## 1AC

Same as rd 1

## 2AC

### T – All Parts

#### **We meet their first interp – we are a restriction on a type of OCO**

#### Restrict is to check free activity — they confuse it with restraint

**Oklahoma Attorney General**Opinions - 3/19/200**4**, Question Submitted by: The Honorable Mark Campbell, District Attorney, 19th District; The Honorable Jay Paul Gumm, State Senator, District 6, 2004 OK AG 7, [http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=43849](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=438494)

Accordingly, we must look to the plain and ordinary meaning of the term.*Webster's New International Dictionary*defines restrictions as follows: "something that restricts" and "a regulation that restricts or restrains." *Id.* at 1937 (3d ed. 1993). Restrict is defined as follows: "to set bounds or limits to: hold within bounds: as a : to check free activity, motion, progress, or departure." Id. Restrain is defined as to "prevent from doing something." *Id.* at 1936. Therefore, as used in Section 1125, "restrictions" is meant to describe those conditions of parole or probation which are intended to restrain or prevent certain conduct of the person subject thereto.

**Their UN evidence defines “activities in the area of” referring to a physical area – that’s distinct from “authority in the area of”**

#### **We meet their authority interp**

#### **C/I - Area means a field**

American Heritage Dictionary 2k

(<http://www.thefreedictionary.com/area>)

area

1. A roughly bounded part of the space on a surface; a region: a farming area; the New York area.

2. A surface, especially an open, unoccupied piece of ground: a landing area; a playing area.

3. A distinct part or section, as of a building, set aside for a specific function: a storage area in the basement.

4. A division of experience, activity, or knowledge; a field: studies in the area of finance; a job in the health-care area.

5. An open, sunken space next to a building; an areaway.

6. Abbr. A The extent of a planar region or of the surface of a solid measured in square units.

7. Computer Science A section of storage set aside for a particular purpose.

**We’re substantial – that’s sufficient**

**Overlimits – 4 possible affs, destroys aff innovation, no offense against the XO CP**

#### They over-limit — the War Powers Resolution wouldn’t be topical

**No link to limits – substantially and the executive CP both check**

**No link to ground loss – always have DAs based on statuatory or judicial action, and the rez focuses your research on areas**

**No link to bidirect – tradeoff advantages can expand war powers, that’s inevitable under your interp**

**Reason**

#### Be reasonable — good is good enough — competing interpretations is infinitely regressive and crowds out substance — justifies counter-interpretation only our case is topical and counter-interpretation their interp + our aff

### T - authority

#### We meet — we remove covert OCOs as an option for the President

**We meet – overturns the past law which provides the president the title 10/title 50 loophole**

#### It’s a check on presidential power

**Gaul 8**, Matthew J. Gaul is a partner in Steptoe’s New York office.  A former insurance regulator and securities enforcement attorney for the state of New York, Mr. Gaul represents insurance companies and other financial institutions in government investigations and complex regulatory matters, <http://faculty.lls.edu/manheim/ns/gaul2.htm>

The president may circumvent the specified waiting period by stating in his certification that a state of emergency exists which requires immediate approval of the exports.87 The emergency certification must also set forth "a detailed justification for his determination, including a description of the emergency circumstances which necessitate the immediate issuance of the export license and a discussion of the national security interests involved."88
The final **check on presidential regulatory power** in this area was added in 1996. The new provision requires the president to publish the above certifications in the federal register upon transmittal to the Speaker of the House and Chair of the Foreign Relations Committee.89 This public notification requirement only applies to major arms licenses for export deals totaling $50 million or more.

#### c/a interp from other T

**not extra T – words of the resolution in the plan text, just specifying what type**

#### They create worse limits — allows ban a certain type of drone in one country —

**Wouldn’t meet increase – overturning a law isn’t a direct increase, means our aff is the only topical version of your aff**

#### Be reasonable — good is good enough — competing interpretations is infinitely regressive and crowds out substance — justifies counter-interpretation only our case is topical and counter-interpretation their interp + our aff

### 2AC XO CP

#### Counter plans can’t fiat the object of the resolution — it divorces debate from real-world lit since fiat resolves solvency deficits and moots the 1AC

**DAs to the CP –**

**1) Miscalc – uncertainties of unitary control cause miscalculation. Perception that OCO framework can be changed by Obama causes misperception and nuclear escalation – that’s Rothschild**

**2) Alliances – perception of legal legitimacy is key or abuses devastate allied cooperation — executive control creates an illegitimate legal framework — Abhu Ghraib proves — that’s Dunlap, causes NK nuclear collapse and China war**

#### **It gets rolled back — also can’t solve legal norms**

Swanson 9, Chair of accountability and prosecution working group of United for Peace and Justice

(David, 1/25, Dangerous Executive Orders, www.opednews.com/articles/Dangerous-Executive-Orders-by-David-Swanson-090125-670.html)

The Center for Constitutional Rights has expressed concern that President Obama's executive order banning torture may contain a loophole. But no president has any right to declare torture legal or illegal, with or without loopholes. And if we accept that presidents have such powers, even if our new president does good with them, then loopholes will be the least of our worries. Torture is, and has long been, illegal in every case, without exception. It is banned by our Bill of Rights, the Universal Declaration of Human Rights, the Geneva Convention relative to the Treatment of Prisoners of War, the International Covenant on Civil and Political Rights, the Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, and Title 18, U.S. Code, Section 2340A. Nothing any president can do can change this or unchange it, weaken it or strengthen it in any way. Preventing torture does not require new legislation from Congress or new orders from a new president. It requires enforcing existing laws. In fact, adherence to the Convention Against Torture, which under Article VI of our Constitution is the supreme law of the land, requires the criminal prosecution of torturers and anyone complicit in torture. Most of the seemingly noble steps taken by Congress in recent years and by President Obama in his first week have served to disguise the fact that torture always was, still is, and shall continue to be illegal. In 2005, John McCain championed the McCain Detainee Amendment to the Defense Appropriations bill for 2005, which passed the Congress and was signed into law by President Bush. This was yet another law banning torture. It was not needed, but no harm done, right? Wrong. Passing laws like this serves to create the illusion that torture was previously legal. And that allows the new laws to create exceptions. In fact, McCain allowed a major loophole for the CIA. And that would have been bad enough. But President Bush tacked on a "signing statement" throwing out the entire ban on torture. So, with Congress trying to ban torture, and the president eliminating the ban, people could hardly be blamed for believing torture was legal. President Bush also signed executive orders and ordered the creation of legal opinions claiming that torture was legal. President Obama's new order revokes one of Bush's. But Obama has no more right to undo the legalization of torture than Bush had to legalize it in the first place. Only Congress has or should have the power to legislate. Obama's new order requires adherence to laws, rather than claiming the right to violate them, and yet there is a wide gap between publishing an order requiring adherence to the laws and actually enforcing the laws by indicting violators. The same order that President Obama uses to ban torture also orders the closure of all CIA detention facilities. Congress never authorized the creation of such things in the first place. Ordering their closure is the right thing to do. But if a president can give the order to close them, what is to prevent another president giving the order to reopen them? The answer should be all of the laws and treaties violated. Obama's executive order largely orders the government to cease violating various laws. But in so doing, rather than strengthening the laws, the new president weakens them almost to the point of nonexistence. For, what power does a law have to control behavior if it is never enforced? What deterrent value can be found in a law the violation of which results merely in a formal order to begin obeying it? And what status are we supposed to give all the other violated laws for which no such formal orders have been given?

#### Congress key to norms –

**1) Stable framework – k2 framework that’s perceived as verifiable, Congress must define the rules for itself to “own the game” that’s Lorber, Harmon, and Rothschild,**

**2) Reassurance – presidents push the envelope, other countries perceive executive action as insincere — only Congressionally initiated statutory requirements can re-assure, that’s Dycus**

**3) Starting point – Congress must start the discussion, otherwise perceived as reactionary and subject to executive whim, that’s Hansen**

**Absent norms arms race and instability are inevitable**

#### Perm — do both

#### Congress is key to transparency

**Butler 4/26, Appellate Advocacy Counsel for the Electronic Privacy Information Center**, When Cyberweapons End Up On Private Networks: Third Amendment Implications for Cybersecurity Policy, <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2257078>

A. Authority: **Congress Must Be Involved in Establishing Any Framework for the Authorization of Cyberoperations** Given that the Third Amendment requires war-time quartering be conducted “in a manner to be prescribed by law,”223 Congress must have a role in establishing the framework used to authorize any offensive cyberoperation. This legislative involvement would not only ensure that all cyberoperations have adequate legal authorization but it would also promote the broader goals of transparency and cooperation that the President has emphasized throughout this process. So far Congress has focused its energy on perceived problems rather than real solutions.224 A debate raged in the 112th Congress over whether to let DHS or NSA take the lead on a proposed information-sharing environment.225 This turf war was quite tangential from the problems of substandard security for critical systems and a lack of legal clarity as to the role of each government agency in responding to an external threat or strategic opportunity.226 The only congressional involvement in developing a cybersecurity framework so far has been its brief affirmance in the 2012 National Defense Authorization Act227 that the President may conduct “operations in cyberspace” subject to the traditional legal regimes applicable to kinetic warfare.228 Congress’s active role in setting our nation’s military actions in cyberspace is the only way to have a national dialogue and to avoid relying on secret legal interpretations about important national security matters. The President took steps to begin a national dialogue when he issued an Executive Order on the same day as the 2013 State of the Union Address.229 The Executive Order focused on improving critical infrastructure cybersecurity while promoting privacy, civil liberties, and the economy.230 The Order also provided for sharing of “cyber threat information” from executive branch agencies to private sector entities,231 and the development of a framework by the National Institute of Standards and Technology (NIST) to establish baseline security standards for government agencies and critical infrastructure companies.232 The Order also required that privacy and civil liberties protections be incorporated into the cybersecurity program and that the Chief Privacy Officer of DHS assess the privacy risks and publish a report.233 The Executive Order did not address the “information sharing environment” proposed in Congress during 2012 and again in 2013.234 The Order also did not address the legal determination of when and how cyberoperations can be authorized, which has apparently already been made in an internal executive-branch memorandum.235 The President’s Executive Order is a step in the right direction but it **does not provide sufficient authority** for cyberoperations that could intrude upon civilian systems; **only Congress can authorize such quartering**.

#### Transparency’s key to Russian relations and developing global cybersecurity

**Ibrahim, Research Intern at CSIS, 13**, Karina G. Ibrahim is a research intern with the Russia and Eurasia Program at the Center for Strategic and International Studies and a recent graduate from the University of North Carolina at Chapel Hill. <http://csis.org/blog/arms-race-cyber-space-us-russian-relations-and-prospects-cyber-warfare>

In the month of June, the already strained U.S.-Russia relationship has once again been tested by developments in the cybersecurity field. Amidst cyber-attacks against the United States [purportedly emanating from Russia](http://en.rian.ru/russia/20130222/179615523.html) and the damaging revelations from U.S. former security contractor Edward Snowden, the two countries face difficulties in establishing cyber defense partnerships due to the legacy of mistrust and diverging national interests. However, U.S. cooperation with Russia[n advanced cyber actor](http://www.intelligence.senate.gov/130312/clapper.pdf), is **necessary to effectively manage cyber conflict**. Through the development of sustainable bilateral relations, U.S. and Russia can begin to invest in confidence-building and increase transparency to address the emergence of cybersecurity threats.

The failure of a U.S.-Russia cybersecurity partnership to develop stems from a history of mistrust, further exacerbated by the ongoing allegations of cyber-attacks and cyber-espionage (collectively referred to as cyberwarfare).

[An increase in network probes and hacking attempts](http://www.intelligence.senate.gov/130312/clapper.pdf) suggests that Russia is either attempting to carry out cyber-intrusions against U.S. systems, or at least sanctioning such acts. Recently, [the Office of the National Counterintelligence Executive indicated](http://www.ncix.gov/publications/reports/fecie_all/Foreign_Economic_Collection_2011.pdf) that “Russia’s intelligence services are conducting a range of activities to collect economic information and technology from U.S. targets.” However, the Russian government denies involvement in these alleged cyber-intrusions.

Similarly, recent developments in the Snowden case have undermined the potential for mutual cooperation. Snowden’s revelations about American cyber-espionage on its allies and other states have angered a number of European allies and raised questions about the goals of U.S. surveillance programs. These revelations, alongside Russia’s alleged offensive cyber activities, have reduced already low levels of trust between the U.S. and Russia and have stalled the development of a successful cyber defense initiative to mitigate global cybersecurity challenges.

#### Relations solve nuclear war

Allison & Blackwill 11, Fellow for Foreign Policy @ Council on Foreign Relations

[Graham, director of the Belfer Center for Science and International Affairs at Harvard’s Kennedy School, former assistant secretary of defense in the Clinton administration, Robert D., Henry A. Kissinger senior fellow for U.S. foreign policy -- Council on Foreign Relations, served as U.S. ambassador to India and as deputy national security adviser for strategic planning in the Bush administration, both co-chairmen of the Task Force on Russia and U.S. National Interests, co-sponsored by the Belfer Center and the Center for the National Interest, 10-30-11 Politico, “10 reasons why Russia still matters,” <http://dyn.politico.com/printstory.cfm?uuid=161EF282-72F9-4D48-8B9C-C5B3396CA0E6>]

That central point is that Russia matters a great deal to a U.S. government seeking to defend and advance its national interests. Prime Minister Vladimir Putin's decision to return next year as president makes it all the more critical for Washington to manage its relationship with Russia through coherent, realistic policies. No one denies that Russia is a dangerous, difficult, often disappointing state to do business with. We should not overlook its many human rights and legal failures. Nonetheless, Russia is a player whose choices affect our vital interests in nuclear security and energy. It is key to supplying 100,000 U.S. troops fighting in Afghanistan and preventing Iran from acquiring nuclear weapons. Ten realities require U.S. policymakers to advance our nation's interests by engaging and working with Moscow. First, Russia remains the **only nation that can erase the United States from the map in 30 minutes**. As every president since John F. Kennedy has recognized, Russia's cooperation is critical to averting nuclear war. Second, Russia is our most consequential partner in preventing nuclear terrorism. Through a combination of more than $11 billion in U.S. aid, provided through the Nunn-Lugar Cooperative Threat Reduction program, and impressive Russian professionalism, two decades after the collapse of the “evil empire,” not one nuclear weapon has been found loose. Third, Russia plays an essential role in preventing the proliferation of nuclear weapons and missile-delivery systems. As Washington seeks to stop Iran's drive toward nuclear weapons, Russian choices to sell or withhold sensitive technologies are the difference between failure and the possibility of success. Fourth, Russian support in sharing intelligence and cooperating in operations remains essential to the U.S. war to destroy Al Qaeda and combat other transnational terrorist groups. Fifth, Russia provides a vital supply line to 100,000 U.S. troops fighting in Afghanistan. As U.S. relations with Pakistan have deteriorated, the Russian lifeline has grown ever more important and now accounts for half all daily deliveries. Sixth, Russia is the world’s largest oil producer and second largest gas producer. Over the past decade, Russia has added more oil and gas exports to world energy markets than any other nation. Most major energy transport routes from Eurasia start in Russia or cross its nine time zones. As citizens of a country that imports two of every three of the 20 million barrels of oil that fuel U.S. cars daily, Americans feel Russia’s impact at our gas pumps. Seventh, Moscow is an important player in today’s international system. It is no accident that Russia is one of the five veto-wielding, permanent members of the U.N. Security Council, as well as a member of the G-8 and G-20. A Moscow more closely aligned with U.S. goals would be significant in the balance of power to shape an environment in which China can emerge as a global power without overturning the existing order

. Eighth, Russia is the largest country on Earth by land area, abutting China on the East, Poland in the West and the United States across the Arctic. This territory provides transit corridors for supplies to global markets whose stability is vital to the U.S. economy. Ninth, Russia’s brainpower is reflected in the fact that it has won more Nobel Prizes for science than all of Asia, places first in most math competitions and dominates the world chess masters list. The only way U.S. astronauts can now travel to and from the International Space Station is to hitch a ride on Russian rockets. The co-founder of the most advanced digital company in the world, Google, is Russian-born Sergei Brin. Tenth, Russia’s potential as a spoiler is difficult to exaggerate. Consider what a Russian president intent on frustrating U.S. international objectives could do — from stopping the supply flow to Afghanistan to selling S-300 air defense missiles to Tehran to joining China in preventing U.N. Security Council resolutions. So next time you hear a policymaker dismissing Russia with rhetoric about “who cares?” ask them to identify nations that matter more to U.S. success, or failure, in advancing our national interests.

#### Russian cyber security stops nuclear war

Schaap 9, major stationed at the Directorate of Legal Services

(Arie J., B.A., University of North Dakota (1995); J.D., California Western School of Law (1999); LL.M., George Washington University (2008), “CYBERLAW EDITION: CYBER WARFARE OPERATIONS: DEVELOPMENT AND USE UNDER INTERNATIONAL LAW” Air Force Law Review 64 A.F. L. Rev. 121, Lexis)

As states begin to focus their energies on developing doctrine and weapons for conducting cyber warfare operations, it is essential that we move beyond just the realization that cyberspace is an important new battleground for conducting warfare operations and recognize the need to come to an understanding of what rules regulate this new battlefield. One commentator noted: The rapid advancement of cyber attacks and the emergence of cyber warfare have caught government [\*124] and military leaders around the world off guard. Decision making in time requiring defensive measures or military crisis is guided by doctrine and rules of engagement, but in the case of cyber attacks and cyber warfare they do not currently exist. n8 For over a century, states have developed rules of international law, such as the Geneva Conventions, which seek to avoid war or minimize human suffering when conflicts occur. n9 Additionally, as new technologies emerge, states have drafted new sets of laws, such as treaties restricting biological, chemical and laser weapons. n10 Yet governments have so far resisted calls to craft new rules of international law to govern attacks on or by computers. n11 As a result, current international law does not explicitly address cyber warfare. n12 However, the fact that a particular military activity is not specifically regulated does not mean it can be used without restrictions. n13 While the international community remains unsettled on whether cyber techniques are legally considered weapons and whether cyber attacks can be considered legitimate acts of armed conflict, n14 the denial of service (DoS) attacks against Estonia in 2007 and Georgia in 2008 illustrate that this new form of warfare is operational and also reinforces the need to develop a better understanding of how international law relates to cyber warfare. Without such an understanding, this emerging form of warfare will create uncertainties as to the legality of certain acts; this uncertainty has the potential to then escalate tensions and intensify military operations beyond the cyber domain. For example, more than one senior Russian military official supported the notion that "the use of Information Warfare against Russia or its armed forces will categorically not be considered a non-military phase of a conflict whether there were casualties or not" n15 and that "Russia retains the right [\*125] to use nuclear weapons first against the means and forces of information warfare, and then against the aggressor State itself." n16

#### Perm — do the counter plan

#### They cause delays

**Mayer 1** (Kenneth, Proff. Of Polt. Science Univ. of Wisconsin, Princeton Univ., “With the

Stroke of a Pen: Executive Orders and Presidential Power”, p. 61, http://www.questiaschool.com/read/103282967?title=With%20the%20Stroke%20of%20a%20Pen%3a%20Executive%20Orders%20and%20Presidential%20Power) CBC

In contemporary practice, executive orders typically either originate from the advisory structures within the Executive Office of the President or percolate up from executive agencies desirous of presidential action. For particularly complex or far-reaching orders, the White House will solicit comment and suggestions from affected agencies on wording and substantive content. Simple executive orders navigate this process in a few weeks; complex orders can take years, and can even be derailed over an inability to obtain the necessary consensus or clearances**.**

### 2AC AT: Brecher CP

#### Perm do the counter plan — it’s an example of how the aff can be implemented — their author

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

This Part argues that **the federal government** should adopt the presumption that cyberattacks will be carried out under the covert action statute, and that the best way forward is for the president to issue an executive order making the covert action regime the presumptive framework for cyberattacks. It includes a brief discussion of why a president might willingly constrain her discretion by issuing the proposed executive order. It also shows that while the internal executive processes associated with both military and intelligence legal frameworks help mitigate the risk of cyberattacks’ misuse by the executive, only the covert action regime provides an adequate role for Congress. Finally, this Part argues that the executive order option is preferable to one alternative proposed by scholars—enacting legislation—because of the practical difficulties of passing new legislation.

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

**Brecher 12**, JD candidate at Michigan Law (Aaron P., Cyberattacks and the Covert Action Statute: Toward a Domestic Legal Framework for Offensive Cyberoperations, 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.

### 2AC AT: Ptx NB

#### Perm creates Congressional involvement: a congressionally led process is more likely to generate support --- executive orders are more controversial

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.

### 2AC Politics DA

#### Obama already spent capital on Syria and it was perceived as a loss

Bohan, 9/11 (Caren, 9/11/2013, “Delay in Syria vote frees Obama to shift to hefty domestic agenda,” <http://www.reuters.com/article/2013/09/11/usa-obama-agenda-idUSL2N0H716N20130911>))

WASHINGTON, Sept 11 (Reuters) - Putting off a decision on military strikes on Syria allows President Barack Obama to shift his attention back to a weighty domestic agenda for the fall that includes budget fights, immigration and selecting a new chairman of the Federal Reserve.

Obama and his aides have immersed themselves for a week and a half in an intensive effort to win support in Congress for U.S. military action in Syria after a suspected chemical weapons attack last month killed more than 1,400 people.

But the effort, which included meetings by Obama on Capitol Hill on Tuesday followed by his televised speech to Americans, seemed headed for an embarrassing defeat, with large numbers of both Democrats and Republicans expressing opposition.

The push for a vote on Syria - which has now been delayed - had threatened to crowd out the busy legislative agenda for the final three months of 2013 and drain Obama's political clout, making it harder for him to press his priorities.

But analysts said a proposal floated by Russia, which the Obama administration is now exploring, to place Syria's weapons under international control may allow Obama to emerge from a difficult dilemma with minimal political damage.

"He dodges a tough political situation this way," said John Pitney, professor of politics at Claremont McKenna College in California.

Pitney said the delay in the Syria vote removes a big burden for Obama, given that Americans, who overwhelmingly opposed military intervention in Syria, will now be able to shift their attention to other matters.

He said Obama could suffer some weakening of his leverage with Congress. The administration's "full court press" to try to persuade lawmakers to approve military force on Syria was heavily criticized and did not yield much success.

"He probably has suffered some damage in Congress because there are probably many people on (Capitol Hill) who have increasing doubts about the basic competence of the administration and that's a disadvantage in any kind of negotiation," Pitney said.

#### Immigration push makes the link inevitable

Hughes, 9/11 --- White House Correspondent at Washington Examiner (Brian, 9/11/2013, “Syria push imperils Obama's fall agenda,” [http://washingtonexaminer.com/syria-push-imperils-obamas-fall-agenda/article/2535611)](http://washingtonexaminer.com/syria-push-imperils-obamas-fall-agenda/article/2535611%29))

Obama will also face a difficult challenge reviving immigration reform, which stalled in the GOP-controlled House after senators approved a bipartisan bill. In his State of the Union address, Obama said immigration reform would be a key priority of his second term.

#### Zero risk Obama pushes the plan — it restrains his powers

#### Vote No — the plan’s been introduced and Obama lost capital

#### 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.

#### Not an opportunity cost because a rational policymaker could do both— that’s best for decision-making which is a portable skill and outweighs

#### The plan’s not perceived

**Schmitt 13**, **co-director of the Marilyn Ware Center for Security Studies at AEI** and the director of AEI's Program on American Citizenship. Mr. Schmitt is a former staff director of the Senate Select Committee on Intelligence. He was executive director of the President's Foreign Intelligence Advisory Board during President Ronald Reagan's second term. Mr. Schmitt's security work focuses on longer-term strategic issues that will affect America's security at home and its ability to lead abroad, while his work in the area of citizenship focuses on challenges to maintaining and sustaining a strong civic culture. His books include Of Men and Materiel: The Crisis in Military Resources (AEI Press, 2007), to which he was a contributing author and editor with Tom Donnelly; Silent Warfare: Understanding the World of Intelligence (Brassey’s, 2002), coauthored with Abram Shulsky and now in its third edition; and U.S. Intelligence at the Crossroads: Agendas for Reform (Brassey’s, 1995), a coedited volume to which he is a contributing author. His two most recent books, to which he is also editor and contributing author, are The Rise of China: Essays on the Future Competition (Encounter Books, May 2009) and Safety, Liberty and Islamist Terrorism: American and European Approaches to Domestic Counterterrorism (AEI Press, 2010), <http://www.aei-ideas.org/2011/12/authorization-for-cyber-attacks/>

The press (and the White House) has been obsessed by the detention provision in the recently agreed upon FY2012 Defense Authorization bill, but one of the items that **slipped under the radar** is language authorizing the American military to engage in offensive operations in cyberspace. Under Sec. 954,

Congress affirms that the Department of Defense has the capability, and upon direction by the President may conduct offensive operations in cyberspace to defend our Nation, allies and interests.

### 2AC AT: Debt Ceiling Impact

#### Debt ceiling will inevitably be increased

Sahadi, 9/12 (Jeanne, “The never-ending charade of debt ceiling fights,” <http://money.cnn.com/2013/09/12/news/economy/debt-ceiling/?source=cnn_bin)>)

Lawmakers are tied up in knots over increasing the debt ceiling this fall. But they eventually will. The only question is how messy the process will be.

Why assume they'll raise it? Because they have no real choice if they want to avoid a U.S. default. A default would hurt the economy and markets, and most lawmakers know this. That's why they regularly raise the debt ceiling before it comes to that.

In fact, since 1940, Congress has effectively approved 79 increases to the debt ceiling. That's an average of more than one a year.

How do they raise it? Sometimes lawmakers have raised it by small amounts, other times by large amounts. And sometimes they've raised it "temporarily" with provisions for a "snap-back" to a lower level.

Since it's a politically tough vote, they occasionally devise clever ways to tacitly approve increases without ever having to publicly record a "yes" vote.

For example, as part of the deal to resolve the 2011 debt ceiling war, Congress approved a plan that let President Obama raise the debt limit three times unless both the House and Senate passed a "joint resolution of disapproval." Such a measure never materialized. And even if it had, the president could have vetoed it.

Then this past February, lawmakers decided to temporarily "suspend" the debt ceiling.

Under this scheme, Treasury was able to continue borrowing to pay the country's bills until May 19. At that point, the debt limit automatically reset to the old cap plus whatever Treasury borrowed during the suspension period.

Related: Debt ceiling 'X' date could hit Oct. 18

What does raising the debt ceiling accomplish? Despite some politicians' incorrect assertions, raising the debt ceiling does not give the government a "license to spend more."

It simply lets Treasury borrow the money it needs to pay all U.S. bills in full and on time. Those bills are for services already performed and entitlement benefits already approved by Congress. In other words, it's a license to pay the bills the country incurs as a result of past decisions made by lawmakers from both parties over the years.

Refusing to raise the debt ceiling is "not like cutting up your credit cards. It's like cutting up your credit card bills," said historian Joseph Thorndike, who has written about past debt crises.

How high is it today? The debt ceiling was reset at $16.699 trillion on May 19, up from the $16.394 trillion where it was before the suspension.

Since then, Treasury has been forced to use "extraordinary measures" to keep the country from breaching the limit.

Treasury Secretary Jack Lew said those measures will be exhausted by mid-October, after which he will only have $50 billion on hand, plus incoming revenue to pay what's owed. Sounds like a lot, but it won't last long.

How long will it last? An analysis by the Bipartisan Policy Center estimates that the Treasury will no longer be able to pay all bills in full and on time at some point between Oct. 18 and Nov. 5.

So, you're saying they only have a few weeks to work this out? Yup.

House Republicans say they will demand spending cuts and fiscal reforms in exchange for their support of a debt ceiling increase. The White House, meanwhile, has said it won't negotiate quid pro quos.

The question is when will Republicans or the White House -- or both - bend in the standoff? If recent history is any guide it likely will be just in the nick of time.

And there's no telling how creative the deal they cut will be.

But any bad blood created along the way almost certainly would poison other budget negotiations. To top of page

### AT: Econ Impact

#### No link between the economy and war – history proves

Ferguson 6 (Ferguson, Niall. "The Next War of the World." Foreign Affairs 85.5 (Sept-Oct 2006): 61. Expanded Academic ASAP.)

There are many unsatisfactory explanations for why the twentieth century was so destructive. One is the assertion that the availability of more powerful weapons caused bloodier conflicts. But there is no correlation between the sophistication of military technology and the lethality of conflict. Some of the worst violence of the century -- the genocides in Cambodia in the 1970s and central Africa in the 1990s, for instance -- was perpetrated with the crudest of weapons: rifles, axes, machetes, and knives. Nor can economic crises explain the bloodshed. What may be the most familiar causal chain in modern historiography links the Great Depression to the rise of fascism and the outbreak of World War II. But that simple story leaves too much out. Nazi Germany started the war in Europe only after its economy had recovered. Not all the countries affected by the Great Depression were taken over by fascist regimes, nor did all such regimes start wars of aggression. In fact, no general relationship between economics and conflict is discernible for the century as a whole. Some wars came after periods of growth, others were the causes rather than the consequences of economic catastrophe, and some severe economic crises were not followed by wars.

## 1AR

### US Not Key

#### The global economy will grow inevitably and is no longer driven by the U.S.

AAP 9-28- 10

(Australian Associated Press, “No double dip recession in US: Forbes”, <http://news.smh.com.au/breaking-news-business/>no-double-dip-recession-in-us-forbes-20100928-15vwc.html)

And while billionaire US investor Ken Fisher told the conference the US could expect a coming decade of prosperity, its lead as the world's biggest economy would be whittled away.

The Fisher Investments chief executive said the "disorganised" and "chaotic" emerging nations were firmly in the driver's seat of the world economy, leaving the US to play second fiddle.

"The world right now is being led by the emerging markets, not by America," Mr Fisher said.

"The US is going to be big and important, but it is secondary, it is no longer what it once was."

"If you read the media from 1991 it sounds just like it does today," he told the Forbes CEO Conference on Tuesday.

"We're chimpanzees with no memory.

"Our problems in this environment, that we think are so unique, so abnormal.

"It is the same stupid old normal we've always had."

"We keep chewing the cud. We go over the same stupid wrong pessimistic stories... ruminating on them again and again."

Mr Fisher said he was bullish about the future, unlike five out of six US investors who "believe we are going sideways or going down".

"I believe the next 10 years will be just as good as the 1990s," Mr Fisher told delegates.

"In my mind, I think the period we have ahead of us is as good as we have ever had ahead of us, at a time when people believe we have a lacklustre world ahead at best."

Mr Fisher, a self-proclaimed democracy despiser, argued the "bailout concept" that led to such high government debt was wrong.

"The bailout concept is wrong," he told journalists.

"Many of them (US companies) should have been left to fail.

"And others, like Lehman, were not left to fail, they were killed.

"The US government killed Lehman."

Mr Fisher said scepticism and pessimism were normal sentiments for investors 18 months after the market had bottomed.