# 1AC

## Wake 1.1

### Norms

#### Countries are modeling CIA drone policy

Betty McCollum, 2013- Congressional Record. June 14, 2013. Betty Louise McCollum is the U.S. Representative for Minnesota's 4th congressional district, serving since 2001. http://www.gpo.gov/fdsys/pkg/CREC-2013-06-14/pdf/CREC-2013-06-14-pt1-PgE861-2.pdf#page=1

Ms. MCCOLLUM. Mr. Speaker, yesterday in the House Appropriations Committee I offered an amendment to the fiscal year 2014 defense appropriations bill regarding lethal drone strikes. The amendment stated: None of the funds made available by this Act may be used for weapons strikes or lethal action using unmanned aerial vehicles unless conducted by a member of the Armed Forces under the authority provided pursuant to Title 10, United States Code. The amendment was defeated in committee on a voice vote and my request for a recorded vote was denied by the committee. It is my intention to offer this same amendment on the floor of the House in the coming weeks when the defense appropriations bill is debated by the full House. My statement (as prepared for delivery in committee) is as follows: Full Appropriations Committee Statement on the McCollum Amendment: Mr. Chairman, within the classified portion of this bill hundreds of millions of dollars, perhaps billions, are appropriated for a targeted killing program operated by the Central Intelligence Agency. The CIA operates a fleet of weaponized drones armed with laser guided Hellfire missiles. They conduct lethal air strikes against targets in Pakistan, Yemen and Somalia. The program’s targets are identified terrorists or they are unidentified individuals targeted and killed based on a pattern of behavior. My amendment places sole responsibility for conducting lethal military action using weaponized drones in the hands of the Department of Defense conducted by members of the Armed Forces under the authority of Title 10 of the U.S. Code. The CIA’s use of drones to conduct surveillance and intelligence gathering in support of Defense Department lethal action continues under my amendment. Some of our colleagues do not believe that the Pentagon is not up to the task of carrying out this responsibility. I disagree with that. The Joint Special Operations Command (JSOC) is conducting drone strikes now. The Air Force and the Army possess and operate weaponized drones. They operate within a clear chain of command and legal accountability. Lethal military operations using sophisticated weapons systems should be in the hands of the Secretary of Defense and military commanders who are accountable to Congress. CIA strikes have been effective. Terrorists have been killed. But they are not secret. The whole world knows these are CIA strikes operating on behalf of the American people, without transparency, accountability or oversight. In fact, CIA Director John Brennan may actually agree with this amendment. During his Senate confirmation hearing he stated, ‘‘The CIA should not be doing traditional military activities and operations.’’ There are costs associated with these targeted killings. Hundreds of innocent civilians have been killed. There are legal questions, human rights concerns, foreign policy implications and ultimately moral issues. You could dismiss all of these concerns because the program is killing terrorists. But in the near future, as armed drone technology proliferates, if we dismiss these concerns I can guarantee you that China, Iran, Russia and other nations will also dismiss these concerns when they are capable of conducting targeted killings. Why, because we are setting the example. If we want other countries to use these technologies responsibly, then we must use them responsibly. What’s at stake is our country’s moral authority. The Obama Administration is not leading on this issue of ensuring transparency, accountability and oversight. The president claims these CIA strikes are within ‘‘clear guidelines, oversight and accountability’’ that his administration determined all by itself—without input or even the consideration of Congress. And Congress has done less. In fact Congress has done nothing except write a black check that allows a paramilitary force of CIA officers and civilian contractors to kill suspected terrorists and anyone else unlucky enough to be in the vicinity—including women and children—using one of the most sophisticated weapons platforms in our military arsenal. For this Congress and this committee to passively allow the CIA to fire laser guided missiles at human targets in countries in which we are not at war without demanding oversight or accountability is a complete abdication of our sworn obligation to the Constitution and our citizens. This is not intelligence gathering, these are military operations that should be conducted by our Armed Forces and with direct oversight by Congress. Our country is at war with AI-Qaeda and its terrorist affiliates. I trust the members of our Armed Forces to do their job, defeat the enemy, and protect our nation. The drone strike program is a military program and Congress should demand that it be conducted within the same legal framework as any other military operation during a time of war. McCollum statement at the close of debate on the amendment: It is no surprise the White House opposes this amendment. The executive branch wants to maintain its CIA drone program and its target list without congressional oversight, without transparency or accountability. It is absolutely appropriate and responsible for this committee to make the Department of Defense solely responsible for military operations using armed drone program. Doing so does not diminish our military capacity, it in fact it strengthens the program with regard to international law and accountability to Congress and the American people. Right now the CIA is running an assassination program and the world is watching. Soon China, Russia and Iran will have the same capability and will use the CIA’s standard of killing anyone profiled as an enemy. It is time Congress demands transparency, accountability, and oversight to a program that has killed thousands of people—including innocent civilians.

#### Drone strike accountability crucial to US credibility on drones and sets a model for checks and balances.

Peter J **Fusco 12**, McGill University, http://archive.atlantic-community.org/index/articles/view/America's\_Drone\_Strikes\_Setting\_Dangerous\_Precedent\_

The **Obama** administration **is setting a very dangerous global precedence for sending drones** over borders to kill enemies (sometimes innocents). **These drone strikes lack the congressional oversight of the executive branch while Congress does little to oppose it**. At the same time, **employing drones qualifies as a "moral hazard." Drone warfare**, like all developments of new military technologies, **require close examination of their ethical, legal, and political implications.** **The world's first encounter with the use of drones in warfare by** the **Obama** Administration **has set a dangerous precedent for two reasons**. **First, because of the questionable ethics of drone warfare itself and second, because the administration has sidestepped federal checks and balances**. In the coming decades, **this tech**nology **will inevitably diffuse into other nation's military arsenals**, **American policy in the use of drones must change and the model set by** the **Obama** administration **must not be followed**. A recent New York Times blog post co-written by John Kaagand & Sarah Kreps, argues that **drone warfare checks all the boxes to qualify as a "moral hazard."** A moral hazard is an ethical situation in which costs incurred by risks are barely felt, if at all, by those taking the risk. **Drones**, accordingly, minimize or **eliminate government's incentive to prudently exercise lethal force**. **Greater and greater risks are taken,** as the risk taker is able to avoid or minimize taking-on costs. The **Obama** administration**'s** **use of drones is a moral hazard because it allows an unchecked branch of government to wage a counter-terrorism war** **without** the risk of American casualties and limited economic **costs.** **Moral hazards are at the root of many foreign and military policy decisions but they must be subject to checks and balances to prevent gross abuses of executive power**. The Obama Administration fails to acknowledge this and offers a bunk ethical justification instead: drones have the capacity to kill much more efficiently and with less collateral damage. This is not truly a justification because it fails to make a fact-value distinction. Just because we can easily and cheaply carry out targeted killings by the use of drones does not mean we ought to. But, neither the moral hazard created by the use of drones nor the lack official justifications categorically damns drones as unethical. With it's ethical status in limbo, it illustrates the caution with which this new type of weapon must be treated and the need for new policy controlling its usage**. The discourse surrounding the use of drones shows that** our administration and **our society have not engaged with the ethical subject matter sufficiently to warrant the prolif**eration **of drone warfare**. Furthermore, the Obama administration has not used caution nor even followed existing policy. In June 2011, **the Administration released a statement to Congress offering legal justification for sidestepping the** 1973 War Powers Resolution. **This resolution states that in order to maintain the spirit of Constitutional checks and balances, military operations initiated by the executive branch must be disclosed and justified to the Congress** within 48 hours. Operations lasting beyond 60 days require congressional approval. **The administration's statement, outlining the use of drones in Libya, stated that because the drones does not "involve the presence of U.S. ground troops, U.S. casualties or a serious threat thereof" their use does not fall under the War Powers Resolution's jurisdiction.** Thus, **the executive branch has complete control over these classified operations without Congressional oversight.** **As political scientist** Peter W. **Singer** in a recent New York Times Magazine article rightly **points out, this is entirely undemocratic.** **Congress has been circumvented and with the public burden of warfare removed there is almost no public stake in drone military action**. **The dangerous precedent set by** the **Obama** administration **is to ignore the ethical hazards of drone warfare, which demand governmental and public checks, balances, and scrutiny.** In the near future, **drone tech**nology **will cheapen and diffuse into the arsenals of other nations.** The ability to kill more precisely and more cheaply will become widespread**. Other nations must ignore the way in which the Obama Administration first used drones in order to prevent concentrations of power, uphold democratic procedures, preserve the whole idea of taking costly measures to avoid war and protect international diplomacy**.

**Absent a model drone proliferation continues** – it will escalate existing conflicts and erode global deterrence without strong norms. This risks multiple scenarios for international conflict.

Boyle 13. Michael J. Boyle. January 15th, 2013. (Michael Boyle is an Assistant Professor of Political Science at La Salle University in Philadelphia. He was previously a Lecturer in International Relations and Research Fellow at the Centre for the Study of Terrorism and Political Violence (CSTPV) at the University of St. Andrews. He is also an alumnus of the Political Science Department at La Salle. ) <http://onlinelibrary.wiley.com/doi/10.1111/1468-2346.12002/abstract>

An important, but overlooked, strategic consequence of the [Obama’s] administration’s embrace of drones is that it has generated a new and dangerous arms race for this technology. At present, the use of lethal drones is seen as acceptable to US policy-makers because no other state possesses the ability to make highly sophisticated drones with the range, surveillance capability and lethality of those currently manufactured by the United States. Yet the rest of the world is not far behind. At least 76 countries have acquired UAV technology, including Russia, China, Pakistan and India.120 China is reported to have at least 25 separate drone systems currently in development.121 At present, there are 680 drone programmes in the world, an increase of over 400 since 2005.122 Many states and non-state actors hostile to the United States have begun to dabble in drone technology. Iran has created its own drone, dubbed the ‘Ambassador of Death’, which has a range of up to 600 miles.123 Iran has also allegedly supplied the Assad regime in Syria with drone technology.124 Hezbollah launched an Iranian-made drone into Israeli territory, where it was shot down by the Israeli air force in October 2012.125 A global arms race for drone technology is already under way. According to one estimate, global spending on drones is likely to be more than US$94 billion by 2021.126 One factor that is facilitating the spread of drones (particularly non-lethal drones) is their cost relative to other military purchases. The top-of-the line Predator or Reaper model costs approximately US$10.5 million each, compared to the US$150 million price tag of a single F-22 fighter jet.127 At that price, drone technology is already within the reach of most developed militaries, many of which will seek to buy drones from the US or another supplier. With demand growing, a number of states, including China and Israel, have begun the aggressive selling of drones, including attack drones, and Russia may also be moving into this market.128 Because of concerns that export restrictions are harming US competitiveness in the drones market, the Pentagon has granted approval for drone exports to 66 governments and is currently being lobbied to authorize sales to even more.129 The Obama administration has already authorized the sale of drones to the UK and Italy, but Pakistan, the UAE and Saudi Arabia have been refused drone technology by congressional restrictions.130 It is only a matter of time before another supplier steps in to offer the drone technology to countries prohibited by export controls from buying US drones. According to a study by the Teal Group, the US will account for 62 per cent of research and development spending and 55 per cent of procurement spending on drones by 2022.131 As the market expands, with new buyers and sellers, America’s ability to control the sale of drone technology will be diminished. It is likely that the US will retain a substantial qualitative advantage in drone technology for some time, but even that will fade as more suppliers offer drones that can match US capabilities. The emergence of this arms race for drones raises at least five long-term strategic consequences, not all of which are favourable to the United States over the long term. First, it is now obvious that other states will use drones in ways that are inconsistent with US interests. One reason why the US has been so keen to use drone technology in Pakistan and Yemen is that at present it retains a substantial advantage in high-quality attack drones. Many of the other states now capable of employing drones of near-equivalent technology—for example, the UK and Israel—are considered allies. But this situation is quickly changing as other leading geopolitical players, such as Russia and China, are beginning rapidly to develop and deploy drones for their own purposes. While its own technology still lags behind that of the US, Russia has spent huge sums on purchasing drones and has recently sought to buy the Israeli-made Eitan drone capable of surveillance and firing air-to-surface missiles.132 China has begun to develop UAVs for reconnaissance and combat and has several new drones capable of long-range surveillance and attack under development.133 China is also planning to use unmanned surveillance drones to allow it to monitor the disputed East China Sea Islands, which are currently under dispute with Japan and Taiwan.134 Both Russia and China will pursue this technology and develop their own drone suppliers which will sell to the highest bidder, presumably with fewer export controls than those imposed by the US Congress. Once both governments have equivalent or near-equivalent levels of drone technology to the United States, they will be similarly tempted to use it for surveillance or attack in the way the US has done. Thus, through its own over-reliance on drones in places such as Pakistan and Yemen, the US may be hastening the arrival of a world where its qualitative advantages in drone technology are eclipsed and where this technology will be used and sold by rival Great Powers whose interests do not mirror its own. A second consequence of the spread of drones is that many of the traditional concepts which have underwritten stability in the international system will be radically reshaped by drone technology. For example, much of the stability among the Great Powers in the international system is driven by deterrence, specifically nuclear deterrence.135 Deterrence operates with informal rules of the game and tacit bargains that govern what states, particularly those holding nuclear weapons, may and may not do to one another.136 While it is widely understood that nuclear-capable states will conduct aerial surveillance and spy on one another, overt military confrontations between nuclear powers are rare because they are assumed to be costly and prone to escalation. One open question is whether these states will exercise the same level of restraint with drone surveillance, which is unmanned, low cost, and possibly deniable. States may be more willing to engage in drone overflights which test the resolve of their rivals, or engage in ‘salami tactics’ to see what kind of drone-led incursion, if any, will motivate a response.137 This may have been Hezbollah’s logic in sending a drone into Israeli airspace in October 2012, possibly to relay information on Israel’s nuclear capabilities.138 After the incursion, both Hezbollah and Iran boasted that the drone incident demonstrated their military capabilities.139 One could imagine two rival states—for example, India and Pakistan—deploying drones to test each other’s capability and resolve, with untold consequences if such a probe were misinterpreted by the other as an attack. As drones get physically smaller and more precise, and as they develop a greater flying range, the temptation to use them to spy on a rival’s nuclear programme or military installations might prove too strong to resist. If this were to happen, drones might gradually erode the deterrent relationships that exist between nuclear powers, thus magnifying the risks of a spiral of conflict between them. Another dimension of this problem has to do with the risk of accident. Drones are prone to accidents and crashes. By July 2010, the US Air Force had identified approximately 79 drone accidents.140 Recently released documents have revealed that there have been a number of drone accidents and crashes in the Seychelles and Djibouti, some of which happened in close proximity to civilian airports.141 The rapid proliferation of drones worldwide will involve a risk of accident to civilian aircraft, possibly producing an international incident if such an accident were to involve an aircraft affiliated to a state hostile to the owner of the drone. Most of the drone accidents may be innocuous, but some will carry strategic risks. In December 2011, a CIA drone designed for nuclear surveillance crashed in Iran, revealing the existence of the spying programme and leaving sensitive technology in the hands of the Iranian government.142 The expansion of drone technology raises the possibility that some of these surveillance drones will be interpreted as attack drones, or that an accident or crash will spiral out of control and lead to an armed confrontation.143 An accident would be even more dangerous if the US were to pursue its plans for nuclear-powered drones, which can spread radioactive material like a dirty bomb if they crash.144 Third, lethal drones create the possibility that the norms on the use of force will erode, creating a much more dangerous world and pushing the international system back towards the rule of the jungle. To some extent, this world is already being ushered in by the United States, which has set a dangerous precedent that a state may simply kill foreign citizens considered a threat without a declaration of war. Even John Brennan has recognized that the US is ‘establishing a precedent that other nations may follow’.145 Given this precedent, there is nothing to stop other states from following the American lead and using drone strikes to eliminate potential threats. Those ‘threats’ need not be terrorists, but could be others— dissidents, spies, even journalists—whose behaviour threatens a government. One danger is that drone use might undermine the normative prohibition on the assassination of leaders and government officials that most (but not all) states currently respect. A greater danger, however, is that the US will have normalized murder as a tool of statecraft and created a world where states can increasingly take vengeance on individuals outside their borders without the niceties of extradition, due process or trial.146 As some of its critics have noted, the Obama administration may have created a world where states will find it easier to kill terrorists rather than capture them and deal with all of the legal and evidentiary difficulties associated with giving them a fair trial.147 Fourth, there is a distinct danger that the world will divide into two camps: developed states in possession of drone technology, and weak states and rebel movements that lack them. States with recurring separatist or insurgent problems may begin to police their restive territories through drone strikes, essentially containing the problem in a fixed geographical region and engaging in a largely punitive policy against them. One could easily imagine that China, for example, might resort to drone strikes in Uighur provinces in order to keep potential threats from emerging, or that Russia could use drones to strike at separatist movements in Chechnya or elsewhere. Such behaviour would not necessarily be confined to authoritarian governments; it is equally possible that Israel might use drones to police Gaza and the West Bank, thus reducing the vulnerability of Israeli soldiers to Palestinian attacks on the ground. The extent to which Israel might be willing to use drones in combat and surveillance was revealed in its November 2012 attack on Gaza. Israel allegedly used a drone to assassinate the Hamas leader Ahmed Jabari and employed a number of armed drones for strikes in a way that was described as ‘unprecedented’ by senior Israeli officials.148 It is not hard to imagine Israel concluding that drones over Gaza were the best way to deal with the problem of Hamas, even if their use left the Palestinian population subject to constant, unnerving surveillance. All of the consequences of such a sharp division between the haves and have-nots with drone technology is hard to assess, but one possibility is that governments with secessionist movements might be less willing to negotiate and grant concessions if drones allowed them to police their internal enemies with ruthless efficiency and ‘manage’ the problem at low cost. The result might be a situation where such conflicts are contained but not resolved, while citizens in developed states grow increasingly indifferent to the suffering of those making secessionist or even national liberation claims, including just ones, upon them. Finally, drones have the capacity to strengthen the surveillance capacity of both democracies and authoritarian regimes, with significant consequences for civil liberties. In the UK, BAE Systems is adapting military-designed drones for a range of civilian policing tasks including ‘monitoring antisocial motorists, protesters, agricultural thieves and fly-tippers’.149 Such drones are also envisioned as monitoring Britain’s shores for illegal immigration and drug smuggling. In the United States, the Federal Aviation Administration (FAA) issued 61 permits for domestic drone use between November 2006 and June 2011, mainly to local and state police, but also to federal agencies and even universities.150 According to one FAA estimate, the US will have 30,000 drones patrolling the skies by 2022.151 Similarly, the European Commission will spend US$260 million on Eurosur, a new programme that will use drones to patrol the Mediterranean coast.152 The risk that drones will turn democracies into ‘surveillance states’ is well known, but the risks for authoritarian regimes may be even more severe. Authoritarian states, particularly those that face serious internal opposition, may tap into drone technology now available to monitor and ruthlessly punish their opponents. In semi-authoritarian Russia, for example, drones have already been employed to monitor pro-democracy protesters.153 One could only imagine what a truly murderous authoritarian regime—such as Bashar al-Assad’s Syria—would do with its own fleet of drones. The expansion of drone technology may make the strong even stronger, thus tilting the balance of power in authoritarian regimes even more decisively towards those who wield the coercive instruments of power and against those who dare to challenge them.

**These conflicts go nuclear.**

Jürgen **Altmann 10,** Researcher and lecturer at the University of Dortmund, is one of the founding members of the International Committee for Robot Arms Control, http://www.irf.ac.at/index.php?option=com\_content&task=view&id=314&Itemid=1

**Where do you see the main challenges for the international community regarding the use of armed un~~man~~ned systems by the military**. What are the specific challenges of autonomous systems as compared to current telerobotic systems? **The main challenge is in deciding whether the present trend should continue and expand to many more countries and to many more types of armed uninhabited vehicles** (in the air, on and under water, on the ground, also in outer space**), or whether efforts should be taken to constrain this arms race and limit the dangers connected to it**. Here not only governments, but non-governmental organisations and the general public should become active. **Autonomous systems obviously would open many new possibilities for war by accident** (possibly **escalating up to nuclear war) and for violations of the international laws of warfare**. A human decision in each single weapon use should be the minimum requirement.

#### Congress is essential -

#### a). Only congress can solve public trust

**Goldsmith 13** – (5/1, Jack, Henry L. Shattuck Professor at Harvard Law School, former Assistant Attorney General, Office of Legal Counsel from 2003–2004, and Special Counsel to the Department of Defense from 2002–2003, member of the Hoover Institution Task Force on National Security and Law, “How Obama Undermined the War on Terror,” http://www.newrepublic.com/article/112964/obamas-secrecy-destroying-american-support-counterterrorism)

Feeling the heat from these developments, President Obama promised in his recent State of the Union address "to engage with Congress to ensure not only that our targeting, detention, and prosecution of terrorists remains consistent with our laws and system of checks and balances, but that our efforts are even more transparent to the American people and to the world." So far, this promise, like similar previous ones, remains unfulfilled.

The administration has floated the idea of "[shifting] the CIA's lethal targeting program to the Defense Department," as The Daily Beast reported last month. Among other potential virtues, this move might allow greater public transparency about the way of the knife to the extent that it would eliminate the covert action bar to public discussion. But JSOC's non-covert targeted killing program is no less secretive than the CIA's, and its congressional oversight is, if anything, less robust.

A bigger problem with this proposed fix is that it contemplates executive branch reorganization followed, in a best-case scenario, by more executive branch speeches and testimony about what it is doing in its stealth war. **The proposal fails to grapple altogether with the growing mistrust of the administration's oblique representations about secret war.** **The president** **cannot establish trust in the way of the knife through internal moves and more words.** Rather, he must take advantage of the separation of powers. Military detention, military commissions, and warrantless surveillance became more legitimate and less controversial during the Bush era because adversarial branches of government assessed the president's policies before altering and then approving them. President Obama should ask Congress to do the same with the way of the knife, even if it means that secret war abroad is harder to conduct.

Administration officials resist this route because they worry about the outcome of the public debate, and because the president is, as The Washington Post recently reported, "seen as reluctant to have the legislative expansion of another [war] added to his legacy." But the administration can influence the outcome of the debate only by engaging it. And as Mazzetti makes plain, the president's legacy already includes the dramatic and unprecedented unilateral expansion of secret war. What the president should be worried about for legacy purposes is that this form of warfare, for which he alone is today responsible, is increasingly viewed as illegitimate.

#### B). Executive transparency fails – that destroys the sustainability of the drone program in the future

**Goldsmith 13** – (5/1, Jack, Henry L. Shattuck Professor at Harvard Law School, former Assistant Attorney General, Office of Legal Counsel from 2003–2004, and Special Counsel to the Department of Defense from 2002–2003, member of the Hoover Institution Task Force on National Security and Law, “How Obama Undermined the War on Terror,” http://www.newrepublic.com/article/112964/obamas-secrecy-destroying-american-support-counterterrorism)

For official secrecy abroad to work, the secrets must be kept at home as well. In speeches, interviews, and leaks, Obama's team has tried to explain why its operations abroad are lawful and prudent. **But to comply with rules of classified information and covert action, the explanations are conveyed in limited, abstract, and often awkward terms**. They usually raise more questions than they answer—and secrecy rules often preclude the administration from responding to follow-up questions, criticisms, and charges.

As a result, much of what the administration says about its secret war—about civilian casualties, or the validity of its legal analysis, or the quality of its internal deliberations—seems incomplete, self-serving, and ultimately non-credible. These **trust-destroying tendencies** are exacerbated by its persistent resistance to transparency **demands from Congress**, from the press, and from organizations such as the aclu that have sought to know more about the way of the knife through Freedom of Information Act requests.

A related sin is the Obama administration's surprising failure to secure **formal congressional support.** Nearly every element of Obama's secret war rests on laws—especially the congressional authorization of force (2001) and the covert action statute (1991)—designed for different tasks. The administration could have **worked with Congress to update these laws**, thereby forcing members of Congress to accept responsibility and take a stand, and putting the secret war on a **firmer political and legal foundation.** But doing so would have required extended political efforts, public argument, and the possibility that Congress might not give the president precisely what he wants.

The administration that embraced the way of the knife in order to lower the political costs of counterterrorism abroad found it easier to avoid political costs at home as well. But this choice deprived it of the many benefits of public argumentation and congressional support. What Donald Rumsfeld said self-critically of Bush-era unilateralism applies to Obama's unilateralism as well: it fails to "take fully into account the broader picture—the complete set of strategic considerations of a president fighting a protracted, unprecedented and unfamiliar war for which he would need **sustained domestic and international support."**

#### C). Congress is crucial to legal clarity because it provides statutory codification

Mark David Maxwell, Colonel, Judge Advocate with the U.S. Army, Winter 2012, TARGETED KILLING, THE LAW, AND TERRORISTS, Joint Force Quarterly, http://www.ndu.edu/press/targeted-killing.html

The weakness of this theory is that **it is not codified in U.S. law**; it is merely the extrapolation of international theorists and organizations. The **only entity under the Constitution** that can frame and settle Presidential power regarding the enforcement of international norms is **Congress**. As the check on executive power, Congress must amend the AUMF to **give the executive a statutory roadmap that articulates when force is appropriate** and under what circumstances the President can use targeted killing. This would be the needed endorsement from Congress, the other political branch of government, to clarify the U.S. position on its use of force regarding targeted killing. For example, it would spell out the limits of American lethality once an individual takes the status of being a member of an organized group. Additionally, **statutory clarification** will **give other states a roadmap** for the contours of what constitutes anticipatory self-defense and the **proper conduct of the military** under the law of war.¶ Congress should also require that the President brief it on the decision matrix of articulated guidelines before a targeted killing mission is ordered. As Kenneth Anderson notes, “[t]he point about briefings to Congress is partly to allow it to exercise its democratic role as the people’s representative.”74¶ The desire to feel safe is understandable. The consumers who buy SUVs are not buying them to be less safe. Likewise, the champions of targeted killings want the feeling of safety achieved by the elimination of those who would do the United States harm. But allowing the President to order **targeted killing without congressional limits** means the President can manipulate force in the name of national security without **tethering it to** the law advanced by international **norms**. The potential consequence of such **unilateral executive action** is that it gives other states, such as **North Korea** and **Iran**, the **customary precedent to do the same**. Targeted killing **might be required in certain circumstances**, but if the guidelines are debated and understood, the decision can be executed **with** the full faith of the people’s representative, **Congress**. When the decision is made **without Congress**, the result might make the United States feel safer, but the process **eschews** what gives a state its greatest safety: the **rule of law**.

### 1AC Plan Text

**The Congress of the United States federal government should statutorily restrict funding for targeted killing strikes carried out under Tittle 50 and enforce that restriction through budgetary watchdog organizations.**

### Intel Advantage

#### Even though negotiations are set to resume, Iran and the US will fail to come to an agreement to have Iran curtail its nuclear weapons development

Suzanne **Maloney**, Senior Fellow, Foreign Policy, Saban Center for Middle East Policy, “Washington And Tehran Find That A Nuclear Breakthrough Is Hard To Do

,” **November 11, 2013**, http://www.brookings.edu/blogs/iran-at-saban/posts/2013/11/11-iran-nuclear-negotiations-zarif-challenge)

The Unknowns The denouement of nuclear diplomacy has provoked much speculation over the causes. Some suggest that the [French balked at the specific provisions](http://thecable.foreignpolicy.com/posts/2013/11/10/how-france-scuttled-the-iran-deal-last-minute) surrounding Iran’s construction of a heavy-water reactor in Arak; others cite the Israeli leadership’s fierce, public denunciations of the agreement even before the specifics had been announced. Still more recent explanations have sought to pin responsibility for the inability to clinch a deal on Tehran — ["there was unity [among world powers], but Iran couldn't take it,"](http://www.nytimes.com/2013/11/12/world/middleeast/so-close-on-iran-kerry-defends-continued-talks.html?ref=world&_r=0) explained Secretary Kerry today — and reports have suggested that the unwavering Iranian demand for an [explicit acknowledgment of its right to enrich uranium](http://www.theguardian.com/world/2013/nov/11/iranium-uranium-enrichment-talks-geneva-fabius) stalled the progress toward a draft agreement. Absent confirmed details about the substance of the differences in Geneva, it is impossible to gauge which party, or what issue, proved the most formidable stumbling block. At the time, I have more questions than answers about what transpired, including the following: If the issue of construction at the Arak reactor was in fact a primary outstanding difference between the sides, it seems strange that this could scuttle an otherwise settled deal. Arak is a justifiably enormous concern for the West, in part because once it is loaded with fuel as Iran’s plans suggest will take place within the next year, any military action to remove it would threaten massive civilian casualties. Still, the timeline for the reactor, as [confirmed by the IAEA](http://armscontrolnow.org/2013/08/28/the-august-iaea-report-on-iran-key-takeaways/), appears to be sufficiently protracted to permit any irreversible decisions on this issue to be deferred to final stage of negotiations. Why did the question of Arak's final construction — not its commissioning or operation, which Iran had apparently already signaled it would continue to defer — loom so large for both sides that it could not be settled even in marathon talks? What should we make of the [reports from Israel that the terms regarding sanctions relief](http://www.brookings.edu/blogs/iran-at-saban/posts/2013/11/11-israel-alarm-iranian-nuclear-talks-natan-sachs)proposed as part of the interim agreement evolved significantly over the course of the Geneva talks, to the point that they presaged the unraveling of the sanctions regime? If true, this would contradict the repeated assurances of U.S. officials, who in the lead-up to the talks insisted that they would not permit any relaxation or reversal of the fundamental architecture of the multilateral sanctions regime. The bulk of the early sanctions relief was reported to be comprised of limited access to overseas foreign exchange accounts that are currently inaccessible due to U.S. sanctions. Estimates in the media for this range from as low as $3b to as high as $30b, and the package may have also included relaxation of additional measures that would have symbolic value for Iranians but relatively modest financial or strategic significance. None of that would seem to constitute a significant dismantling of sanctions. Finally, if language on the "right to enrich" was indeed the primary snag, why? The differences between Washington and Tehran on this issue have long been crystal clear, and it has always been just as obvious that those differences are emin[ently open to bridging through the creative use of diplomatic language](http://prospect.org/article/how-contain-nuclear-iran). Is it possible that such formulations had not been crafted and agreed upon in prior sessions? The Bad News Whatever the primary causes of the failure, I think the Geneva meltdown has unfortunate implications for getting to an eventual yes on the nuclear issue. The passing of time will contract political space and this in turn may erode whatever combination of political capital and courage both sides were willing to invest in this deal. As both Washington and Tehran rush to reassure their skeptical constituencies, umbrage over reported concessions will complicate later rounds of dialogue. Within Iran, any deal was always going to be sniped at and reinterpreted as circumstances required and/or allowed. Now there will be a draft to tinker with and undercut, and a renewed spate of aspersions from America to generate resistance. The tweets emanating from the[account of Iranian Foreign Minister Mohammad Javad Zarif](https://twitter.com/JZarif) are bristling with Persian pride; in one missive today, he noted that "no amount of spinning can change what happened within 5+1 in Geneva," adding "but it can further erode confidence." All this will make it harder for Iran to move significantly on terms before the next meeting on the 20th. The same holds true for the U.S. side. The lead American negotiator, Undersecretary of State for Political Affairs Wendy Sherman, was dispatched to Israel to debrief Washington's most anxious ally, and her reassurances on holding the line on sanctions are echoing in Iran as well. Secretary Kerry similarly rushed from Geneva to a dinner in Abu Dhabi, where he sought to cast Iran in the role of spoiler. The dramatic developments in Geneva sparked a renewed eruption of activity on Capitol Hill, where a new round of sanctions on Iran that would effectively embargo on Iranian crude exports awaits only a predictably overwhelming approval in the Senate.

#### Drones trade off with CIA’s intelligence agenda

Micah Zenko, 13- “Clip the Agency's Wings”. Micah Zenko is the Douglas Dillon fellow in the Center for Preventive Action (CPA) at the Council on Foreign Relations (CFR). http://www.foreignpolicy.com/articles/2013/04/16/clip\_the\_agencys\_ wings\_cia\_drones

Second, it would focus the finite resources and bandwidth of the CIA on its primary responsibilities of intelligence collection, analysis, and early warning. Last year, the President's Intelligence Advisory Board -- a semi-independent executive branch body, the findings of which rarely leak -- reportedly told Obama that "U.S. spy agencies were paying inadequate attention to China, the Middle East and other national security flash points because they had become too focused on military operations and drone strikes." This is not a new charge, since every few years an independent group or congressional report determines that "the CIA has been ignoring its core mission activities." But, as Mark Mazzetti shows in his indispensable CIA history, the agency has evolved from an organization once deeply divided at senior levels about using armed drones, to one that is a fully functioning paramilitary army. As former senior CIA official Ross Newland warns, the agency's armed drones program "ends up hurting the CIA. This just is not an intelligence mission." There is no longer any justification for the CIA to have its own redundant fleet of 30 to 35 armed drones. During White House debates of CIA requests in 2009, Gen. James Cartwright, the vice chairman of the Joint Chiefs of Staff, repeatedly asked: "Can you tell me why we are building a second Air Force?" Obama eventually granted every single request made by then-Director of Central Intelligence Leon Panetta, adding: "The CIA gets what it wants." With this year's proposed National Intelligence Program budget scheduled to fall by 8 percent, an open checkbook for Langley is not sustainable or strategically wise.

#### Intel key to maintaining efforts towards Iranian counter-prolif

James R. **Clapper**, Director of National Intelligence, “Worldwide Threat Assessment of the US Intelligence Community,” March 12, 20**13**, <http://www.intelligence.senate.gov/130312/clapper.pdf>)

WMD PROLIFERATION Nation-state efforts to develop or acquire weapons of mass destruction (WMD) and their delivery systems constitute a major threat to the security of our nation, deployed troops, and allies. The Intelligence Community is focused on the threat and destabilizing effects of nuclear proliferation, proliferation of chemical and biological warfare (CBW)-related materials, and development of WMD delivery systems. Traditionally, international agreements and diplomacy have deterred most nation-states from acquiring biological, chemical, or nuclear weapons, but these constraints may be of less utility in preventing terrorist groups from doing so. The time when only a few states had access to the most dangerous technologies is past. Biological and chemical materials and technologies, almost always dualuse, move easily in our globalized economy, as do the personnel with scientific expertise to design and use them. The latest discoveries in the life sciences also diffuse globally and rapidly. Iran and North Korea Developing WMD-Applicable Capabilities We assess Iran is developing nuclear capabilities to enhance its security, prestige, and regional influence and give it the ability to develop nuclear weapons, should a decision be made to do so. We do not know if Iran will eventually decide to build nuclear weapons.

#### We will strike their arsenal – locating them is key – stops war from going nuclear

**Lieber and Press 09** (Keir A.,  Associate Professor @ Georgetown University,  Daryl G., Associate Professor of Government, Dartmouth College, Foreign Affairs, Nov/Dec)

MODELING THE UNTHINKABLE To illustrate the growth in U.S. counterforce capabilities, we applied a set of simple formulas that analysts have used for decades to estimate the effectiveness of counterforce attacks. We modeled a U.S. strike on a small target set: 20 intercontinental ballistic missiles (ICBMs) in hardened silos, the approximate size of China's current long-range, silo-based missile force. The analysis compared the capabilities of a 1985 Minuteman ICBM to those of a modern Trident II submarine-launched ballistic missile. [The technical details of the analysis presented in this essay are available online [2].] In 1985, a single U.S. ICBM warhead had less than a 60 percent chance of destroying a typical silo. Even if four or five additional warheads were used, the cumulative odds of destroying the silo would never exceed 90 percent because of the problem of "fratricide," whereby incoming warheads destroy each other. Beyond five warheads, adding more does no good. A probability of 90 percent might sound high, but it falls far short if the goal is to completely disarm an enemy: with a 90 percent chance of destroying each target, the odds of destroying all 20 are roughly 12 percent. In 1985, then, a U.S. ICBM attack had little chance of destroying even a small enemy nuclear arsenal. Today, a multiple-warhead attack on a single silo using a Trident II missile would have a roughly 99 percent chance of destroying it, and the probability that a barrage would destroy all 20 targets is well above 95 percent. Given the accuracy of the U.S. military's current delivery systems, the only question is target identification: silos that can be found can be destroyed. During the Cold War, the United States worked hard to pinpoint Soviet nuclear forces, with great success. Locating potential adversaries' small nuclear arsenals is undoubtedly a top priority for U.S. intelligence today. The revolution in accuracy is producing an even more momentous change: it is becoming possible for the United States to conduct low-yield nuclear counterforce strikes that inflict relatively few casualties. A U.S. Department of Defense computer model, called the Hazard Prediction and Assessment Capability (HPAC), estimates the dispersion of deadly radioactive fallout in a given region after a nuclear detonation. The software uses the warhead's explosive power, the height of the burst, and data about local weather and demographics to estimate how much fallout would be generated, where it would blow, and how many people it would injure or kill. HPAC results can be chilling. In 2006, a team of nuclear weapons analysts from the Federation of American Scientists (FAS) and the Natural Resources Defense Council (NRDC) used HPAC to estimate the consequences of a U.S. nuclear attack using high-yield warheads against China's ICBM field. Even though China's silos are located in the countryside, the model predicted that the fallout would blow over a large area, killing 3-4 million people. U.S. counterforce capabilities were useless, the study implied, because even a limited strike would kill an unconscionable number of civilians. But the United States can already conduct nuclear counterforce strikes at a tiny fraction of the human devastation that the FAS/NRDC study predicted, and small additional improvements to the U.S. force could dramatically reduce the potential collateral damage even further. The United States' nuclear weapons are now so accurate that it can conduct successful counterforce attacks using the smallest-yield warheads in the arsenal, rather than the huge warheads that the FAS/NRDC simulation modeled. And to further reduce the fallout, the weapons can be set to detonate as airbursts, which would allow most of the radiation to dissipate in the upper atmosphere. We ran multiple HPAC scenarios against the identical target set used in the FAS/NRDC study but modeled low-yield airbursts rather than high-yield groundbursts. The fatality estimates plunged from 3-4 million to less than 700 -- a figure comparable to the number of civilians reportedly killed since 2006 in Pakistan by U.S. drone strikes. One should be skeptical about the results of any model that depends on unpredictable factors, such as wind speed and direction. But in the scenarios we modeled, the area of lethal fallout was so small that very few civilians would have become ill or died, regardless of which way the wind blew. Critics may cringe at this analysis. Many of them, understandably, say that nuclear weapons are -- and should remain -- unusable. But if the United States is to retain these weapons for the purpose of deterring nuclear attacks, it needs a force that gives U.S. leaders retaliatory options they might actually employ. If the only retaliatory option entails killing millions of civilians, then the U.S. deterrent will lack credibility. Giving U.S. leaders alternatives that do not target civilians is both wise and just. A counterforce attack -- whether using conventional munitions or low- or high-yield nuclear weapons -- would be fraught with peril. Even a small possibility of a single enemy warhead's surviving such a strike would undoubtedly give any U.S. leader great pause. But in the midst of a conventional war, if an enemy were using nuclear threats or limited nuclear attacks to try to coerce the United States or its allies, these would be the capabilities that would give a U.S. president real options.

#### Iran proliferation causes nuclear war

Edelman, distinguished fellow – Center for Strategic and Budgetary Assessments, ‘11

(Eric S, “The Dangers of a Nuclear Iran,” *Foreign Affairs*, January/February)

The reports of the Congressional Commission on the Strategic Posture of the United States and the Commission on the Prevention Of Weapons of Mass Destruction Proliferation and Terrorism, as well as other analyses, have highlighted the risk that a nuclear-armed Iran could trigger additional nuclear proliferation in the Middle East, even if Israel does not declare its own nuclear arsenal. Notably, Algeria, Bahrain, Egypt, Jordan, Saudi Arabia,Turkey, and the United Arab Emirates— all signatories to the Nuclear Nonproliferation Treaty (npt)—have recently announced or initiated nuclear energy programs. Although some of these states have legitimate economic rationales for pursuing nuclear power and although the low-enriched fuel used for power reactors cannot be used in nuclear weapons, these moves have been widely interpreted as hedges against a nuclear-armed Iran. The npt does not bar states from developing the sensitive technology required to produce nuclear fuel on their own, that is, the capability to enrich natural uranium and separate plutonium from spent nuclear fuel. Yet enrichment and reprocessing can also be used to accumulate weapons-grade enriched uranium and plutonium—the very loophole that Iran has apparently exploited in pursuing a nuclear weapons capability. Developing nuclear weapons remains a slow, expensive, and di⁄cult process, even for states with considerable economic resources, and especially if other nations try to constrain aspiring nuclear states’ access to critical materials and technology. Without external support, it is unlikely that any of these aspirants could develop a nuclear weapons capability within a decade. There is, however, at least one state that could receive significant outside support: Saudi Arabia. And if it did, proliferation could accelerate throughout the region. Iran and Saudi Arabia have long been geopolitical and ideological rivals. Riyadh would face tremendous pressure to respond in some form to a nuclear-armed Iran, not only to deter Iranian coercion and subversion but also to preserve its sense that Saudi Arabia is the leading nation in the Muslim world. The Saudi government is already pursuing a nuclear power capability, which could be the first step along a slow road to nuclear weapons development. And concerns persist that it might be able to accelerate its progress by exploiting its close ties to Pakistan. During the 1980s, in response to the use of missiles during the Iran-Iraq War and their growing proliferation throughout the region, Saudi Arabia acquired several dozen css-2 intermediate-range ballistic missiles from China. The Pakistani government reportedly brokered the deal, and it may have also oªered to sell Saudi Arabia nuclear warheads for the css-2s, which are not accurate enough to deliver conventional warheads eªectively. There are still rumors that Riyadh and Islamabad have had discussions involving nuclear weapons, nuclear technology, or security guarantees. This “Islamabad option” could develop in one of several diªerent ways. Pakistan could sell operational nuclear weapons and delivery systems to Saudi Arabia, or it could provide the Saudis with the infrastructure, material, and technical support they need to produce nuclear weapons themselves within a matter of years, as opposed to a decade or longer. Not only has Pakistan provided such support in the past, but it is currently building two more heavy-water reactors for plutonium production and a second chemical reprocessing facility to extract plutonium from spent nuclear fuel. In other words, it might accumulate more fissile material than it needs to maintain even a substantially expanded arsenal of its own. Alternatively, Pakistan might oªer an extended deterrent guarantee to Saudi Arabia and deploy nuclear weapons, delivery systems, and troops on Saudi territory, a practice that the United States has employed for decades with its allies. This arrangement could be particularly appealing to both Saudi Arabia and Pakistan. It would allow the Saudis to argue that they are not violating the npt since they would not be acquiring their own nuclear weapons. And an extended deterrent from Pakistan might be preferable to one from the United States because stationing foreign Muslim forces on Saudi territory would not trigger the kind of popular opposition that would accompany the deployment of U.S. troops. Pakistan, for its part, would gain financial benefits and international clout by deploying nuclear weapons in Saudi Arabia, as well as strategic depth against its chief rival, India. The Islamabad option raises a host of difficult issues, perhaps the most worrisome being how India would respond. Would it target Pakistan’s weapons in Saudi Arabia with its own conventional or nuclear weapons? How would this expanded nuclear competition influence stability during a crisis in either the Middle East or South Asia? Regardless of India’s reaction, any decision by the Saudi government to seek out nuclear weapons, by whatever means, would be highly destabilizing. It would increase the incentives of other nations in the Middle East to pursue nuclear weapons of their own. And it could increase their ability to do so by eroding the remaining barriers to nuclear proliferation: each additional state that acquires nuclear weapons weakens the nonproliferation regime, even if its particular method of acquisition only circumvents, rather than violates, the NPT. n-player competition Were Saudi Arabia to acquire nuclear weapons, the Middle East would count three nuclear-armed states, and perhaps more before long. It is unclear how such an n-player competition would unfold because most analyses of nuclear deterrence are based on the U.S.- Soviet rivalry during the Cold War. It seems likely, however, that the interaction among three or more nuclear-armed powers would be more prone to miscalculation and escalation than a bipolar competition. During the Cold War, the United States and the Soviet Union only needed to concern themselves with an attack from the other. Multipolar systems are generally considered to be less stable than bipolar systems because coalitions can shift quickly, upsetting the balance of power and creating incentives for an attack. More important, emerging nuclear powers in the Middle East might not take the costly steps necessary to preserve regional stability and avoid a nuclear exchange. For nuclear-armed states, the bedrock of deterrence is the knowledge that each side has a secure second-strike capability, so that no state can launch an attack with the expectation that it can wipe out its opponents’ forces and avoid a devastating retaliation. However, emerging nuclear powers might not invest in expensive but survivable capabilities such as hardened missile silos or submarinebased nuclear forces. Given this likely vulnerability, the close proximity of states in the Middle East, and the very short flight times of ballistic missiles in the region, any new nuclear powers might be compelled to “launch on warning” of an attack or even, during a crisis, to use their nuclear forces preemptively. Their governments might also delegate launch authority to lower-level commanders, heightening the possibility of miscalculation and escalation. Moreover, if early warning systems were not integrated into robust command-and-control systems, the risk of an unauthorized or accidental launch would increase further still. And without sophisticated early warning systems, a nuclear attack might be unattributable or attributed incorrectly. That is, assuming that the leadership of a targeted state survived a first strike, it might not be able to accurately determine which nation was responsible. And this uncertainty, when combined with the pressure to respond quickly,would create a significant risk that it would retaliate against the wrong party, potentially triggering a regional nuclear war.

**Saudi Arabia would proliferate leading to miscalc and accidental nuclear war**

**Edelman et al 2011,** Eric Edelman, Distinguished Fellow at the Center for Strategic and Budgetary Assessments, Andrew F Krepinevich, President of the Center for Strategic and Budgetary Assessments, Evan Braden Montgomery, Research Fellow at the Center for Strategic and Budgetary Assessments [“The Dangers of a Nuclear Iran: The Limits of Containment,” January/February edition of Foreign Policy]

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And this uncertainty, when combined with the pressure to respond quickly, would create a significant risk that it would retaliate against the wrong party, potentially triggering a regional nuclear war. Most existing nuclear powers have taken steps to protect their nuclear weapons from unauthorized use: from closely screening key personnel to developing technical safety measures, such as permissive action links, which require special codes before the weapons can be armed. Yet there is no guarantee that emerging nuclear powers would be willing or able to implement these measures, creating a significant risk that their governments might lose control over the weapons or nuclear material and that nonstate actors could gain access to these items. Some states might seek to mitigate threats to their nuclear arsenals; for instance, they might hide their weapons. In that case, however, a single intelligence compromise could leave their weapons vulnerable to attack or theft. Meanwhile, states outside the Middle East could also be a source of instability. Throughout the Cold War, the United States and the Soviet Union were engaged in a nuclear arms race that other nations were essentially powerless to influence. In a multipolar nuclear Middle East, other nuclear powers and states with advanced military technology could influence-for good or ill-the military competition within the region by selling or transferring technologies that most local actors lack today: solid-fuel rocket motors, enhanced missile-guidance systems, warhead miniaturization technology, early warning systems, air and missile defenses. Such transfers could stabilize a fragile nuclear balance if the emerging nuclear powers acquired more survivable arsenals as a result. But they could also be highly destabilizing. If, for example, an outside power sought to curry favor with a potential client state or gain influence with a prospective ally, it might share with that state the technology it needed to enhance the accuracy of its missiles and thereby increase its ability to launch a disarming first strike against any adversary. The ability of existing nuclear powers and other technically advanced military states to shape the emerging nuclear competition in the Middle East could lead to a new Great Game, with unpredictable consequences.

#### Independently, given the capability Iran would give nuclear weapons to Hezbollah – reprioritization of current CT practices is essential

[Clifford D. **May**](http://www.nationalreview.com/author/clifford-d-may), president of the Foundation for Defense of Democracies, a policy institute focusing on national security, “[Al-Qaeda vs. Hezbollah](http://www.nationalreview.com/article/350249/al-qaeda-vs-hezbollah-clifford-d-may),” JUNE 6, 20**13**, <http://www.nationalreview.com/article/350249/al-qaeda-vs-hezbollah-clifford-d-may>

Back during the Bush administration, Deputy Secretary of State Richard Armitage famously called Hezbollah the “A Team of terrorists,” adding, “al-Qaeda is actually the B Team.” How do these two organizations compare today? Last week, the State Department released the 2012 issue of its annual “Country Reports on Terrorism.”At a “[background briefing](http://www.state.gov/r/pa/prs/ps/2013/05/210145.htm),” a “senior administration official” highlighted an “alarming trend”: a “marked resurgence of terrorist activity by Iran and Hezbollah. The tempo of operational activity was something we haven’t seen since the 1990s. . . . We see no signs of this activity abating in 2013. In fact, our assessment is that Hezbollah and Iran will both continue to maintain a heightened level of terrorist activity and operations in the near future.” The State Department is right to see Hezbollah and Iran as joined at the hip: The former is financed and instructed by the latter. That has not always been understood, despite the fact that, prior to 9/11/01, Hezbollah was responsible for more American deaths than any other terrorist organization. And Hezbollah’s secretary general, Hassan Nasrallah, has proclaimed, “Death to America was, is, and will stay our slogan.” A pertinent question: If Iran’s rulers should obtain nuclear weapons, might they give one or two to Hezbollah to use for approved purposes? A plausible answer: Why not? It’s well known that Hezbollah has been sending combatants into Syria in support of Bashar Assad, the dictator and Iranian satrap. Less publicized are Hezbollah’s operations in other corners of the world. A Hezbollah attack on a bus in Bulgaria last July killed five Israelis and one Bulgarian. In Nigeria, authorities recently [broke up](http://www.longwarjournal.org/threat-matrix/archives/2013/05/hezbollah_members_arrested_in.php) a Hezbollah cell, seizing what one Nigerian official called “a large quantity of assorted weapons of different types and caliber.” The State Department report contains surprisingly little information about Hezbollah in Latin America. However, a 500-page report [issued](http://www.longwarjournal.org/archives/2013/05/argentine_prosecutor.php) last week by Argentine prosecutor Alberto Nisman reveals that Iran has established an archipelago of “clandestine intelligence stations and operative agents” in Latin America that are being used “to execute terrorist attacks when the Iranian regime decides so, both directly or through its proxy, the terrorist organization Hezbollah.” Among the South American countries in which Iran or Hezbollah has set up intelligence/terrorism bases: Argentina, Brazil, Paraguay, Uruguay, Chile, Colombia, Guyana, Trinidad and Tobago, and Suriname. Nisman provides additional evidence — not that more is needed — that Iranian officials and one Lebanese Hezbollah operative were responsible for two terrorist bombings in Argentina in the 1990s. There’s an American nexus too: Nisman charges that Mohsen Rabbani, Iran’s former cultural attaché in Buenos Aires — implicated in the 1994 attack on a Jewish center in Buenos Aires in which 85 people were killed — directed “Iranian agent” Abdul Kadir, now serving a life sentence in connection with the 2010 plot to bomb John F. Kennedy International Airport in New York. Connect the dots, Nisman argues, and they draw a picture of Iran “fomenting and fostering acts of international terrorism in concert with its goals of exporting the revolution.” All this considered, can al-Qaeda still be considered a serious competitor? Yes, it can! Last weekend, my colleague, über-researcher Tom Joscelyn, [pointed out](https://www.weeklystandard.com/print/articles/see-no-evil_732050.html?nopager=1) that AQ and its affiliates now “are fighting in more countries than ever.” In Afghanistan, AQ maintains safe havens in the provinces of Kunar and Nuristan. Its loyal ally, the Taliban, is responsible for a level of violence “higher than before the Obama-ordered surge of American forces in 2010,” according to NATO’s International Security Assistance Force. AQ and its affiliates have bases in northern Pakistan. The Pakistani government, Joscelyn notes, “continues to be a duplicitous ally, sponsoring and protecting various al Qaeda-allied groups. The Tehrik-e Taliban Pakistan (TTP), or Pakistani Taliban, remains a threat after orchestrating the failed May 2010 bombing in Times Square. The State Department announced in September 2010 that the TTP has “a ‘symbiotic relationship’ with al Qaeda.” The AQ-affiliated al-Nusrah Front may be the most effective force fighting against Assad’s troops, and againstHezbollah and Iranian combatants in Syria. AQ is resurgent in neighboring Iraq, with April 2013 the deadliest month in that country in nearly five years, according to the U.N. AQ has expanded operations in Yemen. In Somalia, Shabaab — which formally merged with AQ last year — is far from defeated and has managed to carry out attacks in neighboring Kenya and Uganda as well. In Nigeria, Boko Haram[continues to slaughter](http://defenddemocracy.org/media-hit/us-offers-rewards-for-boko-haram-african-al-qaeda-leaders/) Christians. In Egypt, al-Qaeda members and associates — including Mohammed al-Zawahiri, the brother of al-Qaeda leader Ayman al-Zawahiri — are operating more freely than ever. On 9/11/12 they hoisted an AQ flag above the U.S. embassy in Cairo. Libyan groups closely linked to al-Qaeda were responsible for the 9/11/12 attack that killed Ambassador J. Christopher Stevens and three other Americans. Al-Qaeda in the Islamic Maghreb easily took over northern Mali until French forces pushed them out of the population centers. Al-Qaeda affiliates are becoming more visible and perhaps viable in Tunisia, too. Despite all this, the State Department report asserts that “core” al-Qaeda “is on a path to defeat.” I am not convinced that there is sufficient evidence to substantiate that thesis. And even if it does prove to be accurate, who’s to say that a weakening core can’t be compensated for by a stronger periphery? In the final analysis, “Which is the A Team of terrorism?” is not the paramount question. What is: In the years ahead, does the U.S. have what it takes to be the A Team of counterterrorism?

#### Hezbollah can and will attack

Carafano 13June 7th, 2013. “Hezbollah Plays a Dangerous Game” James Jay Cafano <http://www.heritage.org/research/commentary/2013/6/james-jay-carafano-hezbollah-plays-a-dangerous-game> (James Jay Carafano, a leading expert in national security and foreign policy challenges, is The Heritage Foundation’s Vice President, Foreign and Defense Policy Studies, E. W. Richardson Fellow, and Director of the Kathryn and Shelby Cullom Davis Institute for International Studies)

"The system was blinking red." That's how the 9/11 Commission Report described the intelligence community's state of concern shortly before the 2001 terrorist attacks on New York and Washington.¶ "Counterterrorism officials were receiving frequent but fragmentary reports about threats," the commission reported, adding, "Indeed, there appeared to be possible threats almost everywhere the United States had interests--including at home."¶ But not until planes plowed into the Twin Towers did everyone understand what the chatter meant.¶ In a recent speech at The National Defense University, President Obama declared that the transnational terrorism threat is well in hand. But, plenty of signs indicate that's not the case.¶ **Consider Hezbollah. This multi-tentacle stooge of Iran is a Shi'a Islamist terrorist group. It is also a political party that operates a shadow government in Lebanon.¶** For more than a year, **Hezbollah has been increasing the tempo of its attacks on Western and Israeli targets in Asia and Europe**. The Bulgarian government, for example, has connected the group to a bus bombing that killed five Israeli tourists and their driver last year.¶ Most recently, **Hezbollah deployed "foreign fighters" to assist the Assad regime in beating back the opposition in Syria. This offensive further complicated an already complex crisis. It broadened the sectarian nature of the war, pitting Shi'a (Hezbollah, Iran, and the Syrian militias supporting Assad) against Sunni (the rebels).¶** **It has also pitted terrorists groups against one another. Hezbollah is battling Assad's opposition whether they are "freedom fighters" or al Qaeda. Jabhat al-Nusra, the al Qaeda affiliate in Syria, is now pretty much at war with Hezbollah**.¶ That may not sound like a bad thing, **but it means the war will surely spread to Lebanon**. Hezbollah has to expect payback. Car bombs will explode in Beirut, as Jabhat al-Nusra pays back Hezbollah. And, as terrorists kill terrorists, the people of Lebanon will be caught in the crossfire.¶ The Lebanese recognize this--and they are none too happy about it. Already some have expressed resentment over Hezbollah dragging the country into Syria's civil war. The people are seeing the group for what it is, a tool of Tehran.¶ That awareness may bring pain. **Hezbollah's impulse will likely be to turn up the violence even more--while directing as much blame and animosity as possible toward Israel. And that could spark another military confrontation.**¶ While Hezbollah sets the red lights blinking, the West mostly just blinks. The European Union remains bitterly divided over designating the terrorist organization as... a terrorist organization.¶ France, Britain and Germany are going halfsies--pressing the EU to label Hezbollah's armed-militia wing as a terrorist organization, while letting the political arm off the hook.¶ As long as the political arm is excluded, Europe won't be able to shut down terrorist fund-raising and recruiting in its own backyard.¶ The UN is not doing much to help either. Since 1978, the United Nations Interim Force in Lebanon (UNIFIL) has been charged with making sure the Lebanese-Israeli border region is free of any non-governmental armed personnel or weaponry. Clearly it has failed, in part because of self-imposed restrictions. For example, UNIFIL peacekeepers cannot even conduct regular building searches for arms!¶ Transnational terrorism is not in hand. **The U.S. desperately needs to shore up its position in the Middle East**. That means showing real leadership in dealing with Turkey, Israel, Iraq, Jordan and the six-nation Gulf Cooperation Council.¶ It means making clear that the "pivot to Asia" does not entail disengaging from the region. It means ramping up, not standing down, our global anti-terrorism initiative.¶ **And it means developing a real strategy to prevent** Islamist **extremists from hijacking the Arab Spring.**

THE A-TEAM OF ISLAMIC TERRORISTS

#### That causes a nuclear war

**Ayson 10**

(Robert Ayson, Professor of Strategic Studies and Director of the Centre for Strategic Studies: New Zealand at the Victoria University of Wellington, 2010 (“After a Terrorist Nuclear Attack: Envisaging Catalytic Effects,” Studies in Conflict & Terrorism, Volume 33, Issue 7, July, Available Online to Subscribing Institutions via InformaWorld)

A terrorist nuclear attack, and even the use of nuclear weapons in response by the country attacked in the first place, would not necessarily represent the worst of the nuclear worlds imaginable. Indeed, there are reasons to wonder whether nuclear terrorism should ever be regarded as belonging in the category of truly existential threats. A contrast can be drawn here with the global catastrophe that would come from a massive nuclear exchange between two or more of the sovereign states that possess these weapons in significant numbers. Even the worst terrorism that the twenty-first century might bring would fade into insignificance alongside considerations of what a general nuclear war would have wrought in the Cold War period. And it must be admitted that as long as the major nuclear weapons states have hundreds and even thousands of nuclear weapons at their disposal, there is always the possibility of a truly awful nuclear exchange taking place precipitated entirely by state possessors themselves. But these two nuclear worlds—a non-state actor nuclear attack and a catastrophic interstate nuclear exchange—are not necessarily separable. It is just possible that some sort of terrorist attack, and especially an act of nuclear terrorism, could precipitate a chain of events leading to a massive exchange of nuclear weapons between two or more of the states that possess them. In this context, today’s and tomorrow’s terrorist groups might assume the place allotted during the early Cold War years to new state possessors of small nuclear arsenals who were seen as raising the risks of a catalytic nuclear war between the superpowers started by third parties. These risks were considered in the late 1950s and early 1960s as concerns grew about nuclear proliferation, the so-called n+1 problem. t may require a considerable amount of imagination to depict an especially plausible situation where an act of nuclear terrorism could lead to such a massive inter-state nuclear war. For example, in the event of a terrorist nuclear attack on the United States, it might well be wondered just how Russia and/or China could plausibly be brought into the picture, not least because they seem unlikely to be fingered as the most obvious state sponsors or encouragers of terrorist groups. They would seem far too responsible to be involved in supporting that sort of terrorist behavior that could just as easily threaten them as well. Some possibilities, however remote, do suggest themselves. For example, how might the United States react if it was thought or discovered that the fissile material used in the act of nuclear terrorism had come from Russian stocks,40 and if for some reason Moscow denied any responsibility for nuclear laxity? The correct attribution of that nuclear material to a particular country might not be a case of science fiction given the observation by Michael May et al. that while the debris resulting from a nuclear explosion would be “spread over a wide area in tiny fragments, its radioactivity makes it detectable, identifiable and collectable, and a wealth of information can be obtained from its analysis: the efficiency of the explosion, the materials used and, most important … some indication of where the nuclear material came from.”41 Alternatively, if the act of nuclear terrorism came as a complete surprise, and American officials refused to believe that a terrorist group was fully responsible (or responsible at all) suspicion would shift immediately to state possessors. Ruling out Western ally countries like the United Kingdom and France, and probably Israel and India as well, authorities in Washington would be left with a very short list consisting of North Korea, perhaps Iran if its program continues, and possibly Pakistan. But at what stage would Russia and China be definitely ruled out in this high stakes game of nuclear Cluedo? In particular, if the act of nuclear terrorism occurred against a backdrop of existing tension in Washington’s relations with Russia and/or China, and at a time when threats had already been traded between these major powers, would officials and political leaders not be tempted to assume the worst? Of course, the chances of this occurring would only seem to increase if the United States was already involved in some sort of limited armed conflict with Russia and/or China, or if they were confronting each other from a distance in a proxy war, as unlikely as these developments may seem at the present time. The reverse might well apply too: should a nuclear terrorist attack occur in Russia or China during a period of heightened tension or even limited conflict with the United States, could Moscow and Beijing resist the pressures that might rise domestically to consider the United States as a possible perpetrator or encourager of the attack? Washington’s early response to a terrorist nuclear attack on its own soil might also raise the possibility of an unwanted (and nuclear aided) confrontation with Russia and/or China. For example, in the noise and confusion during the immediate aftermath of the terrorist nuclear attack, the U.S. president might be expected to place the country’s armed forces, including its nuclear arsenal, on a higher stage of alert. In such a tense environment, when careful planning runs up against the friction of reality, it is just possible that Moscow and/or China might mistakenly read this as a sign of U.S. intentions to use force (and possibly nuclear force) against **them**. In that situation, the temptations to preempt such actions might grow, although it must be admitted that any preemption would probably still meet with a devastating response.

#### Lack of GAO access stunts congressional capabilities to promote a revolution in intelligence

Nancy C. **Roberts et. al**. , Editor, Richard J. Harknett, associate professor of political science and chair of the University Faculty at the University of Cincinnati, James A. Stever, Professor at University of Cincinnati, The Struggle to Reform Intelligence after 9/11, Public Administration Review • September | October **2011** <http://onlinelibrary.wiley.com/store/10.1111/j.1540-6210.2011.02409.x/asset/j.1540-6210.2011.02409.x.pdf?v=1&t=hmr69l0i&s=e5ff970bfdd6af39edc4a3dbaa5e3c920f9f5339>

The schism between the executive and Congress has been exacer- bated by the CIA. The CIA refuses to supply information to the Government Accountability Office (GAO) and encourages other intelligence agencies to do the same (Donald-son 2010, 21–23). This controversial refusal is supported by the Justice Department Office of Counsel’s 1988 opinion that intelligence activities are exempt from GAO reviews.10 When the Senate in 2010 attempted to settle the issue and pass legislation granting the GAO the authority to review the full array of agencies in the intelligence community, Peter Orszag, director of the Office of Management and Budget, informed Senator Dianne Fein- stein that the president would veto the bill if it included that provision.11¶ This schism has reduced the scope of legisla- tive involvement in the intelligence commu- nity. Deprived of GAO analysis to inform and support its recommendations, the congres- sional impact on the budget, policy, and structure of intelligence agencies has been reduced. The secondary effect is that GAO analysis is not available to institutions outside the Congress and to the public. The Office ￼of Management and Budget, which has full access to intelligence community budgetary information, does not share and publish this information in the same manner as the GAO.¶ There are, of course, two separable points of contention here relating to congressional involvement. First is the potentially less controversial notion that more GAO access in evaluating budgets, policies, and structures of intelligence agencies would position congressional committees to more effectively conduct their oversight roles. In the particular area of how structural reforms are influencing function, the lack of GAO analysis likely handicaps informed congressional action. Second, and more to Senator Bond’s point, is the more con- troversial and problematic contention that greater access is needed so that analysis of the analysis could take place. Here, the point is that if committee staff had more access to the raw intelligence underlying finished intelligence products (judgments produced by the intelligence agencies), the committees could make their own analytic judgments and thus judge the professional assessments of the intelligence agencies. Of course, the inherent political nature of Congress raises the concern that legislative involvement in intelli- gence analysis would politicize the analysis.¶ Where the GAO should fit regarding these points of contention was not addressed in the IRTPA. The GAO has not been silent about¶ its marginal role. Four years after IRTPA, amid mounting congres- sional discontent, it argued before the Senate for a greater role in intelligence analysis (GAO 2008). In his testimony, Comptroller General David M. Walker stressed that management oversight could improve personnel management throughout the intelligence com- munity and the laborious security clearance process. Conclusions¶ It is still an open question whether the IRTPA’s vision of transform- ing agency-based intelligence into an integrated networked intelli- gence enterprise can succeed. The intelligence community confronts an old conundrum: revolution versus evolution. Reform in the latter mode defaults to the importance of the imme- diate and thus to a less disruptive incremental approach; reform in the former mode gives priority to the consequences of future failure and thus supports dramatic overhaul. As we noted earlier, the intelligence reforms of 9/11 created an office that could be visionary, but it did not empower an officer that could be transformational. If one accepts the premises of Vision 2015—that we face a threat envi- ronment that requires an intelligence structure that is agile, flexible, and adaptive—then the conclusion one must draw ten years out from 9/11 is that we have a vision of where we need to go, but not the legislative basis on which to move beyond the half measure of intelligence reform that is the IRTPA. Ten years after 9/11, it remains unclear whether the IRTPA and the documents that the act inspired rep- resent a road to reform that is potentially only half traveled or has run its course.

#### GAO enforcement is essential to intelligence quality – makes intel more effective and efficient

**Walker, 7** (David M. Walker, Comptroller of the United States Federal Government, GAO, <http://www.fas.org/irp/gao/walker030107.pdf>)

Finally, you asked us to address the benefits or drawbacks, if any, of obtaining the assistance of GAO, whether on the initiative of the Intelligence Community or either the House of Senate intelligence committee, in examining and reporting on the financial transactions, programs, and activities of the Intelligence Community. The benefits that GAO can provide the committee, the Congress, and the Intelligence Community would be significant. First, GAO efficiently uses its resources to meet the needs of the Congress and exercises the independence and objectivity necessary to ensure that its work and products not only conform to applicable professional standards, but that its work is professional, objective, fact-based, nonpartisan, nonideological, fair, and balanced. Second, GAO has the capability to form multidisciplinary teams, including accountants, analysts, program evaluators, cost analysts, attorneys, information technology specialists, economists, methodologists, engineers, and expert consultants to provide a total picture on a given issue. These multidisciplinary teams have experience in examining many other government agencies and programs, such as strategic planning, organizational alignment, human capital management, information technology architectures and systems, knowledge management, and specific program and activity knowledge across most key government functions. In addition, GAO has long-standing and ongoing work in the national security, homeland security, and international affairs issues. Each year, GAO’s work results in major improvements and efficiencies in government operations and billions of dollars in financial benefits. Third, GAO has a broad perspective through preforming extensive domestic and overseas fieldwork across the entire spectrum of federal departments and agencies, providing an in-depth, “end-to-end” perspective on crosscutting government programs and actives, such as multiple agencies’ actives abroad and the coordination challenges they face. Fourth, GAO operates with agreed-upon rules of engagement and agency protocols, including formal entrance and exit conferences with agency officials. For example, at an exist conference, GAO provides the agency with a statement of fact to confirm that the critical facts and key information used to formulate GAO’s analyses and findings are current, correct, and complete. Agency issues and additional information can be incorporated into GAO’s analysis and observations, and agency comments on draft reports are included in GAO products so clients can see the agency’s views. Fifth, GAO provides its clients with the information they need- when they need it. GAO uses a wide variety of products to meet its clients’ information needs and time frames, including briefings, congressional testimony, reports and legal opinions. Finally, unlike individual inspectors general, GAO can reach across multiple agencies govermentwide in crosscutting reviews to examine and identify challenges and ways to improve Intelligence Community management and business processes and results (much of which would not require getting sources and methods). For example, GAO can review the following types of transactions, programs, and activities: Intelligence Community transition initiatives, metrics, and results. Collection management, processing, exploitation, and dissemination. Budget scrubs, “quick looks,” and drill-down acquisition reviews of programs in the National Intelligence Program and Military Intelligence Program. Others have suggested some concerns related to GAO examining and reporting on the financial transactions, programs, and actives of the Intelligence Community. These concerns include (1) a limited number of personnel at GAO which proper sensitive compartmented information (SCI) access; (2) public or wide availability of GAO reports; (3) the lack of GAO facilities approved to store SCI material; (4) the lack of insight into unique Intelligence Community authorities, policies, and practices; and (5) potential duplication or overlap of GAO work with that of inspectors general and other audit organizations. We believe we can effectively address these potential concerns. First, GAO already has a number of personnel with SCI access, especially within our multidisciplinary teams, and GAO would work with the Intelligence Community to expand the number of analysts with the appropriate access. GAO has already embarked on that process. Second, GAO tightly controls and limits dissemination of the results of its classified work, both written and oral, which are tailored to the needs of its client (e.g., intelligence or other committees of jurisdiction and the intelligence agencies’ leadership). I am prepared to consider further restrictions, if necessary, on the dissemination of GAO’s work results relating to the Intelligence Community. Third, while GAO’s headquarters currently does not have facilities approved to store SCI material, GAO personal can conduct their reviews in an agency approved space. GAO currently is assessing the need to store SCI material at its headquarters. In addition, GAO’s Dayton Office has access to facilities approved to process and store SCI material at Wright-Patterson Air Force Base, Ohio. Forth, regarding a need for insight intro unique Intelligence Community authorities and policies, and practices, GAO’s work overall is deeply rooted in an understanding of authorities and policies when examining programs and actives. Although we have not formally been conducting reviews in the Intelligence Community, we regularly engage in discussions with officials, many of whom have dual-hatted responsibilities. Finally, inspectors general play a valuable and important role and we recognize that the Intelligence Community already has some degree of oversight through existing organizations. However, GAO already coordinates with inspectors general and other audit organizations to avoid overlap and duplication when reviewing other agencies’ programs and actives and would continue to do so for its work in the Intelligence Community.

#### Strong CIA intelligence checks conflict – reliable data is key to leverage that mitigates flashpoints

Human Rights First 2011, “Disrupting the Supply Chain for Mass Atrocities How to Stop Third-Party Enablers of Genocide and Other Crimes Against Humanity”

<http://www.humanrightsfirst.org/wp-content/uploads/pdf/Disrupting_the_Supply_Chain-July_2011.pdf>

**Intelligence collection and analysis are key to identifying threats of mass atrocities** **and developing responses.** **Better intelligence on third-party enablers** **of atrocities** **would reveal** **additional** **policy options to prevent or mitigate violence** **against civilians.** **Mapping** **the actors and dynamics in atrocity situations** **willclarify** **the identities of the enablers, their specific roles, and the actors or** **connections in the supply chain that may be** **particularly** **susceptible to pressure. The government alone can accomplish this work; no non-governmental entity,** **whether in journalism, research, or advocacy,** **has sufficient** **money,** **people, and networks** **to draw a complete picture.¶** **In some cases, the enablers will be the very same actors that interest the United States for their role in other illicit transnational networks.** **By prioritizing** **a focus on** **enablers of atrocities in intelligence collection, and by sharing information and analysis across agencies,intelligence** **collection** **can yield high-value information on** **a broader set of** **national** **security challenges** **such as money laundering, terrorist financing, andnarcotics** **trafficking**.¶ Policy makers should ensure that the intelligence it routinely analyzes can be used to an even broader extent. For example, the CIA’s office on war crimes contributes to the twice-yearly Atrocities Watch List and supports war crimes tribunals; the information collection and analysis required for those functions, and the Watch List itself, should be expanded to include (if they do not already) not only perpetrators of ongoing atrocities and potential perpetrators in regions listed on the Watch List, but also the third-party actors that enable them. The intelligence community (IC) should also be charged with identifying and collecting intelligence on those enablers that have played roles in recent atrocities, since past behavior— such as the Government of Sudan’s in Darfur—may well continue even in other regions—such as South Kordofan or Abyei. Congress’s oversight function could be used more consistently to ensure that the IC maintains a focus on atrocities as a national security priority. In 2010, then- Director of National Intelligence Dennis Blair told Congress at a hearing on the ODNI’s Annual Threat Assessment that “over the next five years, a number of countries in Africa and Asia are at significant risk for a new outbreak of mass killing. . . . a new mass killing or genocide is most likely to occur in Southern Sudan.”18 DNI ames Clapper’s February 2011 testimony regarding the Annual Threat Assessment included no such attention to atrocities, despite the ongoing violence in Darfur, the absence of resolution of many problems in Southern Sudan, and violence against civilians in Côte d’Ivoire, Kyrgyzstan, and elsewhere in the previous nine months, as well as worries about violence around upcoming elections in Kenya.¶ While **intelligence on enablers can help policy makers target** **key actors or interruption points,** **the coordinated and committed use of the appropriate policy tools— political pressures, economic** sanctions, or even military actions—is also critical to effective action.

#### The plan shifts the CIA to focus to intel – key to drone effectiveness

Kenneth Anderson, 13 Professor of law at Washington College of Law, American University; a visiting fellow of the Hoover Institution and member of its Task Force on National Security and Law; and a non-resident senior fellow of the Brookings Institution. He writes on international law, the laws of war, and national security, and his most recent book is "Living with the UN: American Responsibilities and International Order.", “Taking the CIA Out of Drone Strikes? The Obama Administration’s Yemen Experience”, <http://www.lawfareblog.com/2013/05/taking-the-cia-out-of-drone-strikes-the-obama-administrations-yemen-experience/>, May 28, 2013)

Washington Post national security reporter Greg Miller has an excellent story in Sunday’s paper on the operational role of the CIA in drone warfare. Back at the time of the Brennan confirmation hearings, and even before, there had been discussion that the CIA would be pulled – even if only gradually – out of drone warfare and this form of using lethal force would be turned over the military. The CIA would re-focus itself on intelligence gathering and analysis, which many commentators inside and outside government said had taken a backseat to operational roles. Brennan himself urged this re-configuring of CIA priorities – including a shift away from counterterrorism to re-emphasize other intelligence missions; and the administration has said similar things in recent weeks. Focusing on drone warfare in Yemen, however, Miller’s report suggests this is easier said than done – whether in Yemen (or, it might be added, in Pakistan). A fundamental reason seems to be something noted many times here at Lawfare – the firing of a missile from a drone is the last kinetic step in a long chain of intelligence-gathering that includes surveillance over time from drones, signals intelligence and, crucially, on-ground human intelligence networks that give the US reason to be focusing on certain people as possible targets. Whether in Pakistan or Yemen, the effectiveness of drone warfare has been a function of the quality of the front-end intelligence that finally might lead to a strike. The drone’s contribution to the intelligence is far from being entirely tactical, of course – the drone’s surveillance has far more utility than just the preparation of a strike and that surveillance is crucial for reducing collateral harm from the strike itself. But drones are not quite so useful if one has no prior idea who one is searching for or where he might be or even why him – and much of this intelligence is gathered at the front end of the process in reliance on human intelligence networks. Although in principle the functions of intelligence gathering at the front end might be separated out from the intelligence involved in the preparation of a strike and from the actual strike itself, with the CIA engaged in the intelligence side and the military serving as the trigger pullers, the experience in Yemen raises some cautions about how easy it is to create this division of labor.

#### Shifting authority to the DoD is the only way to enable Congressional oversight – that makes foreign policy objectives more clear

Zenko 13([Micah Zenko](http://www.cfr.org/experts/national-security-conflict-prevention/micah-zenko/b15139), Douglas Dillon Fellow, “Transferring CIA Drone Strikes to the Pentagon,” April 2013, <http://www.cfr.org/drones/transferring-cia-drone-strikes-pentagon/p30434>)

ONE MISSION, TWO PROGRAMS

U.S. targeted killings are needlessly made complex and opaque by their division between two separate entities: JSOC and the CIA. Although drone strikes carried out by the two organizations presumably target the same people, the organizations have different authorities, policies, accountability mechanisms, and oversight. Splitting the drone program between the JSOC and CIA is apparently intended to allow the plausible deniability of CIA strikes. Strikes by the CIA are classified as Title 50 covert actions, defined as “activities of the United States Government . . . where it is intended that the role . . . will not be apparent or acknowledged publicly, but does not include traditional . . . military activities.” As covert operations, the government cannot legally provide any information about how the CIA conducts targeted killings, while JSOC operations are guided by Title 10 “armed forces” operations and a publicly available military doctrine. Joint Publication 3-60, Joint Targeting, details steps in the joint targeting cycle, including the processes, responsibilities, and collateral damage estimations intended to reduce the likelihood of civilian casualties. Unlike strikes carried out by the CIA, JSOC operations can be (and are) acknowledged by the U.S. government. The different reporting requirements of JSOC and the CIA mean that congressional oversight of U.S. targeted killings is similarly murky. Sometimes oversight is duplicated among the committees; at other times, there is confusion over who is mandated to oversee which operations. CIA drone strikes are reported to the intelligence committees. Senator Dianne Feinstein (D-CA), chair of the Senate Select Committee on Intelligence (SSCI), has confirmed that the SSCI receives poststrike notifications, reviews video footage, and holds monthly meetings to “question every aspect of the program.” Representative Mike Rogers (R-MI), chair of the House Permanent Select Committee on Intelligence (HPSCI), has said that he reviews both CIA and JSOC counterterrorism airstrikes. JSOC does not report to the HPSCI. As of March 2012, all JSOC counterterrorism operations are reported quarterly to the armed services committees. Meanwhile, the foreign relations committees—tasked with overseeing all U.S. foreign policy and counterterrorism strategies—have formally requested briefings on drone strikes that have been repeatedly denied by the White House. However, oversight should not be limited to ensuring compliance with the law and preventing abuses, but rather expanded to ensure that policies are consistent with strategic objectives and aligned with other ongoing military and diplomatic activities. This can only be accomplished by DOD operations because the foreign relations committees cannot hold hearings on covert CIA drone strikes. CONSOLIDATING EXECUTIVE AUTHORITY In 2004, the 9/11 Commission recommended that the “lead responsibility for directing and executing paramilitary operations, whether clandestine or covert, should shift to the Defense Department” to avoid the “creation of redundant, overlapping capabilities and authorities in such sensitive work.” The recommendation was never seriously considered because the CIA wanted to retain its covert action authorities and, more important, it was generally believed such operations would remain a rarity. (At the time, there had been only one nonbattlefield targeted killing.) Nearly a decade later, there is increasing bipartisan consensus that consolidating lead executive authority for drone strikes would pave the way for broader strategic reforms, including declassifying the relevant legal memoranda, explicitly stating which international legal principles apply, and providing information to the public on existing procedures that prevent harm to civilians. During his February 2013 nomination hearing, CIA director John O. Brennan welcomed the transfer of targeted killings to the DOD: “The CIA should not be doing traditional military activities and operations.” The main objection to consolidating lead executive authority in DOD is that it would eliminate the possibility of deniability for U.S. covert operations. However, any diplomatic or public relations advantages from deniability that once existed are minimal or even nonexistent given the widely reported targeted killings in Pakistan and Yemen. For instance, because CIA drone strikes cannot be acknowledged, the United States has effectively ceded its strategic communications efforts to the Pakistani army and intelligence service, nongovernmental organizations, and the Taliban. Moreover, Pakistani and Yemeni militaries have often taken advantage of this communications vacuum by shifting the blame of civilian casualties caused by their own airstrikes (or others, like those reportedly conducted by Saudi Arabia in Yemen) to the U.S. government. This perpetuates and exacerbates animosity in civilian populations toward the United States. If the United States acknowledged its drone strikes and collateral damage—only possible under DOD Title 10 authorities—then it would not be held responsible for airstrikes conducted by other countries.

# 2AC

**No offense – the strikes will fail but independently risks multiple scenarios for nuclear war**

**EILAND, 10** [Giora, Head of the Israeli National Security Council and National Security Advisor to the Prime Minister, served in the Israel Defence Forces (IDF) for 34 years in various posts ranging from platoon commander in the Paratrooper’s brigade in the early 1970s, to Head of the Israel Defence Forces’ Operations Branch; “Israel's Military Option,” Washington Quarterly, 33:1, January]

If Iran acquires nuclear weapons, Israel faces five risks. First, a direct and existential threat will be created, as a regime that questions the existence of Israel will have acquired nuclear weapons. Second, an Iranian nuclear umbrella will be established in the Middle East. Under such circumstances, any conflict in the Middle East, whether Israel is involved or not, will be affected by Iran's “nuclear signals.” For instance, if there is another military confrontation between Israel and Hezbollah and Iran elevates the readiness of the nuclear division, while declaring that far-reaching Iranian retaliation should not be excluded, Israel might be deterred and stop the military operation in Lebanon. Third, an arms race in the Middle East will erupt as other countries such as Egypt, Saudi Arabia, and Turkey will not be able to avoid the need to obtain nuclear weapons. Consequently, the nonproliferation regime will collapse. Fourth, internal stability would erode in Arab countries where Shi'ites are struggling for their political status. The largest danger is in Saudi Arabia, where the Shi'ite minority (20 percent), living in an area replete with oil, could demand its relative share of national wealth or perhaps even more, such as autonomy. Fifth, a nuclear Iran would serve Mahmoud Ahmadinejad's legacy and be seen as a victory for Islam, which could potentially motivate other Muslim states or Muslim communities in non-Muslim states to increase demands. With these risks in mind, Israel has made it clear that a military attack is an option. The risks, however, are immense. First, an attack could fail tactically, which would seriously harm Israel's deterrent and provide Iran with a good excuse to attack Israel. Second, Iran could fight back conventionally, which is more likely, or even with chemical and biological weapons, which would be more devastating. Third, an attack would mobilize Hezbollah, increasing the chances of a conflict between Israel and Syria. Fourth, Israel will certainly lose its already minor international support. More importantly, Iran will no longer be seen as the bad guy. Fifth, Iran may choose to retaliate using Persian Gulf oil markets. Closing the Strait of Hormuz or attacking the oil fields of the Persian Gulf states will create a serious worldwide crisis. Sixth, an attack will change the perspective of the Iranian public, which currently does not have very strong negative feelings toward Israel. And seventh, it will increase the anti-Israel sentiment throughout the region. An Israeli attack will involve other countries (Israel might need to use their air space, with or without permission). This indirect and passive assistance to Israel will push Persian Gulf countries to take anti-Israel or anti-U.S. steps. The attack, in fact, could serve as the straw that breaks the camel's back and may even provoke strong reactions from governments throughout the region. Israel does not have the ability to conduct a prolonged and continuous campaign against Iran for months. It cannot make use of bases or airfields in any other country. In addition, it will not have any partners—the United States will not want to be perceived as supporting an Israeli military action. A military action on the part of Israel, however, will be considered only when the diplomatic process has been exhausted and only when it is clear that the United States is not considering taking such an action itself. As long as U.S. forces are in Iraq, it will be difficult to carry out an aerial

## a/t: oil shocks

**Empirics can only flow neg – the united states has only become more resilient**

**Kahn 11** – independent journalist, the managing editor at The New Republic from 2004 to 2006, spent seven years as a writer at Fortune magazine in New York, where he covered a range of domestic and international topics, was a Pew International Journalism Fellow at Johns Hopkins School of Advanced International Studies, twice named one of America's 30 top financial journalists under the age of 30 by the trade publication TJFR, masters' degree in International Relations from the London School of Economics and a bachelor's degree in history from the University of Pennsylvania. (Jeremy, Feburary 13, “Crude Reality” <http://articles.boston.com/2011-02-13/news/29336191_1_crude-oil-shocks-major-oil-producers>)

Compared to the 1970s, too, the structure of the US economy offers better insulation from oil price shocks. Today, the country uses half as much energy per dollar of gross domestic product as it did in 1973, according to data from the US Energy Information Administration. Remarkably, the economy consumed less total energy in 2009 than in 1997, even though its GDP rose and the population grew. When it comes time to fill up at the pump, the average US consumer today spends less than 4 percent of his or her disposable income on gasoline, compared with more than 6 percent in 1980. Oil, though crucial, is simply a smaller part of the economy than it once was.

## a/t: cbw

**Deterrence checks**

Conley 2k3 - chief of the Systems Analysis Branch, Directorate of Requirements, Headquarters Air Combat Command (ACC) is Langley AFB, (Lt Col Harry W., Virginia. Air & Space Power Journal) <http://www.airpower.maxwell.af.mil/airchronicles/apj/apj03/spr03/conley.html>)

The policy of calculated ambiguity does have one strong feature. The more uncertain an adversary is about US response, the less likely ~~he~~ is to use CBWs. As Paul Bernstein and Lewis Dunn write, “Deliberate ambiguity creates significant uncertainty for an adversary regarding the nature of our response to CBW use.”27 Indeed, ambiguity deters as long as the adversary perceives US willingness and ability to respond forcefully. Since the ambiguity in the current policy incorporates the possibility of nuclear retaliation, one must ask whether or not today’s CB-capable adversaries are deterred by the US threat to retaliate with nuclear weapons. Even Scott Sagan, an articulate advocate of abandoning the role of nuclear weapons in US reprisal policy, concedes that nuclear weapons contribute “the extra margin of deterrence” against CBW use.28 The inherent deterrent value of nuclear weapons is a strength of the current policy, but policy makers must clarify the conditions under which they might consider using nuclear weapons.

operation against Iran without at least tactical, real-time coordination with the United States

**2. Obama will follow through- aligns himself with Congress**

**Bellinger ’13** (John B. Bellinger III, Adjunct Senior Fellow for International and National Security Law, “Seeking Daylight on U.S. Drone Policy”, <http://www.cfr.org/drones/seeking-daylight-us-drone-policy/p30348>, March 29, 2013)

The president also has additional constitutional authority anytime to use force to protect the Unites States, either in self-defense or because he believes that it's in our national security interest. So if President Obama concludes that it's necessary to carry out a drone strike against a terror suspect, but that individual does not fall into the categories covered by the AUMF, he would have additional constitutional authority. But this administration has taken great pains to emphasize that it has been relying on congressional grant of authority rather than the president's own constitutional authority to conduct most of its counterterrorism operations. It has wanted to do that to contrast itself with the Bush administration, which had, at least early in its tenure, relied heavily on the president's constitutional authority. It's not clear though, at this point, given how old and somewhat limited the AUMF is, if the Obama administration has now been forced to rely on constitutional powers for certain drone strikes. It appears to many observers that the administration may be stretching the limits of the AUMF by targeting people who were not responsible for 9/11 or who were not affiliated or associated co-belligerents with those who carried out 9/11. In theory, could the president always claim constitutional authority with regard to these strikes? Although, as you pointed out, the administration is obviously loath to do that. This administration is already finding that 95 percent of its counterterrorism policies, and the legal basis therefore, are the same as the Bush administration's. Absolutely. I think the issue is, in this administration, political. This administration is already finding that 95 percent of its counterterrorism policies, and the legal basis therefore, are the same as the Bush administration's. It came into office with both domestic and international supporters expecting that it would change all of those policies. So one area where it really has been loath to act like the Bush administration is to rely heavily on the president's constitutional authority. We simply don't know whether they are doing it, but politically I'm sure that administration officials would be very reluctant to have to acknowledge that they are acting outside of the grant given to them by Congress.

## a/t: t-authority

#### We meet- we ban the president’s authority to conduct strikes using the CIA-and that’s Authority

**Chesney 12**  (2012, Robert, Charles I. Francis Professor in Law at the University of Texas School of Law, non-resident Senior Fellow of the Brookings Institution, “Military-Intelligence Convergence and the Law of the Title 10/Title 50 Debate,” JOURNAL OF NATIONAL SECURITY LAW and POLICY, Vol. 5:539)

Title 50 is a portion of the U.S. Code that contains a diverse array of statutes relating to national security and foreign affairs. These include the standing affirmative grants of authority through which Congress originally empowered the CIA to carry out its various functions. That set in turn includes the sweeping language of the so-called fifth function, which the executive branch has long construed to grant authority to engage in covert action. Separately, Title 50 also contains the statutes that define covert action, require presidential findings in support of them, and oblige notification of them to SSCI and HPSCI. As a result, Title 50 authority has also become a shorthand, in this case one that refers to the domestic law authorization for engaging in quintessential intelligence activities such as intelligence collection and covert action.

#### 2. we meet- by definition the Pesident can not act without money to carry out the strike, means authority is limited

#### C/I Authority includes power to act or conduct an act

#### Hill 05 Free Legal Dictionary definition. <http://legal-dictionary.thefreedictionary.com/authority> (Gerald and Kathleen Hill are co-authors of 25 books, including The People's Law Dictionary, Real Life Dictionary of the Law, Encyclopedia of Federal Agencies and Commissions, Facts On File Dictionary of American Politics, and the popular Hill Guides: Sonoma Valley: The Secret Wine Country, Napa Valley: Land of Golden Vines; Victoria and Vancouver Island: the Almost Perfect Eden; Northwest Wine Country; Santa Barbara and the Central Coast: California's Riviera; and Monterey and Carmel: Eden by the Sea. Gerald has practiced law for more than four decades in both San Francisco's financial district and the town of Sonoma, California. He has an A.B. from Stanford University and Juris Doctor from Hastings College of the Law of the University of California. He was Executive Director of the California Governor’s Housing Commission, drafted legislation, taught at Golden Gate University Law School, served as an arbitrator and pro tem judge, edited and co-authored Housing in California, was an elected trustee of a public hospital, and has testified before Congressional committees.)

authority n. permission, a right coupled with the power to do an act or order others to act. Often one person gives another authority to act, as an employer to an employee, a principal to an agent, a corporation to its officers, or governmental empowerment to perform certain functions. There are different types of authority including "apparent authority" when a principal gives an agent various signs of authority to make others believe he or she has authority, "express authority" or "limited authority" which spell out exactly what authority is granted (usually a written set of instructions), "implied authority" which flows from the position one holds, and "general authority" which is the broad power to act for another.

#### Funding restrictions are restrictions on authority , rooted in U.S. code

Richard F. Grimmett, Specialist in National Defense Foreign Affairs, Defense, and Trade Division, 2007 CRS, Congressional Use of Funding Cutoffs Since 1970 Involving U.S. Military Forces and Overseas Deployments

Uses by Congress of Funding Restrictions to Affect Presidential Policy Toward Foreign Military/Paramilitary Operations

Although not directly analogous to efforts to seek withdrawal of American military forces from abroad by use of funding cutoffs, Congress has used funding restrictions to limit or prevent foreign activities of a military or paramilitary nature. As such, these actions represent alternative methods to affect elements of presidentially sanctioned foreign military operations. Representative examples of these actions are in legislation relating to Angola and Nicaragua, which are summarized below. In 1976, controversy over U.S. covert assistance to paramilitary forces in Angola led to legislative bans on such action. These legislative restrictions are summarized below. ! The Defense Department Appropriations Act for FY1976, P.L. 94-212, signed February 9, 1976, provided that none of the funds “appropriated in this Act may be used for any activities involving Angola other than intelligence gathering....” This funding limitation would expire at the end of this fiscal year. Consequently, Congress provided for a ban in permanent law, which embraced both authorization and appropriations acts, in the International Security Assistance and Arms Export Control Act of 1976. ! Section 404 of the International Security Assistance and Arms Export Control Act of 1976, P.L. 94-329, signed June 30, 1976, stated that “Notwithstanding any other provision of law, no assistance of any kind may be provided for the purpose, or which would have the effect, of promoting, augmenting, directly or indirectly, the capacity of any nation, group, organization, movement, or individual to conduct military or paramilitary operations in Angola, unless and until Congress expressly authorizes such assistance by law enacted after the date of enactment of this section.” This section also permitted the President to provide the prohibited assistance to Angola if he made a detailed, unclassified report to Congress stating the specific amounts and categories of assistance to be provided and the proposed recipients of the aid. He also had to certify that furnishing such aid was “important to the national security interests of the United States.” ! Section 109 of the Foreign Assistance and Related Programs Appropriations Act for FY1976, P.L. 94-330, signed June 30, 1976, provided that “None of the funds appropriated or made available pursuant to this Act shall be obligated to finance directly or indirectly any type of military assistance to Angola.” In 1984, controversy over U.S. assistance to the opponents of the Nicaraguan government (the anti-Sandinista guerrillas known as the “contras”) led to a prohibition on such assistance in a continuing appropriations bill. This legislative ban is summarized below. ! The continuing appropriations resolution for FY1985, P.L. 98-473, 98 Stat. 1935-1937, signed October 12, 1984, provided that “During fiscal year 1985, no funds available to the Central Intelligence Agency, the Department of Defense, or any other agency or entity of the United States involved in intelligence activities may be obligated or expended for the purpose or which would have the effect of supporting, directly or indirectly, military or paramilitary operations in Nicaragua by any nation, group, organization, movement or individual.” This legislation also provided that after February 28, 1985, if the President made a report to Congress specifying certain criteria, including the need to provide further assistance for “military or paramilitary operations” prohibited by this statute, he could expend $14 million in funds if Congress passed a joint resolution approving such action.

#### The “war powers authority” of the President is his Commander-in-Chief authority

Gallagher, Pakistan/Afghanistan coordination cell of the U.S. Joint Staff, Summer 2011

(Joseph, “Unconstitutional War: Strategic Risk in the Age of Congressional Abdication,” *Parameters*, http://strategicstudiesinstitute.army.mil/pubs/parameters/Articles/2011summer/Gallagher.pdf)

First, consider the constitutional issue of power imbalance. Central to the Constitution is the foundational principle of power distribution and provisions to check and balance exercises of that power. This clearly intended separation of powers across the three branches of government ensures that no single federal officeholder can wield an inordinate amount of power or influence. The founders carefully crafted constitutional war-making authority with the branch most representative of the people—Congress.4

The Federalist Papers No. 51, “The Structure of Government Must Furnish the Proper Checks and Balances Between the Different Departments,” serves as the wellspring for this principle. Madison insisted on the necessity to prevent any particular interest or group to trump another interest or group.5 This principle applies in practice to all decisions of considerable national importance. **Specific to war powers authority**, **the Constitution empowers the legislative branch with the authority to declare war but endows the Executive with the authority to act as Commander-in-Chief.**6 This construct designates Congress, not the president, as the primary decisionmaking body to commit the nation to war—a decision that ultimately requires the consent and will of the people in order to succeed. By vesting the decision to declare war with Congress, the founders underscored their intention to engage the people—those who would ultimately sacrifice their blood and treasure in the effort.

#### Commander in Chief powers are the justification for TK

Wheeler 13 “The AUMF fallacy” Marcy Wheeler, founder of EmptyWheel – a national security blog, PhD in comparative lit

<http://www.emptywheel.net/2013/02/18/the-aumf-fallacy/>

And ultimately, we should look to what Stephen Preston — the General Counsel of the agency that actually carried out the Awlaki killing — has to say about where the CIA gets its authorization to engage in lethal covert operations.

Let’s start with the first box: **Authority to Act under U.S. Law**.

First, we would confirm that **the contemplated activity is authorized by the President in the exercise of his powers under Article II of the U.S. Constitution, for example, the President’s responsibility as Chief Executive and Commander-in-Chief to protect the country from an imminent threat of violent attack**. This would not be just a one-time check for legal authority at the outset. Our hypothetical program would be engineered so as to ensure that, through careful review and senior-level decision-making, each individual action is linked to the imminent threat justification.

#### Prefer our interpriation

1. Key to real world education- learning about how congress appropriates money is necessary to learn about the real world.

#### 1) Prefer our definition: Congresses enforcement power is the purse – any affirmative that fails to specify has no leverage power - they’re a resolution

#### 2) Turn – we increase your ground by specifying our enforcement, you can counterplan out or run disads

**3) Their interp crushes aff innovation, it’s easy to be negative on this topic – repertoire of Ks, Cps, and disads makes it important for the aff to be able to adapt**

#### 4) Prevents bidirectionality – checks aff circumvention good arguments

#### 5) Literature and substantial check limits explosions

#### 6) Vietnam proves – congress threatened to cut funding if the president failed to withdrawal. Our interp accesses historic and topic specific education

#### No ground loss- they still can read all of their Das based off of a reduction of war powers.

#### Default to reasonability – competing interpretations forces a race to the bottom and leads to stale, hyper-generic debates.

## Extra T

1. We meet- its just an enforcement mechanism of the plan.

#### Restrictions must be enforceable- that is the plan

Elizabeth Boalt 5, Professor of Law Emeritus, University of California, Berkeley, University of Arkansas at Little Rock School of Law The Journal of Appellate Practice and Process Fall, 20035 J. App. Prac. & Process 473, lexis

Four questions follow: (1) Are discouraging words "restrictions" on citation under Rule 32.1? (2) What difference, if any, does it make? (3) What is the risk of judicial resistance to [\*493] no-citation rules, through discouraging words or other means? and (4) Should discouraging words be forbidden?

1. Are Discouraging Words "Restrictions" under Rule 32.1?

The committee's statement notwithstanding, it is not clear that discouraging words have to be considered "restrictions" on citation under the proposed Rule 32.1. These words may be wholly admonitory - and unenforceable. The Fourth Circuit's rule, for example, states that citing unpublished opinions is "disfavored," but that it may be done "if counsel believes, nevertheless, that [an unpublished opinion] has precedential value in relation to a material issue in a case and that there is no published opinion that would serve as well." n129 On the question of what counsel "believes," surely counsel should be taken at her word; counsel's asserted belief that an unpublished opinion has precedential or persuasive value should not be considered a falsifiable fact. Hence no sanction should be available for violating the Fourth Circuit's rule, and the rule's discouraging language in turn would not be a "prohibition or restriction" that was barred by Rule 32.1 as presently drafted.

In the rules of some other circuits, however, the language disfavoring citation of unpublished opinions is unmoored from anyone's "belief" and arguably does impose an objective "prohibition or restriction" determinable by a court. n130 A court might find, for example, that the required "persuasive value with respect to a material issue that has not been addressed in a published opinion" n131 was not present, and hence that the citation was not permitted by the circuit rule.

With what result? It would follow, paradoxically, that the opinion could be cited - because the circuit rule would be struck down under Rule 32.1 as a forbidden "restriction" on citation.

The committee's double-negative drafting thus creates a Hall of Mirrors in which citation of an unpublished opinion [\*494] would be allowed either way. If the local rule's discouraging language is merely hortatory, it is not a "restriction" forbidden by Rule 32.1; but that doesn't matter, because such a rule does not bar the citation in the first place. If, on the other hand, the local rule's language has bite and is a "restriction," then Rule 32.1 strikes it down, and again the citation is permitted.

We are the only topical aff- we garuntee that the plan will not be circumvented, meaning we are the only true restriction on war powers.

They limit out Core affs- all affs require some form of enforcement mechanism, even if it is not specificed in the plan text.

2. Extra T is good- they not only get ground off of the plan’s enactment, but also ground off of the continual enformcemnt of the plan.

3. Evaluate the plan text in a vacuum- it doesn’t matter if our advantages are topical, only the plan text.

We are key to beating the XO counterplan- enforcement mechianisms give us specific ground that the counterplan cannot capture.

Don’t vote on potential abuse- make them prove that we hurt their strategy

At worse reject the extra topical parts of the plan

## a/t: t-targeted killing

#### We meet – there is no distinction between the two in the literature – all our evidence uses both of the terms interchangeably.

#### the plan text says targeted killing, means at best it’s a question of solvency

#### Counter-interp- “targeted killing” is lethal force against those not in custody- broad definitions are comparatively better than scholars like Anderson- it’s most real world for legal practice

**Guardian ’13** [Jan, translator at the International Monetary Fund, Resident Representative Office in Belarus, “TARGETED KILLINGS: A SUMMARY,” <http://acontrarioicl.com/2013/02/27/targeted-killings-a-summary/>]

Currently there is no legal definition of targeted killings in either international or domestic law.[1] ‘Targeted killing’ is rather a descriptive notion frequently used by international actors in order to refer to a specific action undertaken in respect to certain individuals.¶ Various scholars propose different definitions. Machon, for example, refers to ‘targeted killing’ as an “intentional slaying of a specific individual or group of individuals undertaken with explicit governmental approval,”[2] whereas Solis suggests that for there to be a targeted killing (i) there must be an armed conflict, either international or non-international in character; (ii) the victim must be specifically targeted; (iii) he must be beyond a reasonable possibility of arrest; (iv) the killing must be authorized by senior military commanders or the head of government; (v) and the target must be either a combatant or someone directly participating in the hostilities.[3] But whereas some scholars seek to use a human rights-based definition, [4] others propose those which do not entail the applicability of international humanitarian law. [5]¶ However, such definitions are incorrect for several reasons. First of all, the definition of a ‘targeted killing’ has to be broad enough as to cover a wide range of practices and flexible enough as to encompass situations within and outside the scope of an armed conflict, thus, being subject to the application of both international human rights law and international humanitarian law, as opposed to the definition provided by some scholars and even states themselves.[6] Secondly, one should bear in mind that defining an act as an instance of ‘targeted killing’ should not automatically render the illegality of such an act at stake.[7] Moreover, the definition also has to cover situations where such an act is carried out by other subjects of international law, rather than only by states.¶ Therefore, maintaining an element-based approach and synthesizing common characteristics of multiple definitions, it is more advisable to use the one employed by Alston and Melzer, which refers to targeted killings as a use of lethal force by a subject of international law (encompassing non-state actors) that is directed against an individually selected person who is not in custody and that is intentional (rather than negligent or reckless), premeditated (rather than merely voluntary), and deliberate (meaning that ‘the death of the targeted person [is] the actual aim of the operation, as opposed to deprivations of life which, although intentional and premeditated, remain the incidental result of an operation pursuing other aims).[8]

**Our interpretation is best -**

#### 1). They limit the heart of the topic- most strikes are signature-based, and they only allow bad drones affs that don’t solve

**VanValkenberg 3-2**-13 [Noah VanValkenberg, Contributing Writer for Outside Colby, a non-partisan political publication, “Making Drones More Effective: Refining a Necessary Practice in Warfare,” <http://outsidecolby.com/2013/03/making-drones-more-effective-refining-a-necessary-practice-in-warfare/>]

Drones are a crucial piece of the United States’ global war on terror. They have eliminated dangerous individuals such as Anwar al-Awlaki and other senior members of Al Qaeda. However, there is a significant difference between targeted strikes and “signature strikes”—and the use of the latter is only serving to endanger US security.¶ In a typical targeted strike, high-level terrorists are profiled and their names are passed up the chain of command. The National Security Adviser, in conjunction with the Director of Central Intelligence (CIA), will recommend individuals on this “kill list” to President Obama. Ultimately, the President makes the call of who to strike. This is the way drone strikes should work: a missile is only fired after careful analysis and evaluation by experts, and a decision by the President.¶ Signature strikes work entirely differently. Armed drones often loiter over a specific area with no specific mission. If they see a group of individuals acting suspiciously, a relatively low-level intelligence officer can make the call to shoot. The definition of “acting suspiciously” is particularly problematic, as a man carrying a rifle and riding in a pickup truck in the desert may meet that standard. Signature strikes have killed prominent pro-US Yemeni leaders, as documented in the New York Times, they have stoked significant anti-American sentiment, and they have killed 176 children in Northern Pakistan alone.¶ Currently, signature strikes make up the majority of drone attacks, and the targets’ identities are rarely conclusively known. According to an article published in the Journal of International Criminal Justice by Jens Ohlin, only eight percent of suspected militants killed in signature strikes between 2008 and 2010 were mid- to high-level targets. The rest posed no threat to US national security and the strikes incurred enormous collateral damage.¶ However, that collateral damage is enormous. According to the widely cited study Living Under Drones, published by Stanford and NYU, one signature strike alone killed forty members of a peaceful meeting of tribal elders in Northwest Pakistan. The same study argues that many individuals now refrain from going to funerals, because they are so frequently targeted by signature strikes.

#### 2). Increase their ground – allows them to garner all the offense based off signature strikes being good

#### 3). No ground loss- all of their disads to targeted killing still apply.

#### 4. No link to the limits da, our interp only allows one more aff

#### -Strucual and functional limits check their limts claims

#### Default to reasonability – competing interpretations forces a race to the bottom and leads to stale, hyper-generic debates.

## Anthro

Anthropocentrism is inevitable and good

Grey 93 (William Grey, Professor of Philosophy at the University of Queensland, “Anthropocentrism and Deep Ecology,” Australiasian Journal of Philosophy, Volume 71, Number 4, Available Online at http://www.uq.edu.au/~pdwgrey/pubs/anthropocentrism.html, Accessed 07-27-2011)

The attempt to provide a genuinely non-anthropocentric set of values, or preferences seems to be a hopeless quest. Once we eschew all human values, interests and preferences we are confronted with just too many alternatives, as we can see when we consider biological history over a billion year time scale. The problem with the various non-anthropocentric bases for value which have been proposed is that they permit too many different possibilities, not all of which are at all congenial to us. And that matters. We should be concerned to promote a rich, diverse and vibrant biosphere. Human flourishing may certainly be included as a legitimate part of such a flourishing. The preoccupations of deep ecology arise as a result of human activities which impoverish and degrade the quality of the planet's living systems. But these judgements are possible only if we assume a set of values (that is, preference rankings), based on human preferences. We need to reject not anthropocentrism, but a particularly short term and narrow conception of human interests and concerns. What's wrong with shallow views is not their concern about the well-being of humans, but that they do not really consider enough in what that well-being consists. We need to develop an enriched, fortified anthropocentric notion of human interest to replace the dominant short-term, sectional and self-regarding conception. Our sort of world, with our sort of fellow occupants is an interesting and engaging place. There is every reason for us to try to keep it, and ourselves, going for a few more cosmic seconds.

4. Alternative makes extinction inevitable.

Grey 93 (William Grey, Professor of Philosophy at the University of Queensland, 1993 (“Anthropocentrism and Deep Ecology,” Australiasian Journal of Philosophy, Volume 71, Number 4, Available Online at http://www.uq.edu.au/~pdwgrey/pubs/anthropocentrism.html, Accessed 07-27-2011)

Suppose that astronomers detect a modest asteroid or comet, say five or ten kilometres diameter, on collision course with planet Earth [8]. The impending collision would be perfectly natural all right, and cataclysmic enough to do to us what another one rather like it probably did to the dinosaurs. Such periodic disruptive events are natural all right, though they probably destroy most of the then extant large life forms. These times of renewal provide opportunities for smaller, flexible organisms to radiate opportunistically into vacated niches, and life goes on. From a biocentric or ecocentric perspective there is little doubt that our demise would provide comparable opportunities for development which we currently prevent. Should we, in <470> such circumstances, step aside so that evolution can continue on its majestic course? I think not, and I think further that interference with the natural course of events, if it could be effected, would be no bad thing—at least from our point of view and in terms of our interests, which it is quite legitimate to promote and favour. Suppose again that we are entering one of the periodic epochs of reduced solar energy flux. An ice age is imminent, with massive disruptions to the agriculturally productive temperate zones. However suppose further that by carefully controlled emissions of greenhouse gases it would be possible to maintain a stable and productive agriculture. No doubt this would be to the detriment of various arctic plant and animal species, but I do not think that such interference, though "unnatural" would be therefore deplorable. Nature in and of itself is not, I suggest, something to be valued independently of human interests. It could be argued moreover that in thus modifying our natural environment, we would be following the precedent of three billion years of organic evolution, since according to the Gaia hypothesis of Lovelock (1979), the atmosphere and oceans are not just biological products, but biological constructions.

## OLC CP

### Top shelf

#### Doesn’t solve-

#### A. Doesn’t solve

Only congress can leverage the GAO

By Julian Sanchez, Julian Sanchez is a research fellow at the Cato Institute and a contributing editor for Reason magazine, Newsweek on July 29, 2010. “Why the Intelligence Community Needs GAO Oversight” http://www.cato.org/publications/commentary/why-intelligence-community-needs-gao-oversight?print

The shroud of secrecy that necessarily shields intelligence work has always made robust internal oversight especially vital, even while rendering it exponentially more difficult. As the Post notes, even the handful of Defense Department “Super Users” meant to have a bird’s-eye view of all classified intelligence programs can’t keep track of the sprawl, or as one put it, “I’m not going to live long enough to be briefed on everything.”¶ Harried legislators on oversight committees are in an even more hopeless position. The most sensitive programs — such as the warrantless wiretapping that President George W. Bush authorized the NSA to carry out in the wake of 9/11 — may be disclosed only to a “Gang of Eight” senior legislators, barred from taking notes or seeking expert advice. Even when full committees are briefed, the intelligence agencies are often delinquent with statutorily mandatory reporting, and in any event members of Congress have scant incentive to commit scarce time and staff to cracking down on intelligence waste or inefficiency. You can’t rally public outrage behind the cause of reforming wasteful secret intelligence programs, and if you do manage to fix a problem, you don’t get to issue a self-congratulatory press release. The result is a pattern scholars have dubbed the “fire alarm” model of oversight: a spike of intense scrutiny following a major intelligence scandal, followed by long stretches of relative congressional apathy.¶ As intelligence scholar Jennifer Kibbe notes in a recent paper, fragmented jurisdiction compounds the problem. During the ’90s, Congress failed to review the FBI’s attempts at counterterrorism reform because the intelligence and judiciary committees each considered it the other’s authority. In theory, the intelligence committees have primary oversight authority. But when they don’t manage to pass a formal intelligence authorization bill, as they failed to do from 2006 – 09, budgetary control effectively falls to the appropriations subcommittees, which have only a tiny fraction of the cleared staff needed to do serious scrutiny of intelligence budgets.¶ Meanwhile, those exploding budgets increasingly line the coffers of private firms who provide not only an arsenal of spy gadgets, but some 30 percent of the staff at the intelligence agencies. Assuming that private contracts continue to account for about 70 percent of the intelligence budget, the firms in the secret sector are competing for some $50 billion annually in tax money. (By way of comparison, the global movie industry pulled in a hair under $30 billion in 2009.)¶ In a few cases — such as the scandal that brought down disgraced Rep. Randy “Duke” Cunningham — that cash has found its way directly back to government in the form of bribes. More often it greases the perfectly legal revolving door between senior intelligence positions and executive suites. Lt. Gen. James Clapper, President Obama’s nominee for director of national intelligence (DNI), is a former chairman of the largest intel contractors’ trade association, the Intelligence and National Security Alliance. So was his Bush-era predecessor Mike McConnell, who has since rejoined many of his old governmental colleagues at behemoth contractor Booz Allen Hamilton.¶ Combine thick bankrolls and thick secrecy with thin walls between the public and for-profit sides of the intel world, and you’ve got a perfect incubator for bloat and waste, a sector “so massive,” the Post concluded, “that its effectiveness is impossible to determine.”¶ In the rest of the federal government, responsibility for checking such excesses falls primarily to the watchdog GAO. And it’s a natural fit for the job of holding intelligence to account as well.¶ The GAO has the capacity Congress lacks: as of last year, the office had 199 staffers cleared at the top-secret level, with 96 holding still more rarefied “sensitive compartmented information” clearances. And those cleared staff have a proven record of working to oversee highly classified Defense Department programs without generating leaks. Gen. Clapper, the prospective DNI, has testified that the GAO “held our feet to the fire” at the Pentagon with thorough analysis and constructive criticism.¶ Unlike the inspectors general at the various agencies — which also do vital oversight work — the GAO is directly answerable to Congress, not to the executive branch. And while it’s in a position to take a broad, pangovernmental view, the GAO also hosts analysts with highly specialized economic and management expertise the IG offices lack. Unleashing GAO would be the first step in discovering what the Post couldn’t: whether the billions we’re pouring into building a surveillance and national security state are really making us safer.

## a/t: terror da

#### U.S. is losing the war on terror now. The plan is needed to change that course.

Atkinson 11-12-13. “What’s wrong with the war on terror?” <http://www.gilmermirror.com/view/full_story/24034397/article-What-s-Wrong-with-the-War-on-Terror-?instance=home_news_bullets>

(Connie Atkinson is the author ofThe Brotherhood of Purity,a novel exploring the mind of a terrorist and whether mankind can build a world at peace. She is also a professor of history at the University of New Orleans)

U.S. Drones sweep across the landscape in Pakistan and Afghanistan, killing a few masterminds of terror along with thousands of “collateral damage” victims. The private information of citizens in the U.S. and abroad continues to be compromised and their personal space so violated, that they are x-rayed and grouped at select airports. Trillions of dollars have been spent; thousands of military personnel have been wounded or killed; tens of thousands of civilians have had their lives lost or ruined. After ten plus years fighting the “War on Terror,” how can one not wonder whether this is all really worth it? What is the endgame? When will the sectarian violence in the Middle East, and the hatred, directed toward the West, specifically the U.S., finally stop? This leads to yet another question. Why are the methods for dealing with terrorism so inadequate? For one thing, antiquated ideas of conflict remain the norm because certain groups and individuals, with the means to craft the arguments and predetermined solutions, present their worldview as common sense. Under these circumstances, few of us venture to challenge such “objective truth.” The statistics are bleak. In 1971, there were 241 documented incidents of terrorism worldwide, with 35 fatalities and 230 injuries.(U.S. Dept. of State).Forty years later, in 2011, those figures increased dramatically to 10,283 incidents, with 12,533 fatalities and 25,903 injuries.(US National Counterterrorism Center).The most recent report from the U.S. State Department shows an even starker truth: 2013 has seen yet another increase in terrorism. The Institute for Economics and Peace compiles data on terrorism and publishes it as “The Global Terrorism Index.” It concludes that North Americans suffer the least impact from terrorism; Europeans are 19 times more likely than North Americans to be victims, while civilians in the Middle East have the highest incidence of death from terror related incidents. However, the recent bombing at the Boston Marathon is ample evidence that Americans are not immune to terrorists’ threats. The U.S. Government is charged with protecting its citizens. That is what we expect and demand of them and this creates a dilemma. For even well intentioned military action on foreign soil, such as defending the local population, appears to produce more enemy combatants than it eliminates. Killing terrorists simply facilitates the recruitment of young men for other suicide missions. After all, how would you rather die -- as a helpless victim or as a hero who has sacrificed himself in martyrdom? Perhaps it is time to consider a different approach. For in reality, it's not just about how many enemy combatants are killed, but whether the world can change its thinking to better understand and respect all cultures. How to stop fanning the flames of hatred and vengeance is a discussion worth having over and over until we find the answers. For those who personally witnessed the horrific attacks on 9-11, surviving presents other challenges. The trauma changed us forever and caused us to consider the motivations of terrorism. In the days, weeks, months, and years that followed we have wondered how any man, not much out of his childhood, can be convinced that blowing himself up with as many lives as can be taken with him, is actually condoned and rewarded by God. We asked why radical Islamists call the U.S. a “Great Satan,” even after we saved hundreds of thousands of Moslems from ethnic cleansing. Was this not a noble act of friendship? It is time for a new paradigm, beginning with new bonds of trust and understanding, or the complex problems we face together, as humankind evolves into a global civilization, cannot not be resolved. At the end of Kevin Costner’s epic movie,Dances With Wolves,Lt. John Dunbar must leave the Lakota Sioux tribe he has come to know as his family. As John, now Dances with Wolves, rides away, he hears the voice of Wind in His Hair, a Lakota brave who once hated Dunbar as his enemy, booming from atop a mountain ridge. His voice rises into the cold air and covers the valley. It is a plaintive cry conveying the sorrow both men feel at their parting. Dances With Wolves bows his head as he rides away hearing his Lakota brother cry, “Dances With Wolves, I am Wind in His Hair. Do you see that I am your friend? Can you see that I will always be your friend?” On a good day, our struggle to know and understand each other can have the same effect.

#### Intel is key in winning on the war on terror

Anna-Katherine Staser **McGill 12**, School of Graduate and Continuing Studies in Diplomacy, Norwich University, David Gray, Campbell University, Summer 2012, “Challenges to International Counterterrorism Intelligence Sharing,” http://globalsecuritystudies.com/McGill%20Intel%20Share.pdf

In his article “Old Allies and New Friends: Intelligence-Sharing in the War on Terror”, Derek Reveron states “the war on terror requires high levels of intelligence to identify a threat relative to the amount of force required to neutralize it” as opposed to the Cold War where the opposite was true (455). As a result, intelligence is the cornerstone of effective counterterrorism operations in the post 9/11 world. Though the United States has the most robust intelligence community in the world with immense capability, skills, and technology, its efficiency in counterterrorism issues depends on coalitions of both traditional allies and new allies. Traditional allies offer a certain degree of dependability through a tried and tested relationship based on similar values; however, newly cultivated allies in the war on terrorism offer invaluable insight into groups operating in their own back yard. The US can not act unilaterally in the global fight against terrorism. It doesn’t have the resources to monitor every potential terrorist hide-out nor does it have the time or capability to cultivate the cultural, linguistic, and CT knowledge that its new allies have readily available. The Department of Defense’s 2005 Quadrennial Review clearly states that the United States "cannot meet today's complex challenges alone. Success requires unified statecraft: the ability of the U.S. government to bring to, bear all elements of national power at home and to work in close cooperation with allies and partners abroad" (qtd in Reveron, 467). The importance of coalition building for the war on terrorism is not lost on US decision-makers as seen by efforts made in the post 9/11 climate to strengthen old relationships and build new ones; however, as seen in the following sections, the possible hindrances to effective, long term CT alliances must also be addressed in order to sustain current operations.

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## Iran

### a/t: deterrence

**Deterrence fails with Iran – it’s not like the cold war – the political climate means deterrence isn’t stable**

Patrick **Clawson**, deputy director for research, **and** Michael **Einstadt**, director of Military and Security Studies Program, July **2007** [Washingotn Institute for Near East Studies Policy Focus #72, “Deterring the Ayatollahs: Complications in Applying Cold War Strategy to Iran”]

For reasons related to the nature of the regime in Tehran, the regional security environment, and the challenges of coalition formation and maintenance, deterring a nuclear Iran is likely to prove **particularly challenging** and much more difficult than deterrence was during the Cold War. Regime factionalism raises potential command-and-control problems, while the likelihood that Iran’s nuclear weapons would be controlled by some of the most radical elements in the regime raises the possibility that Iran might lack restraint in brandishing its nuclear arsenal, and that some of these weapons might find their way into the hands of terrorists. Moreover, because Tehran has shown a distinct preference for indirection and dissimulation in its foreign policy, the possibility of covert, deniable delivery **is particularly acute** with the Islamic Republic. For this reason, the development of a credible postevent attribution capability is a vital necessity for the United States and its allies, and it is absolutely critical that decisionmakers in Tehran and elsewhere understand that the United States has such capabilities. The regional security environment in the Middle East hardly offers promising conditions for stable deterrence. The United States and Israel are still reeling from the impact of wars in Iraq and Lebanon, respectively, that have undermined their deterrent image and emboldened adversaries and enemies such as Syria and Iran. Such circumstances **could increase the likelihood of a miscalculation that could spark a crisis** between an increasingly assertive Iran and the United States or Israel, **with the attendant possibility of escalation,** an exchange of nuclear threats, or worse.

## Anthro

### Top level

#### No risk of endless warfare

Gray 7—Director of the Centre for Strategic Studies and Professor of International Relations and Strategic Studies at the University of Reading, graduate of the Universities of Manchester and Oxford, Founder and Senior Associate to the National Institute for Public Policy, formerly with the International Institute for Strategic Studies and the Hudson Institute (Colin, July, “The Implications of Preemptive and Preventive War Doctrines: A Reconsideration”, <http://www.ciaonet.org/wps/ssi10561/ssi10561.pdf>)

7. A policy that favors preventive warfare expresses a futile quest for absolute security. It could do so. Most controversial policies contain within them the possibility of misuse. In the hands of a paranoid or boundlessly ambitious political leader, prevention could be a policy for endless warfare. However, the American political system, with its checks and balances, was designed explicitly for the purpose of constraining the executive from excessive folly. Both the Vietnam and the contemporary Iraqi experiences reveal clearly that although the conduct of war is an executive prerogative, in practice that authority is disciplined by public attitudes. Clausewitz made this point superbly with his designation of the passion, the sentiments, of the people as a vital component of his trinitarian theory of war. 51 It is true to claim that power can be, and indeed is often, abused, both personally and nationally. It is possible that a state could acquire a taste for the apparent swift decisiveness of preventive warfare and overuse the option. One might argue that the easy success achieved against Taliban Afghanistan in 2001, provided fuel for the urge to seek a similarly rapid success against Saddam Hussein’s Iraq. In other words, the delights of military success can be habit forming. On balance, claim seven is not persuasive, though it certainly contains a germ of truth. A country with unmatched wealth and power, unused to physical insecurity at home—notwithstanding 42 years of nuclear danger, and a high level of gun crime—is vulnerable to demands for policies that supposedly can restore security. But we ought not to endorse the argument that the United States should eschew the preventive war option because it could lead to a futile, endless search for absolute security. One might as well argue that the United States should adopt a defense policy and develop capabilities shaped strictly for homeland security approached in a narrowly geographical sense. Since a president might misuse a military instrument that had a global reach, why not deny the White House even the possibility of such misuse? In other words, constrain policy ends by limiting policy’s military means. This argument has circulated for many decades and, it must be admitted, it does have a certain elementary logic. It is the opinion of this enquiry, however, that the claim that a policy which includes the preventive option might lead to a search for total security is **not at all convincing**. Of course, folly in high places is always possible, which is one of the many reasons why popular democracy is the superior form of government. It would be absurd to permit the fear of a futile and dangerous quest for absolute security to preclude prevention as a policy option. Despite its absurdity, this rhetorical charge against prevention is a stock favorite among prevention’s critics. It should be recognized and dismissed for what it is, a debating point with little pragmatic merit. And strategy, though not always policy, **must be nothing if not pragmatic**.

#### No impact to Bare Life and the alt fails

Cesare **Casarino**, professor of cultural studies and comparative literature at the University of Minnesota AND Antonio Negri, author of numerous volumes of philosophy and political theory. “It’s a Powerful Life: A Conversation on Contemporary Philosophy” Cultural Critique 57. **2004**

AN: I believe Giorgio is writing a sequel to Homo Sacer, and I feel that this new work will be resolutive for his thought—in the sense that he will be forced in it to resolve and find a way out of the ambiguity that has qualified his understanding of naked life so far. He already attempted something of the sort in his recent book on Saint Paul, but I think this attempt largely failed: as usual, **this book** is extremely learned and elegant; it **remains**, however, somewhat **trapped within** Pauline **exegesis, rather than constituting a full-fledged attempt to reconstruct naked life as a potentiality for exodus,** to rethink naked life fundamentally in terms of exodus. **I believe that the concept of naked life is not an impossible**, unfeasible **one**. I believe it is possible to push the image of power to the point at which a defenseless human being [un povero Cristo] is crushed, to conceive of that extreme point at which power tries to [End Page 173] eliminate that ultimate resistance that is the sheer attempt to keep oneself alive. From a logical standpoint, it is possible to think all this: the naked bodies of the people in the camps, for example, can lead one precisely in this direction. **But this is** also **the point at which this concept turns into ideology: to conceive of the relation between power and life in such a way** actually **ends up bolstering and reinforcing ideology**. **Agamben**, in effect, **is saying that such is the nature of power: in the final instance, power reduces each and every human being to such a state of powerlessness.** But this is absolutely not true!On the contrary: **the historical process takes place and is produced thanks to a continuous constitution and construction, which** undoubtedly **confronts the limit over and over** again—**but this is an extraordinarily rich limit, in which desires expand, and** in which **life becomes** increasingly **fuller**. Of course it is possible to conceive of the limit as absolute powerlessness, especially when it has been actually enacted and enforced in such a way so many times. And yet, isn't such a conception of the limit precisely what the limit looks like from the standpoint of constituted power as well as from the standpoint of those who have already been totally annihilated by such a power—which is, of course, one and the same standpoint? Isn't this the story about power that power itself would like us to believe in and reiterate? **Isn't it far more politically useful to conceive of this limit from the standpoint of those who are not yet or not completely crushed by power, from the standpoint of those still struggling to overcome such a limit, from the standpoint of the process of constitution**, from the standpoint of power [potenza]? I am worried about the fact that **the concept of naked life as it is conceived by Agamben might be taken up by political movements and in political debates**: I find this prospect quite troubling, which is why I felt the need to attack this concept in my recent essay. Ultimately, I feel that nowadays **the logic of traditional eugenics is attempting to saturate and capture the whole of human reality**—even at the level of its materiality, that is, through genetic engineering—and **the** ultimate **result of such a process of saturation and capture is a capsized production of subjectivity within which ideological undercurrents continuously try to subtract or neutralize our resistance**. [End Page 174]