## 2AC

### 2AC Deterrence DA

#### Deterrence is impossible in cyber space – Attriibution, Identity, Proxies, Escalation incentive

Owens et al. 09 (WILLIAM A. OWENS, AEA Holdings, Inc., Co-chair KENNETH W. DAM, University of Chicago, Co-chair THOMAS A. BERSON, Anagram Laboratories GERHARD CASPER, Stanford University DAVID D. CLARK, Massachusetts Institute of Technology RICHARD L. GARWIN, IBM Fellow Emeritus JACK L. GOLDSMITH III, Harvard Law School CARL G. O’BERRY, The Boeing Company JEROME H. SALTZER, Massachusetts Institute of Technology (retired) MARK SEIDEN, MSB Associates SARAH SEWALL, Harvard University WALTER B. SLOCOMBE, Caplin & Drysdale WILLIAM O. STUDEMAN, U.S. Navy (retired) MICHAEL A. VATIS, Steptoe & Johnson LLP, “Technology, Policy, Law, and Ethics Regarding U.S. Acquisition and Use of Cyberattack Capabilities”, pdf)

It remains an open question as to whether the concepts of deterrence are relevant when applied to the domain of cyberconflict per se (that is, cyberconflict without reference to conflict in physical domains). For example, a credible threat to impose costs requires knowledge of the party on which the costs should be imposed—and as discussed in Chapter 2, attribution of a cyberattack is a very difficult and time-consuming—and perhaps insoluble—problem.

Moreover, even if the adversary is known, and known to be a specific nation-state, the costs to be imposed must be judged by the adversary as greater than the gain that might result from his aggressive actions. Thus, the United States must be able to identify cyber targets in or of the adversary nation whose loss would be costly to the adversary, and it must be able to attack them with high confidence of success.

In a nation that is not highly dependent on information technology, such assets would be hard to find. Even if the nation did have valuable information technology assets, specific individual targets (perhaps numbering in the dozens or hundreds—a wild guess!) most valuable to the adversary are likely to be very well protected against cyberattack. The civilian IT infrastructure at large may be less well protected, but largescale attacks on such infrastructure raise ethical and moral questions about targeting civilians. The military IT infrastructure could be targeted as well, but the degree to which it is well protected may be unknown to the attacker (see discussion in Chapter 2 regarding intelligence requirements for successful focused cyberattacks).

In addition, an attacker that launches a cyberattack should also be expected to take action to change its own defensive posture just prior to doing so. As discussed in Chapter 2, much can be done to invalidate an adversary’s intelligence preparations, which are necessary for discriminating counterattacks. And since the attacker knows when he will launch the attack, he can create a window during which his defensive posture will be stronger. The window would last only as long as it would take for new intelligence efforts to collect the necessary information, but it would likely be long enough to forestall immediate retaliation.

A threat to deny benefits to a cyberattacker also lacks credibility in certain important ways. In principle, defensive technologies to harden targets against cyberattacks can be deployed, raising the difficulty of attacking them. But decades of experience suggest that deploying these technologies and making effective use of them on a society-wide basis to improve the overall cybersecurity posture of a nation is difficult indeed. And there is virtually no prospect of being able to reduce a cyberattacker’s capabilities through offensive action, ///////////MAREKD AT/////////////

because of the ease with which cyberattack weapons can be acquired. Thus, counterforce capabilities—which in the nuclear domain have been justified in large part as necessary to reduce the threat posed by an adversary’s nuclear weapons—do not exist in any meaningful way in contemplating cyberconflict.

How do the considerations above change if, as in the real world, the states involved also have kinetic capabilities, which may include nuclear weapons, and physical vulnerabilities? That is, each side could, in principle, use kinetic weapons to attack physical targets, and these targets might be military or dual purpose in nature as long as they are legitimate targetsunder LOAC. Because a transition from cyber-only conflict to kinetic conflict would likely constitute an escalation (and would in any case make the conflict more overt), this point is discussed in more detail below.

#### Link Turn – Behavior changes the pattern of other countries’ behavior – MUTUAL RESTRAINT makes other countries get on board – reduces cyber arms race worldwide.

Gompert & Saunders 11 (David C. Gompert, bachelor's degree in engineering from the U.S. Naval Academy, where he once served on the faculty, and a master of public affairs degree from Princeton University's Woodrow Wilson School of Public and International Affairs. Office of the Director of National Intelligence, Gompert most recently worked as a senior fellow at the RAND Corp, and Phillip C. Saunders, phD in IR from Princeton, Distinguished Research Fellow Director of Studies, Center for Strategic Research Director, Center for Study of Chinese Military Affairs, “The Paradox of Power Sino-American Strategic Restraint in an Age of Vulnerability”, <http://www.ndu.edu/inss/docuploaded/Paradox%20of%20Power.pdf>)

Behavior will speak at least as loudly as declaratory policy. Two behaviors that could undermine cyber deterrence vis-à-vis China are attacking Chinese networks other than in retaliation for Chinese attacks, and failing to retaliate for Chinese attacks. The greater the difference in consequences for China between attacking and not attacking the United States, the stronger the deterrence. Moreover, for the United States to attack Chinese networks absent Chinese attacks would strengthen the hands of those Chinese who argue for an aggressive cyber warfare policy and weaken those who argue that China is better off showing restraint. Conversely, U.S. failure to retaliate could undercut the credibility of deterrence insofar as the potential attacker is given reason to think that retaliation will not occur.

Such a posture is the opposite of frequent lesser network interference. It requires purposeful decisionmaking. The need for calibrated and consistent strategic behavior reinforces the need for strong civilian control, in both the United States and China. A clear distinction must be made between the technical competence to create and employ cyber weapons and the authority to determine whether, when, against whom, and for what ends to use them. Because it requires strategic behavior and is a matter of war and peace, cyber deterrence must be managed by proper authorities in the same way all other international uses of force are: politically accountable civilian officials of the executive branch and designated military commanders, with proper Congressional oversight. The United States is moving in this direction with the creation of U.S. Cyber Command (under U.S. Title 10 and the Secretary of Defense) alongside the National Security Agency (under U.S. Title 50 and the Director of National Intelligence).

The existence of security commitments to U.S. allies (and hypothetically to Chinese allies) may appear to further complicate an already difficult domain. But the cyber security of allies need not and should not be different than their physical security, at least not where destructive cyber warfare is concerned. For starters, a serious cyber attack on a NATO Ally should cause Article V of the Washington Treaty to be invoked; anything less would invite Russia to attempt again the sort of attacks it allegedly sponsored against Estonia (a NATO Ally) and Georgia. By extension, U.S. commitments to the security of Japan, South Korea, and other treaty Allies in Asia should include the option of U.S. retaliation for Chinese cyber attack. Thus, any agreement by the United States and China to show restraint toward the strategic cyberspace of the other must include at least treaty Allies.

 Finally, Sino-American mutual restraint in cyberspace could be extended to cooperation against common third-party threats in that domain. Both countries have two sets of cyber security concerns: high-end state threats, and all other state and nonstate threats. For the former, deterrence is necessary and feasible; for the latter, it is less necessary and less feasible. U.S. and Chinese security against all other state and nonstate cyber threats could be improved through Sino-American cooperation, whether in bilateral or multilateral settings. At a minimum, exchanging information on potential attackers and attacks, notifying alerts, and extraordinary measures would be worthwhile, as gaining wide acceptance of mutual strategic restraint in cyberspace. While such cooperation is not essential for mutual restraint, it would be a natural and beneficial supplement.

### 2AC AT: Consultation not restriction

#### 1. We meet and CI -- statutory restrictions include 5 things

KAISER 80 The Official Specialist in American National Government, Congressional Research Service, the Library of Congress [Congressional Action to Overturn Agency Rules: Alternatives to the Legislative Veto; Kaiser, Frederick M., 32 Admin. L. Rev. 667 (1980)]

In addition to direct statutory overrides, there are a variety of statutory and nonstatutory techniques that have the effect of overturning rules, that prevent their enforcement, or that seriously impede or even preempt the promulgation of projected rules. For instance, a statute may alter the jurisdiction of a regulatory agency or extend the exemptions to its authority, thereby affecting existing or anticipated rules. Legislation that affects an agency's funding may be used to prevent enforcement of particular rules or to revoke funding discretion for rulemaking activity or both. Still other actions, less direct but potentially significant, are mandating agency consultation with other federal or state authorities and requiring prior congressional review of proposed rules (separate from the legislative veto sanctions). These last two provisions may change or even halt proposed rules by interjecting novel procedural requirements along with different perspectives and influences into the process.

It is also valuable to examine nonstatutory controls available to the Congress:

1. legislative, oversight, investigative, and confirmation hearings;

2. establishment of select committees and specialized subcommittees to oversee agency rulemaking and enforcement; 3. directives in committee reports, especially those accompanying legislation, authorizations, and appropriations, regarding rules or their implementation; 4. House and Senate floor statements critical of proposed, projected, or ongoing administrative action; and 5. direct contact between a congressional office and the agency or office in question. Such mechanisms are all indirect influences; unlike statutory provisions, they are neither self-enforcing nor legally binding by themselves. Nonetheless, nonstatutory devices are more readily available and more easily effectuated than controls imposed by statute. And some observers have attributed substantial influence to nonstatutory controls in regulatory as well as other matters.3 It is impossible, in a limited space, to provide a comprehensive and exhaustive listing of congressional actions that override, have the effect of overturning, or prevent the promulgation of administrative rules. Consequently, this report concentrates upon the more direct statutory devices, although it also encompasses committee reports accompanying bills, the one nonstatutory instrument that is frequently most authoritatively connected with the final legislative product. The statutory mechanisms surveyed here cross a wide spectrum of possible congressional action: 1. single-purpose provisions to overturn or preempt a specific rule; 2. alterations in program authority that remove jurisdiction from an agency; 3. agency authorization and appropriation limitations; 4. inter-agency consultation requirements; and 5. congressional prior notification provisions

#### **2. Prefer it**

#### **a) Predictability -- exclusive interps are key to resolutional stability -- best for limits and pre-round research**

#### **b) Education -- interbranch consultation is the heart of the literature and is how congress has restricted the president in the past -- we provide the best real world education**

#### 3. Reasonability -- competing interpretations are arbitrary and make aff prep impossible

### XO CP 2AC

**Only a change in CHECKS AND BALANCES solve – international distrust of US policies means the cred advantage is still a DA to the CP**

Rothschild 13 (Matthew, Feb 4, "The Danger's of Obama's Cyber War Power Grab," [www.progressive.org/dangers-of-obama-cyber-war-power-grab](http://www.progressive.org/dangers-of-obama-cyber-war-power-grab))

According to The New York Times, the Obama Administration has concluded that the President has the authority to launch preemptive cyberattacks.

This is a very dangerous, and very undemocratic power grab.

There are no checks or balances when the President, alone, decides when to engage in an act of war.

And this new aggressive stance will lead to a cyber arms race. The United States has evidently already used cyber weapons against Iran, and so many other countries will assume that cyber warfare is an acceptable tool and will try to use it themselves.

Most troubling, U.S. cybersupremacy—and that is Pentagon doctrine—will also raise fears among nuclear powers like Russia, China, and North Korea that the United States may use a cyberattack as the opening move in a nuclear attack.

For if the United States can knock out the command and control structure of an enemy’s nuclear arsenal, it can then launch an all-out nuclear attack on that enemy with impunity. This would make such nuclear powers more ready to launch their nuclear weapons preemptively for fear that they would be rendered useless. So we’ve just moved a little closer to midnight.

Now, I don’t think Obama would use cyberwafare as a first strike in a nuclear war. But our adversaries may not be so sure, either about Obama or his successors.

They, too, worry about the temptations of a President.

#### Unchecked executive creates rigidity that prevents true discussion – creating restrictions empowers the executive while making better decisions. It is NOT a congress good argument – it’s a having to answer questions to others good argument

HOLMES 08 Walter E. Meyer Professor of Law at NYU School of Law [Stephen Holmes, “Conclusion,” from Security v. Liberty: Conflicts Between Civil Liberties and National Security in American History, ed by Daniel Farber] page 219-220

RIGIDITIES OF THE INSULATED EXECUTIVE

Only an executive branch emancipated from legal and constitutional constraints, the administration's defenders argue, will have enough flexibility to defeat a diabolical enemy. This sounds theoretically plausible, but the facts tell a contrary story. Freedom from judicial and legislative oversight has produced not open-eyed flexibility but pathological rigidity. Instead of acknowledging the obvious, namely America's inability to democratize Iraq, the administration has lashed itself(and the country) to a failed policy. Indeed, it continues to act as if its misbegotten project is still on track, only somewhat delayed. Decision making in an echo chamber, refusing to pay any attention to dissident voices, means selecting evidence to corroborate preformed opinions, misunderstanding the challenges ahead, and refusing to ask what if and what then. Dispensing with uninhibited criticism and debate in the face of a threat intrinsically difficult to understand is to doom the country to wild goose chases and a reckless misallocation of scarce national security assets in an increasingly dangerous world. Surrounded by yes-men and sheltered from seriously informed criticism, a pampered and unchecked executive becomes catastrophically disconnected from reality. Concentrating excessive authority in the executive does not increase effectiveness in time of multiple evolving dangers because, for one thing, an all-powerful president becomes unwilling to hear bad news. Thus, the advocates, not the opponents, of an imperial presidency are the ones who have spectacularly failed to understand the true seriousness of today's terrorist threat.

#### Expediency kills soft power

Belk & Noyes 12 (Robert Belk Naval aviator and Politico-Military Fellow, studying international and global affairs at the Harvard Kennedy School, and Matthew Noyes studies international security policy and is a senior associate with the cybersecurity practice at Good Harbor Consulting. Prior to attending the Harvard Kennedy School, he served for five years as an infantry officer in the US army serving multiple tours in Iraq. Following graduation he plans to continue working on cybersecurity issues. He has a degree in Computer Science and Applied Computational Mathematics from the University of Washington., Advised by Professor Joseph Nye & Professor Monica Toft 20 March 2012, “On the Use of Offensive Cyber Capabilities A Policy Analysis on Offensive US Cyber Policy”, <http://belfercenter.ksg.harvard.edu/files/cybersecurity-pae-belk-noyes.pdf>)

The U.S. must be able to project the second and third order effects of conducting external operations in cyberspace. One critical example would be the soft power implications for such operations. Specifically, most civilian global perceptions of the Internet (especially in light of the Arab Awakening) focus on peaceful uses. External cyber operations or other actions that may affect normal cyber activities, therefore, can adversely affect America’s soft power.

A recent example of this is the Egyptian protesters’ reaction to the Bay Area Transit Authority’s (BART) shut down of cell service in one of their stations in August 2011. In anticipation of a protest at one of its stations, BART officials halted cell service in order to minimize the gathering. Many Bay Area citizens viewed this as a limit on their right to peaceful assembly. Egyptian activists from the Tahrir Square demonstrations seemed to agree. They began voicing their disapproval by referencing BART in tweets as “MuBARTak.”62 Likening BART’s actions to those of the deposed president reflects a certain loss of prestige abroad, signifying an erosion of soft power.

In that vein, the U.S. must consider the implications for external cyber operations in affecting perceptions of the U.S. abroad. A cyber action that is Executionally or Strategically expedient may have second or third order effects that diminish American soft power.

**Extinction**

Joseph **Nye 8** is professor of international relations at Harvard University, “American Power After the Financial Crises,” <http://www.foresightproject.net/publications/articles/article.asp?p=3533>, DOA: 7-23-13, y2k

Power always depends on context, and in today's world, it is distributed in a pattern that resembles a complex three-dimensional chess game. On the top chessboard, military power is largely unipolar and likely to remain so for some time. But on the middle chessboard, economic power is already multi-polar, with the US, Europe, Japan and China as the major players, and others gaining in importance. **The bottom chessboard is the realm of transnational relations that cross borders outside of government control,** and **it includes actors as** **diverse as bankers** electronically **transferring sums larger than most national budgets** at one extreme, **and terrorists transferring weapons** **or hackers disrupting Internet operations** at the other. **It** also **includes new challenges like pandemics and climate change**. On this bottom board, power is widely dispersed, and it makes no sense to speak of unipolarity, multi-polarity or hegemony. **Even in the aftermath of the financial crisis, the giddy pace of technological change is likely to continue to drive globalisation, but the political effects will be quite different for the world of nation states and the world of non-state actors**. In inter-state politics, the most important factor will be the continuing "return of Asia". In 1750, Asia had three-fifths of the world population and three-fifths of the world's product. By 1900, after the industrial revolution in Europe and America, Asia's share shrank to one-fifth of the world product. By 2040, Asia will be well on its way back to its historical share. **The "rise" in the power of China and India may create instability**, but it is a problem with precedents, and we can learn from history about how our policies can affect the outcome. **A century ago, Britain managed the rise of American power without conflict, but the world's failure to manage the rise of German power led to two devastating world wars.** In transnational politics, **the information revolution is dramatically reducing the costs of computing and communication. Forty years ago, instantaneous global communication was possible but costly, and restricted to governments and corporations**. Today it is virtually free to anyone with the means to enter an internet café. **The barriers to entry into world politics have been lowered, and non-state actors now crowd the stag**e. In 2001, **a non-state group killed more Americans than the government of Japan killed at Pearl Harbor**. **A pandemic** spread by birds or travelers on jet aircraft **could kill more people than perished in the first or second world wars**. This is a new world politics with which we have less experience. The problems of power diffusion (away from states) may turn out to be more difficult than power transition among states. **The problem for American power in the 21st century is that there are more and more things outside the control of even the most powerful state**. Although the United States does well on the traditional measures, there is increasingly more going on in the world that those measures fail to capture. **Under the influence of the information revolution and globalisation, world politics is changing in a way that means Americans** cannot achieve all their international goals acting alone. For example, **international financial stability** **is vital to the prosperity of Americans,** but the United States needs the cooperation of others to ensure it. **Global climate change too will affect the quality of life, but the United States cannot manage the problem alone**. **And in a world where borders are becoming more porous than ever to everything from drugs to infectious diseases to terrorism, America must mobilise international coalitions to address shared threats and challenges.** As the largest country, American leadership will remain crucial. The problem of American power after this crisis is not one of decline, but realisation that **even the largest country cannot achieve its aims without the help of others.**

#### OCOs effects are impossible to predict – they can ONLY expand and escalate conflict

Lewis 10/10/13 (James Andrew Lewis, Ph.D. in international Politics from the University of Chicago, is a senior fellow and director of the Technology and Public Policy Program at CSIS, where he writes on technology, security, and the international economy, Special to the Washington Post, “On the offense in the cyberspace arms race”, <http://www.registercitizen.com/lifestyle/20131010/on-the-offense-in-the-cyberspace-arms-race>)

Using offensive cyber-operations requires deciding between different military goals and priorities. Once you get access to a target network, the first decision is whether to attack or to sit quietly and collect intelligence — because once you attack, you lose the access for spying. The second decision is whether the target is valuable enough to justify using the cyber "weapon" — because once you attack, the opponent can develop countermeasures or fix vulnerabilities, making your weapon "single-use" (no one will fall for Stuxnet again).

There also are potentially tough political decisions. Attacking a "tactical" target could unintentionally result in damage to "strategic" targets hundreds of miles away and expand and escalate the conflict. An attacker may not know what is connected to a target network — one early cyberattack disabled its target along with a broadcast network in a nearby allied country. Attacking a bridge and knocking out a hospital are things to avoid because they run contrary to our rules for warfare and could create enormous political damage.

Someone needs to decide when the benefit of an attack outweighs the loss of intelligence or the political risk, or when a target justifies expending a weapon that might never work again. The inability to predict collateral damage and uncertainty over political effect has made the United States cautious. The Presidential Policy Directive 20 restricts independent action by tactical and operational commanders for this reason. A local commander may not know all the trade-offs or the risks that cyberattack could entail. Until we get better predictive tools, judgments about risk and consequences require decisions that only the top defense officials in Washington can make.

#### Congress is key to transparency – cant solve china

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

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

#### The US and Russia use cyber and OCO’s as a bargaininship for future relations

Markoff & Kramer 09 (“In Shift, U.S. Talks to Russia on Internet Security Recommend” JOHN MARKOFF and ANDREW E. KRAMER – political analysts. Published: December 12, 2009 , <http://dogbrothers.com/phpBB2/index.php?topic=1586.20;wap2>)

The American interest in reopening discussions shows that the Obama administration, even in absence of a designated Internet security chief, is breaking with the Bush administration, which declined to talk with Russia about issues related to military attacks using the Internet.

Many countries, including the United States, are developing weapons for use on computer networks that are ever more integral to the operations of everything from banks to electrical power systems to government offices. They include “logic bombs” that can be hidden in computers to halt them at crucial times or damage circuitry; “botnets” that can disable or spy on Web sites and networks; or microwave radiation devices that can burn out computer circuits miles away.

The Russians have focused on three related issues, according to American officials involved in the talks that are part of a broader thaw in American-Russian relations known as the "reset" that also include negotiations on a new nuclear disarmament treaty. In addition to continuing efforts to ban offensive cyberweapons, they have insisted on what they describe as an issue of sovereignty calling for a ban on “cyberterrorism.” American officials view the issue differently and describe this as a Russian effort to restrict “politically destabilizing speech.” The Russians have also rejected a portion of the Council of Europe Convention on Cybercrime that they assert violates their Constitution by permitting foreign law enforcement agencies to conduct Internet searches inside Russian borders.

#### Relations solve extinction

Allison 11(Graham, Director of the Belfer Center for Science and International Affairs at Harvard’s Kennedy School of Government, 10/30/11, “10 reasons why Russia still matters,” http://dyn.politico.com/printstory.cfm?uuid=161EF282-72F9-4D48-8B9C-C5B3396CA0E6)

That central point is that Russia matters a great deal to a U.S. government seeking to defend and advance its national interests. Prime Minister Vladimir Putin’s decision to return next year as president makes it all the more critical for Washington to manage its relationship with Russia through coherent, realistic policies. No one denies that Russia is a dangerous, difficult, often disappointing state to do business with. We should not overlook its many human rights and legal failures. Nonetheless, Russia is a player whose choices affect our vital interests in nuclear security and energy. It is key to supplying 100,000 U.S. troops fighting in Afghanistan and preventing Iran from acquiring nuclear weapons. Ten realities require U.S. policymakers to advance our nation’s interests by engaging and working with Moscow. First, Russia remains the only nation that can erase the United States from the map in 30 minutes. As every president since John F. Kennedy has recognized, Russia’s cooperation is critical to averting nuclear war. Second, Russia is our most consequential partner in preventing nuclear terrorism. Through a combination of more than $11 billion in U.S. aid, provided through the Nunn-Lugar [CTR] Cooperative Threat Reduction program, and impressive Russian professionalism, two decades after the collapse of the “evil empire,” not one nuclear weapon has been found loose. Third, Russia plays an essential role in preventing the proliferation of nuclear weapons and missile-delivery systems. As Washington seeks to stop Iran’s drive toward nuclear weapons, Russian choices to sell or withhold sensitive technologies are the difference between failure and the possibility of success. Fourth, Russian support in sharing intelligence and cooperating in operations remains essential to the U.S. war to destroy Al Qaeda and combat other transnational terrorist groups. Fifth, Russia provides a vital supply line to 100,000 U.S. troops fighting in Afghanistan. As U.S. relations with Pakistan have deteriorated, the Russian lifeline has grown ever more important and now accounts for half all daily deliveries. Sixth, Russia is the world’s largest oil producer and second largest gas producer. Over the past decade, Russia has added more oil and gas exports to world energy markets than any other nation. Most major energy transport routes from Eurasia start in Russia or cross its nine time zones. As citizens of a country that imports two of every three of the 20 million barrels of oil that fuel U.S. cars daily, Americans feel Russia’s impact at our gas pumps. Seventh, Moscow is an important player in today’s international system. It is no accident that Russia is one of the five veto-wielding, permanent members of the U.N. Security Council, as well as a member of the G-8 and G-20. A Moscow more closely aligned with U.S. goals would be significant in the balance of power to shape an environment in which China can emerge as a global power without overturning the existing order. Eighth, Russia is the largest country on Earth by land area, abutting China on the East, Poland in the West and the United States across the Arctic. This territory provides transit corridors for supplies to global markets whose stability is vital to the U.S. economy. Ninth, Russia’s brainpower is reflected in the fact that it has won more Nobel Prizes for science than all of Asia, places first in most math competitions and dominates the world chess masters list. The only way U.S. astronauts can now travel to and from the International Space Station is to hitch a ride on Russian rockets. The co-founder of the most advanced digital company in the world, Google, is Russian-born Sergei Brin. Tenth, Russia’s potential as a spoiler is difficult to exaggerate. Consider what a Russian president intent on frustrating U.S. international objectives could do — from stopping the supply flow to Afghanistan to selling S-300 air defense missiles to Tehran to joining China in preventing U.N. Security Council resolutions.

### Links to politics

#### Links to politics – immense opposition to bypassing debate

Hallowell 13 (Billy Hallowell, writer for The Blaze, B.A. in journalism and broadcasting from the College of Mount Saint Vincent in Riverdale, New York and an M.S. in social research from Hunter College in Manhattan, “HERE’S HOW OBAMA IS USING EXECUTIVE POWER TO BYPASS LEGISLATIVE PROCESS” Feb. 11, 2013, <http://www.theblaze.com/stories/2013/02/11/heres-how-obamas-using-executive-power-to-bylass-legislative-process-plus-a-brief-history-of-executive-orders/>)

“In an era of polarized parties and a fragmented Congress, the opportunities to legislate are few and far between,” Howell said. “So presidents have powerful incentive to go it alone. And they do.”

And the political opposition howls.¶ Sen. Marco Rubio, R-Fla., a possible contender for the Republican presidential nomination in 2016, said that on the gun-control front in particular, Obama is “abusing his power by imposing his policies via executive fiat instead of allowing them to be debated in Congress.”

 The Republican reaction is to be expected, said John Woolley, co-director of the American Presidency Project at the University of California in Santa Barbara.¶ “For years there has been a growing concern about unchecked executive power,” Woolley said. “It tends to have a partisan content, with contemporary complaints coming from the incumbent president’s opponents.”

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

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

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

#### Executive CP risks a Republican partisan backlash

**Shane 11** - Chair in Law and specialist on Separation of Powers @ Ohio State University [Peter M. Shane, “The Obama Administration and the Prospects for a Democratic Presidency in a Post-9/11 World,” New York Law School Law Review, 56 N.Y.L. Sch. L. Rev. 27, Volume 56, 2011/12

The second is politics. **With the country still grappling with the effects of a** devastating **recession, as well as the need for pressing action on healthcare, climate** **change, and immigration, the President might well want to avoid the appearance of** **diluting his focus**. Moreover, **since** the **Johnson** administration, **Republicans have**¶ **consistently—and with** some **success—cowed the Democrats by portraying them as**¶ **soft on national security issues**. **The** partisan pushback **against any Obama**¶ administration **effort to reinvigorate the rule of law in the national security context is** **likely to be** vicious**, threatening to** erode whatever modicum of goodwill **might** **otherwise be available to accomplish seemingly more concrete and immediate** **objectives**. **This**, of course, **is not hypothetical**. **We can see it in Republican efforts to**¶ **derail the closing of Guantánamo and in proposals to prohibit the trial of foreign**¶ **terrorists in civilian courts**108—**a practice that Republicans seemed happier to live**¶ **with under** George W. **Bush**.109 pg. 48

### Iran CP

#### OCOs effects are impossible to predict – they can ONLY expand and escalate conflict

Lewis 10/10/13 (James Andrew Lewis, Ph.D. in international Politics from the University of Chicago, is a senior fellow and director of the Technology and Public Policy Program at CSIS, where he writes on technology, security, and the international economy, Special to the Washington Post, “On the offense in the cyberspace arms race”, <http://www.registercitizen.com/lifestyle/20131010/on-the-offense-in-the-cyberspace-arms-race>)

Using offensive cyber-operations requires deciding between different military goals and priorities. Once you get access to a target network, the first decision is whether to attack or to sit quietly and collect intelligence — because once you attack, you lose the access for spying. The second decision is whether the target is valuable enough to justify using the cyber "weapon" — because once you attack, the opponent can develop countermeasures or fix vulnerabilities, making your weapon "single-use" (no one will fall for Stuxnet again).

There also are potentially tough political decisions. Attacking a "tactical" target could unintentionally result in damage to "strategic" targets hundreds of miles away and expand and escalate the conflict. An attacker may not know what is connected to a target network — one early cyberattack disabled its target along with a broadcast network in a nearby allied country. Attacking a bridge and knocking out a hospital are things to avoid because they run contrary to our rules for warfare and could create enormous political damage.

Someone needs to decide when the benefit of an attack outweighs the loss of intelligence or the political risk, or when a target justifies expending a weapon that might never work again. The inability to predict collateral damage and uncertainty over political effect has made the United States cautious. The Presidential Policy Directive 20 restricts independent action by tactical and operational commanders for this reason. A local commander may not know all the trade-offs or the risks that cyberattack could entail. Until we get better predictive tools, judgments about risk and consequences require decisions that only the top defense officials in Washington can make.

#### Shit hits the fan

Lewis 10/10/13 (James Andrew Lewis, Ph.D. in international Politics from the University of Chicago, is a senior fellow and director of the Technology and Public Policy Program at CSIS, where he writes on technology, security, and the international economy, Special to the Washington Post, “On the offense in the cyberspace arms race”, <http://www.registercitizen.com/lifestyle/20131010/on-the-offense-in-the-cyberspace-arms-race>)

Anyone with a computer and an Internet connection can launch a cyber "attack," even though the skills and tools needed to do real damage are still in short supply. The Internet was not built to be secure and will not become secure anytime soon. Networks are vulnerable. This explains why cyber-espionage and fraud are so easy. Economies depend on the Internet and a growing number of services and devices — factories, electric power plants, airplanes, cars — are connected to it, making it an irresistible target. Crash the computers that run these systems and things stop. Power grids, financial networks, communications, public utilities and transportation systems are all targets for cyberattacks. But truly destructive attacks are hard to pull off.

Cyberattacks can disrupt data and services to sow confusion, cripple networks and computers (including those embedded in weapons systems) and in some instances, destroy machinery. The risks are real, but easily exaggerated, as when a group of defense advisers intoned in a recent report that cyberattacks have "potential consequences similar in some ways to the nuclear threat of the Cold War." Just as early air-power enthusiasts ascribed miraculous qualities to air attacks, expecting them to produce intolerable destruction and rapid victory, the discussion of cyberattacks too easily veers into the realm of science fiction, what one senior Navy officer calls "fairy dust." Sprinkle a little cyber fairy dust on your military problem and it will disappear.

#### **Lack of statutory clarification means we have NO DETERRENCE POSTURE the exec is in a zone of twilight – only stator clarification solves.**

Huston 11 (Warner Todd Huston Political analyst, and freelance writer, <http://www.conservativecrusader.com/articles/we-need-rules-for-cyberwarfare-before-a-president-steals-that-power-too>)

**Presidents** have had certain restrictions for war-making ever since because the founders wanted to make sure that war was something duly considered not easily engaged.

 **This should** hold as much for use of computer-based warfare as it does for any other type of military attack. **Currently** computer-based war, or cyberwarfare, presents a new field of military application and we have no legal precedent to govern its use.

**Despite the last 200 years of presidents slowly stealing away power from Congress to initiate military actions, we should really think long and hard about allowing any president to unleash cyberwarfare at his discretion**. In fact, we should set a precedent immediately to prevent any president from using cyberwarfare without the consent of Congress**.**

Why? Because cyberwarfare is a far, far different animal than use of conventional military forces and indiscriminate use of it **would endanger** our way of **life** in harsh and immediate terms if used against us. For that reason, **we should be very careful when we use it against others**. We should have solid legal definitions behind its use so as not to give enemies the excuse to resort to it quickly themselves.

You see, cyberwarfare is a relatively cheap war power, easier to implement, and requires far fewer in personnel and facilities than launching an invasion using conventional military forces. This is not to say that cyberwarfare is easy -- far from it. But it is cheaper and easier than deploying regular military forces.

So, we should casually resort to cyberwarfare no more easily than we would to using conventional forces. But **if we do not set down** specific and binding rules for its use we risk giving this power over to a president which could cause less considered use of this sort of warfare. **That** in turn, would give enemies an excuse to do the same. Further, remember that setting legally binding reasons for warfare is a long and proud American tradition, one that legitimizes our nation and one we should not casually toss aside simply under the assumption that enemies will not be as thoughtful as we.

**We should lead the world in** **considered** **use of cyberwarfare** **and we should do so now**. Any of those that felt we illicitly launched into the war on terror should no less worry about indiscriminate use of cyberwarfare. But illicit use or no, **we should be** deadly certain of what powers our president can have**,** **when and how he can use them, and where the line should be drawn, even in cyberspace.**

\ **Nuclear Iran doesn't change anything**

**Walt 12** [Stephen M, professor of international relations at Harvard, "The mother of all worst-case assumptions about Iran," 11-30, <http://walt.foreignpolicy.com/category/topic/nukes>]

The debate on Iran and its nuclear program does little credit to the U.S. foreign policy community, because much of it rests on dubious assumptions that do not stand up to even casual scrutiny. Lots of ink, pixels, and air-time has been devoted to discussing whether Iran truly wants a bomb, how close it might be to getting one, how well sanctions are working, whether the mullahs in charge are "rational," and whether a new diplomatic initiative is advisable. Similarly, journalists, politicians and policy wonks spend endless hours asking if and when Israel might attack and whether the United States should help. But we hardly ever ask ourselves if this issue is being blown wildly out of proportion. At bottom, the whole debate on Iran rests on the assumption that Iranian acquisition of a nuclear weapon would be an event of shattering geopolitical significance: On a par with Hitler's rise to power in Germany in 1933, the fall of France in 1940, the Sino-Soviet split, or the breakup of the former Soviet Union. In this spirit, Henry Kissinger recently argued that a latent Iranian capability (that is, the capacity to obtain a bomb fairly quickly) would have fearsome consequences all by itself. Even if Iran stopped short of some red line, Kissinger claims this would: 1) cause "uncontrollable military nuclear proliferation throughout [the] region," 2) "lead many of Iran's neighbors to reorient their political alignment toward Tehran" 3) "submerge the reformist tendencies in the Arab Spring," and 4) deliver a "potentially fatal blow" to hopes for reducing global nuclear arsenals. Wow. And that's just if Iran has nuclear potential and not even an actual weapon! It follows that the United States must either persuade them to give up most of their enrichment capacity or go to war to destroy it. Yet this "mother of all assumptions" is simply asserted and rarely examined. The obvious question to ask is this: did prior acts of nuclear proliferation have the same fearsome consequences that Iran hawks now forecast? The answer is no. In fact, the spread of nuclear weapons has had remarkably little impact on the basic nature of world politics and the ranking of major powers. The main effect of the nuclear revolution has been to induce greater caution in the behavior of both those who possessed the bomb and anyone who had to deal with a nuclear-armed adversary. Proliferation has not transformed weak states into influential global actors, has not given nuclear-armed states the ability to blackmail their neighbors or force them to kowtow, and it has not triggered far-reaching regional arms races. In short, fears that an Iranian bomb would transform regional or global politics have been greatly exaggerated; one might even say that they are just a lot of hooey. Consider the historical record. Did the world turn on its axis when the mighty Soviet Union tested its first bomb in 1949? Although alarmist documents like NSC-68 warned of a vast increase in Soviet influence and aggressiveness, Soviet nuclear development simply reinforced the caution that both superpowers were already displaying towards each other. The United States already saw the USSR as an enemy, and the basic principles of containment were already in place. NATO was being formed before the Soviet test and Soviet dominance of Eastern Europe was already a fait accompli. Having sole possession of the bomb hadn't enabled Truman to simply dictate to Stalin, and getting the bomb didn't enable Stalin or his successors to blackmail any of their neighbors or key U.S. allies. It certainly didn't lead any countries to "reorient their political alignment toward Moscow." Nikita Khrushchev's subsequent missile rattling merely strengthened the cohesion of NATO and other U.S.-led alliances, and we now know that much of his bluster was intended to conceal Soviet strategic inferiority. Having a large nuclear arsenal didn't stop the anti-commnist uprisings in East Germany, Hungary, Czechoslovakia, or Poland, and didn't allow the Soviet Union to win in Afghanistan. Nor did it prevent the USSR from eventually collapsing entirely. Did British and French acquisition of nuclear weapons slow their decline as great powers? Not in the slightest. Having the force de frappe may have made De Gaulle feel better about French prestige and having their own deterrent made both states less dependent on America's security umbrella, but it didn't give either state a louder voice in world affairs or win them new influence anywhere. And you might recall that Britain couldn't get Argentina to give back the Falklands by issuing nuclear threats -- even though Argentina had no bomb of its own and no nuclear guarantee -- they had to go retake the islands with conventional forces. Did China's detonation of a bomb in 1964 suddenly make them a superpower? Hardly. China remained a minor actor on the world stage until it adopted market principles, and its rising global influence is due to three decades of economic growth, not a pile of nukes. And by the way, did getting a bomb enable Mao Zedong--a cruel megalomaniac who launched the disastrous Great Leap Forward in 1957 and the destructive Cultural Revolution in the 1960s -- to start threatening and blackmailing his neighbors? Nope. In fact, China's foreign policy behavior after 1964 was generally quite restrained. What about Israel? Does Israel's nuclear arsenal allow it to coerce its neighbors or impose its will on Hezbollah or the Palestinians? No. Israel uses its conventional military superiority to try to do these things, not its nuclear arsenal. Indeed, Israel's bomb didn't even prevent Egypt and Syria from attacking it in October 1973, although it did help convince them to limit their aims to regaining the territory they had lost in 1967. It is also worth noting that Israel's nuclear program did not trigger a rapid arms race either. Although states like Iraq and Libya did establish their own WMD programs after Israel got the bomb, none of their nuclear efforts moved very rapidly or made it across the finish line. But wait, there's more. The white government in South Africa eventually produced a handful of bombs, but nobody noticed and apartheid ended anyway. Then the new government gave up its nuclear arsenal to much acclaim. If anything, South Africa was more secure without an arsenal than it was before. What about India and Pakistan? India's "peaceful nuclear explosion" in 1974 didn't turn it into a global superpower, and its only real effect was to spur Pakistan -- which was already an avowed rival -- to get one too. And it's worth noting that there hasn't been a large-scale war between the two countries since, despite considerable grievances on both sides and occasional skirmishes and other provocations. Finally, North Korea is as annoying and weird as it has always been, but getting nuclear weapons didn't transform it from an economic basket case into a mighty regional power and didn't make it more inclined to misbehave. In fact, what is most remarkable about North Korea's nuclear program is how little impact it has had on its neighbors. States like Japan and South Korea could go nuclear very quickly if they wanted to, but neither has done so in the six years since North Korea's first nuclear test. In short, both theory and history teach us that getting a nuclear weapon has less impact on a country's power and influence than many believe, and the slow spread of nuclear weapons has only modest effects on global and regional politics. Nuclear weapons are good for deterring direct attacks on one's homeland, and they induce greater caution in the minds of national leaders of all kinds. What they don't do is turn weak states into great powers, they are useless as tools of blackmail, and they cost a lot of money. They also lead other states to worry more about one's intentions and to band together for self-protection. For these reasons, most potential nuclear states have concluded that getting the bomb isn't worth it. But a few states-and usually those who are worried about being attacked-decide to go ahead. The good news is that when they do, it has remarkably little impact on world affairs. For some strange reason, however, the U.S. national security community seems to think that both logic and all this prior history does not apply to Iran. They forget that similarly dire warnings were uttered before many of these others states got the bomb, yet none of these fearsome forecasts took place. Ironically, by repeatedly offering doom-and-gloom scenarios about the vast geopolitical consequences of an Iranian bomb, they may be strengthening the hands of Iranian hardliners who might be interested in actually obtaining a working weapon. After all, if getting a bomb would give Iran all the influence that Kissinger and others fear, why wouldn't Tehran want one?

### 2AC immigration

#### Obama won’t push the plan

Jack Goldsmith 13, Henry L. Shattuck Professor at Harvard Law School, Feb 13 2013, “The President’s SOTU Pledge to Work With Congress and Be Transparent on National Security Issues,” [www.lawfareblog.com/2013/02/the-presidents-sotu-pledge-to-work-with-congress-and-be-transparent-on-national-security-issues/](http://www.lawfareblog.com/2013/02/the-presidents-sotu-pledge-to-work-with-congress-and-be-transparent-on-national-security-issues/)

As for a broader and sturdier congressional framework for the administration’s growing forms of secret war (not just targeted killing, but special forces activities around the globe, cyber attacks, modern forms of covert action, etc.) along the lines that I proposed last week, I also don’t think much will happen. Friends and acquaintances in and around the Obama administration told me they would cherish such a new statutory framework, but argued that Congress is too political, and executive-congressional relations too poisonous, for anything like this to happen. There is some truth in this charge, although I sense that Congress is preparing to work more constructively on these issues. But even in the face of a very political and generally unsupportive Congress, Presidents tend to get what they want in national security when they make the case publicly and relentlessly. (Compare the Bush administration’s successful push for FISA reform in the summer of 2008, when the President’s approval ratings were below 30%, and Democrats controlled both houses of Congress; or FDR’s push in late 1940 and early 1941 – against popular and congressional opposition – to secure enactment of Lend-Lease legislation to help to British fend off the Nazis; or the recent FISA renewal legislation.) And of course the administration can never succeed if it doesn’t try hard. Not fighting the fight for national security legal reform is just another way of saying that the matter is not important enough to the administration to warrant a fight. The administration’s failure to date to make a sustained push before Congress on these issues reveals a preference for reliance on ever-more-tenuous old authorities and secret executive branch interpretations in areas ranging from drones to cyber, and an implicit judgment that the political and legal advantages that would flow from a national debate and refreshed and clarified authorities are simply not worth the effort. The administration might be right in this judgment, at least for itself in the short run. But the President has now pledged something different in his SOTU address. We will see if he follows through this time. Count me as skeptical, but hopeful that I am wrong.

#### Immigration will happen next summer after GOP primaries

BUSINESS MIRROR 10 – 26 – 13 Republicans after shutdown seen losing again on immigration, <http://businessmirror.com.ph/index.php/en/features/global-eye/21717-republicans-after-shutdown-seen-losing-again-on-immigration>

Limited window

“NOW, this notion that they’re going to get in a room and negotiate a deal with the president on immigration is much more difficult to do,” Rubio said in the October 20 interview, “because of the way that president has behaved toward his opponents over the last few weeks.”

Advocates for an immigration overhaul, including Jacoby, see a limited congressional window for movement on comprehensive legislation, possibly limited to the next several weeks before new fiscal deadlines hit in the coming months.

Some Democrats have hinted that action could come further in the future, possibly in the early summer after primary election filing deadlines are past. Then, they say, Republicans will begin turning their focus to the general election, making them more eager to take up the legislation as a way to woo Hispanic voters in battleground states such as Florida, Nevada and Colorado.

“I’m going to do everything I can to get it done this year,” Senate Majority leader Harry Reid, a Nevada Democrat, told Univision television on October 18. “But remember this is a two-year Congress.”

#### Won’t pass – and Obama irrelevant

STILES 10 – 21 – 13 National Review [Andrew Stiles, Conservatives warn House leaders against the Senate bill on comprehensive immigration reform. , <http://www.nationalreview.com/article/361716/dug-against-gang-eight-andrew-stiles>]

Still, there are valid reasons to think that immigration reform is doomed. Following the political debacle of the past few weeks, which culminated in Boehner’s violating the so-called Hastert rule and allowing a Senate-brokered budget agreement to pass with primarily Democratic support, some doubt that he will have enough political capital to take any action on immigration reform that could rile his conservative flank. There is also no deadline to force Boehner’s hand. “It’s not like blocking immigration reform prevents a government shutdown or default on the debt,” says a conservative aide. “I don’t see how Boehner would have the political leverage to force it through.”

The recent budget talks have also, to the extent that it is even possible, increased House Republicans’ dislike and distrust of President Obama. Representative Raul Labrador (R., Idaho), a prominent supporter of immigration reform and a member of the (now disbanded) House version of the Gang of Eight, has said “it would be crazy” for House Republicans to negotiate with Obama on immigration reform, because the president would never do so in good faith.

“He’s trying to destroy the Republican Party . . . and I think that anything that we do right now with this president on immigration will be with that same goal in mind, which is to destroy the Republican party, and not to get good policies,” Labrador said last week during a meeting with conservative lawmakers hosted by the Heritage Foundation.

One thing is certain: John Boehner’s job won’t be getting any easier anytime soon.

#### Winners win on immigration

DAILY CALLER 10 – 21 – 13 US Chamber of Commerce pleads for Obama’s help to pass immigration boost, <http://dailycaller.com/2013/10/21/u-s-chamber-of-commerce-pleads-for-obamas-help-to-pass-immigration-boost/>

Obama could build trust “by getting involved and helping us come to a satisfactory and progressive — meaning moving forward — set of solutions on tax and spending, and on entitlements,” Donohue said.

“He will not get there if he doesn’t do what he says he’ll do — get involved and negotiate,” Donohue said.

However, White House press secretary jay Carney strongly hinted last week that the president would not play a leadership role in the budget talks. (Related: Obama WALKS AWAY from new budget talks, setting stage for next shutdown showdown)

“The president will be as involved as he and members of the Congress believe to be useful,” he said.

“Our view is that [in 2013] the House passed a budget, the Senate passed a budget; that’s how the process is supposed to work,” Carney said. “The president has already demonstrated a level of seriousness through the budget he put forward.”

“Flacks do [say] that, don’t they?” Donohue responded when The Daily Caller cited Carney’s comments.

“History is very clear, the most successful administrations… are those that get intimately involved in leading and working with the other leaders in town,” he said.

#### Multiple fights Thump the Link

WSJ 10 – 17 – 13 [Obama's Agenda Faces Rocky Road, http://online.wsj.com/news/articles/SB10001424052702303680404579141472200495820]

By most measures, President Barack Obama came out on top in the showdown with congressional Republicans. He beat back efforts to dismantle his health-care overhaul and hit upon a strategy that confounded Republicans: refusing to negotiate with lawmakers who wanted to roll back the 2010 law as the price for reopening the government.

Yet it is far from certain Mr. Obama can exploit these tactical gains in coming months. In his remarks Thursday from the State Dining Room, he said he wanted to pass an immigration overhaul, a farm bill and reach a budget agreement that cuts the deficit and spurs economic growth. Not on the list were the more ambitious plans he laid out in his State of the Union speech in February: raising the minimum wage, expanding access to pre-school education and launching a sweeping program to upgrade the nation's roads and bridges.

Those efforts require bipartisan consensus that may be even more elusive amid the ill will carried over from the budget fight. Even Republicans who voted with the president believe Mr. Obama struck a hard-line posture that makes future collaboration difficult.

"A lot of us are resentful that he didn't negotiate as hard as we think he could have or should have," said Sen. John McCain (R., Ariz.) in an interview. "Let me put it this way: He didn't do himself any good."

Refusing to negotiate with GOP adversaries proved a winning strategy in this instance, and Republicans who saw Mr. Obama hold firm may have gotten the message that he won't cave when it is time to raise the debt ceiling again in February.

Rep. Peter King (R., N.Y.), who opposed GOP efforts to strip funding from the health law, said Republicans need to reduce their expectations of what can be achieved in a time of divided government. Shutting down the government and other "D-Day-type victories" shouldn't be the goal so much as revising the nation's tax code and reducing the debt, Mr. King said.

Some Democrats, meanwhile, believe Mr. Obama must be a more active player in looming fights. Sen. Dianne Feinstein (D., Calif.) said in an interview Mr. Obama "stepped back" in part because he felt "burned" by the grinding budget fights that have played out over the past three years.

"I hope that changes, because you do need presidential leadership on these" issues, she said. In "three or four months, we could be back in the same place, and we can't let ourselves be back in the same place," she said.

Mr. Obama suggested Thursday he was willing to negotiate on a range of issues, consistent with his message during the budget fight that he was prepared to bargain with lawmakers once the government was reopened and the debt ceiling raised.

Mr. Obama may find some consolation in the House vote Wednesday. In the end, 87 House Republicans voted the president's way on the debt bill. More than 17% of them hailed from districts Mr. Obama carried in 2012, suggesting a potential way forward for a president eager to assemble a centrist coalition.

Yet as much as he wants to shift the focus to immigration and the farm bill, Mr. Obama will have trouble pulling it off. His administration is under pressure to fix the operational problems that have bedeviled the new health-care exchanges.

The next set of fiscal deadlines, and worries about the next round of the across-the-board spending cuts, scheduled to take effect in mid-January, are likely to overshadow other efforts. That leaves lawmakers with only a narrow window of time to tackle any remotely complex legislation before the 2014 midterm dynamics overtake Washington.

Messy internal GOP politics over the farm bill could also complicate lawmakers' efforts to reconcile the different measures passed by the House and Senate.

As for immigration, House Republicans have said they plan to consider piecemeal immigration bills, but so far not one has reached the House floor.

Rep. Raul Labrador (R., Idaho), a conservative who has urged Republicans to tackle immigration changes, said Wednesday the budget fight would make it harder for GOP leaders to negotiate with the president on immigration.

#### PC not key

THE HILL 10 – 18 – 13 Obama’s hollow debt victory, <http://thehill.com/homenews/administration/329219-obamas-hollow-debt-victory>

Republican strategist Ron Bonjean said he didn’t expect relations between Obama and Republicans to improve.

“No one has political capital at this point to really accomplish major legislative initiatives by the end of this year,” Bonjean said. “It’s highly unlikely that any comprehensive immigration reform bill would be able to move through the House after such a bruising fight over the shutdown and the debt ceiling.”

The former senior administration official seemed to agree, saying any hope for cooperation on a comprehensive immigration bill seems unlikely.

“No way,” the former official said. “I don’t see how it happens.”

#### Obama’s capital is not key to immigration --- other factors overwhelm.

**Hirsh**, **2/7**/2013 (Michael – chief correspondent for the National Journal, There’s No Such Thing as Political Capital, National Journal, p. <http://www.nationaljournal.com/magazine/there-s-no-such-thing-as-political-capital-20130207>)

Meanwhile, the Republican members of the Senate’s so-called Gang of Eight are pushing hard for a new spirit of compromise on immigration reform, a sharp change after an election year in which the GOP standard-bearer declared he would make life so miserable for the 11 million illegal immigrants in the U.S. that they would “self-deport.” But this turnaround has very little to do with Obama’s personal influence—his political mandate, as it were. It has almost entirely to do with just two numbers: 71 and 27. That’s 71 percent for Obama, 27 percent for Mitt Romney, the breakdown of the Hispanic vote in the 2012 presidential election. Obama drove home his advantage by giving a speech on immigration reform on Jan. 29 at a Hispanic-dominated high school in Nevada, a swing state he won by a surprising 8 percentage points in November. But the movement on immigration has mainly come out of the Republican Party’s recent introspection, and the realization by its more thoughtful members, such as Sen. Marco Rubio of Florida and Gov. Bobby Jindal of Louisiana, that without such a shift the party may be facing demographic death in a country where the 2010 census showed, for the first time, that white births have fallen into the minority. It’s got nothing to do with Obama’s political capital or, indeed, Obama at all. The point is not that “political capital” is a meaningless term. Often it is a synonym for “mandate” or “momentum” in the aftermath of a decisive election—and just about every politician ever elected has tried to claim more of a mandate than he actually has. Certainly, Obama can say that because he was elected and Romney wasn’t, he has a better claim on the country’s mood and direction. Many pundits still defend political capital as a useful metaphor at least. “It’s an unquantifiable but meaningful concept,” says Norman Ornstein of the American Enterprise Institute. “You can’t really look at a president and say he’s got 37 ounces of political capital. But the fact is, it’s a concept that matters, if you have popularity and some momentum on your side.” The real problem is that the idea of political capital—or mandates, or momentum—is so poorly defined that presidents and pundits often get it wrong. “Presidents usually over-estimate it,” says George Edwards, a presidential scholar at Texas A&M University. “The best kind of political capital—some sense of an electoral mandate to do something—is very rare. It almost never happens. In 1964, maybe. And to some degree in 1980.” For that reason, political capital is a concept that misleads far more than it enlightens. It is distortionary. It conveys the idea that we know more than we really do about the ever-elusive concept of political power, and it discounts the way unforeseen events can suddenly change everything. Instead, it suggests, erroneously, that a political figure has a concrete amount of political capital to invest, just as someone might have real investment capital—that a particular leader can bank his gains, and the size of his account determines what he can do at any given moment in history.

#### Obama irrelevant – just Boehner

FRUCHTNICHT 10 – 20 – 13 Opposing Views Columnist [Sarah Rae Fruchtnicht, Rubio: House GOP ‘Deserves’ Not To Negotiate On Immigration After Shutdown, <http://www.opposingviews.com/i/politics/rubio-house-gop-deserves-not-negotiate-immigration-after-shutdown>]

Rubio said the breach of trust that occurred when Obama undermined the efforts against Obamacare is reasonably making the GOP in the House unwilling to negotiate immigration reform with the president.

“You have a government and a White House … and what they say is ‘You’re going to pass an immigration law that has both some legalization aspect and some enforcement,’” Rubio said. “What’s not to say that this White House won’t come back and cancel the enforcement aspects of it?”

Rubio said the same House Republicans who used brinkmanship might have the best strategy for immigration reform.

“This notion that they’re going to get into a room and negotiate a deal with the president on immigration is much more difficult for two reasons,” he explained. “Number one, because the way the president has behaved towards his opponents over the last three weeks as well as the White House and the things that they’ve said and done. And number two, because what I have outlined to you. So, I certainly think that immigration reform is a lot harder to achieve today than it was just three weeks ago because of what’s happened here.”

“Again, I think the House deserves the time and space to have its own ideas on how they want to move forward on this, let’s see what they come up with,” he continued. “It could very well be much better than what than the Senate has done so far.”

#### ---Plan divides the GOP

DICKERSON 13 Chief Political Correspondent at the Slate, Political Director of CBS News, Covered Politics for Time Magazine for 12 Years, Previous White House Correspondent [John, , Go for the Throat!, 1/18/13 http://tinyurl.com/b7zvv4d]

On Monday, President Obama will preside over the grand reopening of his administration. It would be altogether fitting if he stepped to the microphone, looked down the mall, and let out a sigh: so many people expecting so much from a government that appears capable of so little. A second inaugural suggests new beginnings, but this one is being bookended by dead-end debates. Gridlock over the fiscal cliff preceded it and gridlock over the debt limit, sequester, and budget will follow. After the election, the same people are in power in all the branches of government and they don't get along. There's no indication that the president's clashes with House Republicans will end soon.

Inaugural speeches are supposed to be huge and stirring. Presidents haul our heroes onstage, from George Washington to Martin Luther King Jr. George W. Bush brought the Liberty Bell. They use history to make greatness and achievements seem like something you can just take down from the shelf. Americans are not stuck in the rut of the day.

But this might be too much for Obama’s second inaugural address: After the last four years, how do you call the nation and its elected representatives to common action while standing on the steps of a building where collective action goes to die? That **bipartisan** bag of tricks has been tried and it didn’t work. People don’t believe it. Congress' approval rating is 14 percent, the lowest in history. In a December Gallup poll, 77 percent of those asked said the way Washington works is doing “serious harm” to the country.

The challenge for President Obama’s speech is the challenge of his second term: how to be great when the **environment stinks**. Enhancing the president’s legacy requires something more than simply the clever application of predictable stratagems. Washington’s **partisan rancor**, the size of the problems facing government, and the limited amount of **time** before Obama is a lame duck all point to a single conclusion: The president who came into office speaking in lofty terms about **bipartisanship** and cooperation can only cement his legacy if he **destroys the GOP**. If he wants to transform American politics, he must **go for the throat**.

President Obama could, of course, resign himself to tending to the achievements of his first term. He'd make sure health care reform is implemented, nurse the economy back to health, and put the military on a new footing after two wars. But he's more ambitious than that. He ran for president as a one-term senator with no executive experience. In his first term, he pushed for the biggest overhaul of health care possible because, as he told his aides, he wanted to make history. He may already have made it. There's no question that he is already a president of consequence. But there's no sign he's content to ride out the second half of the game in the Barcalounger. He is approaching gun control, climate change, and immigration with wide and excited eyes. He's not going for caretaker.

#### Obama has zero credibility – can’t use his capital

KOFFLER 10 – 11 – 13 editor of White House Dossier, Covered the WH as a reporter for CongressDaily and Roll Call [Keith Koffler, Obama’s crisis of credibility, <http://www.politico.com/story/2013/10/obamas-crisis-of-credibility-98153.html>]

President Barack Obama is like a novice flier thrust into the cockpit of a 747. He’s pushing buttons, flipping switches and radioing air traffic control, but nothing’s happening. The plane is just slowly descending on its own, and while it may or may not crash, it at least doesn’t appear to be headed to any particularly useful destination.

Obama’s ineffectiveness, always a hallmark of his presidency, has reached a new cruising altitude this year. Not even a year into his second term, he looks like a lame duck and quacks like a lame duck. You guessed it — he’s a lame duck.

On the world stage, despite Obama’s exertions, Iran’s centrifuges are still spinning, the Israelis and Palestinians remain far apart, Bashar Assad is still in power, the Taliban are gaining strength and Iraq is gripped by renewed violence.

At home, none of Obama’s agenda has passed this year. Republicans aren’t bowing to him in the battle of the budget, and much of the GOP seems uninterested in House Speaker John Boehner’s vision of some new grand bargain with the president.

Obama has something worse on his hands than being hated. All presidents get hated. But Obama is being ignored. And that’s because he has no credibility.

A president enters office having earned a certain stock of political capital just for getting elected. He then spends it down, moving his agenda forward, until he collects a fresh supply by getting reelected.

But political capital is only the intangible substrate that gives a president his might. His presidency must also be nourished by credibility — a sense he can be trusted, relied upon and feared — to make things happen.

A president enters office with a measure of credibility. After all, he seemed at least trustworthy enough to get elected. But unlike political **capital**, credibility must be built in office. Otherwise, it is squandered.

Obama has used every credibility-busting method available to eviscerate any sense that he can be counted on. He’s dissimulated, proven his unreliability, ruled arbitrarily and turned the White House into a Chicago-style political boiler room. His credibility has been sapped with his political opponents, a public that thinks him incompetent, our allies, who don’t trust him, and, even worse, our enemies, who don’t fear him.

There’s not going to be any grand bargain on the budget this year. Republicans are not only miles from the president ideologically — they’re not going to trust him with holding up his end of the bargain. If they had a president they thought they could do business with, their spines might be weakening more quickly in the current budget impasse and they would be looking for an exit.

There are the unkept promises like closing Guantanamo, halving the deficit during his first term and bringing unemployment down below 8 percent as a result of the 2009 stimulus. Then there are the moments when one has to conclude that Obama could not have possibly been telling the truth.

His contention when selling Obamacare that people would be able to keep their insurance and their doctors is not simply “turning out” to be wrong. That some people would lose either their doctors or their insurance is an obvious result of a properly functioning Affordable Care Act. He could not possibly have known so little about his signature program that he didn’t foresee such a possibility.

Last year, the independent Politifact.com rated Obama’s vow to pass health care reform that reduces premiums for the average family by $2,500 a “promise broken,” suggesting that premiums might in fact go up slightly. Obama’s claim that Obamacare reduces the deficit is also probably wrong. In an article published Wednesday, Charles Blahous, the Republican-appointed Medicare Public Trustee, notes that he has estimated Obamacare would add $340 billion to federal deficits in its first decade, and that recent evidence suggests the tally is likely to be higher. But certainly Obama has performed a sleight of hand, since budget savings used to “pay for” Obamacare can no longer be used to subtract from the deficit.

Meanwhile, Republicans can’t trust the president to abide by any deal he might sign since he has a record of picking and choosing which laws to enforce. He stopped enforcing the Defense of Marriage Act before it was declared unconstitutional. Having not gotten the “Dream Act” out of Congress, he wrote it himself, choosing not to send certain children of illegal immigrants back to their native countries. He attacked Libya without the consent of Congress.

Sapping his credibility further is willingness to harbor and express vicious contempt for his ideological opposites, whom he variously describes as terrorists, “extremists,” and “enemies.” Behaving like a Chicago ward boss is not going to advance his agenda very far on Capitol Hill.

Obama’s failure to enforce his “red line” with Syria on the use of chemical weapons and punt the matter to a dubious weapons destruction process is only the latest example of his inconstancy. The president failed to maintain a needed troop presence in Iraq, resulting in disastrous and sustained violence that is wasting our efforts there; he tarried in supporting a potential Iranian uprising; he dumped a stalwart U.S. ally, Egypt, into the hands of the Muslim Brotherhood; he said Assad had to go, and then Assad didn’t go; he broke his promise to Hispanic voters to move immigration reform during his first term; and he dropped an additional $400 million in revenue on the table to blow up a potentially massive 2011 budget bargain with Republicans.

The only thing Obama can truly be counted on is to make his tee time on Saturdays, though the government shutdown has temporarily cramped his golf game.

During his first year in office, Ronald Reagan crushed an illegal strike by air traffic controllers by firing them all, defying charges that he was a union-busting thug and that planes would soon be dropping out of the sky. It was a moment that convinced observers at home and abroad that Reagan was not to be taken lightly, that he was a serious man of his word, and that he was to be respected and even feared. And so he got things done.

Obama has never shown similar fortitude to the world for the simple reason that he lacks it. Obama is not to be feared, or even trusted. And that’s a fatal flaw in a president.

#### Obama needs to generate momentum post budget fights

MILBANK 10 – 20 – 13 Washington Post Writer [Dana Milbank, No more leading from behind, http://normantranscript.com/opinion/x1442589297/No-more-leading-from-behind]

Let us hear no more about President Obama leading from behind.

Since a White House adviser uttered that phrase to The New Yorker's Ryan Lizza in 2011 to describe Obama's leadership in Libya, "leading from behind" has become a favorite refrain of Republicans trying to portray Obama as weak.

Rep. Darrell Issa (California) detected "a policy of leading from behind, of indecision" in Syria. Sen. Ted Cruz (Texas) said Obama's "strategy of leading from behind meant (Moammar) Gaddafi's weapons stockpiles went unsecured." Sen. Dan Coats (Indiana) said Obama's insistence on higher taxes was more evidence that "the president continues to lead from behind." Rep. Doc Hastings (Washington) even said "the American people have been waiting for the Obama administration to stop leading from behind" — and to hurry up approval of the Keystone XL pipeline.

But the last use of the phrase I could find in the congressional record was on Oct. 2, at the start of the shutdown, when. Sen. John Barrasso (Wyoming) said Obama had been "once again attempting to lead from behind in a crisis."

They aren't saying that now.

Obama got out in front of the shutdown and debt-ceiling standoff. He took a firm position -- no negotiating -- and he made his case to the country vigorously and repeatedly. Republicans miscalculated, assuming Obama would once again give in. The result was the sort of decisive victory rarely seen in Washington skirmishes.

On Wednesday, Republicans surrendered. They opened the government and extended the debt limit with virtually no conditions. On Thursday, Obama rubbed their noses in it.

"You don't like a particular policy or a particular president? Then argue for your position. Go out there and win an election," Obama taunted them from the State Dining Room. "Push to change it, but don't break it. Don't break what our predecessors spent over two centuries building."

Obama said "there are no winners" after the two-week standoff, but his opponents, particularly his tea-party foes, clearly lost the most; seven in 10 Americans thought Republicans put party ahead of country. These "extremes" who "don't like the word 'compromise'" were the obvious target of Obama's demand that we all "stop focusing on the lobbyists and the bloggers and the talking heads on radio and the professional activists who profit from conflict." (He did not mention newspaper columnists, so you are free to continue reading.)

The gloating was a bit unseemly, but the president is entitled to savor a victory lap. The more important thing is that Obama maintain the forceful leadership that won him the budget and debt fights. In that sense, the rest of Obama's speech had some worrisome indications he was returning to his familiar position in the rear.

The agreement ending the shutdown requires Congress to come up with a budget by Dec. 13. It's a chance — perhaps Obama's last chance — to tackle big issues such as tax reform and restructuring Medicare. The relative strength he gained over congressional Republicans during the shutdown left him in a dominant negotiating position. If he doesn't use his power now to push through more of his agenda, he'll lose his advantage. George W. Bush adviser Karl Rove called it the "perishability" of political capital.

But instead of being forceful, Obama was vague. He spoke abstractly about "the long-term obligations that we have around things like Medicare and Social Security." He was similarly elliptical in saying he wants "a budget that cuts out the things that we don't need, closes corporate tax loopholes that don't help create jobs, and frees up resources for the things that do help us grow, like education and infrastructure and research."

Laudable ideas all — but timidity and ambiguity in the past have not worked for Obama. The way to break down a wall of Republican opposition is to do what he did the last two weeks: stake out a clear position and stick to it. A plan for a tax-code overhaul? A Democratic solution to Medicare's woes? As in the budget and debt fights, the policy is less important than the president's ability to frame a simple message and repeat it with mind-numbing regularity.

If there's going to be a big budget deal, the president eventually will have to compromise, perhaps even allowing some changes to his beloved Obamacare, which he didn't mention while on his victory lap Thursday. Even then, forceful leadership may not be enough to prevail.

But he has a much better chance if he remains out in front. Otherwise, he'll soon be knocked back on his behind.

#### Dividing the GOP key

EPSTEIN 10 – 17 – 13 Politico [Obama’s latest push features a familiar strategy, <http://www.politico.com/story/2013/10/barack-obama-latest-push-features-familiar-strategy-98512.html>]

President Barack Obama made his plans for his newly won political capital official — he’s going to hammer House Republicans on immigration.

And it’s evident from his public and private statements that Obama’s latest immigration push is, in at least one respect, similar to his fiscal showdown strategy: yet again, the goal is to boost public pressure on House Republican leadership to call a vote on a Senate-passed measure.

“The majority of Americans think this is the right thing to do,” Obama said Thursday at the White House. “And it’s sitting there waiting for the House to pass it. Now, if the House has ideas on how to improve the Senate bill, let’s hear them. Let’s start the negotiations. But let’s not leave this problem to keep festering for another year, or two years, or three years. This can and should get done by the end of this year.”

And yet Obama spent the bulk of his 20-minute address taking whack after whack at the same House Republicans he’ll need to pass that agenda, culminating in a jab at the GOP over the results of the 2012 election — and a dare to do better next time.

“You don’t like a particular policy or a particular president? Then argue for your position,” Obama said. “Go out there and win an election. Push to change it. But don’t break it. Don’t break what our predecessors spent over two centuries building. That’s not being faithful to what this country’s about.”

Before the shutdown, the White House had planned a major immigration push for the first week in October. But with the shutdown and looming debt default dominating the discussion during the last month, immigration reform received little attention on the Hill.

Immigration reform allies, including Obama’s political arm, Organizing for Action, conducted a series of events for the weekend of Oct. 5, most of which received little attention in Washington due to the the shutdown drama. But activists remained engaged, with Dream Act supporters staging a march up Constitution Avenue, past the Capitol to the Supreme Court Tuesday, to little notice of the Congress inside.

Obama first personally signaled his intention to re-emerge in the immigration debate during an interview Tuesday with the Los Angeles Univision affiliate, conducted four hours before his meeting that day with House Democrats.

Speaking of the week’s fiscal landmines, Obama said: “Once that’s done, you know, the day after, I’m going to be pushing to say, call a vote on immigration reform.”

When he met that afternoon in the Oval Office with the House Democratic leadership, Obama said that he planned to be personally engaged in selling the reform package he first introduced in a Las Vegas speech in January.

Still, during that meeting, Obama knew so little about immigration reform’s status in the House that he had to ask Rep. Xavier Becerra (D-Calif.) how many members of his own party would back a comprehensive reform bill, according to a senior Democrat who attended.

The White House doesn’t have plans yet for Obama to participate in any new immigration reform events or rallies — that sort of advance work has been hamstrung by the 16-day government shutdown.

But the president emerged on Thursday to tout a “broad coalition across America” that supports immigration reform. He also invited House Republicans to add their input specifically to the Senate bill — an approach diametrically different than the House GOP’s announced strategy of breaking the reform into several smaller bills.

White House press secretary Jay Carney echoed Obama’s remarks Thursday, again using for the same language on immigration the White House used to press Republicans on the budget during the shutdown standoff: the claim that there are enough votes in the House to pass the Senate’s bill now, if only it could come to a vote.

“When it comes to immigration reform … we’re confident that if that bill that passed the Senate were put on the floor of the House today, it would win a majority of the House,” Carney said. “And I think that it would win significant Republican votes.”

Before the resolution of the shutdown and default standoff, Carney was more circumspect about the prospect of immigration reform passing the House. Earlier in the week, Carney wouldn’t venture a guess about whether the White House believes a new immigration push from the president would actually work.

“Congress is a difficult institution to make predictions about,” Carney said Wednesday. “Our view is simply that it’s the right thing to do, and we’re going to push for it.”

The earlier assessment reflects the tough reality: over on Capitol Hill, the Republicans forced to accept the fiscal deal on Obama’s terms are hardly in the mood to give the president another political victory.

Speaker John Boehner’s spokesman said House Republicans will stick with a piecemeal approach to immigration reform.

“The speaker remains committed to a common sense, step-by-step approach that ensures we get immigration reform done right,” spokesman Brendan Buck said Thursday. “That’s why the committees of the House continue to work on this important issue.”

Rep. Raul Labrador (R-Idaho), who quit the House immigration group, said there’s no chance of a bicameral reform bill getting to Obama.

“I think it would be crazy for the House Republican leadership to enter into negotiations with him on immigration,” Labrador said Wednesday. “I think what he has done over the last two and half weeks, he’s trying to destroy the Republican Party and I think that anything we negotiate right now with the president on immigration will be with that same goal in mind, which is to destroy the Republican Party and not to get good policies.”

And Sen. Jeff Sessions (R-Ala.) called it “unthinkable” that Obama would press his immigration push so soon after the fiscal crises.

 “All over the country, Americans are struggling to find work,” Sessions said. “It is unthinkable that the president would continue to lobby Congress on behalf of special interests in order to double the flow of immigrant workers into the country, as bills in both the House and Senate propose.”

It is exactly that sort of say-no attitude among Republicans that the White House has signaled it will highlight in its immigration push.

Obama himself said there won’t always be agreements, but in his repeated praise for “reasonable Republicans,” he made clear that he will continue to point to conservative and tea party-affiliated Republicans as the impediment to the progress he seeks — and pushing GOP lawmakers on this issue, as he did in the recent fiscal fights, to sign on to some version of the Senate’s latest compromise.

“We all know that we have divided government right now,” Obama said Thursday. “There’s a lot of noise out there, and the pressure from the extremes affect how a lot of members of Congress see the day-to-day work that’s supposed to be done here.”

### AT: Ag

#### Immigrants won’t come – low wages

Taylor and Charlton 3/8/13 (J. Edward and Diane, Taylor is a Prof of Ag and Resource Economics and Director of the Center on Rural Economies of the Americans and Pacific Rim @ the U of California Davis, and Charlton is a PhD Student in Ag and Resource Economics @ UC Davis, Oxford University Press, “Why Are Mexicans Leaving Farm Work, And What Does This Mean for US Farmers”) http://blog.oup.com/2013/03/mexicans-farm-work-united-states/

Agriculture in North America traditionally has had its comparative advantage in having access to abundant low-skilled labor from Mexico. Around 70% of the United States hired farm workforce is Mexico-born, according to the National Agricultural Worker Survey (NAWS). Fruit, vegetable, and horticultural farms in the US have enjoyed an extended period of farm labor abundance with stable or decreasing real wages. However, new panel data reveal a declining long-term trend in the farm labor supply in rural Mexico. In coming years, US farmers will need to offer higher wages to induce new workers to migrate northward to US farm jobs.

#### Innovation solves the impact

**Krikorian 4** [Mark, Executive Director of the Center for Immigration Studies, "Flawed Assumptions Underlying Guestworker Programs," February, http://www.cis.org/articles/2004/back204.html]

Another assumption that underlies a guestworker program is that the infusion of low-skilled foreign labor will not retard the process of technological innovation and increasing productivity. Unfortunately, elementary economics tells us that capital is likely to be substituted for labor only when the price of labor rises, something a guestworker program is specifically intended to prevent. A 2001 report by the Federal Reserve Bank of Boston highlights this problem by warning that a new wave of low-skilled immigrants over the course of this century may slow growth in U.S. productivity.16 That this is so should not be a surprise. Julian Simon, in his 1981 classic, The Ultimate Resource, wrote about how scarcity leads to innovation: It is all-important to recognize that discoveries of improved methods and of substitute products are not just luck. They happen in response to scarcity a rise in cost. Even after a discovery is made, there is a good chance that it will not be put into operation until there is need for it due to rising cost. This point is important: Scarcity and technological advance are not two unrelated competitors in a Malthusian race; rather, each influences the other.17 As it is for copper or oil, this fact is true also for labor; as wages have risen over time, innovators have devised ways of substituting capital for labor, increasing productivity to the benefit of all. The converse, of course, is also true; the artificial superabundance of a resource will tend to remove much of the incentive for innovation. Stagnating innovation caused by excessive immigration is perhaps most apparent in the most immigrant-dependent activity the harvest of fresh fruit and vegetables.18 The period from 1960 to 1975 (roughly from the end of the "Bracero" program, which imported Mexican farmworkers, to the beginning of the mass illegal immigration we are still experiencing today) was a period of considerable agricultural mechanization. Although during hearings on the proposed termination of the Bracero Program in the early 1960s, California farmers claimed that "the use of braceros is absolutely essential to the survival of the tomato industry," the termination of the program prompted mechanization which caused a quintupling of production for tomatoes grown for processing, an 89 percent drop in demand for harvest labor, and a fall in real prices.19 But a continuing increase in the acreage and number of crops harvested mechanically did not materialize as expected, in large part because the supply of workers remained artificially large due to the growing illegal immigration we were politically unwilling to stop. An example of a productivity improvement that "will not be put into operation until there is need for it due to rising cost," as Simon said, is in raisin grapes.20 The production of raisins in California’s Central Valley is one of the most labor-intensive activities in North America. Conventional methods require bunches of grapes to be cut by hand, manually placed in a tray for drying, manually turned, manually collected. But starting in the 1950s in Australia (where there was no large supply of foreign farm labor), farmers were compelled by circumstances to develop a laborsaving method called "dried-on-the-vine" production. This involves growing the grapevines on trellises, then, when the grapes are ready, cutting the base of the vine instead of cutting each bunch of grapes individually. This new method radically reduces labor demand at harvest time and increases yield per acre by up to 200 percent. But this high-productivity, innovative method of production has spread very slowly in the United States because the mass availability of foreign workers has served as a disincentive to farmers to make the necessary capital investment.

### 2AC CMR DA

#### 3) No link or Internal link – the plan doesn’t sacrifice all prez flex – AUMF gives self D war authority

**Greenwald 13** – Columnist on civil liberties and US national security issues for the Guardian. [[Glenn Greenwald](http://www.theguardian.com/profile/glenn-greenwald), “Washington gets explicit: its 'war on terror' is permanent,”  [theguardian.com](http://www.theguardian.com/), Friday 17 May 2013 07.54 EDT, pg. http://www.theguardian.com/commentisfree/2013/may/17/endless-war-on-terror-obama

On Thursday, the Senate Armed Services Committee held a hearing on whether the statutory basis for this "war" - the **2001 Authorization to Use Military Force (AUMF)** - should be revised (meaning: expanded). [This is how](http://www.wired.com/dangerroom/2013/05/decades-of-war/) Wired's Spencer Ackerman (soon to be the Guardian US's national security editor) described the most significant exchange:

"Asked at a Senate hearing today how long the war on terrorism will last, Michael Sheehan, the assistant secretary of defense for special operations and low-intensity conflict, answered, 'At least 10 to 20 years.' . . . A spokeswoman, Army Col. Anne Edgecomb, clarified that Sheehan meant the conflict is likely to last 10 to 20 more years from today - atop the 12 years that the conflict has already lasted. Welcome to America's Thirty Years War."

That the **Obama** administration **is now repeatedly declaring that the "war on terror" will last at least another decade (or two) is** vastly more **significant** than all three of this week's big media controversies (Benghazi, IRS, and AP/DOJ) combined. The **military historian** Andrew **Bacevich has** [spent years warning](http://www.nytimes.com/2010/09/05/books/review/Bass-t.html) **that US policy planners have adopted an explicit doctrine of "**endless war**"**. **Obama officials**, despite [repeatedly boasting](http://abcnews.go.com/blogs/headlines/2012/04/al-qaeda-shadow-of-former-self/) that they have delivered [permanently crippling blows to al-Qaida](http://www.wired.com/dangerroom/2013/03/spy-terrorism/), **are now**, as clearly as the English language permits, **openly declaring this to be so**.

It is hard to resist the conclusion that **this war has no purpose other than its own eternal perpetuation**. **This war is not a means to any end but rather is the end in itself**. Not only is it the end itself, but it is also its own fuel: it is precisely this endless war - justified in the name of stopping the threat of terrorism - that is the single greatest cause of that threat.

In January, former Pentagon general counsel Jeh Johnson delivered a highly-touted speech suggesting that the war on terror will eventually end; he advocated that outcome, arguing:

**'War' must be regarded as a finite, extraordinary and unnatural state of affairs. We must not accept the current conflict**, and all that it entails, **as the** 'new normal**.**'"
In response, [I wrote that](http://www.guardian.co.uk/commentisfree/2013/jan/04/war-on-terror-endless-johnson) **the "war on terror"** cannot and **will not end on its own** for two reasons: (1) it is designed by its very terms to be permanent, incapable of ending, **since the war itself ironically ensures that there will never come a time when people stop wanting to bring violence back to the US (the operational definition of "terrorism"),** **and** (2) **the nation's most powerful political and economic factions reap a bonanza of benefits from its continuation**. Whatever else is true, it is now beyond doubt that ending this war is the last thing on the mind of the 2009 Nobel Peace Prize winner and those who work at the highest levels of his administration. Is there any way they can make that clearer beyond declaring that it will continue for "at least" another 10-20 years?

The genius of America's endless war machine is that, learning from the unplesantness of the Vietnam war protests, it has rendered the costs of war largely invisible. That is accomplished by heaping all of the fighting burden on [a tiny](http://ggsidedocs.blogspot.com.br/2013/05/who-bears-fighting-burden.html) and [mostly economically marginalized faction](http://www.washingtonpost.com/wp-dyn/content/article/2005/11/03/AR2005110302528.html) of the population, by using sterile, mechanized instruments to deliver the violence, and by suppressing any real discussion in establishment media circles of America's innocent victims and the [worldwide anti-American rage](http://www.pewglobal.org/2012/06/13/global-opinion-of-obama-slips-international-policies-faulted/) that [generates](http://www.salon.com/2011/07/13/arabs/).

Though rarely visible, the costs are nonetheless gargantuan. Just in financial terms, as Americans are told they must sacrifice Social Security and Medicare benefits and place their children in a crumbling educational system, the Pentagon [remains the world's largest employer](http://www.bbc.co.uk/news/magazine-17429786) and continues to [militarily outspend the rest of the world by a significant margin](http://www.globalissues.org/article/75/world-military-spending). The mythology of the Reagan presidency is that he induced the collapse of the Soviet Union by luring it into unsustainable military spending and wars: should there come a point when we think about applying that lesson to ourselves?

Then there are the threats to Americans' security. **Having their government spend decades** proudly **touting itself as "A Nation at War" and bringing horrific violence to the world is certain to prompt more and more people to want to attack Americans**, as the [US government itself claims took place just recently in Boston](http://www.guardian.co.uk/world/2013/may/16/dzhokhar-tsarnaev-message-boat-cbs-news) (and as [clearly took place multiple other times over the last several years](http://www.guardian.co.uk/commentisfree/2013/apr/24/boston-terrorism-motives-us-violence)).

And then there's the most intangible yet most significant cost: **each year of endless war that passes further** normalizes the endless rights erosions **justified in its name**. The second term of the **Bush** administration **and** first five years of the **Obama** presidency **have been devoted to codifying and institutionalizing the vast and unchecked powers that are** typically **vested in leaders in the name of war**. **Those powers of** secrecy, indefinite detention, mass surveillance, and due-process-free assassination **are not going anywhere**. **They are** now permanent fixturesnot only in the US political system but, worse, **in** American political culture**.**

#### 5) Plan increases prez powers. Constraints on the executive enhance threat credibility.

Peter J. Partell, September 1997. Binghamton University. “Executive Constraints and Success in International Crises,” Political Research Quarterly, 50.3.

What determines the outcome of an international dispute? Traditionally, a state's success has been thought to be a function of its military capability and its demonstrated resolve. These two attributes of crisis "structure," the bal- ance of capability and the balance of motivation, are at the heart of a number of models of international crises (e.g., Morgan 1994; Morrow 1989; Snyder and Diesing 1977). As Snyder and Diesing (1977: 525) state, "Comparative interests and comparative military strength, as the parties perceive them, are the basic determinants of relative bargaining power and crisis outcomes." This emphasis on capability and resolve in interstate crises is often associated with political realism, which views international relations as state-centric, a con- stant struggle for power, and governed exclusively by national interests. Yet, a number of recent studies have highlighted the importance of domestic influ- ences on a variety of foreign policy decisions (Gaubatz 1996; Morgan and Palmer 1997; Russett 1993; Siverson and Emmons 1991; Doyle 1986; Ostrom and Job 1986). Do these studies call the traditional realist perspective on cri- sis bargaining, with its emphasis on capability and resolve, into question? A growing body of international relations literature suggests that certain types of domestic political structures, particularly those that constrain a leader's ability to unilaterally make policy decisions, can act to enhance the credibility of a state's commitment (Gaubatz 1996; Fearon 1994b; Putnam 1988; Schelling 1960). The implication of this view is that domestic political structures can have a strong influence on international crisis outcomes by increasing the ability of states to demonstrate their resolve. In light of these arguments, the realist emphasis on capability and resolve is not misguided, but is somewhat narrow in focus. Traditionally, it has been thought that demonstrating resolve is accomplished by using high levels of military force, but the executive-con- straints literature suggests that domestic political circumstances can also in- crease a state's ability to demonstrate resolve. If this is the case, realists have overlooked the role that domestic politics plays in increasing a state's ability to bargain successfully.

**Their impact claims are hype that have been consistently empirically disproven**

**Feaver and Kohn 5** - Peter Feaver, professor of Political Science and Public Policy and the director of the Triangle Institute for Security Studies at Duke University, and Richard H. Kohn, Professor of History at the University of North Carolina, 2005, “The Gap: Soldiers, Civilians, and Their Mutual Misunderstanding,” in American Defense Policy, 2005 edition, ed. Paul J. Bolt, Damon V. Coletta, Collins G. Shackelford, p. 339

Concerns about a troublesome divide between the armed forces and the society they serve are hardly new **and** in fact goback to the beginning of the Republic. Writing in the 1950s, Samuel Huntington argued that the divide could best be bridged by civilian society tolerating, if not embracing, the conservative values that animate military culture. Huntington also suggested that politicians allow the armed forces a substantial degree of cultural autonomy. Countering this argument, the sociologist Morris Janowitz argued that in a democracy, military culture necessarily adapts to changes in civilian society, adjusting to the needs and dictates of its civilian masters.2 The end of the Cold War and the extraordinary changes in American foreign and defense policy that resulted have revived the debate. The contemporary heirs of Janowitz see the all volunteer military as drifting too far away from the norms of American society, thereby posing problems for civilian control. They make tour principal assertions. First, the military has grown out of step ideologically with the public, showing itself to be inordinately right-wing politically, and much more religious (and fundamentalist) than America as a whole, having a strong and almost exclusive identification with the Republican Party. Second, the military has become increasingly alienated from, disgusted with, and sometimes even explicitly hostile to, civilian culture. Third, the armed forces have resisted change, particularly the integration of women and homosexuals into their ranks, and have generally proved reluctant to carry out constabulary missions. Fourth, civilian control and military effectiveness will both suffer as the military—seeking ways to operate without effective civilian oversight and alienated from the society around it—loses the respect and support of that society. By contrast, the heirs of Huntington argue that a degenerate civilian culture has strayed so far from traditional values that it intends to eradicate healthy and functional civil-military differences, particularly in the areas of gender, sexual orientation, and discipline. This camp, too, makes four key claims. First, its members assert that the military is divorced in values from a political and cultural elite that is itself alienated from the general public. Second, it believes this civilian elite to be ignorant of, and even hostile to, the armed forces—eager to employ the military as a laboratory for social change, even at the cost of crippling its warfighting capacity. Third, it discounts the specter of eroding civilian control because it sees a military so thoroughly inculcated with an ethos of subordination that there is now too much civilian control, the effect of which has been to stifle the military's ability to function effectively Fourth, because support for the military among the general public remains sturdy, any gap in values is inconsequential. The problem, if anything, is with the civilian elite. The debate has been lively (and inside the Beltway, sometimes quite vicious), but it has rested on very thin evidence**—(**tunneling anecdotes and claims and counterclaims about the nature of civilian and military attitudes. Absent has been a body of systematic data exploring opinions, values, perspectives, and attitudes inside the military compared with those held by civilian elites and the general public. Our project provides some answers.

**Impact inevitable -- CMR in the U.S. will always be strained -- opposing values**

**Cohen 2000** Former Secretary of Defense.

Eliot A. Cohen. Why the Gap Matters - gap between military and civilian world. The National Interest. http://www.dtic.mil/miled/pamphlet/AFO18.pdf.

To do so, they must begin by purging themselves of the notion that if there is no threat of a coup, there is no problem. The truth is that the civil-military relationship in a democracy is almost invariably difficult, setting up as it does opposing values, powerful institutions with great resources, and inevitable tensions between military professionals and statesmen. Those difficulties have become more acute in the United States as a result of two great changes: the end of a centuries-old form of military organization, and a transformation in America's geopolitical circumstances.

**Even if the US declines, liberal international norms will survive - solves the impact**

**IKENBERRY 11** – (May/June issue of Foreign Affairs, G. John, PhD, Albert G. Milbank Professor of Politics and International Affairs at Princeton University in the Department of Politics and the Woodrow Wilson School of Public and International Affairs, “The Future of the Liberal World Order,” http://www.foreignaffairs.com/

articles/67730/g-john-ikenberry/the-future-of-the-liberal-world-order?page=show)

For all these reasons, many observers have concluded that world politics is experiencing not just a changing of the guard but also a transition in the ideas and principles that underlie the global order. The journalist Gideon Rachman, for example, says that a cluster of liberal internationalist ideas -- such as faith in democratization, confidence in free markets, and the acceptability of U.S. military power -- are all being called into question. According to this worldview, the future of international order will be shaped above all by China, which will use its growing power and wealth to push world politics in an illiberal direction. Pointing out that China and other non-Western states have weathered the recent financial crisis better than their Western counterparts, pessimists argue that an authoritarian capitalist alternative to Western neoliberal ideas has already emerged. According to the scholar Stefan Halper, emerging-market states "are learning to combine market economics with traditional autocratic or semiautocratic politics in a process that signals an intellectual rejection of the Western economic model." Today's international order is not really American or Western--even if it initially appeared that way. But this panicked narrative misses a deeper reality: although the United States' position in the global system is changing, the liberal international order is alive and well. The struggle over international order today is not about fundamental principles. China and other emerging great powers do not want to contest the basic rules and principles of the liberal international order; they wish to gain more authority and leadership within it. Indeed, today's power transition represents not the defeat of the liberal order but its ultimate ascendance. Brazil, China, and India have all become more prosperous and capable by operating inside the existing international order -- benefiting from its rules, practices, and institutions, including the World Trade Organization (WTO) and the newly organized G-20. Their economic success and growing influence are tied to the liberal internationalist organization of world politics, and they have deep interests in preserving that system. In the meantime, alternatives to an open and rule-based order have yet to crystallize. Even though the last decade has brought remarkable upheavals in the global system -- the emergence of new powers, bitter disputes among Western allies over the United States' unipolar ambitions, and a global financial crisis and recession -- the liberal international order has no competitors

///////////////MAREKD AT/////////////////. On the contrary, the rise of non-Western powers and the growth of economic and security interdependence are creating new constituencies for it. To be sure, as wealth and power become less concentrated in the United States' hands, the country will be less able to shape world politics. But the underlying foundations of the liberal international order will survive and thrive. Indeed, now may be the best time for the United States and its democratic partners to update the liberal order for a new era, ensuring that it continues to provide the benefits of security and prosperity that it has provided since the middle of the twentieth century.

## 1AR

### CP

#### We can’t deter in cyber space – OCEOs are irrational – non state actors makes that impossible

Gompert & Saunders 11 (David C. Gompert, bachelor's degree in engineering from the U.S. Naval Academy, where he once served on the faculty, and a master of public affairs degree from Princeton University's Woodrow Wilson School of Public and International Affairs. Office of the Director of National Intelligence, Gompert most recently worked as a senior fellow at the RAND Corp, and Phillip C. Saunders, phD in IR from Princeton, Distinguished Research Fellow Director of Studies, Center for Strategic Research Director, Center for Study of Chinese Military Affairs, “The Paradox of Power Sino-American Strategic Restraint in an Age of Vulnerability”, <http://www.ndu.edu/inss/docuploaded/Paradox%20of%20Power.pdf>)

It is also important to recognize at the outset that cyberspace, unlike nuclear and space domains, is largely the realm of nonstate entities, including unfriendly ones that would attack Chinese or American strategic networks if they could. This makes determining the origin of a cyber attack and the identity of the attacker that much more difficult. Moreover, the network paths that attacks take often transit intermediate countries, especially if the attacker wishes to cover its tracks. These nonstate and transnational aspects of cyberspace make it harder to take to task countries from or through which nonstate cyber attackers may operate, compounding the difficulty of establishing deterrence and thus mutual restraint across a large family of cyber threats. Indeed, blaming attacks on rogue hackers operating from their territory is a predictable deflection for state attackers.

**No Iranian proliferation due to structural problems in their nuclear program—discard the aff’s hype**

**Hymans 2-20** [Jacques E. C. Hymans is Associate Professor of International Relations at the University of Southern California. He is the author, most recently, of Achieving Nuclear Ambitions: Scientists, Politicians, and Proliferation, February 20, 2013, “Iran Is Still Botching the Bomb,” *Foreign Affairs*, http://www.foreignaffairs.com/articles/139013/jacques-e-c-hymans/iran-is-still-botching-the-bomb?page=show]

At the end of January, Israeli intelligence officials quietly indicated that they have downgraded their assessments of Iran's ability to build a nuclear bomb. This is surprising because less than six months ago, Israeli Prime Minister Benjamin Netanyahu warned from the tribune of the United Nations that the Iranian nuclear D-Day might come as early as 2013. Now, Israel believes that Iran will not have its first nuclear device before **2015 or 2016**.¶ The news comes as a great relief. But it also raises questions. This was a serious intelligence failure, one that has led some of Israel's own officials to wonder aloud, "Did we cry wolf too early?" ¶ Indeed, Israel has **consistently overestimated** Iran's nuclear program for decades. In 1992, then Foreign Minister Shimon Peres announced that Iran was on pace to have the bomb by 1999. Israel's many subsequent estimates have become increasingly frenzied but have been consistently wrong. U.S. intelligence agencies have been only slightly less alarmist, and they, too, have had to extend their timelines repeatedly.¶ Overestimating Iran's nuclear potential might not seem like a big problem. However, similar, unfounded fears were the basis for President George W. Bush's preemptive attack against Iraq and its nonexistent weapons of mass destruction. Israel and the United States need to make sure that this kind of human and foreign policy disaster does not happen again.¶ What explains Israel's most recent intelligence failure? Israeli officials have suggested that Iran decided to downshift its nuclear program in response to international sanctions and Israel's hawkish posture. But that theory falls apart when judged against Tehran's own recent aggressiveness. In the past few months, Iran has blocked the International Atomic Energy Agency (IAEA) from gaining access to suspect facilities, stalled on diplomatic meetings, and announced a "successful" space shot and the intention to build higher-quality centrifuges. These are not the actions of a state that is purposely slowing down its nuclear program. Even more to the point, if Tehran were really intent on curbing its nuclear work, an explicit announcement of the new policy could be highly beneficial for the country: many states would praise it, sanctions might be lifted, and an Israeli or U.S. military attack would become much less likely. But Iran has not advertised the downshift, and its only modest concession of late has been to convert some of its 20 percent enriched uranium to reactor fuel. It is doubtful that the Iranians would decide to slow down their nuclear program without asking for anything in return.¶ A second hypothesis is that Israeli intelligence estimates have been manipulated for political purposes. This possibility is hard to verify, but it cannot be dismissed out of hand. Preventing the emergence of a nuclear-armed Iran is Netanyahu's signature foreign policy stance, and he had an acute interest in keeping the anti-Iran pot boiling in the run-up to last month's parliamentary elections, which he nearly lost. Now, with the elections over, perhaps Israeli intelligence officials feel freer to convey a more honest assessment of Iran's status. This theory of pre-election spin is not very satisfying, however, because it fails to explain why Israeli governments of all political orientations have been making exaggerated claims about Iran for 20 years -- to say nothing of the United States' own overly dire predictions.¶ The most plausible reason for the consistent pattern of overstatement is that Israeli and U.S. **models of Iranian proliferation are flawed**. Sure enough, Israeli officials have acknowledged that they did not anticipate the high number of technical problems Iranian scientists have run into recently. Some of those mishaps may have been the product of Israeli or U.S. efforts at sabotage. For instance, the 2010 Stuxnet computer virus attack on Iran's nuclear facilities reportedly went well. But the long-term impact of such operations is usually small -- or nonexistent: the IAEA and other reputable sources have dismissed the highly publicized claims of a major recent explosion at Iran's Fordow uranium-enrichment plant, for instance. ¶ Rather than being hampered by James Bond exploits, Iran's nuclear program has probably suffered much more from Keystone Kops-like blunders: mistaken technical choices and poor implementation by the Iranian nuclear establishment. There is ample reason to believe that such slipups have been the main cause of Iran's extremely slow pace of nuclear progress all along. The country is rife with other botched projects, especially in the chaotic public sector. It is unlikely that the Iranian nuclear program is immune to these problems. This is not a knock against the quality of Iranian scientists and engineers, but rather against the organizational structures in which they are trapped. In such an environment, where top-down mismanagement and political agendas are abundant, even easy technical steps often lead to dead ends and pitfalls.¶ Iran is not the only state with a dysfunctional nuclear weapons program. As I argued in a 2012 Foreign Affairs article, since the 1970s, most states seeking entry into the nuclear weapons club have run their weapons programs poorly, leading to a **marked slowdown** in global proliferation. The cause of this mismanagement is the poor quality of the would-be proliferator's state institutions. Libya and North Korea are two classic examples. Libya essentially made no progress, even after 30 years of trying. North Korea has gotten somewhere -- but only after 50 years, and with many high-profile embarrassments along the way. Iran, whose nuclear weapons drive began in the mid-1980s, seems to be following a similar trajectory. Considering Iran in the broader context of the proliferation slowdown, it becomes clear that the technical problems it has encountered are more than unpredictable accidents -- they are **structurally determined**.¶ Since U.S. and Israeli intelligence services have failed to appreciate the weakness of Iran's nuclear weapons program, they have not adjusted their analytical models accordingly. Thus, there is reason to be skeptical about Israel's updated estimate of an Iranian bomb in the next two or three years. The new date is probably just the product of another ad hoc readjustment, but **what is needed is a fundamental rethinking**.

#### Complexity confounds deterrence.

Gompert & Saunders 11 (David C. Gompert, bachelor's degree in engineering from the U.S. Naval Academy, where he once served on the faculty, and a master of public affairs degree from Princeton University's Woodrow Wilson School of Public and International Affairs. Office of the Director of National Intelligence, Gompert most recently worked as a senior fellow at the RAND Corp, and Phillip C. Saunders, phD in IR from Princeton, Distinguished Research Fellow Director of Studies, Center for Strategic Research Director, Center for Study of Chinese Military Affairs, “The Paradox of Power Sino-American Strategic Restraint in an Age of Vulnerability”, <http://www.ndu.edu/inss/docuploaded/Paradox%20of%20Power.pdf>)

Cyber deterrence is anything but elegant. Thanks to the ubiquity and dynamics of information technology, cyber war, like cyberspace itself, would be highly complex, fluid, and unpredictable. Who has access to what networks? How is this changing? Who has what capabilities? Who is interfering with whom? Is a foreign power responsible for a given attack by a foreign adversary? Which one? With what weapons? To what end? Will defenses work? What new technology is around the corner? Moreover, the expected consequences of even large network attacks could be mild and fleeting compared to nuclear war, implying that fear of retaliation would contribute less to the strength of deterrence. The contrast between nuclear and cyber deterrence is reason not to apply wholesale the tenets of the former to the latter.

#### Alt causes mean dominance in cyber space is impossible.

Kallberg & Thuraisingham 13 (Jan Kallberg, phD University of Texas at Dallas, Bhavani, University of Texas at Dallas, January, "Cyber Operations Bridging from Concept to Cyber Superiority" Joint Forces Quarterly 68.1st Quarter 2013 (2013): 53-58. Available at: http://works.bepress.com/jan\_kallberg/1)

A nation’s cyber warfighting ability will be determined by its ability to mobilize resources and knowledge and coordinate the effort. These resources are not as easily identified. At the entrance to the contested cyberspace as a warfighting domain, academia and university research centers have to find their new roles. University cyber researchers have continued to deliver mainly information assurance. Even the information assurance context has been following the Zeitgeist by focusing on Cold War spies, terrorists, drug cartels, white-collar crime, and economic espionage. The bottom line is that it is still information security with a theoretical foundation from the 1980s. Information security has had a decade of high levels of funding as a response to 9/11 and society’s increased reliance on the Internet and computerized systems. This posture has been built on hardening systems. The surge of resources to research centers, contractors, Federal agencies, and private industry has resulted in a greater understanding of how to secure systems.

Basic operational questions as to why things are done, their strategic value, how they can tangibly strengthen operations, and the factual effects have sometimes been overshadowed by details with limited systematic thinking behind them. Traditional information security—the hardening of systems—has been so prevailing that it is often misinterpreted as exchangeable with cyber defense and cyber operations.

In the pursuit of cyber superiority, information security, renamed information assurance, is one piece among many and, depending on the operational environment in different scenarios, is of even less importance than other measures. DOD defines cyber superiority as “the degree of dominance in cyberspace by one force that permits the secure, reliable conduct of operations of that force, and its related land, air, sea, and space forces at a given time and sphere of operations without prohibitive interference by an adversary.”10 Dominance in cyber space can only be achieved if there is an ability to collect information, attack and intercept other actors’ cyber activities thus preventing their interference, and likely also utilizing digital lethality to destroy or severely damage other actors’ cyber systems.

### 1AR – CMR

#### No link or Internal link – the plan doesn’t sacrifice all prez flex – AUMF gives self D war authority

**Greenwald 13** – Columnist on civil liberties and US national security issues for the Guardian. [[Glenn Greenwald](http://www.theguardian.com/profile/glenn-greenwald), “Washington gets explicit: its 'war on terror' is permanent,”  [theguardian.com](http://www.theguardian.com/), Friday 17 May 2013 07.54 EDT, pg. http://www.theguardian.com/commentisfree/2013/may/17/endless-war-on-terror-obama

On Thursday, the Senate Armed Services Committee held a hearing on whether the statutory basis for this "war" - the **2001 Authorization to Use Military Force (AUMF)** - should be revised (meaning: expanded). [This is how](http://www.wired.com/dangerroom/2013/05/decades-of-war/) Wired's Spencer Ackerman (soon to be the Guardian US's national security editor) described the most significant exchange:

"Asked at a Senate hearing today how long the war on terrorism will last, Michael Sheehan, the assistant secretary of defense for special operations and low-intensity conflict, answered, 'At least 10 to 20 years.' . . . A spokeswoman, Army Col. Anne Edgecomb, clarified that Sheehan meant the conflict is likely to last 10 to 20 more years from today - atop the 12 years that the conflict has already lasted. Welcome to America's Thirty Years War."

That the **Obama** administration **is now repeatedly declaring that the "war on terror" will last at least another decade (or two) is** vastly more **significant** than all three of this week's big media controversies (Benghazi, IRS, and AP/DOJ) combined. The **military historian** Andrew **Bacevich has** [spent years warning](http://www.nytimes.com/2010/09/05/books/review/Bass-t.html) **that US policy planners have adopted an explicit doctrine of "**endless war**"**. **Obama officials**, despite [repeatedly boasting](http://abcnews.go.com/blogs/headlines/2012/04/al-qaeda-shadow-of-former-self/) that they have delivered [permanently crippling blows to al-Qaida](http://www.wired.com/dangerroom/2013/03/spy-terrorism/), **are now**, as clearly as the English language permits, **openly declaring this to be so**.

It is hard to resist the conclusion that **this war has no purpose other than its own eternal perpetuation**. **This war is not a means to any end but rather is the end in itself**. Not only is it the end itself, but it is also its own fuel: it is precisely this endless war - justified in the name of stopping the threat of terrorism - that is the single greatest cause of that threat.

In January, former Pentagon general counsel Jeh Johnson delivered a highly-touted speech suggesting that the war on terror will eventually end; he advocated that outcome, arguing:

**'War' must be regarded as a finite, extraordinary and unnatural state of affairs. We must not accept the current conflict**, and all that it entails, **as the** 'new normal**.**'"
In response, [I wrote that](http://www.guardian.co.uk/commentisfree/2013/jan/04/war-on-terror-endless-johnson) **the "war on terror"** cannot and **will not end on its own** for two reasons: (1) it is designed by its very terms to be permanent, incapable of ending, **since the war itself ironically ensures that there will never come a time when people stop wanting to bring violence back to the US (the operational definition of "terrorism"),** **and** (2) **the nation's most powerful political and economic factions reap a bonanza of benefits from its continuation**. Whatever else is true, it is now beyond doubt that ending this war is the last thing on the mind of the 2009 Nobel Peace Prize winner and those who work at the highest levels of his administration. Is there any way they can make that clearer beyond declaring that it will continue for "at least" another 10-20 years?

The genius of America's endless war machine is that, learning from the unplesantness of the Vietnam war protests, it has rendered the costs of war largely invisible. That is accomplished by heaping all of the fighting burden on [a tiny](http://ggsidedocs.blogspot.com.br/2013/05/who-bears-fighting-burden.html) and [mostly economically marginalized faction](http://www.washingtonpost.com/wp-dyn/content/article/2005/11/03/AR2005110302528.html) of the population, by using sterile, mechanized instruments to deliver the violence, and by suppressing any real discussion in establishment media circles of America's innocent victims and the [worldwide anti-American rage](http://www.pewglobal.org/2012/06/13/global-opinion-of-obama-slips-international-policies-faulted/) that [generates](http://www.salon.com/2011/07/13/arabs/).

Though rarely visible, the costs are nonetheless gargantuan. Just in financial terms, as Americans are told they must sacrifice Social Security and Medicare benefits and place their children in a crumbling educational system, the Pentagon [remains the world's largest employer](http://www.bbc.co.uk/news/magazine-17429786) and continues to [militarily outspend the rest of the world by a significant margin](http://www.globalissues.org/article/75/world-military-spending). The mythology of the Reagan presidency is that he induced the collapse of the Soviet Union by luring it into unsustainable military spending and wars: should there come a point when we think about applying that lesson to ourselves?

Then there are the threats to Americans' security. **Having their government spend decades** proudly **touting itself as "A Nation at War" and bringing horrific violence to the world is certain to prompt more and more people to want to attack Americans**, as the [US government itself claims took place just recently in Boston](http://www.guardian.co.uk/world/2013/may/16/dzhokhar-tsarnaev-message-boat-cbs-news) (and as [clearly took place multiple other times over the last several years](http://www.guardian.co.uk/commentisfree/2013/apr/24/boston-terrorism-motives-us-violence)).

And then there's the most intangible yet most significant cost: **each year of endless war that passes further** normalizes the endless rights erosions **justified in its name**. The second term of the **Bush** administration **and** first five years of the **Obama** presidency **have been devoted to codifying and institutionalizing the vast and unchecked powers that are** typically **vested in leaders in the name of war**. **Those powers of** secrecy, indefinite detention, mass surveillance, and due-process-free assassination **are not going anywhere**. **They are** now permanent fixturesnot only in the US political system but, worse, **in** American political culture**.**