to distinguish between resources and prerogatives. Formal prerogatives guarantee certain advantages but they do not explain the vast differences between individual presidents-they do not explain the success of Johnson, the failure of a Nixon, or the frustrations of a Ford. Resourcces have always occupied a prominent position in the presidential literature. Scholars have talked about personal resources – public approval, Washington reputation, congressional support. They have talked about institutional resources – the office of management and Budget, the staff, legislative liaison. However, the distinction between resources and the formal prerogatives of the office has often been blurred. As one OMB official remarked, “You ought to think of the Presidency as an engine. Each President enters office facing the same model – the horsepower is generally stable and the gears are all there. What differs is the fuel. Different Presidents enter with different fuel…yndon Johnson entered office with a full tank, while Ford entered on empty.” Thus, it is not the system of checks and balances that determines agenda outcomes: it is resources that drive the presidential machinery; it is resources that shape the President’s agenda. And these resources are frequently scarce.

#### **Political Capital is key to agenda – leverage allows presidents to change way they conduct policies**

Ponder (prof @ Drury University) 12

Daniel, Presidential Quarterly vol 42 issue 2 p 300-323, Presidential Leverage and the Politics of Policy Formulation, dw: June 2012, da: 7-19-2012, lido

Leverage focuses on the public dimension of presidential action, and presidents with considerable leverage can further veer “off course” and take advantage of the “feeling,” however temporary, that they are “first among equals” with the leverage to set the course of American politics.10 Leverage, broadly conceived, derives from and builds upon these insights into presidential authority. I conceive it not as antagonistic to “warrants” or “leeway,” but rather as part of a cumulative process that helps explain presidential action where presidents can assert, however intuitively, leverage over the course of American politics and public policy. One caveat should be noted and made clear. I do not conceive of leverage as “better” or a stronger predictor than simple presidential approval as traditionally conceived and measured. Rather, I conceptualize leverage as a more nuanced view of the president within the American political system. While my concept of presidential leverage does have a more substantial predictive capacity than presidential approval,11 I make no claim that this will always be the case, or that scholars should abandon the study of approval. The purpose of this article and the larger study from which it derives is to explore the contours and nuance of contextualizing approval this way, where it helps us understand the presidency, and where its limitations lie, both empirically and theoretically.

#### **Political Capital is key to agenda – Bureaucratic** **expertise**

Ponder (prof @ Drury University) 12

Daniel, Presidential Quarterly vol 42 issue 2 p 300-323, Presidential Leverage and the Politics of Policy Formulation, dw: June 2012, da: 7-19-2012, lido

Stronger presidents have the luxury of relying on the bureaucracy, taking advantage of information gains from trade.19 The primary good offered to presidents by executive agents is expertise. Indeed, bureaucratic expertise provides presidents with a substantive advantage in influencing the congressional agenda throughout his term, particularly on issues that are technical and somewhat less salient than others (Larocca 2006, esp. chap. 4). Thus, presidents have access to a sort of responsive expertise, and buttress that policy faithfulness with an increased likelihood of prevailing in the legislative process (Rudalevige 2002). Bureaucratic expertise can work to the president's advantage in a number of ways, but only if the president can assert political control over policy content for both competing institutions and to score political points with the public (Ponder 2000). Thus, it is at this point that the public dimension overlaps with policy construction. Examples gleaned from the literature on presidential policy and public activities illustrate the point. For instance, Eshbaugh-Soha (2006) argues that presidential speeches are in part efficient signals to bureaucrats and other agents as to the president's objectives. I contribute to this literature by arguing that high leverage presidents by definition have more credibility with the public, and this enables them to control the definition of issues. Thus, they are able to expend some leverage to employ staff resources as a powerful monitor, leaving much of the policy content to bureaucratic agents under the watchful eye of the president's policy staff (Ponder 2000).20 Presidential priorities are likely to be more centralized (Rudalevige 2002). For high-leverage presidents, this may reflect an incentive to centralize priorities mixed with a tendency to look to complex items that may have larger impact. Indeed, Ponder (forthcoming) shows that high presidential leverage leads to greater success on big ticket items and historic legislation. Thus, whereas members of Congress are likely to use public cues such as approval for decreasing uncertainty, presidents can use leverage as a barometer to gauge the likelihood of seeing their warrants clearly and taking chances accordingly.

#### **Political Capital is key to the agenda**

Van Horn 1

Carl, Prof@Rutgers, Politics and Public Plicy p 133-134, dw: 7-20-2012, lido

Although members of Congress often take cues from party leaders and the president, majorities assembled to pass one law may not stick together for the next battle. As new issues arise, majorities must be put together at all stages of the legislative process, often one vote at a time. Building coalitions is painstaking work that involves difficult negotiations. David Stockman, President Reagan’s first budget director, called the task of pulling coalitions together in Congress the “politics of giving.” An actual majority for any specific bill had to be reconstructed from scratch every time. It had to be cobbled out of the patchwork of raw, parochial deals that set off a political billiard game of counter-reactions and corresponding demands. The last ten or twenty percent of the votes needed for a majority in both houses had to be bough, period.

#### **Political Capital key to the agenda – deal making**

Terigopula 11

Rajiv, writer, Harvard Political Review, “President Obama’s Political Capital,” http://hpronline.org/hprgument/president-obamas-political-capital/ dw: 1-14-2011, da: 7-20-2012, lido

Much hullabaloo has been made in the last two weeks over the state of the 112th Congress and how it can possibly operate without political gridlock. By popular media’s account, a three-way Western-style showdown between Speaker Boehner, Leader Reid, and President Obama is all but imminent. In the words of William A. Galston, a senior fellow at the Brookings Institute, The polarization of American politics will make a tough job even harder. The two parties disagree on economic fundamentals, and because each now enjoys a share of real power, nothing will get done unless they manage to agree…Flash-points will occur early and often in 2012…Many analysts are predicting two years of gridlock, and it’s easy to see why. Indeed, as the 112th Congress kicks off, our President and the Democratic Party he leads is headed down a grim road for passing any major legislation on its short-term and long-term policy agenda. The pause in harsh rhetoric and fierce contention borne of the tragic, horrifying events of Tucson is unfortunately going to be short-lived, by many accounts. Even as legislators’ efforts for unification might bring together the parties for symbolic purposes such as the State of the Union address, House and Senate Republicans are largely seeking to exercise their mandate to check the perceived Democratic excesses of the last two years. The President of Change is going to have to grapple with the ways of the past, if the House GOP intends to keep its promise to implement the Pledge to America. Inherent in all of these impending political firefights is the realization that President Obama’s intelligent utilization of his quickly diminishing political capital is going to play a larger role than ever in our national political process over the next two years, and may very well determine the outcome of the 2012 presidential race.

Presidents need congressional support for legislative agenda items.

Marshall and Prins, 11 (Bryan W., Miami University, and Brandon C., University of Tennessee & Howard H. Baker, Jr. Center for Public Policy, “Power or Posturing? Policy Availability and Congressional Influence on U.S. Presidential Decisions to Use Force”, Presidential Studies Quarterly Issue Presidential Studies Quarterly Volume 41, Issue 3, pages 521–545, September 2011, Ebsco)

It may be true that presidents consider the chances that Congress will react to a specific use of force with countervailing tools, but even more importantly they anticipate the likelihood that a foreign conflict may damage (or advantage) their political fortunes elsewhere - in essence, the presidential calculus to use force factors in how such actions might shape their ability to achieve legislative priorities. To be clear, presidents can and do choose to use force and press for legislative initiatives in Congress. Taking unilateral actions in foreign policy does not preclude the president from working the legislative process on Capitol Hill. However, political capital is finite so spending resources in one area lessens what the president can bring to bear in other areas. That is, presidents consider the congressional environment in their decision to use force because their success at promoting policy change in either foreign or domestic affairs is largely determined by their relationship with Congress. Presidents do not make such decisions devoid of calculations regarding congressional preferences and behavior or how such decisions may influence their ability to achieve legislative objectives. This is true in large part because presidential behavior is motivated by multiple goals that are intimately tied to Congress. Presidents place a premium on passing legislative initiatives. The passage of policy is integral to their goals of reelection and enhancing their place in history (Canes-Wrone 2001; Moe 1985). Therefore, presidents seek to build and protect their relationship with Congress. Presidents rely heavily on Congress in converting their political capital into real policy success. Policy success not only shapes the reelection prospects of presidents, but it also builds the president's reputation for political effectiveness and fuels the prospect for subsequent gains in political capital (Light 1982). Moreover, the president's legislative success in foreign policy is correlated with success on the domestic front. On this point, some have largely disavowed the two-presidencies distinction while others have even argued that foreign policy has become a mere extension of domestic policy (Fleisher et al. 2000; Oldfield and Wildavsky 1989) Presidents implicitly understand that there exists a linkage between their actions in one policy area and their ability to affect another. The use of force is no exception; in promoting and protecting U.S. interests abroad, presidential decisions are made with an eye toward managing political capital at home (Fordham 2002). Based on this line of argument, our policy availability theory predicts that the president's legislative relationship with Congress is a critical factor in affecting the president's calculus to use military force. Because the president's goals are intimately tied to legislating with Congress, the more productive the relationship is, the less likely the president will use force. Presidents will tend to be risk averse toward the prospect of losing a favorable legislative relationship with Congress. The president's ability to build congressional coalitions is a vital resource necessary for securing their legislative agenda, and so presidents are hesitant to risk such valuable political capital. In this way, presidents consider how the decision to use force may influence their ability to successfully promote their other policy objectives.

Obama's political capital is low but crucial to passing legislation.

Terigopula 2011 (Rajiv. Writer for the Harvard Political Review. “President Obama’s Political Capital,” http://hpronline.org/hprgument/president-obamas-political-capital/)

Indeed, as the 112th Congress kicks off, our President and the Democratic Party he leads is headed down a grim road for passing any major legislation on its short-term and long-term policy agenda. The pause in harsh rhetoric and fierce contention borne of the tragic, horrifying events of Tucson is unfortunately going to be short-lived, by many accounts. Even as legislators’ efforts for unification might bring together the parties for symbolic purposes such as the State of the Union address, House and Senate Republicans are largely seeking to exercise their mandate to check the perceived Democratic excesses of the last two years. The President of Change is going to have to grapple with the ways of the past, if the House GOP intends to keep its promise to implement the Pledge to America. Inherent in all of these impending political firefights is the realization that President Obama’s intelligent utilization of his quickly diminishing political capital is going to play a larger role than ever in our national political process over the next two years, and may very well determine the outcome of the 2012 presidential race. Every move our president takes with respect to advancing his domestic and foreign policy agenda in the halls of the 112th Congress will be heavily scrutinized – even more so than is normally the case – by virtue of the fact that the GOP controls the United States House of Representatives. Given this new status quo, will Obama pass any major Democratic legislation by the end of his first term? The chances are zero to none, even with calculated political moves on the part of the Administration such as the appointment of experienced outsider Bill Daley as the new White House Chief of Staff. In fact, it is apparent that many in the Administration implicitly acknowledge the quickly diminishing political capital Mr. Obama has; after all, campaign promises and pledges have been neglected in the name of political capital stinginess. For instance, as Bernard Aronson of the Washington Post points out today: Latin American free trade agreement advocacy, which President Obama undertook in last year’s State of the Union address, was quickly forgotten by the legislative pragmatists, those political capital Scrooges working in the White House’s West Wing – all in an ostensible effort to preserve what is left of Obama’s waning political capital. In a post 2010-midterm election world, Republicans not only functionally have the numbers to kill President Obama’s policymaking agenda, but American public support for the President and his party continues to diminish each day. Distress and discontent with a stagnant economy, flip-flops on campaign promises, uncontrollable and excessive spending, and incoherent foreign policy decisions have decimated Obama’s political capital amongst the American populace and especially amongst policymakers. With Republican congressmen vowing to obstruct at great cost, the GOP’s confidence and momentum following the midterms, and the surprisingly productive but ultimately ideologically unsatisfactory lame-duck session of Congress have made the situation impossible for President Obama to gain any meaningful political capital through bipartisanship. Quite frankly, through a pragmatic lens, Obama will undoubtedly be unable to yield or generate sufficient political capital to pass his agenda items at least in the next year. As one prominent liberal critic of the President, Roger Hodge, puts it, [President Obama] spent the last two years squandering his political capital on initiatives that did not put Americans back to work. With this waste of his 2008 mandate, and the elimination of said mandate in the 2010 midterms, Mr. Obama’s political capital account is running dangerously close to being overdrawn. Let us wish for the general success of our President, because with his success rests that of our nation. Without a quick, miraculous infusion of political capital, though, it is difficult to see where the specific Democratic policy agenda can possibly succeed in the 112th Congress. And, with the voters having spoken, maybe that’s not such a bad thing after all.

Presidential leverage is key to move the agenda.

Kuttner 11 (Robert, Senior Fellow – Demos and Co-editor – American Prospect, “Barack Obama's Theory of Power,” The American Prospect, 5-16, http://prospect.org/cs/articles?article=barack\_obamas\_theory\_of\_power)

As the political scientist Richard Neustadt observed in his classic work, Presidential Power, a book that had great influence on President John F. Kennedy, the essence of a president's power is "the power to persuade." Because our divided constitutional system does not allow the president to lead by commanding, presidents amass power by making strategic choices about when to use the latent authority of the presidency to move public and elite opinion and then use that added prestige as clout to move Congress. In one of Neustadt's classic case studies, Harry Truman, a president widely considered a lame duck, nonetheless persuaded the broad public and a Republican Congress in 1947-1948 that the Marshall Plan was a worthy idea. As Neustadt and Burns both observed, though an American chief executive is weak by constitutional design, a president possesses several points of leverage. He can play an effective outside game, motivating and shaping public sentiment, making clear the differences between his values and those of his opposition, and using popular support to box in his opponents and move them in his direction. He can complement the outside bully pulpit with a nimble inside game, uniting his legislative party, bestowing or withholding benefits on opposition legislators, forcing them to take awkward votes, and using the veto. He can also enlist the support of interest groups to pressure Congress, and use media to validate his framing of choices. Done well, all of this signals leadership that often moves the public agenda. The most effective presidents have worked all these levers. Think of Franklin Roosevelt, or Ronald Reagan, or Lyndon B. Johnson during the era of the War on Poverty and the civil-rights crusade. But except in the endgame of the battle for health care and his recent turnabout in defending Medicare, Obama has been relatively disengaged on all of these fronts. He left the details of his signature legislation and attendant bargaining to his staff. Says a senior Democrat who speaks frequently to Obama, "He is just not someone who enjoys what most of presidential politics entails."

Polarization improves presidential influence.

Beckmann and Kumar, September 2011 (Matthew – associate professor of political science at the University of California, Irvine, and Vimal – professor of economics at the Indian Institute of Technology, Opportunism in Polarization: Presidential success in Senate Key Votes, 1953-2008, Presidential Studies Quarterly, Vol. 41, Iss. 3, p. 488-503)

Again, the president follows two rules in allocating political capital: first, he only seeks minimum winning coalitions, and second, we assume lawmakers who are indifferent between alternatives will vote with the president, so the president's goal is making pivotal voters indifferent between his proposal and the median senator's ideal bill. If we assume the president's ideal position, p, is to the right of the location of median voter, m, the White House must invest political capital to pass α whenever α > m. Before turning to comparative statics analysis of presidents' influence, a few preliminary caveats about the model deserve mention. First, we fully acknowledge the stylized voting model above does not capture the real-world complexities of congressional policy making, nor does it incorporate a broad array of strategies practicing lawmakers deploy. We do this purposefully to focus on our study's central analytical interest—ideological polarization's implications for presidential influence—but are quick to note that future models, with greater verisimilitude, will afford richer insights into the relationship between presidents, polarization, and policy making. Additionally, while our model emphasizes roll call votes' importance, we certainly do not mean to imply that prevoting processes are unimportant. To the contrary, like Beckmann (2010), we view both “earlygame” and “endgame” legislative processes as important and, in fact, interrelated. By uncovering when polarization will enhance presidents' influence on key roll-call votes, therefore, we also believe this research clarifies the conditions under which presidents can exert influence before such key votes even occur. Returning to our model and its implications, we see a prerequisite to presidential influence is the president's willingness and ability to spend political capital lobbying lawmakers. When a president either chooses not to get involved (A = 0) or lacks political capital to spend (B = 0), the pivotal senator will propose and pass her preferred bill. In such circumstances, the chamber's preference distribution does not matter; the president will have no influence. In other circumstances—ones commonplace since Franklin D. Roosevelt entered the Oval Office—the president not only seeks to exert influence on Capitol Hill, but also wields some political capital to invest to that end. We now turn to these cases and in doing so uncover how presidents' influence turns on more than his supply of political capital and the location of the pivotal voter; it also depends on the level ideological polarization. Let us explain. Typically pivotal voters have been treated as atomized individuals—a legislature's decisive member. Yet pivotal voters do not exist in a vacuum; instead, they are defined by their position in a preference distribution, and any number of such distributions can yield the same pivot point. For a strategic president angling to pass a particular proposal, α, this matters since exactly how much policy “bang” he can get for his lobbying “buck” depends on both the pivotal voter and the distribution around her. Indeed, we can show the political capital the president must spend depends, in part, on legislators' distribution of ideal points—in other words, polarization. Equation 4 defines this amount, which, using the president's utility function from equation 1, can be simplified as image(5) for α > m Now, president will propose α\*, which maximizes his utility given in equation 5. The first order condition for the maximization can be given by (Figure 6) Here we see how ideological polarization can increase presidents' potential influence. Per equation 6, the president proposes the most ambitious proposal possible (the first term) given the cost of ensuring its passage by lobbying (the second term). Notice, as the value affix) decreases in the neighborhood of the median - that is, as increasing polarization leaves pivotal voters without many like-minded colleagues - the cost of lobbying can decrease, thereby permitting the president to propose (and pass) an even more ambitious proposal. Below we illustrate this general finding for three archetype distributions - one unimodal, one uniform, and one bimodal - as shown in Figure 2 and defined in Appendix A. Note that, although these three archetype distributions vary substantially in terms of polarization, from low (unimodal) to moderate (uniform) to high (bimodal), they all have the same median voter, which allows us to isolate the impact of ideological polarization per se, independent of the pivotal voter's preference. Put differently, comparing presidents' influence across these three distributions reveals how polarization (or lack thereof) affects presidents' legislative influence (or lack thereof), all else equal. Figure 3 displays the president's influence on the policy outcome given these different levels of congressional polarization, assuming the president's goal is to achieve an outcome as far to the right as possible (toward \). Perhaps the most obvious result is that presidents endowed with political capital and executing a vote-centered strategy can always improve their prospects for success by lobbying. Across all three distributions, even modest supplies of political capital permit the president to pull the outcome toward his preferred outcome. And, of course, added supplies of political capital only serve to further enhance presidents' policy-making influence. But beyond these basic results is the more intriguing insight: as polarization grows, increasing are the president's policy returns on lobbying investments. By allowing the president to focus his political resources on only a handful of swing voters, polarization permits presidents to exert greater influence than would be possible in a chamber packed with so-called centrists. Consequently, given some level of political capital, the president exerts the least influence in the nonpolarized (unimodal) legislature and the greatest influence in the polarized (bimodal) one.4 Again, this illustration just affirms the general result proved earlier: all else equal, ideological polarization around the pivotal voter improves presidents' prospects for exerting influence, prevailing on key votes, and securing legislative success.

PC not key

#### **PC doesn’t matter – ideology matters more**

Dickinson 9

Matthew, prof of poly sci at Middlebury, Sotomayor, Obama and Presidential Power, http://blogs.middlebury.edu/presidentialpower/2009/05/26/sotamayor-obama-and-presidential-power/, dw: 5-26-2009, da: 7-20-2012, lido

What is of more interest to me, however, is what her selection reveals about the basis of presidential power. Political scientists, like baseball writers evaluating hitters, have devised numerous means of measuring a president’s influence in Congress. I will devote a separate post to discussing these, but in brief, they often center on the creation of legislative “box scores” designed to measure how many times a president’s preferred piece of legislation, or nominee to the executive branch or the courts, is approved by Congress. That is, how many pieces of legislation that the president supports actually pass Congress? How often do members of Congress vote with the president’s preferences? How often is a president’s policy position supported by roll call outcomes? These measures, however, are a misleading gauge of presidential power – they are a better indicator of congressional power. This is because how members of Congress vote on a nominee or legislative item is rarely influenced by anything a president does. Although journalists (and political scientists) often focus on the legislative “endgame” to gauge presidential influence – will the President swing enough votes to get his preferred legislation enacted? – this mistakes an outcome with actual evidence of presidential influence. Once we control for other factors – a member of Congress’ ideological and partisan leanings, the political leanings of her constituency, whether she’s up for reelection or not – we can usually predict how she will vote without needing to know much of anything about what the president wants. (I am ignoring the importance of a president’s veto power for the moment.)

#### **PC not key to agenda – only small push**

Beckman and Kumar 11

Matthew and Vimal, prof at UC-Irvine and Prof and Indian institute of Tech, Opportunism in Polarization: Presidential Success in Senate Key Votes, 1953-2008, Presidential Studies Quarterly Volume 41, Issue 3, pages 488–503, September 2011, da: 7-20-2012, lido

First, as previous research has shown, the further away the pivotal voter's predisposition from the president's side, the lower his chances for prevailing on “key” contested Senate votes (b = −2.53, se = .79, p < .05). Holding everything else at its 2008 value, the president's predicted probability of winning a key, contested vote runs from .42 to .77 across the observed range of filibuster pivot predispositions (farthest to closest), with the median distance yielding a .56 predicted probability of presidential success. Plainly, the greater the ideological distance between the president and pivotal voter, the worse the president's prospects for winning an important, controversial floor vote in the Senate. But if a president's prospects for winning important votes dims as the pivotal senator's predisposition diverges from his own, that reality is mitigated if there is lots of “open space” in the interval between them (b = 1.92, se = .72, p < .05). So even if confronting the far-off pivotal voter of 2008, the predicted probability of presidential success jumps from .35 to .51 if the Senate's level of polarization is extreme (the maximum observed value) rather than moderate (the median observed value). Therefore, that presidents' distance to the Senate's pivotal voter has correlated with increased polarization (r = .42) is, at least in this way, good news for those in the West Wing. All else equal, ideological polarization gives presidents a better chance for winning big votes. The final important piece in our theoretical model—presidents' political capital—also finds support in these analyses, though the results here are less reliable. Presidents operating under the specter of strong economy and high approval ratings get an important, albeit moderate, increase in their chances for prevailing on “key” Senate roll-call votes (b = .10, se = .06, p < .10). Figure 4 displays the substantive implications of these results in the context of polarization, showing that going from the lower third of political capital to the upper third increases presidents' chances for success by 8 percentage points (in a setting like 2008). Thus, political capital's impact does provide an important boost to presidents' success on Capitol Hill, but it is certainly not potent enough to overcome basic congressional realities. Political capital is just strong enough to put a presidential thumb on the congressional scales, which often will not matter, but can in close cases.

#### **PC not key – deal making doesn’t really matter**

Rockman 9

Bert, prof of poly sci @ Purdue, Presidential Studies Quarterly vol 39 issue 4, October 2009, da: 7-20-2012, lido

Although Neustadt shunned theory as such, his ideas could be made testable by scholars of a more scientific bent. George Edwards (e.g., 1980, 1989, 1990, 2003) and others (e.g., Bond and Fleisher 1990) have tested Neustadt's ideas about skill and prestige translating into leverage with other actors. In this, Neustadt's ideas turned out to be wrong and insufficiently specified. We know from the work of empirical scientists that public approval (prestige) by itself does little to advance a president's agenda and that the effects of approval are most keenly felt—where they are at all—among a president's support base. We know now, too, that a president's purported skills at schmoozing, twisting arms, and congressional lobbying add virtually nothing to getting what he (or she) wants from Congress. That was a lot more than we knew prior to the publication of Presidential Power. Neustadt gave us the ideas to work with, and a newer (and now older) generation of political scientists, reared on Neustadt but armed with the tools of scientific inquiry, could put some of his propositions to an empirical test. That the empirical tests demonstrate that several of these propositions are wrong comes with the territory. That is how science progresses. But the reality is that there was almost nothing of a propositional nature prior to Neustadt.

#### **Political Capital is not key to the agenda**

Ponder (prof @ Drury University) 12

Daniel, Presidential Quarterly vol 42 issue 2 p 300-323, Presidential Leverage and the Politics of Policy Formulation, dw: June 2012, da: 7-19-2012, lido

Building on these insights, I argue that higher leverage presidents are more likely to decentralize, and lower leveraged (weaker) presidents will centralize more. Stronger presidents are given more leeway (Jones 2000) and act on their perceived warrants for action (Skowronek 1993). The mechanism driving the policy location decision derives from the overlap of public opinion and leeway. Consider the case of the “weak” or lower-leveraged presidents. These presidents may protect what they want with the hope of passing an agenda. They centralize to protect their policy proposals from potentially hostile adversaries in American politics. As Ponder notes, “political concerns become so intractable that the technical substance of policy is used as a bargaining tool between the political and policy dimensions” (2000, 8). Of course, not all presidents who centralize are politically weak; indeed there is some variation in propensity to centralize within, as well as across, presidencies. Presidents who centralize sacrifice policy expertise in order to control the political definition of policy, but, as Rudalevige (2002) demonstrates, control often dissipates, as centralized policies are less likely to pass in Congress. Still, congressional success cannot always be equated with political success.18 Nonetheless, lower-leverage presidents may need to centralize more so as to protect their agenda items from other political imperatives, such as Congress, political opponents, or even their own partisans, when brand-name politics is at stake.

Public Support Key

#### **Popularity key to agenda**

Canes-Wrone and de Marchi 2

Brandice and Scott, MIT pol sci prof, duke pol prof, Journal of Politics, May 2002, p 493, da: 7-20-2012, lido

The literature suggests two types of mechanisms by which presidential approval advances legislative influence; in this section, we outline these mechanisms and argue that they apply primarily to salient and complex legislation. The first mechanism, described by Rivers and Rose (1985), argues that congressional members regard presidential approval as a signal of public preferences on the president’s policy agenda. Members are assumed to be seeking reelection and therefore interested in enacting policies that voters desire. Since approval is an indication of these policy preferences, members are more likely to acquiesce to a president’s legislative requests the higher is his popularity.

#### **Public support key to polcap**

Ponder (prof @ Drury University) 12

Daniel, Presidential Quarterly vol 42 issue 2 p 300-323, Presidential Leverage and the Politics of Policy Formulation, dw: June 2012, da: 7-19-2012, lido

This example illustrates a number of dynamics that together make up presidential leverage. Naturally, presidential approval plays an important role. Presidents have come to believe that public opinion and approval is vital for their success (e.g., Brace and Hinckley 1992). Timing of policy proposals, speech making, travel schedules, and so forth, are often linked to presidential approval. While presidents do try to use public approval, recent research has shown that public approval has at best a mixed effect on areas of vital importance to presidents such as policy success in Congress (Bond and Fleisher 1990; Edwards 1989, 2003; Fett 1994; Peterson 1990; Sullivan 1990). Approval as it is normally measured takes account of the president bereft of context, independent of competing institutions. Stimson (2004) shows that presidential approval tracks well with a number of different macro indicators, such as the public’s perception of the economy. Still, there are times that presidential approval outpaces or lags behind similar readings of competing institutions, particularly Congress. In such circumstances, presidents can gain strategic advantage, or “leverage,” over their competitor institutions in both the political and policy realms. 6 Because it measures the individual president’s standing with the public, approval serves as the numerator in the measurement of presidential leverage. Political trust is the denominator. As Elaine C. Kamarck has it, “the evolving American state is being powerfully shaped by negative attitudes towards government among Americans” (2009, 1). In a separated system (Jones 1994), trust provides the context for political action. Hetherington (2005) argues that trust is not simply a matter of public attitude toward government but has real policy implications. For example, political trust drives support for policies that target underprivileged sectors of society (e.g., the poor), and if trust is lacking, the political will to address issues, such as race, health care reform, and spending, is similarly lacking. 7

#### **Public support is key to legislative agenda**

Villalobos, Vaughn and Azari 12

Jose, Justin, Julia. prof@Texas-El Paso, prof @ Boise State, Prof @ Marquette. Presidential Studies Quarterly volume 42 issue 3 pages 549-576. Politics or Policy? How Rhetoric Matters to Presidential Leadership of Congress. Dw: September 2012, da: 7-19-2012, lido

Public Opinion.  Following the tradition of the literature, we expect that public approval is likely to influence whether presidents can achieve their policy agenda goals.28 Regarding legislative behavior, presidential approval allows members of Congress to gauge whether they should support a certain presidential policy proposal (see Edwards 1989, 2003). As such, when approval ratings are high, members of Congress are more likely to support a president's legislative proposals than when ratings are low (Brace and Hinckley 1992, 1993; Canes-Wrone and de Marchi 2002; Edwards 1980, 1983, 1989; see also Edwards 1997). We measure presidential approval as the percentage approval of the president according to the most recent Gallup poll prior to the proposal of a presidential initiative. An additional measure of presidential approval concerns the change in approval from the time the president proposes an initiative to the time of the initiative's passage or legislative defeat. Controlling for change in presidential approval over time is important because, as Bond, Fleisher, and Wood (2003, 97) find, “Not only does the president's public approval rise and fall over time, the interpretation that members of Congress place on a given level or change in approval also is likely to vary over time.” We measure change in presidential approval by subtracting the percentage approval of the president according to the most recent Gallup poll prior to the proposal of a presidential initiative from the percentage approval of the president once a decision is made on that initiative in each chamber of Congress. Typically, a final decision is the roll call vote for a given bill but can also constitute the date that Congress adjourns for cases where a bill simply dies and does not come to a vote. As with the measures for ideological congressional makeup, we use separate measures of change in approval for each chamber decision in the House and Senate.

Public Support isn’t key

#### **Presidential agenda has no affect from public popularity**

Chen 97

Jeffrey, prof @ Fordham, Presidential Responsiveness and Public Policy Making, p 123, da: 7-17-2012, dw: 1997, lido

The results detect no association between public opinion lagged one year and presidential ideology. The regression coefﬁcient for the public opinion variable falls very short of statistical signiﬁcance (t = — .90); moreover, the sign is in the wrong direction? This simple test may, however, be unable to pick up any relationship between presidential ideology and public opinion. In chapter 5 I deal with alternative speciﬁcations and hypotheses about the relationship between opinion liberalism in the mass public and presidential ideology. A Note on Presidential Leadership of Public Opinion The core task of this book is to test for the varying degree of presidential responsiveness to the public across the policy process. Less critical, but still of interest, is determining the impact of presidential leadership of public opinion at different points in the policy-making process. Nowhere does the theory being proposed here suggest that presidential leadership will vary. Instead, it suggests that presidents may be potent leaders of public opinion throughout the policy-making process. In contrast, presidential responsiveness to public opinion varies across the policy-making process as the mix of presidential incentives changes. Thus, in the process of problem identiﬁcation, I demonstrated presidential responsiveness to public opinion on a symbolic level but found that presidents can also lead public opinion in that process. In contrast, when presidential rhetoric turned substantive, presidents display less of a tendency to respond to public opinion. Since the publication of Stimson’s work on public opinion, one study has tried to model inﬂuences over public opinion (Durr 1993). Durr’s study emphasized how public expectations about the economy affect the public mood. Q When the public is more conﬁdent about the economy, it usually is more liberally bent. Moreover, the whole question of what moves and inﬂuences public opinion has a much longer heritage (cf. Page and Shapiro 1992; Page, Shapiro, Dempsey 1987). In this section, I will show that while presidents were not responsive to public opinion, presidential rhetoric may help direct the course of public opinion. The analysis here is not meant to be definitive but merely suggest that presidential rhetoric hould be incorporated into an understanding of why the public thinks the way that it does about public policies. That the president commands such a looming presence over the mass public (Miroff 1982) argues for such incorporation.

#### **Popularity and political capital are unrelated**

Ponder (prof @ Drury University) 12

Daniel, Presidential Quarterly vol 42 issue 2 p 300-323, Presidential Leverage and the Politics of Policy Formulation, dw: June 2012, da: 7-19-2012, ldonnelly

How does the concept of leverage map onto what we know about the environment of presidential activity? Data for the dependent variable are available only through 1996, but leverage can be tracked through time into the present day.12Figure 2 tracks the coefficient of presidential leverage over time. As discussed above, the coefficient reflects the ratio of presidential approval to public trust in government13 ranging in time from the last part of Dwight Eisenhower's administration through the first of Bill Clinton's two terms. While there are similarities between approval and trust (see Stimson 2004), the two series do not map perfectly on one another, with only about 25% of the variance in trust explained by approval (zero-order correlation is .50, p = .001). Figure 2 shows that while public trust in government was extremely high in the early part of the series, so were annual levels of presidential approval. When measured as a ratio, presidents such as Eisenhower and Kennedy did not register extremely high on the leverage scale because public trust in government was similarly high, giving presidents no special standing from which to claim outstanding warrants for action. Indeed, one of the main strengths of presidential leverage is that it is conceptualized as a relative measure, meaning that high approval ratings are neither necessary nor sufficient for high leverage. The measure clearly has face validity. Not surprisingly, the lowest leverage value registers in the last year of Nixon's presidency, the tumultuous final throes of the Watergate crisis. The index's first peak appears in 1977, likely explained by the fact that Carter was the first truly post-Watergate president. By this time, the presidency had been somewhat scaled back by Congress with the passage of the 1974 Budget and Impoundment Control Act and the War Powers Resolution, the latter of which passed over Nixon's veto. Still, government trust was at one of its lowest points in the time series, with a score of 42.78, almost one standard deviation below the series mean of nearly 50. Carter's average approval that year was just over 62%, producing a leverage index of 1.45. Thus, when placed in context, the observation that Carter registered the second highest leverage score is not terribly surprising, especially as the coefficient declines throughout the rest of his term, reflecting continuing public dissatisfaction with his presidency, high oil and gas prices, stagflation, and the Iranian hostage crisis. The index finds its second (and highest) peak in 1991, the year of George H. W. Bush's triumph in the Gulf War. In that year, government trust was even lower than in Carter's first year, scoring 41.78, but Bush's average approval (having hit 89% at its zenith in April of that year) was 73.25%, yielding a score of 1.75, the highest in the series, a rating not approached by any other president. The index fluctuates throughout the Reagan years, dips as expected during the Iran-Contra affair, and again at the very beginning of the Bush administration. It rebounds in 1991 during the Gulf War, but plummets soon afterward making possible Bill Clinton's ascension to the presidency. While the index does vary somewhat, it generally increases over time. By way of comparison, presidential approval (not shown here in isolation) does not show any monotonic trend, varies about an equilibrium point, and ebbs and flows according to regular patterns, generally high in an administration's early months, then decreasing, exhibiting both peaks and troughs (Erikson, MacKuen, and Stimson 2002). Leverage, on the other hand, generally increases, with the major exception being the precipitous Watergate decline. The increase over time is due not simply to presidential approval, but to the decreasing levels of public trust in government in general (likely reflected by declining trust in Congress in particular). Thus, presidents are in some respects the only (or perhaps the best) game in town for the public, at least as far as the elected branches are concerned.

### Winners Lose

#### **Winners Lose – leadership doesn’t work**

The Economist 11

No auth, What's the equilibrium here? http://trunk.economist.com/blogs/freeexchange/2011/02/game\_theory, dw: 2-16-2011, da: 2-16-2011, lido

EZRA KLEIN describes the game President Obama seems to be playing these days: The Obama administration's theory of policymaking amid divided government is a frustrating one. What most people want from the president is to lead. And leading, in this case, means giving a speech, getting behind some unpopular ideas, trying to change public opinion...But the White House has come to the conclusion that that type of leadership doesn't work. It believes that the quickest way to kill a controversial proposal in a polarized political system is to have the president endorse it. Once a high-profile proposal is associated with the White House, Republicans (correctly) view its passage as a threat to their political fortunes. That's why the Obama administration didn't endorse a payroll tax holiday until after the election, when it emerged as part of the tax deal. Endorsing it before the election would've "poisoned the well," one administration official told me after. Republicans would have had to attack it, and that would have made it impossible for them to endorse it later. The Obama administration may have a point here. Consider one item that the president has repeatedly, openly pushed—investment in America's long-neglected intercity rail system. Republican governors are cancelling rail plans as fast as they can. Florida Governor Rick Scott just scrapped a Florida plan, despite the fact that the federal government was going to cover most of the capital costs, while private companies were offering to cover the rest in exchange for the right to operate the line. On the other hand, Mr Obama responded to Republican budget proposals that avoided addressing entitlements by...releasing a budget that avoided addressing entitlements. And lo and behold, Republican congressional leaders are now scrambling to include entitlement reforms in new budget plans. Maybe the president has this whole reverse psychology thing figured out.

#### **Winners Lose – controversial policies trigger massive costs**

Harris and Lee 10

John and Carol, staff, politico, Obama's first year: What went wrong, http://dyn.politico.com/printstory.cfm?uuid=4DF829C9-18FE-70B2-A8381A971FA3FFC9, dw: 1-20-2010, da: 7-20-2012, lido

• Obama believed that early success would be self-reinforcing, building a powerful momentum for bold government action. This belief was the essence of the White House’s theory of the “big bang” — that success in passing a big stimulus package would lead to success in passing health care, which in turn would clear the way for major cap-and-trade environmental legislation and “re-regulation” of the financial services sector — all in the first year. This proved to be a radical misreading of the dynamics of power. The massive cost of the stimulus package and industry bailouts — combined with the inconvenient fact that unemployment went up after their passage — meant that Obama spent the year bleeding momentum rather than steadily increasing public confidence in his larger governing vision. That vision was further obscured for many Americans by the smoke from the bitter and seemingly endless legislative battle on Capitol Hill over health care.

### Winners Win

#### **Winners Win – issues give ground for discussion of other issues**

Sargent 10

Greg, staff writer, WA post, Why is left so disappointed in Obama?, <http://voices.washingtonpost.com/plum-line/2010/08/politico_channels_professional.html>, dw: 8-23-2010, da: 7-20-2012, lido

The fetishizing of bipartisanship, and the hope that a few Republicans could be induced to back his agenda, is also what led Obama to avoid taking a strong, bottom-line stand on core principles, such as the public option. White House advisers also seemed reluctant for Obama to stake real political capital on provisions that were likely to fail, which also contributed to his mixed messages on core liberal priorities. To be clear, I tend to think this critique is overstated: Obama has passed the most ambitious domestic agenda since FDR, and there are some grounds for believing that the White House got as much as it possibly could have. But my bet is that if the White House hadn't fetishized bipartisanship early on; if Obama had drawn a sharper contrast with the GOP from the outset; and if he had taken a stronger stand on behalf of core priorities even if they were destined for failure, his lefty critics would be more willing to give him the benefit of the doubt. That said, presuming Obama's will be a two-term presidency, we are not even one-fourth of the way through his tenure. By the time Obama retires to private life, this whole debate underway about Obama's early failings could ultimately be reduced to a mere asterisk, or even forgotten completely.

#### **Winners Win – a legislative success makes it easier to effectively use political capital**

Marshall and Prins 11

Bryan and Brandon, prof of poly sci at Miami and prof of poly sci and UTennessee, Power or Posturing? Policy Availability and Congressional Influence on U.S. Presidential Decisions to Use Force, Presidential Studies Quarterly Volume 41, Issue 3, pages 521–545, September 2011, lido

Presidents rely heavily on Congress in converting their political capital into real policy success. Policy success not only shapes the reelection prospects of presidents, but it also builds the president's reputation for political effectiveness and fuels the prospect for subsequent gains in political capital (Light 1982). Moreover, the president's legislative success in foreign policy is correlated with success on the domestic front. On this point, some have largely disavowed the two-presidencies distinction while others have even argued that foreign policy has become a mere extension of domestic policy (Fleisher et al. 2000; Oldfield and Wildavsky 1989) Presidents implicitly understand that there exists a linkage between their actions in one policy area and their ability to affect another. The use of force is no exception; in promoting and protecting U.S. interests abroad, presidential decisions are made with an eye toward managing political capital at home (Fordham 2002).

#### **Winners Win – passing controversial legislation is perceived as bold increasing capital**

Green 10

David, prof of poly sci at Hofsra university, The Do-Nothing 44th President, http://www.opednews.com/articles/The-Do-Nothing-44th-Presid-by-David-Michael-Gree-100611-648.html, dw: 6-11-2010, da: 7-20-2012, lido

Moreover, there is a continuously evolving and reciprocal relationship between presidential boldness and achievement. In the same way that nothing breeds success like success, nothing sets the president up for achieving his or her next goal better than succeeding dramatically on the last go around. This is absolutely a matter of perception, and you can see it best in the way that Congress and especially the Washington press corps fawn over bold and intimidating presidents like Reagan and George W. Bush. The political teams surrounding these presidents understood the psychology of power all too well. They knew that by simultaneously creating a steamroller effect and feigning a clubby atmosphere for Congress and the press, they could leave such hapless hangers-on with only one remaining way to pretend to preserve their dignities. By jumping on board the freight train, they could be given the illusion of being next to power, of being part of the winning team. And so, with virtually the sole exception of the now retired Helen Thomas, this is precisely what they did. But the game of successfully governing is substantive as well as psychological. More often than not, timidity turns out not to yield the safe course anticipated by those with weak knees, but rather their subsequent undoing. The three cases mentioned at the top of this essay are paradigmatic.

#### **Winners Win – Health Care proves**

Halloran 10

Liz, staff, NPR, For Obama, What A Difference A Week Made, <http://www.npr.org/templates/story/story.php?storyId=125594396>, dw: 4-6-2010, da: 7-20-2012, lido

Amazing what a win in a major legislative battle will do for a president's spirit. (Turmoil over spending and leadership at the Republican National Committee over the past week, and the release Tuesday of a major new and largely sympathetic book about the president by New Yorker editor David Remnick, also haven't hurt White House efforts to drive its own, new narrative.) Though the president's national job approval ratings failed to get a boost by the passage of the health care overhaul — his numbers have remained steady this year at just under 50 percent — he has earned grudging respect even from those who don't agree with his policies. "He's achieved something that virtually everyone in Washington thought he couldn't," says Henry Olsen, vice president and director of the business-oriented American Enterprise Institute's National Research Initiative. "And that's given him confidence." The protracted health care battle looks to have taught the White House something about power, says presidential historian Gil Troy — a lesson that will inform Obama's pursuit of his initiatives going forward. "I think that Obama realizes that presidential power is a muscle, and the more you exercise it, the stronger it gets," Troy says. "He exercised that power and had a success with health care passage, and now he wants to make sure people realize it's not just a blip on the map."

### AT: Winners Win

#### **Winners don’t win – perceptions of wins don’t matter**

Jacobs and King 10

Lawrence and Desmond, profs at UMinnesotta and Nuffield, Perspectives on Politics (2010), 8 : pp 793-802, Varieties of Obamaism: Structure, Agency, and the Obama Presidency, da: 7-20-2012, lido

But personality is not a solid foundation for a persuasive explanation of presidential impact and the shortfalls or accomplishments of Obama's presidency. Modern presidents have brought divergent individual traits to their jobs and yet they have routinely failed to enact much of their agendas. Preeminent policy goals of Bill Clinton (health reform) and George W. Bush (Social Security privatization) met the same fate, though these presidents' personalities vary widely. And presidents like Jimmy Carter—whose personality traits have been criticized as ill-suited for effective leadership—enjoyed comparable or stronger success in Congress than presidents lauded for their personal knack for leadership—from Lyndon Johnson to Ronald Reagan.7 Indeed, a personalistic account provides little leverage for explaining the disparities in Obama's record—for example why he succeeded legislatively in restructuring health care and higher education, failed in other areas, and often accommodated stakeholders. Decades of rigorous research find that impersonal, structural forces offer the most compelling explanations for presidential impact.8 Quantitative research that compares legislative success and presidential personality finds no overall relationship.9 In his magisterial qualitative and historical study, Stephen Skowronek reveals that institutional dynamics and ideological commitments structure presidential choice and success in ways that trump the personal predilections of individual presidents.10 Findings point to the predominant influence on presidential legislative success of the ideological and partisan composition of Congress, entrenched interests, identities, and institutional design, and a constitutional order that invites multiple and competing lines of authority. The widespread presumption, then, that Obama's personal traits or leadership style account for the obstacles to his policy proposals is called into question by a generation of scholarship on the presidency. Indeed, the presumption is not simply problematic analytically, but practically as well. For the misdiagnosis of the source of presidential weakness may, paradoxically, induce failure by distracting the White House from strategies and tactics where presidents can make a difference. Following a meeting with Obama shortly after Brown's win, one Democratic senator lamented the White House's delusion that a presidential sales pitch will pass health reform—“Just declaring that he's still for it doesn't mean that it comes off life support.”11 Although Obama's re-engagement after the Brown victory did contribute to restarting reform, the senator's comment points to the importance of ideological and partisan coalitions in Congress, organizational combat, institutional roadblocks, and anticipated voter reactions. Presidential sales pitches go only so far. Yet if presidential personality and leadership style come up short as primary explanations for presidential success and failure, this does not render them irrelevant. There is no need to accept the false choice between volition and structure—between explanations that reduce politics to personality and those that focus only on system imperatives and contradictions. The most satisfying explanations lie at the intersection of agency and structure—what we describe as structured agency. Presidents have opportunities to lead, but not under the circumstances they choose or control. These circumstances both restrict the parameters of presidential impact and highlight the significance of presidential skill in accurately identifying and exploiting opportunities. Indeed, Obama himself talks about walking this tightrope—exercising “ruthless pragmatism” in seizing opportunities for reform while accepting the limits and seeking to “bridge that gap between the status quo and what we know we have to do for our future”.12

### Wins Don’t Spill Over

#### **Wins don’t spill over**

Hertzberg 11

Herndrik, political analyst, New Yorker, COOLING ON WARMING, http://www.newyorker.com/talk/comment/2011/02/07/110207taco\_talk\_hertzberg?printable=true, dw: 2-7-2010, da: 7-20-2012, lido

Strong words. But now they are not even whispered. The climate bill, like hundreds of others less consequential, met its fate on the legislative terminal ward that is the United States Senate, where bleeding is still the treatment of choice. The bill died of complete organ failure, you might say. The contributing causes included the economic crisis, which made it easy to stoke fear; the power, money, and regional clout of sectors that benefit from the greenhouse-gas-producing status quo, especially the coal and oil industries; the Republican congressional leadership’s determination to forgo compromise in favor of a disciplined drive to block anything that might resemble a victory for Obama; the rise of the Tea Party right and the baleful influence of talk radio and Fox News; and, as always, the filibuster. But Obama and the White House cannot escape blame. They botched delicate negotiations in the Senate, were neglectful at key moments, and expended little of the courage, imagination, and resources they brought to health-care reform. Perhaps they calculated that winning health care would strengthen them for climate change, like Popeye after a helping of spinach. But the political effect, at least in its immediate manifestations, was more like Kryptonite.

## Jackson Vanick

### JV – Will Pass

There is bipartisan support for repeal of Jackson-Vanik - it will pass.

Vicki Needham, 7-19-12 (Staff Writer, The Hill, " Deal struck in House on Russia trade bill", http://thehill.com/blogs/on-the-money/1005-trade/239005-house-democrats-republicans-reach-agreement-on-russia-trade-bill- :)

House Republicans and Democrats reached an agreement on Thursday for moving a bill that would extend permanent normal trade relations (PNTR) to Russia and make a statement on Moscow's human-rights record, upping the bill's chances of clearing Congress before the August recess. Top lawmakers on the House Ways and Means Committee announced that they will mark up the trade legislation next week. Panel Chairman Dave Camp (R-Mich.), ranking member Sandy Levin (D-Mich.), trade subcommittee Chairman Kevin Brady (R-Texas) and the subcommittee's top Democrat, Jim McDermott of Washington, collectively introduced legislation mirroring the measure approved Wednesday by the Senate Finance Committee. "I am pleased that we were able to gain bipartisan support for this important legislation that supports U.S. jobs and exports, and I look forward to marking it up next week," Camp said. The trade bill would repeal the 37-year-old Jackson-Vanik provision that violates international trade rules and include the Magnitsky human-rights legislation that has been approved by the House Foreign Relations Committee. The measures will likely be merged in the House Rules Committee before heading to the floor. "The bill we are introducing today includes important additional measures relating to the enforcement of key provisions, ranging from the protection of intellectual property rights, to barriers to U.S. exports, and Russia's compliance with its WTO commitments," Levin said. "At the same time, we must continue to use the opportunity of action on Russia PNTR to send a clear message to Russia of our deep concern about their continuing failure to work with the other nations of the world to address the violence against civilians in Syria," he said.

Senators are confident they will lobby the repeal to passage.

Vicki Needham, 7-18-12 (Staff Writer, The Hill, " Senate Finance unanimously approves bill to normalize trade with Russia", http://thehill.com/blogs/on-the-money/1005-trade/238715-senate-finance-unanimously-approves-russia-trade-bill- :)

Senators cleared the first hurdle to extending permanent normal trade relations to Russia on Wednesday amid uncertainty about the chances of moving similar legislation through the House. The Senate Finance Committee unanimously approved a measure combining a repeal of Jackson-Vanik, an obsolete Cold War-era provision, with a human-rights measure that would punish Russian officials involved in the death of whistleblowing lawyer Sergei Magnitsky. But division between the House and Senate, combined with a tight deadline, has cast doubt on whether Congress will pass a trade bill before Russia joins the World Trade Organization next month. Unless Congress acts to normalize relations, U.S. businesses could be at a disadvantage against foreign competitors that sell to Russia. “By enacting [permanent normalized trade relations] together with the Magnitsky bill, we are replacing Jackson-Vanik with legislation that addresses the corruption and accountability issues that Russia confronts today,” Senate Finance Committee Chairman Max Baucus (D-Mont.) said. Baucus argued that the show of bipartisan support — he and ranking member Orrin Hatch (R-Utah) hammered out a compromise — could boost the bill’s chances. He expressed optimism that the Senate would vote on the measure before Russia joins the World Trade Organization, but conceded that Senate leadership hasn’t indicated whether it will take up the bill. Senate Majority Whip Dick Durbin (D-Ill.) cast doubt on holding a vote before the August recess. “I have not heard it discussed in terms of being scheduled before the recess,” he told The Hill. But the unanimous vote on the Finance Committee might be enough to sway Senate leadership to consider the measure. During the past several weeks, business groups such as the U.S. Chamber of Commerce and Business Roundtable have ramped up their push for passage of a trade bill before lawmakers leave town for the summer break. “This is a huge message to the House and is the momentum burst the business community has been hoping for,” Christopher Wenk, senior director of international policy at the Chamber, told The Hill. “This is the one issue in Washington with bipartisan support in the House and the Senate that can be signed by the president; there’s no other issue out there. This is a fantastic outcome.” Despite some discord, Wenk said he’s confident Congress can get a bill to President Obama before the August recess. Another business group, the National Foreign Trade Council (NFTC), supports the trade-relations bill but is still opposed to the Magnitsky language. The measure, “which addresses legitimate human-rights concerns, contains a number of problematic provisions that will unnecessarily complicate U.S.-Russia relations and create a new global unilateral sanction regime for the U.S. government to use against virtually any foreign person for vaguely defined reasons,” said NFTC President Bill Reinsch. But there was a glimmer of hope that the bill could start to move in the House. House Ways and Means ranking member Sandy Levin (D-Mich.) said Wednesday he supports the bill that cleared Senate Finance and urged the panel to mark up the legislation. “The outcome of that action is a strong bill that addresses the outstanding issues that we have raised,” Levin said. House Ways and Means Chairman Dave Camp (R-Mich.), who has called for a clean measure, said Wednesday that he intends to introduce a bill soon.

Magnitsky part of Jackson Vanik will pass unhindered.

Doug Palmer, 7-19-12 (Staff Writer, Chicago Tribune, " House lawmakers reach deal on Russia trade, rights bill", http://www.chicagotribune.com/news/politics/sns-rt-us-usa-russia-tradebre86i10y-20120719,0,4282739.story :)

The bill is similar to one approved unanimously on Wednesday by the Senate Finance Committee and which contains a number of provisions to put pressure on the U.S. Trade Representative's Office to ensure Russia honors its WTO commitments, they said. "The bill we are introducing today includes important additional measures relating to the enforcement of key provisions, ranging from the protection of intellectual property rights, to barriers to U.S. exports, and Russia's compliance with its WTO commitments," Levin said. It would exclude certain human rights provisions in the Finance Committee package because that is outside the jurisdiction of the Ways and Means Committee. But the four lawmakers said they would push for the "Magnitsky bill" to be added by House leaders to the PNTR package before it goes to the floor for a vote. "As a long-time supporter of the Magnitsky legislation, I am advocating that it be paired with PNTR before a House vote," Camp said. Russia is expected to join the World Trade Organization in August, 18 years after it first asked for membership, putting pressure on Congress to lift a Cold War-provision known as the Jackson-Vanik amendment, which is inconsistent with WTO rules. If Congress does not act to terminate the provision and grant PNTR, Russia could deny U.S. exporters some of the market-opening concessions it made to join the WTO, and the United States would not be able to challenge those actions through the WTO's dispute settlement system. Concern about Russia's commitment to human rights, democracy and the rule of law is propelling the Magnitsky bill, named after a Russian anti-corruption lawyer who died in 2009 after a year in Russian jails. It would bar Russia officials guilty of human rights violations from traveling to the United States and freeze assets they hold in U.S. banks. The White House had pushed for a bill free of human rights provisions to terminate Jackson-Vanik and establish "permanent normal trade relations" with Moscow. But it appears resigned to the bill passed by the Senate Finance Committee, which included the Magnitsky provisions.

Kendall Watson, 7-20-12 (Staff Reporter, MercerIsland Patch, "Smith Supports Bill to Normalize Trade With Russia", http://mercerisland.patch.com/articles/smith-supports-bill-to-normalize-trade-with-russia :)

Congressman Adam Smith (WA-09) announced support this morning for legislation that would allow Russia permanent trade relations with the U.S. along with tougher sanctions for Russians who allegedly violate human rights — a twinning observers say is unpopular with the White House. Trade relations are currently renewed annually under a section of trade law known as the Jackson-Vanik Amendment of 1975, which was put in place at the time to encourage Russia to permit Jewish emigration. With Russian plans moving forward to join the World Trade Organization, the U.S. would be violating WTO rules if current law remains in place, potentially putting U.S. businesses at a disadvantage. The Obama administration said it opposed pairing the two parts of legislation together and only wanted a repeal of Jackson-Vanik. Smith, a Democrat running for re-election to Congress in the newly-drawn 9th District — which now includes Bellevue and Mercer Island — is the Ranking Member of the Armed Services Committee. The following is a statement he made after the Chairman and Ranking Member of the House Ways and Means Committee announced they are cosponsoring legislation to terminate Jackson-Vanik status for Russia and Moldova. They expect to mark up the legislation next week. “While this legislation removes Russia from the Jackson-Vanik amendment, I am pleased the leadership of the Ways and Means Committee has indicated they support including the Magnitsky legislation on human rights before it comes to the floor. The underlying bill promotes rule of law in Russia and addresses significant enforcement concerns, particularly on the protection of intellectual property rights and Russia’s compliance with WTO obligations. If Russia joins the WTO in the next few weeks as expected, passage of this legislation will mean growth for American industry and workers by taking advantage of reduction in barriers to U.S. exports from the beginning. “While this is a positive step forward for American job growth, I remain particularly concerned about Russian international engagement and the ongoing violence in Syria. Russia must continue to work diligenty with the international community to arrive at an acceptable solution to the humanitarian crisis.”

Reuters, 7-18-12 (Reuters News, "UPDATE 1-Russia backs WTO entry, U.S. friction persists", http://in.reuters.com/article/2012/07/18/trade-russia-vote-idINL6E8IIAO720120718 :)

MOSCOW, July 18 (Reuters) - Russia's upper house of parliament voted on Wednesday to ratify entry into the World Trade Organization, and now only the signature of President Vladimir Putin is needed to complete the country's 18-year bid to join the trade rules club. Russia will finally become the WTO's 156th member 30 days after it informs the trade body that Putin has signed off on December's deal, under which Moscow would cut import tariffs and open up sectors of its economy to foreign investment. Friction with the United States persists, however, as the U.S. Congress has yet to repeal a Cold War-era measure - the Jackson-Vanik amendment - which links trade policy towards Moscow with human rights. If the measure is not repealed, Russia would be in a position to deny U.S. exporters the market-opening concessions it made to join the global trade group. The Federation Council upper house vote, carried easily with 144 in favour in the 166-strong chamber, was a formality after the State Duma lower house backed WTO entry last week by a 30-seat majority. The Russian government has said that it will start cutting tariffs from Sept. 1 after agreeing to gradually lower import duties from an average of 9.5 percent now to 6 percent by 2015. Washington could, however, miss out on those trade benefits if Congress does not vote to repeal the Jackson-Vanik amendment, which links awarding so-called permanent normal trade relations (PNTR) to emigration rights for Soviet Jews. Jackson-Vanik, implemented in 1974, does not conform with WTO rules. Regarded by Moscow as an anachronism, the provision has long been a bone of contention in bilateral relations. U.S. lawmakers are also debating legislation named after Sergei Magnitsky, an anti-corruption lawyer who died in Russian custody in 2009, that would instead impose visa bans and freeze assets on Russian officials deemed to be corrupt. "Really, the last thing we want is for the anti-Soviet Jackson-Vanik amendment to be replaced with anti-Russian legislation," Deputy Foreign Minister Sergei Ryabkov was quoted by Interfax news agency as saying after Wednesday's vote. President Barack Obama's administration backs repealing Jackson-Vanik, and Senate Finance Committee Chairman Max Baucus, a Democrat, plans to push forward a PNTR bill this month, but would attach the Magnitsky bill to the measure.

### JV – Won’t Pass

Obama won't be able to lobby Jackson-Vanik to pass before it's too late.

Carroll Colley, 6-21-12 (Carroll Colley is the director of Eurasia Group’s Eurasia practice, Foreign Policy, "Presidential campaign politics delays U.S. recognition of Russia at WTO", http://eurasia.foreignpolicy.com/posts/2012/06/21/presidential\_campaign\_politics\_delays\_us\_recognition\_of\_russia\_at\_wto :)

The Obama administration has sent contradictory messages about its support for the Magnitsky bill. While originally opposing the bill, the administration seems to have accepted the inevitable and has been working with its primary author, Democratic Sen. Ben Cardin of Maryland. One recent Senate version provides for the public list as well as a confidential annex, which would largely allow the administration to circumvent the thrust of the bill by invoking national security exemptions. This is strongly opposed by a number of senior lawmakers, including Sen. John McCain, who was a co-sponsor of the effort to repeal Jackson-Vanik on the caveat of corresponding passage of the Magnitsky bill. As the August recess rapidly approaches, the window for graduating Russia from Jackson-Vanik prior to its WTO accession closes. Obama appears to have little room to maneuver in expending political capital on the matter without raising the risk of elevating Russia-and its collateral baggage including Syria, Georgia, Iran, and domestic protests-to a legitimate campaign issue. Unless Congress moves forward on its own prerogative-which appears unlikely-the repeal of Jackson-Vanik won't get passed before November, or later, leaving the world's largest economy unable to take advantage of the accession of the WTO's newest member.

Jackson-Vanik repeal won't pass in time, congress too focused on elections.

Carroll Colley, 6-21-12 (Carroll Colley is the director of Eurasia Group’s Eurasia practice, Foreign Policy, "Presidential campaign politics delays U.S. recognition of Russia at WTO", http://eurasia.foreignpolicy.com/posts/2012/06/21/presidential\_campaign\_politics\_delays\_us\_recognition\_of\_russia\_at\_wto :)

While Russia will enter the WTO in late August, U.S. industry will be left on the sidelines until Congress removes the Cold War-era impediment to greater trade between the former foes. But it's a safe bet that Congress won't graduate Russia from the Jackson-Vanik amendment, which is necessary to grant permanent normal trade relations to Russia and take advantage of its accession to the WTO, before the November election. The reason? Russia is perpetually steeped in controversy, and U.S.-Russia relations have become a campaign issue in the race between Republican Mitt Romney and President Barack Obama. U.S. industry likely won't be able to take advantage of greater market access in Russia until the lame-duck session at the end of the year, and possibly later. The White House is much more focused on November 6 (Election Day) than August 23 (the approximate date of Russia's WTO entry). Only after repeated requests from Republican lawmakers for senior level officials to testify on the Hill -- widely viewed as a Republican maneuver to force the administration to speak on the record about its Russian policy -- did the administration relent by sending the duo of Deputy Secretary of State William Burns and U.S. Trade Representative Ron Kirk to testify before the House Ways and Means Committee and the Senate Finance Committee. The White House calculates that a "yes" vote on graduating Russia from Jackson-Vanik (a 1974 provision that ties trade relations to freedom of emigration and other human rights considerations) would have little electoral upside, and might even harm Obama before the election.

Magnitsky bill complicates Jackson Vanik repeal passage.

Eugene Ivanov, 6-21-12 (Eugene Ivanov is a Massachusetts-based political commentator who blogs at The Ivanov Report., "Will the Magnitsky bill “replace” the Jackson-Vanik amendment?", http://rbth.ru/articles/2012/06/21/will\_the\_magnitsky\_bill\_replace\_the\_jackson-vanik\_amendment\_15927.html :)

From the very beginning, the Obama administration has been opposed to the Magnitsky bill, arguing that it would negatively affect U.S.-Russia relations. In a preventive measure of sorts, the State Department composed its own list of 60 individuals related to the Magnitsky case whose entry in the U.S. would be banned. With this list in place, the White House claimed that the Magnitsky bill was “redundant.” In a parallel track, the administration put pressure on the bill’s major sponsor, Sen. Cardin. This has worked: recently, Cardin came up with a modified version of the bill addressing some of the administration’s concerns. In particular, the updated version makes it more difficult to add names to the list of human right violators that the bill would create. The major contentious point is the identity of the people on the Magnitsky list: the State Department doesn’t want to disclose names of individuals it would ban from entering the U.S., while the Magnitsky bill would make the names of the “offenders” public. Now, the White House is actively pushing for a provision in the bill that would allow the State Department keep some names on the list confidential on the ground of “national security interests.” In recent weeks, the Magnitsky bill has come to the forefront of congressional attention – the reason is Russia’s upcoming accession to the World Trade Organization. Congress has to respond to Russia’s WTO membership by passing legislation granting Russia permanent normal trade relations (PNTR) status. Failure to grant Russia PNTR status will hurt the interests of U.S. multinational corporations, which risk losing business in Russia to their European and Japanese competitors. Standing in the way of the PNTR status, however, is the Jackson-Vanik amendment, a notorious relic of the Cold War that still deprives Russia of the PNTR status as a punishment for restricting Jewish emigration in the 1970s. And here things get complicated. Congressional Republicans refuse to just repeal the Jackson-Vanik amendment; they insist that something else should be put in place to hold Moscow accountable for what they routinely describe as “human-rights abuses.” Many consider the Magnitsky bill as a natural replacement for the Jackson-Vanik amendment. The situation looks especially peculiar in the House of Representatives, where the Republicans hold a majority. On June 7, the Foreign Relations Committee of the House approved its version of the Magnitsky bill, clearing the way for the bill to be taken up by the full House. Characteristically, Committee Chairman Ileana Ros-Lehtinen (Republican–Florida) has so far refused to schedule a hearing on the PNTR legislation. It is therefore possible that the House will adopt the Magnitsky bill without repealing the Jackson-Vanik amendment, a scenario that would be a nightmare for the White House.

Magnitsky bill blocks passage of repeal.

Julian Pecquet, 7-7-12 (Staff Writer, The Hills, " Time running out for Russia trade bill", http://thehill.com/blogs/global-affairs/russia/236523-time-running-out-for-russia-trade-bill :)

Lawmakers are at odds over whether to link the Magnitsky bill to the legislation normalizing trade relations, which has yet to clear either chamber. Sen. Max Baucus (D-Mont.), whose Senate Finance Committee has jurisdiction over trade, has proposed doing so, but his counterpart on the House Ways and Means Committee, Rep. David Camp (R-Mich.), disagrees with the move. Russia's continued support for the regime of Syrian President Bashar Assad has further complicated matters. The top Democrat on the Ways and Means Committee, Rep. Sander Levin (D-Mich.), has called for the House to delay action on the trade bill “for a period of time to determine whether Russia will join our nation and others in steps to address the Assad regime’s horrendous violence against its own people.” The Obama administration's apparent inconsistencies on the issue have added to lawmakers' reluctance. Secretary of State Hillary Clinton, in particular, has urged Congress to pass the trade deal — a priority for President Vladimir Putin — while simultaneously calling on other countries to make Russia "pay a price" for supporting Assad.

US-Russia relations now complicate repealing of Jackson-Vanik

Jim Abrams, 7-18-12 (Staff Writer, Huffington Post, " Senate panel approves trade relations with Russia", http://www.huffingtonpost.com/huff-wires/20120718/us-us-russia-trade/ :)

Getting the trade bill through Congress has been a top priority for business and farm groups, which see it as a jobs creator and a boost to the economy. "Without PNTR, U.S. companies and workers will be at a distinct disadvantage in the Russian market as our competitors in Europe, Asia and elsewhere begin to lock in sales and long-term contracts," said Caterpillar Inc. chairman and CEO Doug Oberhelman, who also chairs the Business Roundtable's International Engagement Committee. But it has struggled to gain momentum because of poor relations between the two countries. "It is with some trepidation that we undertake this task," said Sen. Orrin Hatch of Utah, top Republican on the committee. "Despite President Obama's reset policy, U.S.-Russian relations remain rocky at best." The bill only advanced to a committee vote after Baucus agreed to link it to legislation, pushed by Sens. Ben Cardin, D-Md., and Jon Kyl, R-Ariz., that imposes sanctions such as visa denials and asset freezes on Russian government officials involved in human rights violations. The legislation, which has sparked strong criticism from Russian officials, specifically targets those involved in the case of Sergei Magnitsky, a lawyer who died in a Russian jail in 2009 after allegedly being subject to torture. Sen. John Cornyn, R-Texas, proposed an amendment stating that the legislation would not go into effect until the president certifies that Russia is no longer supplying arms to Syria. "If it's important to vindicate the rights of a single person," he said, referring to Magnitsky, "how much more compelling is it" to ensure that Russian arms aren't being used to kill thousands of Syrian civilians. It was defeated, with opponents saying withholding permanent trade status would only hurt U.S. businesses, not Russia. How to proceed with the trade issue has divided both parties. Last month Hatch and seven other Finance Committee members sent Baucus a letter listing the many troubling aspects of U.S.-Russia relations and questioning whether Russia would comply with WTO findings when disputes arise. But earlier this week 73 House Republican freshmen wrote President Barack Obama saying that "we will only hurt ourselves and lose out on economic opportunities and needed jobs" if full trade relations with Russia are not established. It's a "Hobson's choice," said Sen. Mike Crapo, R-Idaho, at Wednesday's committee meeting. By moving to help U.S. exporters Congress was put in the situation of rewarding the bad behavior of the Moscow government, he said. While adding the Magnitsky provision to the bill, the measure eliminates another human rights act that has been the main stumbling block to permanent normal trade relations. The bill repeals the 1974 Jackson-Vanik act that tied trade with the then-Soviet Union to Moscow's allowing Jews and other minorities to leave the country. While Jackson-Vanik has long outlived its purpose, it has remained on the books, a mark of the continued difficult relations between the two countries. It appears unlikely that Congress can act on the trade bill before Russia formally enters the WTO. Congress has only two more weeks before it takes off for its August recess, time likely to be taken up by election-related tax and spending bills. On the House side, Ways and Means Committee Chairman Dave Camp, R-Mich., welcomed the Senate's action and said he intended to introduce a bill in the next few days. He said he was working with the White House to find a Democratic co-sponsor so the bill could move through his committee on a bipartisan basis. The bill also establishes permanent normal trade relations with Moldova. Baucus said the former Soviet republic, which joined the WTO in 2001, is the only WTO member that does not have permanent trade status with the United States

### JV – PC Key

Congress won't repeal Jackson-Vanik before the lame duck session absent Obama showing strong leadership on the issue.

Doug Palmer, 7-19-12 (Staff Writer, Chicago Tribune, " House lawmakers reach deal on Russia trade, rights bill", http://www.chicagotribune.com/news/politics/sns-rt-us-usa-russia-tradebre86i10y-20120719,0,4282739.story :)

The Congress appears increasingly unlikely to approve a controversial bill to upgrade trade relations with Russia before the November elections, despite a push by the White House and U.S. business groups for votes this month. "I think practically speaking no one expects Congress to deal with (permanent normal trade relations) before the lame-duck" session after the elections, said Gary Hufbauer, a senior fellow at the Peterson Institute for International Economics, referring to the period between the November 6 congressional elections and the start of the new Congress in January, 2013. "I think there's a background fear that this will become a political football if the House moves forward," Hufbauer said. Congress is under pressure to lift a Cold War human rights provision known as the Jackson-Vanik amendment and approve "permanent normal trade relations," or PNTR, because of Russia's expected entry into the World Trade Organization in August. If it does not act, Russia could deny U.S. firms some of the market-opening concessions it made to join the WTO, putting those companies at a disadvantage to foreign competitors in one of the world's 10-largest economies. However, the push to pass the legislation comes at a low point in U.S.-Russia relations, with many U.S. lawmakers angry over Moscow's support for the government of Syrian President Bashar al-Assad and questioning Russia's commitment to democracy and human rights. "Members are rightly concerned over recent developments in Russia, as well as Russia's policies with respect to Syria and Iran. This makes it incumbent upon the President to show leadership and for these issues to be addressed in a bipartisan fashion, enabling PNTR to move forward," a House Republican aide said.

Obama administration is lobbying to repeal Jackson-Vanik, only the president can sell the Democrats.

Brian Wingfield, 7-12-12 (Brian Wingfield is a reporter for Bloomberg News in Washington, Bloomberg News, "Why U.S.-Russia Trade Is Stuck in the Cold War" :)

Russia will join the World Trade Organization next month, a deal 18 years in the making. That’s good news for U.S. businesses. They’ll get guaranteed tariff reductions. Russia will also have to honor international agreements dealing with intellectual property, and if there are disputes, the U.S. can call on the WTO to arbitrate. There’s only one thing in the way: Congress. The WTO requires its members to grant each other so-called permanent normal trade relations. But the U.S. is forbidden to do so with Russia under the 1974 Jackson-Vanik amendment, passed to restrict trade with the Soviet Union as punishment for its persecution of Jews who wanted to emigrate. Now lawmakers worried about looking soft on the old Cold War foe—in the middle of campaign season—are stalling on repealing the amendment. They “just don’t get the sense of the breadth of the market opportunities,” says Randi Levinas, executive director of the Coalition for U.S.-Russia Trade, a Washington lobbying group led by 22 U.S. companies including PepsiCo (PEP), General Electric (GE), Caterpillar (CAT), Boeing (BA), and Procter & Gamble (PG). “They think of it as a communist country.” The U.S. already trades with Russia, the world’s ninth-largest economy, under an exception to Jackson-Vanik granted annually by every president since 1992. Right now the flow of merchandise is tiny: In 2011 the U.S. shipped Russia $8.3 billion worth of goods—just 0.6 percent of all exports, according to the Department of Commerce. The Obama administration, which wants to double U.S. exports by the end of 2014, has been lobbying Congress to repeal Jackson-Vanik, as have business groups. Christopher Wenk, an international trade lobbyist with the U.S. Chamber of Commerce, says his and other groups have pressed their case in more than 250 meetings with lawmakers and aides this year. Senate Democrats want to link a repeal bill with a House-sponsored measure that calls for the U.S. to publish a list of people associated with human-rights violations in Russia, deny them visas, and freeze any financial assets in the U.S. It’s named for Sergei Magnitsky, a lawyer for London-based Hermitage Capital who exposed government corruption in Russia and died in a Moscow prison in 2009, allegedly after guards beat him. Republicans are struggling to speak with one voice on the country that Mitt Romney has called the U.S.’s “No. 1 geopolitical foe.” In the Senate, Republicans John McCain of Arizona and Roger Wicker of Mississippi are siding with the Democrats, vowing to withhold support for permanent trade ties if the Magnitsky bill doesn’t pass. House Republicans including Ways and Means Committee Chairman Dave Camp say they prefer the Obama administration’s argument that the Jackson-Vanik repeal should be passed with no strings attached—yet no lawmaker has introduced such legislation in the House. Instead, more than 70 Republican freshmen, led by Missouri Representative Billy Long, are passing it back to President Obama, lobbying him to press harder for a bill without the human-rights provision. “I can’t sell the Democrats,” says Long. “The president can.” With lawmakers leaving Washington in August for a five-week recess, the Jackson-Vanik repeal needs to be one of Congress’s “top priorities,” Wenk says, or U.S. companies could miss out on deals with Russia. Says Wenk: “You’re going to start seeing us cranking up the dial.”

### Camp Key

Camp is the only decider between passage of the PNTR Package.

Josh Rogin, 7-18-12 (Reporter, Foreign Policy, "Russia trade and human rights legislation advances, but time running short", http://thecable.foreignpolicy.com/posts/2012/07/18/russia\_trade\_and\_human\_rights\_legislation\_advances\_but\_time\_running\_short :)

The Senate Finance Committee unanimously approved today a bill to grant Russia Permanent Normal Trade Relations (PNTR) status as well as a bill to punish Russian human rights violators, but time is running out to pass the legislation through the full House and Senate. Committee Chairman Max Baucus (R-MT) called on Congress to quickly pass the bills before lawmakers leave town at the end of this month for the long August recess. Russia's accession to the WTO is imminent, and unless the United States grants Russia PNTR status, U.S. businesses won't be able to take advantage, he argued. "There is no time to waste; America risks being left behind," Baucus said. "If we miss that deadline [of Russia's WTO accession], American farmers, ranchers, workers and businesses will lose out to the other 154 members of the WTO that already have PNTR with Russia. American workers will lose the jobs created to China, Canada and Europe when Russia, the world's seventh largest economy, joins the WTO and opens its market to the world." Baucus also trumpeted the fact that the PNTR bill is now officially joined with the Senate version of the Sergei Magnitsky Rule of Law Act of 2012, which passed the Senate Foreign Relations Committee unanimously in June. The bill imposes restrictions on the financial activities and travel of foreign officials found to have been connected to various human rights violations in any country. The House version of the bill, approved by the House Foreign Affairs Committee earlier this month, targets only Russian human rights violators. "By enacting PNTR together with the Magnitsky bill, we are replacing Jackson-Vanik with legislation that addresses the corruption and accountability issues that Russia confronts today. The chairman's revised markup includes the version of the Magnitsky bill that the Senate Foreign Relations Committee approved last month under [Senate Foreign Relations Committee] Chairman [John] Kerry's leadership," Baucus said. Baucus and Kerry co-authored an op-ed in Politico today urging Congress to move quickly to pass the PNTR-Magnitsky package. The Russian government is vehemently opposed to the Magnitsky bill and has threatened broad retaliation. A group of Russian senators came to Washington last week to accuse Magnitsky, who died in a Russian prison allegedly by torture, of being a tax cheat. The next step is for the package to be passed in the House, because PNTR is a revenue-related bill and all revenue bills have to originate in the House. Several congressional staffers told The Cable that Ways and Means committee Chairman Dave Camp (R-MI) is now the biggest obstacle to moving forward quickly because he wants to separate the PNTR bill from the Magnistky bill. "This has to be done by August recess," one senior senate staffer told The Cable. "It's all coming down to Camp. Camp is taking this line of being a trade purist and wanting a clean bill. The Senate is ready to do this -- the question is whether the House get its ducks in a row." Camp said in a statement Wednesday that he welcomed "the news that the Finance Committee was able to pass bipartisan Russia PNTR legislation today and will carefully study the bill once legislative text is available."

### JV Impacts – Economy

Jackson-Vanik allows Russia to punish U.S markets.

Bloomberg, 7-2-12 (Editors/Staff, http://www.bloomberg.com/news/2012-07-02/u-s-should-upgrade-russian-trade-without-rights-sanction.html, :)

The Magnitsky case is just one of many reasons for grave concern over the Russian government’s repeated repression of democratic freedoms and human-rights violations. Yet combining the two pieces of legislation would do more harm than good. WTO membership will further bind Russia and President Vladimir Putin to a global regime of rules and laws and also open opportunities for U.S. companies. Those are important goals in their own right. Failure to repeal Jackson-Vanik would just give Russia free rein to punish U.S. companies. Congress can, and should, shine a strong spotlight on Russia’s deplorable human-rights record by putting the Magnitsky Act before President Barack Obama as a separate piece of legislation. Yet for all the act’s good intentions, we think its desire to sanction not just people linked to the Magnitsky case is overbroad. In addition, its positive effects don’t outweigh the costs of censuring a country whose help the U.S. and the world needs to curb Iran’s nuclear program and to unseat the murderous regime of Bashar al-Assad in Syria.

Termination of Jackson-Vanik increases bilateral trade investment to take place.

Barrack Obama, 7-18-12 (President of the United States of America, joint speech with Putin, http://traceyricksfoster.wordpress.com/2012/06/19/joint-statement-by-the-president-of-the-united-states-of-america-barack-obama-and-the-president-of-the-russian-federation-vladimir-putin-los-cabos-june-18-2012/:)

The United States of America and the Russian Federation confirm our commitment to strengthening close and cooperative relations for the benefit of the peoples of our countries, international peace, global prosperity, and security. In recent years, we have laid a solid foundation for expanding our bilateral interaction in a variety of areas. Today we agree to continue this work guided by the principles of the rule of law, respect for human rights, equality, and mutual respect. One of the key tasks on our shared agenda is the expansion of trade and investment relations, which should foster mutual economic growth and prosperity. To this end, we have agreed to prioritize the expansion and diversification of our bilateral trade and investment through nondiscriminatory access to our markets based on international rules. An important step in this direction is Russia’s accession to the World Trade Organization (WTO), which has become possible thanks to our joint efforts. In order for WTO rules and mechanisms to apply to our bilateral trade, the Obama Administration is working closely with the U.S. Congress to terminate, as soon as possible, application of the Jackson-Vanik Amendment with respect to Russia and extend Permanent Normal Trade Relations to the Russian Federation. The United States has also welcomed and offered its support to Russia’s pursuit of membership in the Organization for Economic Cooperation and Development (OECD).

Graduating Jackson-Vanik promotes smart investment in Russian Markets for U.S goods and services.

William J. Burns, 6-21-12 (Deputy Secretary, US Department of State, " Russia's WTO Accession: Administration's Views on the Implications for the U.S.", http://m.state.gov/md193620.htm :)

I have spent a good deal of my diplomatic career helping Administrations of both parties navigate our complicated relationship with Russia. I have seen moments of considerable promise, at the end of the Cold War and more recently in deepening cooperation on Afghanistan and nuclear arms reductions. I have seen moments of sharp differences, whether during the Russia-Georgia war in the summer of 2008 or over our enduring human rights concerns. And I have seen, through all those years, the importance of carefully assessing what’s at stake for the United States, and being clear-eyed about American interests and Russia’s long-term evolution. That’s the prism through which I believe we can see, clearly and unmistakably, the importance of terminating application of Jackson-Vanik and extending permanent normal trade relations to Russia. Jackson-Vanik long ago achieved its historic purpose. Some argue that continuing to apply Jackson-Vanik to Russia would give us leverage with Russia. We disagree. And so do leaders of Russian’s political opposition, who have called on the U.S. to terminate Jackson-Vanik. That does not diminish their profound concerns about human rights and the Magnitskiy case -- concerns which we strongly share. PNTR is not a gift to Russia. It is a smart strategic investment in one of the world’s fastest growing markets for U.S. goods and services. A vote to extend PNTR will be a vote to create and sustain jobs in America. When Russia joins the WTO later this summer, it will be required -- for the first time -- to establish predictable tariff rates, ensure transparency in enactment of laws, and adhere to an enforceable mechanism for resolving disputes. If we extend PNTR to Russia, we will be able to use WTO’s tools to hold it accountable for meeting these obligations. Until then, Russia’s markets will open, our competitors will benefit, but American companies will be disadvantaged. We are under no illusions about the challenges that lie ahead. The fact is that U.S.-Russia relations are often an uneasy mix of competition and cooperation. And while it may be tempting to downplay Russia’s importance, we simply do not have that luxury. As a permanent member of the UN Security Council; as one of the world’s largest nuclear powers; and as the world’s single largest producer of hydrocarbons, Russia’s strategic importance to the U.S. will matter for many years to come. To be sure, we have real and continuing differences with Russia. We disagree fundamentally about the situation in Georgia. On Syria, we are urging Russia to push the Syrian regime to implement Kofi Annan’s six-point plan, end the violence and work with the international community in promoting a serious and rapid political transition that includes Asad’s departure. We have consistently and directly stressed our concerns about human rights in Russia. And we have taken steps to address these challenges, including programs that support rule of law and civil society in Russia. Following the tragic death of Sergey Magnitskiy, we imposed restrictions to ensure that no one implicated in his death can travel to the U.S. But we continue to believe that it is in America’s long-term strategic interest to work with Russia in areas where our interests overlap. Already our work together over the past three years has produced significant results, including the New START Treaty to reduce strategic nuclear weapons, an agreement on civil nuclear cooperation, and military transit arrangements to support our efforts in Afghanistan. With PNTR, we would add expanded trade to that list. PNTR is also an investment in the more open and prosperous Russia that we would like to see develop. As the demonstrations across Russia over the past six months make clear, the country’s emerging middle class is seeking a more transparent and accountable government and a diversified economy. We should support these Russian efforts. PNTR and WTO membership by themselves will not suddenly create the kind of change being sought by the Russian people. But they can help open Russia’s economy and reinforce rule of law beyond just trade. PNTR should be one part of a stronger and fuller rule of law framework that we pursue with Russia, combined with investment protections such as a new Bilateral Investment Treaty and the OECD Anti-Bribery Convention, which Russia joined earlier this year. Russia’s membership in the WTO will soon be a fact. Failing to lift Jackson-Vanik and extend PNTR will not penalize Russia nor will it provide a lever with which to change the government’s behavior. It will only hurt American workers and American companies. By extending PNTR, we can create new markets for our people and support the political and economic changes that the Russian people are seeking. PNTR is clearly in our economic self-interest, and it is an investment in a better partner over the long term for the United States.

Repealing Jackson-Vanik grants jobs and exports that are good for the economy and trade.

Chamber of Commerce, 7-17-12 (Multiple Business and Corporation departments, "Letter supporting Permanent Normal Trade Relations (PNTR) with Russia", http://www.uschamber.com/issues/letters/2012/letter-supporting-permanent-normal-trade-relations-pntr-russia :)

In a welcome development for American workers, farmers, and companies, Russia will join the World Trade Organization (WTO) in August. Russia is by far the largest economy in the world that has yet to join the WTO, and doing so will require Moscow to further open its market, safeguard intellectual property and investments, and strengthen the rule of law. The result will be more U.S. exports and more American jobs. U.S. companies see huge potential in Russia, which boasts the ninth largest economy in the world and a growing middle class. Of the top 15 U.S. trading partners, Russia was the market where American companies enjoyed the fastest export growth last year at 38 percent. However, the United States will not get the full benefit of these market-opening reforms unless Congress approves a short and simple bill granting PNTR and graduating Russia from the Jackson-Vanik amendment. The Jackson-Vanik amendment to the Trade Act of 1974 was crafted to press the Soviet Union to allow emigration of Soviet Jews and prisoners of conscience. With regard to Russia, Jackson-Vanik has fully accomplished its objective. After the collapse of the Soviet Union, Russia established freedom of emigration for all citizens. Since 1992, U.S. presidents of both parties have issued annual certifications of Russia’s full compliance with the Jackson-Vanik amendment. It’s a common mistake to think Jackson-Vanik gives the United States leverage over Russia. On the contrary, keeping Jackson-Vanik on the books allows Moscow to deny the benefits of those market-opening reforms to American workers, farmers, and companies — and do so with the WTO’s blessing. Failure to approve PNTR and graduate Russia from Jackson-Vanik will put the United States at a unique disadvantage in the Russian market. Meanwhile, European and Asian companies will be able to build on their already significant head start in tapping the growing Russian market. Approval of this legislation will translate directly into new export sales and jobs here at home. The President’s Export Council estimates that U.S. exports to Russia—which, according to estimates, topped $11 billion in 2011—could double or triple once Russia joins the WTO. Meanwhile, the United States gives up nothing, not a single tariff, in granting PNTR.

Passing the PNTR-Magnistky package in whole increases exports, jobs, and transparency.

Sen. Max Baucus and Sen. John Kerry, 7-17-12 (United States Senators of Committee on Finance, "Russia offers economic opportunity", http://www.finance.senate.gov/newsroom/news/release/?id=03cfe34e-5056-a032-521a-47ab7d91a0ec :)

Our respective Senate committees are charged with overseeing the engines of America’s unique role in the world: as global trading partner, the leading democracy and a force for international peace. We clearly see how our global economic interests and our foreign policy values are closely tied — which makes a persuasive case for us to seize the opportunity presented by Russia joining the World Trade Organization this summer. For U.S. businesses to take advantage of this opportunity to increase exports and create jobs our economy needs, Congress must establish permanent normal trade relations, or PNTR, with Russia. That is why we introduced a bill last month with our colleagues Sens. John Thune (R-S.D.) and John McCain (R-Ariz.) to do just that. The upside of this policy is clear on an international economic landscape that rarely offers this kind of one-sided trade deal — one promising billions of dollars in new U.S. exports and thousands of new jobs in America. Russia is the world’s seventh-largest economy. When it officially joins the WTO, it will lower tariffs and welcome new imports. That sudden jump in market access will be a windfall for the first ones through the doors. U.S. businesses won’t be alone, however. They will most likely face competition from Chinese chemical and plastic producers, Japanese automakers and European airplane manufacturers, among countless others overseas. Why must we act with urgency? Because, as Andrew Carnegie once said, “The first man gets the oyster; the second man gets the shell.” For U.S. businesses to get the oyster, Congress must first repeal the 1974 Jackson-Vanik amendment and approve Russia PNTR. Jackson-Vanik’s history is important. Congress passed it during the Cold War to pressure the Soviet Union to allow Russian Jews to emigrate freely. It was successful, and the Kremlin relented. But the Soviet Union collapsed more than two decades ago. Every U.S. president, regardless of political party, has waived Jackson-Vanik’s requirements for Russia since 1994. The American Israel Public Affairs Committee, the National Conference on Soviet Jewry and even Israel now support the repeal of Jackson-Vanik for Russia. The bill is a relic of another era. But this relic is now standing in the way of Washington solving a new set of challenges. With too many Americans still searching for a job, our manufacturing sector needs every boost it can get. Despite progress, our trade deficit remains too wide. Seizing this opportunity to increase exports to Russia is one way to make concrete progress. U.S. exports to Russia total more than $9 billion per year. Repealing Jackson-Vanik and establishing PNTR could double that number in just five years, according to one recent study. That could mean thousands of new jobs across every sector of our economy. With the Russian economy’s impressive growth — it’s expected to outgrow Germany’s by 2029 — the long-run gains would be even greater. Make no mistake, Russia is not without its problems — and they are stark in the foreign policy arena. Its support for the regimes in Syria and Iran remains an obstacle. The death of anticorruption lawyer Sergei Magnitsky also highlights troubling human rights problems. A bill known as the Magnitsky Act, sponsored by our colleagues Sens. Ben Cardin (D-Md.) and McCain , aims to address these human rights issues by sanctioning those responsible for Magnitsky’s death. It’s a crucial part of the debate surrounding our relationship with Russia — and should be approved together with PNTR. It is important to understand that this debate is not a choice between improving conditions in Russia and increasing U.S. exports. These are not opposing goals — indeed, they support each other. Why? Because in addition to the strides the Magnitsky Act would make, Russia’s adherence to WTO trade rules and wider engagement as a global trading partner can boost transparency and spur progress on human rights and democracy. Human rights, democracy and transparency activists in Russia are eager to make that case. Not only do they favor the passage of constructive human rights legislation in our Congress, but they also see WTO membership and increased trade with the U.S. as avenues toward progress. They understand — as we all should — that repealing Jackson-Vanik is not an acceptance of Moscow’s status quo. Repealing the bill is also not an economic giveaway to Russia. To the contrary, it is a one-sided gain for U.S. companies and their workers. By establishing PNTR with Russia, U.S. businesses win increased market access without giving up a single thing in return — no tariff changes, no market concessions, nothing. It also deprives Russian hard-liners of their current, and convenient, abuse of Jackson-Vanik as a rhetorical tool to rally anti-American sentiment. The clock is ticking for Congress to act. Russia is due to join the WTO and open its doors to the world 30 days after its parliament officially approves the membership this summer. Once that happens, businesses in China, Europe and the more than 150 other WTO member nations can seize the same opening available to us.

Repealing Jackson Vanik provides concessions to NO ONE.

Vicki Needham, Bernie Becker and Peter Schroeder, 7-17-12 (Staff Writers, The Hill, " OVERNIGHT MONEY: Senate Finance moving to open up Russia trade", http://thehill.com/blogs/on-the-money/1007-other/238531-overnight-money-senate-finance-moving-to-open-up-russia-trade" :)

Russia rising up the agenda: The Senate Finance Committee will mark up a compromise measure on Wednesday that would grant permanent normal trade relations (PNTR) to Moscow as the country edges closer to joining the World Trade Organization. Panel Democrats and Republicans have crafted a deal that would require the Obama administration to boost its monitoring of Russia's trade practices and legal system, which the GOP argues strengthens the legislation. Another bill, aimed at punishing those accused of killing Russian whistleblower Sergei Magnitsky, also is on the agenda. Committee Chairman Max Baucus (D-Mont.) has said he intends to link the two bills. The Magnitsky bill was reported out of Senate Foreign Relations last month even though Chairman John Kerry (D-Mass.) said he had concerns about its scope, which could apply to human-rights abuses outside of Russia. The U.S. Chamber of Commerce and other business groups have ramped up their efforts in recent weeks to convince lawmakers to grant PNTR to Russia before the nation officially becomes a member of the WTO in August. Businesses make the case that U.S. companies will be at a competitive disadvantage if Congress can't complete a deal before leaving for the month-long August recess. The Chamber sent a letter to members of Congress on Tuesday, urging them to act swiftly to approve PNTR. “It’s a common mistake to think Jackson-Vanik gives the United States leverage over Russia," said Bruce Josten, the Chamber's executive vice president for Government Affairs. "On the contrary, keeping Jackson-Vanik on the books allows Moscow to deny the benefits of those market-opening reforms to American workers, farmers, and companies — and do so with the WTO’s blessing.” U.S. companies see huge potential in Russia, which boasts the ninth largest economy in the world and a growing middle class, the letter said. Because no other WTO member has a law similar to Jackson-Vanik, all of Russia’s trading partners except the United States will immediately benefit from Russia membership. PNTR does not extend any “trade preferences” to Russia. "Rather, it exclusively benefits U.S. workers, farmers, ranchers, and companies selling their goods and services in the Russian market," Josten said. "The United States gives up nothing — not a single tariff — in approving PNTR."

### Magnitsky Bad

Passing of the Magnitsky act will devastate US-Russia relations and worldwide diplomacy.

Edward Lozansky, 7-15-12 (Edward Lozansky is president of American University in Moscow and Professor of the Department of World Politics at the Moscow State University, Russia Blog "The Magnitsky Act", http://www.russiablog.org/2012/07/the-magnitsky-act-lozansky.php :)

Who could argue against the concept that corrupt officials should be punished? Didn't we hear from the Russian leadership, including President Vladimir Putin and Prime Minister Dmitry Medvedev, that corruption is Russia's worst enemy? Why such an outcry, then, in Moscow as well as in the U.S. business community regarding the Sergei Magnitsky Act? It is currently moving through the Capitol Hill bureaucracy and, according to its sponsors, is supposed to help Russia fight its monstrous corruption. This bill, which is turning into a major irritant in U.S.-Russian relations, threatening to deal a fatal blow to Obama's "reset" policy, references the death in Russia in 2009 of Sergei Magnitsky, who died while in pre-trial detention on a tax fraud charge after being refused medical treatment for his illnesses. The bill calls for U.S. visa denial and assets freeze for all Russian officials involved in mistreating Magnitsky or in some other "gross human rights violations." Many observers have pointed to the fact that by pushing this bill, Congress is not only overstepping its authority, but also represents clear evidence of selective justice - something for which we frequently accuse Russia - since, regrettably enough, similar cases of deaths in prisons due to denial of proper medical care happen in many other countries, including, sadly, the United States. It is also worth mentioning that "gross human rights violations" occur in many other countries, including some of United States' staunchest allies. Why, then, point the finger at Russia? Is it really the worst perpetrator of corruption and violator of human rights? Not by a long shot. Besides, the U.S. State Department has already compiled a black list of Russian officials to be denied U.S. entry visas. As for freezing their illicit assets, if it is proven in courts that they are indeed illicit, this can also be done by the executive branch of the U.S. government without congressional involvement. Somehow, there is reason to suspect that the Magnitsky bill has little to do with fighting corruption or punishing Magnitsky's tormentors and much more with "baiting the bear" or, putting it more accurately, poking Vladimir Putin in the eye. Why the congressional sponsors of this bill would do that is anyone's guess. It is easy to see, though, that demonizing Putin, whose cooperation in many parts of the world we need, totally contravenes U.S. business and national security interests. Some of the leading American business associations, such as USA Engage, National Foreign Trade Council (NFTC), U.S. - Russia Business Council, American Chamber of Commerce, and others uniting thousands of U.S. companies involved in foreign trade, are not very pleased with the Magnitsky Act either. NFTC President Bill Reinsch expressed the view that "this bill, if passed, will not only unnecessarily complicate U.S.-Russia relations, but it also has the potential to damage U.S. diplomatic relations worldwide. As the administration has already taken steps to enact appropriate measures regarding this human rights violation, we strongly urge Congress to refrain from taking any further steps that would put U.S.-Russian relations in unnecessary peril."

Magnitsky part of the repeal package would destroy US-Russian relations.

Interfax, 7-19-12 (News Report, "Russia against replacement of Jackson-Vanik amendment with Magnitsky bill", http://rbth.asia/articles/2012/07/19/russia\_against\_replacement\_of\_jackson-vanik\_amendment\_with\_magnitsky\_15853.html :)

American lawmakers' plans to replace the Jackson-Vanik amendments by the Magnitsky bill would contradict the logic of Russian-American relations over recent years, said Russian Deputy Foreign Minister Sergei Ryabkov. "The first thing we resent is the replacement of the anti-Soviet Jackson-Vanik amendment by anti-Russian legislation. This would go against the entire logic of Russian-American relations for the past few years," he told the media on Wednesday while commenting at Interfax request on American senators' plans to link the abolition of this amendment to the Magnitsky bill. Committee Chairman Max Baucus earlier said that the bill could be combined with the Magnitsky bill. The authors of the bill also proposed introducing other conditions for Russia gaining this status. For instance, the U.S. trade representative would inform the Congress each year about how strictly Russia is observing its obligations as a member of the World Trade Organization.

Passing the PNTR-Magnitsky package in full would provide key job opportunities.

Max Baucus 7-19-12 (United States Senator D-Mont, Industry News, " Opening Markup Statement of Senator Max Baucus (D-Mont.) Regarding Permanent Normal Trade Relations with Russia" :)

WASHINGTON, July 18 -- The chairman of the Senate Finance Committee issued the following statement: Benjamin Franklin once said, "You may delay, but time will not." Franklin's words ring true today as we work to pass legislation establishing permanent normal trade relations with Russia, or PNTR. We cannot afford to delay. Russia's Duma today enacted its accession package, and Russia will formally be a member of the WTO next month. That is our deadline for passing PNTR. There is no time to waste; America risks being left behind. If we miss that deadline, American farmers, ranchers, workers and businesses will lose out to the other 154 members of the WTO that already have PNTR with Russia. American workers will lose the jobs created to China, Canada and Europe when Russia, the world's seventh largest economy, joins the WTO and opens its market to the world. WTO members who have PNTR with Russia will benefit from the more secure business environment that WTO rules provide. This includes increased market access through enforceable tariff reductions, larger beef quotas and greater access to telecommunications and banking markets. It also includes greater transparency, binding procedures for settling disputes and strong commitments to protect intellectual property and to follow sound science on agricultural imports. All this boils down to one thing: jobs. In my home state of Montana, one in five jobs is tied to agriculture, and ranching is a major driver of our ag economy. When Montana ranchers can sell more beef in Russia, it means they can support more workers in Montana. More trade means more jobs. It's that simple. The proposal that we are marking up today will make sure American businesses can go after those jobs. It will make permanent the normal trade relations we have already had with Russia for the past twenty years. And it is predicted to double U.S. exports to Russia in five years. That is why hundreds of companies and trade associations have come out in favor of PNTR. The PNTR proposal also removes Russia from the Jackson-Vanik amendment. Jackson-Vanik served its purpose twenty years ago by ensuring that Jews and others could freely emigrate from Russia, but it is now out of date. That is why American and Russian Jewish groups, including the National Conference on Soviet Jewry and the American Israel Public Affairs Committee, have endorsed PNTR and said Jackson-Vanik should no longer apply to Russia. Russian human rights and democracy groups agree. Senator Cardin's proposal to add the Magnitsky Rule of Law Accountability Act to the PNTR legislation will help fight human rights abuses in Russia. By enacting PNTR together with the Magnitsky bill, we are replacing Jackson-Vanik with legislation that addresses the corruption and accountability issues that Russia confronts today. The Chairman's revised mark includes the version of the Magnitsky bill that the Senate Foreign Relations Committee approved last month under Chairman Kerry's leadership. The mark also includes other provisions to address corruption issues in Russia, as well as to ensure that Russia complies with its WTO obligations and that the Administration enforces them.