# GSU Round 5 – UGA FB

# 1NC Round 5

## Off

### Off 1

#### A. Interpretation – Introduction of US armed forces means human troops – not weapons

Lorber 13 (Eric, J.D. Candidate, University of Pennsylvania Law School, Ph.D Candidate, Duke University Department of Political Science, "COMMENT: Executive Warmaking Authority and Offensive Cyber Operations: Can Existing Legislation Successfully Constrain Presidential Power?," 15 U. Pa. J. Const. L. 961, lexis)

As discussed above, critical to the application of the War Powers Resolution - especially in the context of an offensive cyber operation - are the definitions of key terms, particularly "armed forces," as the relevant provisions of the Act are only triggered if the President "introduc[es armed forces] into hostilities or into situations [of] imminent ... hostilities," n172 or if such forces are introduced "into the territory, airspace, or waters of a foreign nation, while equipped for combat, except for deployments which relate solely to supply, replacement, repair, or training of such forces." n173 The requirements may also be triggered if the United States deploys armed forces "in numbers which substantially enlarge United States Armed Forces equipped for combat already located in a foreign nation." n174 As is evident, the definition of "armed forces" is crucial to deciphering whether the WPR applies in a particular circumstance to provide congressional leverage over executive actions. The definition of "hostilities," which has garnered the majority of scholarly and political attention, n175 particularly in the recent Libyan conflict, n176 will be dealt with secondarily here because it only becomes important if "armed forces" exist in the situation.¶ As is evident from a textual analysis, n177 an examination of the legislative history, n178 and the broad policy purposes behind the creation of the Act, n179 [\*990] "armed forces" refers to U.S. soldiers and members of the armed forces, not weapon systems or capabilities such as offensive cyber weapons. Section 1547 does not specifically define "armed forces," but it states that "the term "introduction of United States Armed Forces' includes the assignment of members of such armed forces to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of any foreign country or government." n180 While this definition pertains to the broader phrase "introduction of armed forces," the clear implication is that only members of the armed forces count for the purposes of the definition under the WPR. Though not dispositive, the term "member" connotes a human individual who is part of an organization. n181 Thus, it appears that the term "armed forces" means human members of the United States armed forces. However, there exist two potential complications with this reading. First, the language of the statute states that "the term "introduction of United States Armed Forces' includes the assignment of members of such armed forces." n182 By using inclusionary - as opposed to exclusionary - language, one might argue that the term "armed forces" could include more than members. This argument is unconvincing however, given that a core principle of statutory interpretation, expressio unius, suggests that expression of one thing (i.e., members) implies the exclusion of others (such as non-members constituting armed forces). n183 Second, the term "member" does not explicitly reference "humans," and so could arguably refer to individual units and beings that are part of a larger whole (e.g., wolves can be members of a pack). As a result, though a textual analysis suggests that "armed forces" refers to human members of the armed forces, such a conclusion is not determinative.¶ An examination of the legislative history also suggests that Congress clearly conceptualized "armed forces" as human members of the armed forces. For example, disputes over the term "armed forces" revolved around who could be considered members of the armed forces, not what constituted a member. Senator Thomas Eagleton, one of the Resolution's architects, proposed an amendment during the process providing that the Resolution cover military officers on loan to a civilian agency (such as the Central [\*991] Intelligence Agency). n184 This amendment was dropped after encountering pushback, n185 but the debate revolved around whether those military individuals on loan to the civilian agency were still members of the armed forces for the purposes of the WPR, suggesting that Congress considered the term to apply only to soldiers in the armed forces. Further, during the congressional hearings, the question of deployment of "armed forces" centered primarily on past U.S. deployment of troops to combat zones, n186 suggesting that Congress conceptualized "armed forces" to mean U.S. combat troops.¶ The broad purpose of the Resolution aimed to prevent the large-scale but unauthorized deployments of U.S. troops into hostilities. n187 While examining the broad purpose of a legislative act is increasingly relied upon only after examining the text and legislative history, here it provides further support for those two alternate interpretive sources. n188 As one scholar has noted, "the War Powers Resolution, for example, is concerned with sending U.S. troops into harm's way." n189 The historical context of the War Powers Resolution is also important in determining its broad purpose; as the resolutions submitted during the Vietnam War and in the lead-up to the passage of the WPR suggest, Congress was concerned about its ability to effectively regulate the President's deployments of large numbers of U.S. troops to Southeast Asia, n190 as well as prevent the President from authorizing troop incursions into countries in that region. n191 The WPR was a reaction to the President's continued deployments of these troops into combat zones, and as such suggests that Congress's broad purpose was to prevent the unconstrained deployment of U.S. personnel, not weapons, into hostilities.¶ This analysis suggests that, when defining the term "armed forces," Congress meant members of the armed forces who would be placed in [\*992] harm's way (i.e., into hostilities or imminent hostilities). Applied to offensive cyber operations, such a definition leads to the conclusion that the War Powers Resolution likely does not cover such activities. Worms, viruses, and kill switches are clearly not U.S. troops. Therefore, the key question regarding whether the WPR can govern cyber operations is not whether the operation is conducted independently or as part of a kinetic military operation. Rather, the key question is the delivery mechanism. For example, if military forces were deployed to launch the cyberattack, such an activity, if it were related to imminent hostilities with a foreign country, could trigger the WPR. This seems unlikely, however, for two reasons. First, it is unclear whether small-scale deployments where the soldiers are not participating or under threat of harm constitute the introduction of armed forces into hostilities under the War Powers Resolution. n192 Thus, individual operators deployed to plant viruses in particular enemy systems may not constitute armed forces introduced into hostilities or imminent hostilities. Second, such a tactical approach seems unlikely. If the target system is remote access, the military can attack it without placing personnel in harm's way. n193 If it is close access, there exist many other effective ways to target such systems. n194 As a result, unless U.S. troops are introduced into hostilities or imminent hostilities while deploying offensive cyber capabilities - which is highly unlikely - such operations will not trigger the War Powers Resolution.

#### B. Vote Neg –

#### 1. Limits – affs can already restrict specific members of the armed forces and when and where they are introduced. Including weapons systems more than doubles the amount of armed force affs – key preparation and clash

#### 2. Precision – our interpretation is in the context of war powers, is exclusive, has an intent to define, and analysis proves that it’s what Congress defines as armed forces– accurate reading of the resolution is a pre-requisite to fairness and education

### Off 2

#### The United States federal government should establish a regional communication center in order to increase the number of confidence building measures between the United States and China.

#### Increased communication during times of crisis prevents miscalculation.

Sheffield 9(Joseph L., Major, USAF B-1 Pilot, USAFA, “MILITARY-TO-MILITARY CONFIDENCE BUILDING MEASURES AND COOPERATION WITH THE PEOPLE’S REPUBLIC OF CHINA”, http://dodreports.com/pdf/ada539454.pdf) OP

Communication confidence building measures are required to improve transparency and verification capability. They also helps to defuse tensions during moments of crisis. Through an agreed procedure, communications CBMs clarify misperceived and unintended actions expeditiously and conveniently. Establishing these procedures will also improve discussion and consultation during benign times. During a strategic dialogue conference between the U.S. and China, at the end of 2007, the Secretary of Defense and the President of China announced the official establishment of a communication CBM – a direct telephone line between DoD and the PLA. 42 This is the first official communication CBM of the Sino-American relationship. It is also the only “official” CBM currently existing between both militaries. Effective communication requires more than a “hot line” between senior defense leaders. It also requires coordination at middle to lower levels. For example, the U.S. Pacific Command could establish a regional communication center for mid-level DoD commanders to communicate with mid-level PLA commanders. This center would connect operational and tactical commanders. It would connect leaders from both sides during inadvertent operational encounters in order to mitigate misunderstanding and resolve crises before they become strategic concerns.

### Off 3

#### No First Use kills deterrence

Chilcoat 99 (Richard, President – National Defense University, “Strategic Forces and Deterrence: New Realities, New Roles?” Strategic Assuessment, National Defense University, http://se1.isn.ch:80/serviceengine/FileContent?serviceID=ISN&fileid=A28BAB6C-38EA-B58D-A4F2-10FE0E95174A&lng=en)

The United States has consistently eschewed an unequivocal policy of “no first use” of nuclear weapons. Under the “Negative Security Assurance” concept, U.S. policy is not to use nuclear weapons unless (1) the state attacking the United States or its allies, or its military forces, is nuclear capable; (2) the state is not a party in good standing under the Nonproliferation Treaty; or (3) the state is engaged in a conflict where it is supported by a nuclear state. Moreover, U.S. officials on several occasions have made it a point not to exclude nuclear weapons use in retaliation for use of chemical and biological weapons against the United States, its forces, or allies. This does not mean that a nuclear response is the first line of defense against such an attack or that nuclear weapons use is inevitable, even to destroy biological and chemical facilities and stocks. However, U.S. policy seeks to make clear that no state can plan on using chemical or biological weapons against the United States without taking into account the possibility of a U.S. nuclear response. This helps to deter use in a crisis and plays a role in dissuading states from pursuing new or improved capabilities. In some cases, ambiguous declaratory policy may be perceived as a lack of U.S. commitment that could be exploited. If opponents are tolerant of cost and risk, greater clarity may be needed for deterrence. However, such declarations can be situation dependent and made privately without compromising a broader policy of calculated ambiguity and flexibility. At the same time, the overall posture of the U.S. must be able to support such a declaratory policy. This includes a defense against chemical and biological weapons. The United States must also be capable of a credible and proportional response, with nuclear weapons if necessary.

#### Nuclear Deterrence prevents CBW

Joseph 00 (Robert, Director – Center for Counterproliferation Research, senior scholar at the National Institute for Public Policy, professor – Missouri State University, and formerly Special Envoy for Nuclear Nonproliferation, Congressional Testimony – Senate Foreign Relations Nonproliferation Policy, 3-21)

Therefore, it is essential that the United States acquire the capabilities to deny an enemy the benefits of these weapons. These capabilities - including passive and active defenses as well as improved counterforce means (such as the ability to destroy deep and hardened underground targets and mobile missiles) - offer the best chance to strengthen deterrence, and provide the best hedge against deterrence failure. A further dimension of the WMD threat that undercuts deterrence is the growing ability of adversaries to deliver these weapons against the United States homeland, including against our cities. This is most visible with the North Korean long-range missile program but also includes the potential for unconventional delivery, especially of biological agents. For rogue states, acquiring the capability to strike our population centers denies us the convenience and simplicity of thinking in terms of fighting a purely theater war, and makes essential our development and deployment of new defensive capabilities. In this context, I commend the initiatives undertaken by the Senate to insure that our first responders are trained to deal with chemical and biological incidents, and for the passage of the National Missile Defense Act. I do not want to give the impression that the threat of punishment is not unimportant. Although not adequate by itself, such a threat remains essential for deterrence of both initial use and follow-on use of WMD by rogue states. Here, conventional superiority alone cannot provide for a credible deterrent. In fact, despite sustained and determined efforts by some to de-legitimize our nuclear weapons and assertions that their utility ended with the Cold War, our nuclear weapons play a unique and indispensable role in deterring the use of chemical, biological and nuclear weapons in regional contexts. This is in addition to the hedge our nuclear weapons provide against the strategic uncertainties associated with Russia and China - two states that continue to value and modernize their nuclear forces. From our examination of the real-world case of deterring Iraqi chemical and biological use in Desert Storm, and from our extensive experience in gaming, we have concluded that our nuclear weapons are the single most important instrument we have for deterring the use of chemical and biological weapons against us by rogue states. Conventional superiority, which in certain critical ways is perceived as vulnerable, especially if the enemy uses his WMD capabilities early in a conflict, is not enough. Our conventional and nuclear forces must work together to enhance deterrence in a very complex and dangerous environment. In conclusion, preventing proliferation -- and especially the spread of nuclear weapons -- has long been a stated goal of U.S. policy, beginning in the months immediately following the conclusion of World War 11 and continuing to the present. Every Administration, from President Truman forward, has made non-proliferation a central element of American foreign policy. This was evident in the Baruch proposals and in President Eisenhower's Atoms for Peace initiative. It was also apparent in the negotiation of the Nuclear Non-Proliferation Treaty under President Johnson and in the conventions on prohibiting biological and chemical weapons negotiated Nixon and Bush respectively. Presidents Kennedy and Carter were not only eloquent but also passionate in their stated goal of preventing the further spread of nuclear weapons, and President Reagan held the vision of eliminating these weapons altogether.

#### Extinction

Sandberg et al 8—Research Fellow at the Future of Humanity Institute at Oxford University. PhD in computation neuroscience, Stockholm—AND—Jason G. Matheny—PhD candidate in Health Policy and Management at Johns Hopkins. special consultant to the Center for Biosecurity at the University of Pittsburgh—AND—Milan M. Ćirković—senior research associate at the Astronomical Observatory of Belgrade. Assistant professor of physics at the University of Novi Sad. (Anders, How can we reduce the risk of human extinction?, 9 September 2008, http://www.thebulletin.org/web-edition/features/how-can-we-reduce-the-risk-of-human-extinction)

The risks from anthropogenic hazards appear at present larger than those from natural ones. Although great progress has been made in reducing the number of nuclear weapons in the world, humanity is still threatened by the possibility of a global thermonuclear war and a resulting nuclear winter. We may face even greater risks from emerging technologies. Advances in synthetic biology might make it possible to engineer pathogens capable of extinction-level pandemics. The knowledge, equipment, and materials needed to engineer pathogens are more accessible than those needed to build nuclear weapons. And unlike other weapons, pathogens **are self-replicating, allowing a small arsenal to become exponentially destructive**. Pathogens have been implicated in the extinctions of many wild species. Although most pandemics "fade out" by reducing the density of susceptible populations, pathogens with wide host ranges in multiple species can reach even isolated individuals. The intentional or unintentional release of engineered pathogens with high transmissibility, latency, and lethality might be capable of causing human extinction. While such an event seems unlikely today, the likelihood may increase as biotechnologies continue to improve at a rate rivaling Moore's Law.

### Off 4

#### A budget deal will pass, but capital is key

Bowles and Simpson 9-16 (Erskine Bowles and Alan Simpson, writers for Christian Science Monitor, “Government shutdown? A leap of trust can seal a budget deal” <http://www.csmonitor.com/Commentary/Common-Ground/2013/0916/Government-shutdown-A-leap-of-trust-can-seal-a-budget-deal> 9-16-13)AH

Budget talk in Washington is again dominated by nonnegotiable demands and a potential government shutdown – or even an unprecedented default on US debt in October. Despite the heated rhetoric, we believe that a bipartisan agreement is still possible on a meaningful budget deal that puts America on the path to fiscal responsibility.¶ We believed this in 2010, when we co-chaired a bipartisan national commission to fix the debt, and we still believe it. The country simply can’t afford to keep lurching from one fiscal crisis to the next. True, some fiscal progress has been made, but the underlying problem remains: In just a decade, the debt will be equal to 77 percent of our economy – draining resources to pay interest on the debt, and negatively affecting American jobs, consumer credit, and the country’s competitiveness.¶ Still, we’re hopeful about a fiscal deal, in part because of our experience in revising a deficit-reduction plan based on last winter’s negotiations between President Obama and House Speaker John Boehner. In the process of splicing that plan together, it became clear to us that the two sides had been quite close to reaching an agreement and that the remaining policy differences could be bridged if both sides were willing to go a little further and come to a principled compromise without compromising their principles.¶ Our revised plan, The Bipartisan Path Forward, would go further than many Democrats have been willing in reforming costly entitlement programs that are driving long-term debt, particularly health care. It would, for instance, move away from Medicare’s fee-for-service delivery system and gradually increase the eligibility age. Our plan would also require Republicans to accept more revenues beyond the expiration of the 2001 upper-income tax cuts agreed to in January.¶ Our plan would implement entitlement reform in a way that provides important protections for the most vulnerable. And it would raise revenue through tax reform that repeals or reforms various deductions, exclusions, and credits; lowers rates; and ultimately reduces the deficit. Both sides would have to go beyond their political comfort zones to reach a real budget deal. But the end result would put the debt on a downward trajectory for the long term.¶ The sad lack of trust between the two parties in negotiating on fiscal policy has been perhaps an even greater obstacle to an agreement than the deficit details themselves. However, the dinners that the president hosted with Republican senators earlier this year were an important and long overdue effort at building the understanding that will be critical to getting that kind of a bipartisan agreement.**¶** These social events have led to discussions between senior White House staff and Republican senators about the budget and replacing the mindless, across-the-board cuts in defense and domestic programs (known as sequestration) with smart, selective cuts.

#### Obama fights the plan – strongly supports war powers

Rana 11 (Aziz – Assistant Professor of Law, Cornell Law School, “TEN QUESTIONS: RESPONSES TO THE TEN QUESTIONS”, 2011, 37 Wm. Mitchell L. Rev. 5099, lexis)

Thus, for many legal critics of executive power, the election of Barack Obama as President appeared to herald a new approach to security concerns and even the possibility of a fundamental break from Bush-era policies. These hopes were immediately stoked by Obama's decision before taking office to close the Guantanamo Bay prison. n4 Over two years later, however, not only does Guantanamo remain open, but through a recent executive order Obama has formalized a system of indefinite detention for those held there and also has stated that new military commission trials will begin for Guantanamo detainees. n5 More important, in ways small and large, the new administration remains committed to core elements of the previous constitutional vision of national security. Just as their predecessors, Obama officials continue to defend expansive executive detention and war powers and to promote the centrality of state secrecy to national security.

#### Presidential war power battles expend capital – it’s immediate and forces a trade-off

O’Neil 7 (David – Adjunct Associate Professor of Law, Fordham Law School, “The Political Safeguards of Executive Privilege”, 2007, 60 Vand. L. Rev. 1079, lexis)

a. Conscious Pursuit of Institutional Prerogatives The first such assumption is belied both by first-hand accounts of information battles and by the conclusions of experts who study them. Participants in such battles report that short-term political calculations consistently trump the constitutional interests at stake. One veteran of the first Bush White House, for example, has explained that rational-choice theory predicts what he in fact experienced: The rewards for a consistent and forceful defense of the legal interests of the office of the presidency would be largely abstract, since they would consist primarily of fidelity to a certain theory of the Constitution... . The costs of pursuing a serious defense of the presidency, however, would tend to be immediate and tangible. These costs would include the expenditure of political capital that might have been used for more pressing purposes, [and] the unpleasantness of increased friction with congressional barons and their allies. n182 Louis Fisher, one of the leading defenders of the political branches' competence and authority to interpret the Constitution independently of the courts, n183 acknowledges that politics and "practical considerations" typically override the legal and constitutional principles implicated in information disputes. n184 In his view, although debate about congressional access and executive privilege "usually proceeds in terms of constitutional doctrine, it is the messy political realities of the moment that usually decide the issue." n185 Indeed, Professor Peter Shane, who has extensively studied such conflicts, concludes that their successful resolution in fact depends upon the parties focusing only on short-term political [\*1123] considerations. n186 When the participants "get institutional," Shane observes, non-judicial resolution "becomes vastly more difficult." n187

#### Capital key

Dumain 9/18/13 (Emma, Roll Call, "Will House Democrats Balk at Sequester-Level CR?," http://blogs.rollcall.com/218/will-house-democrats-balk-at-sequester-level-cr/)

What would be helpful for the duration of the political battle over the CR between now and the end of the month, however, is if Obama more frequently took to the “bully pulpit” to blast Republicans and bolster Democrats, the aide said.¶ “The more the better,” he said.

#### Shutdown wrecks the economy

Wu 8/27/13 (Yi, “Government Shutdown 2013: Still a Terrible Idea,” PolicyMic, <http://www.policymic.com/articles/60837/government-shutdown-2013-still-a-terrible-idea>)

Around a third of House Republicans, many Tea Party-backed, sent a letter last week calling on Speaker John Boehner to reject any spending bills that include implementation of the Affordable Care Act, otherwise known as Obamacare. Some Senate Republicans echo their House colleagues in pondering this extreme tactic, which is nothing other than a threat of government shutdown as neither congressional Democrats nor President Obama would ever agree on a budget that abolishes the new health care law. Unleashing this threat would amount to holding a large number of of the federal government's functions, including processing Social Security checks and running the Centers for Disease Control, hostage in order to score partisan points. It would be an irresponsible move inflicting enormous damage to the U.S. economy while providing no benefit whatsoever for the country, and Boehner is rightly disinclined to pursue it. Government shutdowns are deleterious to the economy. Two years ago in February 2011, a similar government shutdown was looming due to a budget impasse, and a research firm estimated that quater's GDP growth would be reduced by 0.2 percentage points if the shutdown lasted a week. After the budget is restored from the hypothetical shutdown, growth would only be "partially recouped," and a longer shutdown would result in deeper slowdowns. Further, the uncertainties resulting from a shutdown would also discourage business. A shutdown was avoided last-minute that year, unlike in 1995 during the Clinton administration where it actually took place for four weeks and resulted in a 0.5 percentage-point dent in GDP growth. Billions of dollars were cut from the budget, but neither Boehner nor the Republicans at the time were reckless enough to demand cancellation of the entire health care reform enacted a year before.

#### Global nuclear war

Harris & Burrows 9 (Mathew, PhD European History @ Cambridge, counselor of the U.S. National Intelligence Council (NIC) and Jennifer, member of the NIC’s Long Range Analysis Unit “Revisiting the Future: Geopolitical Effects of the Financial Crisis” <http://www.ciaonet.org/journals/twq/v32i2/f_0016178_13952.pdf>)

Of course, the report encompasses more than economics and indeed believes the future is likely to be the result of a number of intersecting and interlocking forces. With so many possible permutations of outcomes, each with ample Revisiting the Future opportunity for unintended consequences, there is a growing sense of insecurity. Even so, history may be more instructive than ever. While we continue to believe that the Great Depression is not likely to be repeated, the lessons to be drawn from that period include the **harmful effects on fledgling democracies** and multiethnic societies (think Central Europe in 1920s and 1930s) and on the sustainability of multilateral institutions (think League of Nations in the same period). There is no reason to think that this would not be true in the twenty-first as much as in the twentieth century. For that reason, the ways in which **the potential for** greater **conflict could grow** would seem to be even more apt in a constantly volatile economic environment as they would be if change would be steadier. In surveying those risks, the report stressed the likelihood that terrorism and nonproliferation will remain priorities even as resource issues move up on the international agenda. **Terrorism**’s appeal will decline if economic growth continues in the Middle East and youth unemployment is reduced. For those terrorist groups that remain active in 2025, however, the diffusion of technologies and scientific knowledge will place some of the world’s most dangerous capabilities within their reach. Terrorist groups in 2025 will likely be a combination of descendants of long established groups\_inheriting organizational structures, command and control processes, and training procedures necessary to conduct sophisticated attacks and newly emergent collections of the angry and disenfranchised that become self-radicalized, particularly in the absence of economic outlets that would become narrower in an economic downturn. The most dangerous casualty of any **economically-induced drawdown** of U.S. military presence would almost certainly be the Middle East. Although Iran’s acquisition of nuclear weapons is not inevitable, worries about a nuclear-armed Iran could lead states in the region to develop new security arrangements with external powers, **acquire additional weapons**, and consider pursuing their own **nuclear ambitions**. It is not clear that the type of stable deterrent relationship that existed between the great powers for most of the Cold War would emerge naturally in the Middle East with a nuclear Iran. Episodes of low intensity conflict and terrorism taking place under a nuclear umbrella could lead to an **unintended escalation** and **broader conflict** if clear red lines between those states involved are not well established. The close proximity of potential **nuclear rivals** combined with underdeveloped surveillance capabilities and mobile dual-capable Iranian missile systems also will produce inherent difficulties in achieving reliable indications and warning of an impending nuclear attack. The lack of strategic depth in neighboring states like Israel, short warning and missile flight times, and uncertainty of Iranian intentions may place more focus on **preemption** rather than defense, potentially leading to **escalating crises**. 36 Types of conflict that the world continues to experience, such as over resources, could reemerge, particularly if protectionism grows and there is a resort to neo-mercantilist practices. Perceptions of renewed energy scarcity will drive countries to take actions to assure their future access to energy supplies. In the worst case, this could result in **interstate conflicts** if government leaders deem assured access to energy resources, for example, to be essential for maintaining domestic stability and the survival of their regime. Even actions short of war, however, will have important geopolitical implications. Maritime security concerns are providing a rationale for naval buildups and modernization efforts, such as China’s and India’s development of blue water naval capabilities. If the fiscal stimulus focus for these countries indeed turns inward, one of the most obvious funding targets may be military. Buildup of regional naval capabilities could lead to increased tensions, rivalries, and counterbalancing moves, but it also will create opportunities for multinational cooperation in protecting critical sea lanes. With water also becoming scarcer in Asia and the Middle East, cooperation to manage changing water resources is likely to be increasingly difficult both within and between states in a more dog-eat-dog world.

### Off 5

#### Text ---- The United States Executive Branch should establish a declaratory policy that the United States will not use nuclear weapons against a governmental entity, proxy, or group that has not used nuclear weapons against another governmental entity or group.

#### Solves –

#### It’s virtually identical in function---the U.S. would only override a declaratory NFU in an extreme crisis---and global public opinion would rally behind the U.S.

Feiveson and Hogendoorn 3 – Harold Feiveson, senior research scientist and co-director of the Program in Science & Global Security at the Woodrow Wilson School at Princeton, and Ernst Hogendoorn, Ph.D. Candidate at the Woodrow Wilson School at Princeton, Summer 2003, “No First Use of Nuclear Weapons,” The Nonproliferation Review, online: http://cns.miis.edu/npr/pdfs/102feiv.pdf

In extremis, of course, a U.S. administration might find compelling reason to override a no-first-use commitment, and actually use or explicitly threaten to use nuclear weapons. Such an act would be taken only in the most dire of circumstances, and in such a situation it is hard to believe that U.S. flaunting of a prior declaratory commitment would weigh much in how the world viewed the U.S. actions.

#### The net-benefit---making NFU an action policy and completely prohibiting all scenarios for first-use costs hundreds of thousands of lives in an inevitable crisis---the CP’s declaratory NFU enables the U.S. to override its declared posture and launch damage-limitation strikes against an imminent nuclear attacker

Tertrais 9 – Bruno Tertrais, Senior Research Fellow at the Paris-based Foundation for Strategic Research and Contributing Editor to Survival, October-November 2009, “The Trouble with No First Use,” Survival, Vol. 51, No. 5, p. 25

A no-first-use policy might also have security costs beyond deterrence. As an action policy (as opposed to merely a declaratory one1), it would prevent a government which has adopted such a principle from striking pre-emptively at an adversary who has unmistakably demonstrated its intention to imminently launch a nuclear attack. Granted, such an extreme ‘damage limitation’ strike could only be executed in absolutely extraordinary circumstances. But it is only a slight exaggeration to say that a leader ready to forfeit it through a no-first-use policy is giving up the possibility of saving hundreds of thousands of his citizens.

#### Only a declaratory NFU creates successful existential deterrence---the knowledge that a declaratory NFU could be revoked in crisis de-escalates tension and prevents conflict

Feiveson and Hogendoorn 3 – Harold Feiveson, senior research scientist and co-director of the Program in Science & Global Security at the Woodrow Wilson School at Princeton, and Ernst Hogendoorn, Ph.D. Candidate at the Woodrow Wilson School at Princeton, Summer 2003, “No First Use of Nuclear Weapons,” The Nonproliferation Review, online: http://cns.miis.edu/npr/pdfs/102feiv.pdf

Opponents of a strong no-first-use declaration by the United States generally rely on three arguments. The first is that the United States may need nuclear weapons to respond to chemical and biological weapon attacks by rogue countries. This argument mistakenly conflates nuclear weapons with these other weapons of mass destruction, and in fact gives too much status to these "poor man's nuclear weapons." The second argument is that a no-first-use commitment can never be verified. While it is true that such a commitment is inherently uncertain, this uncertainty supports a no-first-use commitment, in that the country undertaking such a commitment will plan not to use nuclear weapons first, but other countries will never be quite sure that their potential adversary will never use nuclear weapons—and so nuclear use remains an existential deterrent regardless of declaratory policy. A third argument—that even if the United States would never actually use nuclear weapons, it is worthwhile to keep potential adversaries uncertain—is similarly flawed. Potential adversaries will always be uncertain. More important is to remove uncertainty from U.S. military commanders, who must never go into battle thinking they can rely on the use of nuclear weapons.

## On

### Threats

#### NFU is too categorical to be credible – the U.S. will inevitably be questioned about the limits

Lewis 10 (Jeffrey, Director of the Nuclear Strategy and Nonproliferation Initiative – New America Foundation, Former Executive Director – Managing the Atom Project at the Belfer Center for Science and International Affairs. Ph.D. in Policy Studies – University of Maryland, “Declaratory Policy”, Arms Control Wonk, 1-4, http://www.armscontrolwonk.com/2583/declaratory-policy)

The Problem With No First Use

I am temperamentally inclined toward a “no first use” pledge. (I don’t think it would be a huge gain for the United States, though nor do I think it is a huge danger.) But it does suffer from one very specific problem. As it happens, I don’t think it would ever be in the interest of the United States would initiate the use of nuclear weapons. The late Michael Quinlan, for instance, once said in a meeting that “We do not foresee first use. We do not expect it. We will do everything in our power by our posture to sustain our expectation. But we cannot guarantee” that a situation will not arise that would force us to consider the first use of nuclear weapons. Sir Michael’s objection, I thought, was quite sensible. Categorical statements are too simplistic for the real world. As a result, others don’t take such pledges seriously. Reassurance must be credible. I often see, in the Chinese case, this particular drawback of a no-first use pledge. Americans and others don’t take it seriously — although I think we should. As a result, Chinese academics and officials often get trapped in silly “what if” games. Take the case of Chu Shulong, a Chinese academic who ended up in *Chinese Military Power* for what seems like a [relatively innocuous interview](http://www.armscontrolwonk.com/1082/china-and-no-first-use): The Director of Tsinghua University’s Institute of Stratgeic Studies, in an interview with a reporter from Da Gong Bao expressed, China’s promise not to be the first to use nuclear weapons was extremely clear and firm. As of now, their isn’t the slightest indication that China’s government will let go of this promise. ”(I) have not heard any leader on any occasion state China will change or let go of this position. Never.” [snip] At the same time Chu Shulong provided a hypothetical, except in the case of a foreign power launching a full scale war against China, using all of their advanced (precision) weaponry except nuclear weapons, and the Chinese nation were facing the danger of extermination, China may let go of this promise. But he considers the possibility not very great. As a result, Chu Shulong ended up in *Chinese Military Power* declaring, “China may renounce [no first use] at a time when the country’s fate hangs in the balance.” A very similar thing happened to Sha Zukang regarding Taiwan. This is a basic problem when statements are categorical — it is too easy for someone to use a “ticking time bomb” scenario (or Martians using non-nuclear lasers to incinerate elementary schools) that twist the speaker up in knots. The Chinese official or academic defending “no first use” has to either admit that, in a hot-blooded moment, that Chinese leaders might not be especially scrupulous about observing past statements or lamely repeat “China undertakes unconditionally not to use or threaten to use…” Neither is very appealing. I’ve had several Chinese participants tell me about a recent Track II meeting in Beijing where they explained China’s categorical no-first use pledge. The American participants, to make the classic point, rather clumsily suggested a hypothetical US conventional attack on China’s nuclear forces. The Chinese participants freaked. [Perhaps I should say, “were disturbed.”] The Americans went home satisfied that the Chinese weren’t very serious about no-first use; the Chinese left thinking they had been subjected to a very serious threat of coercion. And perhaps wondering if they should start planning for first-use scenarios. I am repeatedly asked about this interaction and was again during my last trip to Beijing. This particular Track II debacle is going to haunt the US-China nuclear dialogue for years. I happen to agree with not using nuclear weapons first, but as a declaratory policy it does suffer from the problem that Sir Michael identified.

#### Verification issues and prospects for reversal gut the credibility of NFU commitments.

**Makhijani 98** (Arjun, President of the Institute for Energy and Environmental Research, Ph.D. Electrical Engineering and Computer Sciences, specializing in nuclear fusion at UC-Berkeley, October, http://www.ieer.org/latest/de-alert.html)

First-strike dangers have sometimes been addressed in arms control debates by appeal to adoption of a "no-first-use" policy. In this context, we use the phrase "first-strike" to mean a nuclear attack on an adversary's nuclear arsenal with a view to destroying it. ("No-first-use" covers no-first-strike as well as all other possible first-use situations.) For instance, China has stated that it has a no-first-use policy and has called on other states to adopt the same. However, the policy consists essentially of a declaration that is not verifiable and is subject to quick reversal. There is some experience with such a reversal. The Soviet Union had a no-first-use policy, but in 1993 Russia reversed it though it had been in place for over a decade. Thus, while it is a useful confidence building measure, the durability and utility of no-first-use declarations have often been questioned.

#### Possibility of rollback crushes credibility of a NFU pledge – and rollback makes the US look more aggressive

Stanley 8 (Stanley Foundation – Stanford University’s Center for International Security and Cooperation, “A New Look at No First Use”, 4-4, http://www.stanleyfoundation.org/publications/pdb/NoFirstUsePDB708.pdf)

Some conference participants questioned whether there really was such uncertainty in the post-Cold War world. They argued that it was highly unlikely that “Stalin might come back” or that the United States would be faced with an overwhelming conventional threat that could only be offset with nuclear weapons. Indeed, pressed to describe specific scenarios that might require the first use of nuclear weapons, conference members initially could not think of any because the United States possesses overwhelming conventional superiority. Subsequently, they outlined a situation in which the US military, already fighting in two theaters (e.g., the Middle East and the Korean Peninsula), was faced with yet another major conflict. However, there was disagreement over the importance of this and similar scenarios, with some participants warning that an overabundance of caution—a fear of highly improbable scenarios—can lead to irrational policy. One participant countered that, were such a situation to arise, we could always revoke our NFU policy. However, that possibility immediately raised the problem of whether a NFU doctrine was credible because it could be so easily changed. Another participant noted that in a crisis situation, revocation of NFU would be seen as threatening and escalatory, much like mating warheads to missiles.

### China

#### Other types of weapons are an alt cause – 1AC evidence says us having conventional weapons is also bad.

#### China won’t and can’t renounce NFU – their evidence only cites 1 opinion

**Zhenqiang 5** [Pan, Professor of International Relations at the Institute for Strategic Studies, retired Major General of the People’s Liberation Army, Autumn, “China Insistence on No-First-Use of Nuclear Weapons,” <http://se1.isn.ch/serviceengine/FileContent?serviceID=ISN&fileid=A755A706-0DEF-9BDE-0865-85AAED920C65&lng=en>, Acc. Jul 28, 2009]

It is perhaps also appropriate here to say a few words about the overreactions of the U.S. media. Everybody is clear that Zhu’s statements are only his personal views, and the fact is that Zhu’s suggestions would have no effect on China’s policy-makers on the subject. Moreover there is no way for China to change its nuclear policy. Then why so much fuss about this small event? The answer may be that there are people in the United States who are only too willing to see the dark side of China. What they forget is that, to date, China so far has been the only acknowledged nuclear weapon state that solemnly maintains a commitment to NFU. Why do so few criticize the first-use policy of other nuclear weapon states in the Western media? In the United States, the official position, as well as views from many thinktanks, has almost taken it for granted that first-use against China will be an indispensable option in future U.S. nuclear policy. Evidence of this is in the Pentagon’s Nuclear Posture Review in 2002. In that report, China is included among seven potential targets of a nuclear strike. Another recent example is an Arms Control Association report on the future of U.S. nuclear policy written by two of my long time American friends.They also touch on China as a potential adversary in the article, writing:

#### NFU doesn’t INCREASE diplomacy – means they don’t access crsisis link

#### Chinese NFU not credible now

Arbatov 8 (Dr. Alexei, Strategic Studies Institute, “Non-First-Use As A Way of Outlawing Nuclear Weapons” November, AD: 7-31)

China formally has given a no-first-use pledge. Since it has and improves its nuclear forces, this implies a second strike retaliatory strategy. However with respect of hypothetical US or Russian nuclear attack, due to the ineffectiveness or vulnerability of China’s command-control and early warning systems and nuclear forces per se such a strategy is hardly credible. It is unlikely that China, with its thousands of years of history of advanced strategic thinking might be oblivious to this fact. More possible is that China has a preemptive first-strike war-planning concept, recognizing its suicidal implications, and will retain it until more survivable forces and command systems are deployed. Hence China’s NFU pledge most probably is no more than a PR gesture like that of the USSR in 1982.

#### China will not risk war—economics and diplomacy

Fravel 12—Associate Professor of Political Science and member of the Security Studies Program at MIT. Taylor is a graduate of Middlebury College and Stanford University, where he received his PhD. He has been a Postdoctoral Fellow at the Olin Institute for Strategic Studies at Harvard University, a Predoctoral Fellow at the Center for International Security and Cooperation at Stanford University, a Fellow with the Princeton-Harvard China and the World Program and a Visiting Scholar at the American Academy of Arts and Sciences(M. Taylor, “All Quiet in the South China Sea,” March 22nd, 2012, <http://www.foreignaffairs.com/articles/137346/m-taylor-fravel/all-quiet-in-the-south-china-sea>)

Little noticed, however, has been China's recent adoption of a new -- and much more moderate -- approach. The primary goals of the friendlier policy are to restore China's tarnished image in East Asia and to reduce the rationale for a more active U.S. role there.

Beijing is also unlikely to be more assertive if that sustains Southeast Asian countries' desires to further deepen ties with the United States.

The first sign of China's new approach came last June, when Hanoi dispatched a special envoy to Beijing for talks about the countries' various maritime disputes. The visit paved the way for an agreement in July 2011 between China and the ten members of the Association of Southeast Asian Nations (ASEAN) to finally implement a declaration of a code of conduct they had originally drafted in 2002 after a series of incidents in the South China Sea. In that declaration, they agreed to "exercise self-restraint in the conduct of activities that would complicate or escalate disputes."

Since the summer, senior Chinese officials, especially top political leaders such as President Hu Jintao and Premier Wen Jiabao, have repeatedly reaffirmed the late Deng Xiaoping's guidelines for dealing with China's maritime conflicts to focus on economic cooperation while delaying the final resolution of the underlying claims. In August 2011, for example, Hu echoed Deng's approach by stating that "the countries concerned may put aside the disputes and actively explore forms of common development in the relevant sea areas."

Authoritative Chinese-language media, too, has begun to underscore the importance of cooperation. Since August, the international department of People's Daily (under the pen name Zhong Sheng) has published several columns stressing the need to be less confrontational in the South China Sea. In January 2012, for example, Zhong Sheng discussed the importance of "pragmatic cooperation" to achieve "concrete results." Since the People's Daily is the official paper of the Central Committee of the Chinese Communist Party, such articles should be interpreted as the party's attempts to explain its new policy to domestic readers, especially those working lower down in party and state bureaucracies.

In terms of actually setting aside disputes, China has made progress. In addition to the July consensus with ASEAN, in October China reached an agreement with Vietnam on "basic principles guiding the settlement of maritime issues." The accord stressed following international law, especially the UN Convention on the Law of the Sea. Since then, China and Vietnam have begun to implement the agreement by establishing a working group to demarcate and develop the southern portion of the Gulf of Tonkin near the disputed Paracel Islands.

China has also initiated or participated in several working-level meetings to address regional concerns about Beijing's assertiveness. Just before the East Asian Summit last November, China announced that it would establish a three billion yuan ($476 million) fund for China-ASEAN maritime cooperation on scientific research, environmental protection, freedom of navigation, search and rescue, and combating transnational crimes at sea. The following month, China convened several workshops on oceanography and freedom of navigation in the South China Sea, and in January it hosted a meeting with senior ASEAN officials to discuss implementing the 2002 code of conduct declaration. The breadth of proposed cooperative activities indicates that China's new approach is probably more than just a mere stalling tactic.

Beyond China's new efforts to demonstrate that it is ready to pursue a more cooperative approach, the country has also halted many of the more assertive behaviors that had attracted attention between 2009 and 2011. For example, patrol ships from the Bureau of Fisheries Administration have rarely detained and held any Vietnamese fishermen since 2010. (Between 2005 and 2010, China detained 63 fishing boats and their crews, many of which were not released until a hefty fine was paid.) And Vietnamese and Philippine vessels have been able to conduct hydrocarbon exploration without interference from China. (Just last May, Chinese patrol ships cut the towed sonar cable of a Vietnamese ship to prevent it from completing a seismic survey.) More generally, China has not obstructed any recent exploration-related activities, such as Exxon's drilling in October of an exploratory well in waters claimed by both Vietnam and China. Given that China retains the capability to interfere with such activities, its failure to do so suggests a conscious choice to be a friendlier neighbor.

The question, of course, is why did the Chinese shift to a more moderate approach? More than anything, Beijing has come to realize that its assertiveness was harming its broader foreign policy interests. One principle of China's current grand strategy is to maintain good ties with great powers, its immediate neighbors, and the developing world. Through its actions in the South China Sea, China had undermined this principle and tarnished the cordial image in Southeast Asia that it had worked to cultivate in the preceding decade. It had created a shared interest among countries there in countering China -- and an incentive for them to seek support from Washington. In so doing, China's actions provided a strong rationale for greater U.S. involvement in the region and inserted the South China Sea disputes into the U.S.-Chinese relationship.

By last summer, China had simply recognized that it had overreached. Now, Beijing wants to project a more benign image in the region to prevent the formation of a group of Asian states allied against China, reduce Southeast Asian states' desire to further improve ties with the United States, and weaken the rationale for a greater U.S. role in these disputes and in the region.

So far, Beijing's new approach seems to be working, especially with Vietnam. China and Vietnam have deepened their political relationship through frequent high-level exchanges. Visits by the Vietnamese Communist Party general secretary, Nguyen Phu Trong, to Beijing in October 2011 and by the Chinese heir apparent, Xi Jinping, to Hanoi in December 2011 were designed to soothe spirits and protect the broader bilateral relationship from the unresolved disputes over territory in the South China Sea. In October, the two also agreed to a five-year plan to increase their bilateral trade to $60 billion by 2015. And just last month, foreign ministers from both countries agreed to set up working groups on functional issues such as maritime search and rescue and establish a hotline between the two foreign ministries, in addition to starting talks over the demarcation of the Gulf of Tonkin.

Even if it is smooth sailing now, there could be choppy waters ahead. Months of poor weather have held back fishermen and oil companies throughout the South China Sea. But when fishing and hydrocarbon exploration activities resume in the spring, incidents could increase. In addition, China's new approach has raised expectations that it must now meet -- for example, by negotiating a binding code of conduct to replace the 2002 declaration and continuing to refrain from unilateral actions.

Nevertheless, because the new approach reflects a strategic logic, it might endure, signaling a more significant Chinese foreign policy shift. As the 18th Party Congress draws near, Chinese leaders want a stable external environment, lest an international crisis upset the arrangements for this year's leadership turnover. And even after new party heads are selected, they will likely try to avoid international crises while consolidating their power and focusing on China's domestic challenges.

China's more moderate approach in the South China Sea provides further evidence that China will seek to avoid the type of confrontational policies that it had adopted toward the United States in 2010. When coupled with Xi's visit to Washington last month, it also suggests that the United States need not fear Beijing's reaction to its strategic pivot to Asia, which entails enhancing U.S. security relationships throughout the region. Instead, China is more likely to rely on conventional diplomatic and economic tools of statecraft than attempt a direct military response. Beijing is also unlikely to be more assertive if that sustains Southeast Asian countries' desires to further deepen ties with the United States. Whether the new approach sticks in the long run, it at least demonstrates that China, when it wants to, can recalibrate its foreign policy. That is good news for stability in the region.

#### US-Sino relations high – North Korea

Schell 3-7 [Orville: Arthur Ross Director of the Center on U.S.-China Relations at the Asia Society in New York. He is a former professor and Dean at the University of California, Berkeley’s Graduate School of Journalism, Can the North Korea Challenge Bring China and the U.S. Together? http://www.theatlantic.com/china/archive/2013/03/can-the-north-korea-challenge-bring-china-and-the-us-together/273777/]

What may end up being most significant about the new draft resolution in the UN Security Council to impose stricter sanctions on North Korea, which China seems willing to sign, may not be what it amounts to in terms of denuclearizing the DPRK, but what it portends for U.S.-China relations. Although it is still too early to be certain, this may represent a bold new step forward by Party General Secretary Xi Jinping and China's new leadership in signaling the U.S. that China is now interested in finding new areas of convergence. To date, China has been rather reluctant to support multilateral action toward so-called rogue regimes: China opposed NATO's military campaign in Libya and, last July, China and Russia vetoed a UN Security Council resolution, that would have threatened sanctions against Syria's leadership.¶ But now not only have China's leaders agreed to strict new sanctions on a foreign power, but on a country that is both a neighbor and a traditional ally.¶ This is a particularly tantalizing moment because it comes just as the new leaders in Beijing are beginning to define their new foreign policy perspective while at the same time Barrack Obama is reorganizing his team for his second term. It may well represent the most significant gesture China has made toward Washington in recent years of wanting to reset the bilateral relationship.¶ When he visited Washington last year, Xi called for a "new type of great power relationship." And at the 18th Party Congress last November, Xi's predecessor Hu Jintao's report to the Party spoke of a "new type of relations among major powers" characterized by "mutual respect, mutual benefits and a win-win partnership."

### Prolif

#### No widespread prolif

Hymans 12—Jacques E. C. Hymans is Associate Professor of IR at USC [April 16, 2012, “North Korea's Lessons for (Not) Building an Atomic Bomb,” *Foreign Affairs*, http://www.foreignaffairs.com/articles/137408/jacques-e-c-hymans/north-koreas-lessons-for-not-building-an-atomic-bomb?page=show]

Washington's miscalculation is not just a product of the difficulties of seeing inside the Hermit Kingdom. It is also a result of the broader tendency to overestimate the pace of global proliferation. For decades, Very Serious People have predicted that strategic weapons are about to spread to every corner of the earth. Such warnings have routinely proved wrong -- for instance, the intelligence assessments that led to the 2003 invasion of Iraq -- but they continue to be issued. In reality, despite the diffusion of the relevant technology and the knowledge for building nuclear weapons, the world has been experiencing a great proliferation slowdown. Nuclear weapons programs around the world are taking much longer to get off the ground -- and their failure rate is much higher -- than they did during the first 25 years of the nuclear age.

As I explain in my article "Botching the Bomb" in the upcoming issue of Foreign Affairs, the key reason for the great proliferation slowdown is the absence of strong cultures of scientific professionalism in most of the recent crop of would-be nuclear states, which in turn is a consequence of their poorly built political institutions. In such dysfunctional states, the quality of technical workmanship is low, there is little coordination across different technical teams, and technical mistakes lead not to productive learning but instead to finger-pointing and recrimination. These problems are debilitating, and they cannot be fixed simply by bringing in more imported parts through illicit supply networks. In short, as a struggling proliferator, North Korea has a lot of company.

#### They can’t solve non-state actors and rogue nations – can’t monitor them.

#### Prolif is super slow—empirics disprove their fear mongering.

Hymans 12—Jacques E. C. Hymans is Associate Professor of IR at USC [May/June 2012, “Botching the Bomb,” *Foreign Affairs*, http://www.foreignaffairs.com/articles/137403/jacques-e-c-hymans/botching-the-bomb?page=show]

The chronic problem of nuclear proliferation is once again dominating the news. A fierce debate has developed over how to respond to the threat posed by Iran's nuclear activities, which most experts believe are aimed at producing a nuclear weapon or at least the capacity to assemble one. In this debate, one side is pushing for a near-term military attack to damage or destroy Iran's nuclear program, and the other side is hoping that strict sanctions against the Islamic Republic will soften it up for a diplomatic solution. Both sides, however, share the underlying assumption that unless outside powers intervene in a dramatic fashion, it is inevitable that Iran will achieve its supposed nuclear goals very soon.

Yet there is another possibility. The Iranians had to work for 25 years just to start accumulating uranium enriched to 20 percent, which is not even weapons grade. The slow pace of Iranian nuclear progress to date strongly suggests that Iran could still need a very long time to actually build a bomb -- or could even ultimately fail to do so. Indeed, global trends in proliferation suggest that either of those outcomes might be more likely than Iranian success in the near future. Despite regular warnings that proliferation is spinning out of control, the fact is that since the 1970s, there has been a persistent slowdown in the pace of technical progress on nuclear weapons projects and an equally dramatic decline in their ultimate success rate.

The great proliferation slowdown can be attributed in part to U.S. and international nonproliferation efforts. But it is mostly the result of the dysfunctional management tendencies of the states that have sought the bomb in recent decades. Weak institutions in those states have permitted political leaders to unintentionally undermine the performance of their nuclear scientists, engineers, and technicians. The harder politicians have pushed to achieve their nuclear ambitions, the less productive their nuclear programs have become. Meanwhile, military attacks by foreign powers have tended to unite politicians and scientists in a common cause to build the bomb. Therefore, taking radical steps to rein in Iran would be not only risky but also potentially counterproductive, and much less likely to succeed than the simplest policy of all: getting out of the way and allowing the Iranian nuclear program's worst enemies -- Iran's political leaders -- to hinder the country's nuclear progress all by themselves.

NUCLEAR DOGS THAT HAVE NOT BARKED

"Today, almost any industrialized country can produce a nuclear weapon in four to five years," a former chief of Israeli military intelligence recently wrote in The New York Times, echoing a widely held belief. Indeed, the more nuclear technology and know-how have diffused around the world, the more the timeline for building a bomb should have shrunk. But in fact, rather than speeding up over the past four decades, proliferation has gone into slow motion.

Seven countries launched dedicated nuclear weapons projects before 1970, and all seven succeeded in relatively short order. By contrast, of the ten countries that have launched dedicated nuclear weapons projects since 1970, only three have achieved a bomb. And only one of the six states that failed -- Iraq -- had made much progress toward its ultimate goal by the time it gave up trying. (The jury is still out on Iran's program.) What is more, even the successful projects of recent decades have needed a long time to achieve their ends. The average timeline to the bomb for successful projects launched before 1970 was about seven years; the average timeline to the bomb for successful projects launched after 1970 has been about 17 years.

#### Iran is driven by other things – not US nuclear policy

#### No First Use pledge doesn’t resolve the motivations of proliferating states.

**WSJ 07** (Wall Street Journal, 11/19, http://www.wagingpeace.org/articles/2007/11/26\_brown\_article\_responses.php)

Whatever their other merits (and they are significant), it is difficult to argue that a comprehensive test ban treaty, a "no first use" declaration by the U.S., a dramatic reduction in the number of deployed or total nuclear weapons in our stockpile, an end to the production of fissionable material will convince North Korea, Iran, India, Pakistan or Israel to give up their nuclear weapons programs. True enough, the U.S. ratified the 1968 Nonproliferation Treaty, whose Article Six states: "Each of the parties to the treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control." No one suggests abandoning the hope embodied in such a well-intentioned statement. However, hope is not a policy, and, at present, there is no realistic path to a world free of nuclear weapons. One cannot, for example, make the scientific knowledge and technological know-how that make nuclear weapons possible disappear. Proliferating states, even if they abandoned these devices under resolute international pressure, would still be able to clandestinely retain a few of their existing weapons -- or maintain a standby, break-out capability to acquire a few weapons quickly, if needed. So long as serious political differences exist between nations and peoples, and given that the possibility of nuclear weapons exists, the U.S. should have nuclear weapons to deter potential opponents and to avoid intimidation by other states seeking a capability of weapons of mass destruction. In any case, even in the absence of overwhelming superiority in nuclear weapons, the great predominance of U.S. conventional forces would remain a strong motive for aspiring states to seek nuclear weapons.

#### Conventional superiority will drive proliferation – even with NFU

Stanley 8 (Stanley Foundation – Stanford University’s Center for International Security and Cooperation, “A New Look at No First Use”, 4-4, http://www.stanleyfoundation.org/publications/pdb/NoFirstUsePDB708.pdf)

That said, conference participants were divided as to how, and how much, a NFU doctrine would affect nuclear-weapons-use norms and the nuclear weapons calculus of other states. The link between US declaratory policy and the strategic decisions of other nations is not always so clear. Iran, North Korea, and other countries have often protested US nuclear policy, citing these “nuclear threats” as a justification for their own arms programs. But conference participants generally agreed that Iran’s nuclear program is more likely a response to current US conventional superiority, and before now to Iraq’s nuclear program in the Saddam Hussein years. Indeed, the North Korean, Indian, and Pakistani nuclear weapons programs all accelerated during the 1990s, when the United States was moving to delegitimize nuclear weapons. Nevertheless, adopting NFU would at the very least deprive other states of one argument for their arsenals.

#### Alt Cause – CTBT

Stanley 8 (Stanley Foundation – Stanford University’s Center for International Security and Cooperation, “A New Look at No First Use”, 4-4, http://www.stanleyfoundation.org/publications/pdb/NoFirstUsePDB708.pdf)

Participants were universally concerned that we do not have enough empirical data about how proliferators and potential nuclear weapon states make decisions, meaning that we cannot be sure how much a NFU doctrine (and similar measures) would affect the global nonproliferation regime. Nevertheless, some warned against an excessive focus on tabulating the costs and benefits of NFU in hypothetical situations and allowing that analysis to slow progress toward reducing the salience of nuclear weapons. These participants insisted that developing momentum was essential and that NFU could help create a culture of nonuse that smoothes the way toward eventual disarmament—a goal for which there is increasing support, as demonstrated in the January 2007 *Wall Street Journal* op-ed by George Shultz and others. At the same time, participants agreed that in trying to reduce the salience of nuclear weapons, NFU was not as important as certain other steps, notably US ratification of the Comprehensive Test Ban Treaty (CTBT).

#### CTBT is key to NPT credibility – much larger than NFU

Stanley 8 (Stanley Foundation – Stanford University’s Center for International Security and Cooperation, “A New Look at No First Use”, 4-4, http://www.stanleyfoundation.org/publications/pdb/NoFirstUsePDB708.pdf)

In addition, participants were overwhelmingly of the opinion that the most important items to address while setting the stage for the 2010 NPT Review Conference are ratification of the CTBT and steps toward the denuclearization of North Korea and Iran. NFU factors into that calculus, but it is definitely lower on the list.

#### US nuclear policy doesn’t affect proliferation – other countries are motivated by US conventional superiority.

**Brown 07** (Harold, CSIS counselor and trustee, served as secretary of defense from 1977-81, The Washington Quarterly 31.1, Muse)

Although a world free of nuclear weapons is not a foreseeable prospect, impeding proliferation is an important consideration in U.S. national security policy. Yet, to the extent that fear of the United States motivates proliferation, the real drive for nuclear weapons capability in Iran and North Korea, as it was in Libya, does not come from fear of U.S. nuclear capability or the content of U.S. nuclear policy. It will not be eased by reductions in or the downplaying of U.S. nuclear capability, justified as such actions are. Rather, it comes from U.S. conventional power-projection capability and the concern that it may be used to intimidate, attack, or overthrow regimes, as it has done before. Since the end of the Cold War, the United States has been the sole superpower. Inevitably, that state of affairs has led others to balance against the United States. U.S. behavior since 2000 has enhanced that tendency, and the United States has seen much of its nonmilitary dominance eroded. Yet, because the United States remains the sole military superpower, that power projection capability is not going away, however much the appetite for using it may have been reduced by the events of the last four years and by the appreciation that asymmetrical warfare may be available to the side inferior in conventional arms. In the post–World War II world, deployment of nuclear arms and the threat of their first use have been the approach of the actual or potential combatant that considered itself inferior in conventional military capability in a given theater of war. That is why the United States deployed nuclear arms in Europe in the 1950s against a Soviet force seen as greatly superior to those of NATO in conventional capability. Eisenhower had threatened to use nuclear weapons to end a politically unacceptable stalemate of attrition in Korea against numerically superior Chinese forces. It is notable that Russia and China, in a state of mutual nuclear deterrence with the United States, now talk of potential first use of tactical nuclear weapons against a superior conventional [End Page 20] military power—the United States—just as the United States used to do in the 1950s, 1960s, and 1970s against the Soviet Union. As to new or aspiring cases, North Korea and Iran are not going to be nuclear peers of the United States. The North Koreans do not even aspire to dominate Northeast Asia, although the Iranians' aspirations for the Middle East are an element in their nuclear goals. Both want to deter U.S. conventional military action against them. In these cases (or in that of Egypt or Saudi Arabia or Turkey, which might follow them down the proliferation trail), however, their security situation principally drives or will drive their nuclear policies. If they are to renounce or not seek nuclear weapons, they would have to decide that they are more secure without them, in some combination of an existential (survival of the state) and a strategic (survival of the regime) sense.

#### States won’t stop pursuing nuclear weapons if the US restricts its nuclear abilities.

**Chyba & Crouch 09** (Christopher F., professor of astrophysics and international affairs at Princeton University, directs the Program on Science and Global Security at the Woodrow Wilson School, former National Security Council staff member in the Clinton administration, & J. D., executive vice president at Qinetiq North America, former deputy national security advisor in the W. Bush administration, The Washington Quarterly 32:3, July, http://www.twq.com/09july/docs/09jul\_ChybaCrouch.pdf)

There appears to be less divergence on whether nuclear restraint on the part of the United States will directly affect states with nuclear weapons ambitions. Most analysts believe it will not. These states have their own domestic or regional motivations or security concerns that may be driving their nuclear ambitions, even if those concerns include U.S. conventional capabilities. Differences are greatest on whether or not restraint in U.S. nuclear weapons policy influences, and how best to influence, the other groups while avoiding misperceptions about ongoing U.S. commitment to extended deterrence on behalf of allies.

#### Prolif is slow and stable—their ev is hysteria.

Mueller 9—John Mueller is a professor of political science and Woody Hayes Chair of National Security Studies at the Mershon Center at Ohio State University [October 23, 2009, “The Rise of Nuclear Alarmism,” *Foreign Policy*, http://www.foreignpolicy.com/articles/2009/10/23/the\_rise\_of\_nuclear\_alarmism?page=full]

We have also endured decades of hysteria over the potential for nuclear proliferation, even though the proliferation that has actually taken place has been both modest and substantially inconsequential. When the quintessential rogue state, communist China, obtained them in 1964, CIA Director John McCone sternly proclaimed that nuclear war was "almost inevitable." But far from engaging in the "nuclear blackmail" expected at the time by almost everyone (except Johnson, then working at the State Department), China built its weapons quietly and has never made a nuclear threat.

Still, the proliferation fixation continues to flourish. For more than a decade, U.S. policy obsessed over the possibility that Saddam Hussein's pathetic and technologically dysfunctional regime in Iraq could in time obtain nuclear weapons (it took the more advanced Pakistan 28 years), which it might then suicidally lob, or threaten to lob, at somebody. To prevent this imagined and highly unlikely calamity, a war has been waged that has probably resulted in more deaths than were suffered at Hiroshima and Nagasaki combined.

Today, alarm is focused on the even more pathetic regime in North Korea, which has now tested devices that if detonated in the middle of New York's Central Park would be unable to destroy buildings on its periphery. There is even more hysteria about Iran, which has repeatedly insisted that it has no intention of developing the weapons. If that regime changes its mind or is lying, it is likely to find that, except for stoking the national ego for a while, the bombs are substantially valueless, a very considerable waste of money and effort, and "absolute" primarily in their irrelevance.

As for the rest of the world, the nuclear age is clearly on the wane. Although it may not be entirely fair to characterize disarmament as an effort to cure a fever by destroying the thermometer, the analogy is instructive when it is reversed: When a fever subsides, the instrument designed to measure it loses its usefulness and is often soon misplaced. Thus far the former contestants in the Cold War have reduced their nuclear warheads by more than 50,000 to around 18,000. Other countries, like France, have also substantially cut their nuclear arsenals, while China and others have maintained them in far lower numbers than expected.

Total nuclear disarmament hardly seems to be in the offing -- nuclear metaphysicians still have their skill sets in order. But a continued decline seems likely, and experience suggests that formal disarmament agreements are scarcely necessary in all this -- though they may help the signatories obtain Nobel Peace Prizes. With the demise of fears of another major war, many of the fantastically impressive, if useless, arms that struck such deep anxiety into so many for so long are quietly being allowed to rust in peace.

# 2NC

## DA

### Impact – 2NC

#### More probable danger to human survival

**Ochs 02** (Richard, member of the Chemical Weapons Working Group, former president of the Aberdeen Proving Ground Superfund Citizens Coalition, member of the Depleted Uranium Task force of the Military Toxics Project, has published articles in the Baltimore Sun, Baltimore Chronicle, Science magazine, 6/9, www.freefromterror.net/other\_articles/abolish.html)

Of all the weapons of mass destruction, the genetically engineered biological weapons, many without a known cure or vaccine, are an extreme danger to the continued survival of life on earth. Any perceived military value or deterrence pales in comparison to the great risk these weapons pose just sitting in vials in laboratories.While a "nuclear winter," resulting from a massive exchange of nuclear weapons, could also kill off most of life on earth and severely compromise the health of future generations, they are easier to control. Biological weapons, on the other hand, can get out of control very easily, as the recent anthrax attacks has demonstrated. There is no way to guarantee the security of these doomsday weapons because very tiny amounts can be stolen or accidentally released and then grow or be grown to horrendous proportions. The Black Death of the Middle Ages would be small in comparison to the potential damage bioweapons could cause. Abolition of chemical weapons is less of a priority because, while they can also kill millions of people outright, their persistence in the environment would be less than nuclear or biological agents or more localized. Hence, chemical weapons would have a lesser effect on future generations of innocent people and the natural environment. Like the Holocaust, once a localized chemical extermination is over, it is over. With nuclear and biological weapons, the killing will probably never end. Radioactive elements last tens of thousands of years and will keep causing cancers virtually forever. Potentially worse than that, bio-engineered agents by the hundreds with no known cure could wreck even greater calamity on the human race than could persistent radiation. AIDS and ebola viruses are just a small example of recently emerging plagues with no known cure or vaccine. Can we imagine hundreds of such plagues? HUMAN EXTINCTION IS NOW POSSIBLE.

#### Empirically proven

Ramberg 5 (Bennett, Policy Analyst at the State Department from 89-90, “Atomic weapons: To what end?; 60 years after Hiroshima,” The International Herald Tribune, 8-6)

Nuclear "deterrence," which, the review says, involves reinforcing the United States' ability to keep adversaries' high-value targets in its sights, has had the greatest impact in preventing crises or tamping down conflicts between nuclear-armed states. Mutual nuclear fright tempered Soviet-American actions during the crises in Berlin, in Cuba and in the Middle East in 1973; the same holds true for the 1969 Chinese-Soviet border skirmishes and the 2001-2002 India-Pakistan confrontation after the Kashmir separatist attack on India's Parliament.

#### Deterrence prevents US-China war

Dunn 7 (Lewis, former Assistant Director of the U.S. Arms Control and Disarmament Agency and served as Ambassador to the 1985 Nuclear Non-Proliferation Treaty Review Conference, “Deterrence Today: Roles, Challenges, and Responses,” Security Studies Center, Summer)

Unlike the case with Russia, a U.S.-China nuclear crisis or even confrontation is not inconceivable. Precipitous action by Taiwan could be one trigger; a decision by Chinese officials to act against Taiwan another. In any such confrontation over Taiwan, it is conceivable that Chinese officials could miscalculate the readiness of the United States to support Taiwan. Chinese officials also could miscalculate their ability to manage the risks of escalation. In that regard, some Chinese experts have stated informally that such an asymmetry of stakes would put the United States at a fundamental disadvantage in any China-Taiwan-U.S. crisis. That is, in their view, given asymmetric stakes, the United States would be reluctant to escalate even after a Chinese limited use of a nuclear weapon.30 The U.S.-China strategic relationship also is characterized by mutual uncertainties about each other’s longer-term strategic intentions in both Washington and Beijing. In Washington, the scope and goals of China’s planned nuclear modernization as well as its readiness to play a constructive role in dealing with pressing non-proliferation problems remain open questions. Beijing’s decision to test an anti-satellite weapon in January, 2007 clearly reinforced those uncertainties. In Beijing, the scope and goals of U.S. deployment of missile defenses and advanced conventional weapons is being closely watched given concerns about a possible U.S. pursuit of a disarming first strike against China’s nuclear arsenal. For their part, China’s experts and officials have signaled that the scope and pace of China’s nuclear modernization is linked to those American deployments. So viewed, China is prepared to do whatever it takes to preserve a limited nuclear deterrent.31 Against this backdrop, the U.S. extended nuclear deterrent has a role to play in lessening the risk of Chinese miscalculation over Taiwan. More broadly, as suggested above, the American presence in Asia and the U.S. nuclear deterrent also is seen by some Japanese and other officials as a reassuring factor in the context of China’s growing military capabilities and political rise in Asia. U.S. officials need to continue to make clear U.S. support for a peaceful resolution of the Taiwan question. U.S. officials need to be prepared to counter Chinese perceptions that an asymmetry of stakes reduces the risks of China of threats or use of force should any confrontation over Taiwan occur. The steps set out above to buttress the U.S.-Japan and U.S.-Korea alliance relationship also provide a broader reassurance vis-à-vis China.

#### Deterrence failure causes nuclear war throughout Asia

Davis 9 (Dr. Jacqueline K., Institute for Foreign Policy Analysis, et al., “Updating U.S. Deterrence Concepts and Operational Planning”, February, http://www.ifpa.org/pdf/Updating\_US\_Deterrence\_Concepts.pdf)

Moreover, as suggested above, as more nations seek or attain nuclear status, we may very well be entering an era in which nuclear “non-use” is ending. This means that the risk of deterrence failures is growing, and with it questions about the ability of the United States to control the escalation chain in a crisis situation. During the Cold War, escalation dominance was presumed to lie with the United States, or at least that it could be managed in the U.S.-Soviet context because the stakes of escalation were such that both states were putatively deterred from nuclear weapons use (against the other). Today, however, the same may not be true with respect to North Korea and Iran, let alone in the context of a Taiwan contingency, or with respect to India and Pakistan in a crisis over Kashmir. Deterrence failures in the regional context may result from an accident, a deliberate calculation, or the intervention of a third party (e.g., Israel or Taiwan) in a crisis con­tingency. However, regardless of their origins, the consequences might very well be an escalatory exchange that ultimately draws the United States into a regional nuclear conflict.

#### Deterrence stops prolif

Kyl and Perle 9 (Jon, Senator (R – AZ), and Richard, fellow at the American Enterprise Institute and former assistant secretary of defense in the Reagan administration, “Our Decaying Nuclear Deterrent,” Wall Street Journal, 6-30, http://online.wsj.com/article/SB124623202363966157.html)

There are some who believe that failing to invest adequately in our nuclear deterrent will move us closer to a nuclear free world. In fact, blocking crucial modernization means unilateral disarmament by unilateral obsolescence. This unilateral disarmament will only encourage nuclear proliferation, since our allies will see the danger and our adversaries the opportunity. By neglecting -- and in some cases even opposing -- essential modernization programs, arms-control proponents are actually undermining the prospect for further reductions of the U.S. nuclear arsenal. As our nuclear weapons stockpile ages and concern about its reliability increases, we will have to compensate by retaining more nuclear weapons than would otherwise be the case. This reality will necessarily influence future arms-control negotiations, beginning with the upcoming Strategic Arms Reduction Treaty follow-on. For these negotiations, the Russians are insisting on a false linkage between nuclear weapons and missile defenses. They are demanding that we abandon defenses against North Korean or Iranian missiles as a condition for mutual reductions in American and Russian strategic forces. As the president cuts the budget for missile defense and cedes ground to the Russians on our planned defense sites in Poland and the Czech Republic, we may end up abandoning a needed defense of the U.S. and our European allies from the looming Iranian threat. There is a fashionable notion that if only we and the Russians reduced our nuclear forces, other nations would reduce their existing arsenals or abandon plans to acquire nuclear weapons altogether. This idea, an article of faith of the "soft power" approach to halting nuclear proliferation, assumes that the nuclear ambitions of Kim Jong Il or Mahmoud Ahmadinejad would be curtailed or abandoned in response to reductions in the American and Russian deterrent forces -- or that India, Pakistan or China would respond with reductions of their own. This is dangerous, wishful thinking. If we were to approach zero nuclear weapons today, others would almost certainly try even harder to catapult to superpower status by acquiring a bomb or two. A robust American nuclear force is an essential discouragement to nuclear proliferators; a weak or uncertain force just the opposite. George Shultz, William Perry, Henry Kissinger and Sam Nunn have, on this page, endorsed the distant goal -- about which we remain skeptical -- of a nuclear-free world. But none of them argues for getting there by neglecting our present nuclear deterrent. The Perry-Schlesinger Commission has provided a path for protecting that deterrent. Congress and the president should follow it, without delay.

### Link – NFU – 2NC

#### No First Use kills deterrence – first strike is key to deter aggressive action like chemical and biological weapons use – that’s Chilcoat – it’s also perceived as a lack of commitment – that kills deterrence –

Joseph 4 (Robert, Director – Center for Counterproliferation Research, senior scholar at the National Institute for Public Policy, professor – Missouri State University, and formerly Special Envoy for Nuclear Nonproliferation, “Deterrence and Defense in a Nuclear, Biological, and Chemical Environment,” September, http://www.ndu.edu/centercounter/Det&deftextf.pdf)

At a minimum, for deterrence to succeed, the United States must have—and be perceived as having—the capability and will to retaliate against an enemy by holding at risk assets of value that can be attacked and destroyed if the enemy undertakes the action that was to be deterred. Given the importance of creating and maintaining coalitions in regional conflicts, the U.S. deterrent posture must also be credible to prospective partners. To be credible, the U.S. deterrent posture requires the demonstration of consistency of purpose and resolve over the long term. The U.S. reputation for resolve is affected by U.S. actions over time and across the spectrum of security policy.

#### Deterrence prevents miscalc

Millen 5 (Raymond, Lieutenant and Director of European Security Studies at the Strategic Studies Institute, “Welcome Iran and North Korea to the Nuclear Club: You're Targeted,” June, http://www.strategicstudiesinstitute.army.mil/pubs/display.cfm?PubID=678)

As scholars and practitioners long have affirmed, the essence of nuclear deterrence is the certitude that an attack with nuclear weapons will result in a retaliatory strike of assured destruction. The idea is to make the consequences so severe that the nuclear option is never contemplated. U.S. nuclear credibility rests on both the capability and the national will to retaliate with nuclear weapons. The U.S. administration will underscore the nation’s resolve by declaring a commitment of automatic nuclear retaliation against Iran or North Korea if they attack the United States, its allies, or signatories of the Non-proliferation Treaty (NPT) with nuclear weapons. The paradox of nuclear deterrence is that the more credible the threat to retaliate, the less likely the threat will be tested. Conversely, any initiative that lowers the credibility of nuclear retaliation (e.g. ballistic missile defense, retaliation with precision guided conventional munitions, or inclusion of chemical and biological weapons in this category for retaliation) increases the likelihood that nuclear weapons will be used. In short, if Iran or North Korea perceives the U.S. threat to retaliate with nuclear weapons is not credible, the greater the likelihood they will misjudge during a crisis.

#### Deterrence stops conflict escalation

Spulak 97 (Robert G., Senior Analyst at Strategic Studies Center at Sandia National Laboratories, “The Case in Favor of US Nuclear Weapons,” Parameters, Spring, p. 106, http://carlisle-www.army.mil/usawc/Parameters/97spring/spulak.htm)

Even those who emphasize other aspects of the historical superpower standoff must include nuclear deterrence high on the list of factors. Nuclear deterrence does not ensure peace, but, short of nuclear war, places a limit on the level of violence. In fact, among great powers the nuclear era has been a most peaceful time. Nuclear weapons appear to have ended the terrible era of ever-more-devastating total war and substituted a relatively less-destructive era of limited war. It was largely the United States' nuclear deterrent that prevented the Soviet Union from realizing the expansionist ambitions it proclaimed to be its obligation as the vanguard of world communism.

### U – Deterrence Now – 2NC

#### US nuclear deterrent posture is strong now – newest ev

Krepon 9/16 (Michael – co-founder of the Stimson Center. His areas of expertise are space security and nuclear arms control and proliferation, with a regional specialization in South Asia, “Space and nuclear deterrence”, 2013, http://www.thespacereview.com/article/2367/1)

The United States maintains a great many nuclear weapons and diverse means for their delivery to deter a similarly armed and similarly vulnerable adversary. This force posture was sized in comparison with the Soviet Union during the Cold War and subsequently to the Russian Federation. Force sizing to deter the Kremlin appears sufficient for all lesser cases, including the objective of dissuading the People’s Republic of China from seeking to compete with the United States in this realm. US nuclear forces continue to be maintained in a high state of readiness—albeit not as high as during the Cold War—to deter surprise attack and to provide the National Command Authority with prompt and varied options in the event of a breakdown in nuclear deterrence.

#### Nuclear deterrence high – Hagel makes it a priority

Walton 13 (Don, “Hagel says nuclear deterrent will remain strong “, 6/20, http://journalstar.com/news/state-and-regional/federal-politics/hagel-says-nuclear-deterrent-will-remain-strong/article\_738a0747-3de0-51f7-a33e-c43c87752675.html)

Secretary of Defense Chuck Hagel on Thursday assured military personnel at Offutt Air Force Base that nuclear deterrence is "an absolute in America's defense posture." Hagel said the U.S. Strategic Command, headquartered at Offutt south of Omaha, will remain at the center of that responsibility. The defense secretary addressed troops stationed at Offutt a day after President Barack Obama unveiled a proposal for additional U.S.-Russian nuclear arms reductions during a speech in Berlin. Hagel received a briefing from Gen. Robert Kehler, commander of StratCom, and his team before the outdoor meeting with Offutt personnel. "StratCom remains a foundational piece of our national security," Hagel told them in remarks televised live by the Pentagon. A day earlier, Hagel told an audience at the University of Nebraska at Omaha that Obama's arms reduction proposal followed a two-year review of the size and mission of America's nuclear forces with Kehler "heavily involved" in the process. "A safe, secure and effective nuclear deterrent remains essential to our national security," Hagel said, "and we will maintain that capability."

## CP

### 2NC China Miscalc

#### 1AC Kulacki says that mutual disrespect between both sides is the problem.

Kulacki 2011 Chickens Talking With Ducks: The U.S.-Chinese Nuclear Dialogue Gregory Kulacki is a senior analyst and the China project manager in the Global Security Program at the Union of Concerned Scientists (UCS). Since joining the UCS in 2002, he has focused on promoting and conducting dialogue between Chinese and U.S. experts on nuclear arms control and space security. Gregory Kulacki 2011 <http://www.armscontrol.org/act/2011_10/U.S._Chinese_Nuclear_Dialogue>

The U.S. response to this impasse is to search for a different set of Chinese interlocutors. U.S. security analysts and military planners scour Chinese military literature to look for kindred Chinese authors who view China’s commitment to a no-first-use policy as they do. Some U.S. analysts believe they located strong candidates in authors from the Second Artillery, the branch of the Chinese military that operates China’s land-based nuclear missile forces.[4] Obama administration officials responsible for the U.S.-Chinese nuclear dialogue are pressing to talk directly with the leadership of the Second Artillery in the belief that they will speak with a different and more authoritative voice than the officials sent previously by the Chinese government.[5] However, the most authoritative Second Artillery source on China’s nuclear operations cited in U.S. publications—a classified textbook used to train China’s nuclear missile forces[6]—suggests U.S. analysts and administration officials are mistaken. The Second Artillery, like its civilian counterparts at the negotiating table, carries out its respective responsibilities under the assumption that China will continue for the foreseeable future to operate a small nuclear arsenal that is kept off alert and is to be launched only in retaliation after a nuclear attack. Contrary to the speculation of some U.S. analysts, there is no discernible departure from China’s declared nuclear policy in the classified operational procedures of the Second Artillery. U.S. participants in the bilateral dialogue on nuclear weapons should accept that China’s nuclear weapons policy is fundamentally different from that of the United States and that the Chinese policy deserves U.S. attention and respect, despite understandable U.S. doubts about its viability. If the U.S. side would stop trying to choose whom China sends to the table, Chinese participants in the bilateral dialogue may come to see that U.S. doubts about Chinese nuclear weapons policy reflect legitimate differences in beliefs about what is necessary to prevent a nuclear war. Genuine mutual respect, which seems to be in short supply on both sides of the table, could break the impasse.

#### The CP solves that because it builds confidence between both nations – communication is key.

#### 1AC Colby evidence

“Maintaining stability in U.S.-China nuclear relations will be critical to the interests of the United States and those of its allies”

#### 1AC Chase evidence

“This dialogue will need to be expanded to address “cross-domain deterrence” challenges associated with the linkages between nuclear, space, cyber, and conventional military capabilitie”

### Add-On

#### Indo-Pak relations are on the rise and both sides recognize conflict is unfavorable

The Frontier Post 11/18/12 [“Shahbaz says Indo-Pak relations improving,” an English-language newspaper based in Peshawar, Khyber Pakhtunkhwa in Pakistan. <http://www.thefrontierpost.com/article/192587/>]

LAHORE: Punjab Chief Minister, Muhammad Shahbaz Sharif has said that ties between Pakistan and India are improving and both the countries can accelerate the process of development in the region by establishing peace. He said wars gave nothing and now the peace is only option. He said that both the countries will have to march forward by taking concrete steps for eliminating poverty, unemployment and starvation and bring a positive change in the region's situation by promoting economic and cultural relations. He stressed the need of solving Kashmir, Siachin, water and other issues through meaningful dialogue. He said that due to the recent visits of Deputy Chief Minister of Indian Punjab and Chief Minister of Bihar will help promote trade, cultural and economic relations between Pakistan and India. Shahbaz Sharif said that a joint business council has been constituted between Pakistani and Indian Punjab due to which economic relations between both the provinces will increase considerably.

## China

### 2NC China NFU

#### 1AC Colby evidence says it is stable now anyway

Colby & Denmark 2013, March Elbridge A. Colby, cochair, is a principal analyst and division lead for global strategic affairs at the Center for Naval Analyses (CNA), Previously, he served as policy adviser to the secretary of defense’s representative for the new Strategic Arms Reduction Treaty, as an expert adviser to the Congressional Strategic Posture Commission, as a staff member on the President’s Commission on the Intelligence Capabilities of the U.S. Regarding WMD, and in a number of other government positions. Abraham M. Denmark, cochair, is vice president for political and security affairs at the National Bureau of Asian Research (NBR) and is an Asia-Pacific security adviser at the Center for Naval Analyses. “Nuclear Weapons and US China Relations a way forward” A report of the poni working group on u.s.- china nuclear dynamics CSIS – online

The Working Group judges that the nuclear dynamics between the United States and China are relatively stable at this time, primarily because both sides have or will soon have a nuclear deterrent of the size and scope they determine they need, and China appears committed to a relatively restrained posture oriented around a “lean and effective” nuclear force and its no-first-use policy.

### 2NC China War

#### Economic ties lead to MAD with China.

Shor 12 (Francis, Professor of History – Wayne State, “Declining US Hegemony and Rising Chinese Power: A Formula for Conflict?”, Perspectives on Global Development and Technology, 11(1), pp. 157-167)

While the United States no longer dominates the global economy as it did during the first two decades after WWII, it still is the leading economic power in the world. However, over the last few decades China, with all its internal contradictions, has made enormous leaps until it now occupies the number two spot. In fact, the IMF recently projected that the Chinese economy would become the world's largest in 2016. In manufacturing China has displaced the US in so many areas, including becoming the number one producer of steel and exporter of four-fifths of all of the textile products in the world and two-thirds of the world's copy machines, DVD players, and microwaves ovens. Yet, a significant portion of this manufacturing is still owned by foreign companies, including U.S. firms like General Motors. [5] On the other hand, China is also the largest holder of U.S. foreign reserves, e.g. treasury bonds. This may be one of the reasons mitigating full-blown conflict with the U.S. now, since China has such a large stake in the U.S. economy, both as a holder of bonds and as the leading exporter of goods to the U.S. Nonetheless, "the U.S. has blocked several large scale Chinese investments and buyouts of oil companies, technology firms, and other enterprises." [6] In effect, there are still clear nation-centric responses to China's rising economic power, especially as an expression of the U.S. governing elite's ideological commitment to national security.

# 1NR

## CP

#### Only the CP solves – the President will refuse the plan’s limitation

Prakash 8 (Saikrishna – Herzog Research Professor of Law, University of San Diego School of Law, “The Executive's Duty To Disregard Unconstitutional Laws”, 2008, Georgetown Law Journal, 96 Geo. L.J. 1613, lexis)

Perhaps most ominously, Presidents might decline to abide by statutes that are meant to constrain presidential authority. Citing a duty to disregard unconstitutional statutes, a President might elude all manner of constraints that Congress imposed upon presidential power. n28 Indeed, such complaints have been made against President George W. Bush. n29 When Congress has tried to tie his hands, the President has declared an unwillingness to abide by such statutory limitations on the grounds that they are unconstitutional.

#### The CP’s the best middle ground---it refuses to tie the hands of future presidents while adopting the substance of NFU---the consequences of nuclear war mean declaratory NFU would only be overridden in catastrophic circumstances

Boese 6 – Wade Boese, Research Director of the Arms Control Association, March 25, 2006, “Preventing Nuclear Disaster,” online: http://www.armscontrol.org/print/128

Nuclear weapons possessors should be pushed to adopt no-first-use policies. At this time, China and India are the only two states that have renounced the first use of their nuclear arms.

In the absence of ending its nuclear deployments, the 26-member NATO alliance also should forswear the first use of their nuclear weapons. In its 1999 Strategic Concept, NATO declared that the possible use of nuclear weapons is "extremely remote." But even this is an overstatement given today's political and geo-strategic realities. Moscow's overwhelming superiority in conventional forces that gave rise to NATO's nuclear policy disappeared long ago and so should NATO's readiness to introduce or employ nuclear weapons in a conflict. Universal adoption of a no-first-use option should particularly appeal to the United States, which possesses the world's most advanced and powerful conventional military. Nuclear weapons are the ultimate equalizer so it is hard to imagine a situation in which the United States would open the door to the only weapon that would moot U.S. conventional superiority. For this reason, as well as others, there really is not much affinity among the uniformed U.S. military for nuclear weapons. U.S. political leaders also find it difficult to fathom scenarios in which nuclear weapons might be used first, particularly preemptively. Ambassador Linton Brooks, who heads the Department of Energy's National Nuclear Security Administration stated November 8, 2005, "While nobody will tie the hands of a president, I can't conceive of circumstances where nuclear pre-emption makes sense…The decision to use nuclear weapons is so apocalyptic that I can't imagine that any president would ever make it lightly." Although Brooks noted that the president's hands should not be tied, they should also not be tethered to nuclear weapons. The president would be liberated, not limited, by removing an option that carries such profound and immeasurable consequences. This holds true for other world leaders as well. As long as nuclear weapons exist, their role should be confined to deterring a nuclear-weapons attack by another state. Anything more is unjustified. As former Secretary of Defense Robert McNamara wrote last year in Foreign Policy, "I would characterize current U.S. nuclear weapons policy as immoral, illegal, militarily unnecessary, and dreadfully dangerous."

#### The plan is action policy and the CP is declaratory policy. Under declaratory NFU, it’s possible the U.S. could use nuclear weapons first

Tertrais 9 – Bruno Tertrais, Senior Research Fellow at the Paris-based Foundation for Strategic Research and Contributing Editor to Survival, October-November 2009, “The Trouble with No First Use,” Survival, Vol. 51, No. 5, p. 26-27

The nuance is important. Declaratory policies (what states claim they would do) and action policies (what states actually plan to do) may not always be identical. However, planning for first use would be legally forbidden if a US president declared a no-first-use policy. 2 Again, vocabulary matters. Preemptive use (in case of incontrovertible evidence of an imminent nuclear attack) would be an act of self defence. Preventive use (a bolt-outof- the-blue nuclear strike) would be a different matter legally, strategically and politically. To the best of my knowledge, no Western country has included it in its nuclear doctrine; contrary to what sources quoted by Sagan claim, there is no evidence that the 2001 Nuclear Posture Review included this option.

Rowland 84 (Robert C., Debate Coach – Baylor University, “Topic Selection in Debate”, American Forensics in Perspective, Ed. Parson, p. 53-54)

The first major problem identified by the work group as relating to topic selection is the decline in participation in the National Debate Tournament (NDT) policy debate. As Boman notes: There is a growing dissatisfaction with academic debate that utilizes a policy proposition. Programs which are oriented toward debating the national policy debate proposition, so-called “NDT” programs, are diminishing in scope and size.4 This decline in policy debate is tied, many in the work group believe, to excessively broad topics. The most obvious characteristic of some recent policy debate topics is extreme breath. A resolution calling for regulation of land use literally and figuratively covers a lot of ground. Naitonal debate topics have not always been so broad. Before the late 1960s the topic often specified a particular policy change.5 The move from narrow to broad topics has had, according to some, the effect of limiting the number of students who participate in policy debate. First, the breadth of the topics has all but destroyed novice debate. Paul Gaske argues that because the stock issues of policy debate are clearly defined, it is superior to value debate as a means of introducing students to the debate process.6 Despite this advantage of policy debate, Gaske belives that NDT debate is not the best vehicle for teaching beginners. The problem is that broad policy topics terrify novice debaters, especially those who lack high school debate experience. They are unable to cope with the breadth of the topic and experience “negophobia,”7 the fear of debating negative. As a consequence, the educational advantages associated with teaching novices through policy debate are lost: “Yet all of these benefits fly out the window as rookies in their formative stage quickly experience humiliation at being caugh without evidence or substantive awareness of the issues that confront them at a tournament.”8 The ultimate result is that fewer novices participate in NDT, thus lessening the educational value of the activity and limiting the number of debaters or eventually participate in more advanced divisions of policy debate. In addition to noting the effect on novices, participants argued that broad topics also discourage experienced debaters from continued participation in policy debate. Here, the claim is that it takes so much times and effort to be competitive on a broad topic that students who are concerned with doing more than just debate are forced out of the activity.9 Gaske notes, that “broad topics discourage participation because of insufficient time to do requisite research.”10 The final effect may be that entire programs either cease functioning or shift to value debate as a way to avoid unreasonable research burdens. Boman supports this point: “It is this expanding necessity of evidence, and thereby research, which has created a competitive imbalance between institutions that participate in academic debate.”11 In this view, it is the competitive imbalance resulting from the use of broad topics that has led some small schools to cancel their programs.

## T

#### US Armed Forces means active duty military personnel – prefer it – congressional definition

US Congress 80 ("U.S. Policy in the Far East," US Congress - House Committee on Foreign Affairs, p. 98)

(a) "United States armed forces" means the personnel on active duty belonging to the land, sea or air armed services of the United States of America when in the territory of Japan.

#### Uniformed services means people – this is true in times of war

USERRA 94 ("Uniformed Services Employment and Reemployment Rights Act," http://www.justice.gov/crt/military/statute.htm)

(16) The term 'uniformed services' means the Armed Forces, the Army National Guard and the Air National Guard when engaged in active duty for training, inactive duty training, or full-time National Guard duty, the commissioned corps of the Public Health Service, and any other category of persons designated by the President in time of war or national emergency.

#### United States Armed Forces means uniformed military personnel

Internal Revenue Service 5 ("Part 7. Rulings and Agreements - Chapter 25. Exempt Organizations Determinations Manual - Section 19. Veterans' Organizations," http://www.irs.gov/irm/part7/irm\_07-025-019.html)

Veterans are defined as present or former members of the United States Armed Forces. IRC 7701(a)(15) defines the "military or naval forces of the United States" and the term "Armed Forces of the United States" as including all regular and reserve components of the uniformed services which are subject to the jurisdiction of the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force. Each term also includes the Coast Guard and the National Guard.

\*IRC = Internal Revenue Code

#### Uniformed services means people

Wikipedia 10 ("uniformed services," http://en.academic.ru/dic.nsf/enwiki/729988)

Uniformed services are bodies of people in the employ of a state that are not employed on standard terms of contract, but have some element of additional discipline, and wear a uniform.\

#### United States Armed Forces means active duty

Astorino 12 (Robert P., Westchester County Executive, 11/5, "Veterans," http://humanresources.westchestergov.com/veterans)

In accordance with New York State Law, veterans of the armed forces, as defined by New York State, are entitled to additional points to be added to a passing score. Veterans derive their rights from various federal and New York State mandates, including municipal civil service rules. A veteran may be a current or former employee, a candidate, a potential candidate or any combination of the above. Consequently, not all "veterans" are entitled to the same rights or benefits.¶ The term "veteran," as defined by the New York State Civil Service Commission, is a United States citizen or an alien lawfully admitted for permanent residence who served in the armed forces of the United States during a designated time of war, and was honorably discharged or released under honorable circumstances. Also, for examination credit, a candidate must be a New York State resident at time of application. (See "Requirements for Special Rights for Veterans" chart below). "Armed forces," as used in this section, is defined as the army, navy, marine corps, air force, coast guard and the National Guard, when in service for the United States on a full-time active duty basis, other than active duty for training purposes.

#### That only means personnel

Biscoe 13 (Mike, Contributor @ eHow, "What Does Active Duty Mean in the Army?" http://www.ehow.com/about\_5047227\_active-duty-mean-army.html)

In the United States, active duty refers to all personnel serving in a full-time capacity in the U.S. Army. In other words, the army is their full-time job. This refers to both officers and enlisted personnel. The same is true of other branches of the military---the U.S. Navy, Marine Corps and the Air Force. Outside the United States, the definition of active duty is not always the same.

#### It’s arbitrary and undermines research

Resnick 1 Evan- assistant professor of political science – Yeshiva University, “Defining Engagement,” Journal of International Affairs, Vol. 54, Iss. 2

In matters of national security, establishing a clear definition of terms is a precondition for effective policymaking. Decisionmakers who invoke critical terms in an erratic, ad hoc fashion risk alienating their constituencies. They also risk exacerbating misperceptions and hostility among those the policies target. Scholars who commit the same error undercut their ability to conduct valuable empirical research. Hence, if scholars and policymakers fail rigorously to define "engagement," they undermine the ability to build an effective foreign policy.