Icebreaker Neg - Supplement

[Alaska CP - ANC preference 2](#_Toc329597468)

[Alaska CP - jurisdiction 3](#_Toc329597469)

[AT – Oil Spills Adv 4](#_Toc329597470)

[AT – Research Adv 5](#_Toc329597471)

### Alaska CP - ANC preference

#### ANC preference program speeds up solvency, stimulates the economy, and keeps our promises

Weigelt 11

November 8, Washington Technology, “Do ANCs deserve their special contracting status?,” http://washingtontechnology.com/Articles/2011/11/07/HOME-PAGE-Acquisition-pros-cons-ANC.aspx?Page=1

The case for the ANC program: \* It's a time-saver. Agencies can award sole-source contracts of any size to ANCs at any time. Therefore, the ANC program lets contracting officers move quickly when they’re pressured for time or caught in emergency situations, such as preparing for a hurricane. The contracting officer doesn’t have to spend time justifying a sole-source award when using an ANC, said Larry Allen, president of Allen Federal Business Partners. Officials also save time by avoiding the bid protests that are always a risk during full-and-open competitions. \* It stimulates the economy. The program benefits Alaska natives in economically depressed areas in the state and other parts of the country. A 2009 survey of 11 ANCs by the Native American Contractors Association (NACA) showed that the companies provided more than $530 million in various types of benefits to more than 67,000 shareholders from 2000 to 2008. More than $341 million of that money was in cash dividends. Alaska natives are given the opportunity to go to college, for instance, with their shares in the ANCs, said Jennine Elias, director of external affairs at NACA. The program also provides funding for housing and government services, such as law enforcement. \* It's a promise-keeper. ANCs were created to settle land claims with Alaska natives and foster economic development, and the companies have been allowed to participate in the government's 8(a) minority-owned small-business program since 1986. Therefore, the ANC program fulfills a promise to the native community, Elias said.

#### ANC preference contracting is a FEDERAL mandate – it applies to your case too

GovWin 10

10/18, “Alaska Native Corporations (ANCs) and Federal Contracting,” http://govwin.com/knowledge/anc

Summary: Alaska Native Corporations (ANCs) are a growing presence in federal contracting and are favored in programs for disadvantaged businesses such as the U.S. Small Business Administration (SBA) 8(a) Business Development Program. After oil was discovered at Prudhoe Bay, Alaska, the federal government enacted the Alaska Native Claims Settlement Act (ANCSA) in 1971 to resolve native claims to Alaskan land and resources. These native claims were abrogated in exchange for approximately one-ninth of the state—44 million acres—and $963 million. Twelve regional corporations and more than 200 village corporations were set up to administer these resources. (A thirteenth regional corporation comprised of natives who had left the state received compensation but no land.) The surface rights to the land were granted to the village corporations and the subsurface rights were granted to the regional corporations. These Alaska Native Corporations (ANCs) were chartered under Alaska state laws and were free from oversight. The Chenega Corporation, which represents the Chenega people, [states](http://www.chenega.com/Pages/anc.html): "As the ANCSA Settlement unfolded it became increasingly evident that Alaska Natives were not receiving all the benefits of their bargain as intended by the U.S. Government...Congress began remedying settlement defects through ANCSA Amendments of 1988 and 1992 which designated ANC’s where natives hold majority ownership to be minority businesses and economically disadvantaged." Due to these amendments, ANCs are now considered economically disadvantaged and are eligible to participate in the U.S. Small Business Administration (SBA) [8(a) Business Development Program](http://govwin.com/knowledge/8-a), which aids small businesses owned by historically disadvantaged groups via sole-source, noncompetitive contracts. ANCs do not have to meet small business requirements to participate. ANCs may also be awarded contracts of any size, in contrast with other 8(a) small business participants, which are limited to contracts worth $3 to $5 million. ANCs can also have multiple 8(a) subsidiaries and remain in the 8(a) program indefinitely, and are exempt from the SBA [rules of affiliation](http://www.allbusiness.com/legal/contracts-agreements-forms-real-estate/4509423-1.html). As of August 31, 2010, the Federal Acquisition Councils were meeting to discuss the implementation of changes to the 8(a) program regarding ANCs, including restrictions on subsidiaries in similar lines of business and a new Federal Acquisition Regulation (FAR) rule that requires agencies to justify sole-source contract awards to 8(a) businesses in excess of $20 million. Some ANCs have become major homeland security and defense contractors. In fiscal year 2007, Native Americans received 1.2 percent of all federal contracts awarded and 26.2 percent of all 8(a) awards. In 2008, 74 percent of contract dollars awarded to ANCs were awarded through the 8(a) program. ANCs received $23.8 billion in federal contracts between 2000 and 2008. ANCs are primarily used by the [U.S. Department of Defense (DOD)](http://govwin.com/knowledge/dept-of-defense).

### Alaska CP - jurisdiction

#### **Alaska has the same maritime jurisdiction as the USFG**

Lancaster NoDate

Lynda, JD, Stephanie Showalter, “Alaska Has Jurisdiction over Crime Committed in Canadian Waters,” http://nsglc.olemiss.edu/SandBar/SandBar5/5.1alaska.htm

To prosecute Jack, Alaska must have jurisdiction. Because the crime happened in foreign waters, the extent of U.S. jurisdiction is also relevant. “United States criminal jurisdiction exists over crimes committed on United States flagged ships, even when they are in foreign territorial water, if the local sovereign has not asserted jurisdiction.”[2](http://nsglc.olemiss.edu/SandBar/SandBar5/5.1alaska.htm#2) Generally a coastal nation is authorized to assert jurisdiction over foreign vessels only if the “peace or dignity of the country or the tranquility of the port” is threatened.[3](http://nsglc.olemiss.edu/SandBar/SandBar5/5.1alaska.htm#3) Canada had not asserted jurisdiction, so the U.S. could have clearly exercised jurisdiction if it had so desired. “A state, by statute, may extend its jurisdiction to enforce violations of its substantive criminal law when a person’s conduct occurring outside the territorial limits of the state affects an in-state interest.”[4](http://nsglc.olemiss.edu/SandBar/SandBar5/5.1alaska.htm#4) Alaska statutes provide that “the jurisdiction of the state extends to water offshore from the coast of the state [including] the high seas to the extent that jurisdiction is claimed by the United States of America, or to the extent recognized by the usages and customs of international law.”[5](http://nsglc.olemiss.edu/SandBar/SandBar5/5.1alaska.htm#5) The above provision, however, “does not limit or restrict the jurisdiction of the state over a person or subject inside or outside the state that is exercisable by reason of citizenship, residence, or another reason recognized by law.”[6](http://nsglc.olemiss.edu/SandBar/SandBar5/5.1alaska.htm#6)

### AT – Oil Spills Adv

#### **SQ solves for oilspills.**

Restino 7/7

Carey “Barrow to see summer influx of Coast Guard personnel” July 7, 2012 [http://www.alaskadispatch.com/article/barrow-see-summer-influx-coast-guard-personnel accessed on 7/8/12](http://www.alaskadispatch.com/article/barrow-see-summer-influx-coast-guard-personnel%20accessed%20on%207/8/12) SA

The estimated 40 Coast Guard personnel will stay at commercial lodging facilities this year, Colbath said, split between several of the area's hotels. The increased focus on the Arctic region is due in large part to the increased oil development in the Chukchi and Beaufort seas. Shell Oil is currently moving forward with plans to drill five exploratory wells this summer in the region, and has said it will be moving as many as 300 personnel to and from their off-shore infrastructure each week. In addition, shipping and tourist traffic in Arctic waters have increased in recent years, further drawing the area into the spotlight. This winter, the Coast Guard announced plans to expand its presence in the area seasonally to provide a quicker response in the event of a search-and-rescue mission or other disaster response. Currently, the closest Coast Guard station is thousands of miles away in Kodiak. Operation SORS set for end of monthWhile the Coast Guard presence in the Arctic will increase this week, it may be most noticeable at the end of the month, when the Coast Guard, along with U.S. Northcom and Navy Supervisor of Salvage and Diving as well as other agency partners, will deploy Spilled Oil Recovery System equipment from a Coast Guard buoy tender. That operation, which is scheduled from July 31 to Aug. 30, will draw in some 60 people, Colbath said. "It's the first time (Coast Guard oil spill response capabilities) have been tested off of Barrow," said Colbath.

### AT – Research Adv

#### Clinton solves

Turekian 10

(Vaughan C., Chief international officer, AAAS, Washington, DC. Medical News Today, 21 July. [http://www.medicalnewstoday.com/articles/195393.php)nd](http://www.medicalnewstoday.com/articles/195393.php%29nd)

"Innovation, science [and] technology must again become fundamental components of how we conduct development work," Secretary of State Hillary Rodham Clinton told a "high-level meeting of international development and science experts" last week, SciDev.net reports. The meeting, Transforming Development Through Science Technology and Innovation, "was originally billed as a consultation to help map out a 'bold new' science strategy for [USAID]. But observers say it went beyond that, putting science and innovation firmly at the heart of USAID's work and the administration's development policy." The article notes that the meeting "follows the recent appointment of a science and technology adviser and repeated calls for USAID to consider more focused approach to its support of science and technology in developing countries," the news service writes. Specifically, Clinton "emphasised the need to collaborate with the private sector, non-governmental organizations and, particularly, local groups." She also said the administration is encouraging science diplomacy and exploring ways to promote innovation by including competitions "that encourage more people to put their own intellectual capital to work."

#### USAID appointments solve

Johnson 10

(Jenny. American Association for the Advancement of Science, 8 April. http://www.scidev.net/en/news/usaid-appointment-boosts-science-diplomacy-focus.html) JM

The US government's international development agency is stepping up its focus on science and technology with a key appointment intended to enhance the agency's programmes in the Middle East and bolster the Obama administration's push for science diplomacy. Alex Dehgan was appointed USAID's science and technology advisor last month (11 March). The agency described him in a statement as "the focal point for implementing the Administrator's vision to restore science and technology to its rightful place within USAID". An agency spokeswoman said that Dehgan will work closely with USAID's senior counselor and director of innovation, Maura O'Neill, and will help shape development strategies, as well as create "novel science-based initiatives". Dehgan's appointment is widely seen as strengthening the administration's commitment to science diplomacy — the use of scientific programmes, such as efforts to forge international cooperation among scientists and engineers, to achieve broader political objectives. Dehgan, a conservation biologist and an attorney in international law, has worked for the US State Department in Afghanistan, Iraq and the Middle East. He also has experience working on large-scale conservation projects in the non-governmental sector. The appointment is "very encouraging", said Caroline Wagner, author of The New Invisible College: Science for Development. "Dehgan has a long background in science diplomacy, he is a bench-trained scientist, and he is young — he has energy and drive." She said that this appointment adds to a growing list of high-level experts currently promoting US science diplomacy. "There is a lot of interest and experience that's being brought to this issue." Al Teich, director of science and policy programmes at the American Association for the Advancement of Science (AAAS), said that the appointment of Dehgan — who has worked as an AAAS fellow, helping to set up an electronic library of scientific journals in Iraq — shows that science diplomacy is "an idea whose time has come".

#### Proper science diplomacy is impossible – not enough diplomats

Lord et al 09

(Kristin - *vice president at the Center for a New American Security and a nonresident fellow of the Brookings Institution,* Vaughan Turekian, *chief international officer and director of the Center for Science Diplomacy at the American Association for the Advancement of Science*, “The Science of Diplomacy” http://www.cnas.org/node/918, 7/28/10)

Facing a complex set of foreign-policy challenges, the United States can no longer afford to overlook such a useful instrument of statecraft. Regrettably, the U.S. government is not well organized to take advantage of science diplomacy. The National Science Foundation and technical departments (Energy, Agriculture, Health and Human Services, and Defense) apply their resources to science -- but not to its diplomatic use. Thus, the Obama administration should appoint a senior-level ambassador for science and technology cooperation in the State Department. He or she could convene an interagency group coordinating the strategic use of science diplomacy.

#### Science diplomacy is a myth – no spillover

Dickson 10

(David, director of SciDev. SciDev.net, 28 June. http://scidevnet.wordpress.com/category/science-diplomacy-conference-2010/)

There’s a general consensus in both the scientific and political worlds that the principle of science diplomacy, at least in the somewhat restricted sense of the need to get more and better science into international negotiations, is a desirable objective. There is less agreement, however, on how far the concept can – or indeed should – be extended to embrace broader goals and objectives, in particular attempts to use science to achieve political or diplomatic goals at the international level. Science, despite its international characteristics, is no substitute for effective diplomacy. Any more than diplomatic initiatives necessarily lead to good science. These seem to have been the broad conclusions to emerge from a three-day meeting at Wilton Park in Sussex, UK, organised by the British Foreign Office and the Royal Society, and attended by scientists, government officials and politicians from 17 countries around the world. The definition of science diplomacy varied widely among participants. Some saw it as a subcategory of “public diplomacy”, or what US diplomats have recently been promoting as “soft power” (“the carrot rather than the stick approach”, as a participant described it). Others preferred to see it as a core element of the broader concept of “innovation diplomacy”, covering the politics of engagement in the familiar fields of international scientific exchange and technology transfer, but raising these to a higher level as a diplomatic objective. Whatever definition is used, three particular aspects of the debate became the focus of attention during the Wilton Park meeting: how science can inform the diplomatic process; how diplomacy can assist science in achieving its objectives; and, finally, how science can provide a channel for quasi-diplomatic exchanges by forming an apparently neutral bridge between countries. There was little disagreement on the first of these. Indeed for many, given the increasing number of international issues with a scientific dimension that politicians have to deal with, this is essentially what the core of science diplomacy should be about. Chris Whitty, for example, chief scientist at the UK’s Department for International Development, described how knowledge about the threat raised by the spread of the highly damaging plant disease stem rust had been an important input by researchers into discussions by politicians and diplomats over strategies for persuading Afghan farmers to shift from the production of opium to wheat. Others pointed out that the scientific community had played a major role in drawing attention to issues such as the links between chlorofluorocarbons in the atmosphere and the growth of the ozone hole, or between carbon dioxide emissions and climate change. Each has made essential contributions to policy decisions. Acknowledging this role for science has some important implications. No-one dissented when Rohinton Medhora, from Canada’s International Development Research Centre, complained of the lack of adequate scientific expertise in the embassies of many countries of the developed and developing world alike. Nor – perhaps predictably – was there any major disagreement that diplomatic initiatives can both help and occasionally hinder the process of science. On the positive side, such diplomacy can play a significant role in facilitating science exchange and the launch of international science projects, both essential for the development of modern science. Europe’s framework programme of research programmes was quoted as a successful advantage of the first of these. Examples of the second range from the establishment of the European Organisation of Nuclear Research (usually known as CERN) in Switzerland after the Second World War, to current efforts to build a large new nuclear fusion facility (ITER). Less positively, increasing restrictions on entry to certain countries, and in particular the United States after the 9/11 attacks in New York and elsewhere, have significantly impeded scientific exchange programmes. Here the challenge for diplomats was seen as helping to find ways to ease the burdens of such restrictions. The broadest gaps in understanding the potential of scientific diplomacy lay in the third category, namely the use of science as a channel of international diplomacy, either as a way of helping to forge consensus on contentious issues, or as a catalyst for peace in situations of conflict. On the first of these, some pointed to recent climate change negotiations, and in particular the work of the Intergovernmental Panel on Climate Change, as a good example, of the way that the scientific community can provide a strong rationale for joint international action. But others referred to the failure of the Copenhagen climate summit last December to come up with a meaningful agreement on action as a demonstration of the limitations of this way of thinking. It was argued that this failure had been partly due to a misplaced belief that scientific consensus would be sufficient to generate a commitment to collective action, without taking into account the political impact that scientific ideas would have. Another example that received considerable attention was the current construction of a synchrotron facility SESAME in Jordan, a project that is already is bringing together researchers in a range of scientific disciplines from various countries in the Middle East (including Israel, Egypt and Palestine, as well as both Greece and Turkey). The promoters of SESAME hope that – as with the building of CERN 60 years ago, and its operation as a research centre involving, for example, physicists from both Russia and the United States – SESAME will become a symbol of what regional collaboration can achieve. In that sense, it would become what one participant described as a “beacon of hope” for the region. But others cautioned that, however successful SESAME may turn out to be in purely scientific terms, its potential impact on the Middle East peace process should not be exaggerated. Political conflicts have deep roots that cannot easily be papered over, however open-minded scientists may be to professional colleagues coming from other political contexts. Indeed, there was even a warning that in the developing world, high profile scientific projects, particular those with explicit political backing, could end up doing damage by inadvertently favouring one social group over another. Scientists should be wary of having their prestige used in this way; those who did so could come over as patronising, appearing unaware of political realities. Similarly, those who hold science in esteem as a practice committed to promoting the causes of peace and development were reminded of the need to take into account how advances in science – whether nuclear physics or genetic technology – have also led to new types of weaponry. Nor did science automatically lead to the reduction of global inequalities. “Science for diplomacy” therefore ended up with a highly mixed review. The consensus seemed to be that science can prepare the ground for diplomatic initiatives – and benefit from diplomatic agreements – but cannot provide the solutions to either.