# TDI — 2023 —Topicality

## Resolved

### Resolved---Legislation

#### “Resolved” with a colon entails legislative action.

Parcher ‘01 [Jeff; Feb 2001; Former Debate Coach at Georgetown University; [https://web.archive.org/web/20020622002707/http://www.ndtceda.com/archives/200102/0790.html](https://web.archive.org/web/20020622002707/http:/www.ndtceda.com/archives/200102/0790.html)] brett TDI

1.Pardon me if I turn to a source besides Bill. American Heritage Dictionary: Resolve: 1. To make a firm decision about. 2. To decide or express by formal vote. 3. To separate something into constiutent parts See Syns at \*analyze\* (emphasis in orginal) 4. Find a solution to. See Syns at \*Solve\* (emphasis in original) 5. To dispel: resolve a doubt. - n 1. Frimness of purpose; resolution. 2. A determination or decision. (2) The very nature of the word "resolution" makes it a question. American Heritage: A course of action determined or decided on. A formal statemnt of a deciion, as by a legislature. (3) The resolution is obviously a question. Any other conclusion is utterly inconcievable. Why? Context. The debate community empowers a topic committee to write a topic for ALTERNATE side debating. The committee is not a random group of people coming together to "reserve" themselves about some issue. There is context - they are empowered by a community to do something. In their deliberations, the topic community attempts to craft a resolution which can be ANSWERED in either direction. They focus on issues like ground and fairness because they know the resolution will serve as the basis for debate which will be resolved by determining the policy desireablility of that resolution. That's not only what they do, but it's what we REQUIRE them to do. We don't just send the topic committtee somewhere to adopt their own group resolution. It's not the end point of a resolution adopted by a body - it's the prelimanary wording of a resolution sent to others to be answered or decided upon. (4) Further context: the word resolved is used to emphasis the fact that it's policy debate. Resolved comes from the adoption of resolutions by legislative bodies. A resolution is either adopted or it is not. It's a question before a legislative body. Should this statement be adopted or not.

#### “Resolved”

LSA 5 [Louisiana State Legislature; 2005; Governing body of the state of Louisiana; Louisiana State Legislature, “Legislative Glossary,” <https://www.legis.la.gov/legis/Glossary.aspx>] TDI

Resolution

A legislative instrument that generally is used for making declarations, stating policies, and making decisions where some other form is not required. A bill includes the constitutionally required enacting clause; a resolution uses the term "resolved". Not subject to a time limit for introduction nor to governor's veto. (Const. Art. III, §17(B) and House Rules 8.11, 13.1, 6.8, and 7.4 and Senate Rules 10.9, 13.5 and 15.1)

## United States

### US---Federal Government

#### The “United States” is the federal government---most predictable

Mitchell 15 [Paul Andrew Mitchell, BA MS, Founder of the Supreme Law Firm, previous Vice President for Legal Affairs and Counsel to an Arizona Trust, Private Attorney General, Criminal Investigator, <http://www.supremelaw.org/letters/us-v-usa.htm>] TDI

Note also that those Articles clearly distinguished "United States of America" from "United States" in Congress assembled. The States formally delegated certain powers to the federal government, which is clearly identified in those Articles as the "United States". Therefore, the "United States of America" now refer to the 50 States of the Union, and the term "United States" refers to the federal government. The term "United States" is the term that is used consistently now throughout Title 28 to refer to the federal government domiciled in D.C. There is only ONE PLACE in all of Title 28 where the term "United States of America" is used, and there it is used in correct contradistinction to "United States": <http://www.law.cornell.edu/uscode/28/1746.html> Because Title 28 contains statutes which govern all federal courts, the consistent use of "United States" to refer to the federal government carries enormous weight. Title 28 is the latest word on this subject, as revised, codified and enacted into positive law on June 25, 1948. Moreover, the [Supremacy Clause](http://www.supremelaw.org/ref/whuscons/whuscons.htm#6:2) elevates Title 28 to the status of supreme Law of the Land.

#### Congress agrees.

Lagueux, 91– [US District Judge; Ronald, IN THE MATTER OF THE COMPLAINT OF BALLARD SHIPPING COMPANY FOR EXONERATION FROM OR LIMITATION OF LIABILITY Civil Action No. 89-0685L UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND 772 F. Supp. 721; 1991 U.S. Dist. LEXIS 13103; 33 ERC (BNA) 1996; 33 Employee Benefits Cas. (BNA) 1996; 1992 AMC 402 September 17, 1991, Decided, lexis] TDI

Claimants argue that the statute's broad, "pre-civil war" definition of "United States" -- meaning the several states and territories -- when applied to subsection (f)(1), gives Rhode Island a cause of action. Claimants also argue that the provisions in subsection (f)(4), measuring liability to include costs incurred by a state government, and subsection (f)(5), requiring a state's authorized representative to act as a trustee to recover costs of restoration, confirm that states have standing under section 311 of the FWPCA to sue the shipowner.

But this selective reading of the statute misses more direct language that only supports a cause of action by the federal government. HN6Go to this Headnote in the case.The language of the statute must be given its ordinary meaning, absent clear legislative intent to the contrary, Consumer Product Safety Comm'n v. GTE Sylvania, Inc., 447 U.S. 102, 108, 64 L. Ed. 2d 766, 100 S. Ct. 2051 (1980), and this Court must be chary of reading into the statute any remedies that are not expressly stated there, Middlesex County Sewerage Auth. v. Nat'l Sea Clammers Ass'n, 453 U.S. 1, 14-15, 18, 69 L. Ed. 2d 435, 101 S. Ct. 2615 (1981). A common-sense reading of the statute compels the conclusion that states have no standing [\*\*7] to sue under section 311. HN7Go to this Headnote in the case.Subsection (f)(1) plainly makes shipowners and operators liable only "to the United States Government" for costs incurred during the removal of oil. 33 U.S.C. § 1321(f)(1) (1988). The last sentence of this section adds: "The United States may also bring an action against the owner or operator of such vessel . . . ." Id. "United States Government" and "United States" mean the federal government.

The broad definition of "United States" in subsection (a)(5) -- which includes the several states but conspicuously leaves out the federal government -- would make little sense if it were applied to this context, as Claimants propose. To apply the broad definition set forth in subsection (a)(5) wherever the term "United States" appears in section 311 would be folly. For example, "district court of the United States," 33 U.S.C. § 1321(b)(6)(B) (1988), can mean nothing but the federal district courts. The meaning of "United States" in this context is obvious, and no one would suggest that it includes the states.

The broad definition in subsection (a)(5) relates, not to the courts empowered with jurisdiction or the sovereigns that have standing to sue, but to the [\*\*8] geographical scope of potential liability under section 311 of the FWPCA. See, e.g., 33 U.S.C. §§ 1321(a)(10), (a)(11), (a)(15), (a)(16), (b)(1), (b)(2)(A), (b)(3), and (b)(4). Thus, an oil spill in the Trust Territory of the Pacific Islands may touch the "United States" and create liability under the FWPCA, but the Trust [\*724] Territory of the Pacific Islands must rely on the "United States Government" -- the appropriate federal authorities -- to bring suit under Section 311.

Congress could have given the states explicit, separate authority to bring suit under section 311, but it did not. In other parts of this section, Congress recognized a distinction between the "United States" and "a State or political subdivision thereof." E.g., 33 U.S.C. § 1321(a)(4) (1988). This distinction indicates that, subsection (a)(5) notwithstanding, Congress did not intend to include the several states every time it used the words "United States" in section 311. When Congress intended to include the governments of the several states, it explicitly spoke of states in addition to the "United States."

## Ought

### Ought---Obligation

#### Ought

Merriam-Webster [ND, <https://www.merriam-webster.com/dictionary/ought>] brett TDI

used to express obligation

## Substantial

### Substantial---Material

#### "Substantial" means material change

Words and Phrases 2 (Volume 40A) p. 460 TDI

Ala. 1909. “Substantial” means “belonging to substance; actually existing; real; \*\*\* not seeming or imaginary; not elusive; real; solid; true; veritable

### Substantial---Arbitrary

#### Their definition of substantial is arbitrary – there’s no consistency in US Code.

Colon 97 [Jeffrey M. Colon, Associate Professor of Law, Fordham University School of Law, Winter 1997, San Diego Law Review, 34 San Diego L. Rev. 1, Lexis Academic] TDI

n138. I.R.C. 877(e). Neither the statute nor the legislative history indicates how much of a reduction in taxes is necessary in order to constitute a "substantial" reduction. The meaning of "substantial" varies from one Code section to the other. Compare, e.g., I.R.C. 368(a)(1)(C) (West 1988 & Supp. 1996) (acquisition of "substantially all" of acquired company's assets for ruling purposes is 70% of gross assets and 90% of net assets (Rev. Proc. 77-37, 1977-2 C.B. 568)) with I.R.C. 1092 (West 1988 & Supp. 1996) ("substantial diminution" of risk of loss).

### Substantial---No Subsets

#### ‘Substantial’ means across the board

Holmen 13 – [Holmen School District, SECTION 504 OF THE REHABILITATION ACT OF 1973, <https://www.holmen.k12.wi.us/board/policies_and_admin_rules/300/a342-1%20504%20Rehab%20Act%20of%201973%2012-9-13.pdf>] TDI

A substantial limitation is a significant restriction as to the condition, manner, or duration under which an individual can perform a particular major life activity as compared to the condition, or duration under which the average person in the general population can perform that same major life activity. The Supreme Court in “Toyota v. Williams” noted that to meet the “substantially limit” definition, the disability must occur across the board in multiple environments, not only in one environment or one setting. The implication for school related 504 eligibility decisions is that the disability in question must be manifested in all facets of the student’s life, not only in school.

### Substantial---Yes Subsets

#### “Substantial” includes subsets and can be either quantitative or qualitative.

Sotomayor ’17 [Sonya; February 22; Justice of the Supreme Court of the United States, J.D. from Yale University, A.B. in History from Princeton University; Justia, “Life Technologies Corp. v. Promega Corp., 580 U.S. \_\_\_ (2017),” <https://supreme.justia.com/cases/federal/us/580/14-1538/#tab-opinion-3694340>] TDI

The threshold determination to be made is whether §271(f)(2)’s requirement of “a substantial portion” of the components of a patented invention refers to a quantitative or qualitative measurement. Life Technologies and the United States argue that the text of §271(f)(1) establishes a quantitative threshold, and that the threshold must be greater than one. Promega defends the Federal Circuit’s reading of the statute, arguing that a “substantial portion” of the components includes a single component if that component is sufficiently important to the invention.

We look first to the text of the statute. Sebelius v. Cloer, 569 U. S. \_\_\_, \_\_\_ (2013) (slip op., at 6). The Patent Act itself does not define the term “substantial,” and so we turn to its ordinary meaning. Ibid. Here we find little help. All agree the term is ambiguous and, taken in isolation, might refer to an important portion or to a large portion. Brief for Petitioners 16; Brief for Respondent 18; Brief for United States as Amicus Curiae 12. “Substantial,” as it is commonly understood, may refer either to qualitative importance or to quantitatively large size. See, e.g., Webster’s Third New International Dictionary 2280 (defs. 1c, 2c) (1981) (Webster’s Third) (“important, essential,” or “considerable in amount, value, or worth”); 17 Oxford English Dictionary 67 (defs. 5a, 9) (2d ed. 1989) (OED) (“That is, constitutes, or involves an essential part, point, or feature; essential, material,” or “Of ample or considerable amount, quantity, or dimensions”).

### Substantial---Percentage Bad

**Substantial cannot be determined by percentage tests**

**Leo ‘8** [Kevin Leo\*\* J.D. Candidate, Spring 2008, Hastings College of the Law. Hastings Business Law Journal Spring, 2008 4 Hastings Bus. L.J. 297 LEXIS] TDI

In contrast, the court in Haswell v. United States held that spending over sixteen percent of an organization's time on lobbying was substantial. [n83](http://www.lexisnexis.com.www2.lib.ku.edu:2048/us/lnacademic/frame.do?tokenKey=rsh-20.156249.8509902761&target=results_DocumentContent&reloadEntirePage=true&rand=1253667274610&returnToKey=20_T7405211855&parent=docview) The court found that applying a strict percentage test to determine whether activities are substantial would be inappropriate, since  [\*308]  such a test "obscures the complexity of balancing the organization's activities in relation to its objectives and circumstances in the context of the totality of the organization." [n84](http://www.lexisnexis.com.www2.lib.ku.edu:2048/us/lnacademic/frame.do?tokenKey=rsh-20.156249.8509902761&target=results_DocumentContent&reloadEntirePage=true&rand=1253667274610&returnToKey=20_T7405211855&parent=docview)

### Substantial---25%

#### They have to reduce presence by 25 percent

US Code, 10 [Title 10 – Armed Forces, Subtitle A – General Military Law, Part IV – Serivce, Supply, and Procurement, Chapter 148 – National Defense Technology & Industrial Base, Defense Reinvestment, and Defense Conversion; 2-1-10; <http://uscode.house.gov/download/pls/10C148.txt>] TDI

Section 4471 of Pub. L. 102-484, as amended by Pub. L. 103-160, div. A, title XIII, Sec. 1372, Nov. 20, 1993, 107 Stat. 1817; Pub. L. 103-337, div. A, title XI, Sec. 1142, Oct. 5, 1994, 108 Stat. 2881; Pub. L. 104-201, div. A, title VIII, Sec. 824, Sept. 23, 1996, 110 Stat. 2610; Pub. L. 105-85, div. A, title X, Sec. 1073(d)(2)(C), Nov. 18, 1997, 111 Stat. 1905; Pub. L. 105-277, div. A, Sec. 101(f) [title VIII, Sec. 405(d)(7)(C), (f)(6)(C)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-419, 2681-430, provided that: "(a) Notice Requirement After Enactment of Appropriations Act. - Each year, not later than 60 days after the date of the enactment of an Act appropriating funds for the military functions of the Department of Defense, the Secretary of Defense [SECDEF], in accordance with regulations prescribed by the Secretary - "(1) shall identify each contract (if any) under major defense programs of the Department of Defense [DOD] that will be terminated or substantially reduced as a result of the funding levels provided in that Act; and "(2) shall ensure that notice of the termination of, or substantial reduction in, the funding of the contract is provided - "(A) directly to the prime contractor under the contract; and "(B) directly to the Secretary of Labor. "(b) Notice to Subcontractors. - Not later than 60 days after the date on which the prime contractor for a contract under a major defense program receives notice under subsection (a), the prime contractor shall - "(1) provide notice of that termination or substantial reduction to each person that is a first-tier subcontractor under that prime contract for subcontracts in an amount not less than $500,000; and "(2) require that each such subcontractor - "(A) provide such notice to each of its subcontractors for subcontracts in an amount in excess of $100,000; and "(B) impose a similar notice and pass through requirement to subcontractors in an amount in excess of $100,000 at all tiers. "(c) Contractor Notice to Employees and State Dislocated Worker Unit. - Not later than two weeks after a defense contractor receives notice under subsection (a), the contractor shall provide notice of such termination or substantial reduction to - "(1)(A) each representative of employees whose work is directly related to the defense contract under such program and who are employed by the defense contractor; or "(B) if there is no such representative at that time, each such employee; and "(2) the State or entity designated by the State to carry out rapid response activities under section 134(a)(2)(A) of the Workforce Investment Act of 1998 [29 U.S.C. 2864(a)(2)(A)], and the chief elected official of the unit of general local government within which the adverse effect may occur. "(d) Constructive Notice. - The notice of termination of, or substantial reduction in, a defense contract provided under subsection (c)(1) to an employee of a contractor shall have the same effect as a notice of termination to such employee for the purposes of determining whether such employee is eligible to participate in employment and training activities carried out under title I of the Workforce Investment Act of 1998 [29 U.S.C. 2801 et seq.], except in a case in which the employer has specified that the termination of, or substantial reduction in, the contract is not likely to result in plant closure or mass layoff. "(e) Loss of Eligibility. - An employee who receives a notice of withdrawal or cancellation of the termination of, or substantial reduction in, contract funding shall not be eligible, on the basis of any related reduction in funding under the contract, to participate in employment and training activities under title I of the Workforce Investment Act of 1998 [29 U.S.C. 2801 et seq.], beginning on the date on which the employee receives the notice. "(f) Definitions. - For purposes of this section: "(1) The term 'major defense program' means a program that is carried out to produce or acquire a major system (as defined in section 2302(5) of title 10, United States Code). "(2) The terms 'substantial reduction' and 'substantially reduced', with respect to a defense contract under a major defense program, mean a reduction of 25 percent or more in the total dollar value of the funds obligated by the contract."

### Substantial---50%

#### A significant reduction of military presence requires removing at least half of troops in the West Asia-North Africa region.

Hayden 11 [Senator Tom Hayden, the Nation Institute's Carey McWilliams Fellow, has played an active role in American politics and history for over three decades (Tom, The Nation, “Obama's Decisions on Afghanistan, Iraq, Pakistan Will Determine Re-Election Chances”; 4/26; <http://www.thenation.com/article/160194/obamas-decisions-afghanistan-iraq-pakistan-will-determine-re-election-chances>] TDI

On Afghanistan, Obama told the Associated Press last Friday that his coming July announcement of troop withdrawals would be “significant…not a token gesture.”

Though the president offered no specific numbers, the phrasing was an important signal, delivered in White House–speak. According to Bob Woodward’s book Obama’s Wars, the internal debate between the White House and Pentagon over Afghanistan has been intense. When the president announced in a December 2009 West Point speech that he was sending 30-33,000 more American troops in a military surge to Afghanistan, it appeared that the Pentagon and Secretary of State Hillary Clinton had won the argument. But Obama slipped a hedge into the West Point speech pledging that he would “begin the transfer of our forces out of Afghanistan in July 2011.”

What did it mean to “begin” a transfer? When would it end? Would it be based on conditions on the ground, as demanded by the military, or a firm deadline, which Obama expected would come from the Hill? Peace groups, opposed to Obama’s troop surge of 33,000, weren’t impressed by vague talk of simply beginning something that had no end. The cynicism deepened when Obama announced in November 2010 that American combat operations would end by 2014, and that counterterrorism capabilities would remain beyond that date.

Pentagon officials, including Secretary of Defense Robert Gates and Gen. David Petraeus, have publicly advocated the most minimal version of an initial withdrawal. In a recent speech to NATO recently, Gates chastised the Europeans for “too much talk about exit and not enough about continuing the fight.” He added that “we will not sacrifice the significant gains made to date, or the lives lost, for a political gesture.” Woodward’s book quoted Petraeus saying “I don’t think you win this war. I think you keep fighting.”

Obama’s concern was being dragged into an unpopular, unaffordable quagmire by generals with competing agendas. As Woodward quoted him, “I can’t lose all the Democratic Party.”

But that is what’s happened. Peace sentiment, expressed openly in the streets during the Bush years, became a silent but expanding presence inside the Democratic Party as Obama escalated the war. Recent polls indicate that a majority of Americans, including 86 percent of Democratic voters, favor speeding up the withdrawal of American troops.

In February, the Barbara Lee, the sole Congressional opponent of the open-ended authorization to go to war a decade ago, found herself in the mainstream of her party in opposing Afghanistan. Lee submitted a resolution to the Democratic National Committee calling on Obama to announce a “significant” and “substantial” withdrawal by July, a rapid pullout over the next two years and the transfer of the savings to job creation at home.

Since Obama is the leader of the DNC, all resolutions are vetted by the White House. At first, the Lee language was rejected by the staffers who monitor the doings of the party. Then something happened. White House objections disappeared. Centrist party leaders like Donna Brazille and Alice Germond signed on as co-authors of the Lee resolution, which passed without dissent.

Was the White House sending a signal that a strong peace statement from the party would be useful political cover? No one knows. Then came last week’s announcement by Obama echoing the DNC resolution’s call for a swift, sizeable and significant reduction.

So what would those terms mean in raw numbers? At the low end of “significant,” Obama could announce a withdrawal of 33,000 beginning in July and carrying through 2012, enabling him to claim he ended the surge he promised his military. That still would leave many Americans in confusion, wondering how a 2009 level of US combat would mean a step towards peace.

A more robust definition of “significant” would be a decrease of 32,000 troops by October of this year, followed by another decrease of 35,000 by July 2012, a reduction of more than half of America’s forces through the 2012 presidential campaign. These numbers are proposed by national security experts at the Washington, DC–based Afghanistan Study Group. The ASG estimates $60-80 billion in savings to American taxpayers per year.

#### Less than 50% is insubstantial

Brown 94 [Mark R., Professor of Law – Stetson University College of Law, “The Demise of Constitutional Prospectivity: New Life for Owen?”, Iowa Law Review, January, 79 Iowa L. Rev. 273, Lexis] TDI

n241 I am assuming here that "foreseeable" means "probable," as in "more probable than not." This appears to be a safe assumption given the proliferance of cases granting immunity to officials who offend the Constitution. If this definition is correct, deterrence only works and liability should only attach if one's conduct, viewed ex ante, is more likely illegal than legal: the risk of illegality must be more than fifty percent. In other words, one cannot face deterrence, and liability will not attach, if the risk of illegality is less than fifty percent. (When viewed in this fashion, one might perceive a risk of illegality but still not be deterrable because the risk is not substantial, i.e., not greater than fifty percent.). Lawful conduct, of course, need not be probably lawful. That is what risk is about. Situations might arise where the objective risk is that conduct is unlawful, but ex post it is lawful. Lest judicial reasoning be completely askew, a fairly strong correlation exists, however, between action that is ex ante probably lawful and that which is lawful ex post in the courts. If this is not true, then courts are reaching objectively improbable conclusions, and the whole idea of reliance is illusory.

#### Legal experts agree

Davignon v. Clemmey 1 [Davignon v. Clemmey, 176 F. Supp. 2d 77, Lexis] TDI

The court begins the lodestar calculation by looking at the contemporaneous billing records for each person who worked on the plaintiff's case. The absence of detailed contemporaneous time records, except in extraordinary circumstances, will call for a substantial reduction in any award or, in egregious cases, disallowance. What is a "substantial reduction"? Fifty percent is a favorite among judges.

### Substantial---Violation: Africa

#### Africa has 1000 troops.

Myre 18 [Greg; 4-28-2018; national security correspondent; “The Military Doesn't Advertise It, But U.S. Troops Are All Over Africa”; <https://www.npr.org/sections/parallels/2018/04/28/605662771/the-military-doesnt-advertise-it-but-u-s-troops-are-all-over-africa>] brett TDI

"The focus of the U.S. military operations is basically 'African solutions for African problems,' " said John Campbell, who follows Africa for the Council on Foreign Relations. "What that means is developing the indigenous capacity to respond to security threats."

President Barack Obama sent the U.S. forces to Niger in 2013, a time when extremists were on the rise in northwestern Africa. Boko Haram was on the march in Nigeria, Niger's neighbor to the south. Radicals aligned with al-Qaida had taken over large parts of Mali, Niger's neighbor to the west.

Borders mean little in this region. The area has a long history as a trade and smuggling route that connects sub-Saharan Africa with North Africa and troubled countries like Libya — Niger's neighbor to the north.

Defense Secretary Jim Mattis said the U.S. military has more than 1,000 personnel in the region, an apparent reference to an area that includes Niger as well as Mali and Nigeria.

### Substantial---Qualitative Bad

#### The qualitative definitions of substantial are amorphous and unlimiting

Stark 97 [Stephen J., “Key Words And Tricky Phrases: An Analysis Of Patent Drafter's Attempts To Circumvent The Language Of 35 U.S.C.”, Journal of Intellectual Property Law, Fall, 5 J. Intell. Prop. L. 365, Lexis] TDI

Ordinary Meaning. First, words in a patent are to be given their ordinary meaning unless otherwise defined. [30](http://www.lexis.com/research/retrieve?_m=1421887dc00d6c0b78bddb20857a69fa&docnum=20&_fmtstr=FULL&_startdoc=1&wchp=dGLbVzW-zSkAz&_md5=3f3ffe65eadff46b38ea49c40cb1037e&focBudTerms=definition%20of%20the%20term%21%20substantial%21%20or%20definition%20of%20the%20word%20substantial%21&focBudSel=all" \l "n30" \t "_self) However, what if a particular word has multiple meanings? For example, consider the word "substantial." The Webster dictionary gives eleven different definitions of the word substantial. [31](http://www.lexis.com/research/retrieve?_m=1421887dc00d6c0b78bddb20857a69fa&docnum=20&_fmtstr=FULL&_startdoc=1&wchp=dGLbVzW-zSkAz&_md5=3f3ffe65eadff46b38ea49c40cb1037e&focBudTerms=definition%20of%20the%20term%21%20substantial%21%20or%20definition%20of%20the%20word%20substantial%21&focBudSel=all" \l "n31" \t "_self) Additionally, there are another two definitions specifically provided for the adverb "substantially." [32](http://www.lexis.com/research/retrieve?_m=1421887dc00d6c0b78bddb20857a69fa&docnum=20&_fmtstr=FULL&_startdoc=1&wchp=dGLbVzW-zSkAz&_md5=3f3ffe65eadff46b38ea49c40cb1037e&focBudTerms=definition%20of%20the%20term%21%20substantial%21%20or%20definition%20of%20the%20word%20substantial%21&focBudSel=all" \l "n32" \t "_self) Thus, the "ordinary meaning" is not clear. The first definition of the word "substantial" given by the Webster's Dictionary is "of ample or considerable amount, quantity, size, etc." [33](http://www.lexis.com/research/retrieve?_m=1421887dc00d6c0b78bddb20857a69fa&docnum=20&_fmtstr=FULL&_startdoc=1&wchp=dGLbVzW-zSkAz&_md5=3f3ffe65eadff46b38ea49c40cb1037e&focBudTerms=definition%20of%20the%20term%21%20substantial%21%20or%20definition%20of%20the%20word%20substantial%21&focBudSel=all" \l "n33" \t "_self) Supposing that this is the precise definition that the drafter had in mind when drafting the patent, the meaning of "ample or considerable amount" appears amorphous. This could have one of at least the following interpretations: (1) almost all, (2) more than half, or (3) barely enough to do the job. Therefore, the use of a term, such as "substantial," which usually has a very ambiguous meaning, makes the scope of protection particularly hard to determine.

## Reduce

### Reduce---No Elimination

#### “Reduce” means to diminish.

Words and Phrases ‘2 [Words and Phrases; 2002; English-language dictionary; Words and Phrases, “Reduce,” vol. 36, p. 80] TDI

Mass. 1905. Rev.Laws, c.203, § 9, provides that, if two or more cases are tried together in the superior court, the presiding judge may “reduce” the witness fees and other costs, but “not less than the ordinary witness fees, and other costs recoverable in one of the cases” which are so tried together shall be allowed. Held that, in reducing the costs, the amount in all the cases together is to be considered and reduced, providing that there must be left in the aggregate an amount not less than the largest sum recoverable in any of the cases.

The word “reduce,” in its ordinary signification, does not mean to cancel, destroy, or bring to naught, but to diminish, lower, or bring to an inferior state.—Green v. Sklar, 74 N.E. 595, 188 Mass. 363.

#### “Reduce” means to shorten the extent.

Roget’s Thesaurus ’13 [Roget’s Thesaurus; 2013; American Heritage Thesaurus, copyright by Houghton Mifflin Harcourt Publishing; Roget’s Thesaurus, “Reduce,” <https://www.thefreedictionary.com/reduce>] TDI

Reduce verb

1. To grow or cause to grow gradually less:

abate, decrease, diminish, drain, dwindle, ebb, lessen, let up, peter (out), rebate, tail away (or off), taper (off).

2. To make short or shorter the duration or extent of:

abbreviate, abridge, condense, curtail, shorten.

3. To lower in rank or grade:

break, bump, degrade, demote, downgrade.

Slang: bust.

4. To become or make less in price or value:

cheapen, depreciate, depress, devaluate, devalue, downgrade, lower, mark down, write down.

### Reduce---Must Exist

#### Reduce means to diminish in size – this excludes refusing to accept future increases

Guy 91 [Circuit Judge; TIM BOETTGER, BECKY BOETTGER, Individually and as Next Friend for Their Minor Daughter, AMANDA BOETTGER, Plaintiffs-Appellees, V. OTIS R. BOWEN, Secretary of Health and Human Services (89-1832); and C. PATRICK BABCOCK, Director, Michigan Department of Social Services (89-1831), Defendants-Appellants Nos. 89-1831, 89-1832 UNITED STATES COURT of APPEALS for the SIXTH CIRCUIT 923 F.2d 1183; 1991 U.S. App. LEXIS 671] TDI

The district court concluded that the plain meaning of the statutory language does not apply to the termination of employment one obtains on his own. A termination, the court held, is not a refusal to accept employment.

In this case, the plain meaning of the various words suggests that "refuse to accept" is not the equivalent of "terminate" and "reduce." As a matter of logic [\*\*18]  and common understanding, one cannot terminate or reduce something that one has not accepted. Acceptance is  [\*1189]  a pre-condition to termination or reduction. Thus, a refusal to accept is a precursor to, not the equivalent of, a termination or a reduction. n3

n.3 This distinction is also reflected in the dictionary definitions of the words. "Accept" is defined in anticipatory terms that suggest a precondition ("to undertake the responsibility of"), whereas "terminate" and "reduce" are defined in conclusory terms ("to bring to end, . . . to discontinue"; "to diminish in size, amount, extent, or number."). See Webster's New Collegiate Dictionary (9th ed. 1985).

### Reduce---No Transfer

#### Reduce precludes intra-regional transfer

Kentucky Ct of Appeals 84 [Paducah v. Moore, 662 S.W.2d 491, Lexis---sex edited] TDI

No one quarrels with the appellants' argument that HN3 the city has the power to transfer or even discharge employees at will. The right to do so, however, is restricted by Statutes of the Commonwealth of Kentucky. The language of KRS 90.360(1) above is quite clear in prohibiting reduction in grade of a classified service employee of the City except for cause and after a hearing upon appropriate written charges. In interpreting identical language concerning prohibition against reduction in grade provided for in KRS 95.450(1), our former Court of Appeals stated in Schrichte vs. Bornhorn, Ky., 376 S.W.2d 683 (1964):∂ . . . we are of the opinion that the term 'grade' means rank, whereas it appears that the appellant interprets it more broadly as job classification. Obviously by the use of the word 'reduce,' the Statute envisages a verticle scale. If a [person] is transferred without a loss in pay from one job category to another with comparable authority, his classification is changed, but his grade is not reduced.

## Its

### Its---Posessive

#### “Its” refers to the United States Federal Government and is possessive

Updegrave 91 [W.C., “Explanation of ZIP Code Address Purpose”, 8-19, <http://www.supremelaw.org/ref/zipcode/updegrav.htm>] TDI

More specifically, looking at the map on page 11 of the National ZIP Code Directory, e.g. at a local post office, one will see that the first digit of a ZIP Code defines an area that includes more than one State. The first sentence of the explanatory paragraph begins: "A ZIP Code is a numerical code that identifies areas within the United States and its territories for purposes of ..." [cf. 26 CFR 1.1-1(c)]. Note the singular possessive pronoun "its", not "their", therefore carrying the implication that it relates to the "United States" as a corporation domiciled in the District of Columbia (in the singular sense), not in the sense of being the 50 States of the Union (in the plural sense). The map shows all the States of the Union, but it also shows D.C., Puerto Rico and the Virgin Islands, making the explanatory statement literally correct.

#### ‘Its’ is possessive

English Grammar 5 [Glossary of English Grammar Terms, <http://www.usingenglish.com/glossary/possessive-pronoun.html>] TDI

Mine, yours, his, hers, its, ours, theirs are the possessive [pronouns](http://www.usingenglish.com/glossary/pronoun.html) used to substitute a [noun](http://www.usingenglish.com/glossary/noun.html) and to show possession or ownership. EG. This is your disk and that's mine. (Mine substitutes the word disk and shows that it belongs to me.)

## Military Presence

### Military Presence---Bases

#### Military presence is bases---broad consensus

Xianghong 11 [<http://elib.krasu.ru/bitstream/2311/2461/1/Xianghong.pdf> Xianghong, Zeng. "Doubts about the Article Chinas Military Presence in Africa: Implications for Africas Wobbling Peace." (2011). Dr. Zeng Xianghong\* The Institute for Central Asian Studies, Lanzhou University 222, South Tianshui Road, Lanzhou, Gansu, 730000 P.R.China 1] TDI

In the article China’s Military Presence in Africa: Implications for Africa’s Wobbling Peace (hereinafter referred to as the Article), Dr. Chuka Enuka traced back to the history of the peacekeeping operations in and the arms sales to Africa by China, and proposed that the arms sales from China to Africa are a major cause of the domestic conflicts, dictatorship, human rights suppression, and economic underdevelopment in many African nations, and also the cause of the acceleration of arms races between a number of African countries. Though his view may appear to somebody to be innovative, his reasoning could not stand close examination and should be questioned in following aspects. Fi rst of all, the title itself is misleading and improper. As is generally acknowledged by the circle of international relations studies, the term “military presence” typically refers to the establishment of military bases in and the direct involvement in the domestic military conflicts of one sovereign state by another sovereign state. However, the so-called “military presence” misused in the Article only referred to China’s participation in the peacekeeping operations authorized by the United Nations and the arms sales to Africa, neither of which are defined in the category of military presence. Therefore, the title should be corrected.

#### Congress uses ‘military presence’ interchangeably with troops.

CRS 22 [Congressional Research Services; Andrew Feickert, Specialist in Military Ground Forces; “U.S. Ground Forces in the Indo-Pacific: Background and Issues for Congress”; <https://crsreports.congress.gov/product/pdf/R/R47096>] brett TDI

The primary role for the Army and Marines in the Indo-Pacific is the conduct of ground combat operations should hostilities be initiated in the region. Such operations could range from highintensity force-on-force combat operations to counterinsurgency operations. How Army and Marine forces would be employed in this role is envisaged by existing combatant command operational plans and directives from the National Command Authority (NCA). Unlike Japan and the Republic of Korea, the United States has no meaningful military presence in Taiwan, nor a mutual security agreement. Given Taiwan’s geography and proximity to mainland China and ambiguous security commitments, a great deal of uncertainty exists regarding the role of U.S. ground forces. One author suggests that U.S. ground forces—the Army in particular—would face an “uncomfortable reality” should a conflict over Taiwan occur: There is a good chance that the role U.S. decisionmakers will ask the Army to play in this conflict is not what has been presented so far: lobbing missiles or “advising” Taiwanese military units. Instead, troops may find themselves either defending the island from a Chinese invasion or even helping retake Taiwan after China (due to proximity and firstmover advantages) wins the initial high-tech struggle.70

#### Experts use ‘military presence’ to refer to boots on the ground.

ICRC 20 [International Committee of the Red Cross; Jun 11, 2020; Report prepared and edited by Tristan Ferraro, Legal adviser, ICRC; “Occupation and Other Forms of Administration of Foreign Territory”; https://www.icrc.org/en/doc/assets/files/publications/icrc-002-4094.pdf] brett TDI

Military presence as an element of the ‘effective control’3 test provoked constructive discussions among the experts. A majority of participants concluded very quickly that the presence of foreign armed forces in a disputed area was a prerequisite for the establishment of an occupation. However, one expert took a more nuanced approach, arguing that if military presence was a condition sine qua non for the establishment of an occupation, it would not necessarily be one for maintaining an occupation. The expert stressed that effective control, once it was established, could – to some degree – be exerted remotely. This view was challenged on the basis that the maintenance of an occupation would still necessitate a military presence on the ground, as an expression of continued effective control over the territory in question. Therefore, according to most of the experts, occupation could not be established or maintained solely through power exercised from beyond the boundaries of the occupied territory; it required a certain number of foreign boots on the ground, as it were.

The necessity of having troops on the ground was driven home by the clear rejection of the view that occupation could be enforced solely by either naval or air power. In addition, another point was stressed: control of air space did not by itself meet the requirement of ‘effective control’ for the purposes of IHL. Therefore, only effective control on land would characterize military occupation within the meaning of IHL. It was then specified that the prerequisite of having foreign troops on the ground did not mean that effective control required their presence on each square metre of the occupied territory. Referring to US Field Manual 27-10 (1956), one expert stressed that the size of the foreign forces could not be pre-determined and would vary according to the circumstances, in particular the topographical features of the territory, the density of the population or the degree of resistance encountered on the ground. Thus, in certain circumstances, an occupying power could exercise effective control by positioning its troops in strategic places of the occupied territory, enabling it to dispatch them fairly quickly to make its authority felt in the area concerned.

Some experts also established a direct link between effective control and the presence of foreign forces on a contested area by underlining the relatedness of Article 42 of the Hague Regulations, which defines the concept of occupation, and Article 43 of the same instrument, which lays out the main obligations incumbent upon the occupying power (i.e. to restore and ensure public order and safety). These experts asserted that foreign forces present in a specific area could be regarded as occupying forces only if they were able to meet the obligations set forth under Article 43 of the Hague Regulations. It was also stressed that the link between effective control and the presence of foreign forces on contested territory stemmed from Article 41 of the Oxford Manual of 1880. Further, these experts noted that the concept of effective control would be meaningless if the occupying power was not in a position to fulfil its responsibilities under occupation law. This would eventually run counter to the principle of effectivity upon which the law of occupation was premised.

Another participant, while expressing support for the connection established between Articles 42 and 43 of the Hague Regulations, specified that the fulfilment of the duties incumbent upon the occupying power could only be incremental, as one could not expect an occupier to meet all its obligations as soon as it gained effective control over a territory. Making it necessary – for the purposes of IHL – for foreign troops to respect all their duties under occupation law as the starting point of occupation would therefore be unrealistic and would eventually expand the gap already existing between the invasion phase and the establishment of occupation, leading ultimately to a protection gap. The expert stressed that occupation required only a progressive realization of the occupier’s duties and could exist even if an occupying power was not in position to meet all its obligations under occupation law. He concluded by declaring that this theory was supported by the fact that many of the provisions of occupation law were obligations of means, not of results.

Nevertheless, one participant disagreed with the connection made between the two Articles (42 and 43) of the Hague Regulations for the purposes of determining the existence of an occupation. He cast particular doubt on the fact that the applicability of Article 42 would depend on the enforcement of the duties set forth in Article 43, arguing instead that only the contrary was correct (that Article 42 conditioned the applicability of Article 43). According to this expert, mixing those two central provisions could result in requiring the foreign forces to concretely and effectively exert authority over the foreign territory4 and would therefore endanger the applicability of occupation law. This expert asserted that, in fact, a foreign force could still exert effective control even if it refused to fulfil its responsibilities under occupation law or if it let the local government administer the occupied territory. Unilateral refusal to meet the obligations arising from occupation law, whatever form that took, should therefore have no bearing on the classification of a situation as an occupation.

Another expert was reluctant to accept military presence as a condition sine qua non, regarding it as one element – among others – to factor into the classification exercise. For this expert, the key element of the ‘effective control’ test was interdiction/prevention of independent governmental authority. He asserted that occupation law obligations would take effect as soon as the foreign forces had deliberately eliminated the ability of the local authorities to carry out independently the functions of government. This view was vigorously contested by several experts who stated that the negative perspective of the test (prevention of the exercise of governmental functions) was per se not sufficient to establish an occupation. During that period, they said, occupation law would not be applicable since the interdiction of governmental functions, without replacement by the foreign forces’ authority, would only lead to a vacuum of power and would not constitute occupation for the purposes of IHL. In fact, IHL would require another element, constituting the positive aspect of the ‘effective control’ test, i.e. the ability of the foreign forces to exert authority in lieu of the legitimate government. In this connection, some form of military presence would also be required in order to exert effective control over an area.

The experts also stressed that effective control could not be defined in reference to the general capabilities of the foreign forces as compared to those of their opponent. Rather, the test would refer to the effects of the foreign forces’ presence on the exercise of authority in the contested area, in particular their specific ability to exert authority over the territory concerned in lieu of the legitimate government. In other words, most of the experts agreed that the test for an occupation should not be which of the belligerents had the military capability to impose their will, but rather which of them had the military capability by virtue of their presence in a given area to impose their authority and prevent their opponent from doing so, and eventually to be in effective control of that area.

In conclusion, almost all the experts agreed that military presence was a prerequisite for identifying the beginning of an occupation. Nonetheless, some of them also stressed that it could lose its relevance and apply in a nuanced manner for the end-of-occupation test. In this regard, some participants seemed to suggest that military presence would not be a condition sine qua non for determining the end of occupation.

#### Experts use personnel/bases and “military presence” interchangeably.

Rich et al. ’23 [Timothy S. Rich is a Professor of Political Science at Western Kentucky University and Director of the International Public Opinion Lab (IPOL). His research focuses on public opinion and electoral politics, with a focus on East Asian democracies. Serena White is an honors undergraduate researcher at Western Kentucky University, majoring in Chinese and International Affairs. Garrett A. Ashley is an undergraduate researcher at Western Kentucky University studying International Affairs and Psychology. Katrina Fjeld is an honors undergraduate researcher at Western Kentucky University, majoring in Arabic and International Affairs; “American Support for Closing Military Bases Abroad May Depend on How You Ask”; <https://www.e-ir.info/pdf/100752>] brett TDI

However, the four countries with the largest US military presence now share little in common with Afghanistan but still function for deterrence and power projection. Japan hosts the largest American military presence, totaling approximately 54,000 military personnel. As Japan has increased its own defensive capabilities, in part due to concerns over China and North Korea, Japan’s efforts have become more balanced and integrated with US forces. South Korea hosts roughly 28,500 personnel, comprised mostly of soldiers from the Eighth US Army, and coordinates with South Korea to deter North Korean aggression. Germany and Italy host roughly 33,000 and 12,000 personnel respectively, which besides providing various means of support for responding to crises in North Africa and the Middle East, serve as a means to respond to potential Russian aggression. With the war in Ukraine, the Department of Defense further expanded personnel across Europe, now totaling roughly 100,000 personnel.

How does the US public view these bases? Existing cross-national research finds most have a neutral or positive view towards these US bases. A 2022 Chicago Council on Global Affairs survey found 72% of Americans supported the US bases in South Korea. The same survey indicates that around 67% of Americans support US bases in Japan, the highest since 2002. A separate Chicago Council survey found that 68% of Americans favored maintaining US bases in Germany. Despite a few instances of anti-base protests, the presence of the US is generally popular in these locations as well. For example, a Council on Foreign Relations 2019 survey found that a majority of South Koreans believe the continued presence of the US military is a deterrence. A 2022 Kyodo News survey found that while 80% that Okinawa shared an unfair burden in hosting, 65% accepted the alliance. Likewise, Germans appear to acknowledge the economic benefits and show concern on a potential military withdrawal in the region.

To address base closures, we conducted a web survey via mTurk Amazon of 1,228 American respondents on February 28, 2023. After a series of demographic and attitudinal questions, we randomly assigned respondents to receive one of four statements to evaluate on a five-point Likert scale (strongly disagree to strongly agree). This randomization allows us to see whether perceptions across the four commitments differ without having the perceptions of one question priming respondents to answer similarly on the others. These statements were:

Version 1: I support closing US military bases in Germany.

Version 2: I support closing US military bases in Italy.

Version 3: I support closing US military bases in Japan.

Version 4: I support closing US military bases in South Korea.

For simplicity, we recorded responses to a three-point scale (disagree, neither, agree) as seen below. Surprisingly, we see mixed results across all four bases, with roughly a third of respondents supporting closures and with support for closing Italian bases the highest at 39.41%. Next, we broke down responses by party identification. The largest distinction is on Germany, where almost half of Republicans (45.74%) but less than a third of Democrats (29.71%) supported closure, with an 8.8% difference across parties regarding Japan. Meanwhile, Democrats were only marginally more likely to support closures in Italy (40.22% vs. 37.64%), and little difference emerges across parties in views on South Korea.

The results here contrast with a 2022 survey that asked whether the US should close bases in Germany, South Korea, and Japan, where over 70% said no across all three. Instead of a major shift, however, this is likely in part a function of question wording and suggests that over a quarter of the public that may be indifferent about base closures default to a no when forced to choose.

We also asked two other questions that would potentially influence views here. One, we ask which of the following best describes one’s view of the US in world affairs; “We should pay less attention to problems overseas and concentrate on problems at home” or “It’s best for the future of our country to be active in world affairs.” As expected, those looking inward showed more support in closing bases across the board, with the smallest distinction on Italy (43.08% vs. 36.72%) and the largest on South Korea (38.17% vs. 27.88%).

Secondly, we asked respondents to rate on a 1-5 scale, from very negative to very positive, how they feel about several countries, including all four under analysis. Regression analysis surprisingly finds that for three of the countries, positive evaluations did not correspond with a statistically significant decrease in support for closing bases, with South Korea being the only exception. It is unclear why this is the case; although, it may suggest greater attention to South Korea’s security concerns.

Acknowledging the standard caveats about web surveys, the results suggest both a challenge in how to measure public support for military bases abroad and in explaining to the public the intention and necessity of these bases. Admittedly, we could not capture in our surveys pre-existing knowledge of bases, but we assume that Americans, especially those who have not served, are more likely to be aware of bases in Japan and South Korea and least likely to know about those in Italy. Considering we find the greatest support for base closures in Italy, by roughly 6%, suggests that Americans may have a harder time envisioning how these bases are strategic.

Economic concerns and changing threats may warrant the consolidation of bases but not necessarily the reduction of military presence, especially as tensions with Russia and China are unlikely to improve in the short term. If the Biden Administration wishes to avoid reducing America’s military imprint in both regions, it should place greater attention on clarifying the role these bases play in protecting American foreign policy interests.

#### A broader definition opens up the entire region and wreck limits

Merelli 14 [Annalisa; 4-2-14; reporter at Quartz. She hails from Bergamo (Italy) but has worked and lived in Paris and Delhi before settling in the US (for now). She was the founding editor of art, culture and lifestyle portal The India Tube and a writer and editor at Narratively, Global Voices, Timbuktu, Motherland, W+K Delhi, and Fabrica. She holds a master's degree in semiotics and a bachelor's degree in mass communication from the University of Bologna. <http://qz.com/374138/these-are-all-the-countries-where-the-us-has-a-military-presence/>] TDI

On Mar. 24, US president Barack Obama announced that all 9,800 US troops currently stationed in Afghanistan will remain until the end of 2015. This generated a fair amount of criticism: it was, after all, Obama’s promise that the last American troop would leave the country in 2014. Those expecting the US to leave Afghanistan, however, should take a minute to consider this: the US still hasn’t left Germany. In fact, there are quite a few places the US hasn’t left, and while certainly most of them don’t pose a threat to American soldiers, they reveal a pattern about the US staying, rather than leaving. According to official information provided by the Department of Defense (DoD) and its Defense Manpower Data Center (DMDC) there are still about 40,000 US troops, and 179 US bases in Germany, over 50,000 troops in Japan (and 109 bases), and tens of thousands of troops, with hundreds of bases, all over Europe. Over 28,000 US troops are present in 85 bases in South Korea, and have been since 1957. Altogether, based on information contained in the DoD’s latest Base Structure Report (BSR), the US has bases in at least 74 countries and troops practically all over the world, ranging from thousands to just one in some countries (it could be a military attaché, for instance). By comparison, France has bases in 10 countries, and the UK has bases in seven. Calculating the extent of the US military presence abroad is not an easy task. The data released by the Department of Defense is incomplete, and inconsistencies are found within documents. Quartz has requested clarification from the Department of Defense, but hasn’t received a response. In his forthcoming book Base Nation: How US Military Bases Abroad Harm America and the World, David Vine, associate professor of anthropology at American University details the difficulties of assessing the US military presence abroad. He writes: according to the most recent publicized count, the U.S. military currently still occupies 686 “base sites” outside the fifty states and Washington, DC. While 686 base sites is quite a figure in its own right, that tally strangely excludes many well-known U.S. bases, like those in Kosovo, Kuwait, and Qatar. Less surprisingly, the Pentagon’s count also excludes secret (or secretive) American bases, like those reported in Israel and Saudi Arabia. There are so many bases, the Pentagon itself doesn’t even know the true total. That is not the only issue—even a definitive count of bases would include a wide range of facilities. “Base” itself is an umbrella term that includes locations referred to as “post,” “station,” “camp,” or “fort” by different military bodies. Vine explains: bases come in all sizes and shapes, from massive sites in Germany and Japan to small radar facilities in Peru and Puerto Rico. […] Even military resorts and recreation areas in places like Tuscany and Seoul are bases of a kind; worldwide, the military runs more than 170 golf courses. The map below represents US military bases abroad, according to the official BSR, and from independent research conducted by Vine (and Quartz) using verified news reports as well as cross-referencing information with Google Maps. This map does not take into account NATO bases, including a rumored base in Turkmenistan and a base in Algeria, reported by Wikileaks to be a suspected US base. Most of the countries appear to have a small concentration of US bases (below 10). That’s compared to Germany’s 179, Puerto Rico’s 37, or Italy’s 58. The largest military footprint remains in countries that the US invaded in WWII, while its presence in areas of more recent contention, such as the Middle East, is somewhat reduced, at least in terms of bases. It has been noted by commentators before that not all the bases are of significant size. However, given the information available it’s hard to truly gauge the size of the different installation. Vine writes: The Pentagon says that it has just 64 “active major installations” overseas and that most of its base sites are “small installations or locations.” But it defines “small” as having a reported value of up to $915 million. In other words, small can be not so small. The information about troops abroad, too, isn’t completely clear, which makes it difficult to know the true extent of the American military footprint. IHS Jane’s armed forces analyst Dylan Lehrke told Quartz that it’s hard to even settle on the definition of military presence—for the government, that means bases or deployed troops, although it would seem acceptable to include other forms of presence: Surely one could say that the US has a military presence in Syria at the moment. They may not have bases and troops on the ground but we should include the warplanes in the sky. The US military arguably has more presence in Syria than it does in Germany […]. To take this idea further, it would also be rational to say the US has a military presence wherever it uses unmanned aerial vehicles to strike targets. All the countries that have some sort of American military presence—from one military attaché to the troops involved in Iraq and Afghanistan—essentially results in highlighting pretty much the entire world (Russia included, where the DoD reports having 24 military personnel). Taking into account a sizable troop presence, existence of bases, and whether the US is conducting drone strikes (Yemen, Syria, Pakistan) in a country results in the geographic representation of US military power abroad as below:

#### Only US military base is topical- nothing else meets

Meernik 94 [James Meernik, University of North Texas, 1994, “Presidential Decision Making and the Political Use of Military Force,” International Studies Quarterly, Volume 38, p. 128] TDI

Nations possess a multitude of means by which they may protect their security and demonstrate their national interests to other states, such as forming alliances, spending money on armaments, and going to war. If we are to determine exactly where national interests lie, however, it is to visible demonstrations of commitment and concern for particular states and regions that we must look. The level of American military involvement in the area in which an opportunity takes place is perhaps the most visible demonstration of U.S. commitment. U.S. military involvement as defined includes: (1) **an established American military presence,** defined as a U.S. military base, (2) the furnishing of military aid to some state or organization, or (3) a prior use of force. Such investment represents American interest and obligation to allies, enemies, and neutral parties alike

#### Bases are the most crucial component of military commitment

Meernik 94 [James Meernik, University of North Texas, 1994, “Presidential Decision Making and the Political Use of Military Force,” International Studies Quarterly, Volume 38, p. 128] TDI

American Military Presence. The first, and perhaps most important indicator of U.S. involvement, is the establishment of a permanent American military base. Not only does **such a military presence** signify an especially close relation- ship between the host country and the United States, it also demonstrates that the United States is necessarily involved should any aggression against the host country take place. This trip-wire function ensures that U.S. credibility and interests are always and obviously at stake in any matters that threaten the stability of the host country or the U.S. presence. Military bases are defined to include all permanent U.S. facilities that are home to army, navy, or air force combat-oriented units according to either the Department of Defense Annual Reports (various years) or Harkavy (1989). This leads to the following proposition: H1: Situations occurring where there is an established U.S. military presence increase the level of the military response.

### Military Presence---Bases Floor

#### DOD 17 concedes that the aff must at least remove boots on the ground.

Department of Defense ’17 – DOD INSTRUCTION 3000.12 MANAGEMENT OF U.S. GLOBAL DEFENSE POSTURE (GDP), May 8, 2017. https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/300012p.pdf. TDI

GDP. The U.S. forces and capabilities forward stationed and rotationally deployed for defense activities in U.S. foreign and overseas locations, as well as the network of bases and infrastructure and international agreements and arrangements that underwrite and support the stationing, deployment, and employment of these forces. It is the network of HN relationships and agreements, activities, footprint, and forces that comprise forward U.S. military presence and capabilities to address current and future security challenges

### Military Presence---Security Coop/Aid

#### Military presence includes security cooperation, such as arms sales.

Zenko ’18 [Michah; October 2018; Whitehead Senior Fellow in the US and the Americas Programme at Chatham House. Previously he worked at the State Department’s Office of Policy Planning, Harvard University’s Kennedy School of Government, and as a senior fellow at the Council on Foreign Relations; “US Military Policy in the Middle East”; <https://www.chathamhouse.org/sites/default/files/publications/research/2018-10-18-us-military-policy-middle-east-zenko.pdf>] TDI

The US military presence in the region is not only physical in the form of troop deployments, planes stationed at air bases, or naval port visits. Its presence is also furthered and reinforced by security cooperation programmes in the form of weapons sales, training and advice, and essential logistics and intelligence support. The reciprocal relationship between the Pentagon and most Middle East countries assures US military access to the region to support a range of activities and operations. In exchange, the US provides military and diplomatic support – or, at least tolerance – for partner countries’ own political and security requirements. The need for reliable access to bases, ports and airspace throughout the Middle East is itself the foremost policy concern for the US. In practice, without the consent of host-nation governments the US military could not exercise the latent and direct influence it has within the region. However, since predictable military access is the ultimate objective, the United States has willingly partnered with local governments and undertaken military operations that have harmed certain US interests over the longer-term. This paper attempts to detail and understand the extent of this co-dependency that has emerged because of the US military’s access requirements.

#### Even if “military presence” refers to basing, assistance/X is included within that.

Samuels 6 [Richard J.; Ford International Professor of Political Science and Director of the Center for International Studies, 2006, "Forward Basing." Encyclopedia of U.S. National Security, pp.272-3] TDI

During peacetime, U.S. overseas military presence in strategic regions of the world, established to support international security objectives and national interests. Forward basing refers to the equipment, U.S. armed forces, and military facilities that are stationed in a foreign country or deployed at sea during peacetime. The more general term forward presence encompasses noncombat overseas U.S. military activities and includes, but is not limited to, bases, fixed and rotational deployments, access agreements, foreign military assistance, training of foreign armed forces, joint training exercises, intelligence sharing, and military-to-military contacts.

### Military Presence---Excludes AFRICOM

#### The only AFRICOM military presence is in Djibouti---not in North Africa.

DOD 19 [Department of Defense, official website of the United States Government; Katie Lange; “What is the Combined Joint Task Force Horn of Africa?”; <https://www.defense.gov/News/News-Stories/Article/Article/1819068/what-is-the-combined-joint-task-force-horn-of-africa/>] brett TDI

It’s Part of AFRICOM

CJTF HOA falls under the jurisdiction of U.S. Africa Command, one of the Defense Department's 10 unified combatant commands. Africom's core mission is to help African nations, the African Union and regional security organizations prevent and mitigate conflicts, neutralize threats and strengthen their own defense capabilities.

CJTF HOA is headquartered at Camp Lemonnier in Djibouti, which is the only enduring U.S. military presence in Africa.

### Military Presence---Excludes Covert

#### Excludes covert and classified missions

DeWaard 6 [Chad DeWaard, President of Department of Political Science in the Graduate School Southern Illinois University Carbondale, May 2006,http://www.scribd.com/doc/6570993/Official-Development-Assistance-Unmasked-Theoretical-Models-of-International-Relations-and-the-Determinants-of-American-German-And-Swedish-Aid] TDI

Military presence is defined by at least one hundred active-duty military personnel who are permanently stationed in host countries. Forces that are temporarily deployed for covert or classified operations or forces deployed for humanitarian relief do not constitute a "presence" in the sense employed here. Also excluded from consideration are those forces not under direct control of the United States or the North Atlantic Treaty Organization (NATO). Accordingly. UN sponsored forces that may or may not include contingents from the U.S. or NATO member-countries are disqualified. This definition also avoids the tricky business of quantifying the approximately 12,000 American overseas military bases or installations from 1945 to 1988 that have housed (sometimes on a regular basis) U.S. forces. As such, the United States enjoys access to hundreds of military installations in allied or friendly countries and territorial possessions that are occupied by only a handful of military personnel. While most of these installations are owned and maintained by the U.S. government and generally indicate security agreements between the U.S. and host nations, they alone do not constitute a military presence. Many overseas facilities that are frequently utilized by American air. land, and naval forces are in fact owned by foreign governments (Blaker 1990). Unquestionably, access to these facilities contributes significantly to U.S. military capabilities in the area, but military capability is not within the purview of this study. Admittedly, access to these foreign-owned installations also suggests some degree of American presence." Yet "access," per se, is not the central component of this variable in the distribution of ODA. Moreover, this presence is discretionary, in that the extent of any American presence is contingent upon the approval of host governments. Finally, the United States maintains military offices in most countries which serve diplomatic or liaison functions between the U.S. and the host governments. For example, throughout the 1980s, the U.S. maintained a greater military "presence1' in the former Soviet Union (e.g., 43 in 1980, 51 in 1984) than in most of the former's Latin American allies who were and are obligated to mutual defense under the Rio Treaty of the Organization of American States (OAS). U.S. military personnel in Soviet Russia thus can hardly be viewed as a military presence. Only when a substantial number of military personnel regularly occupy facilities owned by the deploying government or the host government can we speak of a visible military presence in any real sense.

### Military Presence---Excludes Posture

#### presence is only personnel and bases—not missions

Lord & Erickson 14 [Carnes, prof in the College of Operational Strategic Leadership at the Naval War College; and Andrew S, associate prof in the Strategic Research Department at the Naval War College, Rebalancing US Forces, p. 4-5] TDI

It is customary in discussions of the U.S. military presence overseas to focus on its most visible manifestations, U.S. military personnel and the bases and facilities they occupy in a particular country and region. The U.S. global posture, properly speaking, is something much broader than this, however. It includes America's political or diplomatic relationships with host nations, the legal arrangements supporting the American presence in (or access to) those nations, prepositioned military equipment, capacity to surge forces overseas, and global logistics capabilities to transport and sustain forward-deployed forces. 13 Moreover, it is critical to understand bases and facilities not merely in the context of their host nation or the region where they are located but rather as part of a global system with complex interdependencies and interactions.14 This having been said, the present study takes a largely traditional approach to its subject, restricting itself to one region and organized by individual countries or territories rather than thematically. Practical considerations, however, make such an approach virtually unavoidable. A global survey of the U.S. overseas military posture would inevitably be unwieldy or else superficial. We have preferred to provide detailed data and analysis on the countries or territories hosting American bases in one particular region of increasing strategic salience today: the Asia-Pacific. The principal rationale for doing so is the need to rethink fundamentally the American forward presence in Asia in the light of the rapid growth in very recent years in the "anti-access/area denial" (A2/AD) capabilities of the armed forces of the People's Republic of China.

## In

### In---No Subsets

#### In Means Throughout

Words and Phrases, 08 [Volume 28, p. 204-215] TDI

—Reynolds v. Larkins, 14 P. 114, 10 Colo. 126 Colo. 1887. In the act of 1861 providing that justices of the peace shall have jurisdiction “in” their respective counties to hear and determine all complaints, etc., the word “in” should be construed to mean “throughout” such counties.

### In---Yes Subsets

#### In Means Within

Merriam-Webster [Merriam-Webster Dictionary; No Date; <https://www.merriam-webster.com/dictionary/in>] brett TDI

a : within a particular place

## West Asia

### West Asia---No Caucasia/Turkey/Cyprus

#### West Asia is 12 countries.

UNEP [United Nations Environment Programme; “West Asia”; <https://www.unep.org/ozonaction/networks/west-asia>] brett TDI

The West Asia Regional Ozone Officers Network was approved in 1997 to enhance, strengthen and catalyze efforts of member countries to achieve and sustain their compliance with the Montreal Protocol and its amendments targeting the phase-out of the Ozone Depleting Substances (ODS) in a timely manner with minimum negative impacts on economic and social aspects. The West Asia region comprises 12 member countries: Bahrain, Iraq, Jordan, Kuwait, Lebanon, Oman, State of Palestine, Qatar, Saudi Arabia, Syrian Arab Republic, United Arab Emirates and Yemen.

### West Asia---Yes Caucasia/Turkey/Cyprus

#### West Asia includes

---first result on Google.

Asia Society [The Asia Society’s purpose is to navigate shared futures for Asia and the world across policy, arts and culture, education, sustainability, business, and technology. No Date. <https://asiasociety.org/countries-regions/west-asia>] brett TDI

West Asia includes Armenia, Azerbaijan, Bahrain, Cyprus, Georgia, Iraq, Israel, Jordan, Kuwait, Lebanon, Oman, Palestine, Qatar, Saudi Arabia, Syria, Turkey, United Arab Emirates, and Yemen. Content related to these countries and territories can be found below. For content on a specific country or territory, please use the links above.

### West Asia---Yes Caucasia/Turkey

#### West Asia means

CIRS [The Center for International and Regional Studies (CIRS) at Georgetown University in Qatar is a premier research institute devoted to the academic study of regional and international issues through dialogue and exchange of ideas, research and scholarship, and engagement with national and international scholars, opinion makers, practitioners, and activists; No Date, very likely 2017; “Background and Scope of Project”; <https://cirs.qatar.georgetown.edu/research/research-initiatives/re-emerging-west-asia/background-and-scope-project/>] brett TDI

While not commonly used, the term West Asia emerged towards the middle of the last century, partially in response to anti-imperial sentiments that considered ‘The Middle East’ to have been coined during the colonial period. Broadly, West Asia refers to the Arab States of the Persian Gulf, the Levant, Iran, Turkey, and the Southern Caucasus states of Georgia, Armenia, and Azerbaijan. The logic of grouping together countries which at first glance appear so diverse and seem to share little in common can certainly be debated. Yet, the clustering of the states of West Asia is neither arbitrary nor irrational but a function of history, geography, politics, and culture. The countries of this region share a common historical legacy, including encounters with empires ranging from the Russian to the Ottoman, the spread of Islam, the impact of European colonialism, and the formation of modern nations with complicated territorial boundaries and multi-ethnic populations.

#### Persian Gulf means

EIA [U.S. Energy Information Administration; No Date; <https://www.eia.gov/tools/glossary/index.php?id=Persian%20Gulf#:~:text=Persian%20Gulf%3A%20The%20countries%20that,and%20the%20United%20Arab%20Emirates>.] brett TDI

Persian Gulf: The countries that surround the Persian Gulf are: Bahrain, Iran, Iraq, Kuwait, Qatar, Saudi Arabia, and the United Arab Emirates.

#### The Levant means

Britannica [Birtannica.com; No Date; <https://www.britannica.com/place/Asia/West-Asia>] brett TDI

Levant, (from the French lever, “to rise,” as in sunrise, meaning the east), historically, the region along the eastern Mediterranean shores, roughly corresponding to modern-day Israel, Jordan, Lebanon, Syria, and certain adjacent areas. Common use of the term is associated with Venetian and other trading ventures and the establishment of commerce with cities such as Tyre and Sidon as a result of the Crusades. It was applied to the coastlands of Asia Minor and Syria, sometimes extending from Greece to Egypt. It was also used for Anatolia and as a synonym for the Middle East or Near East. In the 16th and 17th centuries the term High Levant referred to the Far East. The name Levant States was given to the French mandate of Syria and Lebanon after World War I, and the term is sometimes still used for those two countries, which became independent in 1946. A similar term, Al-Mashriq (“Where the Sun Rises”), exists in Arabic, although this term refers to a broader geographic region.

### West Asia---Includes Kazakh/Uzbekh/Turkmenistan

#### Includes Kazakh/Uzbekh/Turkmenistan

Britannica [Britannica.com; No Date; <https://www.britannica.com/place/Asia/West-Asia>] brett TDI

In West Asia naturally wild vegetation no longer occurs in clearly defined zones but is dispersed in small areas. The region is predominantly arid; desertlike depressions such as the Kyzylkum Desert of Uzbekistan and Kazakhstan, the Karakum Desert of Turkmenistan, and the Rubʿ al-Khali (Empty Quarter) of the Arabian Peninsula contrast with the moist, forested mountains that lie between them. Three climatic zones, however, characterize West Asia: a continental climate in the northern regions; a dry zone, except where northerly winds bring moisture to the mountains, to the south; and a Mediterranean climate along the western edges.

### West Asia---Includes Iran

#### Includes Iran.

NOP [Nations Online Project; No Date; <https://www.nationsonline.org/oneworld/map/Political-Map-of-Countries-of-Western-Asia.htm>] brett TDI

The southwestern part of Asia is called by many names: West Asia, Western Asia, Southwest Asia, Middle East or Near East. The southwestern-most part of Asia is a region at the crossroads between Asia, Africa, and Europe. The terms have to some extent a similar notion as 'Middle East'.

Western Asia is bounded in the west by the Mediterranean Sea and the Red Sea, in the north by the Black Sea, the Caucasus, and the Caspian Sea, on the east by the fringing mountains of Iran, and in the south by the Arabian Sea and the Indian Ocean.

The various regions of Western Asia include Asia Minor, aka Anatolia (peninsula), the Caucasus region, the Eastern Mediterranean or Levant, the historical region of Mesopotamia, the Armenian Highlands, the historical region of Syria, the geographical and historical region of Palestine, the Sinai Peninsula, the Arabian Peninsula with the Arabian desert ecoregion, and the Iranian Highlands (see maps below).

Map of Western Asia, including the Middle East and African countries bordering the Red Sea and the Gulf of Aden.



### Framing---Geography Matters

#### Precision---Physical geography is the most precise starting point---defining regions based on political characteristics is unpredictable

Johnson 11 [PhD, Professor of Geographical Sciences @ U Bristol; Ron, “Creating human geography in the English speaking world,” in The Wiley-Blackwell Companion to Human Geography, p. 96-97] TDI

Many British geographers, like their American counterparts, emphasized the importance of regions and regional geography as the discipline's leitmotif. According to Wooldridge and East's (1951) influential British book on The spirit and purpose of geography, "General Geography, involves a number of distinct and systematic studies. These find their application in the description and interpretation of actual areas or regions, large and small" (p. 38).'- Nevertheless, although they argued that: "The serious study of the subject cannot begin without the findings of physical geography" (p. 29), separate aspects of human geography got substantial attention. (Their chapter on physical geography occupies 25 pages: those on historical, eco¬nomic, and political occupy 23, 18, and 19 respectively. There was neither a separate social geography- although they later used the term as a portmanteau incorporating "economic, political, demographic etc." (p. 141) -nor cultural geography." Human geography, unlike physical geography, does not generate "formal categories and universal principles and processes" (p. 30) but this does not imply "inferiority; it is rather to admit that it is infinitely more complex, subtler, more flexible and manifold." Because of that, however, there can be "no generalized human geography. The nature of man and of human evolution ensures that each region which we study-is in large measure unique" (p. 32) - hence their adherence to the same argument as J lartshorne's that regional geography is the discipline's core, although by discuss¬ing "urban regions" at the end of their chapter on regional geography they divorced some types of regional definition from the firm environmental foundation that many others deployed (p. 160).I4 The study of regions within British geography was also influenced by the work of the polymath Patrick Geddes (Meller 1993) and the activities of the le Play Society, in which geographers interacted with sociologists in, for example, 71 major field surveys (mainly overseas) between 1931 and 1960 (Beaver 1962; Herbertson 1950). and which was the model for the later Geographical Field Group based at the University of Nottingham."∂ The importance of environmental influences - if not determinants - permeated much geographical writing during the first half of the twentieth century, perhaps retarding movement towards a separate sub-discipline of human geography. Chisholm's famous Handbook of commercial geography exemplified this. The preface to its first edition (Chisholm 1889) makes clear that its discussion of the "facts of commercial geography" - i.e. gazetteer-like material on what is produced where and traded with where - are set within an explanatory framework comprising material on the physical features of the earth's surface: the first chapter is on climate. American authors took a similar approach: Huntington, Williams and van Valkenburg introduced (1933: v) their Economic and social geography with the statement that:∂ A continuous thread of geographic reasoning runs through the whole of this book. It begins with a section on the major factors of geographic environment and the principles∂ which govern their relation to plants, animals and men. Climate naturally comes first because it is the most widespread, pervasive and variable or the factors. ... Climate, relict, and soil are the main determinants of the geographic regions into which the earth's surface is naturally divided.∂ They identified two basic sets of facts: "the purely physical ... and ... the facts of economics." The former predominated, although "Other factors of a political, racial and social nature also play a part and introduce all sorts of complications" (p. I)∂ - an argument illustrated with the example of rubber production. They included∂ much material relating to the "all sorts of complications" that influence what is∂ produced where - such as maps of the costs of producing corn and the prices∂ received for it in the USA - but these are seen as deviations from a "geographic∂ norm." After describing some of the social, cultural and political factors influenc∂ ing the geography of wheat production, they concluded that (Huntington ct a\.∂ 1933:229):∂ ... the geographer dots not lose faith, hut keeps on dreaming of a future in which the economic development of the world will conform to geographical factors, unhampered by political interference.∂ At the global scale, regional definition was based almost entirely on physical features∂ - notably climatic zones, as in Herbertson's (1905) classic early work. At more local∂ scales, such as the exercises associated with the Midwest geographic field confer¬∂ ences (Piatt 1959), field investigations identified patterns of human occupancy,∂ linked to features of the physical landscape, which created areas with separate∂ characteristics, such as settlement patterns and agricultural land use. Much of this∂ work had a strong implicit deterministic thrust, notably in the many regional text∂ books which portrayed the physical environment first before mapping human pat∂ terns on to it.

## North Africa

### North Africa---7 countries

#### North Africa is 7 countries.

UPitt [University of Pittsburgh, citing the UN Statistics Division; No Date; <https://pitt.libguides.com/c.php?g=12378&p=65815#:~:text=The%20UN%20subregion%20of%20North,production%20is%20high%20in%20Libya>.] brett TDI

The UN Statistics Division has subdivided the African continent into five regions, Northern Africa, Central or Middle Africa , Southern Africa, East Africa, and Western Africa. These subdivisions include the following countries:

Northern Africa countries (7) - Algeria, Egypt, Libya, Morocco, Sudan, Tunisia, and Western Sahara

Central or Middle African countries (9) - Angola, Cameroon, Central African Republic, Chad, Congo Republic - Brazzaville, Democratic Republic of Congo, Equatorial Guinea, Gabon, and São Tomé & Principe

Southern Africa countries (5) - Botswana, Lesotho, Namibia, South Africa, and Swaziland

East African countries (19) - Burundi, Comoros, Djibouti, Ethiopia, Eritrea, Kenya, Madagascar, Malawi, Mauritius, Mozambique, Réunion, Rwanda, Seychelles, Somalia, Somaliland, Tanzania, Uganda, Zambia, and Zimbabwe

Western Africa (17) - Benin, Burkina Faso, Cape Verde, Côte D'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, and Togo

#### Other.

UN Statistics Division [Literally the UN; No Date; <https://unstats.un.org/unsd/methodology/m49/>] brett TDI

Northern Africa 015

Algeria 012 DZA

Egypt 818 EGY

Libya 434 LBY

Morocco 504 MAR

Sudan 729 SDN LDC

Tunisia 788 TUN

Western Sahara 732 ESH

## Region

### Region---Yes Subsets

#### “Region” is geographical.

Cambridge [Cambridge Dictionary; No Date; <https://dictionary.cambridge.org/us/dictionary/english/region>] brett TDI

a particular area or part of the world, or any of the large official areas into which a country is divided:

one of China's autonomous regions

the Nordic/Asia-Pacific region

the Basque region

### Region---No Subsets

#### “Region” excludes subsets.

Dictionary [Dictionary.com; No Date; [https://www.dictionary.com/browse/region /](https://www.dictionary.com/browse/region%20/)] brett TDI

1. an extensive, continuous part of a surface, space, or body:*a region of the earth.*
2. Usually regions**.** **the** vast or **indefinite entirety of a space or area**, or something compared to one: