### 2AC T

#### We meet—indefinite detention with a right to habeas corpus isn’t indefinite detention

#### Restriction includes a limitation

STATE OF ARIZONA, Appellee, v. JEREMY RAY WAGNER, April 10, 2008, Filed, Appellant., 1 CA-CR 06-0167, 2008 Ariz. App. Unpub. LEXIS 613, opinion by Judge G. MURRAY SNOW

P10 The term "restriction" is not defined by the Legislature for the purposes of the DUI statutes. See generally A.R.S. § 28-1301 (2004) (providing the "[d]efinitions" section of the DUI statutes). In the absence of a statutory definition of a term, we look to ordinary dictionary definitions and do not construe the word as being a term of art. Lee v. State, 215 Ariz. 540, 544, ¶ 15, 161 P.3d 583, 587 (App. 2007) ("When a statutory term is not explicitly defined, we assume, unless otherwise stated, that the Legislature intended to accord the word its natural and obvious meaning, which may be discerned from its dictionary definition.").

P11 The dictionary definition of "restriction" is "[a] limitation or qualification." Black's Law Dictionary 1341 (8th ed. 1999). In fact, "limited" and "restricted" are considered synonyms. See Webster's II New Collegiate Dictionary 946 (2001). Under these commonly accepted definitions, Wagner's driving privileges were "restrict[ed]" when they were "limited" by the ignition interlock requirement. Wagner was not only [\*7] statutorily required to install an ignition interlock device on all of the vehicles he operated, A.R.S. § 28-1461(A)(1)(b), but he was also prohibited from driving any vehicle that was not equipped with such a device, regardless whether he owned the vehicle or was under the influence of intoxicants, A.R.S. § 28-1464(H). These limitations constituted a restriction on Wagner's privilege to drive, for he was unable to drive in circumstances which were otherwise available to the general driving population. Thus, the rules of statutory construction dictate that the term "restriction" includes the ignition interlock device limitation.

#### Their interpretation overlimits to only one aff in each topic area—aff flex ensures innovative topics encouraging research skills and in depth discussions

#### Our interpretation is more precise by citing a court case—that means our limit is predictable and better reflects the topic

#### Default to reasonability—competing interpretations leads to a race to limit out affs at the expense of substance—affs need to know they’re topical

### 2AC OLC CP

#### Multiple conditional options bad – it’s a voter – rejecting the arg incentivizes abuse

#### First is skew – aff can’t read their best offense because the neg can just kick their argument and can cross-apply offense, kills fairness

#### Second is research – they can advocate contradictory positions, kills education and advocacy skills

#### Dispo solves their offense

#### 2009 proves the CP links to politics

Fisher, 13 --- served four decades in the Library of Congress as senior specialist in separation of powers at the Congressional Research Service and specialist in constitutional law at the Law Library (7/1/2013, Louis, The National Law Journal, “Closing Guantanamo http://www.constitutionproject.org/wp-content/uploads/2013/07/Guantanamo-NLJ-2013.pdf))

On January 22, 2009, on his second day in office, Obama issued Executive Order 13492 to close the detention facility “as soon as practicable, and no later than 1 year from the date of this order.” Remarkably, no one in the administration seemed to warn him of the political risks. Transferring terrorist suspects to the United States was immensely controversial. The administration needed to first meet with lawmakers, learn about their concerns, fashion a reasonable compromise and locate a secure facility on the mainland to house the detainees. It failed to take any of those steps. If Obama had asked Congress to help create a legislative framework for the closure, progress was possible. The executive order was the type of unilateral action that backfired on George W. Bush.

#### Doesn’t solve Judicial Globalism

#### Separation of Powers—judicial action is key restore the balance with the executive by asserting judicial strength and countering perceptions of judicial irrelevance—that’s Schnarf—the impact is our CJA evidence—prevents stable democratic transitions globally

#### Globalization—only the plan is modeled—Judiciary’s participate in transnational conferences and interactions and are looked to by foreign governments—that’s Schnarf—those are key to encourage judicial independence and strength in new states

**Doesn’t solve Legitimacy**

#### Stable Interpretation Key—The courts' strengths in offering a stable interpretation of the law—US legal structures uniquely generate credibility—stable interpretation of the law bolsters hegemonic stability because nations know they can rely on those interpretations—states fear the ability of the executive to make abrupt moves—that’s Knowles

#### Accountability—the court is uniquely accessible because its seen as an avenue for countries to lodge complaints against the US—credibility of judicial action is key to make the US seem broadly accountable which is key—that’s Knowles

#### Global Governance—legal norms are key to make hegemony effective—legal consistency and commitment to international norms allows us to legitimize pushing for liberal norms like free markets and cooperation which are key to stability—that’s Knowles and Kromah

#### Perm do both—solves the NB because Obama will be seen as taking the lead

#### Perm do the CP

#### Only the courts can solve – The Executive tried and congress removed their funding for transfer

Chow 11, JD from Cardozo

(Samuel, THE KIYEMBA PARADOX: CREATING A JUDICIAL FRAMEWORK TO ERADICATE INDEFINITE, UNLAWFUL EXECUTIVE DETENTIONS, www.cjicl.com/uploads/2/9/5/9/2959791/cjicl\_19.3\_chow\_note.pdf)

After the D.C. Circuit Court issued its opinion and while the petition for certiorari was pending, the Executive expressly recognized the troubling scenario that the continued detention of the Kiyemba petitioners posed. Defense Secretary Robert M. Gates concluded that it was "difficult for the State Department to make the argument to other countries they should take these people that we have deemed, in this case, not to be dangerous, if we won't take any of them ourselves." Indeed, the Executive was poised to send as many as seven of the petitioners to the United States in 2009. However, in response to the threat of such action. Congress attached a rider to the Supplemental Appropriations Act which prevented the use of defense funds to release any Guantanamo detainees into the United States. Congress also passed two additional pieces of legislation restricting the ability of Guantanamo detainees to enter the United States. The National Defense Authorization Act granted Congress a substantial degree of control over such releases and a spending provision banned the Department of Homeland Security from effectuating such release. The detainees' hope for release, therefore, turned again on the pending petition for certiorari.

#### The CP is a rubber stamp—data proves a host of structural pressures ensures OLC pressure is meaningless

Ackerman 11, Sterling Professor of Law and Political Science at Yale

[2011, Bruce Ackerman is a Sterling Professor of Law and Political Science at Yale University, “LOST INSIDE THE BELTWAY: A REPLY TO PROFESSOR MORRISON,” Harvard Law Review Forum Vol 124:13, <http://www.harvardlawreview.org/media/pdf/vol124forum_ackerman.pdf>]

Which leads to a fundamental question. Morrison relies heavily on the “norms” and “longstanding traditions” of the OLC to serve as a bulwark against presidential overreaching. But given the composition of the Office, precisely who is supposed to be safeguarding this tradition? If we credit Madison’s maxim, we can’t count on the Administration’s appointees to do the job — “enlightened statesmen” will only sometimes manipulate the political networks required to get these plum jobs. And surely youngish up-and-comers are unlikely repositories of the very complex “tradition” Morrison describes — by definition, it takes a good deal of time to master the practice of providing opinions that, in the words of Jack Goldsmith, are “neither like advice from a private attorney nor like a politically neutral ruling from a court. It is something inevitably, and uncomfortably, in between.”15 As his memoirs suggest, even Goldsmith had trouble enacting this “awkward” role during the nine months he served as head of the OLC before he quit under pressure from the Bush White House.16 It’s a bit much to ask young attorney-advisers to serve as the principal guardians of these “cultural norms.” This puts an enormous burden on the (very) small number of senior counsel. Morrison assures us “that Senior Counsels play a vital role in OLC precisely because they are such rich repositories of institutional memory.”17 While they surely help the transient- lawyers “resist the importuning of . . . clients”18 in garden variety cases, it is unrealistic to expect them effectively to defend entrenched constitutional principles against high-priority presidential initiatives — especially when political appointees, aided by able attorney-advisers, think up all sorts of clever legal arguments to evade and undercut these principles. The senior counsel’s position is particularly problematic at present. Granting their role as keepers of institutional memory, precisely what are they supposed to be remembering about the operation of the Office during the Bush years? To be sure, Goldsmith’s legalistic scruples, and the Abu Ghraib scandal, forced the White House to accept the repudiation of a couple of “torture memos.”19 But as Morrison recognizes, the OLC replaced Yoo’s memos “with a more modestly phrased opinion in late OMMQ . . . [which] maintained its basic position on the legality of . . . ‘waterboarding’”20 throughout the rest of the Bush Administration. So if the oldtimers act as memory- keepers, are they supposed to tell the transients that the OLC continued to give the Bush White House what it wanted to the bitter end, merely toning down John Yoo’s extravagant legal arguments? Morrison ignores this question as he repeatedly emphasizes the staying power of the Office’s traditions. But perhaps we might find the source of better norms in some other place — not in the OLC’s institutional memory, but in its ongoing practice of opinion -writing. Day in and day out, the staff supplies the executive departments with advice on countless legal problems. When preliminary efforts at resolution don’t work out, the Office requests brief-like submissions before it works out its own position. This briefing requirement can help support the distinctive OLC norms that Morrison applauds: as the OLC legal team sits down to work, it often confronts rigorous briefs representing two (or more) departmental views of the applicable law. This practice encourages a similarly disciplined response from the opinion- writers as they explain to each department where it has gone wrong. The problem comes when the White House gets into the act. As Morrison recognizes, the President’s lawyers “need not specify their requests in writing, and they are often afforded greater informal access to OLC while it is considering their requests.”21 Morrison supplements this bland description in a footnote: As Ackerman puts the last point, “White House lawyers are in constant contact with their counterparts at the OLC. For example, Elena Kagan and Walter Dellinger recalled exchanging lengthy phone calls in which Kagan, then in the White House Counsel’s office, tried to convince Dellinger, the head of the OLC, to change his mind about legal issues.”22 But this constant ex parte contact raises an obvious question: if it’s OK for Kagan to get on the phone and try to convince Dellinger, why isn’t it equally OK for future David Addingtons to browbeat future OLCs to take extremist positions on presidential power? The contrast with the Office’s departmental practice is painfully obvious: Morrison concedes that “the tolerance of telephone calls and other importuning from the White House . . . can create extra pressure.”23 And he also recognizes that the White House is never obliged to put its arguments into a written submission — allowing it to continue “importuning” without ever trying to work out the serious legal implications of its telephone chatter. But such unremitting pressures, Morrison assures us, are “not new,”24 since the Attorney General’s capacity “to resist presidential power in extreme circumstances has always been imperfect.”25 He points to famous episodes during the Civil War and the run-up to World War II to support this claim.26 But he forgets that a lot has changed since NVQR. 27 For starters, the Attorney General has now retired from the opinion-writing business,28 first leaving the job to a relatively apolitical OLC until NVTS, but then allowing it to become highly politicized after Jimmy Carter changed staffing policies.29 What is more, intense presidential pressures for legal rubber-stamping are no longer solely the product of “extreme circumstances.” They are now an inextricable part of ordinary American politics — as Decline and Fall seeks to establish by pointing to the political, bureaucratic, and military transformations of the past forty years. All this is very “new” indeed. None of these dynamics are irresistible.30 Despite Morrison’s contrary suggestion, Decline and Fall specifically enumerates leading cases in which the modern OLC has indeed defended its “best view of the law” against the White House’s short-term political imperatives.31 And I very much share Morrison’s hopes that these proud moments will continue into the future. But — need I remind you? — “enlightened statesmen will not always be at the helm.” Worse yet, even “enlightened statesmen” might hesitate before saying “no” under the present set-up. As Morrison explains, the OLC’s official policy is to try its hardest to say “yes” — in the words of its Best Practices Memo: “to recommend lawful alternatives to Executive Branch proposals that it decides would be unlawful.”32 Morrison agrees that “there is a danger that OLC will over-identify with its clients . . . , compromising its legal advice to accommodate them.”3 The problem is confirmed by Morrison’s very useful data analysis, which shows that only thirteen percent of OLC opinions have provided a more- or- less clear “no” to the White House during the past generation.34 Morrison’s data- set doesn’t include OLC’s unpublished opinions — which typically involve confidential matters involving national security. Since OLC is almost- certainly more deferential to the White House in these sensitive areas, the percentage of “no’s” would likely sink into the single- digits if these secret opinions could be included in Morrison’s data set.35 And remember, quantitative data can’t take into account the occasions on which the White House is especially exigent in its telephonic demands.36 The danger of “over-identification” is magnified further by the OLC’s dualistic understanding of its mission — in the words of its Guidelines, it “serves both the institution of the presidency and a particular incumbent, democratically elected President.”37 This means, according to the Guidelines, that the Office should “reflect the institution-al traditions and competencies of the executive branch as well as the views of the President who currently holds office.” 38 Morrison endorses this view, but fails to reflect on its complexities. He elaborates with great subtlety on the first branch of the OLC’s mission statement — the part that expresses the distinctive “traditions and competences” developed over the long haul. But he is tight-lipped when it comes to the second aspect — which seems to give the sitting President the authority to override long-standing traditions and insist that the OLC follow his short-term views. Morrison defers this “complex” question for future elaboration,39 but he is “sure[]” about one thing: the President has the right “to privilege certain interpretive approaches to the Constitution over others, as a result of which certain policies will be deemed constitutional that would not be according to other interpretive approaches.”40 Morrison’s moment of certainty throws his larger argument into utter confusion. He wishes to reassure us that the “cultural norms” of the Office provides its members with robust resources to resist White House pressure; but this claim undercuts itself if the Office’s cultural norms authorize wide-ranging deference to the constitutional views expressed by the “democratically elected President.”

### 2AC Warfighting DA

#### Our internal link outweighs—hegemonic stability is based on security guarantees and trade relationships fostered by the US—ensuring the durability of that system depends states’ acceptance of the hegemon’s role—maintaining the order through military power alone exhausts resources and lead to counterbalancing

#### Our evidence is comparative—the hegemonic model reduces the need for executive branch flexibility, and the institutional competence terrain shifts toward the courts—because a governance in a hegemonic system depends on voluntary acquiescence, the courts are critical

#### Review inevitable – now is better for flexibility

Wittes 08, Senior Fellow in Governance Studies at the Brookings Institution

(Benjamin, The Necessity and Impossibility of Judicial Review, https://webspace.utexas.edu/rmc2289/National%20Security%20and%20the%20Courts/Law%20and%20the%20Long%20War%20%20Chapter%204.pdf)

WE COME, then, to the question of what judicial review ought to look like in the war on terror if one accepts that it should exist more robustly than the administration prefers but should not be of an unbridled or general nature, as human rights advocates wish to see. The answer is conceptually simple, though devilishly complicated in operation: Judicial review should be designed for the relatively narrow purpose of holding the executive to clearly articulated legislative rules, not to the often vague standards of international legal instruments that have not been implemented through American law. Judges should have an expanded role in the powers of presidential preemption in the antiterrorism arena, for the judiciary is essential to legitimizing the use of those powers. Without them, the powers themselves come under a barrage of criticism which they cannot easily withstand. And eventually the effort to shield them from judicial review fails, and the review that results from the effort is more intrusive, more suspicious, and less accommodating of the executive's legitimate need for operational flexibility. Judges, in other words, should be a part of the larger rules the legislature will need to write to govern the global fight against terrorism. Their role within these legal regimes will vary-from virtually no involvement in cases of covert actions and overseas surveillance to extensive involvement in cases of long-term detentions. The key is that the place of judges within those systems is not itself a matter for the judges to decide. The judiciary must not serve as the designer of the rules.

#### No deference now and case by case approach means no spillover—doesn’t take out the aff because our 1ac evidence is about ONLY the kiyemba decision

Siegel 12, Associate at Cleary Gottlieb

(Ashley E., SOME HOLDS BARRED: EXTENDING EXECUTIVE DETENTION HABEAS LAW BEYOND GUANTANAMO BAY, www.bu.edu/law/central/jd/organizations/journals/bulr/documents/SIEGEL\_000.pdf)

This Note explores the novel area of law extending habeas rights to war-on terror detainees, the past precedents that may suggest what direction the jurisprudence will take, and how the jurisprudence should resolve the case of a foreign detainee held by a foreign government at the behest of the United States. Part I reviews habeas law from its historical roots to its modern application in executive detention cases brought about by the United States’ detention of aliens at Guantanamo Bay. Part II examines alien detention abroad apart from the habeas context. Part III explores the likelihood and appropriateness of extending the Boumediene line of cases to scenarios of alien detainees held abroad by foreign governments at the behest of the United States. The Supreme Court has recently demonstrated a greater willingness to exert its power in the national security realm, no longer giving broad deference to the Executive’s wartime powers. The Supreme Court in this realm appears to take a functionalist, case-by-case approach that leaves open the possibility that the Court will exert itself in different executive detention contexts. Given the vital, fundamental individual rights implicated by executive detention, the Supreme Court should continue to actively review the actions of the legislative and executive branches. Further, based on the reasoning supporting its past precedents, the Court should extend jurisdiction to detainees held by foreign nations at the behest of the U.S. government.

**Obama’s credibility is permanently destroyed**

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Opinion: Henninger: Obama's Credibility Is Melting 25 October 2013 03:20 AM Dow Jones Newswires Chinese (English) RTNW English Copyright © 2013, Dow Jones & Company, Inc.

What is at issue here is not some sacred moral value, such as "In God We Trust." Domestic politics or the affairs of nations are not an avocation for angels. But the coin of this imperfect realm is credibility. Sydney Greenstreet's Kasper Gutman explained the terms of trade in "The Maltese Falcon": "I must tell you what I know, but you won't tell me what you know. That is hardly equitable, sir. I don't think we can do business along those lines." Bluntly, Mr. **Obama's partners are concluding that they cannot do business with him. They don't trust him. Whether it's the Saudis, the Syrian rebels, the French, the Iraqis, the unpivoted Asians or the congressional Republicans, they've all had their fill of coming up on the short end with so mercurial a U.S. president. And when that happens, the world's important business doesn't get done. It sits in a dangerous and volatile vacuum.** **The next major political event in Washington is the negotiation over spending**, entitlements and taxes between House budget chairman Paul Ryan and his Senate partner, Patty Murray. The **bad air over this effort is the same as that Marco Rubio says is choking immigration reform: the fear** that Mr. **Obama will urge the process forward in public and then blow up any Ryan-Murray agreement at the 11th hour with deal-killing demands for greater tax revenue.** Then **there is Mr. Obama's bond with the American people, which is diminishing with the failed rollout of the Affordable Care Act. ObamaCare is the central processing unit of the Obama presidency's belief system. Now the believers are wondering why the administration suppressed knowledge of the huge program's problems when hundreds of tech workers for the project had to know this mess would happen Oct. 1.** Rather than level with the public, the government's most senior health-care official, Kathleen Sebelius, spent days spewing ludicrous and incredible happy talk about the failure, while refusing to provide basic information about its cause. Voters don't normally accord politicians unworldly levels of belief, but **it has been Barack Obama's gift to transform mere support into victorious credulousness. Now that is crumbling, at great cost. If here and abroad, politicians, the public and the press conclude that Mr. Obama can't play it straight, his second-term accomplishments will lie only in doing business with the world's most cynical, untrustworthy partners. The American people are the ones who will end up on the short end of those deals**.

#### The plan has no negative effect on the military – Boumediene should have already caused the link

ACLU 09 [American Civil Liberties Union]

(Brief Amicus Curiae of the American Civil Liberties Union in Support of Petitioners, www.americanbar.org/content/dam/aba/publishing/preview/publiced\_preview\_briefs\_pdfs\_09\_10\_08\_1234\_PetitionerAmCuACLU.authcheckdam.pdf)

The third Boumediene factor, the practical obstacles involved, again weighs more heavily in favor of these Petitioners than it did in Boumediene. In Boumediene, the Court acknowledged that recognizing habeas jurisdiction in domestic courts for Guantanamo detainees could impose some costs — both economic and non-economic — on the military. But it stressed that Boumediene did not pose the risks that the Eisentrager Court apparently perceived regarding 'judicial interference with the military's efforts to contain 'enemy elements, guerilla fighters, and "were-wolves,"' noting that although the detainees were "deemed enemies of the United States," who might be "dangerous ... if released," they were "contained in a secure prison facility located on an isolated and heavily fortified military base." Id. at 2261 (quoting Eisentrager, 339 U.S. at 784). In this case, allowing the Petitioners to assert their due process claim would add nothing, or virtually nothing, to the economic and procedural burdens that the Government already faces by virtue of the Petitioners' undeniable right to habeas corpus. Nor would it interfere with the military's activities against our enemies, since the United States does not even claim that the Petitioners are enemies — or, for that matter, that the military has any desire to continue to detain them. Finally, neither this case nor Boumediene raises the specter of "friction with the host government," because the United States is "answerable to no other sovereign for its acts on the "answerable to no other sovereign for its acts on the base." Id. at 2261. The Boumediene factors, then, show that recognizing the Petitioners' due process right to be free from indefinite arbitrary detention raises fewer and less substantial functional concerns (if any) than recognizing the Boumediene petitioners' habeas rights did. Nor do any other factors from the Court's extraterritoriality cases — such as the possibility of cultural or legal incompatibility between the right recognized and the location of the person asserting that right, see, e.g., Dowries, 182 U.S. at 282 — raise any significant obstacle to recognizing the due process right at issue here. Boumediene s anatysis thus compels the conclusion that the Petitioners are entitled to challenge their ongoing detention under the Due Process Clause.10

### 2AC Court Capital

#### Curtailing executive authority causes greater Judicial activism—war powers specific

Paulsen 02, Professor of Law

[Michael, Prof of Law @ Minnesota, Spring, 19 Const. Commentary 215]

Judicial triumphs tend to beget more judicial triumphs - and sometimes judicial triumphalism and hubris. It is probably only a slight exaggeration to say that if there had been no Youngstown there would have been no Brown v. Board of Education, 10 no Cooper v. Aaron, 11 no Warren Court criminal procedure and civil rights revolution, no United States v. Nixon, 12 no Roe v. Wade 13 and Planned Parenthood v. Casey. 14 Still more, had Youngstown played out differently in the end - had Truman resisted or evaded the Court's judgment against his seizure of the steel industry - the aftermath of the Nixon Tapes case might have played out differently, too. Had Truman successfully held on to the steel mills in the face of an adverse decision, Nixon probably would have held on to the tapes, too, no matter what the Court said. And perhaps the Court would not even have tried to order Nixon to produce the tapes in the first place. Finally, if Youngstown had been decided the other way, The Pentagon Papers Case 15 probably would have played out differently, too. The federal government probably would have won in court the power to enjoin a newspaper's publication of materials the government deems detrimental to national security (or affirmance of an executive order banning such publication). 16 Or, had Youngstown been decided as it was but Truman successfully defied the judgment, Nixon might have seized the printing [\*220] presses of The New York Times and The Washington Post and ignored any judicial decrees to the contrary. 17

#### Kennedy won’t be on top—he came out against the plan

Vaughn and Wiliams, Professors of Law, 13 [2013, Katherine L. Vaughns B.A. (Political Science), J.D., University of California at Berkeley. Professor of Law, University of Maryland Francis King Carey School of Law, and Heather L. Williams, B.A. (French), B.A. (Political Science), University of Rochester, J.D., cum laude, University of Maryland Francis King Carey School of Law, “OF CIVIL WRONGS AND RIGHTS: 1 KIYEMBA V. OBAMA AND THE MEANING OF FREEDOM, SEPARATION OF POWERS, AND THE RULE OF LAW TEN YEARS AFTER 9/11”, Asian American Law Journal, Vol. 20, 2013, http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2148404]

On remand, in what came to be called Kiyemba III, 57 the D.C. Court of Appeals reinstated its judgment and opinion in Kiyemba I, modified to account for the recent developments in relocating the Uighurs.58 Shortly thereafter, the Supreme Court denied the Uighurs’ renewed petition for certiorari.59 Justices Breyer, Kennedy, Ginsburg, and Sotomayor issued a brief statement addressing the denial. In their view, the government’s resettlement offers, “the lack of any meaningful challenge [by the Uighurs] as to their appropriateness, and the Government’s uncontested commitment to continue to work to resettle [the Uighurs] transform [the habeas] claim.”60 Put differently, there is, the justices stated, “no Government imposed obstacle to petitioners’ timely release and appropriate resettlement.”61 If circumstances were to materially change, the justices stated that the Uighurs should “raise their original issue (or related issues) again in the lower courts and this Court.” Thus, for now, and for at least some of the Uighur detainees, their story did indeed finally end, as it began, in relocation—albeit in relocation to a foreign country. For others, relocation remains little more than a hope. Regardless, at the time that the Supreme Court was presented with the petitions in Kiyemba I and Kiyemba III, the Uighurs were still being—and had been, for over six years—unlawfully detained by the U.S. government. New factual issues related to continuing diplomatic negotiations for transfer to another country should not have altered the legal requirement to release them, at the very least pending successful completion of the negotiations for their release. While the majority of the Uighurs originally brought to Guantanamo Bay in 2002 have since been relocated, several remain, effectively indefinitely detained, by virtue of their simple desire to select, or at least have a say in, the place where they will live—a right that rule of law principles suggests they are entitled, having had their detention determined unlawful.

#### Interbranch conflicts don’t spill over—individual court cases are decided on specific issues

Redish and Drizen 87, Professor of Law and Law Clerk

[April, 1987, Martin H. Redish (Professor of Law, Northwestern University) and Karen L. Drizin (Law Clerk to the Honorable Seymour Simon, Illinois Supreme Court) “CONSTITUTIONAL FEDERALISM AND JUDICIAL REVIEW: THE ROLE OF TEXTUAL ANALYSIS”. NEW YORK UNIVERSITY LAW REVIEW V. 62]

Dean Choper's fundamental assumption, then, is that Supreme Court abstention on issues of constitutional federalism would somehow increase, or at least curtail loss of, limited capital for the more vital area of individual liberty. However, even if one were to concede that judicial review is more fundamental to our constitutional scheme in the area of individual liberty than in matters of federalism, acceptance of Dean Choper's proposal would not necessarily follow. The problem is that it is neither intuitively nor empirically clear that the Court's so-called capital is transferable from one area of constitutional law to another. As one of the current authors has previously argued: It is difficult to imagine . . . that the widespread negative public reactions to Miranda v. Arizona, Engle v. Vitale, or Roe v. Wade would [\*37] have been affected at all by the Court's practices on issues of separation of powers and federalism. Rather, public reaction in each seems to have focused on the specific, highly charged issues of rights for criminals, prayer in public schools, and abortions. It is doubtful that the Court would have had an easier time if it had chosen to stay out of interbranch and intersystemic conflicts. 146

#### Normal means is courts will announce their decision at the end of the term and that solves the link

Mondak 92 [Jeffery J., assistant professor of political science @ the University of Pittsburgh. “Institutional legitimacy, policy legitimacy, and the Supreme Court.” American Politics Quarterly, Vol. 20, No. 4, Lexis]

The process described by the political capital hypothesis acts as expected in the laboratory, and the logic of the link between institutional and policy legitimacy has thus gained strong empirical corroboration. However, the dynamic's pervasiveness defies precise estimation due to the limitations of available public opinion data. Still, the results reported here are provocative. First, this view of legitimation may apply to institutions beyond the Supreme Court. Consequently, efforts to use this theory in the study of other institutions may yield evidence supportive of a general process. A second concern is how the Court responds to its institutional limits. Specifically, strategy within the Court can be considered from the context of legitimacy. For example, what tactics may the Court employ to reduce the erosion of political capital? By releasing controversial rulings at the end of a term, for instance, the Court may afford itself a healing period, a time to repair damaged credibility prior to the next round of efforts at conferring policy legitimacy. This suggests a third issue, the manner in which institutional approval is replenished. Does institutional support return to some equilibrium once dispute surrounding a particular ruling fades, or must the Court release popular edicts to offset the effects of its controversial actions?

#### Terrorist networks are weak – Bin Laden’s death, Abbottabad intelligence, no safe haven

WILLIAM MCCANTS - Center for Strategic Studies / Johns Hopkins – Sept/Oct 2011, Al Qaeda's Challenge, Foreign Affairs, http://www.foreignaffairs.com/articles/68160/william-mccants/al-qaedas-challenge?page=show

Al Qaeda now stands at a precipice. The Arab Spring and the success of Islamist parliamentarians throughout the Middle East have challenged its core vision just as the group has lost its founder. Al Qaeda has also lost access to bin Laden's personal connections in Afghanistan, Pakistan, and the Persian Gulf, which had long provided it with resources and protection. Bin Laden's death has deprived al Qaeda of its most media-savvy icon; and most important, al Qaeda has lost its commander in chief. The raid that killed bin Laden revealed that he had not been reduced to a figurehead, as many Western analysts had suspected; he had continued to direct the operations of al Qaeda and its franchises. Yet the documents seized from bin Laden's home in Abbottabad, Pakistan, reveal how weak al Qaeda had become even under his ongoing leadership. Correspondence found in the raid shows bin Laden and his lieutenants lamenting al Qaeda's lack of funds and the constant casualties from U.S. drone strikes. These papers have made the organization even more vulnerable by exposing its general command structure, putting al Qaeda's leadership at greater risk of extinction than ever before. Al Qaeda has elected Zawahiri as its new chief, at least for now. But the transition will not be seamless. Some members of al Qaeda's old guard feel little loyalty to Zawahiri, whom they view as a relative newcomer. Al Qaeda's members from the Persian Gulf, for their part, may feel alienated by having an Egyptian at their helm, especially if Zawahiri chooses another Egyptian as his deputy. Despite these potential sources of friction, al Qaeda is not likely to split under Zawahiri's reign. Its senior leadership will still want to unite jihadist groups under its banner, and its franchises will have little reason to relinquish the recognition and resources that come with al Qaeda affiliation. Yet those affiliates cannot offer al Qaeda's senior commanders shelter. Indeed, should Pakistan become too dangerous a refuge for the organization's leaders, they will find themselves with few other options. The Islamic governments that previously protected and assisted al Qaeda, such as those in Afghanistan and Sudan in the 1990s, either no longer exist or are inhospitable (although Somalia might become a candidate if the militant group al Shabab consolidates its hold there). In the midst of grappling with all these challenges, al Qaeda must also decide how to respond to the uprisings in the Arab world. Thus far, its leaders have indicated that they want to support Islamist insurgents in unstable revolutionary countries and lay the groundwork for the creation of Islamic states once the existing regimes have fallen, similar to what they attempted in Iraq. But al Qaeda's true strategic dilemma lies in Egypt and Tunisia. In these countries, local tyrants have been ousted, but parliamentary elections will be held soon, and the United States remains influential. The outcome in Egypt is particularly personal for Zawahiri, who began his fight to depose the Egyptian government as a teenager. Zawahiri also understands that Egypt, given its geostrategic importance and its status as the leading Arab nation, is the grand prize in the contest between al Qaeda and the United States. In his recent six-part message to the Egyptian people and in his eulogy for bin Laden, Zawahiri suggested that absent outside interference, the Egyptians and the Tunisians would establish Islamic states that would be hostile to Western interests. But the United States, he said, will likely work to ensure that friendly political forces, including secularists and moderate Islamists, win Egypt's upcoming elections. And even if the Islamists succeed in establishing an Islamic state there, Zawahiri argued, the United States will retain enough leverage to keep it in line. To prevent such an outcome, Zawahiri called on Islamist activists in Egypt and Tunisia to start a popular (presumably nonviolent) campaign to implement sharia as the sole source of legislation and to pressure the transitional governments to end their cooperation with Washington. Yet Zawahiri's attempt to sway local Islamists is unlikely to succeed. Although some Islamists in the two countries rhetorically support al Qaeda, many, especially the Muslim Brotherhood, are now organizing for their countries' upcoming elections -- that is, they are becoming Islamist parliamentarians. Even Egyptian Salafists, who share Zawahiri's distaste for parliamentary politics, are forming their own political parties. Most ominous for Zawahiri's agenda, the Egyptian Islamist organization al-Gama'a al-Islamiyya (the Islamic Group), parts of which were once allied with al Qaeda, has forsworn violence and recently announced that it was creating a political party to compete in Egypt's parliamentary elections. Al Qaeda, then, is losing sway even among its natural allies. This dynamic limits Zawahiri's options. For fear of alienating the Egyptian people, he is not likely to end his efforts to reach out to Egypt's Islamist parliamentarians or to break with them by calling for attacks in the country before the elections. Instead, he will continue urging the Islamists to advocate for sharia and to try to limit U.S. influence. In the meantime, Zawahiri will continue trying to attack the United States and continue exploiting less stable postrevolutionary countries, such as Libya, Syria, and Yemen, which may prove more susceptible to al Qaeda's influence. Yet to operate in these countries, al Qaeda will need to subordinate its political agenda to those of the insurgents there or risk destroying itself, as Zarqawi's group did in Iraq. If those insurgents take power, they will likely refuse to offer al Qaeda safe haven for fear of alienating the United States or its allies in the region. Thanks to the continued predominance of the United States and the growing appeal of Islamist parliamentarians in the Muslim world, even supporters of al Qaeda now doubt that it will be able to replace existing regimes with Islamic states anytime soon. In a recent joint statement, several jihadist online forums expressed concern that if Muammar al-Qaddafi is defeated in Libya, the Islamists there will participate in U.S.-backed elections, ending any chance of establishing a true Islamic state. As a result of all these forces, al Qaeda is no longer the vanguard of the Islamist movement in the Arab world. Having defined the terms of Islamist politics for the last decade by raising fears about Islamic political parties and giving Arab rulers a pretext to limit their activity or shut them down, al Qaeda's goal of removing those rulers is now being fulfilled by others who are unlikely to share its political vision. Should these revolutions fail and al Qaeda survives, it will be ready to reclaim the mantle of Islamist resistance. But for now, the forces best positioned to capitalize on the Arab Spring are the Islamist parliamentarians, who, unlike al Qaeda, are willing and able to engage in the messy business of politics.

### 2AC Immigration DA

#### Immigration reform’s not key to the economy

**Castelletti et al 10**

[Bárbara, economist at the OECD Development Centre, , Jeff Dayton-Johnson, head of the OECD development Centre, and Ángel Melguizo, economist at the OECD Development Centre, “Migration in Latin America: Answering old questions with new data,” 3/19/10, <http://www.voxeu.org/index.php?q=node/4764>]

Most research on migration assumes that workers are employed in activities that correspond to their skill level. In practice workers may be employed in sectors characterised by skill requirements different from their educational or training background. In particular, migrants may be overqualified for the work they do. As Mattoo et al. (2005) show, this is the case for Mexicans, Central Americans and Andean university-educated migrants working in the US. Despite their tertiary degrees, these groups rarely hold highly skilled jobs. Worse, they may even be at the lower rungs of the skill ladder; 44% of tertiary-educated Mexicans migrants in the US are working in unskilled jobs. This equilibrium represents a lose-lose-lose situation. The home country loses human capital (brain drain), the host country and the migrant him/herself are not fully employed (brain waste), and the low skilled workers in host countries (both earlier migrants and natives) can be pushed out of the market (given that they compete with these higher-educated workers for jobs). To illustrate this phenomenon for South-South flows, we follow OECD (2007) and compare the education level (primary, secondary and tertiary) of migrants in Argentina, Costa Rica and Venezuela with their category of job qualification (low, intermediate and high skilled). Figure 3 shows the share of over-qualified migrants and native workers, residing in different countries, and the comparison between foreign-born and natives. Over-qualification rates vary sharply among countries, ranging from 5% in Costa Rica and Venezuela to 14% in Argentina. While lower than in the US, Canada and Spain where the over-qualification rates are above 15%, these results point to a high degree of over-qualification among immigrants compared to the native-born in Latin American countries. While there are possible omitted variables, it is likely that some part of the brain waste observed is because of the non-recognition of foreign qualifications or excessive requalification requirements for foreigners.

#### No House vote --- GOP won’t bend to Obama pressure

Berman, 10/25 (Russell, 10/25/2013, “GOP comfortable ignoring Obama pleas for vote on immigration bill,” <http://thehill.com/homenews/house/330527-gop-comfortable-ignoring-obama-pleas-to-move-to-immigration-reform>))

For President Obama and advocates hoping for a House vote on immigration reform this year, the reality is simple: Fat chance. [Video]

Since the shutdown, Obama has repeatedly sought to turn the nation’s focus to immigration reform and pressure Republicans to take up the Senate’s bill, or something similar.

But there are no signs that Republicans are feeling any pressure.

Speaker John Boehner (R-Ohio) has repeatedly ruled out taking up the comprehensive Senate bill, and senior Republicans say it is unlikely that the party, bruised from its internal battle over the government shutdown, would pivot quickly to an issue that has long rankled conservatives.

Rep. Tom Cole (R-Okla.), a leadership ally, told reporters Wednesday there is virtually no chance the party would take up immigration reform before the next round of budget and debt-ceiling fights are settled. While that could happen by December if a budget conference committee strikes an agreement, that fight is more likely to drag on well into 2014: The next deadline for lifting the debt ceiling, for example, is not until Feb. 7.

#### Even immigration advocates are backing off because they think it won’t pass

Palmer & Sherman, 10/25 (Anna Palmer and Jake Sherman, 10/25/2013, “House GOP plans no immigration vote in 2013,” <http://www.politico.com/story/2013/10/house-gop-plans-no-immigration-vote-in-2013-98824.html?hp=r1)>)

Other prominent immigration supporters like Sen. Marco Rubio (R-Fla.) have also backed off any deal, saying the Obama administration has “undermined” negotiations by not defunding his signature health care law. Rep. Raul Labrador (R-Idaho) went further, saying Obama is trying to “destroy the Republican Party” and that GOP leaders would be “crazy” to enter into talks with Obama.

That rhetoric combined with signals in private conversations with lawmakers and staff has led some immigration advocates to say they see the writing on the wall and they aren’t going to invest heavily until there’s more momentum.

(PHOTOS: Immigration reform rally on the National Mall)

“After Obama poisoned the well in the fiscal showdown and [House Minority Leader Nancy] Pelosi now is actively trying to use immigration as a political weapon, the chances for substantive reforms, unfortunately, seem all but gone,” said one GOP operative involved in the conservative pro-immigration movement.

Many of the groups that ran ads after the Senate passed its immigration bill — including the American Action Network and U.S. Chamber of Commerce — have gone silent on air. Several immigration reform proponents said that until House Republicans come up with legislation, there won’t be any television advertising campaigns.

#### Court shields—star this card

Stimson 9

[09/25/09, Cully Stimson is a senior legal fellow at the Heritage Foundation and an instructor at the Naval Justice School former American career appointee at the Pentagon. Stimson was the Deputy Assistant Secretary of Defense for Detainee Affairs., “Punting National Security To The Judiciary”, http://blog.heritage.org/2009/09/25/punting-national-security-to-the-judiciary/]

So what is really going on here? To those of us who have either served in senior policy posts and dealt with these issues on a daily basis, or followed them closely from the outside, it is becoming increasingly clear that this administration is trying to create the appearance of a tough national-security policy regarding the detention of terrorists at Guantanamo, yet allow the courts to make the tough calls on releasing the bad guys. Letting the courts do the dirty work would give the administration plausible cover and distance from the decision-making process. The numbers speak for themselves. Of the 38 detainees whose cases have been adjudicated through the habeas process in federal court in Washington, 30 have been ordered released by civilian judges. That is close to an 80 percent loss rate for the government, which argued for continued detention. Yet, how many of these decisions has this administration appealed, knowing full well that many of those 30 detainees should not in good conscience be let go? The answer: one. Letting the courts do it for him gives the president distance from the unsavory release decisions. It also allows him to state with a straight face, as he did at the Archives speech, “We are not going to release anyone if it would endanger our national security, nor will we release detainees within the United States who endanger the American people.” No, the president won’t release detainees; he’ll sit back and let the courts to do it for him. And the president won’t seek congressional authorization for prolonged detention of the enemy, as he promised, because it will anger his political base on the Left. The ultra-liberals aren’t about to relinquish their “try them or set them free” mantra, even though such a policy threatens to put terrorists back on the battlefield. Moreover, the president would have to spend political capital to win congressional authorization for a prolonged detention policy. Obviously, he would rather spend that capital on other policy priorities. Politically speaking, it is easier to maintain the status quo and let the detainees seek release from federal judges. The passive approach also helps the administration close Gitmo without taking the heat for actually releasing detainees themselves.

#### Dems will block and they’re key

Lerer and Tiron, 10/24 (Lisa and Roxana, 10/24/2013, “Republicans After Shutdown Seen Losing Again on Immigration,” <http://www.bloomberg.com/news/2013-10-24/republicans-after-shutdown-seen-losing-again-defying-immigration.html>))

Shortly after the U.S. government shutdown ended, President Barack Obama declared that he wanted immigration legislation back on Congress’s agenda, with the goal of passage by year’s end. Some fellow Democrats are in no hurry.

Their concern: a compromise with Republicans might take the edge off an issue that tops the agenda for Hispanics, a group that gave Obama 71 percent of its votes in the 2012 presidential election. Democrats want to hold onto that decisive margin in their bid to keep control of the U.S. Senate and win a House majority in next year’s congressional races.

#### The plan pacifies the base and gets their support

Goldsmith and Wittes 9, Prof at Law School ex-assistant attorney general and senior fellow at Brookings

[12/22/09, Jack Goldsmith teaches at Harvard Law School and served as an assistant attorney general in the Bush administration. Benjamin Wittes, a former Post editorial writer, is a senior fellow at the Brookings Institution and the editor of "Legislating the War on Terror: An Agenda for Reform." Both are members of the Hoover Institution's Task Force on National Security and Law, “A role judges should not have to play”, http://articles.washingtonpost.com/2009-12-22/opinions/36890191\_1\_detention-policy-judges-judicial-system]

Congress has avoided these issues for a number of reasons. Initially, it was a combination of the Bush administration's failure to seek congressional help and lawmakers' natural inclination to avoid taking responsibility for hard decisions for which they might later be held accountable. More recently, the Obama administration has been loath to spend any more political capital than necessary in cleaning up what it views as its predecessor's messes. Instead of dealing with detention policy proactively, it has largely adopted the Bush approach of grinding out detention policy in the courts. Ironically, the president's political base seems to prefer his adoption of the Bush approach -- an approach liberals previously decried -- to any effort to write detention rules and limitations into statutory law.

#### GOP won’t cave and Obama has no capital

Preston, 10/16 --- Communications Director of the Republican Party of Texas (Bryan, 10/16/2013, “Barack Obama has Picked Four Big Fights in 2013. How Has He Done?” http://pjmedia.com/tatler/2013/10/16/barack-obama-has-picked-four-big-fights-in-2013-how-has-he-done/))

2. Immigration. Obama and the Senate Gang of 8 next championed “comprehensive immigration reform.” The Senate passed a bad bill, but the House rejected it. Obama wanted one of two things out of that fight — either to pass a transformative bill that paved the path to legalization, then amnesty, then citizenship for the 12-20 million illegal aliens in the United States, or see the bill fail and use that as a weapon against Republicans. The bill has failed but Obama is threatening to bring it back up again after the current debt war is over. He expects the GOP House to roll for him, but the anger is so pervasive that they’re not likely to give him anything at all, and his poll numbers show no strength to strongarm them. So he is likely to go 0-2.

#### Obama’s agenda is dead --- GOP will block it

Wilson & Eilperin, 10/17 (Scott and Juliet, 10/17/2013, Washington Post.com, “Obama plans to renew immigration, climate change efforts; But White House officials acknowledge that Republicans might remain unwilling to help him, Factiva))

Even with federal workers returning to their jobs, the administration's ability to execute policy is undermined by the fact that it still has dozens of posts in key agencies that remain unfilled. There are 183 executive nominations pending in the Senate. At the Department of Homeland Security, more than a dozen top officials — including the secretary — are acting rather than permanent.

New York University public service professor Paul C. Light is pessimistic that Obama can accomplish much in coming months. He said Obama is running out of time to get things done in the face of GOP resistance and the decline of influence that comes with a second term.

"I don't think that he'll get anything. His agenda is finished," Light said. "It's a political tragedy, because he's got more knowledge about the job and less juice to get it done."

#### Specifically it will splinter cooperation with European allies

**Smith, Director of the Europe Program at CSIS, 7** (JULIANNE SMITH, DIRECTOR AND SENIOR FELLOW, EUROPE PROGRAM, CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES, In a report for Congress, “EXTRAORDINARY RENDITION IN U.S. COUNTERTERRORISM POLICY: THE IMPACT ON TRANSATLANTIC RELATIONS”, <http://foreignaffairs.house.gov/110/34712.pdf>

The transatlantic relationship has long been heralded as one of the strongest—¶ if not the strongest—partnerships in the international system. Over the last five ¶ years, however, America’s image in Europe, particularly at the public level, has declined steadily. The war in Iraq, **human rights abuses at Abu Ghraib, and allegations of torture** and the desecration of the Koran at the Guantanamo Bay detainment camp **marked** the years between 2003 and 2005 as **some of the darkest and ¶ most strained in the history of the transatlantic relationship**. During this period, ¶ **polling data** from the Pew Research Center for the People and the Press and the ¶ German Marshall Fund of the United States **pointed to a steep decline in the ¶ favorability ratings of the U**nited **S**tates. ¶ In the last two years, efforts have been made on both sides of the Atlantic to ¶ renew transatlantic ties, and anecdotal evidence over the last year suggests an improvement at least at the political elite level.1¶ However, **European publics continue ¶ to have a negative view** of the United States, and America’s ‘‘war on terror’’ remains ¶ widely unpopular. In fact, data from a Pew poll conducted in the summer of 2006 ¶ found that people in Great Britain, France and Spain believe the U.S.-led war in ¶ Iraq is a greater threat to world peace than Iran’s government and its nuclear program.2¶ Anyone who has made a trip to Europe in recent months has certainly noticed the long list of grievances that Europeans often cite against the United States ¶ and its war on terror. Europeans complain of U.S. arrogance, question U.S. commitment to human rights and international law, and warn that the United States is ¶ fueling more conflicts than it is resolving. ¶ **When it was alleged in late 2005 that the United States was detaining top terror ¶ suspects in so-called ‘‘black sites’’ in eight countries and that the Central Intelligence Agency (CIA) was flying terrorist suspects between secret prisons and countries in the Middle East that have been known to torture detainees, America’s image in Europe took another dive**. For the past five years, **Europeans** have **expressed deep concern ove**r two issues: **Washington’s unwillingness to grant due process to terror suspects and the violation of suspects’ human rights during interrogations**. The rendition allegations and resulting investigation by the European Parliament have now confirmed Europe’s worst fears. Many Europeans now believe ¶ they have ample evidence to prove a long suspected gap between U.S. stated policies ¶ and action. As a result, U.S. promises not to torture terrorist suspects and to uphold ¶ the fundamental pillars of international law by offering all individuals a fair trial ¶ are no longer seen as credible. ¶ America’s moral authority has also suffered damage from the discovery that since ¶ September 11, the CIA has reportedly sent terror suspects to Syria—a country that, ¶ according to the U.S. State Department, uses torture during imprisonment.3¶ For the ¶ Bush Administration to simultaneously oppose engaging Syria in efforts to revive ¶ the Arab-Israeli peace process and stabilize Iraq on that grounds that Syria is a ¶ state sponsor of terrorism strikes European audiences as the epitome of hypocrisy. ¶ The conclusion some Europeans draw from such incidents is that the United States ¶ will partner with countries with poor human rights records in the name of shortterm tactical gains in the war on terror.4¶ Such conclusions are disappointing for a corner of the world that once felt enormous gratitude for American action during the Cold War and into the 1990s. For ¶ decades Europeans have looked to the United States as the preeminent advocate of ¶ democratic values and human rights. Today **America’s moral authority is eroding, ¶ jeopardizing the transatlantic relationship and threatening U.S. national security. President Bush has noted on several occasions that making policy is not a popularity contest. True. But when political elites in other countries start to feel that standing shoulder to shoulder with the United States is a political liability, low favorability ratings can indeed hinder America’s ability to solve global challenges.**

**Global war**

**O’Sullivan 4** – vice president of the Mission Critical Networks business area, which includes all FAA programs, as well as the Alaska Flight Services Modernization and OASIS programs [March 31, 2004, John O'Sullivan, “Europe and the Establishment,” The National Interest, <http://nationalinterest.org/article/europe-and-the-establishment-2608>]

The report's starting point -- that U**.S.-European relations are extremely important** -- is undeniable. **A united Western alliance would shape world institutions in line with values** and practices **rooted in liberty** and democracy **and coax rising powers such as India and China into going along with this international status quo** for the foreseeable future. Indeed, **this is already happening as China accepts liberal economic rules** at home in order to enter institutions such as the G7 and the World Trade Organization. By contrast, **a disunited West would tempt such powers to play off Europe and America against each other and foster a global jockeying for power not unlike the maneuvering between** a half-dozen great **powers that led to 1914.**

**EU economic ties are key to the economy**

**Bergsten 99** C. Fred Bergsten, Director, Institute for International Economics, “America and Europe: Clash of the Titans?” FOREIGN AFFAIRS v. 78 n. 2, March/April 1999, p. 20+, LN.

Partly as a result of these seismic shifts, **transatlantic economic interdependence** and joint responsibility for global leadership **have grown rapidly for both economic superpowers. Europe and America therefore need to devise new strategies and institutional arrangements to manage both their bilateral economic relations and global economic issues**. Such strategies can be constructed with or without a "common European foreign policy" that embraces traditional security issues; Europe itself has integrated far faster economically than it has politically. Japan will also be a partner in some elements of this collaboration. But until that country and the rest of Asia recover from their prolonged economic woes -- which may take half a decade or more -- **transatlantic relations will be the crucial pivot for global as well as bilateral economic progress**. And since Japan did not play a very forceful international role even prior to the Asian crisis, the timing or even the possibility of its full participation in the core leadership group remains highly uncertain.

### --- 1ar No Vote This Year

#### GOP private comments conclude neg --- their ev is public talking points

Lipton & Parker, 10/25 (Eric and Ashley, 10/25/2013, NYTimes.com Feed, “Conservative Coalition Presses House Republicans to Act on Immigration,” Factiva))

The push to bring immigration legislation to the House floor comes only weeks after House conservatives alienated many longtime supporters — including much of corporate America — by trying to block financing for President Obama’s health care law, a move widely blamed for the government shutdown.

House Republican leaders, including Speaker John A. Boehner of Ohio and Representative Eric Cantor of Virginia, the majority leader, among others, support taking up their own immigration legislation this year, given that the Senate has already passed a comprehensive bill.

But privately, some House Republican officials are saying that they do not expect any major legislation to move through the House this year, or perhaps not even until 2015, in advance of the next presidential election.

There is intense division within the party over the proposals. In fact, a core group of hard-line conservatives said in interviews this week that they would not be intimidated by pressure from corporate America or other outside parties, even though in this case that includes farmers, evangelical leaders and some prominent conservatives.

“I care about the sovereignty of the United States of America and what it stands for, and not an open-door policy,” said Representative Ted Yoho, Republican of Florida, who is one of several conservatives opposing all of the bills the House is currently considering.

### --- GOP Won’t Support

#### GOP doesn’t see political incentive --- won’t support before midterms

Lipton & Parker, 10/25 (Eric and Ashley, 10/25/2013, NYTimes.com Feed, “Conservative Coalition Presses House Republicans to Act on Immigration,” Factiva))

A growing number of Republicans, however, privately say they see no political advantage for the party to move ahead on immigration legislation right now. They do not expect it to be a critical issue in the 2014 midterms — in fact, some House Republicans may be even more reluctant to take a tough vote on immigration during an election year — and they say it simply needs to be dealt with before the 2016 presidential elections. Thus, they say, they are most optimistic about pushing through an overhaul in 2015.

### No Comprehensive Reform

#### House GOP won’t support comprehensive reform

Chakraborty, 10/24 (Barnini, 10/24/2013, “A pivot in priorities? Obama touts immigration reform,” [http://www.foxnews.com/politics/2013/10/24/pivot-in-priorities-obama-touts-immigration-reform/)](http://www.foxnews.com/politics/2013/10/24/pivot-in-priorities-obama-touts-immigration-reform/%29))

The lower chamber of Congress has just five legislative weeks left to push the plan through – something Obama as well as House Speaker John Boehner believes can be accomplished.

“I still think immigration reform is an important subject that needs to be addressed,” Boehner told reporters at a Capitol Hill news conference earlier this week. “And I’m hopeful.”

However, almost immediately following the president’s speech, Boehner’s press spokesman released a statement saying the speaker was opposed to the Senate immigration package.

“(Boehner) has been clear that the House will not consider any massive, ObamaCare-style legislation that no one understands,” Brendan Buck said in a written statement. “Instead, the House is committed to a common sense, step-by-step approach that gives Americans confidence that reform is done the right way.”

### --- 1ar PC Not Key / Won’t Pass

#### PC not key and party infighting prevents House vote

Shiner, 10/22 (Meredith, 10/22/2013, “Did the Shutdown Help the Immigration Cause?” <http://www.rollcall.com/news/did_the_shutdown_help_the_immigration_cause-228577-1.html?pos=hbtxt>))

Advocates of an immigration overhaul may see a silver lining in the recent 16-day government shutdown for their cause in the House, sensing that Republicans will want to win back some of the popular support they lost over the past month.

But House GOP insiders remain skeptical that the fractured Republican Conference will be able to get something done on the issue anytime soon.

Backers of a rewrite of immigration laws view the recent plunge in Republican favorability ratings as an opening for the party to push the immigration issue and help repair the GOP brand. Even so, action may be stymied by continued infighting over government spending and lawmakers who have little interest in helping the party resuscitate its damaged reputation.

Sources familiar with the thinking of Republican leaders and the rowdy conservatives who clash with them are pessimistic about the party’s ability to come together, even if immigration changes enjoy popular support with voters and among the party.

“I would ask these immigration proponents, ‘Does our party look like it’s doing a good job of actively managing our favorables?’” one GOP aide questioned. “Does the [Republican National Committee] want us to do something? Sure it does, to give them talking points headed into 2016, making the party look like it’s more reasonable and in tune with demographics a Republican presidential candidate might need. Is that something that’s actually viable in the House? No. It’s not.”

Another Republican aide predicted, “There is no chance the House brings anything to a vote. I’m pretty confident you don’t have anyone in Republican leadership in the House telling you it would be good to vote on it. Just not going to happen, no matter how much [the president] wants to change the debate to that issue.”