Negative: Rare Earth Elements - China

By “Coach Vance” Trefethen

Case Summary: The AFF Plan bans, 2 years from now, the use of any Rare Earth Elements by any defense contractors producing military hardware for the US Defense Dept if those REE's were imported from China.

Negative: Rare Earth Elements - China 3

TOPICALITY 3

1. Topicality / Solvency dilemma on "significant" reform of import policy 3

Rare Earth trade is insignificant 3

Affirmative will admit that their plan affects only 1% of the insignificant Rare Earth trade 3

They sacrifice topicality to achieve solvency 3

Prediction: AFF will minimize their own plan all throughout this round 3

Impact on the round: Abuse justifies a Negative ballot 3

And let's pre-empt the "significant effects" argument before they make it 3

INHERENCY - Not enough for AFF to say "we have a problem." They must prove Status Quo policies won't work 4

1. Status Quo alternatives solve for import disruptions 4

Non­mine sources are available if they’re ever needed in case of any supply problem with Rare Earths 4

Existing mines could solve for any China supply disruption 4

2. No Chinese monopoly 4

China's monopoly back in 2011 no longer exists. New mines have lowered their market share to 70-80% 4

Brief Chinese monopoly on Rare Earths has long since been broken and there's no policy change needed (nor would it work if we tried) 5

What "Monopoly" on exports? China is dependent on IMPORTS of Rare Earth elements 5

3. The 2017 Executive Order 5

Since 2017 the US Dept. of Defense (DoD) has been pursuing multiple policies that will solve for Rare Earth availability 5

4. The DoD supply chain policy 6

US Dept of Defense (DoD) is funding a project to move the supply chain away from China 6

MINOR REPAIR - Stockpiling under existing legislation 6

No policy change needed: National defense needs can be met by stockpiling under existing legislation 6

HARMS 6

1. China won't boycott 6

China has big incentives NOT to blockade Rare Earths because it would backfire on them economically 6

2. A/T "Rare Earth minerals / National Defense" 7

Don't need to worry about China nor the rare earth supply chain for Defense 7

3. China cutoff has no impact 7

Response #1: No harmful impact in the AFF 1AC 7

Response #2: When China cutoff of Rare Earths to Japan in 2010, markets solved and it had no impact. 7

Response #3: Affirmative source Jeremy Hsu says markets would solve if China stopped exporting 8

Response #4: Affirmative expert Prof. Eugene Gholz says Status Quo policies could supply the military in the event of a Chinese cutoff 8

SOLVENCY 8

1. China owns the mines. The mines "outside of China" allowed under the AFF Plan? China owns them too 8

Australia: China bought the mines 8

Africa: China is buying the mines 8

Africa: China dominates the REE supply chain 9

United States: China bought the mine 9

United States: China is buying the mines 9

2. Won't solve Antimony 10

Antimony isn't a rare earth element, so all that stuff from Gen. Spider Marks is irrelevant. AFF can't solve for it 10

3. Refining in China 10

"China monopoly" isn't solved by mining: China is the only place mine output can be processed into usable Rare Earth Elements (REEs) 10

Almost all processing of rare earth ores takes place in China 11

Solving mining isn't enough: If you don’t solve processing, you don't solve anything 11

4. No advocacy 11

Nobody besides the Affirmative team believes this plan is needed or would work 11

DISADVANTAGES 11

1. Russia. AFF replaces imports from China with imports from Russia 11

Link: Other countries AFF proposes as alternatives actually get their minerals from Russia or China 11

Impact: Trade with Russia funds them committing atrocities in Ukraine. 12

Sanctions on Russia don't apply to Rare Earths, so yes, we would import more from Russia post-plan 12

2. Sets back US mineral development 13

Link: AFF treats China as an enemy, specifically in the realm of Rare Earth minerals 13

Link: Cooperating with China on rare earths would increase their ability to strengthen their environmental regulations, which would raise the price and make US mines more financially viable 13

Impact: Turn the AFF harms, they get worse post-plan 13

Negative: Rare Earth Elements - China

TOPICALITY

1. Topicality / Solvency dilemma on "significant" reform of import policy

Rare Earth trade is insignificant

(Source cited by the Affirmative team!) Marc Schmid 2019 ( Faculty of Law, Economics and Business, Martin Luther University, Germany) Rare Earths in the Trade Dispute Between the US and China: A Déjà vu, INTERECONOMICS REVIEW OF EUROPEAN ECONOMIC POLICY (accessed 13 Jan 2023) https://www.intereconomics.eu/contents/year/2019/number/6/article/rare-earths-in-the-trade-dispute-between-the-us-and-china-a-deja-vu.html#:~:text=The%20US%20dependency%20on%20rare%20earths%20from%20China&text=In%202018%2C%20the%20US%20imported,amounting%20to%20165%20million%20dollars

Outside of China, the US is the second largest consumer of rare earths in the world behind Japan (see Figure 2). In 2018, the US imported a total of 18,500 tonnes, amounting to 165 million dollars. The market for rare earths is relatively small: total value and import amounts are negligible and economically insignificant to the US.

Affirmative will admit that their plan affects only 1% of the insignificant Rare Earth trade

They will tell you that only 1% of Rare Earth Elements used in the US are used for national defense.

They sacrifice topicality to achieve solvency

There's no way the US could replace a significant amount of our Rare Earth Elements from China in any reasonable period of time at any reasonable cost. Even the AFF knows that's physically impossible. So their plan is to remove 1% of them because they will tell you their solvency evidence, which they haven't read yet, says we can do that. Even if you buy that, it means they give up "significant reform" of our import policy in order to do something that's feasible. "It's only a 1% change, but at least we can pull it off" - that's the tradeoff the Affirmative is making.

Prediction: AFF will minimize their own plan all throughout this round

Any time we bring up solvency arguments or disadvantages, the AFF is going to reply that their plan is so tiny and insignificant that the mineral supplies can easily cover it, and the disadvantages won't happen because they will have such a tiny little impact on the minerals market that no one would notice. But every time they do that, they'll be conceding the round on Topicality. If their plan is so tiny no one would notice it, it's too tiny for use to be debating it under this resolution.

Impact on the round: Abuse justifies a Negative ballot

If you allow plans that change 1% of a commodity that is itself an insignificant amount of trade, you trivialize debate and allow abuse of Negative teams. There's no way we can prepare for all possible cases involving microscopic changes to US trade import policies. The best way to teach Affirmatives not to do this is to award a Negative ballot.

And let's pre-empt the "significant effects" argument before they make it

They will probably try to tell you that because in their mind the plan has significant effects, that makes the insignificant policy reform topical. The biggest problem with this is that the entire goal of their plan is to ensure that nothing changes. In the Status Quo, the US defense industry has the Rare Earth Elements it needs. If their plan works, the US defense industry has the Rare Earth Elements it needs. Since the goal of the plan is to maintain the Status Quo, there are no "significant effects" to this insignificant reform.

INHERENCY - Not enough for AFF to say "we have a problem." They must prove Status Quo policies won't work

1. Status Quo alternatives solve for import disruptions

Non­mine sources are available if they’re ever needed in case of any supply problem with Rare Earths

Tim Worstall 2015 (rare earths expert and senior fellow at free market think tank, Adam Smith Institute) 23 Mar 2015 “What 60 Minutes Got Wrong About Rare Earths and China” FORBES (accessed 22 Nov 2022) <https://www.forbes.com/sites/timworstall/2015/03/23/what-60-minutes-got-wrong-about-rare-earths-and-china/#7fe0abef2a2a>

There’re rare earths in all sorts of other minerals: other minerals that we already process for other reasons. It would be entirely possible to extract what we desire from the materials we throw away at other already producing factories. For example, I spent a few tens of thousands of my own money on checking a process to extract them from the wastes of aluminium (more strictly, alumina) production. It works, no doubt about it. And the reason that I’m not currently running such a factory is because it would be stupid to do so. It would lose money: as Molycorp is. There an English process that could make iron, titanium, alumina and the rare earths from that same waste: there’s even a possibility that that process could be economic. There’re rare earths (that we know how to extract, even if not profitably) in the wastes of zirconium production, other mineral sands, tin, there’s some vast amount in the fly ash (the soot from coal burning) that we currently dump in vast ponds by the tens of millions of tonnes each year.

Existing mines could solve for any China supply disruption

James Vincent 2019 (journalist) 23 May 2019 "Rare earth elements aren’t the secret weapon China thinks they are" (accessed 22 Nov 2022) [https://www.theverge.com/2019/5/23/18637071/rare-earth-china-production-america-demand-trade-war-tariffs (brackets](https://www.theverge.com/2019/5/23/18637071/rare-earth-china-production-america-demand-trade-war-tariffs%20(brackets) added)

In the event of a ban, one of the most important backstops would be America’s Mountain Pass mine. Although the mine was closed after Chinese rare earths drove down prices, the facility is intact and resumed production last January. Recent [estimates](https://www.nytimes.com/2019/05/23/business/china-us-trade-war-rare-earths.html) suggest it’s already supplying one-tenth of the world’s rare earth ores (though not their processing), and in the event of an embargo, it would be possible to bring Mountain Pass back up to speed. “By far the cheapest and fastest way to bring more material into the market — if there was a disruption — is just sitting there in California,” says [rare earth expert and associate professor of political science at the University of Notre Dame, Eugene] Gholz. “It’s not like starting from scratch.” [rare earths expert and senior fellow at free market think tank the Adam Smith Institute, Tim] Worstall agrees: “Producing rare earth concentrate is near trivially simple,” he says. “I, or any other competent person, could produce that from a standing start within six months in any volume required.”

2. No Chinese monopoly

China's monopoly back in 2011 no longer exists. New mines have lowered their market share to 70-80%

(Source cited by the Affirmative team!) Marc Schmid 2019 ( Faculty of Law, Economics and Business, Martin Luther University, Germany) Rare Earths in the Trade Dispute Between the US and China: A Déjà vu, INTERECONOMICS REVIEW OF EUROPEAN ECONOMIC POLICY (accessed 13 Jan 2023) https://www.intereconomics.eu/contents/year/2019/number/6/article/rare-earths-in-the-trade-dispute-between-the-us-and-china-a-deja-vu.html#:~:text=The%20US%20dependency%20on%20rare%20earths%20from%20China&text=In%202018%2C%20the%20US%20imported,amounting%20to%20165%20million%20dollars

China’s market power peaked in 2010/2011 when it reached a market share of around 97% of all rare earth mineral production. Outside of China, there were almost no other producers left. Since then, new rare earth mine projects have been developed worldwide, causing China’s market share to decrease slightly to around 70-80%.

Brief Chinese monopoly on Rare Earths has long since been broken and there's no policy change needed (nor would it work if we tried)

Tim Heffernan 2015 (independent journalist, *writes about heavy industry, economics and the environment for*The Atlantic, Popular Mechanics*and other magazines*.) “Why Rare­earth Mining in the West is a Bust”, June 26, 2015, (accessed 22 Nov 2022) <http://www.hcn.org/issues/47.11/why-rare-earth-mining-in-the-west-is-a-bust> (brackets added; parentheses in original)

Over the past five years, numerous nations have brought new ECE [energy critical elements] supplies to market, eliminating most threats of monopoly control. (The brief Chinese monopoly on rare-earth elements has long since been broken.) Mining industry analysts see little evidence that the market will fuel a burst of American ECE production, and little reason to believe that one could or should be ignited through policy.

What "Monopoly" on exports? China is dependent on IMPORTS of Rare Earth elements

Center for Strategic & International Studies, last updated 2021. () "Does China Pose a Threat to Global Rare Earth Supply Chains?" China Power. July 17, 2020. Updated May 12, 2021 "Does China Pose a Threat to Global Rare Earth Supply Chains?" (accessed 14 Jan 2023) https://chinapower.csis.org/china-rare-earths/

As China’s domestic consumption of rare earths grows, the country will be increasingly reliant on imports to feed its appetite for the materials. China already became the world’s largest importer of rare earths in 2018, and it is expected to become a net importer by the middle of the decade. Under these conditions, Beijing’s influence over the global rare earth industry would be significantly reduced, and new players might finally find themselves able to compete.

3. The 2017 Executive Order

Since 2017 the US Dept. of Defense (DoD) has been pursuing multiple policies that will solve for Rare Earth availability

(Source cited by the Affirmative team!) Marc Schmid 2019 ( Faculty of Law, Economics and Business, Martin Luther University, Germany) Rare Earths in the Trade Dispute Between the US and China: A Déjà vu, INTERECONOMICS REVIEW OF EUROPEAN ECONOMIC POLICY (accessed 13 Jan 2023) https://www.intereconomics.eu/contents/year/2019/number/6/article/rare-earths-in-the-trade-dispute-between-the-us-and-china-a-deja-vu.html#:~:text=The%20US%20dependency%20on%20rare%20earths%20from%20China&text=In%202018%2C%20the%20US%20imported,amounting%20to%20165%20million%20dollars

During the first rare earth crisis, the rest of the world became aware of its dependence on China for a stable supply of rare earths. However, the politic response from the US and in Europe remained relatively restrained. In contrast, the current US administration has been quite active in addressing supply risks of certain raw materials. Recent assessments have analysed the US’ current dependency on imports of rare earths and other important raw materials. The US president signed an Executive Order in 2017 intended to develop strategic measures to ensure a stable supply. The US Department of Commerce presented its ‘Federal Strategy to Ensure Secure and Reliable Supplies of Critical Minerals’ with calls for action to work out recycling processes and substitutes, to establish a supply chain for rare earths outside of China and to access domestic deposits. Faced with recent developments, the US DoD is currently seeking funding for domestic rare earth projects to reduce its dependency on imports. The US is also in talks with Canada about defense funding for rare earth production and processing facilities; is trying to set up a partnership in Australia for processing of rare earths; and has signed a memorandum of understanding with Greenland to explore Greenland’s rare earth deposits.

4. The DoD supply chain policy

US Dept of Defense (DoD) is funding a project to move the supply chain away from China

Laura Seligman 2022 (journalist) 14 Dec 2022 POLITICO " China Dominates the Rare Earths Market. This U.S. Mine Is Trying to Change That." (accessed 14 Jan 2023) https://www.politico.com/news/magazine/2022/12/14/rare-earth-mines-00071102

DoD has been tracking the rare-earths problem for years, particularly after Beijing blocked Japan’s access to rare earths in 2010. But the 2016 election and the Trump administration’s confrontational approach to Beijing set the stage for a new focus on markets long dominated by China, including rare earths mining and processing. Since then, the Pentagon has [designated millions of dollars](https://www.nytimes.com/2020/08/14/us/politics/rare-earths-american-companies.html) to fund rare earths projects in an attempt to move the entire rare earth supply chain to the U.S. Mountain Pass has received some of the funding, along with other companies trying to mine or manufacture rare earths products.

MINOR REPAIR - Stockpiling under existing legislation

No policy change needed: National defense needs can be met by stockpiling under existing legislation

*Mary Hui 2021 (journalist) 23 Apr 2021 "*Japan’s global rare earths quest holds lessons for the US and Europe" *(Red notations added) (accessed 14 Jan 2023) https://qz.com/1998773/japans-rare-earths-strategy-has-lessons-for-us-europe*

For example, the US could use existing federal legislation to build up its national defense stockpile of rare earths by committing to buying rare earths from domestic producers over a certain number of years, and within a certain price band, explained Dan McGroarty, advisory board member of USA Rare Earth.

HARMS

1. China won't boycott

China has big incentives NOT to blockade Rare Earths because it would backfire on them economically

(Source cited by the Affirmative team!) Marc Schmid 2019 ( Faculty of Law, Economics and Business, Martin Luther University, Germany) Rare Earths in the Trade Dispute Between the US and China: A Déjà vu, INTERECONOMICS REVIEW OF EUROPEAN ECONOMIC POLICY (accessed 13 Jan 2023) https://www.intereconomics.eu/contents/year/2019/number/6/article/rare-earths-in-the-trade-dispute-between-the-us-and-china-a-deja-vu.html#:~:text=The%20US%20dependency%20on%20rare%20earths%20from%20China&text=In%202018%2C%20the%20US%20imported,amounting%20to%20165%20million%20dollars

In fact, China has its own reasons to think twice about using rare earths in the trade dispute:   
1. China’s reputation as a reliable supplier is a prerequisite for keeping its market power. A second rare earth crisis, caused by renewed Chinese export restrictions, could give rise to long-term doubts about China’s reliability as a producer and supplier. A loss of trust could accelerate new mining projects outside China and motivate consumers worldwide to work on a parallel supply chain, which would ultimately reduce China’s market power.

2. A/T "Rare Earth minerals / National Defense"

Don't need to worry about China nor the rare earth supply chain for Defense

Tim Worstall 2015 (a rare earths expert and senior fellow at free market think tank the Adam Smith Institute) 23 Mar 2015 “What 60 Minutes Got Wrong About Rare Earths and China” FORBES http://www.forbes.com/sites/timworstall/2015/03/23/what­60­minutes­got­wrong­about­rare­earths­and­china/#7e8f 4a74253d (accessed 23 Nov 2022)

China does not currently have a monopoly, nor 90%, of the supply of rare earths. 60 Minutes is also wrong on the geology and metallurgy of the rare earths. We do not need to have mines to produce them, we can extract from other minerals that we already process. They are used in various defense programs, I know that very well as I've supplied more than one of them. But they're not important to the extent that 60 Minutes seems to think and even the one that is important to the F-35 doesn't have to come from the traditional rare earths supply chain.

3. China cutoff has no impact

Response #1: No harmful impact in the AFF 1AC

It's not a harm until someone gets harmed. The 1AC raised the issue of the 2010 Chinese trade cutoff with Japan, but cited no evidence and didn't even make the claim that anyone was harmed by it. If Japan could survive this with no impact, so can we.

They read a card that says these minerals are essential to military equipment but didn't say what effect it would have on our military capabilities if China stopped selling them. Would existing planes and missiles that we've already built stop working? Of course not. Would we simply switch to other suppliers? They don't read any evidence that says the Defense Department contractors can't do that.

If the US military had to switch to other equipment that didn't use Rare Earth elements or use substitutes, what would be the impact? They don't tell you. They want you to guess, assume and read their minds to believe that something really terrible would happen. But until they tell you what it is and prove it with evidence, it's not a harm until someone gets harmed.

Response #2: When China cutoff of Rare Earths to Japan in 2010, markets solved and it had no impact.

Tim Worstall 2015 (a rare earths expert and senior fellow at free market think tank the Adam Smith Institute) 23 Mar 2015 “What 60 Minutes Got Wrong About Rare Earths and China” FORBES http://www.forbes.com/sites/timworstall/2015/03/23/what­60­minutes­got­wrong­about­rare­earths­and­china/#7e8f 4a74253d (accessed 23 Nov 2022)(ellipses and parentheses in original)

And what did happen? China did try to exercise its monopoly, the world did roll up its sleeves and both Molycorp and Lynas went into production. Between the two of them they produce very much more than 10% of global consumption of rare earths (in fact, reasonable estimates are that they produce more than total non-China consumption of them) meaning that China simply doesn't have that monopoly being talked of. As I said would happen and as a result Alex Tabarrok over at Marginal Revolution has said of my 2010 [analysis](http://marginalrevolution.com/marginalrevolution/2014/11/what-happened-to-the-rare-earth-crisis.html):  
Bonus points to Tim Worstall, economist blogger and rare earth dealer, who in 2010 at the height of the crisis pointed out that rare earths were neither rare nor earths and China’s monopoly had been won only by low prices that accrued to our benefit. ...(...)... Nailed it.  
I don't, by the way, claim great prescience over this. It was obvious to anyone at all with even the most limited knowledge of the industry and of mining economics. The problem that 60 Minutes is talking about, the Chinese rare earth monopoly isn't a problem because the monopoly has been broken.

Response #3: Affirmative source Jeremy Hsu says markets would solve if China stopped exporting

Jeremy Hsu 2019. (journalist) "Don’t Panic about Rare Earth Elements" 31 May 2019 SCIENTIFIC AMERICAN (accessed 14 Jan 2023)https://www.scientificamerican.com/article/dont-panic-about-rare-earth-elements/#

As trade tensions rise between the U.S. and China, rare earth minerals are once again in the political spotlight. Today Chinese mines and processing facilities provide most of the world's supply, and Chinese leader Xi Jinping has hinted about using this as political leverage in trade negotiations with U.S. President Donald Trump's administration. But in the long run, many experts say the global market involving these materials would likely survive even if China completely stopped exporting them.

Response #4: Affirmative expert Prof. Eugene Gholz says Status Quo policies could supply the military in the event of a Chinese cutoff

Jeremy Hsu 2019. (journalist) "Don’t Panic about Rare Earth Elements" 31 May 2019 SCIENTIFIC AMERICAN (accessed 14 Jan 2023)https://www.scientificamerican.com/article/dont-panic-about-rare-earth-elements/#

During the 2010 supply scare, other large industries that used rare earth elements also discovered they could do without some of them. Oil refinery operators temporarily stopped using the rare earth element lanthanum, which improves oil refining efficiency, when the price went up. The glassmaking industry largely abandoned using the rare earth element cerium for polishing. Although industries related to national security would be unable to entirely forgo rare earth minerals, Gholz thinks the U.S. military's demand could be "easily satisfied by non-Chinese production" because this need represents less than 5 percent of the total market.

SOLVENCY

1. China owns the mines. The mines "outside of China" allowed under the AFF Plan? China owns them too

Australia: China bought the mines

Sharon Nakhimovsky 2010 (Master's Degree candidate in China Studies at Johns Hopkins University; Associate, Center for Climate Strategies) Spring 2010 "China’s “Strategic” Rare Earths Industry:  China’s reforms and the U.S. response" (accessed 13 Jan 2023) SAIS CHINA STUDIES  Student Working Paper Series  https://sais.jhu.edu/sites/default/files/resource-article/files/China-Studies-Working-Paper-2010-Nakhimovsky.pdf

Finally, China has aggressively pursued foreign rare earth industries in the international market. One recent successful purchase was by the Jiangsu Eastern China Non-Ferrous Metals investment Holding Co., which bought more than 25% of an Australian rare earth developing company called Arafura Resources Ltd. China does not restrict these purchases to rare earths, but has been actively trying to acquire high stakes in foreign firms producing many resources deemed strategic. For example, on May 4, 2010, Sichuan’s Hanlong company bought 55% of another Australian mine (Moly Mines) for US$200 million.

Africa: China is buying the mines

Keerthana Rajesh Nambiar 2022 (research intern at Observer Research Foundation, India) 1 Sept 2022 "China’s scramble for Africa’s rare earth elements" (accessed 14 Jan 2023) https://www.orfonline.org/expert-speak/chinas-scramble-for-africas-rare-earth-elements/

For three decades, China has managed to secure mining deals across the African continent with the availability of cheap labour and weak regulations. Currently, the global annual demand for rare earth elements (REEs) is largely met by China, which has devoted itself to increasing its presence in Africa guaranteeing ambitious energy and technological transitions.

Africa: China dominates the REE supply chain

Dr Ariel Cohen & James C. Grant 2021 (Cohen - Ph.D., is Non-Resident Senior Research Fellow at the Atlantic Council and Director, Energy, Growth and Security Program at the International Tax and Investment Center. Grant - Research Fellow and Manager of Programs at ITIC, and a Junior Fellow at the American Foreign Policy Council) 22 June 2021 "America's Critical Strategic Vulnerability: Rare Earth Elements" (accessed 14 Jan 2023) https://www.fpri.org/article/2021/06/americas-critical-strategic-vulnerability-rare-earth-elements/

China has enjoyed amicable trade relations with African nations for decades, starting with Beijing’s support of anti-colonial movements during the Cold War. These relationships evolved into trade ties, foreign direct investment (FDI), and infrastructure projects. Mineral exports to Chinese processing facilities came as a logical next step. Surveys conducted from 18 African nations in 2019 revealed a healthy [59% public approval rating](https://chinaafricaproject.com/2020/09/09/chinas-overall-approval-rating-in-africa-dips-but-not-by-much-according-to-new-survey/) of Chinese economic investment. Considering Beijing plans to increase domination of the critical mineral sector, Africa will remain crucial to Chinese rare earth supply chains.

United States: China bought the mine

CGTN News 2017. "Chinese company wins bid on sole rare earth mine in US" 18 June 2017 (accessed 14 Jan 2023) https://news.cgtn.com/news/354d444e7a517a6333566d54/index.html

A Chinese company was declared the winner at a bankruptcy auction for the only producing rare earths mine in the US earlier this week. With a winning bid of 20.5 million US dollars on Wednesday, investment firms JHL Capital Group and QVT Financial were selected to take control of Mountain Pass rare earth mine, along with China's Leshan Shenghe Rare Earth Shareholdings Co., reported The Wall Street Journal.  The Colorado-based Mountain Pass mine – formerly owned by Molycorp – was the only functioning rare earths mine in the US before it went bankrupt in 2015.

United States: China is buying the mines

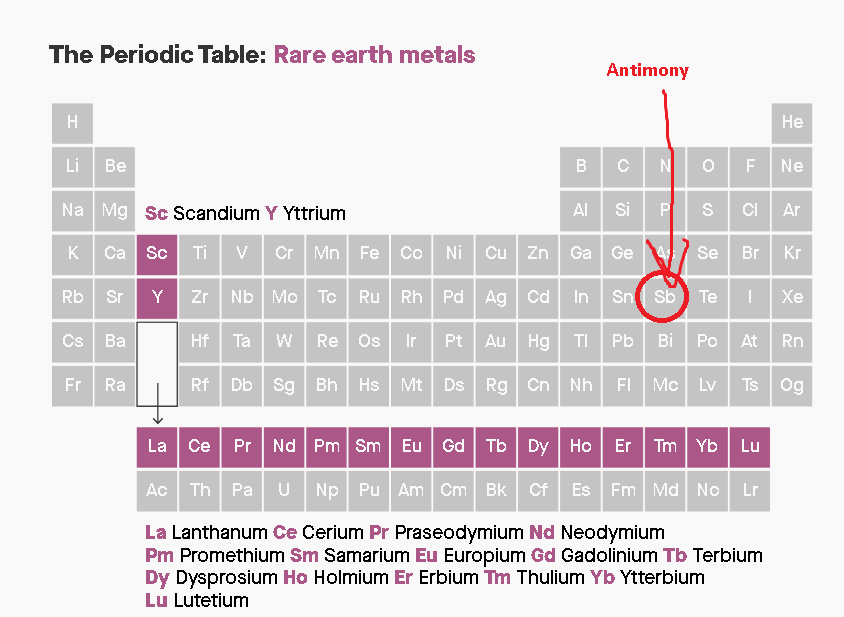
Kevin Killough 2022 (journalist) 30 Nov 2022 " Chinese Ownership Of Lithium Mine In U.S. Raises Concerns; State Rep Upset That U.S. Ceding Market" (accessed 14 Jan 2023) https://cowboystatedaily.com/2022/11/30/only-lithium-mine-in-u-s-is-owned-by-chinese-rep-questions-why-u-s-letting-chinese-control-market/

The push for renewable energy is ramping up demand for minerals, many of which China controls, and the Wyoming mining industry wants to get in on the action.  Eager to secure a domestic supply of critical minerals for solar panels, wind turbines and electric vehicles, the federal government is providing loans to companies to help develop domestic supplies.  Now, China is investing in U.S. mining operations, which not only allows the communist nation to maintain global dominance of these critical minerals, it opens up opportunities to get loans from the federal government for their businesses.

2. Won't solve Antimony

Antimony isn't a rare earth element, so all that stuff from Gen. Spider Marks is irrelevant. AFF can't solve for it

*Mary Hui 2021 (journalist) 23 Apr 2021 "*Japan’s global rare earths quest holds lessons for the US and Europe" *(Red notations added) (accessed 14 Jan 2023) https://qz.com/1998773/japans-rare-earths-strategy-has-lessons-for-us-europe*



3. Refining in China

When you dig the raw ores out of the ground, you get a ton of rock has to be processed to get the minerals out of it into their pure useable form. But the places that do that processing are in China, and the AFF plan doesn't even claim to solve for processing facilities. All those rocks we dig out of the US or other places are all going to be immediately shipped to China for processing even if the AFF plan worked. If China is a problem, then it will still be just as much of a problem after the Plan.

If AFF argues that "Status Quo solves for processing because new processing is coming online" - then that same argument applies to the mines as well. If SQ can solve for processing without the plan, it can solve for mining without the plan.

"China monopoly" isn't solved by mining: China is the only place mine output can be processed into usable Rare Earth Elements (REEs)

Prof. June Teufel Dreyer 2020 (Senior Fellow in the Asia Program at the Foreign Policy Research Institute, is Professor of Political Science at the Univ of Miami) 7 Oct 2020 "China's Monopoly on Rare Earth Elements - And why we should care" (accessed 23 Nov 2022) .*https://www.fpri.org/article/2020/10/chinas-monopoly-on-rare-earth-elements-and-why-we-should-care/*

In other words, readying REEs for use, whether from the land or the sea, is time consuming and expensive. China controls nearly all of the world’s processing facilities, with even REEs taken from the ground in other countries being sent there for refining. Lynas, the exception, sends its ores to Malaysia for processing. Valuable though Lynas’ contribution to the rare earth problem be, it is a less than perfect solution. The corporation’s mines have a lower rare earth content than those of China, meaning that Lynas must mine more materials to extract and isolate heavy rare earth metals such as dysprosium, a crucial component in data storage applications, thereby raising costs.

Almost all processing of rare earth ores takes place in China

(Source cited by the Affirmative team!) Marc Schmid 2019 ( Faculty of Law, Economics and Business, Martin Luther University, Germany) Rare Earths in the Trade Dispute Between the US and China: A Déjà vu, INTERECONOMICS REVIEW OF EUROPEAN ECONOMIC POLICY (accessed 13 Jan 2023) https://www.intereconomics.eu/contents/year/2019/number/6/article/rare-earths-in-the-trade-dispute-between-the-us-and-china-a-deja-vu.html#:~:text=The%20US%20dependency%20on%20rare%20earths%20from%20China&text=In%202018%2C%20the%20US%20imported,amounting%20to%20165%20million%20dollars

Over the past few decades, China has also become a technological leader in the separation and processing of rare earths. Almost all processing of rare earth ores mined in the world takes place in China. Today, China accounts for about 90% of rare earth oxide production.

Solving mining isn't enough: If you don’t solve processing, you don't solve anything

*Mary Hui 2021 (journalist) 23 Apr 2021 "*Japan’s global rare earths quest holds lessons for the US and Europe" *(Red notations added) (accessed 14 Jan 2023) https://qz.com/1998773/japans-rare-earths-strategy-has-lessons-for-us-europe*

“A hundred new mines can open around the world with generous public support, but without investing in value-added processing and manufacturing, the rest of the world will continue to remain dependent on China for refined rare earths and rare earth-bearing technologies,” said Julie Klinger, assistant professor in geography at the University of Delaware.

4. No advocacy

Nobody besides the Affirmative team believes this plan is needed or would work

The only evidence they will cite in this round in support of their plan will come from articles by Hsu and Gholz that say there's no reason to panic about rare earth elements and the Status Quo can solve. There will be NO evidence introduced in this round that says we need the federal mandate to ban defense contractors from using REE's from China. Since the AFF has the burden of proof, that by itself is GAME OVER and a slam dunk NEG ballot.

DISADVANTAGES

1. Russia. AFF replaces imports from China with imports from Russia

Link: Other countries AFF proposes as alternatives actually get their minerals from Russia or China

(Source cited by the Affirmative team!) Marc Schmid 2019 ( Faculty of Law, Economics and Business, Martin Luther University, Germany) Rare Earths in the Trade Dispute Between the US and China: A Déjà vu, INTERECONOMICS REVIEW OF EUROPEAN ECONOMIC POLICY (accessed 13 Jan 2023) https://www.intereconomics.eu/contents/year/2019/number/6/article/rare-earths-in-the-trade-dispute-between-the-us-and-china-a-deja-vu.html#:~:text=The%20US%20dependency%20on%20rare%20earths%20from%20China&text=In%202018%2C%20the%20US%20imported,amounting%20to%20165%20million%20dollars

The specific rare earth dependency of the US is also a result of its supply structure: about 80% of US rare earth imports come from China. Other relevant suppliers are Estonia, Japan and France. Whereas Estonia procures its rare earths completely from the Russian Federation, Japan and France are only secondary processing links that have no domestic mine production. Both countries import more than half of total demand directly from China as well.

Impact: Trade with Russia funds them committing atrocities in Ukraine.

Prof. [Avia Pasternak](https://www.newstatesman.com/author/aviapasternak) and Prof. [Zofia Stemplowska](https://www.newstatesman.com/author/zofiastemplowska) 2022 (Pasternak is Associate Professor in Political Theory at University College London. Stemplowska is Professor of Political Theory and Asa Briggs Fellow of Worcester College, Oxford) 19 Apr 2022 "Are severe sanctions on Russia morally justified?" <https://www.newstatesman.com/ideas/agora/2022/04/are-severe-sanctions-on-russia-morally-justified> (accessed 1 July 2022)

Citizens, investors and governments who continue to trade as usual with Russia run the risk that their contributions to the Russian economy will facilitate various atrocities, even if they do not wish for this to be the case. As a result, people have a duty to cease economic co-operation with Russian businesses through the imposition of trade sanctions.

Sanctions on Russia don't apply to Rare Earths, so yes, we would import more from Russia post-plan

NEW YORK TIMES 2022. (journalist Keith Bradsher) 22 Aug 2022 " A Supplier of Rare Earth Metals Turns to Greenland in a Bid to Cut Reliance on Russia" (accessed 14 Jan 2023) https://www.nytimes.com/2022/08/22/business/rare-earth-metals-greenland.html

The factory in Estonia currently buys three-fifths of its rare earth ore from Russia and the rest from Utah. The West has imposed many sanctions and other restrictions on companies and exports from Russia, but not yet on rare earth metals.

2. Sets back US mineral development

Link: AFF treats China as an enemy, specifically in the realm of Rare Earth minerals

That's the entire goal of the AFF plan. But that's bad because…

Link: Cooperating with China on rare earths would increase their ability to strengthen their environmental regulations, which would raise the price and make US mines more financially viable

Sharon Nakhimovsky 2010 (Master's Degree candidate in China Studies at Johns Hopkins University; Associate, Center for Climate Strategies) Spring 2010 "China’s “Strategic” Rare Earths Industry:  China’s reforms and the U.S. response" (accessed 13 Jan 2023) SAIS CHINA STUDIES  Student Working Paper Series  https://sais.jhu.edu/sites/default/files/resource-article/files/China-Studies-Working-Paper-2010-Nakhimovsky.pdf

In the long term, the U.S. will benefit from a stronger regulatory system in China. Currently, the cost of rare earths does not account for environmental costs –that is, rare earths are too cheap. If China’s regulatory system is stronger, the price of China’s rare earths will rise and U.S. companies will become more competitive. As such, in addition to following through on multilateral complaints against China’s export policy in the WTO and investing in research institutes to promote innovation, the U.S. should also be looking for opportunities to cooperate with China. Prospects for U.S.-China cooperation in the rare earths industry are high given the newly established “US-China Clean Energy Research Center.”

Impact: Turn the AFF harms, they get worse post-plan

If US mineral independence is a good thing, it's less likely to happen if we treat China as an enemy. If we cooperate with them, we're more likely to get a Rare Earth market where US companies can compete and succeed.