# 1NC

## topicality

#### 1. War power is authority in the constitution

Linn 2K Alexander C. Linn, law student William & Mary Bill of Rights Journal April, 2000 8 Wm. & Mary Bill of Rts. J. 725 NOTE: INTERNATIONAL SECURITY AND THE WAR POWERS RESOLUTION lexis

n3 " War power" is defined as "[t]he constitutional authority of Congress to declare war and maintain armed forces (U.S. Const. art. I, § 8, cls. 11-14), and of the President to conduct war as commander-in-chief (U.S. Const. art. II, § 2, cl. 1)." Black's Law Dictionary 1578-79 (7th ed. 1999).

#### 2. **Restriction is prohibition**

Sinha 6 <http://www.indiankanoon.org/doc/437310/> Supreme Court of India Union Of India & Ors vs M/S. Asian Food Industries on 7 November, 2006 Author: S.B. Sinha Bench: S Sinha, Mark, E Katju CASE NO.: Writ Petition (civil) 4695 of 2006 PETITIONER: Union of India & Ors. RESPONDENT: M/s. Asian Food Industries DATE OF JUDGMENT: 07/11/2006 BENCH: S.B. Sinha & Markandey Katju JUDGMENT: J U D G M E N T [Arising out of S.L.P. (Civil) No. 17008 of 2006] WITH CIVIL APPEAL NO. 4696 OF 2006 [Arising out of S.L.P. (Civil) No. 17558 of 2006] S.B. SINHA, J :

We may, however, notice that this Court in State of U.P. and Others v. M/s. Hindustan Aluminium Corpn. and others [AIR 1979 SC 1459] stated the law thus:

"It appears that a distinction between regulation and restriction or prohibition has always been drawn, ever since Municipal Corporation of the City of Toronto v. Virgo. Regulation promotes the freedom or the facility which is required to be regulated in the interest of all concerned, whereas prohibition obstructs or shuts off, or denies it to those to whom it is applied. The Oxford English Dictionary does not define regulate to include prohibition so that if it had been the intention to prohibit the supply, distribution, consumption or use of energy, the legislature would not have contented itself with the use of the word regulating without using the word prohibiting or some such word, to bring out that effect."

#### **3. procedural change is not substantially**

Words and Phrases 64 vol 40 p 816 full photocopied card is on p 18 of substantially defs PDF

The word "substantially" meaning in the matter of substance rather than mere form

#### **4. The President is the head of state**

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http://dictionary.reference.com/browse/president+of+the+united+states

President of the United States

president of the united states

noun

1. the person who holds the office of head of state of the United States government; "the President likes to jog every morning"

2. the office of the United States head of state; "a President is elected every four years"

#### **B. The plan doesn’t restrict the president’s war power authority to do targeted killing– it only restricts the power of the CIA**

#### C. the affirmative interpretation is bad for debate

#### Limits are necessary for negative preparation and clash. The aff makes the topic too big. There are an infinite number of procedural requirements and conditions that could be placed on the president. We could never be ready to debate all of them

D. T is a voter because it is necessary for debate.

## CP

#### Text: The President of the United States should issue an executive order transferring all present and future targeted killing operations using remotely piloted aircraft systems conducted by the Central Intelligence Agency to the Department of Defense.

### K

#### Drone policy represents the worst of the modern us imperialism – it elevates the violent elimination of risk over long term sustainability.

Wall 11 [Tyler, Assistant Professor of Criminal Justice at Eastern Kentucky University. He received his Ph.D. in Justice Studies, an interdisciplinary degree from Arizona State University. He has published his work in academic journals such as Theoretical Criminology, Social Justice: A Journal of Crime, Conflict, & World Order, Identities: Global Studies in Culture and Power, and Surveillance & Society, among others., Surveillance and violence from afar: The politics of drones and liminal security-scapes Tyler Wall Eastern Kentucky University, USA Torin Monahan Vanderbilt University, USA Theoretical Criminology 15(3) 239–254 © The Author(s) 2011]

As surveillance and military devices, drones offer a prism for theorizing the technological politics of warfare and governance. This prism reveals some violent articulations of US imperialism and nationalism, the translation of bodies into ‘targets’ for remote monitoring and destruction, and the insidious application of militarized systems and rationalities to domestic territories and populations. In this article, we analyzed the deployment of drones primarily within two different liminal security-scapes: warzones in Afghanistan, Iraq, and Pakistan and borderzones and urban areas in the USA. While we readily acknowledge profound variation and diversity both within and across these securityscapes, extant resonances and dissonances, especially with the use of drones, reveal broader patterns in forms of state operations. Notably, the drone stare depends upon processes that seek to insulate pilots and allies from direct harm while subjecting targets to ‘precision’ scrutiny and/or attack. The drone stare further abstracts targets from political, cultural, and geographical contexts, thereby reducing variation, difference, and noise that may impede action or introduce moral ambiguity. In combination, these processes further **normalize the ongoing subjugation of those marked as Other**, those **targeted for** discriminatory observation and **attack**, those without comparable resources to contest the harmful categories within which they are placed. Whether the forms of drone surveillance and violence operate in discursive, representational, and/or physical registers, they are always articulations of identity and scripted assertions of value that are **far from objective or benign**. UAVs may reside within a paradigm of cosmic control that seeks strategic advantage through systems of verticality, but rather than mirror reality below in some positivistic way, the drone assemblage executes socio-technical codes that objectify others while **blurring all identities within the apparatus**. Some of these blurred identities include insurgent and civilian, criminal and undocumented migrant, remotely located pilot and front-line soldier. Not only does the use of military drones destabilize identities and their representations in both combat and borderzones, but conceptual categories as well are subjected to **homogenization of radical difference** as borders are refashioned as combat zones and combat zones are construed as **ontological borders** between ‘**us’ and ‘them’**, or ‘**civilization’ and ‘barbarism’**. UAV surveillance practices furthermore reveal a primary, unstable fault line with surveillance in risk societies: **exact identification and targeted control of individuals is subordinated to imperatives of preemptive risk management of populations** and groups. Individualizing and differentiating surveillance is still highly valued, of course; it just gives way to—or is subsumed by—practical needs and expediencies which may appear to be rational and technocratic but are nonetheless **infused with prejudicial understandings and evaluations of subjects.** Thus, actuarial forms of surveillance seek precision within certain homogenizing parameters. In the case of UAVs, this arrangement may **increase instances of** state crimes such as the **direct or indirect killing of innocents**, which can occur through drone missile attacks or through the further militarization of dangerous borderzones. Broadly speaking, perhaps the ultimate objective of informational surveillance in and by institutions is to supplant the group with the individual as the primary unit of analysis—or, beyond that, to perceive individuals as comprised of groups (of preferences, risks, probabilities) and act on whichever attributes are deemed meaningful for particular functions or goals. Still, it would be a mistake to think that more finegrained detail and differentiation would move surveillance systems closer to ‘truthful’ representations of people. **As long as a risk-management paradigm prevails, prejudicial social sorting**—or mortality triage, as the case may be—**will continue, as will unjustifiable interventions based on profiles and probabilities.**

#### Securitization and its Mediation Ensures Total War and Genocide – Their Representations of remotely piloted vehicles ensure Astonishing Violence.

Karsten **Friis**, UN Sector @ the Norwegian Institute of International Affairs, **2k** [*Peace and Conflict Studies* 7.2, “From Liminars to Others: Securitization Through Myths,” http://shss.nova.edu/pcs/journalsPDF/V7N2.pdf#page=2]

The problem with societal securitization is **one of representation**. It is rarely clear in advance who it is that speaks for a community. There is no system of representation as in a state. Since literately anyone can stand up as representatives, there is room for entrepreneurs. It is not surprising if we experience a struggle between different representatives and also their different representations of the society. What they do share, however, is a conviction that they are best at providing (a new) order. If they can do this convincingly, they gain legitimacy. What must be done is to make the uncertain certain and make the unknown an object of knowledge. To present a discernable Other is a way of doing this. The Other is represented as an Other -- as an unified single actor with a similar unquestionable set of core values (i.e. the capital “O”). They are objectified, made into an object of knowledge, by re-presentation of their identity and values. In other words, the representation of the Other is depoliticized in the sense that its inner qualities are treated as given and non-negotiable. In Jef Huysmans (1998:241) words, there is both a need for a mediation of chaosas well as of threat. A mediation of chaos is more basic than a mediation of threat, as it implies making chaos into a meaningful order by a convincing representation of the Self and its surroundings. It is a mediation of “ontological security”, which means “...a strategy of managing the limits of reflexivity ... by fixing social relations into a symbolic and institutional order” (Huysmans 1998:242). As he and others (like Hansen 1998:240) have pointed out, the importance of a threat construction for political identification, is often overstated. The mediation of chaos, of being the provider of order in general, is just as important. This may imply naming an Other but not necessarily as a threat. Such a dichotomization implies a **necessity** to get rid of all the liminars (what Huysmans calls “strangers”). This is because they “...connote a challenge to categorizing practices through the impossibility of being categorized”, and does not threaten the community, “...but the possibility of ordering itself” (Huysmans 1998:241). They are a challenge to the entrepreneur by their very existence. They confuse the dichotomy of Self and Other and thereby the entrepreneur’s mediation of chaos. As mentioned, a liminar can for instance be people of mixed ethnical ancestry but also representations of competing world-pictures. As Eide (1998:76) notes: “Over and over again we see that the “liberals” within a group undergoing a mobilisation process for group conflict are the first ones to go”. The liminars threaten the ontological order of the entrepreneur by challenging his representation of Self and Other and his mediation of chaos, which ultimately undermines the legitimacy of his policy. The liminars may be securitized by some sort of disciplination, from suppression of cultural symbols to ethnic cleansing and expatriation. This is a threat to the ontological order of the entrepreneur, stemming from inside and thus repoliticizing the inside/outside dichotomy. Therefore the liminar must disappear. It must be made into a Self, as several minority groups throughout the world have experienced, or it must be forced out of the territory. A liminar may also become an Other, as its connection to the Self is cut and their former common culture is renounced and made insignificant. In Anne Norton’s (1988:55) words, “The presence of difference in the ambiguous other leads to its classification as wholly unlike and identifies it unqualifiedly with the archetypal other, denying the resemblance to the self.” Then the liminar is no longer an ontological danger (chaos), but what Huysmans (1998:242) calls a mediation of “daily security”. This is not challenging the order or the system as such but has become a visible, clear-cut Other. In places like Bosnia, this naming and replacement of an Other, has been regarded by the securitizing actors as the solution to the ontological problem they have posed. Securitization was not considered a political move, in the sense that there were any choices. It was a necessity: Securitization was a solution based on a depoliticized ontology.10 This way the world-picture of the securitizing actor is not only a representation but also made into reality. The mythical second-order language is made into first-order language, and its “innocent” reality is forced upon the world. To the entrepreneurs and other actors involved it has become a **“natural” necessity** with a need to make order, even if it implies making the world match the map. Maybe that is why war against liminars are so often total; it attempts a **total expatriation** or a total “solution” (like the Holocaust) and not only a victory on the battlefield. If the enemy is not even considered a legitimate Other, the door may be more open to a kind of violence that is way beyond any war conventions, any jus in bello. This way, securitizing is legitimized: The entrepreneur has succeeded both in launching his world-view and in prescribing the necessary measures taken against it. This is possible by using the myths, by speaking on behalf of the natural and eternal, where truth is never questioned.

#### Alternative – Reject The Affirmative’s Security Logic – This Allows for *Actual Political Thought* – Accepting Their Descriptions and Responses Colonizes the Debate.

Mark Neocleous, Prof. of Government @ Brunel, 2008 [*Critique of Security*, 185-6]

The only way out of such a dilemma, to escape the fetish, is perhaps to eschew the logic of security altogether - to reject it as so ideologically loaded in favour of the state that any real political thought other than the authoritarian and reactionary should be pressed to give it up. That is clearly something that can not be achieved within the limits of bourgeois thought and thus could never even begin to be imagined by the security intellectual. It is also something that the constant iteration of the refrain 'this is an insecure world' and reiteration of one fear, anxiety and insecurity after another will also make it hard to do. But it is something that the critique of security suggests we may have to consider if we want a political way out of the impasse of security. This impasse exists because security has now become so all-encompassing that it marginalises all else, most notably the constructive conflicts, debates and discussions that animate political life. The constant prioritising of a mythical security as a political end - as the political end constitutes a rejection of politics in any meaningful sense of the term. That is, as a mode of action in which differences can be articulated, in which the conflicts and struggles that arise from such differences can be fought for and negotiated, in which people might come to believe that another world is possible - that they might transform the world and in turn be transformed. Security politics simply removes this; worse, it remoeves it while purportedly addressing it. In so doing it suppresses all issues of power and turns political questions into debates about the most efficient way to achieve 'security', despite the fact that we are never quite told - never could be told - what might count as having achieved it. Security politics is, in this sense, an anti-politics,"' dominating political discourse in much the same manner as the security state tries to dominate human beings, reinforcing security fetishism and the monopolistic character of security on the political imagination. We therefore need to get beyond security politics, not add yet more 'sectors' to it in a way that simply expands the scope of the state and legitimises state intervention in yet more and more areas of our lives. Simon Dalby reports a personal communication with Michael Williams, co-editor of the important text Critical Security Studies, in which the latter asks: if you take away security, what do you put in the hole that's left behind? But I'm inclined to agree with Dalby: maybe there is no hole."' The mistake has been to think that there is a hole and that this hole needs to be filled with a new vision or revision of security in which it is re-mapped or civilised or gendered or humanised or expanded or whatever. All of these ultimately remain within the statist political imaginary, and consequently end up reaffirming the state as the terrain of modern politics, the grounds of security. The real task is not to fill the supposed hole with yet another vision of security, but to fight for an alternative political language which takes us beyond the narrow horizon of bourgeois security and which therefore does not constantly throw us into the arms of the state. That's the point of critical politics: to develop a new political language more adequate to the kind of society we want. Thus while much of what I have said here has been of a negative order, part of the tradition of critical theory is that the negative may be as significant as the positive in setting thought on new paths. For if security really is the supreme concept of bourgeois society and the fundamental thematic of liberalism, then to keep harping on about insecurity and to keep demanding 'more security' (while meekly hoping that this increased security doesn't damage our liberty) is to blind ourselves to the possibility of building real alternatives to the authoritarian tendencies in contemporary politics. To situate ourselves against security politics would allow us to circumvent the debilitating effect achieved through the constant securitising of social and political issues, debilitating in the sense that 'security' helps consolidate the power of the existing forms of social domination and justifies the short-circuiting of even the most democratic forms. It would also allow us to forge another kind of politics centred on a different conception of the good. We need a new way of thinking and talking about social being and politics that moves us beyond security. This would perhaps be emancipatory in the true sense of the word. What this might mean, precisely, must be open to debate. But it certainly requires recognising that security is an illusion that has forgotten it is an illusion; it requires recognising that security is not the same as solidarity; it requires accepting that insecurity is part of the human condition, and thus giving up the search for the certainty of security and instead learning to tolerate the uncertainties, ambiguities and 'insecurities' that come with being human; it requires accepting that 'securitizing' an issue does not mean dealing with it politically, but bracketing it out and handing it to the state; it requires us to be brave enough to return the gift."'

## Politics

### 1NC Debt Ceiling DA

#### Debt ceiling battle is coming now – resolution of Syria cleared the agenda

Bohan 9/11 [Caren, “Delay in Syria vote frees Obama to shift to hefty domestic agenda”, http://carnegieeurope.eu/strategiceurope/?fa=52932]

(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.¶ BUDGET BATTLES¶ Among Obama's most immediate challenges are two looming budget fights. By September 30, Congress and the president must agree on legislation to keep federal agencies funded or face a government shutdown.¶ Two weeks later, Congress must raise the limit on the country's ability to borrow or risk a possible debt default that could cause chaos in financial markets.¶ On the first budget showdown, Obama may be at a strategic advantage because of divisions among opposition Republicans about whether to use the spending bill to provoke a fight over Obama's signature health care law, known as Obamacare.¶ House Republican leaders are trying to rally the party around a temporary spending measure that would keep the government funded until December 15 but are facing resistance within their own caucus from some conservatives who want to cut off funding for Obamacare, even if it means a government shutdown.¶ The debt limit fight could end up going down to the wire and unnerving financial markets. Republicans want to use that standoff to extract concessions from the Democratic president, such as spending cuts and a delay in the health law. But Obama has said he has no intention of negotiating over the borrowing limit.

#### Negotiating power is finite – plan trades off with domestic economic priorities.

Moore 9/10 [Heidi, Guardian's US finance and economics editor, “Syria: the great distraction; Obama is focused on a conflict abroad, but the fight he should be gearing up for is with Congress on America's economic security,” http://www.theguardian.com/commentisfree/2013/sep/10/obama-syria-what-about-sequester]

Political capital – the ability to horse-trade and win political favors from a receptive audience – is a finite resource in Washington. Pursuing misguided policies takes up time, but it also eats up credibility in asking for the next favor. It's fair to say that congressional Republicans, particularly in the House, have no love for Obama and are likely to oppose anything he supports. That's exactly the reason the White House should stop proposing policies as if it is scattering buckshot and focus with intensity on the domestic tasks it wants to accomplish, one at a time.

#### Failure to life the ceiling collapses the global economy.

Davidson 9/10 [Adam, co-founder of NPR’s "Planet Money," Our Debt to Society, New York Times, 9/10/13, http://www.nytimes.com/2013/09/15/magazine/our-debt-to-society.html?pagewanted=all]

If the debt ceiling isn’t lifted again this fall, some serious financial decisions will have to be made. Perhaps the government can skimp on its foreign aid or furlough all of NASA, but eventually the big-ticket items, like Social Security and Medicare, will have to be cut. At some point, the government won’t be able to pay interest on its bonds and will enter what’s known as sovereign default, the ultimate national financial disaster achieved by countries like Zimbabwe, Ecuador and Argentina (and now Greece). In the case of the United States, though, it won’t be an isolated national crisis. If the American government can’t stand behind the dollar, the world’s benchmark currency, then the global financial system will very likely enter a new era in which there is much less trade and much less economic growth. It would be, by most accounts, the largest self-imposed financial disaster in history. Nearly everyone involved predicts that someone will blink before this disaster occurs. Yet a small number of House Republicans (one political analyst told me it’s no more than 20) appear willing to see what happens if the debt ceiling isn’t raised — at least for a bit. This could be used as leverage to force Democrats to drastically cut government spending and eliminate President Obama’s signature health-care-reform plan. In fact, Representative Tom Price, a Georgia Republican, told me that the whole problem could be avoided if the president agreed to drastically cut spending and lower taxes. Still, it is hard to put this act of game theory into historic context. Plenty of countries — and some cities, like Detroit — have defaulted on their financial obligations, but only because their governments ran out of money to pay their bills. No wealthy country has ever voluntarily decided — in the middle of an economic recovery, no less — to default. And there’s certainly no record of that happening to the country that controls the global reserve currency. Like many, I assumed a self-imposed U.S. debt crisis might unfold like most involuntary ones. If the debt ceiling isn’t raised by X-Day, I figured, the world’s investors would begin to see America as an unstable investment and rush to sell their Treasury bonds. The U.S. government, desperate to hold on to investment, would then raise interest rates far higher, hurtling up rates on credit cards, student loans, mortgages and corporate borrowing — which would effectively put a clamp on all trade and spending. The U.S. economy would collapse far worse than anything we’ve seen in the past several years. Instead, Robert Auwaerter, head of bond investing for Vanguard, the world’s largest mutual-fund company, told me that the collapse might be more insidious. “You know what happens when the market gets upset?” he said. “There’s a flight to quality. Investors buy Treasury bonds. It’s a bit perverse.” In other words, if the U.S. comes within shouting distance of a default (which Auwaerter is confident won’t happen), the world’s investors — absent a safer alternative, given the recent fates of the euro and the yen — might actually buy even more Treasury bonds. Indeed, interest rates would fall and the bond markets would soar. While this possibility might not sound so bad, it’s really far more damaging than the apocalyptic one I imagined. Rather than resulting in a sudden crisis, failure to raise the debt ceiling would lead to a slow bleed. Scott Mather, head of the global portfolio at Pimco, the world’s largest private bond fund, explained that while governments and institutions might go on a U.S.-bond buying frenzy in the wake of a debt-ceiling panic, they would eventually recognize that the U.S. government was not going through an odd, temporary bit of insanity. They would eventually conclude that it had become permanently less reliable. Mather imagines institutional investors and governments turning to a basket of currencies, putting their savings in a mix of U.S., European, Canadian, Australian and Japanese bonds. Over the course of decades, the U.S. would lose its unique role in the global economy. The U.S. benefits enormously from its status as global reserve currency and safe haven. Our interest and mortgage rates are lower; companies are able to borrow money to finance their new products more cheaply. As a result, there is much more economic activity and more wealth in America than there would be otherwise. If that status erodes, the U.S. economy’s peaks will be lower and recessions deeper; future generations will have fewer job opportunities and suffer more when the economy falters. And, Mather points out, no other country would benefit from America’s diminished status. When you make the base risk-free asset more risky, the entire global economy becomes riskier and costlier.

#### Economic collapse causes global nuclear war.

Merlini, Senior Fellow – Brookings, 11

[Cesare Merlini, nonresident senior fellow at the Center on the United States and Europe and chairman of the Board of Trustees of the Italian Institute for International Affairs (IAI) in Rome. He served as IAI president from 1979 to 2001. Until 2009, he also occupied the position of executive vice chairman of the Council for the United States and Italy, which he co-founded in 1983. His areas of expertise include transatlantic relations, European integration and nuclear non-proliferation, with particular focus on nuclear science and technology. A Post-Secular World? DOI: 10.1080/00396338.2011.571015 Article Requests: Order Reprints : Request Permissions Published in: journal Survival, Volume 53, Issue 2 April 2011 , pages 117 - 130 Publication Frequency: 6 issues per year Download PDF Download PDF (~357 KB) View Related Articles To cite this Article: Merlini, Cesare 'A Post-Secular World?', Survival, 53:2, 117 – 130]

Two neatly opposed scenarios for the future of the world order illustrate the range of possibilities, albeit at the risk of oversimplification. The first scenario entails the premature crumbling of the post-Westphalian system. One or more of the acute tensions apparent today evolves into an open and traditional conflict between states, perhaps even involving the use of nuclear weapons. The crisis might be triggered by a collapse of the global economic and financial system, the vulnerability of which we have just experienced, and the prospect of a second Great Depression, with consequences for peace and democracy similar to those of the first. Whatever the trigger, the unlimited exercise of national sovereignty, exclusive self-interest and rejection of outside interference would likely be amplified, emptying, perhaps entirely, the half-full glass of multilateralism, including the UN and the European Union. Many of the more likely conflicts, such as between Israel and Iran or India and Pakistan, have potential religious dimensions. Short of war, tensions such as those related to immigration might become unbearable. Familiar issues of creed and identity could be exacerbated. One way or another, the secular rational approach would be sidestepped by a return to theocratic absolutes, competing or converging with secular absolutes such as unbridled nationalism.

### 1NC Resolve

#### Congressional restrictions cause adversaries to doubt the resolve of U.S. deterrence – causes crisis escalation.

Waxman 8/25 [Matthew Waxman 8/25/13, Professor of Law – Columbia and Adjunct Senior Fellow for Law and Foreign Policy – CFR, “The Constitutional Power to Threaten War,” Forthcoming in Yale Law Journal, vol. 123, August 25, 2013, SSRN]

A claim previously advanced from a presidentialist perspective is that stronger legislative checks on war powers is harmful to coercive and deterrent strategies, because it **establishes easily-visible impediments to the President’s authority** to follow through on threats. This was a common policy argument during the War Powers Resolution debates in the early 1970s. Eugene Rostow, an advocate inside and outside the government for executive primacy, remarked during consideration of legislative drafts that **any serious restrictions** on presidential use of force would mean in practice that “no President could make a credible threat to use force as an instrument of deterrent diplomacy, even to head off **explosive confrontations.”**178 He continued:¶ In the tense and cautious diplomacy of our present relations with the Soviet Union, as they have developed over the last twenty-five years, the authority of the President to set clear and silent limits in advance is perhaps the most important of all the powers in our constitutional armory to prevent confrontations that could carry nuclear implications. … [I]t is the diplomatic power the President needs most under the circumstance of modern life—the power to make a credible threat to use force in order to prevent a confrontation **which might escalate.**179

#### Credible conventional deterrence checks nuclear aggression

Gerson 09

MICHAEL S. GERSON, research analyst at the Center for Naval Analyses, Policy Fellow with the ONE Campaign, a visiting fellow with the Center for Public Justice, and a former senior fellow at the Council on Foreign Relations,“Conventional Deterrence in the Second Nuclear Age”, Strategic Studies Institute, Autumn 2009 //jchen

Although implicit or explicit nuclear threats may lack credibili- ty against non-WMD regimes, many potential adversaries believe that the United States will use conventional firepower, especially because America has conventional superiority and a demonstrated willingness to use it. Consequently, when dealing with non-WMD-related threats, conventional deterrence will be the most likely mechanism for deterring hostile actions.

According to Admiral Michael Mullen, the current Chairman of the Joint Chiefs of Staff, “A big part of credibility, of course, lies in our convention- al capability. The capability to project power globally and conduct effective theater-level operations . . . remains essential to deterrence effectiveness.”14

Conventional deterrence also plays an important role in preventing nonnuclear aggression by nuclear-armed regimes. Regional nuclear pro- liferation may not only increase the chances for the use of nuclear weap- ons, but, equally important, the possibility of conventional aggression. The potential for conventional conflict under the shadow of mutual nucle- ar deterrence was a perennial concern throughout the Cold War, and that scenario is still relevant. A nuclear-armed adversary may be emboldened to use conventional force against US friends and allies, or to sponsor ter- rorism, in the belief that its nuclear capabilities give it an effective deter- rent against US retaliation or intervention.15 For example, a regime might calculate that it could undertake conventional aggression against a neigh- bor and, after achieving a relatively quick victory, issue implicit or explicit nuclear threats in the expectation that the United States (and perhaps coali- tion partners) would choose not to get involved.

In this context, conventional deterrence can be an important mech- anism to limit options for regional aggression below the nuclear threshold. By deploying robust conventional forces in and around the theater of potential conflict, the United States can credibly signal that it can respond to conventional aggression at the outset, and therefore the opponent can- not hope to simultaneously achieve a quick conventional victory and use nuclear threats to deter US involvement. Moreover, if the United States can convince an opponent that US forces will be engaged at the beginning of hostilities—and will therefore incur the human and financial costs of war from the start—it can help persuade opponents that the United States would be highly resolved to fight even in the face of nuclear threats be- cause American blood and treasure would have already been expended.16 Similar to the Cold War, the deployment of conventional power in the re- gion, combined with significant nuclear capabilities and escalation dom- inance, can help prevent regimes from believing that nuclear possession provides opportunities for conventional aggression and coercion.

#### Foreign policy resolve key to prevent multiple global conflicts

Chapin and Hanson 9 – Bernard Chapin- interviewer, and Victor Davis Hanson, the Martin and Illie Anderson senior fellow at the Hoover Institution, December 7, 2009, “Change, weakness, disaster,” online: http://pajamasmedia.com/blog/change-weakness-disaster-obama-answers-from-victor-davis-hanson/

BC: Are we currently sending a message of weakness to our foes and allies? Can anything good result from President Obama’s marked submissiveness before the world? Dr. Hanson: Obama is one bow and one apology away from a circus. The world can understand a kowtow gaffe to some Saudi royals, but not as part of a deliberate pattern. Ditto the mea culpas. Much of diplomacy rests on public perceptions, however trivial. We are now in a great waiting game, as regional hegemons, wishing to redraw the existing landscape — whether China, Venezuela, Iran, North Korea, Pakistan, Syria, etc. — are just waiting to see who’s going to be the first to try Obama — and whether Obama really will be as tenuous as they expect. If he slips once, it will be 1979 redux, when we saw the rise of radical Islam, the Iranian hostage mess, the communist inroads in Central America, the Soviet invasion of Afghanistan, etc. BC: With what country then — Venezuela, Russia, Iran, etc. — do you believe his global repositioning will cause the most damage? Dr. Hanson: I think all three. I would expect, in the next three years, Iran to get the bomb and begin to threaten ever so insidiously its Gulf neighborhood; Venezuela will probably cook up some scheme to do a punitive border raid into Colombia to apprise South America that U.S. friendship and values are liabilities; and Russia will continue its energy bullying of Eastern Europe, while insidiously pressuring autonomous former republics to get back in line with some sort of new Russian autocratic commonwealth. There’s an outside shot that North Korea might do something really stupid near the 38th parallel and China will ratchet up the pressure on Taiwan. India’s borders with both Pakistan and China will heat up. I think we got off the back of the tiger and now no one quite knows whom it will bite or when.

## CASE

### Advantage 1

#### Drone strikes now are working – their evidence is about drone strikes generically

#### Al-Qaeda’s done – increasingly unpopular and new U.S. strategy.

Dalton et al. 12 [Dr. Bruce W. Jentleson is a Professor of Public Policy and Political Science at Duke University. Dr. Andrew M. Exum is a Senior Fellow at the Center for a New American Security. Melissa G. Dalton is a Visiting Fellow at the Center for a New American Security. J. Dana Stuster is a Researcher at the Center for a New American Security. Strategic Adaptation Toward a New U.S. Strategy in the Middle East June 2012 Center for New American Security http://www.cnas.org/files/documents/publications/CNAS\_StrategicAdaptation\_JentlesonExum\_0.pdf]

Al Qaeda has ceased to be a strategic player in the Middle East, calling into question the prioritization of the U.S. counterterrorism interests relative to its other interests in the region. 77 Whereas al Qaeda might once have been described as a coherent, centralized organization, it is today more decentralized and franchised – with most franchises performing quite poorly. 78 In the year since the killing of Osama bin Laden, al Qaeda has struggled to carry out operations worldwide, 79 although threats to the United States emanating from al Qaeda’s franchise in Yemen, including the recently disrupted plot to detonate a bomb aboard a commercial airplane, 80 have been serious. Several factors have contributed to al Qaeda’s decline. First, although opportunities for al Qaeda to resurge in Yemen and Syria remain, the organization has suffered considerable setbacks across the Middle East. An insurgency against U.S. forces and the new Iraqi government from 2003 to 2010 failed. By 2007, al Qaeda’s allies in Iraq had turned against it, and U.S. and Iraqi troops combined to devastate the organization’s leadership in Iraq. An insurgency against the government in Saudi Arabia from 2003 to 2005 also failed. As Thomas Hegghammer recounts, al Qaeda insurgents attempting to overthrow the regime in Saudi Arabia stuck out like the foreigners they had become while in exile in Pakistan and elsewhere. 81 The way in which al Qaeda fought these campaigns carried an enormous cost: The Arabic-speaking public might have cheered attacks on U.S. military installations, but attacks on Jordanian wedding parties and Iraqi markets proved highly unpopular. 82 Second, the U.S. government has carried out a very intense and mostly successful campaign against al Qaeda’s leadership in not just the Arabic-speaking world but especially in Afghanistan and Pakistan. As of July 2011, U.S. drone strikes had killed more than 1,000 militants in Pakistan’s tribal regions. 83 Bin Laden worried enough about the safety of his organization and its fellow travelers in the tribal areas of Pakistan to contemplate evacuating the supposed “safe haven.” 84 The subsequent death of bin Laden himself, while satisfying to the American people, overshadows the way in which U.S. intelligence agencies and special operations forces (SOF) degraded the rest of the organization. 85 Third and finally, the Arab Spring, in which Islamist parties have come to power through largely peaceable means, has been a disaster for al Qaeda. The revolutions in Tunisia and especially Egypt have discredited the al Qaeda narrative – that armed insurrection and coercive violence were the keys to political and social change. 86

#### Al-Qaeda gave up on nukes.

Jenkins 12 [Brian Michael Jenkins, senior adviser to the president at the RAND Corporation, is the author of Will Terrorists Go Nuclear (2008, Prometheus Books) and of several RAND monographs on terrorism-related topics. He formerly served as chair of the Political Science Department at RAND. In anticipation of the 10-year anniversary of 9/11, Jenkins spearheaded the RAND effort to take stock of America's policy reactions and give thoughtful consideration to the future strategy. That effort is presented in The Long Shadow of 9/11: America's Response to Terrorism (Brian Michael Jenkins and John Paul Godges, eds., 2011)., New Challenges to U.S. Counterterrorism Efforts An Assessment of the Current Terrorist Threat Before the Committee on Homeland Security and Governmental Affairs United States Senate July 11, 2012]

Al Qaeda’s central leadership clearly **had** nuclear ambitions and made an effort to acquire fissile material and technical expertise. However, there is **no evidence** that they acquired or even came close to acquiring nuclear weapons, and at some point in the last decade, the organization’s nuclear weapons project turned from an acquisition effort to a propaganda program calculated to excite its followers and frighten its foes. 10

#### Al-Qaeda’s incompetent.

Mueller and Stewart 12 [John Mueller is Senior Research Scientist at the Mershon Center for International Security Studies and Adjunct Professor in the Department of Political Science, both at Ohio State University, and Senior Fellow at the Cato Institute in Washington, D.C. Mark G. Stewart is Australian Research Council Professorial Fellow and Professor and Director at the Centre for Infrastructure Performance and Reliability at the University of Newcastle in Australia. Their book, Terror, Security, and Money: Balancing the Risks, Benefits, and Costs of Homeland Security, was published by Oxford University Press in 2011. The Terrorism Delusion, International Security > Volume 37, Number 1, Summer 2012]

Over the course of time, such essentially delusionary thinking has been internalized and institutionalized in a great many ways. For example, an extrapolation of delusionary proportions is evident in the common observation that, because terrorists were able, mostly by thuggish means, to crash airplanes into buildings, they might therefore be able to construct a nuclear bomb. Brian [End Page 97] Jenkins has run an internet search to discover how often variants of the term “al-Qaida” appeared within ten words of “nuclear.” There were only seven hits in 1999 and eleven in 2000, but the number soared to 1,742 in 2001 and to 2,931 in 2002.47 By 2008, Defense Secretary Robert Gates was assuring a congressional committee that what keeps every senior government leader awake at night is “the thought of a terrorist ending up with a weapon of mass destruction, especially nuclear.”48 Few of the sleepless, it seems, found much solace in the fact that an al-Qaida computer seized in Afghanistan in 2001 indicated that the group’s budget for research on weapons of mass destruction (almost all of it focused on primitive chemical weapons work) was $2,000 to $4,000.49 In the wake of the killing of Osama bin Laden, officials now have many more al-Qaida computers, and nothing in their content appears to suggest that the group had the time or inclination, let alone the money, to set up and staff a uranium-seizing operation, as well as a fancy, super-high-technology facility to fabricate a bomb. This is a process that requires trusting corrupted foreign collaborators and other criminals, obtaining and transporting highly guarded material, setting up a machine shop staffed with top scientists and technicians, and rolling the heavy, cumbersome, and untested finished product into position to be detonated by a skilled crew—all while attracting no attention from outsiders.50 If the miscreants in the American cases have been unable to create and set off even the simplest conventional bombs, it stands to reason that none of them were very close to creating, or having anything to do with, nuclear weapons—or for that matter biological, radiological, or chemical ones. In fact, with perhaps one exception, none seems to have even dreamed of the prospect; and the exception is José Padilla (case 2), who apparently mused at one point about creating a dirty bomb—a device that would disperse radiation—or even possibly an atomic one. His idea about isotope separation was to put uranium into a pail and then to make himself into a human centrifuge by swinging the pail around in great arcs.51 [End Page 98] Even if a weapon were made abroad and then brought into the United States, its detonation would require individuals in-country with the capacity to receive and handle the complicated weapons and then to set them off. Thus far, the talent pool appears, to put mildly, very thin.

Can’t steal a bomb---global nuclear security is increasing---stops terror

NTI 13 (Nuclear Threat Initiative, 30 January 2013, “Global Nuclear Security Gains: NTI Nuclear Materials Security Index, One-Year Progress Report,” http://www.nti.org/analysis/articles/global-nuclear-security-gains-nti-nuclear-materials-security-index-one-year-progress-report/)

In January 2012, the Nuclear Threat Initiative (NTI) released the NTI Nuclear Materials Security Index, a first-of-its-kind public assessment of nuclear materials security conditions in 176 countries – 32 with one kilogram or more of weapons-usable nuclear materials and 144 with less than one kilogram of weapons-usable materials. An updated version of the NTI Index will be released in early 2014. In the meantime, since the completion of the inaugural NTI Index,[1] dozens of countries have taken or pledged to take key steps to strengthen their own nuclear security conditions, diminish opportunities for terrorist access to nuclear materials, and enhance nuclear security around the world. Progress on Reducing the Availability of Nuclear Materials Eliminating weapons-usable nuclear materials is, of course, the most significant step a country can take toward ensuring that terrorists can’t get access to the materials needed to build a nuclear bomb. Since release of the NTI Index: Three countries – Austria, Mexico, and Ukraine – have completely eliminated all weapons-usable nuclear material from their territories. Five more countries – Kazakhstan, Poland, South Africa, Sweden, and Uzbekistan – have reduced their stockpiles of weapons-usable nuclear material. As a result of these actions, now only 28 states have one kilogram or more of these materials, instead of the 32 countries profiled in the 2012 NTI Index. When the second edition of the Index is released in 2014, Austria, Mexico, Ukraine, and Sweden [2] will move off the list of countries with more than one kilogram of weapons-usable nuclear material. This progress builds on steps taken following President Obama’s April 2009 speech in Prague when he initially announced a four-year effort to secure all vulnerable nuclear material worldwide. In addition to the three countries that have eliminated all weapons-usable nuclear material listed above, Chile, Libya, Romania, Serbia, and Turkey as well as Taiwan have eliminated their stocks of weapons-usable nuclear material since April 2009. As a result, there are nine fewer states with weapons-usable nuclear material than in 2009, demonstrating significant, measurable progress in the global effort to prevent nuclear terrorism. Additional near-term progress is possible. Vietnam, the Czech Republic, Hungary, and Poland have committed to eliminating their remaining weapons-usable nuclear material, and Australia and Italy pledged at the 2012 Nuclear Security Summit in Seoul, South Korea to further reduce their nuclear material stockpiles. New Commitments and Actions The NTI Index also assessed countries’ commitments to global norms, including participation in two key treaties to prevent nuclear terrorism: the Convention on the Physical Protection of Nuclear Material (CPPNM) and the International Convention on the Suppression of Acts of Nuclear Terrorism (ICSANT). Since the completion of the first NTI Index: Côte d'Ivoire and Vietnam acceded to the CPPNM, an agreement vital to enacting security standards for materials in transit. Twelve new countries are now party to the 2005 Amendment to the CPPNM, which obligates state parties to enact standards for nuclear materials in use, in storage, or in transit domestically and requires countries to take criminal action against nuclear thieves, smugglers, and saboteurs. Argentina, Belgium, Georgia, Ghana, Greece, Israel, Lesotho, Luxembourg, Macedonia, Mexico, Sweden, and Vietnam have all taken this important step since the 2012 NTI Index was completed. [3] Five new countries – Australia, Côte d'Ivoire, Malta, Nigeria, and Turkey – are now party to the International Convention on the Suppression of Acts of Nuclear Terrorism (ICSANT), which commits states to criminalize acts of nuclear terrorism and promotes cooperation among countries on investigations and extraditions. NTI anticipates more progress before the release of the 2014 NTI Index, as France has pledged to complete ratification of ICSANT and the 2005 Amendment to the CPPNM and Norway has pledged to ratify ICSANT. In addition to progress in the international legal arena, several countries have taken other steps to enhance global nuclear security: China and India for the first time contributed to the IAEA’s Nuclear Security Fund, which assists states in preventing, detecting, and responding to nuclear terrorism. Kazakhstan, Mexico, and Ukraine joined the G8 Global Partnership Against the Spread of Weapons of Mass Destruction. Japan formed a new independent regulatory agency to address nuclear safety and security, a substantial policy reform.

No risk

Chapman 12 (Stephen, columnist and editorial writer for the Chicago Tribune, “CHAPMAN: Nuclear terrorism unlikely,” 22 May 2012, http://www.oaoa.com/articles/chapman-87719-nuclear-terrorism.html)

Given their inability to do something simple — say, shoot up a shopping mall or set off a truck bomb — it’s reasonable to ask whether they have a chance at something much more ambitious. Far from being plausible, argued Ohio State University professor John Mueller in a presentation at the University of Chicago, “the likelihood that a terrorist group will come up with an atomic bomb seems to be vanishingly small.” The events required to make that happen comprise a multitude of Herculean tasks. First, a terrorist group has to get a bomb or fissile material, perhaps from Russia’s inventory of decommissioned warheads. If that were easy, one would have already gone missing. Besides, those devices are probably no longer a danger, since weapons that are not maintained quickly become what one expert calls “radioactive scrap metal.” If terrorists were able to steal a Pakistani bomb, they would still have to defeat the arming codes and other safeguards designed to prevent unauthorized use. As for Iran, no nuclear state has ever given a bomb to an ally — for reasons even the Iranians can grasp. Stealing some 100 pounds of bomb fuel would require help from rogue individuals inside some government who are prepared to jeopardize their own lives. Then comes the task of building a bomb. It’s not something you can gin up with spare parts and power tools in your garage. It requires millions of dollars, a safe haven and advanced equipment — plus people with specialized skills, lots of time and a willingness to die for the cause. Assuming the jihadists vault over those Himalayas, they would have to deliver the weapon onto American soil. Sure, drug smugglers bring in contraband all the time — but seeking their help would confront the plotters with possible exposure or extortion. This, like every other step in the entire process, means expanding the circle of people who know what’s going on, multiplying the chance someone will blab, back out or screw up. That has heartening implications. If al-Qaida embarks on the project, it has only a minuscule chance of seeing it bear fruit. Given the formidable odds, it probably won’t bother.

Pakistan counter-terror policy solves

Ghauri 8/13 (Irfan, Staff Writer – The Express Tribune, “Fighting terror: Draft policy aims to dismantle terror networks,” http://tribune.com.pk/story/589497/fighting-terror-draft-policy-aims-to-dismantle-terror-networks/)

ISLAMABAD: Pakistan’s new counter-terrorism policy seeks to dismantle all terrorist outfits and their networks through **wide-ranging reforms** in the **education system, police, judiciary and foreign policy**. The proposed policy – titled National Counter Terrorism and Extremism Policy 2013 – seeks a re-assessment of governance weaknesses and policy deficiencies that have permitted the exploitation of vulnerable groups by terror outfits. Prepared by the interior ministry, the policy could be unveiled during a National Assembly session starting today (Tuesday), where Interior Minister Chaudhry Nisar Ali Khan will delineate its salient features. The policy will be sent to the Defence Committee of the Cabinet for appraisal before it’s adopted for implementation by the end of this month. According to a draft available with The Express Tribune, the five-layered counter-terror policy seeks to dismantle, contain, prevent, educate and re-integrate.

#### Pakistan nukes are secure.

Hundley 9/5 [Tom, senior editor at the Pulitzer Center on Crisis Reporting. This article for Foreign Policy is part of the Pulitzer Center's Gateway project on nuclear security. SEPTEMBER 5, 2012 http://www.foreignpolicy.com/articles/2012/09/05/race\_to\_the\_end?page=full]

To outsiders, Pakistan appears to be permanently teetering on the brink of collapse. The fact that large swaths of the country are literally beyond the control of the central government is not reassuring. But a weak state does not mean a weak society, and powerful internal dynamics based largely on kinship and tribe make it highly unlikely that Pakistan would ever fall under the control of an outfit like the Taliban. During the country's intermittent bouts of democracy, its civilian leaders have been consistently incompetent and corrupt, but even in the worst of times, the military has maintained a high standard of professionalism. And there is nothing that matters more to the Pakistani military than keeping the nuclear arsenal -- its crown jewels -- out of the hands of India, the United States, and homegrown extremists. "Pakistan struggled to acquire these weapons against the wishes of the world. Our nuclear capability comes as a result of great sacrifice. It is our most precious and powerful weapon -- for our defense, our security, and our political prestige," Talat Masood, a retired Pakistani lieutenant general, told me. "We keep them safe."

#### Numerous safeguards in case of Pakistan collapse.

Hundley 9/5 [Tom, senior editor at the Pulitzer Center on Crisis Reporting. This article for Foreign Policy is part of the Pulitzer Center's Gateway project on nuclear security. SEPTEMBER 5, 2012 http://www.foreignpolicy.com/articles/2012/09/05/race\_to\_the\_end?page=full]

Pakistan's nuclear security is in the responsibility of the Strategic Plans Division, which appears to function pretty much as a separate branch of the military. It has its own training facility and an elaborate set of controls and screening procedures to keep track of all warheads and fissile material and to monitor any blips in the behavior patterns of its personnel. The 15 or so sites where weapons are stored are the mostly heavily guarded in the country. Even if some group managed to steal or commandeer a weapon, it is highly unlikely the group would be able to use it. The greater danger is the theft of fissile material, which could be used to make a crude bomb. "With 70 to 80 kilos of highly enriched uranium, it would be fairly easy to make one in the basement of a building in the city of your choice," said Pervez Hoodbhoy, a distinguished nuclear physicist at Islamabad's Quaid-i-Azam University. At the moment, Pakistan has a stockpile of about 2.75 tons -- or some 30 bombs' worth -- of highly enriched uranium. It does not tell Americans where it is stored. "All nuclear countries are conscious of the risks, nuclear weapons states especially so," said Gen. Ehsan ul-Haq, who speaks with the been-there-done-that authority of a man who has served as both chairman of Pakistan's Joint Chiefs of Staff Committee and head of the ISI, its controversial spy agency. "Of course there are concerns. Some are genuine, but much of what you read in the U.S. media is irrational and reflective of paranoia. Rising radicalism in Pakistan? Yes, this is true, and the military is very conscious of this." Perhaps the most credible endorsement of Pakistan's nuclear security regime comes from its most steadfast enemy. The consensus among India's top generals and defense experts is that Pakistan's nukes are pretty secure. "No one can be 100 percent secure, but I think they are more than 99 percent secure," said Shashindra Tyagi, a former chief of staff of the Indian Air Force. "They keep a very close watch on personnel. All of the steps that could be taken have been taken. This business of the Taliban taking over -- it can't be ruled out, but I think it's unlikely. The Pakistani military understands the threats they face better than anyone, and they are smart enough to take care it."

### Advantage 2

#### No threatening bioweapons programs and current defenses solve.

Orent 9 [Wendy, Ph.D. in anthropology from the University of Michigan, leading freelance science writer, and author of Plague: The Mysterious Past and Terrifying Future of the World's Most Dangerous Disease, "America's Bioterror Bugaboo." Los Angeles Times (Los Angeles, CA) 17 Jul 2009: A.29. SIRS Researcher. Web. 29 January 2010]

After the anthrax letter attacks of October 2001, the Bush administration pledged $57 billion to keep the nation safe from bioterror. Since then, the government has created a vast network of laboratories and institutions to track down and block **every remotely conceivable** form of bioterror threat. The Obama administration seems committed to continuing the biodefense push, having just appointed a zealous bioterror researcher as undersecretary of science and technology in the Department of Homeland Security. But is the threat really as great as we've been led to believe? Last summer, the FBI concluded that the anthrax letters that killed five Americans came not from abroad but from an American laboratory, the United States Army Medical Research Institute of Infectious Diseases. Meanwhile, the Russian bioweapons program was officially shut down in 1992, and it's unlikely that anything remaining of it could pose much of a threat. Iraq, it has turned out, had no active program. And Al Qaeda's rudimentary explorations were interrupted, according to an Army War College report, by the U.S. invasion of Afghanistan.

#### No lashout from bioweapons.

Garfinkle 9 [Adam, PhD International Relations @ UPenn, former professor of foreign policy and Middle East politics @ UPenn and Johns Hopkins, and editor of The American Interest. “Does Nuclear Deterrence Apply in the Age of Terrorism?” Foreign Policy Research Institute, http://www.fpri.org/footnotes/1410.200905.garfinkle.nucleardeterrenceterrorism.html, May 2009]

Indeed, it would probably be so much easier to hide and deliver than if there were a bioweapons attack, it would not be obvious right away whether it was in fact an attack or a naturally occurring event—for example a smallpox, anthrax or possibly an Ebola outbreak. In the event of a nuclear terrorist incident, we would probably be able to trace back to the source of the attack and would thus probably be able to retaliate or in other ways ensure that those who struck us were never able to do so again. But after a bioweapons attack, it is more likely that we would not be able to trace back the source. Biotechnology, especially in conjunction with nanotechnology, is being conducted around the world today, and we do not even have a database on the research that is going on. There is no international agreement to build such a database either. We ought to have one, or we may in fact end up living one day in an age of WMD terror.

#### No chemical weapon extinction – their ev is science fiction.

Easterbrook 3 [Gregg, Wired, Issue 11.07 | July 2003 Pg 1 of 4 >> Print, email, or fax this article for free. We're All Gonna Die! But it won't be from germ warfare, runaway nanobots, or shifting magnetic poles. A skeptical guide to Doomsday. By Gregg Easterbrookhttp://www.wired.com/wired/archive/11.07/doomsday.html]

2. Chemical weapons! Spooky-sounding, sure. And dangerous. But bombs and bullets are dangerous, too. In actual use, chemical weapons have proven no more deadly, pound for pound, than conventional explosives. In World War I, the British and German armies expended 1 ton of chemical agents per enemy fatality. Are modern nerve agents like sarin superdeadly in a way World War I mustard gas was not? When the Aum Shinrikyo cult attacked Tokyo's subway system with that substance in 1995 - the subway being an enclosed area, ideal for chemicals - 12 people died. That was 12 too many, but a conventional bomb the same size as the cult's canisters, detonated on a packed subway, would have killed more. During this winter's duct tape scare, I heard a Washington, DC, radio talk-show host sternly lecture listeners to flee if "a huge cloud of poison gas" were slowly floating across the city. Noxious clouds of death may float across movie screens, but no military in the real world can create them. Wind rapidly disperses nerve agents, and sunlight breaks them down. Outdoors, a severe chemical attack likely would be confined to a few city blocks.

#### Heg sustainable - hard power

Bremmer 10 [Ian, president of Eurasia Group and author of “The End of the Free Market” (Portfolio), published in May, China vs America: fight of the century22nd March 2010 — Issue 169, http://www.prospectmagazine.co.uk/2010/03/china-vs-america-fight-of-the-century/]

It is also important for the US government and American companies to invest in those areas where their comparative advantage is most likely to endure. For Washington, that means maintaining US “hard power” advantages. Soft power helped America survive the cold war, and continues to play a crucial role in extending US influence. But over the next several years, **hard power will ensure** that **the US remains indispensable** for global political and economic stability. The US now spends more on its military capacity than **all potential competitors combined**. It outspends China by about eight to one. Even if defence spending were significantly reduced, the US will hold a dominant military position **for the foreseeable future,** because it will be **decades** before any rival will **prove both willing and able** to accept the burdens that come with global leadership. China will continue to expand its influence, particularly within Asia. But it makes little sense for a still developing nation to challenge US hard power outside its immediate neighbourhood—particularly when China’s state-owned oil companies will rely for several decades on oil and gas supplies from unstable parts of the world such as the middle east, the Caspian sea basin and west Africa. In addition, the presence of US troops in Japan and South Korea limits the risk of an Asian arms race. That saves China, Japan, South Korea and India a great deal of money.

#### Forward deployment doesn’t solve conflict.

Fettweis, Political Science – Tulane, 10 [Christopher J., fifth year doctoral student in the University of Maryland's Department of Government and Politics. His primary interests include US foreign and national security policies. His dissertation, currently titled The Geopolitics of Energy and the Obsolescence of Major War, focuses on the relationship between oil and conflict. Mr. Fettweis has a BA in History from the University of Notre Dame, Threat and Anxiety in US Foreign Policy, April 2010 Survival, 52:2, 59 - 82]

One potential explanation for the growth of global peace can be dismissed fairly quickly: US actions do not seem to have contributed much. The limited evidence suggests that there is little reason to believe in the stabilising power of the US hegemon, and that there is **no relation** between the relative level of American activism and international stability. During the 1990s, the United States cut back on its defence spending fairly substantially. By 1998, the United States was spending $100 billion less on defence in real terms than it had in 1990, a 25% reduction.29 To internationalists, defence hawks and other believers in hegemonic stability, this irresponsible 'peace dividend' endangered both national and global security. 'No serious analyst of American military capabilities', argued neo-conservatives William Kristol and Robert Kagan in 1996, 'doubts that the defense budget has been cut much too far to meet America's responsibilities to itself and to world peace'.30 And yet the verdict from the 1990s is fairly plain: the world grew **more peaceful** while the United States cut its forces. No state seemed to believe that its security was endangered by a less-capable US military, or at least none took any action that would suggest such a belief. **No militaries were enhanced to address power vacuums; no security dilemmas drove insecurity or arms races; no regional balancing occurred** once the stabilis-ing presence of the US military was diminished. The rest of the world acted as if the threat of international war was not a pressing concern, despite the reduction in US military capabilities. Most of all, the United States was no less safe. The incidence and magnitude of global conflict declined while the United States cut its military spending under President Bill Clinton, and kept declining as the George W. Bush administration ramped the spending back up. Complex statistical analysis is unnecessary to reach the conclusion that world peace and US military expenditure are unrelated

### Solvency

#### Even if countries disapprove of strikes it doesn’t impact official relations

Schornig 13

Niklas Schornig, senior research fellow at the Peace Research Institute Frankfurt (PRIF), Germany, and visiting lecturer at the Goethe University Frankfurt, Germany, “Unmanned Warfare: Towards a Neo-Interventionist Era?”, G. Kümmel, B. Giegerich (Eds.), The Armed Forces: Towards a Post-Interventionist Era?, 2013 //jchen

In this context it seems plausible that the current debate about Western missions in Afghanistan and Iraq have not only raised awareness regarding one’s own losses, but regarding civilian losses as well, making public outcry over civilian losses inflicted by one’s own troops more likely. While many scholars argue that there is a norm hierarchy placing one’s own losses above losses amongst the civilian population, the relative relevance of civilian loss- es has risen in the shadow of the increasing aversion of casualties. A new study by James Walsh on the American attitude towards drone strikes even suggests that civilian casualties are even more important to the public than losses of American servicemen or – women (Walsh 2012). Walsh qualifies his findings, however, as his survey was not based on a random sample. Still, civilian casualties – either due to lack of precision, a too broad definition or faulty intelligence – might have become an important factor to be taken into account. It is remarkable, however, that almost no Western country officially criticizes the targeted killings by the U.S. armed forces or the CIA. One can only speculate about this difference, but it seems that even those countries which would not engage in targeted killings with drones themselves appreci- ate the ends (the killing of alleged terrorists) over the means – at least as long as someone else is doing the killing.

#### International law and norms are irrelevant – states operate in self interest

Abebe, Bigelow Fellow at the University of Chicago Law School**,** 2007 (Daniel Abebe, Bigelow Fellow and Lecturer in Law, University of Chicago Law School , “Article: Not Just Doctrine: The True Motivation For Federal Incorporation And International Human Rights Litigation,” 29 Mich. J. Int'l L. 1, Lexis)

The logic of federal incorporation of customary international law (CIL) and international human rights litigation in United States courts under the Alien Tort Statute (ATS) implicitly relies on a universalist theory of international law. According to this view, international law has an exogenous effect on state behavior. States do not comply with international law out of pure self-interest; rather, States comply with international law out of legal or moral obligation. Based on this assumption, universalists naturally promote the development of a global judicial system, the greater integration of international law into domestic legal [\*4] regimes, and the use of international law to improve human rights practices around the world. The federal incorporation of CIL and international human rights litigation in U.S. courts are extensions of the universalist project. This Article challenges the universalist theory of international law upon which federal incorporation of CIL and international human rights litigation rely. It unpacks the international relations (IR) theory paradigms that support the universalist theory, and discusses a competing theory that views state compliance with international law as a function of national self-interest. Working from this perspective, it proposes a framework to evaluate the wisdom of federal incorporation of CIL and the wisdom of international human rights litigation. The framework suggests that federal incorporation of CIL generates sovereignty costs for the United States, and that international human rights litigation complicates the achievement of the United States' normative and strategic foreign policy interests. The Article also shows that the universalist theory of international law is often in tension with actual state behavior in international politics. The universalist theory draws from IR theories that focus on the role of regime type, institutions, and social norms in understanding international politics. Democratic peace theory, institutionalism, and social constructivism each implicitly assume that international law has the capacity to affect state behavior. According to these IR theories, international law can encourage respect for legal norms, limit the return to material power in international politics, and operate as an instrument of progressive change. The wisdom of federal incorporation of CIL and international human rights litigation depends on the explanatory power of IR theories and the strength of the universalist theory as the appropriate conception of international law. Despite the clear attraction of these normative goals, the universalist theory relies on IR theories that often fail to recognize some of the constraints under which the United States operates in international politics. For example, although democratic peace theory and social constructivism may explain some state behavior in international politics, the United States also pursues its foreign policy goals in an international system constituted by States sensitive to the distribution of material power, concerned with issues of national security, suspicious of international law, and often motivated by national self-interest. In other words, realism also explains some state behavior in international politics. This reality naturally produces a tension between the assumptions motivating the universalist theory and the actual behavior of States. By viewing federal incorporation of CIL and international human rights litigation in U.S.  [\*5]  courts solely through a universalist lens, one misses their potential costs for the United States. Examining federal incorporation of CIL and international human rights litigation from a non-universalist perspective contributes to the discussion about the proper role of international law in the American legal system. The United States' relationship with international law is largely based on national self-interest, evolving with the United States' relative position and strategic goals in international politics. Working from a non-universalist perspective, this Article connects a plausible IR theory of state behavior in international politics with a theory of state compliance with international law to evaluate the consequences of federal incorporation of CIL and international human rights litigation under the ATS. n1

#### Doesn’t spill over in between issues.

Brooks and Wohlforth, Government at Dartmouth, 5 [Professors Government – Dartmouth, Perspectives on Politics 3:509-524]

Drawing on rational choice theory, Downs and Jones show that a far more compelling theoretical case can be made that states have multiple reputations—each particular to a specific agreement or issue area. For this reason, they find that "the reputational consequences of defection are usually more bounded" than institutionalist scholarship currently presumes." 67 If America has, for example, one reputation associated with the UN and another regarding the WTO, then lack of compliance with the former organization will in **no way** directly undercut its ability to gain cooperation in the latter. As Downs and Jones note, viewing states as having multiple reputations "helps to explain why, despite the prevalence of the unitary reputation assumption, examples of a state's defection from an agreement in one area (for example, environment) jeopardizing its reputation in every other area (for example, trade and security) **are virtually nonexistent** in the literature."68 This conclusion is consistent with the **two most detailed studies of reputation in IR**, which decisively undercut the notion that states have a general reputation that will strongly influence how other states relate across different issue areas.69 In the end, the current lack of an empirical or theoretical justification for the notion that states carry a single reputation means that we have **no basis** for accepting the institutionalists' argument that America must endorse multilateralism across the board because to do otherwise has consequences that endanger the entire institutional order. That, together with theory's lack of purchase on the issues of coordination costs and bargaining power, invalidates the institutionalist argument about the high cost of unilateralism.

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#### At worst, their solvency deficits apply equally to the aff –

#### 1. Statute can’t constrain Presidents – get reinterpreted or ignored

Pildes 12 [Richard H., Sudler Family Professor of Constitutional Law, NYU School of Law and Co-Director, NYU Center on Law and Security. 2/27/12 BOOK REVIEWS LAW AND THE PRESIDENT THE EXECUTIVE UNBOUND: AFTER THE MADISONIAN REPUBLIC. By Eric A. Posner and Adrian Vermeule. New York, N.Y.: Oxford University Press. 2010. Pp. 249. $29.95. New York University Public Law and Legal Theory Working Papers]

The general outlines of this history are familiar. But in a bracing new book, The Executive Unbound, Professors Eric Posner and Adrian Vermeule want to take this story to a different quantum level. Posner and Vermeule insist not just that presidential powers have expanded dramatically in recent decades but that these powers are not effectively constrained by law. The stark reality of presidential power, as they put it, is that “law does little to constrain the modern executive” (p. 15). This is true, they assert, not just in exceptional circumstances, such as times of crisis or emergency, but in general in the modern state. This unconstrained power allegedly exists not just with respect to limited substantive arenas, such as foreign affairs or military matters, but across the board, with respect to domestic matters as well.18 Thus, while some have long argued that inter arma enim silent leges (in times of war, the laws are silent),19 Posner and Vermeule argue that the laws are always silent, in effect, when it comes to presidential power. Finally, they contend that this proposition is not just true with respect to some sources of potential legal constraint, such as the Constitution; it is central to their argument that statutes that purport to regulate presidential conduct are also largely ineffective. As they say, “the basic aspiration of liberal legalism to constrain the executive through statutory law has largely failed” (p. 112). Thus, when Congress does impose legislative constraints, Posner and Vermeule assert, the laws are typically vague, leaving ample room for executive discretion. Statutes “have a Potemkin quality: they stand about in the landscape, providing an impressive facade of legal constraint on the executive, but actually blocking very little action that presidents care about” (p. 88). Those legal constraints that do exist, whether constitutional or statutory, are not aggressively enforced by courts — first, because American courts stay out of many controversies concerning presidential power, and second, because when courts do play a role, they defer substantially to executive action and interpretation (pp. 52–58). Indeed, presidents can act directly in the face of even clear law and can force other institutions, such as Congress and the courts, to try to stop them. Much of the time, these other institutions will be unable or unwilling to do so.

#### 2. President will disregard prohibitions or find another justification.

Goldsmith 9/3 [Jack Goldsmith is the Henry L. Shattuck Professor at Harvard Law School, where he teaches and writes about national security law, presidential power, cybersecurity, international law, internet law, foreign relations law, and conflict of laws. Before coming to Harvard, Professor Goldsmith served as Assistant Attorney General, Office of Legal Counsel from 2003–2004, and Special Counsel to the Department of Defense from 2002–2003. Professor Goldsmith is a member of the Hoover Institution Task Force on National Security and Law. Full bio » It is Hard to Write an AUMF http://www.lawfareblog.com/2013/09/it-is-hard-to-write-an-aumf/]

First, Congress needs to pay attention to the distinction between an authorization and a prohibition. Authorizing strikes for sixty days, and only for sixty days, will not by itself prohibit the President from using force beyond sixty days. The reason: the President thinks he has independent, inherent Article II authority to engage in the strikes. If Congress wants to limit the President, it must do so through authorizations combined with prohibitions. The President can in theory disregard a prohibition as a violation of his Commander in Chief power. But in this context, where the constitutional arguments for inherent power are already weak, the arguments for an exclusive presidential power are much weaker yet (and the political costs of defying a congressional restriction in this context would be enormous). Second, limiting the purposes of the attack to avoid toppling Assad’s government won’t by itself stop the President from acting to topple Assad’s government if he can do so pursuant to some more benign purpose, such as deterring use of WMDs. Recall that the administration had no overt authorization from the Security Council to topple Gaddafi. But ultimately it read the Security Council authorization “to take all necessary measures . . . to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya” as sanction to pursue and attack Gaddafi. Writing an AUMF that adequately empowers and constraints the President is hard.

#### 3. The President will just run-around Congress – the plan is merely symbolic.

Barilleaux and Kelley 10 [Ryan J. and Christopher S., Political Science | Miami University and Christopher R. Kelley | University of Arkansas School of Law, The Unitary Executive and the Modern Presidency, 2010, pg. 226]

Congressional responses to executive unilateralism will be too late and too strong and will in turn stimulate a new round of executive assertiveness. In the 1960s and 1970s Congress bridled at the growth of presidential power but acquiesced to it until legislators finally decided that they had seen enough. Beginning in the mid-1970s, Congress reacted with a spate of president-curbing legislation (the War Powers Resolution, the Case-Zablocki Act, the Budget and Impoundment Act), the near-impeachment of Richard Nixon, a legislated end to the Vietnam War, an investigation of the CIA, and other actions to restrict presidential autonomy. The consequence, to some extent described in this volume, was the rise of executive unilateralism to circumvent Congress. Congress is likely to respond to signing statements and other forms of executive unilateralism in a similar way. Members will complain about various presidential actions, but institutional action will come only after a long series of precedents have been laid. Then Congress will try to curb the presidency through new legislation or a court challenge, which in turn will stimulate a new round of presidential actions designed to circumvent the legislature. However, if recent congressional responses to the signing statement are any guide to future action, then we should be worried about Congress’s inability to mount nothing more than a symbolic challenge to presidential unilateralism.

#### Only executive orders can compel executive officers – plan will be ignored.

Zellmer 13 [Sandra Zellmer Robert B. Daugherty Professor of Law, University of Nebraska College of Law DigitalCommons@University of Nebraska - Lincoln College of Law, Faculty Publications Law, College of 1-1-2013 TREADING WATER WHILE CONGRESS IGNORES THE NATION’S ENVIRONMENT Dame Law Review 88:5 (2013), pp. 2323-2398]

Presidents have made extensive use of executive orders since 1789.476 The President is empowered to issue orders to federal agencies as necessary for the “faithful execution of laws passed by Congress.”477 Such orders typically compel “officers of the executive branch . . . to take an action, stop a certain type of activity, alter policy, change management practices, or accept a delegation of authority under which they will henceforth be responsible for the implementation of law.”478 Executive orders are equivalent to laws479 and are entitled to a “strong presumption” of validity.480 So long as the orders are based on a constitu- tional or statutory grant of power to the President, the Supreme Court has upheld them.481 In over 200 years, the courts have overturned only two executive orders.482 These two judicial opinions demonstrate that “the President has no authority to act in any way that supplants the will of Congress, unless his actions draw from a power specifically delegated to him by the Constitution.”483 However, the mere fact that Congress considered but failed to adopt a position subsequently taken up by an executive order does not justify invalidating the order.484

#### Do the counterplan severs out of the plan’s statutory mechanism –

#### 1. “The” means all parts of the USFG.

Merriam Webster http://www.merriam-webster.com/dictionary/the

—used as a function word before a noun or a substantivized adjective to indicate reference to a group as a whole <the elite>

#### 2. “Statutory restrictions” require congressional action. EOs are extra-statutory.

Allen 86 William H. Allen, Member of the District of Columbia Bar. Virginia Law Review MARCH, 1986 72 Va. L. Rev. 235 ARTICLE: THE DURABILITY OF THE ADMINISTRATIVE PROCEDURE ACT. lexis

Finally, executive orders in the last three administrations have imposed across-the-board extra-statutory restrictions on major rulemaking by executive agencies. These orders have supplied some of the guidance for major rulemaking thought to be lacking in section 553. The Ford Administration required that an inflationary impact statement accompany all "major legislative proposals, regulations, and rules" promulgated by executive branch agencies. n87 The Carter Administrations's comparable program required a preliminary regulatory analysis when major rules were proposed and a final regulatory analysis when such rules were promulgated. n88 The regulatory analysis was similar to the Ford inflation impact statement but did not require an explicit cost/benefit analysis. [\*252] Finally, the Reagan Administration imposed an even more comprehensive set of requirements. Its executive order calls for a preliminary regulatory impact analysis for major rules when proposed and a final regulatory impact analysis for such rules when promulgated. The order requires major rules to satisfy a cost/benefit standard if permitted by the agency's governing statute, and it empowers the Office of Management and Budget to review major rules before they are issued. n89

#### A world of growth is a world with less terrorism

Becker & Posner 05 both on the “World’s Top 100 Public Intellectuals” list - University of Chicago Law School - Senior Lecturer, United States Court of Appeals for the Seventh Circuit & American economist and recipient of the 1992 Nobel Prize in economics, University Professor, Department of Economics and Sociology, Professor, Graduate School of Business, The University of Chicago [Gary & Richard, “Terrorism and Poverty: Any Connection?,” http://www.becker-posner-blog.com/archives/2005/05/terrorism\_and\_p\_1.html]

A second possible qualification would arise if the process of rapid economic development reduces terrorism by orienting more educated and abler individuals toward advancing economically rather than toward terrorist activities. I have not done a systematic study of the link between say economic growth and terrorism, but nations or regions that are experiencing rapid growth appear to have lower incidences of terrorism. Continuing economic growth also eventually leads to greater democracy, so a positive link between economic growth and democracy and a negative link between growth and terrorism could help explain the observed negative relation between terrorism and democracy. To be sure, terrorism may be less common when nations are growing rapidly because the causation goes from terrorism to little growth; that is, terrorism discourages investments and other engines of growth. Whether the causation is from growth to little terrorism or from terrorism to little growth would have to be discovered from systematic and careful studies. But I believe that some of the causation runs from growth to reduced terrorism because it becomes harder to interest many individuals in risky terrorist activities (and other political activism) when economies are expanding rapidly and opportunities are booming.

#### Economic decline crushes leadership.

Lieberthal and O’Hanlon 12 [Kenneth Lieberthal and Michael O'Hanlon are foreign policy scholars at the Brookings Institution and coauthors with Martin Indyk of "Bending History: Barack Obama's Foreign Policy." The real national security threat: America's debt July 3, 2012 http://www.latimes.com/news/opinion/commentary/la-oe-ohanlon-fiscal-reform-20120703,0,1409615.story]

Lastly, American economic weakness undercuts U.S. leadership abroad. Other countries sense our weakness and wonder about our purported decline. If this perception becomes more widespread, and the case that we are in decline becomes more persuasive, countries will begin to take actions that reflect their skepticism about America's future. Allies and friends will doubt our commitment and may pursue nuclear weapons for their own security, for example; adversaries will sense opportunity and be less restrained in throwing around their weight in their own neighborhoods. The crucial Persian Gulf and Western Pacific regions will likely become less stable. Major war will become more likely.

#### Republicans won’t fight on the budget, but Obama needs capital to rally the troops on debt.

Carmichael 9/17 [Kevin, The Globe and Mail (Canada) September 17, 2013 Tuesday With Summers out of running, a fractious fall looms in U.S. SECTION: REPORT ON BUSINESS: INTERNATIONAL; U.S. FEDERAL RESERVE; Pg. B1]

Mr. Obama called on Congress to pass a budget "without drama," and said that budget should reverse the "irresponsible" across-the-board spending cuts - known as sequestration - that were implemented earlier this year. He also said he would refuse to negotiate over an increase to the debt limit, which likely will be breached at some point in October. That suggests a clash, as the Republican leaders in the House say they see the debt ceiling as a better opportunity to squeeze concessions out of the White House than the prospect of a government shutdown. It's a course full of pitfalls, and the President can no longer proceed with full confidence that his own party will be completely behind him. Senators such as Ms. Warren and Sherrod Brown of Ohio have rallied a committed group that is tired of conceding on matters of principle, whether it's to Republicans, to Wall Street lobbyists or to oil companies.

#### Allowing a shutdown is crucial to make the GOP compromise.

Bernstein 9/20 [Jonathan, Washington Post, Have Democrats already lost on the budget? http://www.washingtonpost.com/blogs/plum-line/wp/2013/09/20/have-democrats-already-lost-on-the-budget/]

Dems believe that even if Republican leaders somehow muddle their way through by passing something funding the government at current levels, they’ll be in an even weaker position when the debt limit fight starts up in earnest, because conservatives will have already swallowed a defeat and will be in an even less compromising mood later. And so, at that point, Boehner will be in even greater need of Dem help to avoid disaster — setting up the possibility of a bigger deal that includes a debt limit hike (unofficially; the official position is there’s no negotiating over it) and a longer term replacement (say, one year) for the sequester that includes some new revenues.

#### Republicans will see averting a shutdown as a concession – strengthens hardliners on DC

Scheiber 9/20 [Noam Scheiber is a senior editor at The New Republic. Follow @noamscheiber, 9/20/13, http://www.newrepublic.com/article/114783/government-shutdown-2013-democrats-shouldnt-help-boehner-avoid-one]

Of course, if Boehner were somehow able to avoid a shutdown on his own, it would be a bummer, but what could we do? Democrats plainly don’t have any control over what Boehner does. What’s completely nuts is for Democrats to help Boehner pull this off when he otherwise couldn’t. One is tempted to describe it as helping an opponent off the mat when you have him nearly pinned, except that this would be far, far worse. It would be more like helping an opponent off the mat in such a way as to send him into a homicidal rage, then sticking an assault weapon in his hand and then trying to reason with him. Why on earth would anyone do that? Unfortunately, that’s exactly where we’re headed. The White House seems to think that helping Boehner avoid a shutdown will buy it some good will. In reality, avoiding the shutdown that the Tea Partiers have elevated into a test of ideological purity will only further enrage them. They will interpret it as unilateral disarmament by their weak-kneed leadership, not a concession to reality. And the only outlet for their rage will be the debt ceiling. I’m at a loss to come up with a scarier scenario.

Every hour spent arguing over the plan matters

Frank James, NPR, 9/13/13, Tynan Coffee & Tea, www.npr.org/blogs/itsallpolitics/2013/09/13/221809062/congress-searches-for-a-shutdown-free-future

There's a lot of searching on Capitol Hill but no discovery yet of a way to avoid a federal government shutdown at the start of next month. Speaker John Boehner and Majority Leader Eric Cantor are searching for enough House GOP votes for a spending bill that could pass in the Democratic-controlled Senate and keep the government open past Sept. 30. Tea Party-affiliated lawmakers are searching for a way to repeal the Affordable Care Act with the help of the Democratic-controlled Senate and President Obama. Democrats are searching for a way to end the sequester budget cuts, or failing that, to pass a spending bill for the new fiscal year starting Oct. 1 that funds the government at a higher level than Republicans want. The only thing found Thursday seemed to be more time for negotiations and vote-wrangling. Republican leaders recall how their party was blamed for the shutdowns of the mid-1990s and earnestly want to avoid a repeat, especially heading into a midterm election year. Cantor alerted members Thursday that during the last week of September, when they are supposed to be on recess, they will now most likely find themselves in Washington voting on a continuing resolution to fund the government into October. It looks like lawmakers will need every hour of that additional time. While talking to reporters Thursday, Boehner strongly suggested that House Republicans weren't exactly coalescing around any one legislative strategy.

#### injecting new issues upsets the balance

Denver Post 9/14 Political games on the debt ceiling and Obamacare, 9/14/13, <http://www.denverpost.com/politics/ci_24082710/political-games-debt-ceiling-and-obamacare>

In an ominous sign, Republican leaders in the U.S. House last week had to delay a vote to keep the government running through mid-December because they didn't have enough support. Once again, unfortunately, budget hard-liners in the GOP caucus are threatening to shut down the government in order to extract spending concessions.¶ In this case, however, the desired concession — defunding the Affordable Care Act, aka Obamacare — is beyond unlikely. It has essentially no chance of occurring without a major change in the political landscape in Washington.¶ So long as President Obama resides in the White House and the Senate is controlled by Democrats, Obamacare is not going away.¶ In contrast with some of their backbenchers, House Republican leaders had proposed — and hope to revive this week — a plan to continue funding the government through mid-December that includes the same level of sequester cuts. Meanwhile, they'd float a separate measure to defund Obamacare.¶ That second measure would, of course, be ignored in the Senate, but that is the sort of thing that happens in a divided Congress. Each side is often able to check the other.¶ It's not as if the GOP leadership is squishy on Obamacare. As The New York Times reported last week, those leaders have signaled that "Republicans would support an essential increase in the nation's debt limit in mid-October only if Presidaent Obama and Democrats agree to delay putting his health insurance program into full effect."¶ To be clear, the debt limit is a separate issue from the funding of government. Unless the ceiling is raised, the government will be unable to pay its bills and the nation's credit rating would be jeopardized.¶ But holding the debt ceiling hostage to Obamacare — or anything else — is equally misguided, in our view, and probably fated to hurt Republicans more than Democrats. The nation is obligated to pay its debts, and political gamesmanship shouldn't be injected into the process.