### 2ac – T – Targeted Killing = Signature Strikes

#### 1. We meet – signature strikes are targeted killings.

Rushforth, J.D. candidate, University of Arizona College of Law, 12

(Elinor, Fall, “NOTE: THERE'S AN APP FOR THAT: IMPLICATIONS OF ARMED DRONE ATTACKS AND PERSONALITY STRIKES BY THE UNITED STATES AGAINST NON-CITIZENS, 2004-2012,” 29 Ariz. J. Int'l & Comp. Law 623, lexis, accessed 7-22-13, CMM)

n42 Adam Entous, Siobhan Gorman & Julian E. Barnes, U.S. Tightens Drone Rules, WALL ST. J., Nov. 4, 2011, at A1. This article outlines the difference between "personality" strikes and "signature" strikes, two types of targeted killings. Personality strikes target known terrorist leaders, often referred to as high-value targets. Id. Signature strikes target groups of men whose identities are not known but who are believed to be terrorists or associates of terrorists. Id.

#### 2. Counter-interpretation – targeted killing is legal lethal force that is pre-meditated.

Alston, Professor of Law, New York University School of Law, 11

(Philip, UN Special Rapporteur on extrajudicial, summary or arbitrary executions from 2004 until 2010, “ARTICLE: The CIA and Targeted Killings Beyond Borders,” 2 Harv. Nat'l Sec. J. 283, lexis, accessed 7-22-13, CMM)

C. Defining "Targeted Killings"¶ As with many terms that have entered the

AND

specific individual who is not in the physical custody of the perpetrator. n46

#### 3. We meet – signature strikes use lethal premeditated force on targets.

Williams, University of Massachusetts Dartmouth Islamic studies professor 5-31-13

[Brian Glyn, “Inside the Murky World of 'Signature Strikes' and the Killing of Americans With Drones” http://www.huffingtonpost.com/brian-glyn-williams/nside-the-murky-world-of-\_b\_3367780.html, accessed 9-17-13, TAP]

Intelligence for these wider types of strikes is less specific than it is for those

AND

vehicles of militants or compounds, eavesdropping on cell phone conversations, etc.).

#### 4. Precision is key – signature strikes are targeted killings in practice.

Zenko, CFR Fellow, 12

(Micah, 7-16-12, “Targeted Killings and Signature Strikes,” http://blogs.cfr.org/zenko/2012/07/16/targeted-killings-and-signature-strikes/, accessed 9-9-13, CMM)

No matter how U.S. officials (secretly) refer to the practice

AND

After ten years of signature strikes, isn’t this a debate worth having?

#### 5. Signature strikes are key to aff ground – any other interpretation is arbitrarily overlimiting and cuts out the heart of the topic.

Wexler, University of Illinois law professor, 2013

[Lesley, 5-8-13, “The Role of the Judicial Branch during the Long War: Drone Courts, Damage Suits, and FOIA Requests” <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2262412>, p.3-4, accessed 5-14-13, TAP]

After September 11, 2001, the United States became enmeshed in a war on

AND

to pursue targeted killings and who it has allegedly killed with these drones.

### 2ac – T – Restrictions

#### 1. We meet statutory restrictions.

Chehab, Georgetown Law Center, 2012

[Ahmad, 3-30-12, “Retrieving the Role of Accountability in the Targeted Killings Context: A Proposal for Judicial Review” http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2031572, p.26-7, accessed 9-15-13, TAP]

The creation of the Covert Operations Against American Citizens Court (COAACC) would help

AND

the use of electronic eavesdropping in the context of foreign intelligence gathering.121

#### 2. We meet judicial restrictions.

Guiora, University of Utah law professor, 2012

[Amos, Case Western Reserve Journal of Internal Law, vol 45, “Targeted Killing: When Proportionality Gets All Out of Proportion” http://law.case.edu/journals/JIL/Documents/45CaseWResJIntlL1&2.13.Article.Guiora.pdf, p.239, accessed 9-15-13, TAP]

The solution to this search for an actionable guideline is the strict ¶ scrutiny standard

AND

balance enabling the ¶ state to act sooner but subject to significant restrictions.

#### 3. Counter-interpretation – restriction means a limit and includes conditions on action.

Snow, COURT OF APPEALS OF ARIZONA judge, 8

(G. Murray, COURT OF APPEALS OF ARIZONA, DIVISION ONE, DEPARTMENT A, STATE OF ARIZONA, Appellee, v. JEREMY RAY WAGNER, Appellant., 2008 Ariz. App. Unpub. LEXIS 613, accessed 9-18-13, CMM)

P10 The term "restriction" is not defined by the Legislature for the purposes

AND

natural and obvious meaning, which may be discerned from its dictionary definition.").

P11 The dictionary definition of "restriction" is "[a] limitation or qualification

AND

dictate that the term "restriction" includes the ignition interlock device limitation.

### 2ac – Solvency – AT: Circumvention

#### Obama would comply with the court

Vladeck, American University law professor, 2009

[Stephen, “The Long War, the Federal Courts, and the Necessity / Legality Paradox” <http://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1002&context=facsch_bkrev>, p.922-3, accessed 10-5-13, TAP]

Moreover, even if one believes that suspensions are unreviewable, there is a critical

AND

comply with a Supreme Court decision. But perhaps I am naïve.184

#### Courts solve – deter presidential indiscretion.

Prakash, University of Virginia law professor, and Ramsey, University of San Diego law professor, 2012

[Saikrishna and Michael, “The Goldilocks Executive” <http://www.texaslrev.com/wp-content/uploads/Prakash-Ramsey-90-TLR-973.pdf>, p.990-2, accessed 9-30-13, TAP]

3. The Courts.—The courts constrain the Executive, both because courts are

AND

law, including law defined as what a ¶ court will likely order.

#### The president perceives legal constraints as working.

Prakash, University of Virginia law professor, and Ramsey, University of San Diego law professor, 2012

[Saikrishna and Michael, “The Goldilocks Executive” <http://www.texaslrev.com/wp-content/uploads/Prakash-Ramsey-90-TLR-973.pdf>, p.994-5, accessed 9-30-13, TAP]

6. The Executive’s Perception of Legal Constraint.—A final feature of ¶ modern

AND

law would ¶ trigger censure from Congress, courts, and the public.

### 2ac – Accountability – SCS

#### Econ

Klare, Peace and World Security Studies professor at Hampshire, Three Days Ago, 1-23-13

(Michael, “The Next War,” 1-23-13, <http://www.realclearworld.com/articles/2013/01/23/the_next_war_100500.html>, accessed 1-24-13) PM

Lurking just behind the Iranian imbroglio, however, is a potential crisis of far

AND

show-of-force operations by both sides in the disputed waters.

#### Institutions don’t check

Klare, Peace and World Security Studies professor at Hampshire, 1-23-13

(Michael, “The Next War,” 1-23-13, <http://www.realclearworld.com/articles/2013/01/23/the_next_war_100500.html>, accessed 1-24-13) PM

Regional diplomacy, that classic way of settling disputes in a peaceful manner, has

AND

Chinese press, while officials there refused to cede any ground at all.

### 2ac – Terrorism DA – Drones Good

#### Strikes still get approved.

Chehab, Georgetown Law Center, 2012

[Ahmad, 3-30-12, “Retrieving the Role of Accountability in the Targeted Killings Context: A Proposal for Judicial Review” http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2031572, p.30, accessed 9-15-13, TAP]

Although not a required form of analysis, these factors nonetheless suggest a rigorous review

AND

of American efforts to target alleged terrorists and reduce likelihood of collateral damage.

#### 4. No unique link – the legwork for strikes already exists.

Adelsberg, Yale University JD candidate, 2012

[Samuel, 6 Harv. L. & Pol'y Rev. 437, “SHORT ESSAYS: Bouncing the Executive's Blank Check: Judicial Review and the Targeting of Citizens” Lexis, accessed 9-15-13, TAP]

National Security Concerns

A major concern for the military and intelligence community would likely be the effect of

AND

of the supporting intelligence" n83 and perform a collateral damage assessment. n84

Although not as public, the CIA apparently also has robust internal targeting procedures.

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"legalistic and carefully argued, often running up to five pages." n87

The purpose of surveying the known targeting procedures is to demonstrate that there is already

AND

that list could be put through the GTP with hearings before the CTRC.

### AT: Economic Decline Doesn’t Cause War

Studies prove

Royal, Department of Defense Cooperative threat reduction director, 10

[Jedediah, *Economic Integration, Economic Signaling and the Problem of Economic Crises, in Economics of War and Peace: Economic, Legal and Political Perspectives*, p.213-4, TAP]

Less intuitive is how periods of economic decline may increase the likelihood of external conflict

AND

not featured prominently in the economic-security debate and deserves more attention.

### 2ac – State Secret Privilege DA

#### Would not hurt legitimacy – just a small carve-out.

Chehab, Georgetown Law Center, 2012

[Ahmad, 3-30-12, “Retrieving the Role of Accountability in the Targeted Killings Context: A Proposal for Judicial Review” http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2031572, p.29, accessed 9-15-13, TAP]

While in Hamdi, Justice O’Connor allowed for a presumption in favor of the government

AND

focus exclusively on the targeted individual and whether targeting is necessary and legal.

#### No spill over – limited jurisdiction means it doesn’t set a precedent for the judicial branch – only this court.

Opderbeck, Seton Hall University law professor, 2013

[David, 8-2013, “Drone Courts” <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2305315>, p.56-7, accessed 8-28-13, TAP]

The age of the drones has dawned. Rapid technological¶ development will soon permit

AND

an important¶ independent measure of accountability over the use of killer drones.

#### The review process is ex parte.

Wittes, Brookings Institution governance studies senior fellow, 2-18-13

[Benjamin, “Carrie Cordero on FISA Court Lessons for a “Drone Court”” <http://www.lawfareblog.com/2013/02/carrie-cordero-on-fisa-court-lessons-for-a-drone-court/>, accessed 10-6-13, TAP]

Carrie Cordero, Georgetown’s Director of National Security Studies and a former Justice Department national

AND

to just how extensive court involvement in national security operational matters can be.

#### No unique link – courts rejected state secrets

Savage, NYT 13

[Charlie, 3-15-13, New York Times, “Court Orders the C.I.A. to Disclose Drone Data,” Charlie Savage, March 15, <http://www.nytimes.com/2013/03/16/us/court-says-cia-must-yield-some-data-on-drones.html?_r=0>, accessed 10-27-13, AFB]

WASHINGTON — A federal appeals court held Friday that the Central Intelligence Agency must disclose

AND

memorandums related to the killing of both citizens and to targeted killings generally.

#### No internal link to a complete collapse of the State Secret Privilege – those are straw args

**Greenwald, Salon, 9**

[Glenn, Salon, 2-10-9“The 180-degree reversal of Obama’s State Secrets position”, Feb 10, <http://www.salon.com/2009/02/10/obama_88/>, accessed 10-27-13, AFB]

Nobody — not the ACLU or anyone else — argues that the State Secrets privilege

AND

moronic strawmen advanced by people who have no idea what they’re talking about.

#### Sequestration devastates readiness.

Terkel, Huffington Post, 7-23-13

[Amanda, “Sequestration Damaging To Military Readiness, Chuck Hagel Says” http://www.huffingtonpost.com/2013/07/22/sequestration-military- readiness\_n\_3635686.html?utm\_hp\_ref=politics, accessed 8-15-13, TAP]

Sequestration will quietly chip away at the military's readiness capabilities, Defense Secretary Chuck Hagel

AND

addresses sequestration, there will be "a dramatic impact in our readiness."

Drones solve overstretch.

Rushforth, University of Arizona JD candidate, 12

[Elinor, 29 Ariz. J. Int'l & Comp. Law 623, “NOTE: THERE'S AN APP FOR THAT: IMPLICATIONS OF ARMED DRONE ATTACKS AND PERSONALITY STRIKES BY THE UNITED STATES AGAINST NON-CITIZENS, 2004-2012” Lexis, accessed 9-28-13, TAP]

The drone program is a fixture in the Obama administration's fight against terror n163 and

AND

that its full focus is on protecting and growing our nation at home.

#### Naval power is trending up

Drum, Mother Jones, 12

(Kevin, 10-23-12, “How Strong Is the American Navy?,” http://www.motherjones.com/kevin-drum/2012/10/how-strong-american-navy, accessed 2-2-13, CMM)

Mitt Romney says the American Navy is smaller than it was in 1916. In

AND

, American naval strength today is greater than it's ever been in history.

\*Crisher – PhD candidate in the Department of Political Science at Florida State University

\*\*Souva - Associate Professor, Department of Political Science, Florida State University

### 2ac – Politics – Yellin Nomination DA

#### Won’t pass – vote not coming up, Obama isn’t pushing, and pc isn’t key.

Reuters, 10-23-13

(“Yellen's Senate hearing for Fed chair unlikely before mid-November,” http://www.reuters.com/article/2013/10/23/us-usa-fed-yellen-idUSBRE99M1EN20131023, accessed 10-24-13, CMM)

Janet Yellen's Senate confirmation hearing to be the next chair of the Federal Reserve is

AND

policymakers weigh when to start scaling back bond buying and eventually raising rates.

#### Nomination fights don’t cost political capital – empirically proven

Hutchinson, frequent political commentator on MSNBC, 12-4-12

(Earl Ofari, weekly co-host of the Al Sharpton Show on American Urban Radio Network, the host of the weekly Hutchinson Report on KPFK-Radio and the Pacifica Network, “Rice Nomination Fight Won't Drain President Obama's Political Capital,” http://www.huffingtonpost.com/earl-ofari-hutchinson/rice-nomination-fight-obama\_b\_2229435.html, accessed 12-26-12, CMM)

If the heat on UN Ambassador Susan Rice wasn't intense enough from GOP senators that

AND

the GOP's fulminations about her, will drain any of Obama's political capital.

#### Yellen AND the Fed aren’t key to economy

Furchtgott-Roth, former chief economist of the U.S. Department of Labor, 10-11-13

(Diana, directs Economics21 at the Manhattan Institute,

http://www.marketwatch.com/story/janet-yellen-cant-fix-the-economy-2013-10-11, accessed 10-27-13, CMM)

The U.S. economy is stuck at a 2% GDP growth rate

AND

President Obama need to make the tough decisions that will increase economic growth.

#### NSA fights thump

Starks, Roll Call, 10-22-13

(Tim, “Coming Up: Congressional Showdown on NSA Wiretapping,” http://www.rollcall.com/news/coming\_up\_congressional\_showdown\_on\_nsa\_wiretapping-228584-1.html?zkPrintable=true, accessed 10-24-13, CMM)

The fight over the future of the National Security Agency’s phone record and Internet data

AND

off a push from a coalition composed of the liberal left and libertarian right

#### Winners win on controversial issues

Hirsh, National Journal, 2-7-13

(Michael, “There’s No Such Thing as Political Capital,” http://www.nationaljournal.com/magazine/there-s-no-such-thing-as-political-capital-20130207?page=1, accessed 2-7-13, CMM)

Naturally, any president has practical and electoral limits. Does he have a majority

AND

right. He did. (At least until Vietnam, that is.)

#### Obama supports the plan.

Roberts, The Guardian, 5-24-13

[Dan, “Obama drone oversight proposal prompts concern over 'kill courts'” http://www.theguardian.com/world/2013/may/24/obama-drone-vetting-kill-courts, accessed 9-18-13, TAP]

The president has asked Congress to consider establishing a special court or oversight board to

AND

but raises serious constitutional issues about presidential and judicial authority," he said.

#### But he doesn’t get involved in the fight.

Howell and Pevehouse, University of Chicago public policy professors, 2007

[William and Jon, Foreign Affairs. Sep/Oct2007, Vol. 86, “When Congress Stops Wars.” EBSCO, accessed 9-30-13, TAP]

After all, when presidents anticipate congressional resistance they will not be able to overcome

AND

Pace, so as to avoid a clash with Congress over his reappointment.