## Offcase

### T – Must Be Prohibit – 1NC

#### A. Interpretation – Statutory restrictions must directly prohibit activities currently under the president’s war powers authority – this excludes regulation or oversight

#### Statutory restrictions prohibit actions

Lamont 5 (Michael, Legal Analyst @ Occupational health, "Legal: Staying on the right side of the law," http://www.personneltoday.com/articles/01/04/2005/29005/legal-staying-on-the-right-side-of-the-law.htm#.UgFe\_o3qnoI)

It will be obvious what 'conduct' and 'redundancy' dismissals are. A statutory restriction means that the employee is prevented by law from doing the job - for example, a driver who loses his driving licence. 'Some other substantial reason' means "Parliament can't be expected to think of everything".

#### B. Vote Neg –

#### 1. Limits – Regulation and oversight of authority allows a litany of new affs in each area – justifies indirect effects of statutory policies and affs that don’t alter presidential authority – undermines prep and clash

#### 2. Ground – Restriction ground is the locus of neg prep – their interpretation jacks all core disads – politics, presidential powers, and any area based disad because an aff doesn’t have to prevent the president from doing anything

### 1nc

#### The United States Congress should convene public, fact-finding hearings regarding executive branch targeted killing practices and policies.

#### CP competes – doesn’t increase statutory restrictions

#### Congressional fact-finding hearings solve targeted killing oversight best and results in effective regulation – empirically proven by Church Commission findings and subsequent regulation of assassinations

Rosen 13 (Jeffrey, legal affairs director @ New Republic, "Courting Disaster - A new idea to limit drone strikes could actually legitimize them," http://www.newrepublic.com/article/112392/drone-courts-congress-should-exercise-oversight-instead)

Rather than rushing to endorse a program surrounded by serious moral, constitutional, and practical doubts, Congress would do better to exercise its oversight function in the traditional way: with fact-finding hearings. In the wake of concern about targeted assassinations abroad and domestic surveillance at home, the Church Commission in the 1970s launched an extensive investigation of the government’s secret intelligence activities. After investigating CIA plots to kill foreign leaders, including Patrice Lumumba of the Congo, Fidel Castro of Cuba, Rafael Trujillo of the Dominican Republican, Ngo Dinh Diem of Vietnam and Rene Schneider of Chile, the Church Commission offered moral and practical reasons for its conclusion that “the United States should not engage in assassination,” including the fact that “the assassination plots were not necessitated by imminent danger to the United States,” despite the government’s claims to the contrary.¶ The Church commission also concluded that targeted assassinations were counterproductive because “the damage to American foreign policy, to the good name and reputation of the United States abroad, to the American people’s faith and support of our government and its foreign policy is incalculable.” The Church Commission report led to the passage of the federal law prohibiting targeted assassinations, which Obama administration lawyers now claim doesn’t apply to drone strikes. The Church Commission was a high water mark for principled oversight of executive overreaching. Congress needs to begin a similarly exhaustive investigation today into whether targeted drone killings should be permanently banned rather than permanently enshrined into law.

### Disad

#### Congress likely to pass a CR and avoid shutdown now - Boehner's tactics are merely to placate conservatives down the road

Yglesias 9/18/13 (Matthew, business/economics correspondent @ Slate, "The Odds of a Government Shutdown Are Falling, Not Rising," http://www.slate.com/blogs/moneybox/2013/09/18/government\_shutdown\_odds\_falling\_not\_rising.html)

But read on to the second graf of the piece and you'll see that the odds are not rising at all. What's happening is that John Boehner is preparing to pass an appropriations bill that also defunds Obamacare that he knows perfectly well stands no chance of passing, and he's hoping that doing this will placate the right wing of the his caucus for when he surrenders.¶ Here they explain:¶ House leaders are hoping the vote on the defunding measure will placate conservatives once the Democratically controlled Senate rejects it. The House, they are betting, would then pass a stopgap spending measure unencumbered by such policy baggage and shift the argument to the debt ceiling, which must be raised by mid-October if the government is to avoid an economically debilitating default.¶ The key thing to remember here is that the House, as a discretionary decision, operates by the "Hastert Rule" in which only bills that are supported by a majority of GOP members can be brought to the floor for a vote. There is no Hastert-compliant appropriations bill that can pass the Senate. But there very likely is majority support in the House for the kind of "clean" funding bill that can also pass the Senate. All that has to happen is for John Boehner to violate the Hastert Rule. And the Hastert Rule isn't actually a rule, it's something Boehner has put aside many times. But it's also a rule he can't flagrantly ignore, lest his caucus get too grumpy and depose him. The operating theory here is that if Boehner has the whole House GOP indulge the maximalist faction by all passing a defunding bill, that creates enough room to move to later violate the Hastert Rule and pass a continuing resolution.¶ If anything is happening to the odds of a shutdown, in other words, they're falling, not rising.

#### Obama fights the plan and saps his political capital – controversy and policy trade-offs

Holman 13 (Kwame, “ACLU, Congress Await Obama's Next Action on Overseas Drone Strikes”, 3/29, http://www.pbs.org/newshour/rundown/2013/03/aclu-others-await-presidents-next-action-on-overseas-drone-strikes.html)

As the American Civil Liberties Union's chief Washington lobbyist, Chris Anders spends a lot of time with members of Congress and their staffs. But he says no one seems to know when President Barack Obama will fulfill his promise to engage Congress and the public on the controversial use of U.S. drone attacks to kill terror suspects. "I was just in a meeting yesterday with a couple of key congressional staff who've asked the White House if they have a proposal, if they have anything they want to engage on and they got nothing back in response," Anders said by phone Thursday as he rode in a taxi to a Capitol Hill meeting. "The administration has not given Congress any guidance on what [it's] looking for other than a promise that the president would be providing a longer explanation of the targeted killing program and explaining it to the country," said Anders. In October 2012 on The Daily Show, Mr. Obama said of the U.S. drone strike program, "we've got to ... put a legal architecture in place, and we need Congressional help in order to do that, to make sure that not only am I reined in but any president's reined in, in terms of some of the decisions that we're making." The highly secret drone program dates to the George W. Bush administration, but the vast majority of away-from-the-battlefield strikes -- largely in Pakistan and Yemen -- have occurred under Mr. Obama. The strikes have generated anti-American sentiment in both those countries. The New America Foundation counts more than 420 targeted strikes in the last eight years which killed between 2,426 and 3,969 people, overwhelmingly militants, as well as up to 368 civilians. A year ago, after an American-born suspected terrorist, Anwar al-Awlaki, was killed by a U.S. drone in Yemen, Attorney General Eric Holder endorsed the strikes as legally permissible. "The use of force in foreign territory would be consistent with ... international legal principles if conducted, for example, with the consent of the nation involved -- or after a determination that the nation is unable or unwilling to deal effectively with a threat to the United States," Holder said in a speech at the Northwestern University School of Law. "The U.S. government's use of lethal force in self-defense against a leader of al Qaida or an associated force who presents an imminent threat of violent attack would not be unlawful -- and therefore would not violate the Executive Order banning assassination," Holder said. The ACLU's Anders calls that an "elastic" interpretation of self-defense. And the administration has been reluctant to share the specific legal memoranda that certify their assertions. During the confirmation process for new CIA director John Brennan, documents certifying the legality of strikes on Americans on foreign soil were shown to members of the House and Senate Intelligence committees. But Anders says there are six more legal memos that claim perhaps even broader authority to attack non-Americans outside the U.S. that the administration has not shared. The ACLU has sued the government to get them. "What Congress needs to see are the other six legal opinions because if they saw [them] they would have a much better idea of the breadth of the legal authority the president is claiming to use drones and other lethal force away from the battlefield," Anders said. "It's telling that there isn't a single country in the entire world that agrees with the U.S's claims of authority to use lethal force away from the battlefield. So the U.S. is on its own. My guess is if the rest of the legal opinions dealing with non-citizens were publicly disclosed we would find that they're even farther afield from where the law is and ... that is why they haven't been disclosed." In recent weeks, supporters of President Obama, including Senate Majority Whip Dick Durbin, D-Ill., and former Clinton administration official John Podesta, have urged the president to involve Congress and open up about the drone program and its justifications. Meanwhile, fresh polls show the drone strikes are increasingly unpopular with the public, potentially cutting into Mr. Obama's political strength in coming policy battles with Congress.

#### 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.

## Case

### terror

#### Direct counter-terror through drone strikes key to long term strategy – empirics prove

**Cilluffo & Watts 2011 [**Frank, previously served as Special Assistant to the President for Homeland Security and is currently Associate Vice President at The George Washington University and Director of the GW Homeland Security Policy Institute; Senior Fellow at the Homeland Security Policy Institute; “COUNTERING THE THREAT POSED BY AQAP: EMBRACE, DON’T CHASE YEMEN’S CHAOS,” Adfero Group – George Washington University Homeland Security Institute, July 14th, 2011, <http://securitydebrief.com/2011/07/14/countering-the-threat-posed-by-aqap-embrace-don%E2%80%99t-chase-yemen%E2%80%99s-chaos/>]

Johnsen: “I think this is what happens when smart people tackle a complex problem in an environment they don’t know particularly well.”¶ While we respect Johnsen’s knowledge of Yemen, we likewise believe his criticisms reflect what happens when smart regional experts encounter a complex enemy they don’t know particularly well.¶ Ten years of American counterterrorism efforts demonstrate that the best way to defeat al Qaeda is to go directly after al Qaeda. Bin Laden’s personal notes articulate that building schools in Afghanistan didn’t slow down al Qaeda but drone strikes halted many of their operations. Johnsen’s title “The Allure of Simple Solutions” suggests the only way to deter AQAP in the near term is via a complex solution instituted through a failed Saleh regime or its successor. Pursuing such a solution will fail to stop AQAP’s immediate threat to the United States and is not feasible in light of the current situation in Yemen.¶ As we noted in our original article, we believe our recommendation is neither comprehensive nor simple, but instead the best option for achieving immediate U.S. national security interests with regards to AQAP. If we’ve learned anything from the past ten years, it is ‘yes’ sometimes simple (as distinguished from simplistic) strategies with clear goals and objectives work far better in achieving our near term interests than costly, complex strategies spread across convoluted bureaucracies. Increased use of drone and SOF forces, when executed as designed, can help eliminate the immediate threat of AQAP and improve U.S. options for pursuing a long-run Yemen strategy less encumbered by counterterrorism concerns.¶ We respect Johnsen’s opinions and rely on his analysis of Yemen to improve our perspective. However, we have yet to see any other feasible near or long-term U.S. strategy for mitigating the threat of AQAP. We welcome any feasible alternative solution put forth. However, until that time, the U.S. must protect its citizens and interests. The AQAP threat remains acute and inaction is not an option.¶ We thank Gregory Johnsen for his thoughtful analysis and look forward to his policy recommendations with regards to Yemen. We’ll quickly respond to each of his individual points below with short rebuttals.

**Zero risk of terrorism- their impact is alarmism** (No nuclear, chemical, biological wpns)

Mueller ’12 (John, Senior Research Scientist at the Mershon Center for International Security Studies and Adjunct Professor in the Department of Political Science, both at Ohio State University, and Senior Fellow at the Cato Institute. Mark G. Stewart is Australian Research Council Professorial Fellow and Professor and Director at the Centre for Infrastructure Performance and Reliability at the University of Newcastle in Australia, The Terrorism Delusion, International Security, Vol. 37, No. 1, pp. 81–110, Summer 2012)

Over the course of time, such essentially delusionary thinking has been internalized and institutionalized in a great many ways. For example, an extrapolation of delusionary proportions is evident in the common observation that, because terrorists were able, mostly by thuggish means, to crash airplanes into buildings, they might therefore be able to construct a nuclear bomb. In 2005 an FBI report found that, despite years of well-funded sleuthing, the Bureau had yet to uncover a single true al-Qaida sleeper cell in the United States. The report was secret but managed to be leaked. Brian Ross, “Secret FBI Report Questions Al Qaeda Capabilities: No ‘True’ Al Qaeda Sleeper Agents Have Been Found in U.S.,” ABC News, March 9, 2005. Fox News reported that the FBI, however, observed that “just because there’s no concrete evidence of sleeper cells now, doesn’t mean they don’t exist.” “FBI Can’t Find Sleeper Cells,” Fox News, March 10, 2005. Jenkins has run an internet search to discover how often variants of the term “al-Qaida” appeared within ten words of “nuclear.” There were only seven hits in 1999 and eleven in 2000, but the number soared to 1,742 in 2001 and to 2,931 in 2002. 47 By 2008, Defense Secretary Robert Gates was assuring a congressional committee that what keeps every senior government leader awake at night is “the thought of a terrorist ending up with a weapon of mass destruction, especially nuclear.” 48 Few of the sleepless, it seems, found much solace in the fact that an al-Qaida computer seized in Afghanistan in 2001 indicated that the group’s budget for research on weapons of mass destruction (almost all of it focused on primitive chemical weapons work) was $2,000 to $4,000. 49 In the wake of the killing of Osama bin Laden, officials now have many more al-Qaida computers, and nothing in their content appears to suggest that the group had the time or inclination, let alone the money, to set up and staff a uranium-seizing operation, as well as a fancy, super-high-technology facility to fabricate a bomb. This is a process that requires trusting corrupted foreign collaborators and other criminals, obtaining and transporting highly guarded material, setting up a machine shop staffed with top scientists and technicians, and rolling the heavy, cumbersome, and untested finished product into position to be detonated by a skilled crew—all while attracting no attention from outsiders. 50 If the miscreants in the American cases have been unable to create and set off even the simplest conventional bombs, it stands to reason that none of them were very close to creating, or having anything to do with, nuclear weapons—or for that matter biological, radiological, or chemical ones. In fact, with perhaps one exception, none seems to have even dreamed of the prospect; and the exception is José Padilla (case 2), who apparently mused at one point about creating a dirty bomb—a device that would disperse radiation—or even possibly an atomic one. His idea about isotope separation was to put uranium into a pail and then to make himself into a human centrifuge by swinging the pail around in great arcs. Even if a weapon were made abroad and then brought into the United States, its detonation would require individuals in-country with the capacity to receive and handle the complicated weapons and then to set them off. Thus far, the talent pool appears, to put mildly, very thin. There is delusion, as well, in the legal expansion of the concept of “weapons of mass destruction.” The concept had once been taken as a synonym for nuclear weapons or was meant to include nuclear weapons as well as weapons yet to be developed that might have similar destructive capacity. After the Cold War, it was expanded to embrace chemical, biological, and radiological weapons even though those weapons for the most part are incapable of committing destruction that could reasonably be considered “massive,” particularly in comparison with nuclear ones.

**Terrorists strategy has shifted- new attacks will be small scale and local**

**Schofield ’12** (McClatchy Washington Bureau Print This Article Posted on Thu, Apr. 26, 2012 After Osama bin Laden, al Qaida still a many-headed threat By Matthew Schofield | McClatchy Newspapers last updated: April 29, 2012 08:55:55 AM WASHINGTON -- ]

“What we’re facing today is a much, much larger global threat,” said Seth Jones, an expert at the RAND Corp. who’s advised the Pentagon on Afghanistan and Pakistan. “It’s a more dispersed threat. **The threat is decentralizing** to a broad network of groups. Al Qaida inspires, but doesn’t control, and they work with locals.” The meaning of that threat: **Massive attacks such as those on 9/11 are unlikely to be repeated.** But **expect smaller-scale attacks — the “strategy of a thousand cuts,”** it was called in AQAP’s slick online propaganda magazine Inspire. A deadly example came in 2009 with the rampage at Fort Hood, Texas, where Army psychiatrist Maj. Nidal Malik Hasan, allegedly radicalized online by AQAP, is accused of shooting dead 13 soldiers. His trial is scheduled to begin in August. **Experts note that these groups have largely localized agendas.** Generally, they’re looking to impose Islamic Sharia law and, if not overthrow a local government, carve out a space in which to operate in their home country.

#### Drone policy is Yemen is the litmus test for future US counter-terrorism policy – turns case

**Cilluffo & Watts 2011 [**Frank, previously served as Special Assistant to the President for Homeland Security and is currently Associate Vice President at The George Washington University and Director of the GW Homeland Security Policy Institute; Senior Fellow at the Homeland Security Policy Institute; “Yemen & Al Qaeda in the Arabian Peninsula: Exploiting a Window of Counterterrorism Opportunity,” George Washington University Homeland Security Policy Institute, June 24, 2011, <http://www.gwumc.edu/hspi/policy/issuebrief203_yemenAQAP.cfm>]

Increased use of drone and SOF strike missions is not without risks – yet the ratio of possible risks to potential benefits is far better than any other viable option. Leaning forward and seizing this window of opportunity with such a policy will provide the U.S. time to develop a strong, long-term relationship with Yemen’s successor government that addresses the persistent threat of AQAP and jihadi radicalization in the country. Pursuing this approach will also provide the U.S. an additional litmus test for creating a new long-run counterterrorism strategy in a post-bin Laden world. However, the present window of opportunity will close quickly – the U.S. must act now to prevent an inevitable attack from AQAP.

**No terrorism- groups are too weak and attack strategy has shifted to local focus**

**Sofer ’11** (The Evolution of Terrorism Since 9/11 From Hierarchical Organizations to Small Groups and Individuals SOURCE: AP/TV2 Norway By Ken Sofer | September 9, 2011 Ken Sofer is the Special Assistant for National Security at American Progress.

When Osama bin Laden’s body was buried at sea, many observers believed an era in transnational terrorism was buried with him. In truth, the era of transnational terrorism reached its pinnacle in the atrocities of September 11 a full decade ago. **Over the last 10 years, the structure of terrorist groups has evolved**, in part because of American and allied policies, and in part because new technologies have opened up a new model of terrorism. Gone are the days of a centralized, hierarchical international terrorist movement with Al Qaeda clearly in the lead. That system has been replaced by a much more diffuse network of regional terrorist groups and individual actors connected to terrorist leaders only by the Internet. The breakdown of the hierarchical system of terror When bin Laden organized Al Qaeda in the late 1980s, he envisioned the group as an army of the faithful, which he could train and mobilize to fight kuffar, or nonbelievers, throughout Muslim lands. He financed training camps in tribal Pakistan, developed a system of recruitment for would-be suicide bombers, and planned complex operations, which required adherence to a strict chain of command. The attacks on the Twin Towers in New York represented the pinnacle of organized, hierarchical terrorism and would have been impossible to execute without Al Qaeda’s deep pockets and operational expertise. Since that day **the United States has eliminated Al Qaeda’s operational safe haven** in Afghanistan **and decimated its core leadership**. A combination of **raids, police stings, and the** increased use of **drone strikes under** President Barack Obama have **led to the capture or killing of** many of Al Qaeda’s **mid- to senior-level leaders**, most notably bin Laden, and most recently Atuyah Abd al Rahman, a key figure in the organization’s operations. The death of Al Qaeda’s core leadership and its loss of a safe haven in Afghanistan puts the organization close to strategic defeat, according to White House counterterrorism chief John Brennan. While Brennan’s comments on Al Qaeda’s imminent demise are likely overly optimistic, the organization is clearly weaker than it was a decade ago and has become increasingly reliant on a variety of ideologically sympathetic affiliates in Yemen, Algeria, and Iraq who have adopted the Al Qaeda name brand. While these affiliates, most notably the Yemen-based Al Qaeda in the Arabian Peninsula, or AQAP, maintain close ties to bin Laden’s Pakistan-based core and adhere to its central message, these organizations operate independently of Al Qaeda Central and do not generally coordinate with one another. Further, the new leadership of Ayman al Zawahiri, an extremely divisive figure in the jihadist community, likely means Al Qaeda Central will have a more difficult time controlling operatives and affiliates around the world. The increasingly confederate nature of Al Qaeda has broken down the hierarchical system bin Laden built in the late 1970s and 1980s. Lower barriers of access to terrorism Al Qaeda has adapted to the increasing difficulty of maintaining a physical organization in an identifiable safe haven such as Afghanistan by relying on the Internet and public media to spread its ideology and give individuals the tools to become terrorists. Just as Twitter and blogs made everyone a potential journalist, Al Qaeda and its affiliates launched a variety of media outlets and websites with the hope of making everyone a potential terrorist. Publications such as AQAP’s English-language magazine Inspire feature interviews with prominent leaders and how-to articles such as “Make a Bomb in the Kitchen of Your Mom.” Meanwhile, Al Qaeda’s media production house As Sahab produces “documentary-quality films, iPod files and cellphone video” for distribution across terrorist-sympathetic message boards and blogs. The effect of this propaganda boom and the proliferation of easily attainable bomb-making instructions has been a further decentralization of international terrorism. While members of terrorist cells still actively recruit radicals to carry out attacks, such as the failed Times Square bomb plot last year, terrorism has become increasingly reliant on volunteers who are inspired by Al Qaeda’s ideology. One example is Fort Hood shooter Nidal Malik Hasan, who killed 13 people in 2009 and was inspired by AQAP’s Anwar al Awlaki. Hasan regularly emailed Awlaki for spiritual guidance and justification in the lead-up to the attack. To an extent, the increasing decentralization of terrorism represents a loss in Al Qaeda’s operational capabilities. This means that they are less likely to pull off another expensive and complex attack like 9/11. But the decentralization of terrorism also poses a variety of new threats. For one, it makes it significantly harder for the intelligence community to track would-be terrorists and thwart their efforts, which is why the only successful attacks in the United States since 9/11 have been gunmen acting alone inspired by the Al Qaeda ideology. Al Qaeda’s ability to communicate and spread its ideology to a constituency of radicals is likely its most powerful remaining tool since 9/11, and now that a potential terrorist can Google an inspirational sermon and bomb-making instructions instead of needing to fly to a training camp in Kandahar, this tool has become even more potent. The near enemy vs. the far enemy One of the truly unique and dangerous elements of Al Qaeda’s brand of terrorism is its transnational nature. Bin Laden and many of his followers derided the governments of most Muslim-majority nations, in particular Saudi Arabia and Egypt, as apostates. Yet instead of targeting these governments, often referred to as the “near enemy,” Al Qaeda believed that destroying their U.S. and Western allies, the “far enemy,” would more effectively lead to the downfall of apostate Arab regimes. The group’s transnational aims and focus on the United States made it unique among terrorist organizations and brought jihadist terrorism to American soil. **Over the last decade, the United States has demonstrated the enormous costs associated with making it a target.** **When coupled with the death of bin Laden, the most effective advocate for this strategy,** **the near enemy/far enemy balance has shifted decidedly in favor of the near enemy.** Al Qaeda affiliates, with the possible exception of AQAP, seem much more concerned about **attacking domestic targets** **as opposed to spending their resources on a much more difficult attack on the other side of the planet.** Additionally, Al Qaeda’s membership now frequently loses recruits to organizations such as the Afghan Taliban, Hamas, Hezbollah, or Lashkar-e-Taiba who have purely national and not transnational aspirations. These organizations may be similar to Al Qaeda in that they use violence to kill civilians and seek to establish a conservative Islamist caliphate, but their goals only apply to the country they operate in. Of **the 48 groups designated** by the Department of State **as** Foreign **Terrorist** Organizations, Al Qaeda is the only group left with truly global operations and aspirations. The remaining groups, such as the Kurdish PKK, the Colombian FARC, the Sri Lankan Tamil Tigers, and the Japanese Aum Shinrikyo **have a distinctly national** or semiregional **focus**. Many of these groups frequently target American citizens, soldiers, and interests in their countries, but **they** either **do not possess the capabilities or desire to launch an attack on U.S. or European soil.** What do these changes mean for terrorism in America today? Since 9/11 we have braced for the possibility of another catastrophic attack on U.S. soil and pursued policies that have thankfully prevented such an attack from happening again. **But largely because of our success in decapitating and dismantling terrorist networks and organizations, the landscape of terrorism looks very different** than it did 10 years ago. Today we are less likely to face a large, complex attack from an enemy organization abroad such as Al Qaeda. But we remain vulnerable to a smaller, less traceable attack from an individual or small group of individuals here in the United States. Incidents such as the Oklahoma City bombing in 1995, the Fort Hood shooting in 2009, or the Oslo attacks earlier this year are likely to become the dominant strain of terrorism entering the next decade after 9/11. While many would-be terrorists are inspired by the ideology of Al Qaeda and Anwar al Awlaki, as we have seen, lone-wolf terrorists can draw their inspiration from antigovernment or xenophobic ideologies as well.

**No risk of nuclear terror—means and motive**

**Chapman 12** [Stephen, columnist and editorial writer for the Chicago Tribune “The Implausibility of Nuclear Terrorism” May 17 http://reason.com/archives/2012/05/17/the-implausibility-of-nuclear-terrorism]

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

**Won’t use nukes- they are rational**

**Kapur ‘8** [S. Paul, associate professor in the Department of National Security Affairs at the Naval Postgraduate School, The Long Shadow: Nuclear Weapons and Security in 21st Century Asia. pg. 32]

Before a terrorist group can attempt to use nuclear weapons, it must meet two basic requirements. First, the group must decide that it wishes to engage in nuclear terrorism. Analysts and policy makers often assume that terrorist groups necessarily want to do so (Carter 2004; U.S. Government 2002). However, **it is not clear that terrorist organizations would necessarily covet nuclear devices**. Although analysts often characterize terrorism as an irrational activity (Laqeuer 1999: 4-5), **extensive empirical evidence indicates** that **terrorist groups** in fact **behave rationally**, adopting strategies designed **to achieve particular ends** (Crenshaw 1995: 4; Pape 2003: 344). Thus whether terrorists would use nuclear weapons is contingent on whether doing so is likely to further their goals. Under what circumstances could nuclear weapons fail to promote terrorists' goals? **For** certain types of terrorist **objectives, nuclear weapons could be too destructive**. Large-scale **devastation could negatively influence audiences** important to the terrorist groups. Terrorists often rely on populations sympathetic to their cause for political, financial, and military support. The horrific destruction of a nuclear explosion could alienate segments of this audience. People who otherwise would sympathize with the terrorists may conclude that in using a nuclear device terrorists had gone too far and were no longer deserving of support. The catastrophic effects of nuclear weapons could also damage or destroy the very thing that the terrorist group most values. For example, if a terrorist orga- nization were struggling with another group for control of their common home- land, the use of nuclear weapons against the enemy group would devastate the terrorists' own home territory**. Using nuclear weapons would be extremely counter- productive** for the terrorists in this scenario. It is thus not obvious that all terrorist groups would use nuclear weapons. Some groups would probably not. The propensity for nuclear acquisition and use by ter- rorist groups must be assessed on a case-by-case basis.

**Give a Russia war impact zero probability**

**Graham ‘7** (Thomas Graham, senior advisor on Russia in the US National Security Council staff 2002-2007, September 2007, "Russia in Global Affairs” July - September 2007, The Dialectics of Strength and Weakness

An astute historian of Russia, Martin Malia, wrote several years ago that “Russia has at different times been demonized or divinized by Western opinion less because of her real role in Europe than because of the fears and frustrations, or hopes and aspirations, generated within European society by its own domestic problems.” Such is the case today. To be sure, mounting Western concerns about Russia are a consequence of Russian policies that appear to undermine Western interests, but they are also a reflection of declining confidence in our own abilities and the efficacy of our own policies. Ironically, this growing fear and distrust of Russia come at a time when Russia is arguably less threatening to the West, and the United States in particular, than it has been at any time since the end of the Second World War. Russia does not champion a totalitarian ideology intent on our destruction, its military poses no threat to sweep across Europe, its economic growth depends on constructive commercial relations with Europe, and its strategic arsenal – while still capable of annihilating the United States – is under more reliable control than it has been in the past fifteen years and the threat of a strategic strike approaches **zero probability**. Political gridlock in key Western countries, however, precludes the creativity, risk-taking, and subtlety needed to advance our interests on issues over which we are at odds with Russia while laying the basis for more constructive lon-term relations with Russia.

**No accidents or miscalculation**

**Ball 6** (Desmond, Special Professor at the Strategic and Defence Studies Centre at the Australian National University, “The Probabilities of ‘On the Beach,’” May, rspas.anu.edu.au/papers/sdsc/wp/wp\_sdsc\_401.pdf)

The prospects of a nuclear war between the United States and Russia must now be deemed fairly remote. There are now no geostrategic issues that warrant nuclear competition and no inclination in either Washington or Moscow to provoke such issues. US and Russian strategic forces have been taken off day-to-day alert and their ICBMs ‘de-targeted’, greatly reducing the possibilities of war by accident, inadvertence or miscalculation. On the other hand, while the US-Russia strategic competition is in abeyance, there are several aspects of current US nuclear weapons policy which are profoundly disturbing. In December 2001 President George W. Bush officially announced that the United States was withdrawing from the Anti-Ballistic Missile (ABM) Treaty of 1972, one of the mainstays of strategic nuclear arms control during the Cold War, with effect from June 2002, and was proceeding to develop and deploy an extensive range of both theatre missile defence and national missile defence (NMD) systems. The first anti-missile missile in the NMD system, designed initially to defend against limited missile attacks from China and North Korea, was installed at Fort Greely in Alaska in July 2004. The initial system, consisting of sixteen interceptor missiles at Fort Greely and four at Vandenberg Air Force in California, is expected to be operational by the end of 2005. The Bush Administration is also considering withdrawal from the Comprehensive Test Ban Treaty and resuming nuclear testing. (The last US nuclear test was on 23 September 1992). In particular, some key Administration officials believe that testing is necessary to develop a ‘new generation’ of nuclear weapons, including low-yield, ‘bunker-busting’, earth-penetrating weapons specifically designed to destroy very hard and deeply buried targets (such as underground command and control centres and leadership bunkers).

### Norms

#### US-led norms over weapons fail - nukes prove

Fisher 7 (Jason, Judicial Clerk to the Honorable James O. Browning, United States District Court for the District of New Mexico, "Targeted Killing, Norms, and International Law," 45 Colum. J. Transnat'l L. 711, lexis)

n164. Id. That is not to suggest, as realists would, that powerful States may simply impose their norms on others. Thomas, supra note 18, at 8. Prominence is necessary but not sufficient for a norm to succeed and power is an important aspect of norm prominence but it is not solely determinative of it. Florini, supra note 28, at 375. For example, consider the failure of the United States, acting as a norm entrepreneur, to "conventionalize" nuclear weapons and counter the beginnings of the nuclear taboo in the 1950s. Tannenwald, supra note 122, at 7, 23-26.

#### Other countries won’t model US legal standards or oversight

Saunders 13 (Paul J., executive director of the Center for the National Interest and associate publisher of The National Interest, 3/4, “We Won’t Always Drone Alone,” <http://nationalinterest.org/commentary/we-wont-always-drone-alone-8177?page=1>)

That said, the United States has well-established rules for the use of lethal force in war and in law enforcement operations. There are extensive rules governing surveillance, too. From this perspective, drones represent a new way of doing things that the executive branch has done for some time and do not pose a radical challenge to existing policies and procedures—except, perhaps, for strains imposed by the sheer number of strikes. Ultimately, however, America has had the drone debate before in various guises and will eventually find a way forward that satisfies legal and oversight concerns.¶ A broader and deeper challenge is how others—outside the United States—will use drones, whether armed or unarmed, and what lessons they will draw from Washington’s approach. Thus far, the principal lesson may well be that drones can be extremely effective in killing your opponents, wherever they are, without risking your own troops and without sending soldiers or law enforcement personnel across another country’s borders. It seems less likely that others will adopt U.S.-style legal standards and oversight procedures, or that they will always ask other governments before sending drones into their airspace.

#### China and Russia will inevitably use, no global support for norm creation, and Israel means targeted killing will continue

Fisher 7 (Jason, Judicial Clerk to the Honorable James O. Browning, United States District Court for the District of New Mexico, "Targeted Killing, Norms, and International Law," 45 Colum. J. Transnat'l L. 711, lexis)

The above discussion is not meant to suggest that the worldwide spread and acceptance of a targeted killing norm is preordained, rather only that it seems likely, at present, that the norm will achieve greater prominence. That prognosis could change, however, if a powerful State or group of States or collection of committed non-State actors with State support, or some combination thereof, acting as a norm entrepreneur, actively works to thwart the development of a norm permitting targeted killing for counter-terrorism purposes. n179 Several Arab and Middle Eastern States, the European Union, Russia, and others have made statements criticizing targeted killing after high-profile targeted killings have been carried out. n180 Yet none of them, it seems, has yet attempted to assume the position of norm entrepreneur and to engage in a sustained effort to end use of the tactic. Moreover, there is evidence that Russia and China, perhaps revealing their true preferences, have themselves employed targeted killing - Russia in its ongoing conflict with Chechen rebels and China in its hostilities with members of the East Turkistan Islamic Movement in Xinjiang province. n181 Currently, it does not appear that a norm entrepreneur with the status or relevance of the United States or Israel has emerged to challenge the targeted killing norm, something that would seem to be necessary if its present trajectory is to be altered.¶ A norm permitting the use of targeted killing for counter-terrorism purposes may be viewed as having already achieved a certain degree of prominence because of the status and visibility of the two States that are known to have adopted it: the United States and Israel. Furthermore, given the positioning of the United States and [\*742] Israel in the international system and the absence of a significant norm entrepreneur pushing in the opposite direction, it seems likely that, whether by emulation, restrained norm entrepreneurship, or both, a targeted killing norm will achieve even greater prominence.

#### US isn’t key to Russian drone use AND low risk that drones will be used against local separatists

Lewis 11 (Michael, teaches international law and the law of war at Ohio Northern University School of Law, "Unfounded drone fears," http://articles.latimes.com/2011/oct/17/opinion/la-oe--lewis-drones-20111017)

Myth 3: The U.S. use of drones in cases such as the Awlaki killing in Yemen serves to legitimize their use by China or Russia. International law places the same restrictions on the use of drones that it places on any other use of military force. The U.S. used a drone on Yemeni territory to kill Awlaki because it was given permission to do so by the Yemeni government, and because Awlaki was an active member of an Al Qaeda affiliate who had repeatedly been involved in operations designed to kill Americans at home and abroad. With such permission, the U.S. could instead have employed special forces or a conventional airstrike.¶ Numerous commentators have suggested that U.S. drone use legitimizes Russian drone use in Chechnya or Chinese drone use against the Uighurs. If China or Russia were facing genuine threats from Chechen or Uighur separatists, they might be allowed under international law to use drones in neighboring states if those states gave them permission to do so. However, given the fact that Chechen separatists declared an end to armed resistance in 2009, and that the greatest concern Russians currently have with Chechnya is with the lavish subsidies that Russia is currently providing it, the likelihood of armed Russian drones over Chechnya seems remote at best.¶ Likewise, there is no Uighur separatist organization that even remotely resembles Al Qaeda. Uighur unrest has taken the form of uprisings in Urumqi and other areas, similar to the Tibetan unrest of a few years ago. The Chinese eliminated such unrest with widespread arrests and disappearances, which raised serious human rights concerns. But there has been no time in which Uighur opposition has met the threshold established by international law that would allow for the use of armed drones in response to Uighur actions.

**No SCS conflict—tensions cause conflict management**

**Gupta ’11 (**10/23 Rukmani Gupta, Associate Fellow at the Institute for Defence Studies and Analyses,10/23/11, South China Sea Conflict? No Way, the-diplomat.com/2011/10/23/south-china-sea-conflict-no-way/

These suggestions to recalibrate Indian policy towards the South China Sea and its relationship with Vietnam are premature at best. Despite the rhetoric, conflict in the South China Sea may well not be inevitable. If the history of dialogue between the parties is any indication, then current tensions are likely to result in forward movement. In the aftermath of statements by the United States, and skirmishes over fishing vessels, ASEAN and China agreed upon the Guidelines on the Implementation of the Declaration on the Conduct of Parties in the South China Sea at the Bali Summit in July 2010. And recent tensions may well prod the parties towards a more binding code of conduct. This isn’t to suggest that territorial claims and sovereignty issues will be resolved, but certainly they can become more manageable to prevent military conflict. There’s a common interest in making the disputes more manageable, essentially because, nationalistic rhetoric notwithstanding, the parties to the dispute recognize that there are real material benefits at stake. A disruption of maritime trade through the South China Sea would entail economic losses – and not only for the littoral states. No party to the dispute, including China, has thus far challenged the principle of freedom of navigation for global trade through the South China Sea. The states of the region are signatories to the UNCLOS, which provides that ‘Coastal States have sovereign rights in a 200-nautical mile exclusive economic zone (EEZ) with respect to natural resources and certain economic activities, and exercise jurisdiction over marine science research and environmental protection’ but that ‘All other States have freedom of navigation and over flight in the EEZ, as well as freedom to lay submarine cables and pipelines.’ The prospect of threats to SLOCS thus seems somewhat exaggerated.

No war over Senkaku or the SCS

Carlson ’13 (Allen Carlson is an Associate Professor in Cornell University’s Government Department. He was granted his PhD from Yale University’s Political Science Department. His undergraduate degree is from Colby College. In 2005 his Unifying China, Integrating with the World: Securing Chinese Sovereignty in the Reform Era was published by Stanford University Press. He has also written articles that appeared in the Journal of Contemporary China, Pacific Affairs, Asia Policy, and Nations and Nationalism. In addition, he has published monographs for the National Committee on U.S.-China Relations and the East-West Center Washington. Carlson was a Fulbright-Hays scholar at Peking University during the 2004-2005 academic year. In 2005 he was chosen to participate in the National Committee’s Public Intellectuals Program, and he currently serves as an adviser to Cornell’s China Asia Pacific Studies program and its East Asia Program. Carlson is currently working on a project exploring the issue of nontraditional security in China’s emerging relationship with the rest of the international system. His most recent publications are the co-edited Contemporary Chinese Politics: New Sources, Methods and Field Strategies (Cambridge University Press, 2010) and New Frontiers in China’s Foreign Relations (Lexington, 2011). China Keeps the Peace at Sea China Keeps the Peace at Sea Why the Dragon Doesn't Want War Allen Carlson February 21, 2013

At times in the past few months, China and Japan have appeared almost ready to do battle over the Senkaku (Diaoyu) Islands --which are administered by Tokyo but claimed by both countries -- and to ignite a war that could be bigger than any since World War II. Although Tokyo and Beijing have been shadowboxing over the territory for years, the standoff reached a new low in the fall, when the Japanese government nationalized some of the islands by purchasing them from a private owner. The decision set off a wave of violent anti-Japanese demonstrations across China. In the wake of these events, the conflict quickly reached what political scientists call a state of equivalent retaliation -- a situation in which both countries believe that it is imperative to respond in kind to any and all perceived slights. As a result, it may have seemed that armed engagement was imminent. Yet, months later, nothing has happened. And despite their aggressive posturing in the disputed territory, both sides now show glimmers of willingness to dial down hostilities and to reestablish stability. Some analysts have cited North Korea's recent nuclear test as a factor in the countries' reluctance to engage in military conflict. They argue that the detonation, and Kim Jong Un's belligerence, brought China and Japan together, unsettling them and placing their differences in a scarier context. Rory Medcalf, a senior fellow at the Brookings Institution, explained that "the nuclear test gives the leadership in both Beijing and Tokyo a chance to focus on a foreign and security policy challenge where their interests are not diametrically at odds." The nuclear test, though, is a red herring in terms of the conflict over the disputed islands. In truth, the roots of the conflict -- and the reasons it has not yet exploded -- are much deeper. Put simply, China cannot afford military conflict with any of its Asian neighbors. It is not that China believes it would lose such a spat; the country increasingly enjoys strategic superiority over the entire region, and it is difficult to imagine that its forces would be beaten in a direct engagement over the islands, in the South China Sea or in the disputed regions along the Sino-Indian border. However, Chinese officials see that even the most pronounced victory would be outweighed by the collateral damage that such a use of force would cause to Beijing's two most fundamental national interests -- economic growth and preventing the escalation of radical nationalist sentiment at home. These constraints, rather than any external deterrent, will keep Xi Jinping, China's new leader, from authorizing the use of deadly force in the Diaoyu Islands theater. For over three decades, Beijing has promoted peace and stability in Asia to facilitate conditions amenable to China's economic development. The origins of the policy can be traced back to the late 1970s, when Deng Xiaoping repeatedly contended that to move beyond the economically debilitating Maoist period, China would have to seek a common ground with its neighbors. Promoting cooperation in the region would allow China to spend less on military preparedness, focus on making the country a more welcoming destination for foreign investment, and foster better trade relations. All of this would strengthen the Chinese economy. Deng was right. Today, China's economy is second only to that of the United States. The fundamentals of Deng's grand economic strategy are still revered in Beijing. But any war in the region would erode the hard-won, and precariously held, political capital that China has gained in the last several decades. It would also disrupt trade relations, complicate efforts to promote the yuan as an international currency, and send shock waves through the country's economic system at a time when it can ill afford them. There is thus little reason to think that China is readying for war with Japan. At the same time, the specter of rising Chinese nationalism, although often seen as a promoter of conflict, further limits the prospects for armed engagement. This is because Beijing will try to discourage nationalism if it fears it may lose control or be forced by popular sentiment to take an action it deems unwise. Ever since the Tiananmen Square massacre put questions about the Chinese Communist Party's right to govern before the population, successive generations of Chinese leaders have carefully negotiated a balance between promoting nationalist sentiment and preventing it from boiling over. In the process, they cemented the legitimacy of their rule. A war with Japan could easily upset that balance by inflaming nationalism that could blow back against China's leaders. Consider a hypothetical scenario in which a uniformed Chinese military member is killed during a firefight with Japanese soldiers. Regardless of the specific circumstances, the casualty would create a new martyr in China and, almost as quickly, catalyze popular protests against Japan. Demonstrators would call for blood, and if the government (fearing economic instability) did not extract enough, citizens would agitate against Beijing itself. Those in Zhongnanhai, the Chinese leadership compound in Beijing, would find themselves between a rock and a hard place. It is possible that Xi lost track of these basic facts during the fanfare of his rise to power and in the face of renewed Japanese assertiveness. It is also possible that the Chinese state is more rotten at the core than is understood. That is, party elites believe that a diversionary war is the only way to hold on to power -- damn the economic and social consequences. But Xi does not seem blind to the principles that have served Beijing so well over the last few decades. Indeed, although he recently warned unnamed others about infringing upon China's "national core interests" during a foreign policy speech to members of the Politburo, he also underscored China's commitment to "never pursue development at the cost of sacrificing other country's interests" and to never "benefit ourselves at others' expense or do harm to any neighbor." Of course, wars do happen -- and still could in the East China Sea. Should either side draw first blood through accident or an unexpected move, Sino-Japanese relations would be pushed into terrain that has not been charted since the middle of the last century. However, understanding that war would be a no-win situation, China has avoided rushing over the brink. This relative restraint seems to have surprised everyone. But it shouldn't. Beijing will continue to disagree with Tokyo over the sovereign status of the islands, and will not budge in its negotiating position over disputed territory. However, it cannot take the risk of going to war over a few rocks in the sea. On the contrary, in the coming months it will quietly seek a way to shelve the dispute in return for securing regional stability, facilitating economic development, and keeping a lid on the Pandora's box of rising nationalist sentiment. The ensuing peace, while unlikely to be deep, or especially conducive to improving Sino-Japanese relations, will be enduring.

**Wont escalate—tensions are bluffs for negotiating leverage**

**Gupta ’11 (**10/23 Rukmani Gupta, Associate Fellow at the Institute for Defence Studies and Analyses,10/23/11, South China Sea Conflict? No Way, the-diplomat.com/2011/10/23/south-china-sea-conflict-no-way/

Despite what opinion pieces in the Global Times may say, there’s reason to suspect that China doesn’t want to escalate conflict in the region. Although commentary from the United States has suggested that China considers the South China Sea a ‘core interest,’ no official Chinese writing can be found to corroborate this. In addition, China’s caution can also be seen as a reflection on Chinese military capabilities, which aren’t seen as strong enough to win a war over the South China Sea. In fact, the China National Defence News, published by the Chinese People’s Liberation Army’s General Political Department, has likened the use of force by China in the South China Sea to shooting one’s own foot. Not only would the use of force bring ASEAN together on the issue, it could conceivably involve the United States and Japan, derail China’s plans for continued economic growth and undo China’s diplomacy. Chinese declarations on the South China Sea can therefore be seen as attempts to exaggerate claims so as to secure a better negotiating stance.

#### China will ignore new norms – history proves

**Clark 13** (Colin, editor of Breaking Defense, “China Set To Grab UAV Market While US Restricts Sales,” http://breakingdefense.com/2013/06/14/china-set-to-grab-uav-market-while-us-restricts-sales/)

PARIS: Psst. Hey mister. Wanna buy a UAV? China’s got drones for shooting, drones for intelligence, surveillance and reconnaissance, and drones for target practice. Cheap prices and no arms export restrictions.

And China may grab a significant share of the international market for just those reasons, according to a new report by the U.S-China Economic and Security Review Commission. Breaking Defense obtained a copy of the report: China’s Military Unmanned Aerial Vehicle Industry

The irony would be, of course, that the United States has largely created that demand by demonstrating the utility of drones (UAVs, Remotely Piloted Aircraft — RPAs — pick your term) in Afghanistan, Pakistan, Yemen, Iraq and other locales over the last decade.

Here’s what the report’s author, Kimberly Hsu, concludes:

“Surging domestic and international market demand for UAVs, from both military and civilian customers, will continue to buoy growth of the Chinese industry. Chinese defense firms do not face the same export restrictions as top UAV-exporting countries, such as the United States and Israel. As a result, China could become a key UAV proliferator, particularly to developing countries.”

Currently, the great majority of Chinese drones are tactical, but Hsu says that “in the long term, China’s continued interest and progression in strategic-level UAVs appear poised to position China as a leader in the high-end UAV market.” A major reason is that China is not a member of either the Missile Technology Control Regime (MTCR) or the looser but broader Wassenaar Arrangement. “In the absence of competition from more sophisticated U.S. or Israeli alternatives, China could become a key proliferator to non-members of the MTCR or Wassenaar,” she concludes.

Just what drones is China building? Well, the report notes there isn’t much information available about the PLA’s efforts. Hsu says that China, “probably is developing and operating UAVs for electronic warfare (EW).” These would “probably would focus on jamming tactical communications and global positioning system (GPS), but could provide a range of other capabilities, including false target generation against enemy Airborne Warning and Control Systems (AWACS)/Airborne Early Warning (AEW) and power grid attack.”

On top of that, several Chinese government owned defense firms are also developing killer drones in the vein of our Predator or Reaper. “It is not clear if China intends to use UCAVs in an air-to-air or an air-to-ground role,” Hsu writes.

In addition to state-owned enterprises, several of China’s top engineering universities are working on drones.

On the civilian side, China has already demonstrated use of indigenous drones for earthquake relief efforts after the May 2008 and April 2013 earthquakes in Sichuan province, according to the report. And the rough Chinese equivalent of the Coast Guard and harbor police “are integrating UAVs into their operations.

All in all, China’s policy of not participating in what it would doubtless call hegemonic restrictions on its actions — MTCR, Wassenaar — coupled with its willingness to sell to pretty much anybody who can buy their weapons, places it in a prime position to benefit, just as Europe benefited from America’s decision to sharply restrict satellite sales and their components to foreign countries.

## CP

CP solves all of case-

Perm question- it’s competitive- there plan is immediate they said in cx and on the DA flow that their interp of fiat is immediate- still links to the DA as described on the flow but means that the CP is functionally different from the plan – legislation will occur but it happens after the shut down has been avoided

Fact finding committees actually doing their job would most certainly run into the consequences of not having geographical restrictions if their claims are true – either they aren’t that big of a deal and congress wouldn’t discuss them or they are and it would inevitably be in the hearing.

 Additionally, even if we don’t win geographical locations, the Yemen terror da is probably a reason why you should still vote for the CP –

The only solvency defs they have is geogr

#### The United States Congress should convene public, fact-finding hearings regarding executive branch targeted killing practices and policies.

Solves- would include geographical discussions and stillsend a signal -

#### CP competes – doesn’t increase statutory restrictions

#### Congressional fact-finding hearings solve targeted killing oversight best and results in effective regulation – empirically proven by Church Commission findings and subsequent regulation of assassinations

Rosen 13 (Jeffrey, legal affairs director @ New Republic, "Courting Disaster - A new idea to limit drone strikes could actually legitimize them," http://www.newrepublic.com/article/112392/drone-courts-congress-should-exercise-oversight-instead)

Rather than rushing to endorse a program surrounded by serious moral, constitutional, and practical doubts, Congress would do better to exercise its oversight function in the traditional way: with fact-finding hearings. In the wake of concern about targeted assassinations abroad and domestic surveillance at home, the Church Commission in the 1970s launched an extensive investigation of the government’s secret intelligence activities. After investigating CIA plots to kill foreign leaders, including Patrice Lumumba of the Congo, Fidel Castro of Cuba, Rafael Trujillo of the Dominican Republican, Ngo Dinh Diem of Vietnam and Rene Schneider of Chile, the Church Commission offered moral and practical reasons for its conclusion that “the United States should not engage in assassination,” including the fact that “the assassination plots were not necessitated by imminent danger to the United States,” despite the government’s claims to the contrary.¶ The Church commission also concluded that targeted assassinations were counterproductive because “the damage to American foreign policy, to the good name and reputation of the United States abroad, to the American people’s faith and support of our government and its foreign policy is incalculable.” The Church Commission report led to the passage of the federal law prohibiting targeted assassinations, which Obama administration lawyers now claim doesn’t apply to drone strikes. The Church Commission was a high water mark for principled oversight of executive overreaching. Congress needs to begin a similarly exhaustive investigation today into whether targeted drone killings should be permanently banned rather than permanently enshrined into law.

#### Congressional fact-finding hearings key to effective oversight of targeted killing

Rosen 13 (Jeffrey, legal affairs director @ New Republic, "Courting Disaster - A new idea to limit drone strikes could actually legitimize them," http://www.newrepublic.com/article/112392/drone-courts-congress-should-exercise-oversight-instead)

On Sunday, Robert Gates, the former Pentagon chief for Presidents Obama and Bush, endorsed an idea that has been floated by Democratic lawmakers in the wake of John O. Brennan's confirmation hearings to be CIA Director: a drone court that would review the White House’s targeted killings of American citizens linked to al Qaida. The administration has signaled its openness to the idea of a congressionally created drone court, which would be modeled on the secret Foreign Intelligence Surveillance Court that reviews requests for warrants authorizing the surveillance of suspected spies or terrorists. But although senators at the Brennan hearings were rightly concerned about targeted killings operating without any judicial or congressional oversight, the proposed drone court would raise as many constitutional and legal questions as it resolved. And it would give a congressional and judicial stamp of approval to a program whose effectiveness, morality, and constitutionality are open to serious questions. Rather than rushing to create a drone court, Congress would do better to hold hearings about whether targeted drone killings are, in fact, morally, constitutionally, and pragmatically defensible in the first place.

CP solves best- their evidence goes our way

Only congressional action on the scope of hostilities sends a clear signal that the US abides by the laws of armed conflict

Kenneth Anderson, Professor of Law, Washington College of Law, American University, and Research Fellow, The Hoover Institution, Stanford University and Member of its Task Force on National Security and the Law, 3/18/10, Rise of the Drones: Unmanned Systems and the Future of War, digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1002&context=pub\_disc\_cong

• First, the United States government urgently needs publicly to declare the legal rationale behind its use of drones, and defend that legal rationale in the international community, which is increasingly convinced that parts, if not all, of its use is a violation of international law.

• Second, the legal rationale offered by the United States government needs to take account, not only of the use of drones on traditional battlefields by the US military, but also of the Obama administration’s signature use of drones by the CIA in operations outside of traditionally conceived zones of armed conflict, whether in Pakistan, or further afield, in Somalia or Yemen or beyond. This legal rationale must be certain to protect, in plain and unmistakable language, the lawfulness of the CIA’s participation in drone-related uses of force as it takes place today, and to protect officials and personnel from moves, in the United States or abroad, to treat them as engaged in unlawful activity. It must also be broad enough to encompass the use of drones (under the statutory arrangements long set forth in United States domestic law) by covert civilian agents of the CIA, in operations in the future, involving future presidents, future conflicts, and future reasons for using force that have no relationship to the current situation.

• Third, the proper legal rationale for the use of force in drone operations in special, sometimes covert, operations outside of traditional zones of armed conflict is the customary international law doctrine of self-defense, rather than the narrower law of armed conflict.

• Fourth, Congress has vital roles to play here, mostly in asserting the legality of the use of drones. These include: (i) Plain assertion of the legality of the programs as currently used by the Obama administration, as a signal to courts in the US as well as the international community and other interested actors, that the two political branches are united on an issue of vital national security and foreign policy. (ii) Congressional oversight mechanisms should also be strengthened in ensuring Congress’s meaningful knowledge and ability to make its views known. (iii) Congress also should consider legislation to clarify once and for all that that covert use of force is lawful under US law and international law of self-defense, and undertake legislation to make clear the legal protection of individual officers. (iv) Congress should also strongly encourage the administration to put a public position on the record. In my view, that public justification ought to be something (self-defense, in my view) that will ensure the availability of targeted killing for future administrations outside the context of conflict with Al Qaeda – and protect against its legal erosion by acquiescing or agreeing to interpretations of international law that would accept, even by implication, that targeted killing by the civilian CIA using drones is per se an unlawful act of extrajudicial execution.

The Multiple Strategic Uses of Drones and Their Legal Rationales

4. Seen through the lens of legal policy, drones as a mechanism for using force are evolving in several different strategic and technological directions, with different legal implications for their regulation and lawful use. From my conversations and research with various actors involved in drone warfare, the situation is a little bit like the blind men and the elephant – each sees only the part, including the legal regulation, that pertains to a particular kind of use, and assumes that it covers the whole. The whole, however, is more complicated and heterogeneous. They range from traditional tactical battlefield uses in overt war to covert strikes against non-state terrorist actors hidden in failed states, ungoverned, or hostile states in the world providing safe haven to terrorist groups. They include use by uniformed military in ordinary battle but also use by the covert civilian service.

5. Although well-known, perhaps it bears re-stating the when this discussion refers to drones and unmanned vehicle systems, the system is not “unmanned” in the sense that human beings are not in the decision or control loop. Rather, “unmanned” here refers solely to “remote-piloted,” in which the pilot and weapons controllers are not physically on board the aircraft. (“Autonomous” firing systems, in which machines might make decisions about the firing of weapons, raise entirely separate issues not covered by this discussion because they are not at issue in current debates over UA Vs.)

6. Drones on traditional battlefields. The least legally complicated or controversial use of drones is on traditional battlefields, by the uniformed military, in ordinary and traditional roles of air power and air support. From the standpoint of military officers involved in such traditional operations in Afghanistan, for example, the use of drones is functionally identical to the use of missile fired from a standoff fighter plane that is many miles from the target and frequently over-the-horizon. Controllers of UAVs often have a much better idea of targeting than a pilot with limited input in the cockpit. From a legal standpoint, the use of a missile fired from a drone aircraft versus one fired from some remote platform with a human pilot makes no difference in battle as ordinarily understood. The legal rules for assessing the lawfulness of the target and anticipated collateral damage are identical.

7. Drones used in Pakistan’s border region. Drones used as part of the on-going armed conflict in Afghanistan, in which the fighting has spilled over – by Taliban and Al Qaeda flight to safe havens, particularly – into neighboring areas of Pakistan likewise raise relatively few questions about their use, on the assumption that the armed conflict has spilled, as is often the case of armed conflict, across an international boundary. There are no doubt important international and diplomatic questions raised about the use of force across the border – and that is presumably one of the major reasons why the US and Pakistan have both preferred the use of drones by the CIA with a rather shredded fig leaf, as it were, of deniability, rather than US military presence on the ground in Pakistan. The **legal questions are important**, but (unless one takes the view that the use of force by the CIA is always and per se illegal under international law, even when treated as part of the armed forces of a state in what is unquestionably an armed conflict) there is nothing legally special about UAVs that would distinguish them from other standoff weapons platforms.

8. Drones used in Pakistan outside of the border region. The use of drones to target Al Qaeda and Taliban leadership outside of places in which it is factually plain that hostilities are underway begins to invoke the current legal debates over drone warfare. From a strategic standpoint, of course, the essence of much fighting against a raiding enemy is to deny it safe haven; as safe havens in the border regions are denied, then the enemy moves to deeper cover. The strategic rationale for targeting these leaders (certainly in the view of the Obama administration) is overwhelming. Within the United States, and even more without, arguments are underway as to whether Pakistan beyond the border regions into which overt fighting has spilled can justify reach to the law of armed conflict as a basis and justification for drone strikes.

9. Drones used against Al Qaeda affiliates outside of AfPak – Somalia, Yemen or beyond. The President, in several major addresses, has stressed that the United States will take the fight to the enemy, and pointedly included places that are outside of any traditionally conceived zone of hostilities in Iraq or AfPak – Somalia and Yemen have each been specifically mentioned. And indeed, the US has undertaken uses of force in those places, either by means of drones or else by human agents. The Obama administration has made clear – entirely correctly, in my view – that it will deny safe haven to terrorists. As the president said in an address at West Point in fall 2009, we “cannot tolerate a safe-haven for terrorists whose location is known, and whose intentions are clear.”1 In this, the President follows the long-standing, traditional view of the US government endorsing, as then-State Department Legal Advisor Abraham Sofaer put it in a speech in 1989, the “right of a State to strike terrorists within the territory of another State where terrorists are using that territory as a location from which to launch terrorist attacks and where the State involved has failed to respond effectively to a demand that the attacks be stopped.”2

10. The United States might assert in these cases that the armed conflict goes where the combatants go, in the case particularly of an armed conflict (with non-state actors) that is already acknowledged to be underway. In that case, those that it targets are, in its view, combats that can lawfully be targeted, subject to the usual armed conflict rules of collateral damage. One says this without knowing for certain whether this is, in fact, the US view – although the Obama administration is under pressure for failing to articulate a public legal view, this was equally the case for the preceding two administrations. In any case, however, that view is sharply contested as a legal matter. The three main contending legal views at this point are as follows:

• One legal view (the traditional view and that presumably taken by the Obama administration, except that we do not know for certain, given its reticence) is that we are in an armed conflict. Wherever the enemy goes, we are entitled to follow and attack him as a combatant. Geography and location – important for diplomatic reasons and raising questions about the territorial integrity of states, true – are irrelevant to the question of whether it is lawful to target under the laws of war; the war goes where the combatant goes. We must do so consistent with the laws of war and attention to collateral damage, and other legal and diplomatic concerns would of course constrain us if, for example, the targets fled to London or Istanbul. But the fundamental right to attack a combatant, other things being equal, surely cannot be at issue.

• A second legal view directly contradicts the first, and says that the legal rights of armed conflict are limited to a particular theatre of hostilities, not to wherever combatants might flee throughout the world. This creates a peculiar question as to how, lawfully, hostilities against a non-state actor might ever get underway. But the general legal policy response is that if there is no geographic constraint consisting of a “theatre” of hostilities, then the very special legal regime of the laws of armed conflict might suddenly, and without any warning, apply – and overturn – ordinary laws of human rights that prohibit extrajudicial execution, and certainly do not allow attacks subject merely to collateral damage rules, with complete surprise and no order to it. Armed conflict is defined by its theatres of hostilities, on this view, as a mechanism for limiting the scope of war and, importantly, the reach of the laws of armed conflict insofar as the displace (with a lower standard of protection) ordinary human rights law. Again, this leaves a deep concern that this view, in effect, empowers the fleeing side, which can flee to some place where, to some extent, it is protected against attack.

• A third legal view (to which I subscribe) says that armed conflict under the laws of war, both treaty law of the Geneva Conventions and customary law, indeed accepts that non-international armed conflict is defined, and therefore limited by, the presence of persistent, sustained, intense hostilities. In that sense, then, an armed conflict to which the laws of war apply exists only in particular places where those conditions are met. **That is not the end of the legal story, however**. Armed conflict as defined under the Geneva Conventions (common articles 2 and 3) is not the only international law basis for governing the use of force. The international law of self-defense is a broader basis for the use of force in, paradoxically, more limited ways that do not rise to the sustained levels of fighting that legally define hostilities.

• Why is self-defense the appropriate legal doctrine for attacks taking place away from active hostilities? From a strategic perspective, a large reason for ordering a limited, pinprick, covert strike is in order to avoid, if possible, an escalation of the fighting to the level of overt intensity that would invoke the laws of war – the intent of the use of force is to avoid a wider war. Given that application of the laws of war, in other words, requires a certain level of sustained and intense hostilities, that is not always a good thing. It is often bad and precisely what covert action seeks to avoid. The legal basis for such an attack is not armed conflict as a formal legal matter – the fighting with a non-state actor does not rise to the sustained levels required under the law’s threshold definition – but instead the law of self-defense.

• Is self-defense law simply a standardless license wantonly to kill? This invocation of self-defense law should not be construed as meaning that it is without limits or constraining standards. On the contrary, it is not standardless, even though it does not take on all the detailed provisions of the laws of war governing “overt” warfare, including the details of prison camp life and so on. It must conform to the customary law standards of necessity and proportionality – necessity in determining whom to target, and proportionality in considering collateral damage. The standards in those cases should essentially conform to military standards under the law of war, and in some cases the standards should be still higher.

11. The United States government seems, to judge by its lack of public statements, remarkably indifferent to the increasingly vehement and pronounced rejection of the first view, in particular, that the US can simply follow combatants anywhere and attack them. The issue is not simply collateral damage in places where no one had any reason to think there was a war underway; prominent voices in the international legal community question, at a minimum, the lawfulness of even attacking what they regard as merely alleged terrorists. In the view of important voices in international law, the practice outside of a traditional battlefield is a violation of international human rights law guarantees against extrajudicial execution and, at bottom, is just simple murder. On this view, the US has a human rights obligation to seek to arrest and then charge under some law; it cannot simply launch missiles at those it says are its terrorist enemies. It shows increasing impatience with US government silence on this issue, and with the apparent – but quite undeclared – presumption that the armed conflict goes wherever the combatants go.

12. Thus, for example, the UN special rapporteur on extrajudicial execution, NYU law professor Philip Alston, has asked in increasingly strong terms that, at a minimum, the US government explain its legal rationales for targeted killing using drones. The American Civil Liberties Union in February 2010 filed an extensive FOIA request (since re-filed as a lawsuit), seeking information on the legal rationales (but including requests for many operational facts) for all parts of the drones programs, carefully delineating military battlefield programs and CIA programs outside of the ordinary theatres of hostilities. Others have gone much further than simply requests that the US declare its legal views and have condemned them as extrajudicial execution – as Amnesty International did with respect to one of the earliest uses of force by drones, the 2002 Yemen attack on Al Qaeda members. The addition of US citizens to the kill-or-capture list, under the authorization of the President, has raised the stakes still further. The stakes, in this case, are highly unlikely to involve President Obama or Vice-President Biden or senior Obama officials. They are far more likely to involve lower level agency counsel, at the CIA or NSC, who create the target lists and make determinations of lawful engagement in any particular circumstance. It is they who would most likely be investigated, indicted, or prosecuted in a foreign court as, the US should take careful note, has already happened to Israeli officials in connection with operations against Hamas. **The reticence of the US government on this matter is frankly hard to justify**, at this point; this is not a criticism per se of the Obama administration, because the George W. Bush and Clinton administrations were equally unforthcoming. But this is the Obama administration, and **public silence on the legal legitimacy of targeted killings especially in places** and ways **that are not obviously** by the military in obvious **battlespaces is increasingly problematic**.

13. Drones used in future circumstances by future presidents against new non-state terrorists. A government official with whom I once spoke about drones as used by the CIA to launch pinpoint attacks on targets in far-away places described them, in strategic terms, as the “lightest of the light cavalry.” He noted that if terrorism, understood strategically, is a “raiding strategy” launched largely against “logistical” rather than “combat” targets – treating civilian and political will as a “logistical target” in this strategic sense – then how should we see drone attacks conducted in places like Somalia or Yemen or beyond? We should understand them, he said, as a “counter-raiding” strategy, aimed not at logistical targets, but instead at combat targets, the terrorists themselves. Although I do not regard this use of “combat” as a legal term – because, as suggested above, the proper legal frame for these strikes is self-defense rather than “armed conflict” full-on – as a strategic description, this is apt.

14. This blunt description suggests, however, that it is a profound mistake to think that the importance of drones lies principally on the traditional battlefield, as a tactical support weapon, or even in the “spillover” areas of hostilities. In those situations, it is perhaps cheaper than the alternatives of manned systems, but is mostly a substitute for accepted and existing military capabilities. Drone attacks become genuinely special as a form of strategic, yet paradoxically discrete, air power outside of overt, ordinary, traditional hostilities – the farthest project of discrete force by the lightest of the light cavalry. As these capabilities develop in several different technological direction – on the one hand, smaller vehicles, more contained and limited kinetic weaponry, and improved sensors and, on the other hand, large-scale drone aircraft capable of going after infrastructure targets as the Israelis have done with their Heron UAVs – it is highly likely that they will become a weapon of choice for future presidents, future administrations, in future conflicts and circumstances of self- defense and vital national security of the United States. Not all the enemies of the United States, including transnational terrorists and non-state actors, will be Al Qaeda or the authors of 9/11. Future presidents will need these technologies and strategies – and will need to know that they have sound, publicly and firmly asserted legal defenses of their use, including both their use and their limits in law.

#### Solves perception- - can effectively create a presumption against targeted killing

Anderson 9 (Kenneth, Professor of Law, Washington College of Law, American University, and Research Fellow, The Hoover Institution, Stanford University and Member of its Task Force on National Security and the Law, "Targeted Killing in U.S. Counterterrorism Strategy and Law," http://www.brookings.edu/~/media/research/files/papers/2009/5/11%20counterterrorism%20anderson/0511\_counterterrorism\_anderson.pdf)

Congress’s role in this area is admittedly a peculiar one. It is mostly—though not ¶ entirely—politically defensive in nature. After all, the domestic legal authorities to ¶ conduct targeted killings and other “intelligence” uses of force have existed in statutory ¶ form at least since the legislation that established the Central Intelligence Agency in 1947 ¶ and in other forms long pre-dating that.9¶ The problem is that although domestic legal ¶ authority exists for the use of force against terrorists abroad, currents are stirring in ¶ international law and elsewhere that move to undermine that authority. Powerful trend ¶ and opinion-setting—so-called “soft law”—currents are developing in ways that, over ¶ time, promise to make the exercise of this activity ever more difficult and to create a ¶ presumption, difficult to overcome, that targeted killing is in fact both illegitimate and, ¶ indeed, per se illegal except in the narrowest of war-like conditions. The role of Congress ¶ is therefore to reassert, reaffirm, and reinvigorate the category as a matter of domestic ¶ law and policy, and as the considered, official view of the United States as a matter of ¶ international law.

Perm do both links to the net benefit – and

Doesn’t link to politics- the link is based on Obama’s PC- he’s not present at the hearings – he’d have to sign the plan into law, has actually nothing to do with the hearings

## Case

### Terror

#### Dronestrikes in Yemen key to the American counter terror strat- no first use turns the case it’s the litmus test- that’s Cliffuffo and Watts

Direct counter strikes are key to anti terror – that’s the first cliffullo evidence- means turns the case- Yemen is key

#### historical Yemeni anti-americanism – and saleh’s fall means strikes key now- can’t be a second response

**Cilluffo & Watts 2011 [**Frank, previously served as Special Assistant to the President for Homeland Security and is currently Associate Vice President at The George Washington University and Director of the GW Homeland Security Policy Institute; Senior Fellow at the Homeland Security Policy Institute; “COUNTERING THE THREAT POSED BY AQAP: EMBRACE, DON’T CHASE YEMEN’S CHAOS,” Adfero Group – George Washington University Homeland Security Institute, July 14th, 2011, <http://securitydebrief.com/2011/07/14/countering-the-threat-posed-by-aqap-embrace-don%E2%80%99t-chase-yemen%E2%80%99s-chaos/>]

Ciluffo and Watts: “This week’s escape of 63 suspected al Qaeda in the Arabian Peninsula (AQAP) fighters from a Yemeni prison exemplifies how President Saleh’s departure to Saudi Arabia and Yemeni instability embolden this lethal al Qaeda affiliate.“¶ Johnsen: “I’m pretty sure that AQAP was emboldened prior to Salih’s departure, the group has been incredibly active in Yemen recently and I would argue that largely as a result of US air strikes between December 2009 and May 2010, the organization is actually stronger now in terms of recruits than it was when it dispatched the so-called underwear bomber who tried to bring down the airplane over Detroit on Christmas Day 2009.”¶ In short, AQAP, after the fall of the Saleh regime, took advantage of the chaos to expand its safe haven in south Yemen. Today, (even more than last month) it has greater maneuverability to plan, train and execute terrorist attacks at an even greater level than it has in the past. So, yes, until additional pressure is applied to deny them of their safe haven, AQAP will continue to grow stronger and hence more dangerous.¶ Johnsen argues that AQAP is more emboldened, “largely as a result of US air strikes between December 2009 and May 2010.” The airstrikes equal radicalization argument is popular amongst critics of drones. However, in the case of Yemen, the populace has never been particularly pro-U.S. The 2000 U.S.S. Cole bombing, the recruitment of John Walker Lindh, the droves of AQ foreign fighters of Yemeni descent, and countless other historical indicators demonstrate more than a decade of Yemeni-based extremism against the U.S. Prior to the airstrikes noted by Johnsen, AQAP situated in Yemen in part because of its natural base of Yemeni popular support. Yemeni “hearts and minds” were not lost in recent American airstrikes and will not be immediately lost if limited drone operations hunt key AQAP leaders. Yemeni popular support for the U.S. was lost long ago.¶

#### Drones solve Yemeni terrorism – response is proportionate and effective

Shekell 11 (Brian, JD Candidate @ Wayne State, "THE LEGALITY OF THE UNITED STATES' USE OF TARGETED KILLINGS IN THE WAR AGAINST TERROR," 57 Wayne L. Rev. 313, lexis)

U.S. use of targeted killings against many of the suspected terrorists in Yemen and similar states would meet the necessity requirement under this two-part test. Yemen is a failing state and its government has demonstrated that it is unable secure its entire territory. n50 Therefore, the Yemeni government's ability to capture, imprison and try terrorists located within its borders is highly suspect. Additional attempts by the U.S. government to help Yemen capture these terrorists have also proven ineffective. n51 Remote, targeted killings are therefore the most effective and logical means of protecting the "threatened person." Critics might argue that the targeted killings will be ineffective, as new terror leaders emerge after the capture or killing of another. However, this must not deter the U.S. in its mission to eliminate current and real threats to its security.¶ Next, it is necessary to determine the proportionality of the response to the threat. It is true that the Israeli experiences with targeted killings have resulted in the loss of innocent civilian lives. n52 However, Yemen may give the U.S. an opportunity to produce a proportional response with a minimized risk of civilian death. Most terror suspects are located [\*320] in desolate and uninhabited regions in Yemen. n53 Unlike the often crowded areas of the West Bank, Yemen allows for a greater opportunity to conduct targeted killings without the presence of civilians. Also, for targeted killing to be proportional, Predator drones or covert military operations must employ small and tactical activities to minimize risk to those civilians.

**Terrorists strategy has shifted- new attacks will be small scale and local**

**Schofield ’12** (McClatchy Washington Bureau Print This Article Posted on Thu, Apr. 26, 2012 After Osama bin Laden, al Qaida still a many-headed threat By Matthew Schofield | McClatchy Newspapers last updated: April 29, 2012 08:55:55 AM WASHINGTON -- ]

“What we’re facing today is a much, much larger global threat,” said Seth Jones, an expert at the RAND Corp. who’s advised the Pentagon on Afghanistan and Pakistan. “It’s a more dispersed threat. **The threat is decentralizing** to a broad network of groups. Al Qaida inspires, but doesn’t control, and they work with locals.” The meaning of that threat: **Massive attacks such as those on 9/11 are unlikely to be repeated.** But **expect smaller-scale attacks — the “strategy of a thousand cuts,”** it was called in AQAP’s slick online propaganda magazine Inspire. A deadly example came in 2009 with the rampage at Fort Hood, Texas, where Army psychiatrist Maj. Nidal Malik Hasan, allegedly radicalized online by AQAP, is accused of shooting dead 13 soldiers. His trial is scheduled to begin in August. **Experts note that these groups have largely localized agendas.** Generally, they’re looking to impose Islamic Sharia law and, if not overthrow a local government, carve out a space in which to operate in their home country.

**No risk of nuclear terror—means and motive**

**Chapman 12** [Stephen, columnist and editorial writer for the Chicago Tribune “The Implausibility of Nuclear Terrorism” May 17 http://reason.com/archives/2012/05/17/the-implausibility-of-nuclear-terrorism]

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

**Won’t use nukes- they are rational**

**Kapur ‘8** [S. Paul, associate professor in the Department of National Security Affairs at the Naval Postgraduate School, The Long Shadow: Nuclear Weapons and Security in 21st Century Asia. pg. 32]

Before a terrorist group can attempt to use nuclear weapons, it must meet two basic requirements. First, the group must decide that it wishes to engage in nuclear terrorism. Analysts and policy makers often assume that terrorist groups necessarily want to do so (Carter 2004; U.S. Government 2002). However, **it is not clear that terrorist organizations would necessarily covet nuclear devices**. Although analysts often characterize terrorism as an irrational activity (Laqeuer 1999: 4-5), **extensive empirical evidence indicates** that **terrorist groups** in fact **behave rationally**, adopting strategies designed **to achieve particular ends** (Crenshaw 1995: 4; Pape 2003: 344). Thus whether terrorists would use nuclear weapons is contingent on whether doing so is likely to further their goals. Under what circumstances could nuclear weapons fail to promote terrorists' goals? **For** certain types of terrorist **objectives, nuclear weapons could be too destructive**. Large-scale **devastation could negatively influence audiences** important to the terrorist groups. Terrorists often rely on populations sympathetic to their cause for political, financial, and military support. The horrific destruction of a nuclear explosion could alienate segments of this audience. People who otherwise would sympathize with the terrorists may conclude that in using a nuclear device terrorists had gone too far and were no longer deserving of support. The catastrophic effects of nuclear weapons could also damage or destroy the very thing that the terrorist group most values. For example, if a terrorist orga- nization were struggling with another group for control of their common home- land, the use of nuclear weapons against the enemy group would devastate the terrorists' own home territory**. Using nuclear weapons would be extremely counter- productive** for the terrorists in this scenario. It is thus not obvious that all terrorist groups would use nuclear weapons. Some groups would probably not. The propensity for nuclear acquisition and use by ter- rorist groups must be assessed on a case-by-case basis.

**Zero risk of terrorism- their impact is alarmism** (No nuclear, chemical, biological wpns)

Mueller ’12 (John, Senior Research Scientist at the Mershon Center for International Security Studies and Adjunct Professor in the Department of Political Science, both at Ohio State University, and Senior Fellow at the Cato Institute. Mark G. Stewart is Australian Research Council Professorial Fellow and Professor and Director at the Centre for Infrastructure Performance and Reliability at the University of Newcastle in Australia, The Terrorism Delusion, International Security, Vol. 37, No. 1, pp. 81–110, Summer 2012)

Over the course of time, such essentially delusionary thinking has been internalized and institutionalized in a great many ways. For example, an extrapolation of delusionary proportions is evident in the common observation that, because terrorists were able, mostly by thuggish means, to crash airplanes into buildings, they might therefore be able to construct a nuclear bomb. In 2005 an FBI report found that, despite years of well-funded sleuthing, the Bureau had yet to uncover a single true al-Qaida sleeper cell in the United States. The report was secret but managed to be leaked. Brian Ross, “Secret FBI Report Questions Al Qaeda Capabilities: No ‘True’ Al Qaeda Sleeper Agents Have Been Found in U.S.,” ABC News, March 9, 2005. Fox News reported that the FBI, however, observed that “just because there’s no concrete evidence of sleeper cells now, doesn’t mean they don’t exist.” “FBI Can’t Find Sleeper Cells,” Fox News, March 10, 2005. Jenkins has run an internet search to discover how often variants of the term “al-Qaida” appeared within ten words of “nuclear.” There were only seven hits in 1999 and eleven in 2000, but the number soared to 1,742 in 2001 and to 2,931 in 2002. 47 By 2008, Defense Secretary Robert Gates was assuring a congressional committee that what keeps every senior government leader awake at night is “the thought of a terrorist ending up with a weapon of mass destruction, especially nuclear.” 48 Few of the sleepless, it seems, found much solace in the fact that an al-Qaida computer seized in Afghanistan in 2001 indicated that the group’s budget for research on weapons of mass destruction (almost all of it focused on primitive chemical weapons work) was $2,000 to $4,000. 49 In the wake of the killing of Osama bin Laden, officials now have many more al-Qaida computers, and nothing in their content appears to suggest that the group had the time or inclination, let alone the money, to set up and staff a uranium-seizing operation, as well as a fancy, super-high-technology facility to fabricate a bomb. This is a process that requires trusting corrupted foreign collaborators and other criminals, obtaining and transporting highly guarded material, setting up a machine shop staffed with top scientists and technicians, and rolling the heavy, cumbersome, and untested finished product into position to be detonated by a skilled crew—all while attracting no attention from outsiders. 50 If the miscreants in the American cases have been unable to create and set off even the simplest conventional bombs, it stands to reason that none of them were very close to creating, or having anything to do with, nuclear weapons—or for that matter biological, radiological, or chemical ones. In fact, with perhaps one exception, none seems to have even dreamed of the prospect; and the exception is José Padilla (case 2), who apparently mused at one point about creating a dirty bomb—a device that would disperse radiation—or even possibly an atomic one. His idea about isotope separation was to put uranium into a pail and then to make himself into a human centrifuge by swinging the pail around in great arcs. Even if a weapon were made abroad and then brought into the United States, its detonation would require individuals in-country with the capacity to receive and handle the complicated weapons and then to set them off. Thus far, the talent pool appears, to put mildly, very thin. There is delusion, as well, in the legal expansion of the concept of “weapons of mass destruction.” The concept had once been taken as a synonym for nuclear weapons or was meant to include nuclear weapons as well as weapons yet to be developed that might have similar destructive capacity. After the Cold War, it was expanded to embrace chemical, biological, and radiological weapons even though those weapons for the most part are incapable of committing destruction that could reasonably be considered “massive,” particularly in comparison with nuclear ones.

**Give a Russia war impact zero probability**

**Graham ‘7** (Thomas Graham, senior advisor on Russia in the US National Security Council staff 2002-2007, September 2007, "Russia in Global Affairs” July - September 2007, The Dialectics of Strength and Weakness

An astute historian of Russia, Martin Malia, wrote several years ago that “Russia has at different times been demonized or divinized by Western opinion less because of her real role in Europe than because of the fears and frustrations, or hopes and aspirations, generated within European society by its own domestic problems.” Such is the case today. To be sure, mounting Western concerns about Russia are a consequence of Russian policies that appear to undermine Western interests, but they are also a reflection of declining confidence in our own abilities and the efficacy of our own policies. Ironically, this growing fear and distrust of Russia come at a time when Russia is arguably less threatening to the West, and the United States in particular, than it has been at any time since the end of the Second World War. Russia does not champion a totalitarian ideology intent on our destruction, its military poses no threat to sweep across Europe, its economic growth depends on constructive commercial relations with Europe, and its strategic arsenal – while still capable of annihilating the United States – is under more reliable control than it has been in the past fifteen years and the threat of a strategic strike approaches **zero probability**. Political gridlock in key Western countries, however, precludes the creativity, risk-taking, and subtlety needed to advance our interests on issues over which we are at odds with Russia while laying the basis for more constructive lon-term relations with Russia.

**No accidents or miscalculation**

**Ball 6** (Desmond, Special Professor at the Strategic and Defence Studies Centre at the Australian National University, “The Probabilities of ‘On the Beach,’” May, rspas.anu.edu.au/papers/sdsc/wp/wp\_sdsc\_401.pdf)

The prospects of a nuclear war between the United States and Russia must now be deemed fairly remote. There are now no geostrategic issues that warrant nuclear competition and no inclination in either Washington or Moscow to provoke such issues. US and Russian strategic forces have been taken off day-to-day alert and their ICBMs ‘de-targeted’, greatly reducing the possibilities of war by accident, inadvertence or miscalculation. On the other hand, while the US-Russia strategic competition is in abeyance, there are several aspects of current US nuclear weapons policy which are profoundly disturbing. In December 2001 President George W. Bush officially announced that the United States was withdrawing from the Anti-Ballistic Missile (ABM) Treaty of 1972, one of the mainstays of strategic nuclear arms control during the Cold War, with effect from June 2002, and was proceeding to develop and deploy an extensive range of both theatre missile defence and national missile defence (NMD) systems. The first anti-missile missile in the NMD system, designed initially to defend against limited missile attacks from China and North Korea, was installed at Fort Greely in Alaska in July 2004. The initial system, consisting of sixteen interceptor missiles at Fort Greely and four at Vandenberg Air Force in California, is expected to be operational by the end of 2005. The Bush Administration is also considering withdrawal from the Comprehensive Test Ban Treaty and resuming nuclear testing. (The last US nuclear test was on 23 September 1992). In particular, some key Administration officials believe that testing is necessary to develop a ‘new generation’ of nuclear weapons, including low-yield, ‘bunker-busting’, earth-penetrating weapons specifically designed to destroy very hard and deeply buried targets (such as underground command and control centres and leadership bunkers).

#### Other countries will use drones irrespective of US policy – claims of US being key are far-fetched

Anderson 11 (Kenneth, Professor at Washington College of Law, American University; and Hoover Institution visiting fellow, member of Hoover Task Force on National Security and Law; nonresident senior fellow, Brookings Institution, "What Kind of Drones Arms Race is Coming?," http://www.volokh.com/2011/10/09/what-kind-of-drones-arms-race-is-coming/)

It is indeed likely that the future will see more instances of uses of force at a much smaller, often less attributable, more discrete level than conventional war. Those uses will be most easily undertaken against non-state actors, rather than states, though the difference is likely to erode. The idea that it would not have occurred to China or Russia that drones could be used to target non-state actors across borders in safe havens, or that they would not do so because the United States had not done so is far-fetched. That is so not least because the United States has long held that it, or other states threatened by terrorist non-state actors in safe havens across sovereign borders, can be targeted if the sovereign is unable or unwilling to deal with them. There’s nothing new in this as a US view of international law; it goes back decades, and the US has not thought it some special rule benefiting the US alone. So the idea that the US has somehow developed this technology and then changed the rules regarding cross-border attack on terrorists is just wrong; the US has believed this for a long time and thinks it is legally and morally right.

### Case

#### No impact to china drones – far behind

**Zhou 2013** [Dillon columnist for PolicyMic, January, 2013, “China Drones Prompt Fears of a Drone Race With the US,” PolicyMic, http://www.policymic.com/articles/19753/china-drones-prompt-fears-of-a-drone-race-with-the-us]

There are several facts that provide some solace to the U.S. as China's drones are far from being a real challenge

to the American drone program.

First, the Chinese drones are nowhere as sophisticated as U.S. drones in their range and proper hardware for optic systems and motors to power the "dragons." The DSB report notes that the U.S. technical systems are almost unrivaled at present.

Second, China lacks the manpower to properly support their new fleet of drones. Whereas the U.S. has been training and honing a large force of UAV pilots, technicians and operation managers for 15 years.

Finally, the U.S. drone program is about 20 years ahead of the Chinese program. The current models on show are considered to be prototypes and not finished products. The Chinese also have not had a chance to gain real experience with their drones during real operation.

#### No modeling – state interests trump

**Metz 2013** [Steven Metz is a defense analyst and the author of "Iraq and the Evolution of American Strategy." His weekly WPR column, Strategic Horizons, appears every Wednesday 27 Feb 2013 World Politics Review “Strategic Horizons: The Strategy Behind U.S. Drone Strikes” http://www.worldpoliticsreview.com/articles/12747/strategic-horizons-the-strategy-behind-u-s-drone-strikes]

Both of these arguments are shaky. There is little or no evidence that nations facing a serious enemy base their response on U.S. actions. States do what they feel they have to do. The implication that if the United States did not use drones against insurgents other nations would not simply defies common sense. On the second point, there is no doubt that drone strikes create anger. Unfortunately, this does tend to be directed at the United States rather than at the extremists who elected to use human shields in the first place. But again there is no evidence that a significant

#### And lack of experience and market perception are serious barriers to entry

**Hsu June 13,** 2013 [Kimberly, Policy Analyst, Military & Security Affairs, “China’s Military Unmanned Aerial Vehicle Industry,” U.S.-China Economic and Security Review Commission Staff Research Backgrounder, <http://www.scribd.com/doc/147837759/China-s-Military-UAV-Industry-FINAL-13-June-2013-3>, 14-16]

In the words of a 2012 U.S. Defense Study Board report, China could “easily match or outpace U.S. spending on unmanned systems, rapidly close the technology gaps and become a formidable global competitor in unmanned systems.” 69 Nevertheless, China’s success in exporting UAVs will largely depend on market perception of the quality of its systems, which are unproven in comparison to their U.S. and Israeli alternatives. As the CASC official stated at Zhuhai, “There are many similar products in the global market and they are quite mature, so we haven’t had a big impact in the market. It will take some time for our products to be known and accepted.” 70

**No risk of China-Japan war**

**Sutter 2** (Robert, Professor – Georgetown, “China and Japan: Trouble Ahead?”, Washington Quarterly, Autumn, Lexis)

**Little** appears to be on the horizon that will substantially change the recent balance between friction and cooperation in Sino-Japanese relations in a way that would pose serious challenges for U.S. leadership in Asia or U.S. interest in regional stability and development. The shock of the September 11 attacks on the United States along with the U.S.-led war in Afghanistan had the effect of somewhat reducing China's relative influence in Asia while providing Japan an opportunity to expand its role in South and Central Asia. Policy changes after the presidential elections in South Korea late this year could upset the delicate equilibrium on the peninsula, though few see viable alternatives to some continued South Korean engagement with the North. The Chinese leadership transition in 2002 -- 2003 is not expected to result in significant changes in policy toward Asia, as Beijing strives to maintain a calm external environment and focuses on internal priorities. An Indo-Pakistani nuclear war, a U.S.-led attack against Iraq, a terrorist attack using weapons of mass destruction against the United States, or other conceivable international conflicts would strongly affect the United States, though the impact on Sino-Japanese friction in Asia would probably be **relatively small**. Realistically, the probability is **low** that a Sino-Japanese entente may emerge that would seriously complicate the existing U.S. security architecture in Asia or possibly challenge the leading U.S. economic role in the region. Thus, Sino-Japanese wariness probably means that the United States has little to worry about from ASEAN Plus Three or other Japan and China -- led groups that endeavor to exclude the United States. Although increased Sino-Japanese friction could divide Asian governments, with some feeling compelled to side with Japan (and presumably the United States) and others seemingly pressed to side with China, neither Beijing nor Tokyo sees such rivalry as in its broad national interests. Both powers appear more likely to continue pursuing priorities focused on domestic issues and economic development that **require** **broad** regional **cooperation and avoiding** confrontation and **conflict**.

**China-Japan relations are up and check conflict.**

**Kwok ‘8** (Kristine Kwok, @ South China Morning Post, 5-8-08 [Rivals put past behind them to focus on future relations;

Japan, China sign joint declaration that avoids thorny issues, lexis]

The long-time rivals agreed in the document that they would not pose a threat to each other, while a peaceful relationship would bring about "great opportunities and benefits" to Asia and the world. "The two sides are determined to squarely face history, face towards the future and continuously create new prospects for a strategic and mutually beneficial Sino-Japanese relationship," it said. In contrast to the three previous joint declarations, which got bogged down by the two sides' interpretations of Japan's wartime militarism, the latest document is forward-looking and shows willingness on both sides to improve ties, despite their differences. When former president Jiang Zemin made his state visit to Japan in 1998, attempts to rev up relations became mired in the history issue. Japan's prime minister at the time, Keizo Obuchi, refused a demand by Mr Jiang that Japan apologise for wartime atrocities in the joint statement. As a result, it was never signed. In the latest document, China and Japan touch only briefly on thorny issues. Beijing went as far as saying it "positively assessed" Japan's commitment to peace and its contribution to world peace and stability 60 years after the second world war. Both China and Japan are important regional powers with growing influences in global affairs. The two governments pledged to work together on climate change and to ensure regional peace and stability. Co-operation will be increased in trade, investment, information technology and finance, according to the statement. Cultural exchanges involving young people, media and private organisations will also be promoted.

**Interdependence checks**

**Kang 5** (David, Associate Professor of Government – Dartmouth College, Washington Post, 5-4, Lexis)

David Kang: North Korea has tested these short-range (100km, or 62 mile) missiles a number of times in the past few years. They don't even have the range to hit Japan, and are aimed mostly at South Korea. So it's not quite as destabilizing as we think it is. As to the issue of unresolved history, that's important, for sure. **As to Japan and China getting in an actual military conflict in the future, that seems to be an unlikely scenario**. **The economic ties between the two states are deeper than they ever have been**, **and** while they are trying to work out their political relationship, **the economic relationship continues to thrive.**
**Cultural ties check**

**Harrison 2k (**Selig, Director of the Asia Program – Center for International Policy and Senior Scholar – Woodrow Wilson International Center for Scholars, China’s Future, p. 105-106)

This Sino-Indian rivalry differs from the more complex Sino-Japanese competition for influence. Economically, Tokyo has set a faster pace than has Beijing, but **ingrained feelings of cultural subordinalion to China make it impossible for Japan to look on China as a junior power. Powerful psychological bonds**, summed up in the Japanese expression dobun dosyu (same race, same letters), **coupled with mutualities of economic interest, temper military tensions and offset China’s memories of past Japanese aggression**.’6 India, by contrast, has historically regarded itself, as has China, as the “Middle Kingdom.” Thus, New Delhi’s ambitions for a global superpower status comparable to that of Beijing are a constant affront to the PRC.

**Chinese moderation solves**

**Sutter 5** (Robert G., Visiting Professor, School of Foreign Service – Georgetown University, China’s Rise in Asia, p. 127)

A contrasting perspective gave greater weight to the **common interests and forces** that continued to **bind Sino-Japanese relations and** to **limit the chances of serious** confrontation or **conflict**. **This perspective** was more i**n line with the overall moderate approach China adopted toward its neighbors** **under** the leadership of Jiang **Zemin**, and especially the improvement in China’s relations with the United States and its allies and associates, including Japan, at the beginning of the twenty-first century. **Mutual interests centered on strong**, growing **economic and strategic interdependence between Japan and China**, and the influence of the United States and other third parties, including other national powers in Asia—all of whom favored and could be expected to work to preserve Sino-Japanese stability. Specific elements of the argument against the development of serious Sino-Japanese rivalry involved:

#### Threat posed by China's drones is inflated – all media hype, no arms race, tech advancement and mil mod inevitable

Moss 13 (Trefor, independent journalist based in Hong Kong. He covers Asian politics, defence and security, and was Asia-Pacific Editor at Jane’s Defence Weekly, "Here Comes...China's Drones," http://thediplomat.com/2013/03/02/here-comes-chinas-drones/?all=true)

It’s safe to say, then, that Chinese drones conjure up a particularly intense sense of alarm that the media has begun to embrace as a license to panic. China is indeed developing a range of unmanned aerial vehicles/systems (UAVs/UASs) at a time when relations with Japan are tense, and when those with the U.S. are delicate. But that hardly justifies claims that “drones have taken center stage in an escalating arms race between China and Japan,” or that the “China drone threat highlights [a] new global arms race,” as some observers would have it. This hyperbole was perhaps fed by a 2012 U.S. Department of Defense report which described China’s development of UAVs as "alarming."¶ That’s quite unreasonable. All of the world’s advanced militaries are adopting drones, not just the PLA. That isn’t an arms race, or a reason to fear China, it’s just the direction in which defense technology is naturally progressing. Secondly, while China may be demonstrating impressive advances, Israel and the U.S. retain a substantial lead in the UAV field, with China—alongside Europe, India and Russia— still in the second tier. And thirdly, China is modernizing in all areas of military technology – unmanned systems being no exception.

#### China won't use its drones offensively - international pressure checks and past experience proves

Erickson 13 (Andrew, Assoc Prof @ Naval War College + Research Assoc @ Harvard, "China has drones. Now how will it use them?," http://www.nationmultimedia.com/opinion/China-has-drones-Now-how-will-it-use-them-30207095.html)

Indeed, the time to fret about when China and other authoritarian countries will acquire drones is over: they have them. The question now is when and how they will use them. But as with its other, less exotic military capabilities, Beijing has cleared only a technological hurdle - and its behaviour will continue to be constrained by politics.¶ China has been developing a drone capacity for over half a century, starting with its reverse engineering of Soviet Lavochkin La-17C target drones that it had received from Moscow in the late 1950s. Today, Beijing's opacity makes it difficult to gauge the exact scale of the programme, but according to Ian Easton, an analyst at the Project 2049 Institute, an American think-tank devoted to Asia-Pacific security matters, by 2011 China's air force alone had over 280 combat drones. In other words, its fleet of unmanned aerial vehicles is already bigger and more sophisticated than all but the United States'; in this relatively new field Beijing is less of a newcomer and more of a fast follower. And the force will only become more effective: the Lijian ("sharp sword" in Chinese), a combat drone in the final stages of development, will make China one of the very few states that have or are building a stealth drone capacity.¶ This impressive arsenal may tempt China to pull the trigger. The fact that a Chinese official acknowledged that Beijing had considered using drones to eliminate the Myanmar drug trafficker, Naw Kham, makes clear that it would not be out of the question for China to launch a drone strike in a security operation against a non-state actor. Meanwhile, as China's territorial disputes with its neighbours have escalated, there is a chance that Beijing would introduce unmanned aircraft, especially since India, the Philippines and Vietnam distantly trail China in drone funding and capacity, and would find it difficult to compete. Beijing is already using drones to photograph the Senkaku/Diaoyu islands it disputes with Japan, as the retired Chinese major-general Peng Guangqian revealed earlier this year, and to keep an eye on movements near the North Korean border.¶ Beijing, however, is unlikely to use its drones lightly. It already faces tremendous criticism from much of the international community for its perceived brazenness in continental and maritime sovereignty disputes. With its leaders attempting to allay notions that China's rise poses a threat to the region, injecting drones conspicuously into these disputes would prove counterproductive. China also fears setting a precedent for the use of drones in East Asian hotspots that the United States could eventually exploit. For now, Beijing is showing that it understands these risks, and to date it has limited its use of drones in these areas to surveillance, according to recent public statements from China's Defence Ministry.¶ What about using drones outside of Chinese-claimed areas? That China did not, in fact, launch a drone strike on the Myanmar drug criminal underscores its caution. According to Liu Yuejin, the director of the anti-drug bureau in China's Ministry of Public Security, Beijing considered using a drone carrying a 20-kilogram TNT payload to bomb Kham's mountain redoubt in northeast Myanmar. Kham had already evaded capture three times, so a drone strike may have seemed to be the best option. The authorities apparently had at least two plans for capturing Kham. The method they ultimately chose was to send Chinese police forces to lead a transnational investigation that ended in April 2012 with Kham's capture near the Myanmar-Laos border. The ultimate decision to refrain from the strike may reflect both a fear of political reproach and a lack of confidence in untested drones, systems, and operators.¶ The restrictive position that Beijing takes on sovereignty in international forums will further constrain its use of drones. China is not likely to publicly deploy drones for precision strikes or in other military assignments without first having been granted a credible mandate to do so. The gold standard of such an authorisation is a resolution passed by the UN Security Council, the stamp of approval that has permitted Chinese humanitarian interventions in Africa and anti-piracy operations in the Gulf of Aden. China might consider using drones abroad with some sort of regional authorisation, such as a country giving Beijing explicit permission to launch a drone strike within its territory. But even with the endorsement of the international community or specific states, China would have to weigh any benefits of a drone strike abroad against the potential for mishaps and perceptions that it was infringing on other countries' sovereignty - something Beijing regularly decries when others do it.

#### Impact outweighs – econ is the biggest impact – our wu evidence specifies that economic decline would cause mass proliferation in the middle-east – that’s nuclear conflict

#### Probability -- conflict now is highly likely given other economic stressors

Mootry 9 (Primus, B.A. Northern Illinois University “Americans likely to face more difficult times” - The Herald Bulletin, http://www.theheraldbulletin.com/columns/local\_story\_282184703.html?keyword=secondarystory)

These are difficult times. The direct and indirect costs associated with the war on Iraq have nearly wrecked our economy. The recent $700 billion bailout, bank failures, and the failure of many small and large businesses across the nation will take years — perhaps decades — to surmount. Along with these rampant business failures, we have seen unemployment rates skyrocket, record numbers of home foreclosures, an explosion of uninsured Americans, and other economic woes that together have politicians now openly willing to mention the "D" word: Depression. These are difficult days. We have seen our international reputation sink to all time lows. We have seen great natural disasters such as hurricanes Ike and Katrina leaving hundreds of thousands of citizens stripped of all they own or permanently dislocated. In all my years, I have never seen a time such as this. To make matters worse, we are witnessing a resurgence of animosities between the United States and Russia, as well as the rapid growth of India and China. As to the growth of these two huge countries, the problem for us is that they are demanding more and more oil — millions of barrels more each week — and there is not much we can say or do about it. In the meantime, if America does not get the oil it needs, our entire economy will grind to a halt. In short, the challenges we face are complex and enormous. Incidentally, one of the factors that makes this time unlike any other in history is the potential for worldwide nuclear conflict. **There has never been a time in** the long **history** of man **when**, through his own technologies — and his arrogance — he can destroy the planet. Given the tensions around the world, **a mere spark could lead to global conflagration.**[This evidence has been gender paraphrased].

#### Turns terrorism

Schaub 4 (Drew, Professor of Political Science – Penn State University, Journal of Conflict Resolution, 48(2), April)

Despite the caveats, our analysis suggests important policy implications for the war against terrorism. National governments should realize that economic globalization is not the cause of, but a possible partial solution to, transnational terrorism. Although opening up one’s border facilitates the movement of terrorists and their activities, our results show that the effect of such facilitation appears weak. It does not precipitate a significant rise in transnational terrorist attacks within countries. This is an important lesson for policy makers who are designing antiterrorism policies. More important, economic openness, to the extent that it promotes economic development, may actually help to reduce indirectly the number of transnational terrorist incidents inside a country. Closing borders to foreign goods and capital may produce undesirable effects. Economic closure and autarky can generate more incentives to engage in transnational terrorist activities by hindering economic development. Antiterrorism policy measures should be designed with caution. They should not be designed to slow down economic globalization. Promoting economic development and reducing poverty should be important components of the global war against terrorism. Such effects are structural and system-wide. It is in the best interest of the United States not only to develop by itself but also to help other countries to grow quickly. The effect of economic development on the number of transnational terrorist incidents is large. The role of economic development deserves much more attention from policy makers than it currently enjoys.

#### Econ collapse turns Russian war

Nyquist 5 (J.R., Author and Geopolitical Columnist – Financial Sense Online, "The Political Consequences of a Financial Crash," 2-4, http://www.financialsense.com/stormwatch/geo/pastanalysis/2005/0204.html)
Should the United States experience a severe economic contraction during the second term of President Bush, the American people will likely support politicians who advocate further restrictions and controls on our market economy – guaranteeing its strangulation and the steady pauperization of the country. In Congress today, Sen. Edward Kennedy supports nearly all the economic dogmas listed above. It is easy to see, therefore, that the coming economic contraction, due in part to a policy of massive credit expansion, will have serious political consequences for the Republican Party (to the benefit of the Democrats). Furthermore, an economic contraction will encourage the formation of anti-capitalist majorities and a turning away from the free market system. The danger here is not merely economic. The political left openly favors the collapse of America's strategic position abroad. The withdrawal of the United States from the Middle East, the Far East and Europe would catastrophically impact an international system that presently allows 6 billion people to live on the earth's surface in relative peace. Should anti-capitalist dogmas overwhelm the global market and trading system that evolved under American leadership, the planet's economy would contract and untold millions would die of starvation. Nationalistic totalitarianism, fueled by a politics of blame, would once again bring war to Asia and Europe. But this time the war would be waged with mass destruction weapons and the United States would be blamed because it is the center of global capitalism. Furthermore, if the anti-capitalist party gains power in Washington, we can expect to see policies of appeasement and unilateral disarmament enacted. American appeasement and disarmament, in this context, would be an admission of guilt before the court of world opinion. Russia and China, above all, would exploit this admission to justify aggressive wars, invasions and mass destruction attacks. A future financial crash, therefore, must be prevented at all costs. But we cannot do this. As one observer recently lamented, "We drank the poison and now we must die."

#### Growth prevents miscalculation and war with China

Glaser 5/2/12 (“China is Reacting to Our Weak Economy” Bonnie S. Glaser (senior fellow at the Center for Strategic and International Studies.) 5/2/2012 http://www.nytimes.com/roomfordebate/2012/05/02/are-we-headed-for-a-cold-war-with-china/china-is-reacting-to-our-weak-economy)

To maintain peace and stability in the Asia-Pacific region and secure American interests, the United States must sustain its leadership and bolster regional confidence in its staying power. The key to those goals is reinvigorating the U.S. economy. Historically, the Chinese have taken advantage of perceived American weakness and shifts in the global balance of power. In 1974 China seized the Paracel Islands from Saigon just after the United States and the Socialist Republic of Vietnam signed the Paris Peace Treaty, which signaled the U.S. withdrawal from the region. When the Soviet leader Mikhail Gorbachev met one of Deng Xiaoping’s “three obstacles” requirements for better ties and withdrew from Can Ranh Bay, Vietnam, in 1988, China snatched seven of the Spratly Islands from Hanoi. Two decades later, as the United States-Philippines base agreement was terminated, China grabbed Mischief Reef from Manila. Beijing must not be allowed to conclude that an economic downturn means our ability to guarantee regional stability has weakened. The Chinese assertive behaviors against its neighbors in recent years in the East China Sea, the South China Sea and the Yellow Sea were in part a consequence of China’s assessment that the global financial crisis signaled the beginning of U.S. decline and a shift in the balance of power in China’s favor. The Obama administration’s “rebalancing” or “pivot” to Asia will help prevent Chinese miscalculation and increase the confidence of U.S. partners in U.S. reliability as the ballast for peace and stability in the region. But failure to follow through with actions and resources would spark uncertainty and lead smaller countries to accommodate Chinese interests in the region. Most important, the United States must revive its economy. China will inevitably overtake the United States as the largest economy in the world in the coming decade or two. The United States must not let Beijing conclude that a relative decline in U.S. power means a weakened United States unable to guarantee regional peace and stability. The Chinese see the United States as mired in financial disorder, with an alarming budget deficit, high unemployment and slow economic growth — which, they predict, will lead to America's demise as the sole global superpower. To avoid Chinese miscalculation and greater United States-China strategic competition, the United States needs to restore financial solvency and growth through bipartisan action.

#### Econ growth prevents war with China – sticky power ensures interdependence not war

Mead 04 (Walter Russell, Senior Fellow at Council on Foreign Relations, “America's STICKY Power,” Foreign Policy, Mar/Apr, Proquest)

China's rise to global prominence will offer a key test case for sticky power. As China develops economically, it should gain wealth that could support a military rivaling that of the United States; China is also gaining political influence in the world. Some analysts in both China and the United States believe that the laws of history mean that Chinese power will someday clash with the reigning U.S. power. Sticky power offers a way out. China benefits from participating in the U.S. economic system and integrating itself into the global economy. Between 1970 and 2003, China's gross domestic product grew from an estimated $106 billion to more than $1.3 trillion. By 2003, an estimated $450 billion of foreign money had flowed into the Chinese economy. Moreover, China is becoming increasingly dependent on both imports and exports to keep its economy (and its military machine) going. Hostilities between the United States and China would cripple China's industry, and cut off supplies of oil and other key commodities. Sticky power works both ways, though. If China cannot afford war with the United States, the United States will have an increasingly hard time breaking off commercial relations with China. In an era of weapons of mass destruction, this mutual dependence is probably good for both sides. Sticky power did not prevent World War I, but economic interdependence runs deeper now; as a result, the "inevitable" U.S.-Chinese conflict is less likely to occur.

### U - Shutdown close

#### Extend Yglesias - continuing resolution will be passed now by Boehner placating republicans – evidence indicates there’s just enough room – their evidence is non-predictive of republican tactics – means you err neg on uniqueness

#### Shutdown will be avoided now - but it will be close

Lunney 9/18/13 (Kellie, Government Executive, "Votes on Keeping Government Open Could Come Down to the Wire," http://www.govexec.com/oversight/2013/09/votes-keeping-government-open-could-come-down-wire/70498/)

Steve Bell, senior director of the Bipartisan Policy Center’s Economic Policy Project, said he thinks the Republican and Democratic House leadership ultimately will negotiate to avoid a government shutdown. But, “for the first time this year, I think they are going to cut it pretty close,” Bell said. The last time the government almost shut down -- with about an hour to spare -- was April 2011.

#### Obama has the leverage in the shutdown showdown

Scheiber 9/15/13 (Noam, Senior Editor @ The New Republic, "This Time There Really Will Be a Government Shutdown," http://www.newrepublic.com/article/114728/boehner-and-obama-cant-avoid-government-shutdown)

Start with the White House, which has been annoyingly open to concessions even when it has all the leverage. In my own conversations with White House officials (and people close to them) over the past few months, I’ve picked up a clear willingness to allow a shutdown if Republicans refuse to budge. This is unlike 2011, the last time the White House faced a shutdown situation. Back then, a well-connected former administration official told me recently, “the political strategists wanted a deal. [Senior adviser David] Plouffe wanted a deal . . . to increase our numbers with independents.” This time, according to this source, “There’s no constituency for caving.” ¶ That jibes with the change of heart I’ve detected when speaking directly to White House officials. In 2011, they were queasy about the risks a shutdown posed to the rickety economy, which could ultimately hurt the president. This year, they believe a shutdown would strengthen their hand politically, which is almost certainly true given the public outrage that would rain down on Republicans. One official pointed out that the pressure for spending cuts has subsided with the deficit falling so rapidly on its own. ¶

### U -Saving PC

#### Summers withdrawal means Obama saved political capital for the fight over the continuing resolution

Carmichael 9/16/13 (Kevin, Globe and Mail, "A fractious fall looms in Washington now Summers is out of the running," http://www.theglobeandmail.com/report-on-business/with-summers-out-of-running-a-fractious-fall-looms-in-washington/article14357991/)

Stocks rose around the world, as traders reasoned the transition to a new Fed chairman will be more predictable with Prof. Summers out of the race. Janet Yellen, the No. 2 at the Fed, re-emerged as the front-runner, a status she had lost to Prof. Summers in the uncommonly public contest to replace Ben Bernanke, whose four-year term ends in January.¶ “Larry was not my first choice for Federal Reserve chair,” said Elizabeth Warren, a Democratic member of the Senate banking committee who won in Massachusetts in 2012 in part because of her vocal criticism of Wall Street’s role in the financial crisis. “I’m a big fan of Janet Yellen,” Ms. Warren added in an interview with Bloomberg Television on Monday. “I think she’s terrific. She’s got the right experience and I think she’d make a terrific Federal Reserve chair.”¶ Ms. Warren was one of four Democrats on the banking committee who said they would vote against Prof. Summers. That meant the White House would have had to have sought Republican support to get Prof. Summers through the committee stage of the nomination process and onto the Senate floor. That’s more political capital than the President currently has to spend.¶ “Republicans would have wanted something in return,” Mr. Bosworth said. “It wasn’t worth it.”¶ More of the contentious fiscal showdowns that have characterized Mr. Obama’s relationship with the Republican-led House of Representatives are on the horizon.

#### And - obama spending capital on budget issues now – he’s entered the fray and is arm-twisting for support – means he has just enough

Blake 9/18/13 (Aaron, Wash Post, "Carney assures that Obama 'has twisted arms'," http://www.washingtonpost.com/blogs/post-politics/wp/2013/09/18/carney-assures-that-obama-has-twisted-arms/)

White House press secretary Jay Carney on Wednesday fought back against criticism that President Obama has been disengaged from legislative battles on Capitol Hill.¶ "He has twisted arms," Carney said. "He has used the powers that are available to him to try to convince, persuade, cajole Republicans into doing the sensible thing...."¶ Pressed on Obama's role in the current budget debate and his refusal to negotiate over the debt ceiling, Carney rebuffed the idea that the president isn't involved.¶ “You’re assuming he’s above the fray," Carney said. "He’s not. He’s in the fray. And he was in the fray today, and he'll be in the fray until Congress does the right thing.”

### Internals – Capital Key

#### House GOP will cave and approve the continuing resolution in the coming weeks - Obama has the necessary leverage

Terbush 9/18/13 (Jon, Staff @ The Week, "A government shutdown is a high-stakes game the GOP can't win," http://theweek.com/article/index/249809/a-government-shutdown-is-a-high-stakes-game-the-gop-cant-win)

Boehner has shown before that when push comes to shove, he's willing to negotiate, even if that means going against the wishes of his party's most conservative members. To avoid a shutdown in 2011, he agreed to an 11th hour deal with lesser spending cuts than conservatives wanted.¶ This time, Obama may have even more leverage.¶ The president on Wednesday accused the GOP of trying to "extort" him. And polls show that the public would overwhelmingly blame Republicans in the event of a shutdown — a CNN survey last week found that 51 percent of Americans would blame the GOP, while only 33 percent would blame Obama.¶ Rep. Paul Ryan (R-Wis.), the GOP's budget guru, is privately taking a stand against the defund attempt for that very reason.¶ "We have to stay on the right side of public opinion," Ryan reportedly said during a GOP conference Wednesday morning, according to National Review's Robert Costa. "Shutting down the government puts us on the wrong side."¶ The dynamic ultimately comes down to this: If Republicans want to fund the government, they will at some point have to pass a spending bill that leaves ObamaCare funding intact. Anything else will die a swift death in the Senate.¶ "This doesn't fundamentally change our plans and it just delays the day when House Republicans will have to pass (or at least help pass) a CR," an aide to Senate Democratic leadership told the Washington Post's Greg Sargent. "If they don't, they will shut down the government. It's that simple. All procedural roads in the Senate lead to a clean CR. There is no scenario in which we pass anything that defunds or delays Obamacare."¶ In other words, Boehner will have to give in at some point in the next two weeks. Triggering a politically masochistic shutdown with no upside before doing is nothing less than a crazy proposition.

#### Political capital key to Obama's economic agenda

Indiviglio 9/19/13 (Daniel, Reuters Breakingviews columnist, "Activist would contest Obama’s capital allocation," http://blogs.reuters.com/breakingviews/2013/09/19/activist-would-contest-obamas-capital-allocation/)

The economy and jobs came in second, absorbing 16 percent of Obama’s output. Arguably these areas deserve significantly more capital – perhaps 25 percent or more of the president’s effort. Growth remains modest, and unemployment is too high at 7.3 percent. If he can get the economy cranking faster, it should make other things easier to tackle – like his third most significant talking point, education.¶ Social issues like immigration and gun control garnered nearly the same 15 percent portion of Obama’s rhetorical pie as education. But spending and deficits, where potential emergencies loom, accounted for only 6 percent. Poorly constructed budget cuts threaten the tepid recovery. And Congress looks poised to make raising the federal debt limit as painful as it did two years ago. The broad economic risks make this an area demanding far more presidential attention.

#### US economic collapse will destroy the global economy

Mead 04 (Walter Russell, Senior Fellow at Council on Foreign Relations, “America's STICKY Power,” Foreign Policy, Mar/Apr, Proquest)

Similarly, in the last 60 years, as foreigners have acquired a greater value in the United States-government and private bonds, direct and portfolio private investments-more and more of them have acquired an interest in maintaining the strength of the U.S.-led system. A collapse of the U.S. economy and the ruin of the dollar would do more than dent the prosperity of the United States. Without their best customer, countries including China and Japan would fall into depressions. The financial strength of every country would be severely shaken should the United States collapse. Under those circumstances, debt becomes a strength, not a weakness, and other countries fear to break with the United States because they need its market and own its securities. Of course, pressed too far, a large national debt can turn from a source of strength to a crippling liability, and the United States must continue to justify other countries' faith by maintaining its long-term record of meeting its financial obligations. But, like Samson in the temple of the Philistines, a collapsing U.S. economy would inflict enormous, unacceptable damage on the rest of the world. That is sticky power with a vengeance.

### Link

#### Yes Obama fights Congress –

#### It’s normal means –

#### (If not read) Obama fights the plan

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.

#### Normal means should govern 1AC implementation: its based in literature, predictable for both sides because it’s the most likely, and it’s fair – it’s the only way to truly debate inter branch struggles over war powers - that’s key to politics and legal education on this topic

#### Our Holman evidence indicates that Obama has remained legally vague to maintain military flexibility– means their no link doesn’t apply – restrictions would cause him to get into congressional battles to avoid legal formalization – means their no link corroborates the link story

#### Obama fights the plan and sparks controversial battles in Congress – targeted killing is heavily criticized

Radsan and Murphy 12 (Afsheen John – Professor, William Mitchell College of Law; Assistant General Counsel at the Central Intelligence Agency from 2002 to 2004, and Richard – AT&T Professor of Law, Texas Tech University School of Law, “The Evolution of Law and Policy for CIA Targeted Killing”, 2012, 5 J. Nat'l Security L. & Pol'y 439, lexis)

This scenario emphasizes a simple point: President Obama, a Harvard Law School graduate, a former teacher of constitutional law at the University of Chicago and a Nobel Peace Laureate, must believe that he has the authority to order the CIA to fire missiles from drones to kill suspected terrorists. Not everyone agrees with him, though. For almost a decade now, the United States has been firing missiles from unmanned drones to kill people identified as leaders of al Qaeda and the Taliban. This "targeted killing" has engendered controversy in policymaking and legal circles, spilling into law review articles, op-ed pieces, congressional hearings, and television programs. n2 On one level, this [\*441] controversy is curious. A state has considerable authority in war to kill enemy combatants - whether by gun, bomb, or cruise missile - so long as those attacks obey basic, often vague, rules (e.g., avoidance of "disproportionate" collateral damage). So what is so different about targeted killing by drone? Some of the concerns about a CIA drone campaign relate to the personalized nature of targeted killing. All attacks in an armed conflict must, as a matter of basic law and common sense, be targeted. To attack something, whether by shooting a gun at a person or dropping a bomb on a building, is to target it. "Targeted killing," however, refers to a premeditated attack on a specific person. President Franklin D. Roosevelt, for instance, ordered Admiral Yamamoto killed not because he was any Japanese sailor, but because he was the author of "tora, tora, tora" on Pearl Harbor. President Obama, more recently, ordered Osama bin Laden killed not because the Saudi was any member of al Qaeda, but because he was the author of 9/11 who continued to command the terrorist organization. Targeted killing is psychologically disturbing because it is individualized. It is easier for a U.S. operator to kill a faceless soldier in a uniform than someone whom the operator has been tracking with photographs, videos, voice samples, and biographical information in an intelligence file. There is also concern that drones will attack improperly identified targets or cause excessive collateral damage. Targets who hide among peaceful civilians heighten these dangers. Of course, drone strikes should be far more precise than bombs dropped from a piloted aircraft. The lower [\*442] "costs" of drone strikes, however, encourage governments to resort to deadly force more quickly - a trend that may accelerate as drone technology rapidly improves and perhaps becomes fully automated through advances in artificial intelligence. Paradoxically, improved precision could lead to an increase in deadly mistakes. Another concern relates to granting an intelligence agency trigger authority. Entrusting drones to the CIA, an intelligence agency with a checkered history as to the use of force whose activities are largely conducted in secret, heightens concerns in some quarters that strikes may sometimes kill the wrong people for the wrong reasons. If applied sloppily or maliciously, targeted killing by drones could amount to nothing more than advanced death squads. For these and related reasons, the use of killer drones merits serious thought and criticism. Along these lines, many opponents of the reported CIA program have decried it as illegal. Without questioning their sincerity, one can acknowledge the soundness of their tactics. "Law talk" offers them a strong weapon. How could anyone, without shame or worse, support an illegal killing campaign? Illegality is for gangsters, drug dealers, and other outlaws - not the Oval Office.

#### Targeted killing restrictions sap political capital – spills over to other issues

Vladeck 13 (Steve – professor of law and the associate dean for scholarship at American University Washington College of Law, “Drones, Domestic Detention, and the Costs of Libertarian Hijacking”, 3/14, http://www.lawfareblog.com/2013/03/drones-domestic-detention-and-the-costs-of-libertarian-hijacking/)

The same thing appears to be happening with targeted killings. Whether or not Attorney General Holder’s second letter to Senator Paul actually answered the relevant question, it certainly appeared to mollify the junior Senator from Kentucky, who declared victory and withdrew his opposition to the Brennan nomination immediately upon receiving it. Thus, as with the Feinstein Amendment 15 months ago, the second Holder letter appears to have taken wind out of most of the libertarian critics’ sails, many of whom (including the Twitterverse) have now returned to their regularly scheduled programming. It seems to me that both of these episodes represent examples of what might be called “libertarian hijacking”–wherein libertarians form a short-term coalition with progressive Democrats on national security issues, only to pack up and basically go home once they have extracted concessions that don’t actually resolve the real issues. Even worse, in both cases, such efforts appeared to consume most (if not all) of the available oxygen and political capital, obfuscating, if not downright suppressing, the far more problematic elements of the relevant national security policy. Thus, even where progressives sought to continue the debate and/or pursue further legislation on the relevant questions (for an example from the detention context, consider Senator Feinstein’s Due Process Guarantee Act), the putative satisfaction of the libertarian objections necessarily arrested any remaining political inertia (as Wells cogently explained in this post on Senator Paul and the DPGA from November).

#### Obama fights for targeted killing – recent speeches prove – and that generates massive controversy

Kishore 13 (Joseph, “Obama offers tortured defense of targeted killings”, 5/24, http://www.wsws.org/en/articles/2013/05/24/dron-m24.html?view=print)

In his speech yesterday at the National Defense University in Washington, DC, US President Barack Obama offered a tortured defense of extra-judicial assassinations, for the first time publicly acknowledging the killing of Anwar al-Awlaki, a US citizen, in September 2011. Obama’s remarks were characterized by a basic contradiction. He sought to defend drone assassinations, while at the same time essentially acknowledging their illegality and the illegality of much of what the American government has done over the past decade. A tone of nervousness and defensiveness pervaded Obama’s remarks, reflecting awareness within the ruling class that what they are doing is not only illegal, but also increasingly unpopular. Significantly, the speech was repeatedly interrupted by a woman who denounced the administration’s policy on drone assassinations and the detention center at Guantanamo Bay. Obama’s admission that he had ordered the killing of Awlaki is part of an effort by the administration to bring the assassination program “into the open,” to institutionalize it and turn it into a permanent feature of US policy. “America’s actions are legal,” Obama insisted, referring to extra-judicial assassinations. “We were attacked on 9/11. Within a week, Congress overwhelmingly authorized the use of force. Under domestic and international law, the United States is at war with Al Qaeda, the Taliban, and their associated forces.”

### shutdown

#### Even a brief shutdown destroys US economic recovery efforts

O'Brien 9/18/13 (Michael, Political Reporter @ NBC News, "Washington still in gridlock 11 days before shutdown deadline," http://nbcpolitics.nbcnews.com/\_news/2013/09/19/20582202-washington-still-in-gridlock-11-days-before-shutdown-deadline?lite)

A complex matrix of variables shape the current standoff, chief among them an internal struggle among Republicans over whether to use the specter of a government shutdown – or, more gravely, a default on the national debt next month – as a final leverage point to do away with the Affordable Care Act before it takes effect on Oct. 1. The GOP is torn between living up to its commitment to fight Obamacare, and the political toll Republicans would suffer in face of a government shutdown.¶ Still, Congress offered little hope Thursday of reaching an agreement to avert a shutdown.¶ House Republicans will cast their lot Friday, when they are poised to approve a measure that would continue government spending, but also eradicate funding for the enactment of the health care law – even though Obama flatly said Thursday that he would veto the legislation.¶ “When it comes to the health care law, the debate in the House has been settled,” Boehner said Friday, vowing to push ahead with the surely-doomed approach.¶ Obama on Wednesday called this strategy, favored by hard-lined conservatives, the “primary roadblock to resolving the budget.”¶ With no solution in sight, the gridlock threatens to imperil or reverse the sluggish recovery from the 2008-09 recession and financial crisis. The Federal Reserve took action on Wednesday to continue its stimulus efforts, in part due to concerns that Congress might not resolve its differences this time. And even the U.S. Chamber of Commerce, an organization traditionally warm to Republicans, warned lawmakers this week that “it is not in the best interest of the U.S. business community or the American people to risk even a brief government shutdown.”¶ Still, Boehner signaled that the House GOP has no intention of backing off its legislation, saying it’s up to the Democratic-controlled Senate to figure out a solution.¶ “This fight will move over to the Senate, where it belongs,” he said. “I expect my Senate colleagues will be up to the challenge.”¶ For their part, the Democrats’ leader in the Senate – who have long said they would strip the Obamacare provision from the patchwork legislation – expressed his skepticism that the House would even manage to approve the legislation.¶ “Let’s wait and see what they send us,” Majority Leader Harry Reid, D-Nev., said Thursday. “It’s a moving target over there; we’ve heard all sorts of rumors that they don’t have the votes, that they’re going to come up with another strategy.”¶ If history is any guide, a handful of moderate Republicans in the Senate will join with the majority Democrats to craft some last-minute agreement to avert a shutdown. But the GOP’s internal divisions have made the already-tough task of legislating even more difficult.

#### Shutdown tanks the global economy

Baldwin 9/12/13 (Garrett, Economist @ Money Morning, "Stock Market Crash 2013: Four Factors Investors Need to Watch," http://moneymorning.com/2013/09/12/stock-market-crash-2013-four-factors-investors-need-to-watch/)

Now that Congress has returned from August recess, it has to deal with two important elements: a budget to finance government and a looming debt ceiling deal that is expected to be just as political as ever.¶ Don't expect a simple agreement or continuing resolution to finance spending as an easy agreement.¶ Republicans are expected to demand tax reform and changes to Social Security and Medicare in return for hikes to government borrowing levels. Unfortunately, as the government blows past the $17 trillion threshold, it's clear that neither Republicans nor Democrats are prepared for the potential blowback that capping the borrowing limits could lead to.¶ We've been down this path before. In the event of a government shutdown, essential services would likely not continue, and government would default on certain debt payments. Though unlikely, as the Oct. 1st budget deadline approaches and talk in Washington heats up, ripples through the global economy could soon materialize.

**Failure to compromise tanks global econ recovery efforts**

**Sherwell 11** (Philip, London Telegraph, "US shutdown looms as budget war rage," http://www.telegraph.co.uk/finance/financetopics/recession/8335823/US-shutdown-looms-as-budget-war-rages.html)

Fears over the strength of the US economic recovery were growing last night after a highly unusual all-night session of the Republican House of Representatives agreed to slash the federal budget by $61bn by the end of September.¶ The deal, thrashed out in the early hours, was immediately condemned by US Treasury Secretary Tim Geithner, who said the cuts would hit the fragile economy.¶ It now appears there will be a potentially damaging stand-off between President Barack Obama and Republican leaders **with a possible shut-down of the federal government if agreement cannot be reached** in the next fortnight.¶ "The continuing resolution as passed by the House would undermine and damage our capacity to create jobs and expand the economy," Mr Geithner said at the G20 summit in Paris yesterday.¶ President Obama has already pledged to veto the aggressive cuts. The proposal must now be debated by the Senate, the upper chamber of Congress, where Democrats hold a slim majority. There is a growing danger the federal government will close down on March 4 if a compromise short-term spending deal cannot be struck between the White House and two houses of Congress. **Such paralysis is likely to damage US economic prospects and therefore the chances of continuing global recovery.**

#### Growth now - but remains modest AND deficit situation improving

Doll 9/17/13 (Bob, chief equity strategist and senior portfolio manager at Nuveen Asset Management LLC, "Nuveen's Doll: 'Risk-on' resumes as uncertainty subsides," http://www.investmentnews.com/article/20130917/FREE/130919917#)

Economic growth is gaining traction yet remains modest. The speed at which bond yields backed up has been unsettling, but a dialing down of the Fed's accommodative policy equates to a vote of confidence for the economy. We still believe economic and monetary policy will support risk assets.¶ The Fed will likely taper the rate of its monthly asset purchases at this week's FOMC meeting. We anticipate approximately a $10 billion (or somewhat higher) decrease in the rate of U.S. Treasury monthly purchases and no change in purchases of mortgage-backed securities (MBS). Monetary policy will be progrowth as the Fed starts to slow the rate of Treasury purchases. The Fed's balance sheet should continue expanding until mid-2014.¶ The latest federal budget data shows a continued improvement in the deficit with year-over-year revenues up 12.6% and spending down 6.7%.2 As a result, the deficit has declined $550 billion since last August, a nearly 50% decline.

### Uniq – Econ High/Shutdown Hurts

#### US economy is improving, but a shutdown tanks it in the short-run

Arcega 9/18/13 (Mil, Voice of America News, "Barney Frank: Financial System Safer Five Years After Crisis," http://www.voanews.com/content/barney-frank-financial-system-safer-five-years-after-crisis/1751940.html)

WASHINGTON — Five years after the worst financial crisis since the Great Depression, former U.S. congressman Barney Frank feels the risks of another calamitous bank failure that could throw the global economy into a downward spiral have diminished. However, although Frank insists the risks have been greatly reduced and that "the economy is better off than it was five years ago for almost everybody,” economists say the U.S. recovery remains mixed.¶ ¶ Expectations of a quick turnaround were misplaced, claim experts such as Robert Bixby of the Concord Coalition.¶ "It was a major catastrophic bursting of the bubble and that takes a lot longer to recover from."¶ Former Treasury Secretary Henry Paulson, who helped bail out some of the biggest financial firms in 2008, said that as unpopular as it was, the TARP program, which authorized the government to purchase up to 700 billion dollars of troubled assets, helped prevent a bigger crisis.¶ "The American people never understood , never understood, we did these [bailouts] to prevent a disaster... Barney and I both understood, we could have had something that rivaled the Great Depression.”¶ ¶ Five years after the onset of the crisis, the biggest banks are once again profitable. U.S. stock prices are 26 percent higher than they were in 2008 and America’s top CEOs are earning more than they did before the crisis. ¶ ¶ However, despite good news on Wall Street, unemployment remains high and the median income for Americans is lower than it was before the crisis. The OECD has even said that the United States now has the greatest level of income inequality among developed nations.¶ ¶ Barney Frank feels that this charge is not entirely related to the crisis, and pointed out that America’s high levels of inequality were present before 2008 and that resolving the financial crisis would not necessarily entail also tackling income disparity, stating that the financial legislation that was passed was to “stop bad things from happening,” and that “nothing in there makes good things happen."¶ ¶ Some blame the two sided recovery on dysfunction in Washington. Economist Joe Gagnon of the Peterson Institute said the drawn out budget battle of 2010 and deep government spending cuts enacted by Congress earlier this year insure that the recovery will remain tepid.¶ Considering future hurdles, Gagnon said, “I think the only thing that could hurt us in the short run would be a catastrophic political impasse in Washington. You know, a government shutdown that would drag on for months."

### Uniq – Top Priority/A2 Thumpers

#### Obama’s using all his political capital on the budget battle now – it’s his singular focus

Allen 9/19/13 (Jonathan, Politico, "GOP battles boost President Obama," http://dyn.politico.com/printstory.cfm?uuid=17961849-5BE5-43CA-B1BC-ED8A12A534EB)

There’s a simple reason President Barack Obama is using his bully pulpit to focus the nation’s attention on the battle over the budget: In this fight, he’s watching Republicans take swings at each other.¶ And that GOP fight is a lifeline for an administration that had been scrambling to gain control its message after battling congressional Democrats on the potential use of military force in Syria and the possible nomination of Larry Summers to run the Federal Reserve.¶ If House Republicans and Obama can’t cut even a short-term deal for a continuing resolution, the government’s authority to spend money will run out on Oct. 1. Within weeks, the nation will default on its debt if an agreement isn’t reached to raise the federal debt limit.¶ For some Republicans, those deadlines represent a leverage point that can be used to force Obama to slash his health care law. For others, they’re a zero hour at which the party will implode if it doesn’t cut a deal.¶ Meanwhile, “on the looming fiscal issues, Democrats — both liberal and conservative, executive and congressional — are virtually 100 percent united,” said Sen. Charles Schumer (D-N.Y.).¶ Just a few days ago, all that Obama and his aides could talk about were Syria and Summers. Now, they’re bringing their party together and shining a white hot light on Republican disunity over whether to shut down the government and plunge the nation into default in a vain effort to stop Obamacare from going into effect.¶ The squabbling among Republicans has gotten so vicious that a Twitter hashtag — #GOPvsGOPugliness — has become a thick virtual data file for tracking the intraparty insults. Moderates, and even some conservatives, are slamming Texas Sen. Ted Cruz, a tea party favorite, for ramping up grassroots expectations that the GOP will shut down the government if it can’t win concessions from the president to “defund” his signature health care law.¶ “I didn’t go to Harvard or Princeton, but I can count,” Sen. Bob Corker (R-Tenn.) tweeted, subtly mocking Cruz’s Ivy League education. “The defunding box canyon is a tactic that will fail and weaken our position.”¶ While it is well-timed for the White House to interrupt a bad slide, Obama’s singular focus on the budget battle is hardly a last-minute shift. Instead, it is a return to the narrative arc that the White House was working to build before the Syria crisis intervened.¶ And it’s so important to the president’s strategy that White House officials didn’t consider postponing Monday’s rollout of the most partisan and high-stakes phase even when a shooter murdered a dozen people at Washington’s Navy Yard that morning.

#### Turns terrorism

Schaub 4 (Drew, Professor of Political Science – Penn State University, Journal of Conflict Resolution, 48(2), April)

Despite the caveats, our analysis suggests important policy implications for the war against terrorism. National governments should realize that economic globalization is not the cause of, but a possible partial solution to, transnational terrorism. Although opening up one’s border facilitates the movement of terrorists and their activities, our results show that the effect of such facilitation appears weak. It does not precipitate a significant rise in transnational terrorist attacks within countries. This is an important lesson for policy makers who are designing antiterrorism policies. More important, economic openness, to the extent that it promotes economic development, may actually help to reduce indirectly the number of transnational terrorist incidents inside a country. Closing borders to foreign goods and capital may produce undesirable effects. Economic closure and autarky can generate more incentives to engage in transnational terrorist activities by hindering economic development. Antiterrorism policy measures should be designed with caution. They should not be designed to slow down economic globalization. Promoting economic development and reducing poverty should be important components of the global war against terrorism. Such effects are structural and system-wide. It is in the best interest of the United States not only to develop by itself but also to help other countries to grow quickly. The effect of economic development on the number of transnational terrorist incidents is large. The role of economic development deserves much more attention from policy makers than it currently enjoys.

#### Even a brief shutdown destroys US economic recovery efforts

O'Brien 9/18/13 (Michael, Political Reporter @ NBC News, "Washington still in gridlock 11 days before shutdown deadline," http://nbcpolitics.nbcnews.com/\_news/2013/09/19/20582202-washington-still-in-gridlock-11-days-before-shutdown-deadline?lite)

A complex matrix of variables shape the current standoff, chief among them an internal struggle among Republicans over whether to use the specter of a government shutdown – or, more gravely, a default on the national debt next month – as a final leverage point to do away with the Affordable Care Act before it takes effect on Oct. 1. The GOP is torn between living up to its commitment to fight Obamacare, and the political toll Republicans would suffer in face of a government shutdown.¶ Still, Congress offered little hope Thursday of reaching an agreement to avert a shutdown.¶ House Republicans will cast their lot Friday, when they are poised to approve a measure that would continue government spending, but also eradicate funding for the enactment of the health care law – even though Obama flatly said Thursday that he would veto the legislation.¶ “When it comes to the health care law, the debate in the House has been settled,” Boehner said Friday, vowing to push ahead with the surely-doomed approach.¶ Obama on Wednesday called this strategy, favored by hard-lined conservatives, the “primary roadblock to resolving the budget.”¶ With no solution in sight, the gridlock threatens to imperil or reverse the sluggish recovery from the 2008-09 recession and financial crisis. The Federal Reserve took action on Wednesday to continue its stimulus efforts, in part due to concerns that Congress might not resolve its differences this time. And even the U.S. Chamber of Commerce, an organization traditionally warm to Republicans, warned lawmakers this week that “it is not in the best interest of the U.S. business community or the American people to risk even a brief government shutdown.”¶ Still, Boehner signaled that the House GOP has no intention of backing off its legislation, saying it’s up to the Democratic-controlled Senate to figure out a solution.¶ “This fight will move over to the Senate, where it belongs,” he said. “I expect my Senate colleagues will be up to the challenge.”¶ For their part, the Democrats’ leader in the Senate – who have long said they would strip the Obamacare provision from the patchwork legislation – expressed his skepticism that the House would even manage to approve the legislation.¶ “Let’s wait and see what they send us,” Majority Leader Harry Reid, D-Nev., said Thursday. “It’s a moving target over there; we’ve heard all sorts of rumors that they don’t have the votes, that they’re going to come up with another strategy.”¶ If history is any guide, a handful of moderate Republicans in the Senate will join with the majority Democrats to craft some last-minute agreement to avert a shutdown. But the GOP’s internal divisions have made the already-tough task of legislating even more difficult.

#### Growth solves terrorism

Gries, Kriegery, Meierrieksz 09 (Causal Linkages Between Domestic Terrorism and Economic Growth; Thomas Gries , Tim Kriegery, Daniel Meierrieksz; February 17, 2009;http://groups.uni-paderborn.de/fiwi/RePEc/Working%20Paper%20neutral/WP20%20-%202009-02.pdf)

Possible E¤ects of Economic Performance on Terrorism Economic theory argues that terrorists are rational individuals which choose their levels of violent activity according to the costs and benefits arising from their actions (cf., e.g., Sandler and Enders, 2004). Because of terrorists’ presumed rationality, the opportunity costs of terror also matter. Intuitively, low opportunity costs of violence –that is, few prospects of economic activity –lead to elevated terrorist activity, whereas high opportunity costs result in the opposite (cf., e.g., Freytag et al., 2008). Times of economic success mean, inter alia, more individual economic opportunities and economic participation. Higher levels of overall growth should coincide with higher opportunity costs of terror and thus less violence. Conversely, in periods of economic downturn should be accompanied by fewer economic opportunities and participation and thus by more economic dissatisfaction. In times of economic crisis, dissidents are more likely to resort to violence as the opportunity costs of terror are low, while the potential long-run payo¤s from violence –a redistribution of scarce economic resources which is to be enforced by means of terrorism are comparatively high (cf. Blomberg, Hess and Weerapana, 2004). To some extent, empirical evidence suggests that economic performance and terrorism are linked along the lines discussed before. The findings of Collier and Hoe­ er (1998) indicate that higher levels of economic development coincide with lower likelihoods of civil war, providing initial evidence that economic success and con‡ict are diametrically opposed. Considering economic development and terrorism, several studies …nd that higher levels of development are obstacles to the production of transnational terrorism (cf., e.g., Santos Bravo and Mendes Dias, 2006; Lai, 2007; Freytag et al., 2008). Blomberg and Hess (2008) also …and that higher incomes are a strong deterrence to the genesis of domestic terrorism. Furthermore, there is evidence connecting solid short-run economic conditions with less political violence (cf. Muller andWeede, 1990; Freytag et al., 2008).6 In general, the evidence indicates that terrorism and economic conditions are linked. Here, economic success seems to impede the genesis of terrorism, presumably due to higher opportunity costs of conflict. In other words, in times of stronger economic performance individuals simply have more to lose.