# Wake Round 5 v. Harvard DT

## 1ac

### Plan

The United States Federal Government should establish an ex parte and ex ante judicial review process utilizing a strict scrutiny standard for targeted killing by drones.

### China Adv

Contention 1 – Accountability

#### Drone proliferation is coming – accountability is critical to prevent conflict.

Ingersoll and Kelley, Business Insider, 1-9-13

[Geoffrey and Michael, “America Is Setting A Dangerous Precedent For The Drone Age” <http://www.businessinsider.com/america-is-setting-a-dangerous-precedent-for-the-drone-age-2013-1>

The decisions America makes today regarding drone policy could come back to haunt it sooner

AND

is waging its fight against terrorism in accordance with the rule of law."

#### Drone conflict escalates.

Cronin, George Mason University public policy professor, 13

[Audrey Kurth, Foreign Affairs, Jul/Aug 2013, Vol 92 Issue 4, “Why Drones Fail” Ebsco, accessed 6-30-13, TAP]

The sometimes contradictory demands of the American people -- perfect security at home without burdensome

AND

-- then al Qaeda will be the least of the United States' worries.

#### Accountability allows the US to shape international norms.

Whibley, Victoria University of Wellington international relations MA, 2-6-13

[James, Georgetown journal of international affairs, “The Proliferation of Drone Warfare: The Weakening of Norms and International Precedent” <http://journal.georgetown.edu/2013/02/06/the-proliferation-of-drone-warfare-the-weakening-of-norms-and-international-precedent-by-james-whibley/>, accessed 7-29-13, TAP]

If drones are destined to proliferate, the more important issue may become whether American

AND

, then surely China or Russia possessing such a program would be terrifying.

#### Accountability gives the US leverage to pressure other countries into using best practices.

Zenko, CFR Center for Preventive Action Douglas Dillon fellow, 13

[Micah, Council Special Report No. 65, January 2013, “Reforming U.S. Drone Strike Policies”<http://www.foreignpolicy.com/articles/2013/04/16/clip_the_agencys_wings_cia_drones?page=full> p.24-5, accessed 6-20-13, TAP]

Beyond the United States, drones are proliferating even as they are¶ becoming increasingly

AND

likely to use lethal force against the United States¶ and its allies.

#### Senkaku drone conflict is highly probable – diplomacy and interdependence don’t check – also triggers cascading conflicts.

Auslin, resident scholar at the American Enterprise Institute, 11-5-13

(Michael, “Tensions Are Escalating in The East China Sea,” http://online.wsj.com/news/articles/SB10001424052702303482504579178850122997242, accessed 11-9-13, CMM)

The East China Sea may see the world's first war started by aerial drones.

AND

and advanced aircraft is also certain to drive Asia's arms spending even higher.

#### Asian instability escalates to nuclear war.

Landay, National Security and Intelligence Correspondent, 2K

(Jonathan S., “Top administration officials warn stakes for U.S. are high in Asian conflicts”, 3-10, Knight Ridder/Tribune News) Accessed on LexisNexis 12-29-09

Few if any experts think China and Taiwan, North Korea and South Korea,

AND

that totaled $600 billion last year, according to the Commerce Department.

### Saudi Relations Adv

Wide-scale restriction of drone use coming – only increasing accountability solves.

Zenko, CFR Center for Preventive Action Douglas Dillon fellow, 13

[Micah, Council Special Report No. 65, January 2013, “Reforming U.S. Drone Strike Policies”<http://www.foreignpolicy.com/articles/2013/04/16/clip_the_agencys_wings_cia_drones?page=full> p.22, accessed 6-20-13, TAP]

In his Nobel Peace Prize acceptance speech, President Obama declared:¶ “Where force

AND

the¶ United States modified its drone policy in the ways suggested below.

Public backlash culminates in a legal crackdown that hemorrhages the targeted killing program.

Goldsmith, Harvard University law professor, 12

[Jack, “Power and Constraint” [google books](http://books.google.com/books?id=Yi5-9bVd3YEC&pg=PA201&lpg=PA201&dq=power+and+constraint,+And+it+is+only+a+matter+of+time,+if+it+has+not+happened+already,+before+they+lead+the+U.S.+government+to+forgo+lawful+targeted+killing+actions+otherwise+deemed+to+be+in+the+interest+of+U.S.+national+security&source=bl&ots=7g6173TJSO&sig=mhMTjOq3Q0gzLibX9Hmtcr7snQs&hl=en&sa=X&ei=vmdLUrWtEJDs9ASQyIGIBg&ved=0CCsQ6AEwAA#v=onepage&q=power%20and%20constraint%2C%20And%20it%20is%20only%20a%20matter%20of%20time%2C%20if%20it%20has%20not%20happened%20already%2C%20before%20they%20lead%20the%20U.S.%20government%20to%20forgo%20lawful%20targeted%20killing%20actions%20otherwise%20de), p.199-201, accessed 9-30-13, TAP]

For the GTMO Bar and its cousin NGOs and activists, however, the al

AND

deemed to be in the interest of U.S. national security.

Unchecked executive power causes groupthink – that triggers massive policy errors.

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.30-3, accessed 9-15-13, TAP]

The practical, pragmatic justification for the COAACC derives largely from considering social psychological findings

AND

irrational persistence in pursuing ideological positions divorced from concern of alternative viewpoints.147

Professor Cass Sunstein has described situations in which groupthink produced poor results precisely because consensus

AND

1960’s,152 and the controversial decision to wage war against Vietnam.153

Professor Sunstein also has described the related phenomenon of “group polarization,” which includes

AND

and other associated deficiencies are inevitable features in Executive Branch decision-making.

[Tom note – Sunstein, University of Chicago and Harvard University law professor]

US-Saudi rift now – sustaining credible security ties is key to prevent total collapse.

Brown, PBS Newshour, 10-22-13

[Jeffrey, interviewing Margaret Warner, PBS chief foreign affairs correspondent, and Graeme Bannerman, Middle East Institute scholar and State Department analyst, “Changing relations with Mideast allies may affect U.S. position in the region” <http://www.pbs.org/newshour/bb/world/july-dec13/saudi2_10-22.html?print>, accessed 11-12-13, TAP]

JEFFREY BROWN: And to find out more on how the U.S.-

AND

not paying enough attention to the feelings of our allies in the region.

Drones are key.

Eakin, International Reporting Project Gatekeepers editor trip recipient and author, 12

[Hugh, “Saudi Arabia and the New US War in Yemen” <http://www.nybooks.com/blogs/nyrblog/2012/may/21/saudi-arabia-and-new-us-war-yemen/>, accessed 11-12-13, TAP]

The United States is quietly being drawn into an escalating conflict in Yemen. Following

AND

that argument will continue to assuage the country’s youth remains an open question.

US-Saudi relations collapse bad – causes oil price spikes and 5th fleet kickout

HENDERSON, Baker fellow and director of the Gulf and Energy Policy Program at the Washington Institute for Near East Policy, 11-1-13

(Simon, “The U.S.-Saudi Royal Rumble,” http://www.foreignpolicy.com/articles/2013/11/01/the\_us\_saudi\_royal\_rumble?page=full, accessed 11-2-13, CMM)

Assuming that the Saudi-U.S. relationship is really heading off course

AND

is way down near the bottom of the Obama administration's list of concerns.

Collapses the economy.

Luft, executive director of the Institute for the Analysis of Global Security, 11

(Gal, 2-6-11, “What if Saudi Arabia Erupts?,” http://www.thecuttingedgenews.com/index.php?article=31896pageid=16pagename=Opinion, accessed 11-7-11, CMM)

Egypt is relevant to the oil market because it may be a bellwether for the

AND

Middle East is to expedite our effort to wean our economy from oil.

Economic collapse leads to global war.

Lind**, New America Foundation Economic Growth Program Policy Director**, 5/11/2010

[Michael, "Will the great recession lead to World War IV?," http://www.salon.com/news/economics/index.html?story=/opinion/feature/2010/05/11/great\_recession\_world\_war\_iv]

If history is any guide, an era of global economic stagnation will help the

AND

Eurasia, Eastasia and Oceania in 1984 is all too easy to imagine.

5th Fleet departure crushes American Naval credibility—destroys hegemony.

Cropsey, Hudson Institute senior fellow, 10

[Seth, former Naval Officer and deputy senior under-secretary of the Navy during the Reagan administration, Strategic Analysis vol 34 no1, “The US Navy in Distress” <http://www.hudson.org/files/publications/Cropsey_US_Navy_In_Distress.pdf>, p.36-7, accessed 11-12-13, TAP]

American maritime strategy has played a major role in binding together the¶ international system

AND

and dismayingly large resources needed to recoup seapower surrendered¶ slowly over decades.

Naval power solves great power wars.

Conway et al, US Marine Corps general, 7

[James, and Gary Roughead, US Navy admiral, Thad Allen, US Coast Guard admiral, “A Cooperative Strategy for 21st Century Seapower” <http://www.navy.mil/maritime/MaritimeStrategy.pdf>, p.10, accessed 11-12-13, TAP]

Deter major power war. No other disruption is as potentially disastrous ¶ to global

AND

to retaliate against aggressors ¶ conventionally, unconventionally, and with nuclear forces.

Win our Nation’s wars. In times of war, our ability to impose local

AND

sustain forces, sea control and power ¶ projection enable extended campaigns ashore.

### Solvency

#### Contention 3: Solvency

#### Ex ante review by a drone court solves group think.

Chehab, Georgetown Law Center, 12

[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.33-4, accessed 9-15-13, TAP]

To check the vices of groupthink and shortcomings of human judgment, the psychology literature

AND

choices and evaluate available alternatives than when subject to little to no review.

#### Executive secrecy guts support for drones – a drone court garners legitimacy for the drone program.

Johnson, former Pentagon general counsel, 3-18-13

[Jeh Charles, “Keynote address at the Center on National Security at Fordham Law School: A “Drone Court”: Some Pros and Cons” <http://www.lawfareblog.com/2013/03/jeh-johnson-speech-on-a-drone-court-some-pros-and-cons/>, accessed 9-3-13, TAP]

Thank you for this invitation. Today I want to join the current public debate

AND

who actually wouldn’t mind the added comfort of judicial imprimatur on their decisions.

#### Congress can establish an effective drone court – Congressional involvement creates credibility of drone strikes with the public.

McKelvey, Vanderbilt University JD Candidate, 11

[Benjamin, Vanderbilt journal of transnational law editorial board executive development editor, Vol 44, “Due Process Rights and the Targeted Killing of Suspected Terrorists: The Unconstitutional Scope of Executive Killing Power” http://www.vanderbilt.edu/jotl/manage/wp-content/uploads/mckelvey-pdf.pdf, p.1378-9, accessed 9-15-13, TAP]

As the Aulaqi case demonstrates, any resolution to the problem ¶ of targeted killing

AND

the use of all ¶ peaceful measures before lethal force is pursued.212

#### ------------------Strict scrutiny solves.

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.239-40, accessed 9-15-13, TAP]

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

AND

court would significantly contribute to ¶ minimizing operational error that otherwise would occur.

## 2ac

### Yes Backlash

#### Your evidence assumes pre-fillibuster opinions – public opinion trends aff.

Goldsmith, Harvard University law professor, 5-1-13

[Jack, “How Obama Undermined the War on Terror” <http://www.newrepublic.com/node/112964/print>, accessed 9-29-13, TAP]

Most Americans are little interested in the popularity abroad of the way of the knife

AND

] American citizens—without any public standards and no checks and balances."

### AT: Rels Resilient

#### Counter-terror is key – resilience isn’t true anymore.

Fisher, Washington Post, 10-22-13

[Max, “Six reasons the U.S. and Saudi Arabia are moving apart” <http://www.washingtonpost.com/blogs/worldviews/wp/2013/10/22/six-reasons-the-u-s-and-saudi-arabia-are-moving-apart/>, accessed 11-12-13, TAP]

Ever since the United States and Saudi Arabia fell into something of an alliance in

AND

But they may soon need one another much less than they used to.

### Environment Add-on

#### Fleet presence key to counter piracy

Weitz, Hudson Institute fellow and center for political military analysis director, 2011

[Richard, Harvard phd, “The US Military and Bahrain” <http://www.sldinfo.com/the-u-s-military-and-bahrain/>, accessed 11-12-13, TAP]

The Bahrain base also supports security missions in nearby regions, such as the Red

AND

skiffs for rapid attacks and then return to the more secure mother ship.

#### Causes massive oil spills.

Middleton, Chatham House African programme consultant researcher, 2008

[Roger, Royal Institute of Economic Affairs, “Piracy in Somalia” <http://www.chathamhouse.org/sites/default/files/public/Research/Africa/1008piracysomalia.pdf>, p.9-10, accessed 11-12-13, TAP]

What piracy does to international trade¶ Clearly a company whose cargo is prevented from

AND

the worst-case scenarios rather¶ than try to solve the problem once it has escalated.

#### Extinction

Craig, Indiana University School of Law professor, ‘3

(Robin, "Taking Steps Toward Marine Wilderness Protection?" McGeorge Law Review, 34 McGeorge L. Rev. 155, Winter 2003, accessed 2-19-13, Lexis) PM

The world's oceans contain many resources and provide many services that humans consider valuable.

AND

a common legacy to be passed on relatively intact to future generations. n21

### 2ac – Congress CP – Say It Is Legal

#### 3. AND Congressional signal key to legality.

Anderson, professor of international law at Washington College of Law, American University, 10-18-13

(Kenneth, “No Safe Havens?,” Hoover Digest, No. 4, Fall 2013 by Hoover Institution http://www.hoover.org/publications/hoover-digest/article/159096, accessed 10-19-13, CMM)

Without a hardheaded effort on the part of Congress and the executive¶ branch to

AND

Jack¶ Goldsmith have repeatedly warned, they might well be miscalculating now.

U.S. counterterrorism policy overall needs to be embedded in policies,¶ processes

AND

framework for the¶ long run, but effectively to outlaw the practice.

Republicans should not be enablers in this effort. They should not¶ mimic the

AND

future presidents,¶ among whom there will surely be a Republican or two.

#### 5. The CP isn’t accountability.

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]

Despite this, the executive branch is currently operating under a publicly lawless regime when

AND

U.S. citizen a terrorist and duly execute him or her.

#### 6. Ex ante is key.

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.22-5, accessed 9-15-13, TAP]

The argument put forth here, therefore, is that in light of the protections the Constitution affords U.S.

AND

cause executive officials to avoid making them in the first place.”111

### 2ac – Executive CP – AT: Independent Oversight

#### 1. Perm – do both – shields the link

Chesney et al., University of Texas law professor, 2013

[Robert, Brookings Institute senior fellow, Jack Goldsmith, Harvard University law professor, Matthew Waxman, Columbia University law professor and CFR senior fellow, and Benjamin Wittes, Brookings Institution governance studies senior fellow, 2-25-13, “A Statutory Framework for Next-Generation Terrorist Threats,” http://media.hoover.org/sites/default/files/documents/Statutory-Framework-for-Next-Generation-Terrorist-Threats.pdf, p.8-9, accessed 9-26-13, TAP]

Congress could authorize the president to use force that is consistent with his ¶ extant

AND

defense regime is ¶ politically and legally more stable when backed by Congress.

#### 3. AND Congressional signal key to legality.

Anderson, professor of international law at Washington College of Law, American University, 10-18-13

(Kenneth, “No Safe Havens?,” Hoover Digest, No. 4, Fall 2013 by Hoover Institution http://www.hoover.org/publications/hoover-digest/article/159096, accessed 10-19-13, CMM)

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The argument put forth here, therefore, is that in light of the protections the Constitution affords U.S.

AND

t judges who double-check targeting decisions could catch errors and cause executive officials to avoid making them in the first place.”111

#### 8. Congress is key – mistrust overwhelms the CP – anything the executive does is self-serving and non-credible.

Goldsmith, Harvard University law professor, 5-1-13

[Jack, “How Obama Undermined the War on Terror” <http://www.newrepublic.com/node/112964/print>, accessed 9-29-13, TAP]

These are unhappy developments for the president who in his first inaugural address pledged with

AND

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.

AND

, even if it means that secret war abroad is harder to conduct.

#### 11. No solvency – Obama will ignore the CP – it has no teeth.

Friedersdorf, The Atlantic, 5-24-13

[Conor, “A Skeptical Celebration of President Obama's Shifty Terrorism Speech” <http://www.theatlantic.com/politics/archive/2013/05/a-skeptical-celebration-of-president-obamas-shifty-terrorism-speech/276205/>, accessed 7-6-13, TAP]

All things considered, Thursday's developments were an improvement on the status quo. Obama

AND

if only in the ways that Obama says that he has constrained himself.

### 2ac – Terrorism DA

#### AQ resilient

May, president of the Foundation for Defense of Democracies, a policy institute focusing on national security, 8-2-13

(Clifford, “Al-Qaeda Is Back! (But It Never Really Went Away),” http://www.realclearworld.com/articles/2013/08/02/al-qaeda\_is\_back\_but\_it\_never\_really\_went\_away\_105364.html, accessed 8-5-13, CMM)

By all accounts, the attack was planned with care and executed with precision.

AND

attacked a jail in northwest Pakistan, freeing as many as 200 prisoners.

#### 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

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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

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

#### No risk of nuclear terrorism

Mueller, Adjunct Professor in the Department of Political Science at Ohio State University, and Stewart, Professor and Director at the Centre for Infrastructure Performance and Reliability at the University of Newcastle in Australia, 12

(John, Senior Fellow at the Cato Institute, Senior Research Scientist at the Mershon Center for International Security Studies, and Mark, Australian Research Council Professorial Fellow, “The Terrorism Delusion,” International Security, Volume 37, Number 1, Summer 2012, project muse, accessed 7-14-13, CMM)

Over the course of time, such essentially delusionary thinking has been internalized and institutionalized

AND

on small explosives or contemplating planting a hand grenade in a trash bin.

#### No loose nukes

Zenko, Fellow in the Center for Preventive Action at the Council on Foreign Relations, and Cohen, Fellow at the Century Foundation, 12

(Micah, and Michael, “Clear and Present Safety: The United States Is More Secure Than Washington Thinks,”

Foreign Affairs. New York: Mar/Apr 2012. Vol. 91, Iss. 2; pg. 79, 15 pgs, accessed 3-2-12, CMM)

Overblown fears of a nuclear Iran are part of a more generalized American anxiety about

AND

the chances of a terrorist organization procuring a nuclear weapon are infinitesimally small.

### 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.

#### GTMO cases crushed state secret privilege.

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]

Far from giving the executive an unfettered national security mandate, the Supreme Court has

AND

the latter situation, the damage is fatal, and thus irreversible. n30

#### 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.

### 2ac – Iran – Harvard

#### Uniqueness favors the aff – massive momentum for sanctions

Pecquet, The Hill Global Affairs blog, 11-16-13

[Julian, The Hill, “Israel to sustain lobby push on Iran”, <http://thehill.com/blogs/global-affairs/middle-eastnorth-africa/190488-israel-to-sustain-lobby-push-on-iran>, accessed 11-17-13, AFB]

Israel will keep up its lobbying push on Iran next week in a series of congressional briefings with pro-

AND

would undermine diplomatic talks on Iran's nuclear program and could lead to war.

#### 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.

#### PC is low – polling proves multiple drains to PC now – healthcare, NSA, immigration, Syria, the economy.

Dionne, Washington Post, 11-13-13

[EJ, “Obama needs his friends back” <http://www.washingtonpost.com/opinions/ej-dionne-obama-needs-his-friends-back/2013/11/13/5ffe59b8-4c95-11e3-ac54-aa84301ced81_print.html>, accessed 11-14-13, TAP]

President Obama is furiously fending off those “winter of discontent” stories, and

AND

. He needs to win back the citizens who were once his friends.

## 1ar

### CIA

#### The CIA to DOD drone transfer has stalled

Lubold and Harris, Foreign Policy, 11-5-13

(Gordon and Shane, “Exclusive: The CIA, Not The Pentagon, Will Keep Running Obama's Drone War,” http://killerapps.foreignpolicy.com/posts/2013/11/05/cia\_pentagon\_drone\_war\_control#.UnmQS0saljc.twitter, accessed 11-7-13, CMM)

In May, the White House leaked word that it would start shifting drone operations

AND

to the Defense Department represents, for now, an unattainable goal.¶ "

### Politics

#### Sanctions coming now

Rubin, Washington Post, 11-14-13

(Jennifer, “Lawmakers brush off Kerry on Iran,” http://www.washingtonpost.com/blogs/right-turn/wp/2013/11/14/lawmakers-brush-off-kerry-on-iran/, accessed 11-14-13, CMM)

Arguably more incompetent than the Obamacare rollout and certainly more dangerous, President Obama’s Iran

AND

their own with sanctions, even in the face of White House objections.

### Terror DA – AT: Slow Response

#### Split second decisions don’t exist.

Opderbeck, Seton Hall University law professor, 2013

[David, 8-2013, “Drone Courts” <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2305315>, p.52-3, accessed 8-28-13, TAP]

In addition to general separation of powers concerns, a¶ number of practical objections

AND

the actual strike. The same could be true¶ for a court.

### Nuke Terror

No risk of nuclear terrorism

A. No organizational capacity

van den Bergh, Eramus University IR Professor, Hague Social Studies Institute, Harvard Harkness Fellow, Neterlands Association for International Affairs Chairman, Dutch Ministries Foreign Affairs and Defense IR Advisory Council Member, May 2009

[Godfried van Benthem, "The Taming of the Great Nuclear Powers," http://www.carnegieendowment.org/npp/publications/index.cfm?fa=view&id=23152]

Recently, a new fear has developed. The NPT only deals with the rights

AND

organization, and these groups thrive in small, relatively autonomous “cells.”

B. Probability of success is so low that there is also no motive

DeGroot, St. Andrews University History Professor, November 2009

[Gerard, "Dismissing Doomsday," http://www.armscontrol.org/act/2009\_11/BookReview, 11/9]

Mueller sees nuclear weapons as a massive misjudgment inspired by irrational fear. Worst-

AND

the time, effort, risk, and expense—contradicts that ethic.

In examining the terrorist scenario, Mueller analyzes the process of funding, designing,

AND

al Qaeda has been seeking nuclear material and information for bomb-making.