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#### Restrict and regulate are synonymous

Paust ’08 (Mike & Teresa Baker Law Center Professor, University of Houston)

Jordan 14 U.C. Davis J. Int'l L. & Pol'y 205

The primacy of customary international law is also evident in an opinion by Justice Chase in 1800. In Bas v. Tingy, Justice Chase recognized that "if a general war is declared [by Congress], its extent and operations are only restricted and regulated by the jus belli, forming a part of the law of nations ... ." n47 Therefore, the law of nations (and, in particular, the law of war) necessarily restricts and regulates congressional authorization of war's extent and operations. n48 In 1798, Albert Gallatin had recognized similarly: "By virtue of ... [the war power], Congress could ... [act], provided it be according to the laws of nations and to treaties." n49 And in 1804, counsel had argued before the Supreme Court that "as far as Congress have thought proper to legislate us into a state of war, the law of nations in war is to apply." n50 The restrictive role of the laws of war [\*221] apparently formed the basis for Justice Story's statement in 1814 that conduct under a relevant act of Congress "was absorbed in the more general operation of the law of war" and was permissible "under the jus gentium" or law of nations. n51 Although there was no clash between the act and the laws of war, the laws of war recognizably had a higher, "more general" absorbing effect.

#### Counter-interp: Statutory restrictions are legislative limits

Law dictionary No Date

http://thelawdictionary.org/statutory-restriction/

STATUTORY RESTRICTION?

Limits or controls that have been place on activities by its ruling legislation

#### Neg interp impossible: Congress CANNOT prohibit

Colella ‘88

Frank SPRING, 1988 54 Brooklyn L. Rev. 131

Because the subsequent versions of the amendment sought to deny the executive any latitude in supporting the Contras, they seem to be examples of congressional overreaching. Congress may regulate aspects of "foreign covert action," but it cannot totally bar the president from carrying them out. n151 One commentator incisively observes, "[C]ongress cannot deny the President the capacity to function effectively in this area any more than it could deny the courts the capacity to carry out their independent constitutional duties." n152 The restrictions contained in later versions of the amendments n153 make it apparent that Congress prevented effective execution of the president's policy objectives.

## Arms Races

#### Cyber deterrence low now and fails

Clarke and Knake ‘10

[Richard Alan Clarke is the former National Coordinator for Security, Infrastructure Protection, and Counter-terrorism for the United States. Robert K. Knake, Former international affairs fellow in residence @ CFR. Cyber War. ETB]

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**With a nuclear detonation, one could be fairly certain about** ¶ **what would happen to the target. I**f the target was a military base, ¶ it would become unusable for years, if not forever. On my first day ¶ of graduate school at MIT in the 1970s, I was given a circular slide ¶ rule, which was a nuclear­effect calculator. Spin one circle and you ¶ picked the nuclear yield, say 200 kilotons. Spin another circle and ¶ you could choose an airburst or a groundburst. Throw in how far ¶ away from the target you might be in a worst case and your handy ¶ little spinning device told you how many pounds of explosive pres­¶ sure per square inch would be created and how many would be ¶ needed to collapse a hardened underground missile silo in on itself, ¶ before becoming little radioactive pieces of dust thrown way up ¶ in the atmosphere. **A cyber warrior may possibly have similar certainty that were he to hit some system** with a sophisticated cyber ¶ weapon, **that system**, say a modern freight railroad, **would likely** ¶ **stop cold. What he may not know is whether the railroad has a reliable resiliency plan, a backup command­and­control network that** ¶ **he does not know about because the enemy is keeping it secret and** ¶ **not using it until it’s needed**. Just as a secret intrusion­prevention ¶ system might surprise us when it’s suddenly turned on in a crisis, ¶ a secret continuity­of­operations system that could quickly get the target back up and running is also a form of defense against cyber ¶ attack.¶ **The potential surprise capability of an opponent’s defense makes** ¶ **deterrence in cyber war theory fundamentally different from deterrence theory in nuclear strategy**. **It was abundantly clear in nuclear** ¶ **strategy that there was an overwhelming case of what was called** ¶ **“offensive preference,”** that is to say, any defense deployed or even ¶ devised could easily be overwhelmed by a well­timed surprise attack. ¶ It costs far less to modify one’s missile offense to deal with defensive ¶ measures than the huge costs necessary to achieve even minimally ¶ effective missile protection. **Whatever the defense did, the offense** ¶ **won with little additional effort.** **In addition, no one thought for a** ¶ **moment that the Soviet Union or the United States could secretly** ¶ **develop and deploy an effective missile­defense system.** Ronald Rea­¶ gan hoped that by spending billions of dollars on research, the U.S. ¶ could change the equation and make strategic nuclear missile de­¶ fense possible. Decades later it has not worked, and today the U.S. ¶ hopes, at best, to be able to stop a small missile attack launched by ¶ accident or a minor power’s attack with primitive missiles. Even that ¶ remains doubtful.¶ **In** strategic **nuclear war theory, the destructive power of the of­**¶ **fense was well known, no defense could do much to stop it, the** ¶ **offense was feared, and nations were thereby deterred from using** ¶ **their own nuclear weapons or taking other provocative steps that** ¶ **might trigger a nuclear response.** **Deterrence derived from suffi cient certainty. In the case of cyber war, the power of the offense** ¶ **is largely secret; defenses of some efficacy could possibly be created** ¶ **and might even appear suddenly in a crisis, but it is unlikely any** ¶ **nation is effectively deterred today from using its own cyber weap­**¶ **ons in a crisis; and the potential of retaliation with cyber weapons** ¶ **probably does not yet deter any nation from pursuing whatever** ¶ **policy it has in mind.** Assume for the sake of discussion that the United States (or some ¶ other nation) had such powerful offensive cyber weapons that it ¶ could overcome any defense and inflict significant disruption and ¶ damage on some nation’s military and economy. If the U.S. sim­¶ ply announced that it had that capability, but disclosed no details, ¶ many opponents would think that we were bluffing. Without de­¶ tails, without ever having seen U.S. cyber weapons in action, few ¶ would so fear what we could do as to be deterred from anything.¶ The U.S. could theoretically look for an opportunity to punish ¶ some bad actor nation with a cyber attack just to create a demon­¶ stration effect. (The U.S. used the F­117 Stealth fighter­bomber in ¶ the 1989 invasion of Panama not because it feared Panamanian ¶ air defenses, but because the Pentagon wanted to show off its new ¶ weapon to deter others. The invasion was code­named Operation ¶ Just Cause, and many in the Pentagon quipped that the F­117 was ¶ sent in “just cause we could.”) **The problem with the idea of using** ¶ **cyber weapons in the next crisis that comes up is that many sophisticated cyber attack techniques may be similar to the cryptologist’s** ¶ **“onetime pad” in that they are designed for use only once**. **When** ¶ **the cyber attack weapons are used, potential opponents are likely** ¶ **to detect them and apply all of their research capability in coming** ¶ **up with a defense.**¶If the U.S. cannot deter others with its secret cyber weapons, is it ¶ possible that the U.S. itself may be deterred by the threat from other ¶ nations’ cyber warriors? In other words, are we today self­deterred ¶ from conventional military operations because of our cyber war vul­¶ nerabilities? If a crisis developed in the South China Sea, as in the ¶ exercise described above, I doubt that today anyone around the table ¶ in the Situation Room would say to the President, “You better not ¶ send those aircraft carriers to get China to back down in that oil dis­¶ pute. If you do that, Mr. President, Beijing could launch a cyber at­¶ tack to crash our stock market, ground our airlines, halt our trains, and plunge our cities into a sustained blackout. There is nothing we ¶ have today that could stop them, sir.”¶ Somebody should say that, because, of course, it’s true. But would ¶ they? Very unlikely. The most senior American military officer just ¶ learned less than two years ago that his operational network could ¶ probably be taken down by a cyber attack. The Obama White ¶ House did not get around for a year to appointing a “cyber czar.” ¶ America’s warriors think of technology as the ace up their sleeves, ¶ something that lets their aircraft and ships and tanks operate better ¶ than any in the world. It comes hard to most of the U.S. military ¶ to think of technology as something that another nation could use ¶ effectively against us, especially when that technology is some geek’s ¶ computer code and not a stealthy fighter­bomber.¶ So, **we cannot deter other nations with our cyber weapons**. **In** ¶ **fact, other nations are so undeterred that they are regularly hack­**¶ **ing into our networks. Nor are we likely to be deterred from doing** ¶ **things that might provoke others into making a major cyber attack**. ¶ Deterrence is only a potential, something that we might create in the ¶ mind of possible cyber attackers if (and it is a huge if) we got serious ¶ about deploying effective defenses for some key networks. Since we ¶ have not even started to do that, **deterrence theory**, the sine qua non ¶ of strategic nuclear war prevention, **plays no significant role in stop­**¶ **ping cyber war today.**

#### No deterrent value to OCO’s

Lewis ‘13

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While the deterrent value of offensive cyber-capabilities is practically nonexistent, cyber-operations will form part of any military response to actions against NATO members. The U.S. and allies could also consider pre-emptive measures that involved action against the opponents’ networks. In addition to the U.S., a few allies have significant offensive capabilities, and others are developing them. Decisions on appropriate responses to cyberattack raise the issue of how to incorporate offensive cyber into alliance military doctrine. NATO could choose to treat offensive cyber-capabilities in the same way it treats nuclear weapons, but there is reluctance, perhaps due to the exceptionally covert nature of cyberwarfare, to do so. Offensive capabilities could be considered independent, with the national government retaining control and release authority. NATO commanders would have to request the release of these capabilities, noting that the period for decision on warning and release might in some circumstances be compressed from hours into minutes. In any event, all of these issues must be addressed for any collective cyberdefense to be effective.

#### They say CW inev but Banning preemptive attacks solves

Clarke and Knake ‘10

[Richard Alan Clarke is the former National Coordinator for Security, Infrastructure Protection, and Counter-terrorism for the United States. Robert K. Knake, Former international affairs fellow in residence @ CFR. Cyber War. ETB]

In nuclear war strategy, the Soviet Union proposed that we and ¶ they agree that neither side would be the first to use nuclear weapons ¶ in a conflict. The U.S. government never agreed to the No First Use ¶ Declaration, preserving for itself the option to use nuclear weap­¶ ons to offset the superior conventional forces of the Soviet Union. ¶ (My onetime State Department colleague Jerry Kahan once asked ¶ a Soviet counterpart why they kept suggesting we ban orange juice. ¶ When the Russian denied making such a proposal, Jerry retorted, ¶ “But you’re always running around saying ‘no first juice.’”) **Should** ¶ **we incorporate a No First Use approach in our cyber war strategy**?¶ **There is no conventional military force in the world superior to** ¶ **that of the U.S.,** assuming that the U.S. military is not blinded or ¶ disconnected by a cyber attack. **Therefore, we do not need to hold** ¶ **open the prospect of going first in cyberspace to compensate for** ¶ **some other deficiency, as we did in nuclear strategy. Going first in** ¶ **cyber war also makes it more politically acceptable in the eyes of the** ¶ **world for the victim of the cyber attack to retaliate in kind, and then** ¶ **some. Given our greater vulnerability to cyber attack, the U.S. may** ¶ **not want to provoke a cyber phase to a war.**

## CP

C. The counterplans covert action ensures unilateralism – prevents coalitions and fuels suspicion and cyberwar

**Rishikof 11**, Chair of the ABA Standing Committee on Law and National Security. Former professor of law and chair

(PROJECTING FORCE IN THE 21ST CENTURY - LEGITIMACY AND THE RULE OF LAWDepartment of National Security Strategy, National War Collegwww.rutgerslawreview.com/wp-content/uploads/archive/vol63/Issue4/Mustin-Rishikof\_Article\_PDF.pdf)

**Covert action** also **enables unilateral action. The stealthy nature of covert action means that the Executive would be discouraged from seeking international cooperation**. Any international support would likely be limited to notifying host nations of the presence of troops, and those notifications, as a tactical matter, would likely be last minute and very directive in nature. **This type of unilateral action** contrasts the cooperative intent for international law, and, in the words of one legal scholar, ―[u]nilateral action- covert or overt - **generates particularly high emotions, because many view it as a litmus test for one‘s commitment to international law. Excessive use of covert action might be deemed** by some nations **as a rebuke of international law or evidence of a hubristic foreign policy**. **The** continued and constant **use of this instrument** when lethality is the goal **raises issues of international legitimacy.**

#### 2. Perm do both — only the perm solves legitimacy — their author

Brecher 12 (Aaron P., , JD candidate at Michigan Law, Cyberattacks and the Covert Action Statute: Toward a Domestic Legal Framework for Offensive Cyberoperations, [www.michiganlawreview.org/assets/pdfs/111/3/Brecher.pdf](http://www.michiganlawreview.org/assets/pdfs/111/3/Brecher.pdf))

It has become axiomatic of American constitutional doctrine that **presidential decisions gain greater** constitutional **legitimacy** **when** they are **carried out with Congress’s approval**. Though the president has tremendous freedom to act autonomously when conducting foreign affairs, the concerted action of both elected branches strengthens the presumption that the presidential policy is lawful. It is unclear, however, what the respective powers of either branch are when the president and Congress actively oppose one another, or when the president acts in the face of congressional silence.84 In the exercise of constitutional war powers, it seems clear that the president can order the responsive use of force, but becomes less so when faced with the question of whether the president may initiate an armed conflict. **Congress is** probably **empowered to place substantive limits on the scope of hostilities and the initiation of conflicts.**

#### 4. Links to politics – congress wants to be involved

Sasso 2012

(Brandon Sasso, December 21, 2012, “House Republicans urge Obama not to issue cybersecurity order,” The Hill, http://thehill.com/blogs/hillicon-valley/technology/274391-house-republicans-urge-obama-not-to-issue-cybersecurity-order)

A group of 46 House Republicans, led by Reps. Marsha Blackburn (Tenn.) and Steve Scalise (La.), sent President Obama a letter on Friday urging him not to issue an executive order on cybersecurity.¶ "Instead of preempting Congress' will and pushing a top-down regulatory framework, your administration should engage Congress in an open and constructive manner to help address the serious cybersecurity challenges facing our country," the lawmakers wrote. ¶ The White House is currently drafting an executive order that would encourage operators of critical infrastructure, such as banks and electric grids, to meet cybersecurity standards. ¶ The administration says the order, which could come as early as January, is necessary to protect vital systems from hackers.¶ The White House began working on the order after Senate Republicans blocked the Democrats' preferred cybersecurity bill.¶ But in their letter, the House Republicans urged the administration to continue working with Congress.

#### 5. Covert designation fuels suspicion and can’t solve cyber war — also removes international pressure from Chinese hacking

**Wright 11**, Executive director of studies at The Chicago Council on Global Affairs

(Thomas, 6/26, America has double standards in fighting cyberwar, [www.ft.com/cms/s/0/c8002f6a-a01b-11e0-a115-00144feabdc0.html#axzz1QYnW3i1w](http://www.ft.com/cms/s/0/c8002f6a-a01b-11e0-a115-00144feabdc0.html#axzz1QYnW3i1w))

While it has several advantages, **treating American cyber-destruction as a covert operation will severely undermine the new cyber-strategy. Suspicion that the US uses cyber­weapons whenever convenient will hamper its attempts to press other states to be transparent about their intentions**. **In particular, it takes the pressure off China, widely believed to be the leading state source of cyberattacks. It may also dissuade the US from developing the technology to trace the source of an attack.**

Nuclear war

**Sirota, Best-Selling Author, 11**, David Sirota is a best-selling author of the new book "Back to Our Future: How the 1980s Explain the World We Live In Now.", The Terrorist Threat We’re Ignoring, http://www.salon.com/news/david\_sirota/2011/07/11/trade\_terrorism

All of these threats are, indeed, scary -- and the last one, which sounds like something out of "Saw" movie, is especially creepy. But the fear of individual terrorist acts has diverted attention from a more systemic threat that is taking the implant idea to a much bigger platform. I'm talking about the threat of terrorists or foreign governments exploiting our economy's penchant for job outsourcing/offshoring. How? By using our corresponding reliance on imports to secretly stitch security-compromising technology into our society's central IT nervous system. Sounds far-fetched, right? Sounds like some fringe theory bizarrely melding liberal political complaints about bad trade policies with tinfoil-hat paranoia, right? Yeah, that's what I thought, until last week when -- in an announcement largely ignored by the Washington press corps -- the Department of Homeland Security made a stunning disclosure at a congressional hearing. As the business trade publication Fast Company [reports](http://www.fastcompany.com/1765855/dhs-someones-spiking-our-imported-tech-with-attack-tools) (emphasis added): A top Department of Homeland Security (DHS) official has admitted on the record that electronics sold in the U.S. are being preloaded with spyware, malware, and security-compromising components by unknown foreign parties. In testimony before the House Oversight and Government Reform Committee, acting deputy undersecretary of the DHS National Protection and Programs Directorate Greg Schaffer told Rep. Jason Chaffetz (R-UT) that both Homeland Security and the White House have been aware of the threat for quite some time. When asked by Rep. Chaffetz whether Schaffer was aware of any foreign-manufactured software or hardware components that had been purposely embedded with security risks, the DHS representative stated that "I am aware of instances where that has happened," after some hesitation. This supply chain security issue essentially means that, somewhere along the line, technology being marketed in the United States was either compromised or purposely designed to enable cyberattacks. The process by which this happens is fairly straightforward -- and its connection to our tariff-free trade policies that encourage outsourcing is obvious. First, an American company or governmental agency orders a piece of computer hardware or software from a tech company. Then, because the "free" trade era has economically incentivized those companies to move their production to low-wage countries, much of that order is actually fulfilled at foreign facilities where security and quality standards may be, ahem, lacking. If this still sounds far-fetched, remember that in the offshoring/outsourcing epoch, one of the major exporters of computer hardware -- and increasingly, software -- is China. That is, the country whose government has been at the forefront of aggressively researching, developing and implementing covert technologies that turn computers into stealth weapons of the police state. There is, for example, China's Great Firewall, which prevents computers from accessing content the government deems unacceptable. There's also the [Green Dam initiative](http://online.wsj.com/article/SB124638689078074805.html), which aimed to preload spying and censorship software on PCs. These, of course, are just the cyber-sabotage projects we know about, suggesting that there are far more being engineered by the Chinese regime. And this says nothing of the additional possibility of stateless terrorist groups infiltrating the high-tech supply chain to invisibly weave vulnerabilities into our IT infrastructure. If you think the biggest ramifications of this threat are merely Angry Birds malfunctions, suddenly shitty pictures from Hipstamatic and yet longer wait times when you fire up Microsoft Word -- think again. In an information age that sees [missiles remotely fired via keystrokes](http://news.cnet.com/8301-11386_3-10064231-76.html) and data mined for intelligence gathering, supply chain vulnerabilities in high-tech products are a genuine national security problem. Indeed, they are at least as big a threat to national security as the old concerns about how, say, offshoring steel production could compromises our strength by limiting our ability to unilaterally build tanks and warships. By creating a trade policy that helps offshore high-tech production, we may be inadvertently importing spying or terrorist instruments and then embedding those instruments into our computer-dependent society at large. What might this mean in practice? As the U.S.-China Economic and Security Review Commission [reported](http://www.nextgov.com/nextgov/ng_20110707_5612.php?oref=topstory) a few months ago, it could be "kill switches" implanted in Pentagon systems that **control our arsenal**. It could be new "War Games"-esque back doors that allow Chinese military hackers to punch in their own preprogrammed "Joshua" password and [again](http://www.ft.com/cms/s/0/9dba9ba2-5a3b-11dc-9bcd-0000779fd2ac.html) breach computer networks deep within our national security apparatus.

#### 6. Congressional involvement makes the plan popular — the CP links to politics

Corcoran 11 --- Professor of Law and Director at University of New Hampshire School of Law (March 2011, Erin M., University of New Hampshire Law Review, “Obama's Failed Attempt to Close Gitmo: Why Executive Orders Can't Bring About Systemic Change,” 9 U.N.H. L. Rev. 207))

Finally, this example highlights that issuing unilateral executive orders, and then asking Congress to fund those decisions, is much less effective than having Congress help create the framework for significant policy changes. Congress is an independent branch of government regardless of whether the members' party affiliation is the same as the President's. Since members of the House are elected every two years, they are particularly sensitive to the idiosyncratic whims of the constituents in their district. For the President, it is often easier to support sweeping change on a policy level. Although Senators are elected every six years, they are still bound to protect parochial concerns of their constituents. Congress members go home every weekend to their respective districts and must explain their votes, decisions, and legislative priorities to the voters often at supermarkets, churches, and bingo halls.¶ Often times, when members of Congress can control the message or create the narrative addressing the problem, they can show their [\*235] constituents how their votes are in line with constituent priorities and concerns. In contrast, when Congress is told to do what the President wants and fund a controversial proposal, the members are in less control of the message and less invested in the outcome.¶Furthermore, in the Senate, particularly in the Appropriations Committee, members work across the aisle. Until recently, appropriators tended to vote as a block regardless of party affiliation, protecting their funding prerogatives and funding for their home districts. For example, the Senate Supplemental Appropriations mark included funding to close Guantanamo Bay. Yet, during the Senate floor debate about closing Guantanamo Bay, ultimately it was the Chair of the Appropriations Committee who filed the amendment on the floor to strip funding out of the supplemental bill. n150 The Chair's action provided cover to other appropriators to vote in support of stripping the funding. Since the Chair authored the amendment, there was no longer any obligation to support the appropriations bill as it was marked up out of committee. Generally, appropriators vote together to protect funding when other senators attempt to strip funding out of appropriations bills or move funds from one account to fund a priority not accommodated by the appropriators. Since these members value collegiality, compromise, and consultation, it is no surprise that Obama's efforts to fund Guantanamo Bay closure was thwarted. If the Senate had been charged with crafting legislation, the members would have been committed to making sure they had the votes to pass it.¶ Overall, if the Obama Administration wants to close Guantanamo Bay, it must get Congress to lead the charge. This is going to be extremely difficult now with a Republican House of Representatives and Democrat Senate that holds the majority by the narrowest of margins. At this point, it seems as if the Administration has abandoned its campaign to close Guantanamo Bay. The only silver lining is that the Administration hopefully has learned important lessons on what works and what is a non-starter and can use this knowledge when advancing the President's future controversial policy changes.

## Cyber Supremacy

#### Offenses trade off with defense- leads to prolif- game theory proves

Moore et al 10 <Tyler Moore, Allan Friedman and Ariel D. Procaccia, Center for Research on Computation & Society, Harvard University, Would a ‘Cyber Warrior’ Protect Us? Exploring Trade-offs Between Attack and Defense of Information Systems, <http://www.nspw.org/papers/2010/nspw2010-moore.pdf>>#**SPS**

**The militarization of cyberspace represents a substantial**¶ **change in our understanding of information security.** We¶ have made a first attempt at exploring the dynamics of information security when the attacker is also defender. **We**¶ **presented two game-theoretic models of vulnerability discovery and exploitation.** **These games capture a trade-off** ¶ **where nations must choose between protecting themselves**¶ **or pursuing an offensive advantage while remaining at risk.**¶ **One key finding is that strategic interaction may very well**¶ **lead to a proliferation of offensive behavior, even if defensive**¶ **behavior is preferred.** **The presence of aggressive equilibria**¶ **is sobering: nations may naturally be tempted to pursue cyber attack, which reinforces the important role policymakers**¶ **have in promoting cyber defense.** **Using these models we can**¶ **better understand the incentives facing states juggling the**¶ **sometimes conflicting goals of cyber attack and defense, and**¶ **how best to shape policy that promotes better security investment.**

**Cyber war inevitable unless we build in DEFENSE**

**McGraw 13** <[Gary McGraw](http://www.tandfonline.com/action/doSearch?action=runSearch&type=advanced&searchType=journal&result=true&prevSearch=%2Bauthorsfield%3A(McGraw%2C+G)), PhD is Chief Technology Ofﬁcer of Cigital, and author of¶ Software Security (AWL 2006) along with ten other software security¶ books. He also produces the monthly Silver Bullet Security Podcast for¶ IEEE Security & Privacy Magazine (syndicated by SearchSecurity), Cyber War is Inevitable (Unless We Build Security In), Journal of Strategic Studies - Volume 36, Issue 1, 2013, pages 109-119, <http://www.tandfonline.com.proxy.library.cornell.edu/doi/pdf/10.1080/01402390.2012.742013>>#**SPS**

Inevitable¶ **The inevitable slide towards cyber war is accelerated by the** systemic¶ **vulnerability of modern systems.** **Technical security vulnerabilities and**¶ **exploits are the common root of cyber war, cyber espionage, and cyber**¶ **crime.** Distinguishing cyber war from other sorts of cyber attack is thus¶ an important ﬁrst step in any treatment of the problem. Cyber war is¶ over-hyped, especially in the United States, but it is also a very real¶ phenomenon. **The potential for cyber conﬂict is growing in tandem**¶ **with our dependence on vulnerable technology.** Stuxnet provides a prime example of a cyber weapon, not only¶ because of its impact but because of the relative simplicity of its attack¶ payload. The problem is that Stuxnet ‘hype’ exaggerated the¶ capabilities required to create an effective cyber weapon. Consequently,¶ **non-technical policymakers may assume that relatively unsophisticated**¶ **actors will not be able to participate in offensive cyber war. That is**¶ **wrong.** **Modern systems are so riddled with security vulnerabilities that**¶ **conducting a spectacular attack is relatively easy.** On the average day¶ there are thousands of exploitable vulnerabilities not yet made public¶ or patched. **These so-called ‘0day’ vulnerabilities are exploited by**¶ **attackers around the world.1**¶ **The only way to address the** security¶ **problem** and slow the accelerating slide into cyber war **is to build**¶ **security into our systems** whenthey are created. Software security is a¶ relatively new discipline that takes on the challenge of building security¶ in, and has seen real success among multinational corporations. In¶ general, software-security progress is more advanced among private¶ corporations (including multinational banks and independent software¶ vendors) than in the public sector, which lags years behind.

**Defense key to cyber deterrence**

**Prisco 12** <Nicholas, Maj. U.S. Army, The Criticality of Cyber Defense to Operational Commanders, 05-04-12, www.hsdl.org/?view&did=726655‎>#**SPS**

**Operational commanders should consider the criticality of defense in deterring** ¶ **adversaries from attacking their networks.** DoD’s top concerns for cyberspace, according to ¶ the Department of Defense Strategy for Operating in Cyberspace, are data theft and 11¶ exploitation, network disruptions and denial of service attacks, and destructive actions that¶ destroy or degrade networks and systems.54 **In each of these increasingly hostile attacks,** ¶ **resilient cyber defenses can mitigate the risks, minimize the impacts, and as a result, reduce** ¶ **the value of attacking the U.S. in cyberspace.**55 **This is especially true for unknown** ¶ **adversaries where attribution is extremely difficult and effectively disarming them through** ¶ **counterattack measures is difficult in this age of inexpensive computing power**.¶ 56 As former ¶ Deputy Secretary of Defense Lynn said, “Deterrence will necessarily be based more on ¶ denying any benefit to attackers than on imposing costs through retaliation. **The challenge is** ¶ **to make the defenses effective enough to deny an adversary the benefit of an attack despite** ¶ **the strength of offensive tools in cyberspace.”**¶

#### Defense outweighs offense when it comes to cyber

Drezner ‘13

[Daniel W. Drezner is professor of international politics at the Fletcher School of Law and Diplomacy at Tufts University. <http://drezner.foreignpolicy.com/posts/2013/02/04/im_cyber_confused> ETB]

There's a lot going on in this story, but distilled to its elements, it does seem as though the U.S. is ramping up its offensive capabilities a hell of a lot more than preparing for defensive resiliency. So, offensive realism for the win, right? ¶ Well, maybe, or maybe this is just some odd organizational politics going on. I confess to finding this utterly puzzling, because the latter is clearly kinda important. In an arena populated by non-state actors and quasi-non-state actors, defense would seem to me to be a far more important concern.

#### **Cyber defense key to deterrence- checks sub-state actors**

Lukasik ‘10

[Stephen J. Lukasik, georgia institute of technology. A” Framework for Thinking About Cyber ¶ Conflict and Cyber Deterrence with Possible ¶ Declaratory Policies for These Domains.” In Proceedings of a Workshop on Deterring Cyberattacks: Informing Strategies and Developing Options for U.S. Policy. ETB]

Sub-state actors are not subject to deterrence based on threats of retaliation. They currently attack sovereign states, nuclear and non-nuclear, with impunity. Treating states and sub-state groups with a one-size-fits-all approach will result in addressing neither as well as they might. Sub-state groups are, for example, susceptible to cost-imposing measures.¶ Defense in cyber conflict is a critical part of cyber deterrence. It includes strategic and tactical warning, situation awareness, cyber order-of-battle, and the collection, retention, and analysis of cyber incident forensics.

#### **No limits approach guts alliances**

Dunlap ‘12

[Maj. Gen. Charles J. Dunlap Jr. (Ret.), Professor of the Practice of Law¶ Executive Director, Center on Law, Ethics and National Security @ Duke. In Patriot Debates: Contemporary Issues in National Security Law. <http://www.americanbar.org/groups/public_services/law_national_security/patriot_debates2/the_book_online/ch9/ch9_ess2.html> ETB]

Rejection of legal limits carries other, real-world consequences that are not in the United States’ cyber interests. An effective response to cyber threats is not an autarchic enterprise; it requires the cooperation of international allies. Baker’s “damn the law and lawyers” approach would cripple our relations with the law-abiding nations whose cooperation we must have to address cyber threats.¶ We need to keep in mind that the vast majority of adverse cyber incidents are criminal matters, and the resolution of them frequently necessitates the involvement of foreign police and judicial authorities who, by definition, require partners who are themselves committed to faithfulness to the rule of law.¶ The importance of legal legitimacy cannot be overstated. As outlined above, few in uniform who have experienced the vicissitudes of war since 9/11 would underestimate the deleterious impact on coalition support that the mere perception of American lawlessness can have.

#### No chance of naval competitors – The US is far ahead and more capable now

The American Prospect 11

[The False Decline of the U.S. Navy, <http://prospect.org/comment/11760>]

The United States Navy currently operates eleven aircraft carriers. The oldest and least capable is faster, one third larger, and carries three times the aircraft of Admiral Kuznetsov, the largest carrier in the Russian Navy. Unlike China’s only aircraft carrier, the former Russian Varyag, American carriers have engines and are capable of self-propulsion. The only carrier in Indian service is fifty years old and a quarter the size of its American counterparts. No navy besides the United States' has more than one aircraft carrier capable of flying modern fixed wing aircraft. The United States enjoys similar dominance in surface combat vessels and submarines, operating twenty-two cruisers, fifty destroyers, fifty-five nuclear attack submarines, and ten amphibious assault ships (vessels roughly equivalent to most foreign aircraft carriers). In every category the U.S. Navy combines presumptive numerical superiority with a significant ship-to-ship advantage over any foreign navy. This situation is unlikely to change anytime soon. The French Navy and the Royal Navy will each expand to two aircraft carriers over the next decade. The most ambitious plans ascribed to the People’s Liberation Army Navy call for no more than three aircraft carriers by 2020, and even that strains credulity, given China’s inexperience with carrier operations and the construction of large military vessels. While a crash construction program might conceivably give the Chinese the ability to achieve local dominance (at great cost and for a short time), the United States Navy will continue to dominate the world’s oceans and littorals for at least the next fifty years. In order to try to show that the U.S. Navy is insufficient in the face of future threats, Kaplan argues that we on are our way to “a 150 ship navy” that will be overwhelmed by the demands of warfighting and global economic maintenance. He suggests that the “1,000 Ship Navy” proposal, an international plan to streamline cooperation between the world’s navies on maritime maintenance issues such as piracy, interdiction of drug and human smuggling, and disaster relief, is an effort at “elegant decline,” and declares that the dominance of the United States Navy cannot be maintained through collaboration with others. It’s true that a 600 ship navy can do more than the current 250-plus ship force of the current U.S. Navy, but Kaplan’s playing a game of bait and switch. The Navy has fewer ships than it did two decades ago, but the ships it has are far more capable than those of the 1980s. Because of the collapse of its competitors, the Navy is relatively more capable of fighting and winning wars now than it was during the Reagan administration. Broadly speaking, navies have two missions; warfighting, and maritime maintenance. Kaplan wants to confuse the maritime maintenance mission (which can be done in collaboration with others) with the warfighting mission (which need not be). A navy can require the cooperation of others for the maintenance mission, while still possessing utter military superiority over any one navy or any plausible combination of navies on the high seas. Indeed, this is the situation that the United States Navy currently enjoys. It cannot be everywhere all at once, and does require the cooperation of regional navies for fighting piracy and smuggling. At the same time, the U.S. Navy can destroy any (and probably all, at the same time) naval challengers. To conflate these two missions is equal parts silly and dishonest. The Navy has arrived at an ideal compromise between the two, keeping its fighting supremacy while leading and facilitating cooperation around the world on maritime issues. This compromise has allowed the Navy to build positive relationships with the navies of the world, a fact that Kaplan ignores. While asserting the dangers posed by a variety of foreign navies, Kaplan makes a distortion depressingly common to those who warn of the decline of American hegemony; he forgets that the United States has allies. While Kaplan can plausibly argue that growth in Russian or Chinese naval strength threatens the United States, the same cannot reasonably be said of Japan, India, France, or the United Kingdom. With the exception of China and Russia, all of the most powerful navies in the world belong to American allies. United States cooperation with the navies of NATO, India, and Japan has tightened, rather than waned in the last ten years, and the United States also retains warm relations with third tier navies such as those of South Korea, Australia, and Malaysia. In any conceivable naval confrontation the United States will have friends, just as the Royal Navy had friends in 1914 and 1941. Robert Kaplan wants to warn the American people of the dangers of impending naval decline. Unfortunately, he’s almost entirely wrong on the facts. While the reach of the United States Navy may have declined in an absolute sense, its capacity to fight and win naval wars has, if anything, increased since the end of the Cold War. That the United States continues to embed itself in a deep set of cooperative arrangements with other naval powers only reinforces the dominance of the U.S. Navy on the high seas. Analysts who want to argue for greater U.S. military spending are best advised to concentrate on the fiascos in Iraq and Afghanistan.

#### Navy can’t de-escalate crises - bureaucratic reluctance to deploy, delayed response

Watts 12

Robert, graduate of the Coast Guard Academy, Captain Watts has served six sea tours with the Navy and Coast Guard, most recently commanding USCGC Steadfast (WMEC 623). A qualified Surface Warfare Officer and Cutterman, he holds advanced degrees from the Naval War College, Old Dominion University, American Military University, and the Naval Postgraduate School, and he is currently a doctoral candidate at the Royal Military College of Canada (War Studies). The New Normalcy-Sea Power and Contingency Operations in the Twenty-First Century¶ http://www.usnwc.edu/getattachment/87e866a1-24dd-4e91-9ffa-cb0f64f15144/The-New-Normalcy--Sea-Power-and-Contingency-Operat.aspx

The inherent mobility of sea power means largely what it does in the traditional role—modern technology allows global reach in three dimensions and almost instant operational coordination worldwide. But the primary barrier to mobility in crisis-contingency operations is not technological. If mobility is to be exercised, ships must actually sail, and it is here—in the commitment of resources to a crisis —that things become culturally problematic. Despite the need, the answer to a crisis contingency is not always to employ sea power immediately. This cultural hesitancy has two aspects. The first is so deeply ingrained in the American psyche that it is more a matter of legend than of practical discussion. The United States has a long-standing tradition of rejecting the use of military forces in the domestic context, a rejection that dates back to the Revolution. It was codified in law with the passing of the Posse Comitatus Act of 1878, which directs that military forces (specifically the U.S. Army) cannot engage in domestic law enforcement.18 The legislation is often misinterpreted as meaning that any domestic use of military forces is illegal; that is not the case, but it is nevertheless widely believed in both civilian and military 56 NAVAL WAR COLLEGE REVIEW circles.19 Thus before naval forces can be committed to a crisis, a comprehensive legal review is often demanded, something that takes time—time that is usually not available. Another cultural barrier arises from service ethos. Bluntly, warships are designed and train to fight. In the modern high-tech era, naval warfare is a very specific (and expensive) proposition. It demands very sophisticated and specialized equipment. The radar on an Aegis cruiser, for example, is exceptionally good at tracking and destroying enemy aircraft—but only that. In a crisis contingency that marginalizes that purpose of a platform’s defining systems, the purpose of the platform itself could be called into question. According to this logic, if a vessel is employed (albeit successfully) for a purpose for which it is not designed, the door is opened for its increasing use for that purpose and not its proper one. In the grand scheme of things, warships used for other purposes are not training for war; in the short term this leads to a loss of readiness for combat, while in the longer term it could mean the elimination of platforms altogether in favor of others more suitable for noncombat missions. Although this seems to be a largely philosophical argument, in a shrinking budget environment it is not without a certain politically compelling logic. The effects of these factors are not insignificant. In recent crisis contingencies (the mass migration operations of 1994 and Katrina) the arrival of naval vessels was delayed while legal and operational impact issues were addressed, in the Katrina case so long as to become a national embarrassment.20 Bureaucratic reasons, not materiel, were the culprits, ultimately to the detriment of the response. Hesitancy can be fatal in an operation requiring rapid response, and culture and bureaucracy can conspire to encourage just that.

#### Naval forces are resilient – US will continue to outpace competitors

Gates 9

US Secretary of Defense (Robert M., "A Balaced Strategy" Foreign Affairs January/February 2009, http://www.jmhinternational.com/news/news/selectednews/files/2009/01/20090201\_20090101\_ForeignAffairs\_ABalancedStrategy.pdf)

But it is also important to keep some perspective. As much as the U.S. Navy has shrunk since the end of the Cold War, for example, in terms of tonnage, its battle fleet is still larger than the next 13 navies combined -- and 11 of those 13 navies are U.S. allies or partners. Russian tanks and artillery may have crushed Georgia's tiny military. But before the United States begins rearming for another Cold War, it must remember that what is driving Russia is a desire to exorcise past humiliation and dominate its "near abroad" -- not an ideologically driven campaign to dominate the globe. As someone who used to prepare estimates of Soviet military strength for several presidents, I can say that Russia's conventional military, although vastly improved since its nadir in the late 1990s, remains a shadow of its Soviet predecessor. And adverse demographic trends in Russia will likely keep those conventional forces in check. All told, the 2008 National Defense Strategy concludes that although U.S. predominance in conventional warfare is not unchallenged, it is sustainable for the medium term given current trends. It is true that the United States would be hard-pressed to fight a major conventional ground war elsewhere on short notice, but as I have asked before, where on earth would we do that? U.S. air and sea forces have ample untapped striking power should the need arise to deter or punish aggression -- whether on the Korean Peninsula, in the Persian Gulf, or across the Taiwan Strait. So although current strategy knowingly assumes some additional risk in this area, that risk is a prudent and manageable one. Other nations may be unwilling to challenge the United States fighter to fighter, ship to ship, tank to tank. But they are developing the disruptive means to blunt the impact of U.S. power, narrow the United States' military options, and deny the U.S. military freedom of movement and action.

## PTX

#### Won’t pass - election fears and Obama’s approach prolongs Republican backlash

Kaplan 10-3

[Rebecca, serves as City Councilmember At-Large for Oakland, California, CBS News, “Why is it so difficult to end the government shutdown?” <http://www.cbsnews.com/8301-250_162-57605784/why-is-it-so-difficult-to-end-the-government-shutdown/>]

As the government shutdown enters its third day, **Democrats and Republicans seem no closer to bridging their differences than they were when the shutdown began** early Tuesday morning. **It's difficult to say when the standoff will end**. The two **shutdowns** that occurred **in 1995 and 1996 lasted** a total of **27 days. And** back then, the **conditions** for getting to a deal **were much better**.¶ Republicans won the House and Senate in the 1994 midterm elections - the first time the party had a House majority in 40 years. That set up a showdown between House Speaker Newt Gingrich, who had run on a conservative platform, and then-President Bill Clinton. That dispute came in 1995, when Gingrich wanted to balance the budget in a short time frame and Clinton wanted money spent on Democratic priorities. After two separate shutdowns and several weeks, the pressure was too high on Republicans and they cut a deal with Clinton: he would get his priorities, but would have to balance the budget for 10 years.¶ "They were kind of testing each other," said former Rep. Tom Davis, R-Va., who was a freshman in Congress at the time. Afterward, Davis noted, Clinton and Gingrich would go on to work together on a host of issues including welfare reform. The economy boomed, helping to mitigate budget issues.¶ Republicans who were lawmakers or aides in Congress in 1995 cite a variety of reasons that the shutdown ended. For Davis, it was the mounting public pressure on Republicans and their rapidly dropping poll numbers that helped spur a compromise. "There was a revolt, and they simply couldn't hold their members after a while," he said of the Republican leadership. It didn't help that Republicans were afraid of losing the first majority they'd had in decades. Davis recalls going to former Rep. Dick Armey, then the Republican Majority leader from Texas, and saying, "We're getting our butts kicked."¶ But Bob Walker, then a Republican congressman from Pennsylvania, had a different take from the conventional narrative that Republicans had caved. "We stayed focused in 1995 on the fact that what the end result for us was to get a pathway to a balanced budget, and so in the end when we got an agreement to just begin the process of moving toward a balanced budget," he said. "We declared victory on that and we were prepared to then get the government back into action."¶ **This time, it's not so easy for Republicans to achieve even a piece of their chief goal** - to dismantle the Affordable Care Act. The law is President Obama's signature policy achievement, and its constitutional authority was affirmed by the Supreme Court. Democrats in the Senate and Mr. Obama himself have proven with the shutdown fight that they are determined to keep the law intact.¶ "We didn't get an immediate balanced budget obviously but what we got was a seven-year plan toward a balanced budget that then ended up being accomplished in there years," Walker said of the House Republicans in 1995. But nowadays, he said, "I'm not certain I see where the bottom lines are."¶ As shutdown continues, Obama says Wall Street "should be concerned"¶ Government shutdown: Is Congress acting selfishly?¶ Yet another explanation of why the 1995-1996 shutdown ended had to do with presidential politics. Former Senate Majority Leader Bob Dole, R-Kansas, was eyeing a presidential bid against Clinton in 1996.¶ "He just got sick of it. I think he started seeing that this was directly impacting his ability to run for president," said John Feehery, a political strategist who was the communications director for then-House Majority Whip Tom DeLay during the shutdown. Dole was key to engineering an end to the shutdown, a fact that was apparent to everyone - even Democrats.¶ "It was a huge factor," said American University professor Patrick Griffin, who served as Clinton's assistant for legislative affairs from 1994 to 1996. "We could always sense that there was no love lost between him and [Gingrich] - on the [Contract with America], on the shutdown. It was just not Dole's style...he was wasting time, he was not being able to get his campaign."¶ If anything, presidential politics will lengthen the shutdown. Mr. **Obama has no re-election campaign** to worry about - like Clinton did at the time - **and Republican** presidential **campaigns cannot be won without pleasing an active base that hates the healthcare law. It would be difficult for any Republican to help broker a compromise that preserved most of Obamacare and then woo Republican primary voters**.¶ **Not that many Republicans feel as if they can work with** Mr. **Obama**. "Many people in Congress ...believe that the president treats them with contempt and so the atmosphere for negotiating is not very good. That's a big difference," said Walker.¶ House Speaker John Boehner, R-Ohio, and Mr. Obama have tried and failed to negotiate big deals several times**. Since the** government **shut down** on Tuesday, **they've barely talked** aside from a meeting the president held with top congressional leaders Wednesday afternoon. And a recent Politico story that detailed how Boehner and Senate Majority Leader Harry Reid, R-Nev., worked together to preserve congressional subsidies for healthcare coverage will likely have poisoned the well between the leaders of the two chambers.¶ That wasn't the case with Gingrich and Clinton, despite their differences. "Both President Clinton and Speaker Gingrich had a pretty civil and reasonably good personal relationship," said Mack McLarty, Clinton's first chief of staff as president. Both hailed from the south, and had "very inquisitive minds" about the world around them.¶ Perhaps **the biggest roadblock to a deal**, however, **is the** increasingly partisan nature **of Congress caused by congressional redistricting that puts many members into seats where fewer and fewer constituents are from the opposite party**. In 1995, more than 34 percent of Republican representatives in the House were elected in districts that had voted for Clinton as president. Now, only seven percent of House members come from districts that voted for Mr. Obama.¶ There's a larger proportion of hardline conservatives in the House in 2013, and they have so far been more successful at driving the agenda than their more moderate counterparts. "The-rank-and-file members are sick and tired of the rebels running the thing but there's too many of them who vote with the rebels to protect their flank," Feehery said, referring to Republicans who are worried about receiving a primary challenge from the right.¶ **With so many factors working against a deal, it's hard to see a way out of the crisis**. The only thing that's guaranteed to inject some urgency into the debate is the looming deadline to raise the debt ceiling on Oct. 17. While a government shutdown can have minimal effects on the financial markets, the possibility of the U.S. defaulting is much more likely to cause financial panic that could push lawmakers into a deal.¶ Plus, **if the spending and debt ceiling deals** morph into one**, there may be more issues on the table to discuss such as the sequester and the whole federal budget. That**, Walker said, **will** give Republicans more areas where they can look for victory.

#### The plan is a concession – dems would have to vote for the plan which appeases the GOP – causes a deal

Todd 10-3

“A Potential Way out,” <http://firstread.nbcnews.com/_news/2013/10/03/20801495-first-thoughts-a-potential-way-out>

“We have to get something out of this”: This is where Rep. Marlin Stutzman’s (R-IN) amazing and revealing quote comes into play. “We’re not going to be disrespected,” the Tea Party congressman said, per NBC's Frank Thorp. “We have to get something out of this. And I don’t know what that even is.” Let that quote sink: Stutzman is admitting that conservatives don’t even know what they want out of this fight. As we said yesterday, the deeper a hole you did, the harder it is to get out because suddenly you get this war mentality where you can’t fathom “surrendering” to the other side’s terms. And what Boehner seems to be almost BEGGING Democrats for is a fig leaf of something so that Republicans can get “something” out of this. If there is a “something” that Democrats MIGHT offer, keep an eye on the medical-device tax. It’s a way for Senate Democrats to recruit Senate Republicans to make a statement to House Republicans. Reid can say it is NOT connected to the shutdown, but they pass it as a stand-alone, send it to the House, and let Boehner spin it any way he wants to simply get the government open.

#### Shutdown thumps

CBS News 10/5/13, "Government shutdown drags on; Congress to take Sunday off," http://www.cbsnews.com/8301-250\_162-57606174/government-shutdown-drags-on-congress-to-take-sunday-off/

With much of the federal government shut down for the fifth day, Congress has its hands full trying to reach an agreement on reopening the government, but one brief spot of compromise emerged on Friday, with Republicans and Democrats both voicing support for a proposal to restore back pay to federal employees who have been furloughed during the shutdown.¶ ¶ The House will vote Saturday on the measure before recessing until Monday. The vote is expected to pass with bipartisan support. Senate Democratic leaders have not commented publicly on the proposal, but the White House has signaled its strong support.¶ "Federal workers keep the Nation safe and secure and provide vital services that support the economic security of American families," a statement from the White House read. "The Administration appreciates that the Congress is acting promptly to move this bipartisan legislation and looks forward to the bill's swift passage."¶ Restoring back pay to federal workers is "something Congresses have done every time there's been a shutdown, and it's something bipartisan majorities support," White House spokesman Jay Carney added on Friday.¶ Given the administration's aversion to other bills that would address some of the impacts of the shutdown without reopening the entire government - an aversion that has been supported strongly by Senate Democrats - it is likely that the bill will clear the Senate as well and head to the president's desk.¶ Unfortunately, that is where the bipartisan agreement ends, for the most part.¶ The parties remain as far apart on Saturday as they have been for much of the week, with Democrats in the House and Senate calling for a "clean" bill to reopen the government with no strings attached, and Republicans demanding some kind of concession from Democrats on Obamacare before they consent to end the shutdown.

#### FERC thumps

Dixon 10/1

(Darius Dixon, Politico, “Obama FERC nominee Ron Binz withdraws amid coal pushback”, <http://www.politico.com/story/2013/10/ron-binz-ferc-nominee-withdraws-name-97623.html>, October 1, 2013)

President Barack Obama’s nominee to lead the Federal Energy Regulatory Commission abandoned his quest Tuesday, complaining that the fight over his confirmation had become a “blood sport” for partisan attacks and opponents backed by the coal industry. The collapse of Ron Binz’s nomination to lead the little-known agency was a stunning setback for Obama, who had succeeded in winning Senate confirmations for far more controversial nominees at Environmental Protection Agency, the Pentagon and the Labor Department. Continue Reading The consultant and career energy regulator had won over supporters from the green energy world — some of whom took the unusual step of hiring a public relations firm to advance his cause. But Binz said he couldn’t overcome a furious opposition campaign in which his record was “spun and respun” to make him appear biased against fossil fuels. “The caricature that they created had nothing to do with who I am and nothing to do with what I might’ve brought to FERC. It was just a blood sport,” Binz told POLITICO in his first extensive interview since Obama nominated him in June. “I came to Washington with this 35-year career behind me only to encounter a fictional Ron Binz, a fictional character that I didn’t recognize and I would never even support,” he added. Conservative and libertarian groups celebrated Binz’s withdrawal as a setback for Obama’s climate agenda, while his supporters lamented that partisan bickering had defeated a qualified candidate.

#### No link — the plan’s not controversial

Perera 6/26, SACS calls for new oversight of Cyber Command, David Perera is executive editor of the FierceMarkets Government Group, which includes FierceGovernment, FierceGovernmentIT, FierceHomelandSecurity, and FierceMobileGovernment. He has reported on all things federal since January 2004 and is co-author of [Inside Guide to the Federal IT Market](http://store.brightkey.net/mconcepts_ebiz/OnlineStore/ProductDetail.aspx?ProductId=201530), a book published in October 2012., <http://www.fiercegovernmentit.com/story/sasc-calls-new-oversight-cyber-command/2013-06-26>

The Senate Armed Services Committee says it has concerns that oversight of Cyber Command and the cyber mission within the Defense Departments "is fragmented and weak," calling for creation of a Senate-confirmed position within the undersecretary of defense for policy to supervise and manage the funds of offensive cyber forces.

**The Senate committee voted 23-3** on June 14 to report its version of the fiscal 2014 national defense authorization act ([S. 1197](http://hdl.loc.gov/loc.uscongress/legislation.113s1197)), detailing its intentions in a newly released legislative [report](http://www.gpo.gov/fdsys/pkg/CRPT-113srpt44/pdf/CRPT-113srpt44.pdf)(.pdf).

#### It’s super popular

Bradbury 11, Steven G. Bradbury is an attorney at the Washington, D.C office of [Dechert LLP](http://en.wikipedia.org/wiki/Dechert_LLP).

Bradbury was head of the [Office of Legal Counsel](http://en.wikipedia.org/wiki/Office_of_Legal_Counsel) (OLC) in the [United States Department of Justice](http://en.wikipedia.org/wiki/United_States_Department_of_Justice) during the [George W. Bush administration](http://en.wikipedia.org/wiki/George_W._Bush_administration), 2005-January 2009. Appointed the Principal Deputy Assistant Attorney General for OLC in April 2004, he became the Acting Assistant Attorney General in 2005. He was nominated by President [George W. Bush](http://en.wikipedia.org/wiki/George_W._Bush) to be the Assistant Attorney General for OLC in June 2005. His nomination was approved by the [Senate Judiciary Committee](http://en.wikipedia.org/wiki/Senate_Judiciary_Committee) in November 2005 but was never voted on by the full Senate, The Developing Legal Framework for Defensive and Offensive Cyber Operations, This speech was the Keynote address at the Harvard National Security Journal Symposium, <http://harvardnsj.org/wp-content/uploads/2011/02/Vol.-2_Bradbury_Final1.pdf>

Congressional reporting. The National Security Act also ¶ requires the President and DNI to ensure that the Intelligence Committees ¶ of the House and Senate are fully and currently informed of all intelligence ¶ and counterintelligence activities, to the extent consistent with the ¶ protection of sensitive sources and methods or other exceptionally sensitive ¶ matters.10¶ With respect to covert actions, the Act requires the President to ¶ report presidential findings supporting covert actions to the Intelligence ¶ Committees, but where the President determines that it’s essential because ¶ of “extraordinary circumstances affecting vital interests of the United ¶ States,” the President may limit access to the so-called “Gang of Eight” —¶ the chairs and ranking members of the two Intelligence Committees, the ¶ Speaker and minority leader of the House, and the majority and minority ¶ leaders of the Senate, along with whatever other congressional leaders the ¶ President chooses to include.11¶ The **committee chairs hate when briefings are limited to the Gang of Eight, because they catch hell from the members** of their committees who ¶ are outside the circle. So when former-Senator Obama first became President, there was hope among some in Congress that he would eliminate the Gang of Eight briefings. But when Congress proposed an Intelligence ¶ Authorization bill that would do just that, President **Obama threatened to veto** it. Once he became head of the Executive Branch, he clearly ¶ understood the importance of being able to limit the scope of briefings for ¶ the most sensitive matters. So the statute still allows for Gang of Eight ¶ briefings In contrast to these title 50 intelligence activities, military operations conducted under title 10 authorities are subject to oversight by the Armed Services Committees of Congress. (Title 10 of the U.S. Code governs DoD’s ¶ military authorities and the military command structure; title 50 governs the ¶ Intelligence Community and intelligence activities.)¶ And make no mistake, in the world of Washington, it really does ¶ matter whether an activity is characterized as covert action or a traditional ¶ military action because different Executive Branch departments or agencies ¶ will have ownership of the operation and different committees of Congress ¶ will have oversight jurisdiction, and they all jealously guard their respective ¶ domains.

#### Obama weak now

NPR 9/21, “Have Obama's Troubles Weakened Him For Fall's Fiscal Fights?” http://www.ideastream.org/news/npr/224494760

President Obama has had a tough year. He failed to pass gun legislation. Plans for an immigration overhaul have stalled in the House. He barely escaped what would have been a humiliating rejection by Congress on his plan to strike Syria.¶ Just this week, his own Democrats forced Larry Summers, the president's first choice to head the Federal Reserve, to withdraw.¶ Former Clinton White House aide Bill Galston says all these issues have weakened the unity of the president's coalition.¶ "It's not a breach, but there has been some real tension there," he says, "and that's something that neither the president nor congressional Democrats can afford as the budget battle intensifies."¶ Obama is now facing showdowns with the Republicans over a potential government shutdown and a default on the nation's debt. On Friday, the House voted to fund government operations through mid-December, while also defunding the president's signature health care law — a position that's bound to fail in the Senate.¶ As these fiscal battles proceed, Republicans have been emboldened by the president's recent troubles, says former GOP leadership aide Ron Bonjean.

#### If their PC internal link is true, Obama won’t fight the plan

Carlo Munoz 5/23/13, staff writer for defense and national security for the Hill, “Obama seeks to ramp down 9/11-era rules for war on terror,” http://thehill.com/blogs/defcon-hill/policy-and-strategy/301737-obama-seeks-to-ramp-down-911-rules-for-war-on-terror

But Obama argued in his address Thursday at the National Defense University that the law has expanded beyond its intent and should be repealed.¶ "I look forward to engaging Congress and the American people in efforts to refine, and ultimately repeal, the AUMF’s mandate," Obama said.¶ Obama argued that unless the 12-year-old rules are rewritten, Congress risked giving future presidents unbound powers.¶ “Unless we discipline our thinking and our actions, we may be drawn into more wars we don’t need to fight, or continue to grant presidents unbound powers more suited for traditional armed conflicts between nation states,” Obama said in arguing for the AUMF’s change.¶ “So I look forward to engaging Congress and the American people in efforts to refine, and ultimately repeal, the AUMF’s mandate,” he said. “And I will not sign laws designed to expand this mandate further. Our systematic effort to dismantle terrorist organizations must continue. But this war, like all wars, must end. That’s what history advises. That’s what our democracy demands.”¶ It seems unlikely Congress will approve legislation to change the rules of engagement, however, and it is unclear how hard Obama — already focused on immigration reform and distracted by a trio of controversies — will push on the issue.¶ Some Republicans argued Obama was weakening the U.S. war on terror with his proposals.¶ “I believe we are still in a long, drawn-out conflict with al Qaeda. To somehow argue that al Qaeda is ‘on the run,’ comes from a degree of un-reality to me that is really incredible,” said Sen. John McCain (R-Ariz.).¶ Violent al Qaeda affiliates in Yemen, West Africa, Libya and elsewhere that continue to plot attacks against the United States are proof positive the rules of engagement must remain intact, he said.¶ "To somehow think we can bring the [AUMF] to a complete closure contradicts the reality of the facts on the ground," McCain said. "Al Qaeda will be with us for a long time."¶ A former CIA officer argued the White House simply does not have the political capital to burn in order to get the counterterrorism rules changed.¶ "Congress is not going to allow [Obama] to move" on the rules changes or any of the other initiatives laid out by the president during Thursday's speech, Frederick Fleitz, a former CIA official, told The Hill on Thursday.¶ "I do not think the president is going to spend a lot of political capital on this," said Fleitz, who described Thursday's speech as being geared more toward preserving Obama's foreign policy legacy than actual changes in counterterrorism strategy.

#### PC low now---plan’s a win

Jill Lawrence 9-17**,** national correspondent at National Journal, September 17th, 2013, “Obama Says He’s Not Worried About Style Points. He Should Be,” National Journal, <http://www.nationaljournal.com/whitehouse/obama-says-he-s-not-worried-about-style-points-he-should-be-20130917>

In some ways Obama's fifth year is typical of fifth years, when reelected presidents aim high and often fail. But in some ways it is atypical, notably in the number of failures, setbacks, and incompletes Obama has piled up. Gun control and immigration reform are stalled. Two Obama favorites withdrew their names as potential nominees in the face of congressional opposition – Susan Rice, once a frontrunner for secretary of state, followed by Larry Summers, a top candidate to head the Federal Reserve. Secretary of State John Kerry's possibly offhand remark about Assad giving up his chemical weapons, and Putin's jump into the arena with a diplomatic proposal, saved him from almost certain defeat on Capitol Hill. Edward Snowden set the national security establishment on its heels, then won temporary refuge from … Putin. It's far from clear how that will be resolved.¶ And that's as true for the budget and debt-limit showdowns ahead.¶ Some of Obama's troubles are due to the intransigence of House conservatives, and some may be inevitable in a world far less black and white than the one Reagan faced. But the impression of ineffectiveness is the same.¶ "People don't like it when circumstances are dictating the way in which a president behaves. They want him to be the one in charge," says Dallek, who has written books about nine presidents, including Reagan and Franklin Roosevelt. "It's unfair… On the other hand, that's what goes with the territory. People expect presidents to be in command, and they can't always be in command, and the public is not forgiving."¶ Obama's job approval numbers remain in the mid-40s. The farther they fall below 50 percent, history suggests, the worse he can expect Democrats to do in the midterm House and Senate elections next year. Obama would likely be in worse trouble with the public, at least in the short term, if he had pushed forward with a military strike in Syria. In fact, a new Pew Research Center poll shows 67 percent approve of Obama's switch to diplomacy. But his journey to that point made him look weak and indecisive.¶ Indeed, the year's setbacks are accumulating and that is dangerous for Obama.¶ "At some point people make a collective decision and they don't listen to the president anymore. That's what happened to both Jimmy Carter and George W. Bush," Cannon says. "I don't think Obama has quite gone off the diving board yet in the way that Carter or Bush did … but he's close to the edge. He needs to have some successes and perceptions of success."

#### No impact – multiple factors check

FXStreet.com, 9/25

An investing website (“4 Reasons Why You Shouldn't Worry Over This Year's Debt Ceiling Deadline” <http://www.fxstreet.com/analysis/piponomics/2013/09/25/>)

The U.S. debt ceiling deadline may be looming like dark clouds over the market horizon, but I've found a few reasons why this issue might not be such a big deal after all.¶ 1. In 2011 the market was also dealing with:¶ Back when the debt ceiling issue popped up in 2011, risk appetite was really low since markets were also troubled by Greece's potential default, Portugal's and Japan's debt downgrades, the prospect of another global recession, plus ongoing riots in the U.K. Clearly, the global economy had more problems than a math book!¶ This time around though, market sentiment is much different as major economies like the euro zone, the U.K., and even Japan and China are all looking at optimistic economic growth prospects. With that, the debt ceiling issue might simply make a tiny dent in risk appetite.¶ 2. The Fed is still stimulating the markets.¶ In the FOMC statement last week, the Fed decided to keep supporting the U.S. economy by refusing to taper its monthly asset purchases. Aside from helping sustain the progress in lending and spending, this could eventually stimulate the global economy as it would also ensure healthy demand and robust trade activity.¶ 3. The Dollar Index is hinting at a repeat of history.¶ If you look at the USDX chart you'll see that the dollar fell 200 pips from mid-July until early August when the debt ceiling deadline was due. It then encountered support at the 74.00 psychological area and even reached the 80.00 area by October.¶ This time around the USDX is consolidating at the 81.00 support on the daily chart. If history is to repeat itself, then the 200-pip fall from early September has already run its course. Does this mean that we're about to see a dollar rally soon?¶ 4. We've seen this before.¶ In 2011 the U.S. government alleviated the markets' fears by raising the debt ceiling and promising to reduce future increases in government spending. Then, in 2013, they got over the fiscal cliff hurdle by passing a last-minute bill that includes a $600 billion tax revenue in a span of ten years. And then there's the budget sequestration issue, which has gone relatively smoothly since early this year despite the onslaught of criticism.

#### XO solves

Weisenyhal 9/30

(Joe Weisenthal 9/30, Executive Editor for Business Insider, “It Increasingly Looks Like Obama Will Have To Raise The Debt Ceiling All By Himself,” <http://www.businessinsider.com/it-increasingly-looks-like-obama-will-have-to-raise-the-debt-ceiling-all-by-himself-2013-9>)

With no movement on either side and the debt ceiling fast approaching, there's increasing talk that the solution will be for Obama to issue an executive order and require the Treasury to continue paying U.S. debt holders even if the debt ceiling isn't raised.¶ Here's Greg Valliere at Potomac Research:¶ HOW DOES THIS END? What worries many clients we talk with is the absence of a clear end-game. We think three key elements will have to be part of the final outcome: First, a nasty signal from the stock market. Second, a daring move from Barack Obama to raise the debt ceiling by executive order if default appears to be imminent. Third, a capitulation by Boehner, ending the shut-down and debt crisis in an arrangement between a third of the House GOP and virtually all of the Democrats. ¶ Valliere isn't the only one seeing this outcome.¶ Here's David Kotok at Cumberland Advisors:¶ We expect this craziness to last into October and run up against the debt limit fight. In the final gasping throes of squabbling, we expect President Obama to use the President Clinton designed executive order strategy so that the US doesn’t default. There will then ensue a protracted court fight leading to a Supreme Court decision. The impasse may go that far. This is our American way. “Man Plans and God Laughs” says the Yiddish Proverb.¶ Indeed, back in 2011, Bill Clinton said he'd raise the debt ceiling by invoking the 14th Amendment rather than negotiate with the House GOP.¶ This time around, again, Clinton is advising Obama to call the GOP's bluff.

#### No impact to econ decline

Miller 2k

(Morris, economist, adjunct professor in the University of Ottawa’s Faculty of Administration, consultant on international development issues, former Executive Director and Senior Economist at the World Bank, Winter, Interdisciplinary Science Reviews, Vol. 25, Iss. 4, “Poverty as a cause of wars?” p. Proquest)

The question may be reformulated. Do wars spring from a popular reaction to a sudden economic crisis that exacerbates poverty and growing disparities in wealth and incomes? Perhaps one could argue, as some scholars do, that it is some dramatic event or sequence of such events leading to the exacerbation of poverty that, in turn, leads to this deplorable denouement. This exogenous factor might act as a catalyst for a violent reaction on the part of the people or on the part of the political leadership who would then possibly be tempted to seek a diversion by finding or, if need be, fabricating an enemy and setting in train the process leading to war. According to a study undertaken by Minxin Pei and Ariel Adesnik of the Carnegie Endowment for International Peace, there would not appear to be any merit in this hypothesis. After studying ninety-three episodes of economic crisis in twenty-two countries in Latin America and Asia in the years since the Second World War theyconcluded that:19 Much of the conventional wisdom about the political impact of economic crises may be wrong ... The severity of economic crisis - as measured in terms of inflation and negative growth - bore no relationship to the collapse of regimes ... (or, in democratic states, rarely) **to** an outbreak of violence ... In the cases of dictatorships and semidemocracies, the ruling elites responded to crises by increasing repression (thereby using one form of violence to abort another).

#### Global economy’s resilient---learned lessons from ‘08

Daniel W. Drezner 12, Professor, The Fletcher School of Law and Diplomacy, Tufts University, October 2012, “The Irony of Global Economic Governance: The System Worked,” <http://www.globaleconomicgovernance.org/wp-content/uploads/IR-Colloquium-MT12-Week-5_The-Irony-of-Global-Economic-Governance.pdf>

It is equally possible, however, that a renewed crisis would trigger a renewed surge in policy coordination. As John Ikenberry has observed, “the complex interdependence that is unleashed in an open and loosely rule-based order generates some expanding realms of exchange and investment that result in a growing array of firms, interest groups and other sorts of political stakeholders who seek to preserve the stability and openness of the system.”103 The post-2008 economic order has remained open, entrenching these interests even more across the globe. Despite uncertain times, the open economic system that has been in operation since 1945 does not appear to be closing anytime soon.

#### PC is low and decreasing

Steinhauser, 9/26

CNN Political Editor (Paul, “Obama's support slips; controversies, sluggish economy cited” <http://www.cnn.com/2013/09/26/politics/cnn-poll-of-polls-obama/?hpt=po_c2>)

As he battles with congressional Republicans over the budget and the debt ceiling, and as a key component of his health care law kicks in, new polling suggests that President Barack Obama's standing among Americans continues to deteriorate.¶ The president's approval rating stands at 45%, according to a CNN average of four national polls conducted over the past week and a half. And a CNN Poll of Polls compiled and released Thursday also indicates that Obama's disapproval rating at 49%.¶ In the afterglow of his re-election and second inauguration, the percentage of those approving of Obama's job performance hovered in the low 50s as the year began, according to CNN Poll of Poll averages.¶ But his numbers slipped to the upper 40s by spring and now have edged down to the mid 40s. At the same time, his disapproval numbers have edged up from the low 40s to right around the 50% mark.¶ Anxiety and skepticism over the Affordable Care Act, better known as Obamacare, continuing concerns over the sluggish economy, and a drop in the president's approval on foreign policy -- once his ace in the hole -- all appear to be contributing to the slide of Obama's general approval rating.¶ "Not a precipitous drop, but more like a continued erosion in the president's numbers," says CNN Chief Political Correspondent Candy Crowley. "The Boston Marathon bombings, Edward Snowden's 'big brother' revelations, the 'non-coup' in Egypt, the 'now we bomb, now we don't' policy in Syria, an economic recovery that remains disappointing, the uncertainty of how/what will change under the new health care system, shall I go on?"¶ "It all adds up to an awful lot of uncertainty and unfairly or not, uncertainty tends to breed lower poll numbers for the guy in charge," added Crowley, anchor of CNN's "State of the Union."¶ Besides being the main indicator of a president's standing with the public, a presidential approval rating is a good gauge of his clout in dealing with Congress.¶ The drop in his numbers comes as the president pushes back against attempts by congressional Republicans to use deadlines to keep the federal government funded and to extend the nation's debt ceiling to try and defund the health care law.¶ A slew of national polls conducted this month indicate that a majority doesn't support shutting down the government in order to defund Obamacare.¶ But if the fight shifts to the debt ceiling, public opinion appears to turn against the president, who reiterated on Thursday that he will not negotiate with the GOP in Congress over extending the debt ceiling.

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## Deterrence DA

#### 1. Hegemony unsustainable—3 reasons

Christopher Layne is a Research Fellow with the Center on Peace and Liberty at The Independent Institute and Mary Julia and George R. Jordan Professorship of International Affairs at the George Bush School of Government and Public Service at Texas A&M University, July 26th 2011, http://www.tandfonline.com/doi/pdf/10.1080/09557571.2011.55849, “The unipolar exit: beyond the Pax American”; hhs-ab

In this article I challenge Brooks and Wohlforth. I show that the unipolar era already is visibly drawing to a close. Three main drivers explain the impending end of the Pax Americana. First, the rise of new great powers—especially China—is transforming the international system from unipolarity to multipolarity. Second, the United States is becoming the poster child for strategic over-extension, or as Paul Kennedy (1987) dubbed it, imperial overstretch. Third, the United States’ relative economic power is declining. In particular, mounting US ﬁscal problems and the dollar’s increasingly problematic role as the international ﬁnancial system’s reserve currency are undermining US hegemony. To comprehend why the Pax Americana is ending we need to understand the linkages among these trends, and how each has feedback effects on the others. After examining how these trends undermine the Brooks and Wohlforth argument for unipolar stability and the durability of US hegemony, I conclude by arguing that over the next two decades the Pax Americana’s end presages dramatic changes in international politics—the outlines of which already are visible.

#### 2. Heg doesn’t solve war

Benjamin H. Friedman, Research Fellow in Defense and Homeland Security Studies @ Cato Institute, July 20, 2010, http://www.cato.org/testimony/ct-bf-07202010.html, “Military Restraint and Defense Savings”

Another argument for high military spending is that U.S. military hegemony underlies global stability. Our forces and alliance commitments dampen conflict between potential rivals like China and Japan, we are told, preventing them from fighting wars that would disrupt trade and cost us more than the military spending that would have prevented war. The theoretical and empirical foundation for this claim is weak. It overestimates both the American military's contribution to international stability and the danger that instability abroad poses to Americans. In Western Europe, U.S. forces now contribute little to peace, at best making the tiny odds of war among states there slightly more so.7 Even in Asia, where there is more tension, the history of international relations suggests that without U.S. military deployments potential rivals, especially those separated by sea like Japan and China, will generally achieve a stable balance of power rather than fight. In other cases, as with our bases in Saudi Arabia between the Iraq wars, U.S. forces probably create more unrestthan they prevent. Our force deployments can also generate instability by prompting states to develop nuclear weapons

#### Causes prolif

Jervis 9 – Professor of international politics at Columbia University, Robert, World Politics, 61.1, Jan, MUSE

Failure would not mean that the system will soon cease being unipolar, however. Only if Europe truly unites (an increasingly distant prospect) could bipolarity be restored. Barring drastic internal instability, the PRC is likely to continue to rise but cannot be a global challenger in the foreseeable future. The most likely system-changing force is proliferation, and ironically unipolarity gives many states good reasons to seek nuclear weapons. Although allies sometimes doubted the American commitment during the cold war, the very strength of the Soviet Union meant that the U.S. would pay a high price if it did not live up to its promises to defend them. The unipole has more freedom of action. Even if the unipole’s costs of protecting others are lower, those states have less reason to be confident that it will stand by them forever. The existence of a security community does not entirely displace the fear of an uncertain future that is the hallmark of international politics. American enemies like North Korea and Iran face more immediate incentives to defend themselves, incentives that were increased but not created by the overthrow of Saddam’s regime. Indeed, the U.S. has spurred proliferation by stressing the danger posed by “rogue” states with nuclear weapons, treating North Korea much more gingerly than Iraq, and indicating that it can be deterred by even a few atomic bombs. Its very efforts to stop other countries from getting nuclear weapons imply that the consequences of their succeeding will be great, a belief that is questionable but could easily be self-fulfilling. Furthermore, regional domino effects are likely: a growing North Koreannuclear force could lead Japan to develop nuclear weapons, and if Iran continues its program others in the region may follow suit. Thus both American overexpansion and the fear that it will eventually withdraw will encourage others to get nuclear weapons. This raises the question of what would remain of a unipolar system in a proliferated world. The American ability to coerce others would decrease but so would its need to defend friendly powers that would now have their own deterrents.55 The world would still be unipolar by most measures and considerations, but many countries would be able to protect themselves, perhaps even against the superpower. How they would use this increased security is far from clear, however. They might intensify conflict with neighbors because they no longer fear all-out war, or, on the contrary, they might be willing to engage in greater cooperation [End Page 212] because the risks of becoming dependent on others would be reduced. In any event, the polarity of the system may become less important. Unipolarity—at least under current circumstances—may then have within it the seeds if not of its own destruction, then at least of its modification, and the resulting world would pose interesting challenges to both scholars and national leaders. [End Page 213]

#### extinction

Victor AUtgoff**,** Deputy Director of Strategy, Forces, and Resources Division of Institute for Defense Analysis, Summer 2002, Survival, p.87-90

In sum, widespread proliferation is likely to lead to an occasional shoot-out with nuclear weapons, and that such shoot outs will have a substantial probability of escalating to the maximum destruction possible with the weapons at hand. Unless nuclear proliferation is stopped, we are headed towards a world that will mirror the American Wild West of the late 1800s. With most, if not all, nations wearing nuclear “six shooters” on their hips, the world may even be a more polite place than it is today, but every once in a while we will all gather together on a hill to bury the bodies of dead cities or even whole nations.

#### Hegemony causes terrorism

Christopher Layne 06 Research Fellow @ the Independent Institute, Visiting Fellow in Foreign Policy Studies @ the Cato Institute (The Peace of Illusions: American Grand Strategy from 1940 to the Present, p. 190-1)

The events of 9/11 are another example of how hegemony makes the United States less secure than it would be if it followed an offshore balancing strategy. Terrorism, the RAND Corporation terrorism expert Bruce Hoffman says, is "about power: the pursuit of power, the acquisition of power, and use of power to achieve political change."86 If we step back for a moment from our horror and revulsion at the events of September 11, we can see that the attack was in keeping with the Clausewitzian paradigm of war: force was used against the United States by its adversaries to advance their political objectives. As Clausewitz observed, "War is not an act of senseless passion but is controlled by its political object."88 September 11 represented a violent counterreaction to America's geopolitical-and cultural-hegemony. As the strategy expert Richard K. Betts presciently observed in a 1998 Foreign Affairs article: It is 'hardly likely that Middle Eastern radicals would be hatching schemes like the destruction of the World Trade Center if the United States had not been identified so long as the mainstay of Israel, the shah of Iran, and conservative Arab regimes and the source of a cultural assault on Islam.89 U.S. hegemony fuels terrorist groups like al Qaeda and fans Islamic fundamentalism, which is a form of "blowback" against America's preponderance and its world role.90 As long as the United States maintains its global hegemony-and its concomitant preeminence in regions like the Persian Gulf-it will be the target of politically motivated terrorist groups like al Qaeda. After 9/11, many foreign policy analysts and pundits asked the question, "Why do they hate us?" This question missed the key point. No doubt, there are Islamic fundamentalists who do "hate" the United States for cultural, religious, and ideological reasons. And even leaving aside American neoconservatives' obvious relish for making it so, to some extent the war on terror inescapably has overtones of a "clash of civilizations:' Still, this isn't-and should not be allowed to become-a replay of the Crusades. Fundamentally 9/11 was about geopolitics, specifically about U.S. hegemony. The United States may be greatly reviled in some quarters of the Islamic world, but were the United States not so intimately involved in the affairs of the Middle East, it's hardly likely that this detestation would have manifested itself in something like 9/11. As Michael Scheurer, who headed the CIA analytical team monitoring Osama bin Laden and al Qaeda, puts it, "One of the greatest dangers for Americans in deciding how to confront the Islamist threat lies in continuing to believe-at the urging of senior U.S. leaders-that Muslims hate and attack us for what we are and think, rather than for what we do."91 It is American policies-to be precise**,** American hegernony-that makes the United States a lightning rod for Muslim anger.

#### Terrorism causes extinction

Alexander, professor and director of the Inter-University for Terrorism Studies 2003 (Yonah;) “Terrorism myths and realities” Washington Times 8/28 l/n WBW

Last week's brutal suicide bombings in Baghdad and Jerusalem have once again illustrated dramatically that the international community failed, thus far at least, to understand the magnitude and implications of the terrorist threats to the very survival of civilization itself. Even the United States and Israel have for decades tended to regard terrorism as a mere tactical nuisance or irritant rather than a critical strategic challenge to their national security concerns. It is not surprising, therefore, that on September 11, 2001, Americans were stunned by the unprecedented tragedy of 19 al Qaeda terrorists striking a devastating blow at the center of the nation's commercial and military powers. Likewise, Israel and its citizens, despite the collapse of the Oslo Agreements of 1993 and numerous acts of terrorism triggered by the second intifada that began almost three years ago, are still "shocked" by each suicide attack at a time of intensive diplomatic efforts to revive the moribund peace process through the now revoked cease-fire arrangements [hudna]. Why are the United States and Israel, as well as scores of other countries affected by the universal nightmare of modern terrorism surprised by new terrorist "surprises"? There are many reasons, including misunderstanding of the manifold specific factors that contribute to terrorism's expansion, such as lack of a universal definition of terrorism, the religionization of politics, double standards of morality, weak punishment of terrorists, and the exploitation of the media by terrorist propaganda and psychological warfare. Unlike their historical counterparts, contemporary terrorists have introduced a new scale of violence in terms of conventional and unconventional threats and impact. The internationalization and brutalization of current and future terrorism make it clear we have entered an Age of Super Terrorism [e.g. biological, chemical, radiological, nuclear and cyber] with its serious implications concerning national, regional and global security concerns.

#### 6. Sustaining hegemony causes war with China

Christopher Layne 07 Research Fellow @ the Independent Institute, Visiting Fellow in Foreign Policy Studies @ the Cato Institute (American Empire: A Debate, p. 72-4)

The Bush II administration has not entirely abandoned engagement with Beijing, but—more openly than the Bush I and Clinton administrations—it has embraced containment of China as an alternative to engagement. Given the influence of neoconservative foreign policy intellectuals on the administration’s grand strategy, this is unsurprising. After all, during the 1990s, leading neoconservatives were part of the so-called Blue Team of anti-China hardliners in the foreign policy community.' Containment is a strategy that emphasizes using the traditional hard power tools of statecraft to prevent China’s great power emergence and maintain American primacy!' The heart of containment, however, lies in military power and alliance diplomacy. What, specifically, do primacists mean when they call for China's containment? First, they want the United States to pledge explicitly to defend Taiwan from Chinese attack and also to help Taiwan build up its own military capabilities. Primacists believe that the United States should not back away from confronting China over Taiwan and, indeed, they would like the United States to provoke such a showdown. They also want the United States to emulate its anti-Soviet Cold War strategy by assembling a powerful alliance of states that share a common interest in curbing rising Chinese power. As part of such a strategy, the United States should tighten its security relationship with Japan and invest it with an overtly anti-Chinese mission. Needless to say, primacists are determined that the United States maintain its conventional and nuclear military superiority over China. Indeed, with respect to nuclear weapons, as Keir Lieber and Daryl Press have pointed out in an important Foreign Affairs article, the United States currently has an overwhelming nuclear first-strike capability against China, which will be augmented by the national ballistic missile defense system that the United States currently is deploying. Even if Beijing switches its military modernization priorities from its current conventional defense buildup to the enhancement of its strategic nuclear deterrent, it will take some time before China could offset the first-strike capability that the United States possesses. Advocates of containment hope that the various measures encompassed by this strategy will halt China's rise and preserve American primacy.73 However, as one leading proponent of containment argues, if these steps fail to stop China's great power emergence, "the United States should consider harsher measures."" That is, before its current military advantage over China is narrowed, the United States should launch a preventive war to forestall China's emergence as a peer competitor. Of course, in the abstract, preventive war always has been an option in great powers' strategic playbooks—typically as a strategy that declining great powers employ against rising challengers. However, it also is a strategy that also can appeal to a dominant power that still is on top of its game and is determined to squelch potential challengers before they become actual threats. In fact, preventive war (along with preemptive military strikes) is the grand strategic approach of the Bush II administration, as set out in its 2002 National Security Strategy (and reaffirmed by the administration in its 2006 National Security Strategy), and in policy statements by senior administration officials (including President George W. Bush himself). There is nothing in the logic of the administration's grand strategy doctrines of preventive war and preemptive action that suggests that it is applicable only to terrorist groups like al Qaeda and so-called rouge states (like Iran and North Korea). If anything, preventive strategies should be most appealing with respect to potential rivals like China—those who could become peer competitors of the United States. Here, the pramacists' fixation on defending Taiwan suggests that an American commitment to that island's defense is valued most because it could afford Washington a possible pretext to take on China in a preventive war. To be sure, the United States should not ignore the potential strategic ramifications of China's arrival on the world stage as a great power. After all, the lesson of history is that the emergence of new great powers in the international system leads to conflict, not peace. On this score, the notion—propagated by Beijing—that China's will be a "peaceful rise" is just as fanciful as claims by American policy-makers that China has no need to build up its military capabilities because it is unthreatened by any other state. Still, this does not mean that the United States and China inevitably are on a collision course that will culminate in the next decade or two in a war. Whether Washington and Beijing actually come to blows, however, depends largely on what strategy the United States chooses to adopt toward China, because the United States has the "last clear chance" to adopt a grand strategy that will serve its interests in balancing Chinese power without running the risk of an armed clash with Beijing. If the United States continues to aim at upholding its current primacy, however, Sino-American conflict is virtually certain.

#### China War causes Extinction

Straits Times, 2k (6/25, “Regional Fallout: No one gains in war over Taiwan,” lexis)

THE high-intensity scenario postulates a cross-strait war escalating into a full-scale war between the US and China. If Washington were to conclude that splitting China would better serve its national interests, then a full-scale war becomes unavoidable. Conflict on such a scale would embroil other countries far and near and -- horror of horrors -- raise the possibility of a nuclear war. Beijing has already told the US and Japan privately that it considers any country providing bases and logistics support to any US forces attacking China as belligerent parties open to its retaliation. In the region, this means South Korea, Japan, the Philippines and, to a lesser extent, Singapore. If China were to retaliate, east Asia will be set on fire. And the conflagration may not end there as opportunistic powers elsewhere may try to overturn the existing world order. With the US distracted, Russia may seek to redefine Europe's political landscape. The balance of power in the Middle East may be similarly upset by the likes of Iraq. In south Asia, hostilities between India and Pakistan, each armed with its own nuclear arsenal, could enter a new and dangerous phase. Will a full-scale Sino-US war lead to a nuclear war? According to General Matthew Ridgeway, commander of the US Eighth Army which fought against the Chinese in the Korean War, the US had at the time thought of using nuclear weapons against China to save the US from military defeat. In his book The Korean War, a personal account of the military and political aspects of the conflict and its implications on future US foreign policy, Gen Ridgeway said that US was confronted with two choices in Korea -- truce or a broadened war, which could have led to the use of nuclear weapons. If the US had to resort to nuclear weaponry to defeat China long before the latter acquired a similar capability, there is little hope of winning a war against China 50 years later, short of using nuclear weapons. The US estimates that China possesses about 20 nuclear warheads that can destroy major American cities. Beijing also seems prepared to go for the nuclear option. A Chinese military officer disclosed recently that Beijing was considering a review of its "non first use" principle regarding nuclear weapons. Major-General Pan Zhangqiang, president of the military-funded Institute for Strategic Studies, told a gathering at the Woodrow Wilson International Centre for Scholars in Washington that although the government still abided by that principle, there were strong pressures from the military to drop it. He said military leaders considered the use of nuclear weapons mandatory if the country risked dismemberment as a result of foreign intervention. Gen Ridgeway said that should that come to pass, we would see the destruction of civilisation. There would be no victors in such a war. While the prospect of a nuclear Armageddon over Taiwan might seem inconceivable, it cannot be ruled out entirely, for China puts sovereignty above everything else.

## Politics

#### Won’t pass---GOP spending cuts strategy

Bloomberg 10-3 – Bloomberg News, 12:43PM ET, 10/3/13, “Republicans Said to Plan Debt-Limit Measure Amid Shutdown,” http://www.bloomberg.com/news/2013-10-03/republicans-said-to-plan-debt-limit-measure-amid-shutdown.html

House Majority Leader Eric Cantor of Virginia indicated that Republicans and Democrats should negotiate their differences on government spending and increasing the nation’s borrowing authority at one time.¶ Republicans want to “sit down and talk to resolve our differences” on both issues, Cantor told reporters today at the U.S. Capitol.¶ House Republican leaders are weighing their next move in a standoff that has shut down the government and risks a U.S. default in two weeks.¶ They plan to bring up a measure to raise the U.S. debt-limit as soon as next week as part of a new attempt to force President Barack Obama to negotiate on the budget, according to three people with knowledge of the strategy.¶ The approach would merge the disputes over ending the partial government shutdown and raising the debt ceiling into one fiscal fight.¶ “I’d like to get one agreement and be done,” House Majority Whip Kevin McCarthy told reporters yesterday without offering details.¶ Cantor didn’t provide details on when Republicans will introduce a measure to raise the debt ceiling. Leaders will meet with rank-and-file members behind closed doors tomorrow morning to discuss the next move.¶ No Incentive¶ Republican leaders are attempting to pair their party’s priorities with a debt-limit increase, a plan they shelved last month to focus on a stopgap measure to fund the government in the new fiscal year. The goal is to have a bill ready in the coming days, even without resolving the partial government shutdown, according to a Republican lawmaker and two leadership aides who asked not to be identified to discuss the strategy.¶ There’s no incentive for the Republican-controlled House to take up a Senate-passed short-term measure without add-ons because many lawmakers don’t yet feel the effects of the government shutdown now in its third day, the people said.

#### GOP would view the plan as a concession – guarantees a deal

Shane 13

(Peter M. Shane, Jacob E. Davis and Jacob E. Davis II Chair in Law at the Ohio State University's Moritz College of Law, “Using the Syria Debate to Launch War Powers Reform” 09/09/2013, <http://www.huffingtonpost.com/peter-m-shane/using-the-syria-debate-to_b_3881124.html>, KB)

The Republicans are divided between "military hawks" and "neo-isolationists." The former are conservatives persuaded that radical Islamists have taken the place of Communists as a persistent, ubiquitous global enemy and that nearly unfettered presidential military discretion is essential to defeat their cause; the latter, like presidentialism skeptics, doubt the utility of U.S. military interventions and are inclined to resist international deployments because of their fiscal, as well as geopolitical consequences.¶ A legislative project to reinvigorate the cycle of accountability could potentially unite the neo-isolationists and presidentialism skeptics. It is noteworthy also that the draft Use of Force Act would have gone beyond the War Powers Resolution in legitimating presidential military initiative. It would authorize the President to use force, in conformity with the Act, to forestall imminent acts of terrorism and to protect internationally recognized rights of innocent and free passage in the air and on the seas. Providing explicit Congressional sanction for presidential action aimed at such purposes might win the support of both the humanitarian interventionists and perhaps even some military hawks.