# 1nc

### Politics

#### Obama’s been weakened by Syria but he’s still strong enough to win the debt ceiling fight

**Garrett, 9/19/13 -** National Journal Correspondent-at-Large and Chief White House Correspondent for CBS News(Major, National Journal, “A September to Surrender: Syria and Summers Spell Second-Term Slump” <http://www.nationaljournal.com/all-powers/a-september-to-surrender-syria-and-summers-spell-second-term-slump-20130917>)

There are no “obstructionist” Republican fingerprints on the conspicuous and power-depleting defeats for Obama. He never sought a vote on Syria and therefore was not humiliated. The same is true for Summers. But Obama lost ground on both fronts and ultimately surrendered to political realities that, for the first time in his presidency, were determined by his own obdurate party.

This does not mean Obama will lose coming fights over the sequester, shutdown, or debt ceiling. But he is visibly weaker, and even his sense of victory in Syria is so unidimensional, it has no lasting sway in either Democratic cloakroom. More important, Democrats are no longer afraid to defy him or to disregard the will of their constituents—broadly defined in the case of Syria; activist and money-driving in the case of Summers. This, of course, indirectly announces the beginning of the 2016 presidential campaign and an intra-party struggle over the post-Obama Democratic matrix.

This shift—a tectonic one—will give Republicans new opportunities on the fiscal issues and in coming debates over immigration and implementation of Obamacare. Republicans have never known a world where Democratic defections were so unyielding and damaging.

This does not mean Republicans will find a way to exploit these fissures. The GOP’s current agony over delaying or defunding Obamacare and the related shambling incoherence around the sequester/shutdown/debt ceiling suggest not.

#### Restrictions on authority are a loss for Obama that spills over to the debt ceiling

**Parsons, 9/12/13** (Christi, Los Angeles Times, “Obama's team calls a timeout”

<http://www.latimes.com/nation/la-na-obama-congress-20130913,0,2959396.story>)

After a week in which President Obama narrowly averted a bruising defeat on Capitol Hill over a military strike on Syria, the decision had the feeling of a much-needed timeout.

The messy debate over a resolution to authorize military force put a harsh light on the president's already rocky relationship with Congress.

Despite a charm offensive earlier this year, complete with intimate dinners and phone calls, Obama faced contrary lawmakers in both parties, a climate that is certain to persist through the next round of legislative fights, if not to the end of his second term.

In deciding to seek approval for military action, Obama banked on the long-standing deference to the commander in chief on matters of national defense. But by the time he pressed "pause" on the intense White House lobbying effort, he was finding as much defiance as deference.

Although the White House cast the issue as a matter of national security and a crucial test of U.S. power, dozens of lawmakers from both parties were set to deliver a rare rebuke to a president on foreign policy. Even Democratic loyalists seemed unswayed by appeals to preserve the prestige of the presidency — and this president. Hawkish Republicans offering to reach across the aisle to support the president said they found the White House distant and uninterested.

The canceled picnic punctuated a week of aggravated feelings.

"We obviously have divided government. We have sometimes contentious, sometimes very effective relations with Congress. But we keep at it," said White House spokesman Jay Carney, who denied the picnic cancellation had anything to do with the state of relations between the two branches of government.

On Capitol Hill, the week's episode strained Obama's traditional alliance with his fellow Democrats, many of whom were wary of another military involvement, unclear about the president's plans for a missile strike and surprised by his decision to ask them to vote on it.

"Not only was it a hard ask, but it was not a well-prepared ask," said Sen. Sheldon Whitehouse (D-R.I.). "His willingness to back away from the ultimatum and pursue the disarmament proposal was extremely welcome, and I think that helped all of us in our relationship with him."

Obama's relationship with his Republican critics was not helped. As lawmakers look ahead to the rest of the fall agenda, including the coming budget battles, the administration's performance this week will not be easy to forget, some said.

"It's just more lack of confidence that they know what they're doing," said Sen. Tom Coburn (R-Okla.).

"There's only so much political capital," said Sen. Rob Portman (R-Ohio).

Democrats defended the president, blaming Republicans for a "knee-jerk" opposition to any initiative tied to this White House, a phenomenon that Obama aides regularly cite but that the president appears to have disregarded in his decision to put a use-of-force resolution before Congress.

"Historically, when it comes to military force, Republicans and conservatives have led that. Now they're opposed to it," said Sen. Richard J. Durbin (D-Ill.). In a private meeting this week, Durbin said, Obama himself joked that "a lot of Republicans on Capitol Hill are discovering their inner doves on Syria."

The next set of negotiations will be far more predictable and on familiar territory. By the end of the month, the president and Congress must agree on a plan to continue funding the government, or it will shut down. And by mid-October, they will have to agree to raise the debt limit, or risk a default.

The White House has said it won't negotiate on the debt limit, as it did twice before, counting on the public and business groups to pressure Republicans.

Democrats were hopeful the budget issues would put the White House back on more solid political footing.

"I think the public has a heck of a lot more confidence in the president on economics and budget than [in] the House Republicans," said Sen. Carl Levin (D-Mich.).

That may be wishful thinking, said Ross Baker, a political science professor at Rutgers University, who studies the Senate.

"These things carry over. There's no firewall between issues," he said. "Failure in one area leads to problems in other areas."

The debate over the war in Syria may be on an extended pause, although prospects of Obama returning to Congress to ask for a use-of-force authorization seem slim.

A bipartisan group of senators is drafting an amended authorization, but the group is not expected to fully air its proposal until diplomatic talks conclude.

There were some signs that the debate may have won the president some empathy, if not support. At a private lunch with Republican senators this week, Obama asked them not to undermine him on the world stage. Sen. Ron Johnson of Wisconsin, who is part of a group of GOP senators working with the White House on fiscal issues, said the appeal resonated.

#### Capital is finite and spending it elsewhere prevents a debt ceiling deal

**Moore, 9/10/13 -** Guardian's US finance and economics editor.(Heidi, “Syria: the great distraction” The Guardian, <http://www.theguardian.com/commentisfree/2013/sep/10/obama-syria-what-about-sequester>)

The country will crash into the debt ceiling in mid-October, which would be an economic disaster, especially with a government shutdown looming at the same time. These are deadlines that Congress already learned two years ago not to toy with, but memories appear to be preciously short.

The Federal Reserve needs a new chief in three months, someone who will help the country confront its raging unemployment crisis that has left 12 million people without jobs. The president has promised to choose a warm body within the next three weeks, despite the fact that his top pick, Larry Summers, would likely spark an ugly confirmation battle – the "fight of the century," according to some – with a Congress already unwilling to do the President's bidding.

Congress was supposed to pass a farm bill this summer, but declined to do so even though the task is already two years late. As a result, the country has no farm bill, leaving agricultural subsidies up in the air, farmers uncertain about what their financial picture looks like, and a potential food crisis on the horizon.

The two main housing agencies, Fannie Mae and Freddie Mac, have been in limbo for four years and are desperately in need of reform that should start this fall, but there is scant attention to the problem.

These are the problems going unattended by the Obama administration while his aides and cabinet members have been wasting the nation's time making the rounds on television and Capitol Hill stumping for a profoundly unpopular war. The fact that all this chest-beating was for naught, and an easy solution seems on the horizon, belies the single-minded intensity that the Obama White House brought to its insistence on bombing Syria.

More than one wag has suggested, with the utmost reason, that if Obama had brought this kind of passion to domestic initiatives, the country would be in better condition right now. As it is, public policy is embarrassingly in shambles at home while the administration throws all of its resources and political capital behind a widely hated plan to get involved in a civil war overseas.

The upshot for the president may be that it's easier to wage war with a foreign power than go head-to-head with the US Congress, even as America suffers from neglect.

This is the paradox that President Obama is facing this fall, as he appears to turn his back on a number of crucial and urgent domestic initiatives in order to spend all of his meager political capital on striking Syria.

Syria does present a significant humanitarian crisis, which has been true for the past two years that the Obama administration has completely ignored the atrocities of Bashar al-Assad.

Two years is also roughly the same amount of time that key domestic initiatives have also gone ignored as Obama and Congress engage in petty battles for dominance and leave the country to run itself on a starvation diet imposed by sequestration cuts. Leon Panetta tells the story of how he tried to lobby against sequestration only to be told:

Leon, you don't understand. The Congress is resigned to failure.

Similarly, those on Wall Street, the Federal Reserve, those working at government agencies, and voters themselves have become all too practiced at ignoring the determined incompetence of those in Washington.

Political capital – the ability to horse-trade and win political favors from a receptive audience – is a finite resource in Washington. Pursuing misguided policies takes up time, but it also eats up credibility in asking for the next favor. It's fair to say that congressional Republicans, particularly in the House, have no love for Obama and are likely to oppose anything he supports. That's exactly the reason the White House should stop proposing policies as if it is scattering buckshot and focus with intensity on the domestic tasks it wants to accomplish, one at a time.

#### Default will destroy the U.S. and global economy

**Davidson, 9/10/13** – co-founder of NPR’s Planet Money (Adam, “Our Debt to Society” New York Times, <http://www.nytimes.com/2013/09/15/magazine/our-debt-to-society.html?pagewanted=all>)

If the debt ceiling isn’t lifted again this fall, some serious financial decisions will have to be made. Perhaps the government can skimp on its foreign aid or furlough all of NASA, but eventually the big-ticket items, like Social Security and Medicare, will have to be cut. At some point, the government won’t be able to pay interest on its bonds and will enter what’s known as sovereign default, the ultimate national financial disaster achieved by countries like Zimbabwe, Ecuador and Argentina (and now Greece). In the case of the United States, though, it won’t be an isolated national crisis. If the American government can’t stand behind the dollar, the world’s benchmark currency, then the global financial system will very likely enter a new era in which there is much less trade and much less economic growth. It would be, by most accounts, the largest self-imposed financial disaster in history.

Nearly everyone involved predicts that someone will blink before this disaster occurs. Yet a small number of House Republicans (one political analyst told me it’s no more than 20) appear willing to see what happens if the debt ceiling isn’t raised — at least for a bit. This could be used as leverage to force Democrats to drastically cut government spending and eliminate President Obama’s signature health-care-reform plan. In fact, Representative Tom Price, a Georgia Republican, told me that the whole problem could be avoided if the president agreed to drastically cut spending and lower taxes. Still, it is hard to put this act of game theory into historic context. Plenty of countries — and some cities, like Detroit — have defaulted on their financial obligations, but only because their governments ran out of money to pay their bills. No wealthy country has ever voluntarily decided — in the middle of an economic recovery, no less — to default. And there’s certainly no record of that happening to the country that controls the global reserve currency.

Like many, I assumed a self-imposed U.S. debt crisis might unfold like most involuntary ones. If the debt ceiling isn’t raised by X-Day, I figured, the world’s investors would begin to see America as an unstable investment and rush to sell their Treasury bonds. The U.S. government, desperate to hold on to investment, would then raise interest rates far higher, hurtling up rates on credit cards, student loans, mortgages and corporate borrowing — which would effectively put a clamp on all trade and spending. The U.S. economy would collapse far worse than anything we’ve seen in the past several years.

#### Nuclear war

**Friedberg and Schoenfeld 8**

[Aaron, Prof. Politics. And IR @ Princeton’s Woodrow Wilson School and Visiting Scholar @ Witherspoon Institute, and Gabriel, Senior Editor of Commentary and Wall Street Journal, “The Dangers of a Diminished America”, 10-28, <http://online.wsj.com/article/SB122455074012352571.html>]

Then there are the dolorous consequences of a potential collapse of the world's financial architecture. For decades now, Americans have enjoyed the advantages of being at the center of that system. The worldwide use of the dollar, and the stability of our economy, among other things, made it easier for us to run huge budget deficits, as we counted on foreigners to pick up the tab by buying dollar-denominated assets as a safe haven. Will this be possible in the future? Meanwhile, traditional foreign-policy challenges are multiplying. The threat from al Qaeda and Islamic terrorist affiliates has not been extinguished. Iran and North Korea are continuing on their bellicose paths, while Pakistan and Afghanistan are progressing smartly down the road to chaos. Russia's new militancy and China's seemingly relentless rise also give cause for concern. If America now tries to pull back from the world stage, it will leave a dangerous power vacuum. The stabilizing effects of our presence in Asia, our continuing commitment to Europe, and our position as defender of last resort for Middle East energy sources and supply lines could all be placed at risk. In such a scenario there are shades of the 1930s, when global trade and finance ground nearly to a halt, the peaceful democracies failed to cooperate, and aggressive powers led by the remorseless fanatics who rose up on the crest of economic disaster exploited their divisions. Today we run the risk that rogue states may choose to become ever more reckless with their nuclear toys, just at our moment of maximum vulnerability. The aftershocks of the financial crisis will almost certainly rock our principal strategic competitors even harder than they will rock us. The dramatic free fall of the Russian stock market has demonstrated the fragility of a state whose economic performance hinges on high oil prices, now driven down by the global slowdown. China is perhaps even more fragile, its economic growth depending heavily on foreign investment and access to foreign markets. Both will now be constricted, inflicting economic pain and perhaps even sparking unrest in a country where political legitimacy rests on progress in the long march to prosperity. None of this is good news if the authoritarian leaders of these countries seek to divert attention from internal travails with external adventures.

### T

#### Introducing “armed forces” only refers to human troops, not weapons systems

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

As is evident from a textual analysis, n177 an examination of the legislative history, n178 and the broad policy purposes behind the creation of the Act, n179 [\*990] "armed forces" refers to U.S. soldiers and members of the armed forces, not weapon systems or capabilities such as offensive cyber weapons. Section 1547 does not specifically define "armed forces," but it states that "the term "introduction of United States Armed Forces' includes the assignment of members of such armed forces to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of any foreign country or government." n180 While this definition pertains to the broader phrase "introduction of armed forces," the clear implication is that only members of the armed forces count for the purposes of the definition under the WPR. Though not dispositive, the term "member" connotes a human individual who is part of an organization. n181 Thus, it appears that the term "armed forces" means human members of the United States armed forces. However, there exist two potential complications with this reading. First, the language of the statute states that "the term "introduction of United States Armed Forces' includes the assignment of members of such armed forces." n182 By using inclusionary - as opposed to exclusionary - language, one might argue that the term "armed forces" could include more than members. This argument is unconvincing however, given that a core principle of statutory interpretation, expressio unius, suggests that expression of one thing (i.e., members) implies the exclusion of others (such as non-members constituting armed forces). n183 Second, the term "member" does not explicitly reference "humans," and so could arguably refer to individual units and beings that are part of a larger whole (e.g., wolves can be members of a pack). As a result, though a textual analysis suggests that "armed forces" refers to human members of the armed forces, such a conclusion is not determinative.

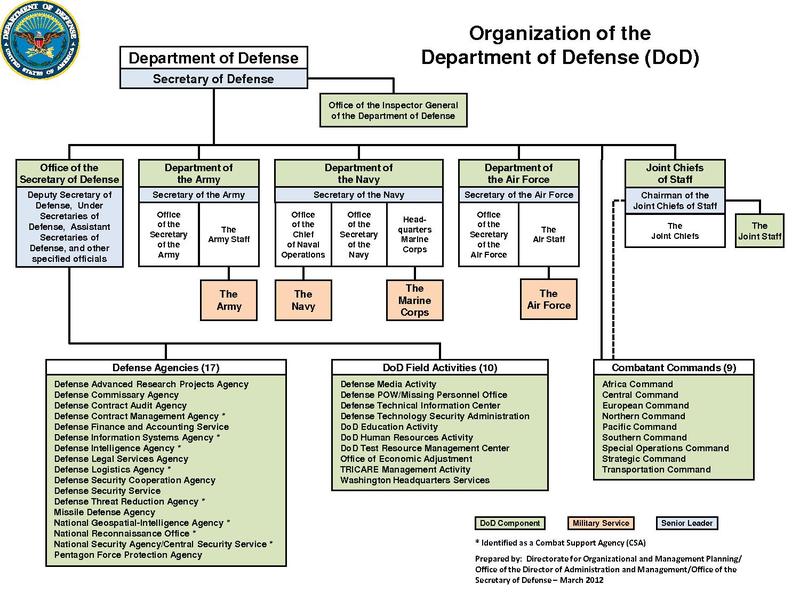
An examination of the legislative history also suggests that Congress clearly conceptualized "armed forces" as human members of the armed forces. For example, disputes over the term "armed forces" revolved around who could be considered members of the armed forces, not what constituted a member. Senator Thomas Eagleton, one of the Resolution's architects, proposed an amendment during the process providing that the Resolution cover military officers on loan to a civilian agency (such as the Central [\*991] Intelligence Agency). n184 This amendment was dropped after encountering pushback, n185 but the debate revolved around whether those military individuals on loan to the civilian agency were still members of the armed forces for the purposes of the WPR, suggesting that Congress considered the term to apply only to soldiers in the armed forces. Further, during the congressional hearings, the question of deployment of "armed forces" centered primarily on past U.S. deployment of troops to combat zones, n186 suggesting that Congress conceptualized "armed forces" to mean U.S. combat troops.

The broad purpose of the Resolution aimed to prevent the large-scale but unauthorized deployments of U.S. troops into hostilities. n187 While examining the broad purpose of a legislative act is increasingly relied upon only after examining the text and legislative history, here it provides further support for those two alternate interpretive sources. n188 As one scholar has noted, "the War Powers Resolution, for example, is concerned with sending U.S. troops into harm's way." n189 The historical context of the War Powers Resolution is also important in determining its broad purpose; as the resolutions submitted during the Vietnam War and in the lead-up to the passage of the WPR suggest, Congress was concerned about its ability to effectively regulate the President's deployments of large numbers of U.S. troops to Southeast Asia, n190 as well as prevent the President from authorizing troop incursions into countries in that region. n191 The WPR was a reaction to the President's continued deployments of these troops into combat zones, and as such suggests that Congress's broad purpose was to prevent the unconstrained deployment of U.S. personnel, not weapons, into hostilities.

This analysis suggests that, when defining the term "armed forces," Congress meant members of the armed forces who would be placed in [\*992] harm's way (i.e., into hostilities or imminent hostilities). Applied to offensive cyber operations, such a definition leads to the conclusion that the War Powers Resolution likely does not cover such activities. Worms, viruses, and kill switches are clearly not U.S. troops. Therefore, the key question regarding whether the WPR can govern cyber operations is not whether the operation is conducted independently or as part of a kinetic military operation. Rather, the key question is the delivery mechanism. For example, if military forces were deployed to launch the cyberattack, such an activity, if it were related to imminent hostilities with a foreign country, could trigger the WPR. This seems unlikely, however, for two reasons. First, it is unclear whether small-scale deployments where the soldiers are not participating or under threat of harm constitute the introduction of armed forces into hostilities under the War Powers Resolution. n192 Thus, individual operators deployed to plant viruses in particular enemy systems may not constitute armed forces introduced into hostilities or imminent hostilities. Second, such a tactical approach seems unlikely. If the target system is remote access, the military can attack it without placing personnel in harm's way. n193 If it is close access, there exist many other effective ways to target such systems. n194 As a result, unless U.S. troops are introduced into hostilities or imminent hostilities while deploying offensive cyber capabilities - which is highly unlikely - such operations will not trigger the War Powers Resolution.

#### And they independently violate Armed Forces – USSTRATCOM and the Armed Forces are under different organizational areas within the DoD

USDoD 2012; United States Department of Defense March 2012 “Organization of the Department of Defense (DoD)” <http://odam.defense.gov/omp/Functions/Organizational_Portfolios/Organization_and_Functions_Guidebook/DoD_Organization_March_2012.pdf>



#### And space weapons + space issues are exclusively under STRATCOM – at worst vote neg on presumption

USSTRATCOM 2011 “History” <http://www.stratcom.mil/history/>

As USSTRATCOM neared its tenth anniversary, Secretary of Defense Donald Rumsfeld revived an idea that had been considered several times before, a merger of U.S. Space Command and USSTRATCOM. America's military had begun operating in space in the late 1950s, with many of the early systems developed to meet SAC's needs for surveillance, warning, meteorology, and communications. By September 1985, space activities had grown to the point that the Pentagon created a new unified command, USSPACECOM, to oversee them. Space systems gave the coalition in Operation Desert Storm a decisive edge, while later operations in the Balkans, Southwest Asia, Afghanistan and Iraq relied heavily on space-based command and control, communications, surveillance and intelligence, navigation, and weather systems. Secretary Rumsfeld's initiative to merge the two commands led to the creation of the current USSTRATCOM in 2002.

#### Voting issue - they explode the topic, including weapons systems turns this topic into an arms control topic – nuclear weapons, space weaponization, or the CWC and BWC could all be their own topics. Their interpretation makes being negative impossible

### DA

#### Presidential war power expansion is inevitable – legal restrictions are temporary and unenforceable in the long term

**Posner and Vermeule, 10** - \*professor of law at the University of Chicago AND \*\*professor of law at Harvard (Eric and Adrian, The Executive Unbound, p. 41-45)

Liberal legalists, following Madison, describe Congress as the deliberative institution par excellence. On this view, Congress is a summation of local majorities, bringing local information and diverse perspectives to national issues. The bicameral structure of Congress aids deliberation; the House shifts rapidly in response to changing conditions and national moods, while the Senate provides a long-term perspective, and cools off overheated or panicky legislation. The Madisonian emphasis on the cooling-off function of the Senate functions as a check on executive claims that an emergency is at hand.

The application of the Madisonian view to crises or emergencies is the default position among legal academics. On this view, even in crisis situations the executive may act only on the basis of clear congressional authorization that follows public deliberation, and the executive’s actions must presumptively be subject to judicial review. A proviso to the Madisonian view is that if immediate action is literally necessary, the executive may act, but only until Congress can convene to deliberate; if the executive’s interim actions were illegal, it must seek ratification from Congress and the public after the fact.53

In the Schmittian view, by contrast, the Madisonian vision of Congress seems hopelessly optimistic. Even in normal times, Schmitt believed, the deliberative aspirations of classical parliamentary democracy have become a transparent sham under modern conditions of party discipline, interest-group conflict, and a rapidly changing economic and technical environment. Rather than deliberate, legislators bargain, largely along partisan lines. Discussion on the legislative floor, if it even occurs, is carefully orchestrated posturing for public consumption, while the real work goes on behind closed doors, in party caucuses.

How does this picture relate to Schmitt’s point that legislatures invariably “come too late” to a crisis? Crises expose legislative debility to view, but do not create it. Indeed, legislative failure during crises is in part a consequence of legislative failure during the normal times that precede crises. The basic dilemma for legislators, is that before a crisis, they lack the motivation and information to provide for it in advance, while after the crisis has begun, they lack the capacity to manage it themselves. We will describe each horn of the dilemma in detail.

BEFORE THE CRISIS

In the precrisis state, legislatures mired in partisan conflict about ordinary politics lack the motivation to address long-term problems. Legislators at this point act from behind a veil of uncertainty about the future, and may thus prove relatively impartial; at least high uncertainty obscures the distributive effects of legislation for the future, and thus reduces partisan opposition. However, by virtue of these very facts, there is no strong partisan support for legislation, and no bloc of legislators has powerful incentives to push legislation onto the crowded agenda. The very impartiality that makes ex ante legislation relatively attractive, from a Madisonian perspective, also reduces the motivation to enact it.

This point is related to, but distinct from, Schmitt’s more famous claim about the “norm” and the “exception.” In a modern rendition, that claim holds that ex ante legal rules cannot regulate crises in advance, because unanticipated events will invariably arise. Legislatures therefore either decline to regulate in advance or enact emergency statutes with vague standards that defy judicial enforcement ex post. Here, however, a different point is at issue: even if ex ante legal rules could perfectly anticipate all future events, legislatures will often lack the incentive to adopt them in advance.

Occasionally, when a high-water mark of public outrage against the executive is reached, legislatures do adopt framework statutes that attempt to regulate executive behavior ex ante; several statutes of this kind were adopted after Watergate. The problem is that new presidents arrive, the political coalitions that produced the framework statute come apart as new issues emerge, and public outrage against executive abuses cools. Congress soon relapses into passivity and cannot sustain the will to enforce, ex post, the rules set out in the framework statutes. As we will discuss more fully in chapter 3, the post-Watergate framework statutes have thus, for the most part, proven to impose little constraint on executive action in crisis, in large part because Congress lacks the motivation to enforce them.

DURING THE CRISIS

The other horn of the dilemma arises after the crisis has begun to unfold. Because of their numerous memberships, elaborate procedures, and internal structures, such as bicameralism and the committee system, and internal problems of collective action, legislatures can rarely act swiftly and decisively as events unfold. The very complexity and diversity that make legislatures the best deliberators, from a Madisonian perspective, also raise the opportunity costs of deliberation during crises and disable legislatures from decisively managing rapidly changing conditions. After 9/11, everyone realized that another attack might be imminent; only an immediate, massive response could forestall it. In September 2008, the financial markets needed immediate reassurance: only credible announcements from government agencies that they would provide massive liquidity could supply such reassurance. Indeed, though commentators unanimously urged Congress to take its time, within weeks the Bush administration was being criticized for not acting quickly enough. In such circumstances, legislatures are constrained to a reactive role, at most modifying the executive’s response at the margins, but not themselves making basic policy choices.

Liberal legalists sometimes urge that the executive, too, is large and unwieldy; we pointed out in the introduction that the scale of executive institutions dwarfs that of legislative and judicial institutions. On this view, the executive has no systematic advantages in speed and decisiveness. Yet this is fatally noncomparative. The executive is internally complex, but it is structured in a far more hierarchical fashion than is Congress, especially the Senate, where standard procedure requires the unanimous consent of a hundred barons, each of whom must be cosseted and appeased. In all the main cases we consider here, the executive proved capable of acting with dispatch and power, while Congress fretted, fumed, and delayed.

The main implication of this contrast is that crises in the administrative state tend to follow a similar pattern. In the first stage, there is an unanticipated event requiring immediate action. Executive and administrative officials will necessarily take responsibility for the front-line response; typically, when asked to cite their legal authority for doing so, they will either resort to vague claims of inherent power or will offer creative readings of old statutes. Because legislatures come too late to the scene, old statutes enacted in different circumstances, and for different reasons, are typically all that administrators have to work with in the initial stages of a crisis. “Over time, the size and complexity of the economy will outgrow the sophistication of static financial safety buffers”54—a comment that can also be made about static security safety buffers, which the advance of weapons technology renders obsolete. In this sense, administrators also “come too late”—they are forced to “base decisions about the complex, ever-changing dynamics of contemporary economic [and, we add, security] conditions on legal relics from an oftentimes distant past.”55

Thus Franklin Roosevelt regulated banks, in 1933, by offering a creative reading of the Trading with the Enemy Act of 1917, a statute that needless to say was enacted with different problems in mind. Likewise, when in 2008 it became apparent on short notice that the insurance giant AIG had to be bailed out, lest a systemwide meltdown occur, the Treasury and Federal Reserve had to proceed through a strained reading of a hoary 1932 statute. While the statute authorized “loans,” it did not authorize government to purchase private firms; administrators structured a transaction that in effect accomplished a purchase in the form of a loan. Ad hoc “regulation by deal,”56 especially in the first phase of the financial crisis, was accomplished under the vague authority of old statutes. The pattern holds for security matters as well as economic issues, and for issues at the intersection of the two domains. Thus after 9/11, the Bush administration’s attempts to choke off Al Qaeda’s funding initially proceeded in part under provisions of the International Emergency Economic Powers Act, a 1977 statute whose purpose, when enacted, was actually to restrict the president’s power to seize property in times of crisis.57

#### But even temporary restraints are bad – they undermine speed and flexibility in a crisis

**Posner and Vermeule, 7** – \*Kirkland and Ellis Professor of Law at the University of Chicago Law School AND \*\*professor at Harvard Law School (Eric and Adrian, Terror in the Balance: Security, Liberty, and the Courts p. 170)

A requirement of ex post statutory authorization thus seems more plausible than the ex ante statutory framework approach, but it does not seem better than the judicial deference approach. As we discussed in chapter 1, the involvement of Congress produces costs as well as benefits. On the cost side, congressional deliberation is slow and unsuited for emergencies. Congress has trouble keeping secrets and is always vulnerable to obstruction at the behest of members of Congress who place the interests of their constituents ahead of those of the nation as a whole. It is implicitly for these reasons that Ackerman gives the president the freedom to act unilaterally at the start of the emergency. But there is no reason to think that the problem of congressional obstruction and inefficiency will decline over time.

What are the benefits of congressional involvement? One possible benefit is that Congress has technical information about the advantages and disadvantages of various security measures and, relying on this information, will be able to block poorly considered security measures. But it is doubtful that Congress’s information is better than the executive branch’s, and in any event Congress can share this information with the executive branch if necessary. The modern national security system deprives Congress of useful information about threats to national security, and Congress by necessity must play a passive role.

The main possible benefit from congressional involvement is that Congress can prevent the executive from using the emergency as an opportunity to engage in self-aggrandizement, to obtain new powers, and to entrench them so that the executive will be more powerful even after the emergency ends. As we argued in chapter 1, however, it is not at all clear that executive aggrandizement during emergencies is a problem, and even if it is, congressional involvement might make things worse, not better. The value of congressional authorization is ambiguous as a theoretical matter. It slows down executive action, which is costly during emergencies, but may (or may not) block efforts by the executive to aggrandize its power. We also argued in chapter 1 that the historical evidence suggests that Congress is too weak an institution, during emergencies, to provide the asserted benefits. Congress defers to the executive during emergencies because it agrees that the executive alone has the information and the means necessary to respond to imminent threats. The added risk of executive abuse is a cost that Congress and voters have been willing to bear.

#### Crises are inevitable and unpredictable – speed and flexibility in crisis response are vital to preserving US hegemony

**Berkowitz, 8** - research fellow at the Hoover Institution at Stanford University and a senior analyst at RAND. He is currently a consultant to the Defense Department and the intelligence community (Bruce, STRATEGIC ADVANTAGE: CHALLENGERS, COMPETITORS, AND THREATS TO AMERICA’S FUTURE, p. 1-4)

THIS BOOK is intended to help readers better understand the national security issues facing the United States today and offer the general outline of a strategy for dealing with them. National security policy—both making it and debating it — is harder today because the issues that are involved are more numerous and varied. The problem of the day can change at a moment's notice. Yesterday, it might have been proliferation; today, terrorism; tomorrow, hostile regional powers. Threats are also more likely to be intertwined—proliferators use the same networks as narco-traffickers, narco-traffickers support terrorists, and terrorists align themselves with regional powers.

Yet, as worrisome as these immediate concerns may be, the long-term challenges are even harder to deal with, and the stakes are higher. Whereas the main Cold War threat — the Soviet Union — was brittle, most of the potential adversaries and challengers America now faces are resilient. In at least one dimension where the Soviets were weak (economic efficiency, public morale, or leadership), the new threats are strong. They are going to be with us for a long time.

As a result, we need to reconsider how we think about national security. The most important task for U.S. national security today is simply to retain the strategic advantage. This term, from the world of military doctrine, refers to the overall ability of a nation to control, or at least influence, the course of events.1 When you hold the strategic advantage, situations unfold in your favor, and each round ends so that you are in an advantageous position for the next. When you do not hold the strategic advantage, they do not. As national goals go, “keeping the strategic advantage” may not have the idealistic ring of “making the world safe for democracy” and does not sound as decisively macho as “maintaining American hegemony.” But keeping the strategic advantage is critical, because it is essential for just about everything else America hopes to achieve — promoting freedom, protecting the homeland, defending its values, preserving peace, and so on.

The Changing Threat

If one needs proof of this new, dynamic environment, consider the recent record. A search of the media during the past fifteen years suggests that there were at least a dozen or so events that were considered at one time or another the most pressing national security problem facing the United States — and thus the organizing concept for U.S. national security. What is most interesting is how varied and different the issues were, and how many different sets of players they involved — and how each was replaced in turn by a different issue and a cast of characters that seemed, at least for the moment, even more pressing. They included, roughly in chronological order,

• regional conflicts — like Desert Storm — involving the threat of war between conventional armies;

• stabilizing “failed states” like Somalia, where government broke down in toto;

• staying economically competitive with Japan;

• integrating Russia into the international community after the fall of communism and controlling the nuclear weapons it inherited from the Soviet Union;

• dealing with “rogue states,” unruly nations like North Korea that engage in trafficking and proliferation as a matter of national policy;

• combating international crime, like the scandal involving the Bank of Credit and Commerce International, or imports of illegal drugs;

• strengthening international institutions for trade as countries in Asia, Eastern Europe, and Latin America adopted market economies;

• responding to ethnic conflicts and civil wars triggered by the reemergence of culture as a political force in the “clash of civilizations”;

• providing relief to millions of people affected by natural catastrophes like earthquakes, tsunamis, typhoons, droughts, and the spread of HIV/AIDS and malaria;

• combating terrorism driven by sectarian or religious extremism;

• grassroots activism on a global scale, ranging from the campaign to ban land mines to antiglobalization hoodlums and environmentalist crazies;

• border security and illegal immigration;

• the worldwide ripple effects of currency fluctuations and the collapse of confidence in complex financial securities; and

• for at least one fleeting moment, the safety of toys imported from China.

There is some overlap in this list, and one might want to group some of the events differently or add others. The important point, however, is that when you look at these problems and how they evolved during the past fifteen years, you do not see a single lesson or organizing principle on which to base U.S. strategy.

Another way to see the dynamic nature of today's national security challenges is to consider the annual threat briefing the U.S. intelligence community has given Congress during the past decade. These briefings are essentially a snapshot of what U.S. officials worry most about. If one

briefing is a snapshot, then several put together back to back provide a movie, showing how views have evolved.2

Figure 1 summarizes these assessments for every other year between 1996 and 2006. It shows when a particular threat first appeared, its rise and fall in the rankings, and in some cases how it fell off the chart completely. So, in 1995, when the public briefing first became a regular affair, the threat at the very top of the list was North Korea. This likely reflected the crisis that had occurred the preceding year, when Pyongyang seemed determined to develop nuclear weapons, Bill Clinton's administration seemed ready to use military action to prevent this, and the affair was defused by an agreement brokered by Jimmy Carter.

Russia and China ranked high as threats in the early years, but by the end of the decade they sometimes did not even make the list. Proliferation has always been high in the listings, although the particular countries of greatest concern have varied. Terrorism made its first appearance in 1998, rose to first place after the September 11, 2001, terrorist attacks, and remains there today. The Balkans appeared and disappeared in the middle to late 1990s. A few of the entries today seem quaint and overstated. Catastrophic threats to information systems like an “electronic Pearl Harbor” and the “Y2K problem” entered the list in 1998 but disappeared after 2001. (Apparently, after people saw an airliner crash into a Manhattan skyscraper, the possible loss of their Quicken files seemed a lot less urgent.) Iraq first appeared in the briefing as a regional threat in 1997 and was still high on the list a decade later—though, of course, the Iraqi problem in the early years (suspected weapons of mass destruction) was very different from the later one (an insurgency and internationalized civil war).

All this is why the United States needs agility. It not only must be able to refocus its resources repeatedly; it needs to do this faster than an adversary can focus its own resources.

#### Extinction

Barnett 11 (Thomas, Former Senior Strategic Researcher and Professor in the Warfare Analysis & Research Department, worked as the Assistant for Strategic Futures in the Office of Force Transformation in the Department of Defense, *“The New Rules: Leadership Fatigue Puts U.S., and Globalization, at Crossroads,”* The World Politics Review, March 7, 2011, <http://www.worldpoliticsreview.com/articles/8099/the-new-rules-leadership-fatigue-puts-u-s-and-globalization-at-crossroads>)

Events in Libya are a further reminder for Americans that we stand at a crossroads in our continuing evolution as the world's sole full-service superpower. Unfortunately, we are increasingly seeking change without cost, and shirking from risk because we are tired of the responsibility. We don't know who we are anymore, and our president is a big part of that problem. Instead of leading us, he explains to us. Barack Obama would have us believe that he is practicing strategic patience. But many experts and ordinary citizens alike have concluded that he is actually beset by strategic incoherence -- in effect, a man overmatched by the job. It is worth first examining the larger picture: We live in a time of arguably the greatest structural change in the global order yet endured, with this historical moment's most amazing feature being its relative and absolute lack of mass violence. That is something to consider when Americans contemplate military intervention in Libya, because if we do take the step to prevent larger-scale killing by engaging in some killing of our own, we will not be adding to some fantastically imagined global death count stemming from the ongoing "megalomania" and "evil" of American "empire." We'll be engaging in the same sort of system-administering activity that has marked our stunningly successful stewardship of global order since World War II. Let me be more blunt: As the guardian of globalization, the U.S. military has been the greatest force for peace the world has ever known. Had America been removed from the global dynamics that governed the 20th century, the mass murder never would have ended. Indeed, it's entirely conceivable there would now be no identifiable human civilization left, once nuclear weapons entered the killing equation. But the world did not keep sliding down that path of perpetual war. Instead, America stepped up and changed everything by ushering in our now-perpetual great-power peace. We introduced the international liberal trade order known as globalization and played loyal Leviathan over its spread. What resulted was the collapse of empires, an explosion of democracy, the persistent spread of human rights, the liberation of women, the doubling of life expectancy, and a roughly 10-fold increase in adjusted global GDP and a profound and persistent reduction in battle deaths from state-based conflicts. That is what American "hubris" actually delivered. Please remember that the next time some TV pundit sells you the image of "unbridled" American military power as the cause of global disorder instead of its cure. With self-deprecation bordering on self-loathing, we now imagine a post-American world that is anything but. Just watch who scatters and who steps up as the Facebook revolutions erupt across the Arab world. While we might imagine ourselves the status quo power, we remain the world's most vigorously revisionist force. As for the sheer "evil" that is our military-industrial complex, again, let's examine what the world looked like before that establishment reared its ugly head. The last great period of global structural change was the first half of the 20th century, a period that saw a death toll of about 100 million across two world wars. That comes to an average of 2 million deaths a year in a world of approximately 2 billion souls. Today, with far more comprehensive worldwide reporting, researchers report an average of less than 100,000 battle deaths annually in a world fast approaching 7 billion people. Though admittedly crude, these calculations suggest a 90 percent absolute drop and a 99 percent relative drop in deaths due to war. We are clearly headed for a world order characterized by multipolarity, something the American-birthed system was designed to both encourage and accommodate. But given how things turned out the last time we collectively faced such a fluid structure, we would do well to keep U.S. power, in all of its forms, deeply embedded in the geometry to come. To continue the historical survey, after salvaging Western Europe from its half-century of civil war, the U.S. emerged as the progenitor of a new, far more just form of globalization -- one based on actual free trade rather than colonialism. America then successfully replicated globalization further in East Asia over the second half of the 20th century, setting the stage for the Pacific Century now unfolding. As a result, the vector of structure-building connectivity shifted from trans-Atlantic to trans-Pacific. But if the connectivity push of the past several decades has been from West to East, with little connectivity extended to the South outside of the narrow trade of energy and raw materials, the current connectivity dynamic is dramatically different. Now, the dominant trends are: first, the East cross-connecting back to the West via financial and investment flows as well as Asian companies "going global"; and second, the East creating vast new connectivity networks with the South through South-South trade and investment. The challenge here is how to adjust great-power politics to these profound forces of structural change. Because of the West's connectivity to the East, we are by extension becoming more deeply connected to the unstable South, with China as the primary conduit. Meanwhile, America's self-exhausting post-Sept. 11 unilateralist bender triggered the illusion -- all the rage these days -- of a G-Zero, post-American world. The result, predictably enough for manic-depressive America, is that we've sworn off any overall responsibility for the South, even as we retain the right to go anywhere and kill any individuals -- preferably with flying robots -- that we deem immediately threatening to our narrowly defined national security interests. The problem with this approach is that China has neither the intention nor the ability to step up and play anything resembling a responsible Leviathan over the restive South, where globalization's advance -- again, with a Chinese face -- produces a lot of near-term instability even as it builds the basis for longer-term stability. Libya is a perfect example of where the world is now stuck: America is very reticent to get involved militarily, while China, for the first time in its history, engages in long-range military operations to evacuate its workforce there. Meanwhile, the expanding civil war rages on, to everyone's moral and economic distress. The point is not that America must invade Libya pronto to keep the world as we know it from coming to an end. But if the United States and the West sit by while the Rest, risers that they are, manage nothing more than pious warnings about needlessly butting in, then we all run the risk of collectively making the post-American, G-Zero, do-nothing storyline a self-fulfilling prophecy. While that alone won't stop the world from spinning, if it persists as a pattern, globalization will slide down another path: one of regionalism, spheres of influence and neocolonial burdens that are intuitively hoarded by great powers grown increasingly suspicious of one another. And if you know your history, that should make you nervous.

### CP

#### COUNTERPLAN: The President of the United States should issue an Executive Order committing the executive branch to Solicitor General representation and advance consultation with the Office of Legal Counsel over decisions regarding the introduction of space armed forces into hostilities. The Department of Justice officials involved should counsel against the president using war powers authority to introduce space armed forces into hostilities. The Executive Order should also require written publication of Office of Legal Counsel opinions.

#### The counterplan restrains the executive through DOJ adjudication—solves case through pre-commitment

**Pillard 2005** – JD from Harvard, Faculty Director of Supreme Court Institute at Georgetown University Law Center, former Deputy Assistant Attorney General in the DOJ (February, Cornelia T., Michigan Law Review, 103.4, “The Unfulfilled Promise of the Constitution in Executive Hands”, 103 Mich. L. Rev. 676-758, http://scholarship.law.georgetown.edu/facpub/189/)

V. ENABLING EXECUTIVE CONSTITUTIONALISM

The courts indisputably do not and cannot fully assure our enjoyment of our constitutional rights, and it is equally clear that the federal executive has an independent constitutional duty to fulfill the Constitution's promise. Executive constitutionalism seems ripe with promise. Yet, it is striking how limited and court-centered the executive's normative and institutional approaches to constitutional questions remain.

One conceivable way to avoid the pitfalls of court-centric executive lawyering on one hand and constitutional decisions warped by political expedience on the other would be to make the Solicitor General and Office of Legal Counsel - or perhaps the entire Department of Justice - as structurally independent as an independent counsel or independent agency.207 Making the SG and OLC independent in order to insulate them from politics presumably would alleviate the "majoritarian difficulty" resulting from their service to elected clients. Promoting fuller independence in that sense does not, however, appear to be clearly normatively attractive, constitutionally permissible, nor particularly feasible. In all the criticism of our current constitutionalism, there is little call for an SG or OLC that would act, in effect, as a fully insulated and jurisprudentially autonomous constitutional court within the executive branch, operating with even less transparency and accountability than the Supreme Court. Moreover, as a practical matter it would be complex and problematic to increase the independence of the SG and OLC. The federal government faces Article II obstacles to formally insulating executive lawyers from politics and institutional pressures, and the president and his administration likely would be less amenable to guidance from such unaccountable lawyers.208

The challenge, rather, is to draw forth from the executive a constitutional consciousness and practice that helps the government actively to seek to fulfill the commitments of the Constitution and its Bill of Rights, interpreted by the executive as guiding principles for government. Adjustments to executive branch constitutional process and culture should be favored if they encourage the executive to use its experience and capacities to fulfill its distinctive role in effectuating constitutional guarantees. There is **transformative potential** in measures that break ingrained executive branch habits of looking to the Constitution only as it is mediated through the courts, and of reflexively seeking, where there is no clear doctrinal answer, to minimize constitutional constraint. It is difficult fully to imagine what kinds of changes would best prompt executive lawyers and officials to pick up constitutional analysis where the courts leave off, and to rely on the Constitution as an affirmative, guiding mandate for government action; what follows are not worked-out proposals, but are meant to be merely suggestive.

A. Correcting the Bias Against Constitutional Constraint

As we have seen, the SG's and OLC's default interpretive approach to individual rights and other forms of constitutional constraints on government is to follow what clear judicial precedents there are and, where precedents are not squarely to the contrary, to favor interpretations that minimize constitutional rights or other constitutional obligations on federal actors. Those court-centered and narrowly self-serving executive traditions produce a systematic skew against individual rights.

1. Encourage Express Presidential Articulation of Commitment to Constitutional Rights

To the extent that a president articulates his own rights-protective constitutional vision with any specificity, he ameliorates the tension his constitutional lawyers otherwise face between advancing individual rights and serving their boss's presumed interest in maximum governing flexibility. Case or controversy requirements and restrictions against courts issuing advisory opinions do not, of course, apply to the executive's internal constitutional decisionmaking, and presidents can better serve individual rights to the extent that they expressly stake out their constitutional commitments in general and in advance of any concrete controversy."° **When the president takes a stand** for advancing abortion rights, property rights, disability rights, "charitable choice," a right to bear arms, or full remediation of race and sex discrimination, he signals to his lawyers that they should, in those areas, set aside their default bias in favor of preserving executive prerogative, even if it requires extra executive effort or restraint to do so.

If presented in a concrete setting with a choice between interpreting and applying the Constitution in fully rights-protective ways or sparing themselves the effort where Supreme Court precedent can be read not to require it, government officials typically default to the latter course without considering whether they might thereby be giving short shrift to a constitutional duty. A president's stated commitment to protection of particular rights, however, flips the default position with respect to those rights, **acting as a spur** to executive-branch lawyers and other personnel to work to give effect to constitutional rights even where, for a range of institutional reasons, the courts would not. A president is thus uniquely situated to facilitate full executive-branch constitutional compliance by precommitting himself to a rights-protective constitutional vision, and thereby making clear that respect for constitutional rights is part of the executive's interest, not counter to it.

#### Disclosure makes the counterplan credible and checks impulsive decisions

**Marguiles 2012** – Professor of Law, Roger Williams University (5/15, Peter, Pepperdine Law Review, Volume 39, Issue 4, Article 1, “Reforming Lawyers into Irrelevance?: Reconciling Crisis and Constraint at the Office of Legal Counsel”, http://digitalcommons.pepperdine.edu/cgi/viewcontent.cgi?article=1370&context=plr)

\*NOTE: Marguiles not to be confused with Margolis, who worked in the DOJ after John Yoo

1. Disclosure

Disclosure is an important deliberative safeguard. From an ex ante perspective, disclosure protects against fringe views, since the author of an opinion knows that outside audiences will “kick the tires” and quickly discover and critique views that distort the relevant law.242 Disclosure also helps ex post, by allowing Congress, professional peers, and the public to see distortions as they emerge and campaign to correct them.243 Disclosure also works hand in hand with efforts by the President to secure ratification of an unorthodox view that responds to exigent circumstances; disclosure, at least to Congress, is a necessary incident of ratification.244 Certain opinions may contain sensitive information that makes immediate disclosure inappropriate.245 However, Congress could well require as part of its oversight that OLC engage in a deliberative process, including making express findings that become part of an opinion, when such circumstances prevail.

#### Presumptively binding opinions maintain OLC credibility without hurting flexibility

**Morrison 2011** – Professor of Law, Columbia University (Trevor W., Harvard Law Review, ““Hostilities,” the Office of Legal Counsel, and the Process of Executive Branch Legal Interpretation”, 124 HARV. L. REV.F. 62, http://web.law.columbia.edu/sites/default/files/microsites/constitutional-governance/files/Libya-Hostilities-Office-of-Legal-Counsel.pdf)

Once OLC arrived at its conclusion, it should have been clearly conveyed to the relevant parties, ideally in writing. Reducing an opinion to writing is not always possible when time is short, but where it is feasible it helps clarify the precise terms and bounds of OLC’s position. The recipients of OLC’s opinion (whether written or oral) should have regarded it as the presumptively final word on the “hostilities” question. The President certainly retains the authority to overrule OLC, but the traditions of executive branch legal interpretation do not contemplate routine relitigation before the President. Still, on matters of **grave consequence** where affected agencies strongly disagree with OLC’s analysis, there is nothing categorically inappropriate in their seeking presidential review. Importantly, any such presidential review should proceed on the understanding that OLC’s analysis should be adhered to in all but the most extreme circumstances. Presidential overruling should be rare because it can carry serious costs. To start, it can undermine OLC’s ability to produce legal opinions consistent with its best view of the law. Agency general counsels and the White House Counsel’s Office may approach legal questions not with the goal of seeking the best view of the law, but with the aim of finding the best, professionally responsible legal defense of their client’s preferred policy position. There is nothing wrong with that. But if the President routinely favors legal views of that sort over OLC’s conclusions, the traditional rationale for having an OLC at all will be undermined. OLC’s work product is significant today in large part because of the time-honored understanding that its conclusions are **presumptively binding** within the executive branch. Routine presidential overruling would weaken the presumption, which in turn would diminish the significance of OLC’s work and reduce its clients’ incentive to seek its views. To remain relevant, OLC would likely start intentionally tilting its analysis in favor of its clients’ (here, the President’s) preferred policies. Put another way, the strong presumption in favor of the authoritativeness of OLC’s analysis provides OLC with the institutional space and cover to provide answers based on its best view of the law. If the former is weakened, the latter is jeopardized. 5

#### Having the OLC check the executive fosters executive deliberation and internal SOP—that makes agencies more effective

**Metzger 2009** – Professor of Law, Columbia Law School (Gillian E., Emory Law Journal, 59.2, “THE INTERDEPENDENT RELATIONSHIP BETWEEN INTERNAL AND EXTERNAL SEPARATION OF POWERS”, http://www.law.emory.edu/fileadmin/journals/elj/59/59.2/Metzger.pdf)

A wide range of administrative structures and other mechanisms could be viewed as serving such an internal Executive Branch checking function. Some appear primarily animated by concerns about individual fairness and have a due process element—in particular, the division of functions within agencies and the separation of adjudication from legislative, investigatory, and enforcement activities.23 Many others have a more systemic focus and seek to ensure regularity and the rule of law by depoliticizing governmental administration. One example of the latter prominent in separation of powers literature and case law is the independent agency, the head of which enjoys some independence from the President as a result of a term appointment and the requirement that removal be for cause.24 Other internal personnel measures offer independence even within executive agencies, the prime instance being the civil service and its prohibitions on politically-motivated employment decisions.25 Another important structural feature is the presence of independent agency watchdogs, such as inspectors general, who are protected by structural insulation within agencies and by independent reporting relationships with Congress.26 Division of employees into distinct organizational units or agencies can also serve to limit the role of **raw political calculations** in setting policy, in part by breeding agency cultures that foster more professional decisionmaking based on expertise.27 Indeed, the structural mechanism of simply dividing staff with similar responsibilities into separate agencies can serve a checking function, as their separate administrative homes may foster different perspectives and lead to different sources of information.28 Internal constraints can also take a “soft” form, being rooted more in agency traditions and culture than “hard” structural features. A **case in point** is the Office of Legal Counsel (OLC) in the Department of Justice, which has at times operated as a check on the President as well as on other agencies, despite being headed by political appointees and lacking structural insulation.29

#### The impact is terrorism

**Steinberg et al 2002** – deputy Secretary of State for Obama, dean of the Lyndon B. Johnson School of Public Affairs at the University of Texas in Austin, former director of Foreign Policy studies at Brookings (James Steinberg, Michael O’Hanlon, Peter Orszag, Ivo Daalder, I.M. Destler, David Gunter, Robert Litan, Brookings Institution Press, “Protecting the American Homeland”, http://chnm.gmu.edu/cipdigitalarchive/files/46\_Brookingsfullhomeland2002.pdf)

Ultimate success in protecting the American homeland against terrorist attack will depend to a significant extent on how the U.S. government is organized to meet this threat. 1 As Dwight D. Eisenhower famously remarked at the end of his long and distinguished career, although “organization cannot make a genius out of an incompetent, . . .disorganization can scarcely fail to result in inefficiency and can easily lead to disaster.”2 The organizational challenge of homeland security is profound, for there are few government activities that are at once so crucial and so difficult to manage. Responsibility is widely dispersed, not only within the federal government but also among federal, state, and local authorities, and the private sector. Moreover, unlike, say, the agencies responsible for national security policy, these units lack a culture of cooperation such as the National Security Council (NSC) has nurtured for half a century.

The number of federal departments, agencies, and offices involved in homeland security is difficult to quantify. According to the Office of Management and Budget, nearly 70 agencies spend money on counterterrorist activities, and that excludes the Defense and State Departments as well as the intelligence community!3 One organizational chart of federal government agencies that bear some responsibility for homeland security depicts 130 separate boxes.4 Even by more discriminating accounting standards, anywhere between 40 and 50 agencies are believed to be involved in the homeland security effort—ranging from the departments of state, defense, treasury, justice, transportation, health and human services, and agriculture, to intelligence agencies like the Central Intelligence Agency and National Security Agency, to law enforcement agencies like the Federal Bureau of Investigation, the Secret Service, the Drug Enforcement Agency, and the Bureau of Alcohol, Tobacco, and Firearms, to agencies monitoring points of entry into the United States like the Border Control, the Coast Guard, the Customs Service, and the Immigration and Naturalization Service, to agencies responsible for responding to an attack, like the Federal Emergency Management Agency (FEMA), the Centers for Disease Control and Prevention, the National Guard Bureau, and the Pentagon’s Joint Task Force for Homeland Defense.

This diffusion of responsibility is inherent in the problem these entities seek to tackle. Homeland security is, by its very nature, a highly decentralized activity, one where success depends on a multitude of individuals at the outer edges of activity making good decisions. A customs service agent sensed something amiss with a car traveling from Canada to the United States in December 1999 and discovered its trunk loaded with explosive materials designed to blow up Los Angeles Airport at the turn of the millennium. A flight instructor found it suspicious that a student was interested only in steering a commercial jetliner, not in taking off or landing, and then reported his suspicion to law enforcement authorities. A firefighter yelled at people coming up from the World Trade Center subway station to go back down, before himself climbing up the stairs to the fires burning on the seventy-fifth floor of one of the towers. A doctor reexamined the X ray of a postal worker and diagnosed inhalation anthrax in time for an effective antibiotic treatment to be administered. A flight attendant noticed a passenger lighting a match near his feet and acted swiftly to prevent him from detonating a bomb in his shoe. Ultimately, the security of the American homeland depends upon good decisions like these by the many hundreds of thousands of so-called first responders—the border guards, immigration officers, and customs agents; the doctors, nurses, firefighters, and police officers—who guard our front lines. Managing, coordinating, leading, and mobilizing these people so that their individual decisions add up to a nation more secure, better prepared, and more responsive to the terrorist threat— that is the organizational challenge of homeland security.

#### Nuclear threat high now—causes catastrophic retaliation

**Jaspal 12** – Associate Professor at the School of Politics and International Relations, Quaid-i-Azam University, Islamabad, Pakistan

(Zafar Nawaz, “Nuclear/Radiological Terrorism: Myth or Reality?”, Journal of Political Studies, Vol. 19, Issue - 1, 2012, 91:111, dml)

The misperception, miscalculation and above all ignorance of the ruling elite about security puzzles are perilous for the national security of a state. Indeed, in an age of transnational terrorism and unprecedented dissemination of dualuse nuclear technology, ignoring nuclear terrorism threat is an imprudent policy choice. The incapability of terrorist organizations to engineer fissile material does not eliminate completely the possibility of nuclear terrorism. At the same time, the **absence** of an example or precedent of a nuclear/ radiological terrorism **does not qualify the assertion** that the nuclear/radiological terrorism ought to be remained a myth. Farsighted rationality obligates that one should not miscalculate transnational terrorist groups — whose behavior suggests that they have a death wish — of acquiring nuclear, radiological, chemical and biological material producing capabilities. In addition, one could be sensible about the published information that huge amount of nuclear material is spread around the globe. According to estimate it is enough to build more than 120,000 Hiroshima-sized nuclear bombs (Fissile Material Working Group, 2010, April 1). The alarming fact is that a few storage sites of nuclear/radiological materials are inadequately secured and continue to be accumulated in unstable regions (Sambaiew, 2010, February). Attempts at stealing fissile material had already been discovered (Din & Zhiwei, 2003: 18). Numerous evidences confirm that terrorist groups had aspired to acquire fissile material for their terrorist acts. Late Osama bin Laden, the founder of al Qaeda stated that acquiring nuclear weapons was a“religious duty” (Yusufzai, 1999, January 11). The IAEA also reported that “al-Qaeda was actively seeking an atomic bomb.” Jamal Ahmad al-Fadl, a dissenter of Al Qaeda, in his trial testimony had “revealed his extensive but unsuccessful efforts to acquire enriched uranium for al-Qaeda” (Allison, 2010, January: 11). On November 9, 2001, Osama bin Laden claimed that “we have chemical and nuclear weapons as a deterrent and if America used them against us we reserve the right to use them (Mir, 2001, November 10).” On May 28, 2010, Sultan Bashiruddin Mahmood, a Pakistani nuclear scientist confessed that he met Osama bin Laden. He claimed that “I met Osama bin Laden before 9/11 not to give him nuclear know-how, but to seek funds for establishing a technical college in Kabul (Syed, 2010, May 29).” He was arrested in 2003 and after extensive interrogation by American and Pakistani intelligence agencies he was released (Syed, 2010, May 29). Agreed, Mr. Mahmood did not share nuclear know-how with Al Qaeda, but his meeting with Osama establishes the fact that the terrorist organization was in contact with **nuclear scientists**. Second, the terrorist group has sympathizers in the nuclear scientific bureaucracies. It also authenticates bin Laden’s Deputy Ayman Zawahiri’s claim which he made in December 2001: “If you have $30 million, go to the black market in the central Asia, contact any disgruntled Soviet scientist and a lot of dozens of smart briefcase bombs are available (Allison, 2010, January: 2).” The covert meetings between nuclear scientists and al Qaeda members could not be interpreted as idle threats and thereby the threat of nuclear/radiological terrorism is real. The 33Defense Secretary Robert Gates admitted in 2008 that “what keeps every senior government leader awake at night is the thought of a terrorist ending up with a weapon of mass destruction, especially nuclear (Mueller, 2011, August 2).” Indeed, the nuclear deterrence strategy cannot deter the transnational terrorist syndicate from nuclear/radiological terrorist attacks. Daniel Whiteneck pointed out: “Evidence suggests, for example, that al Qaeda might not only use WMD simply to demonstrate the magnitude of its capability but that it might actually welcome **the escalation** of a strong U.S. response, especially if it included catalytic effects on governments and societies in the Muslim world. An adversary that prefers escalation regardless of the consequences cannot be deterred” (Whiteneck, 2005, Summer: 187) Since taking office, President Obama has been reiterating that “nuclear weapons represent the ‘gravest threat’ to United States and international security.” While realizing that the US could not prevent nuclear/radiological terrorist attacks singlehandedly, he launched 47an international campaign to convince the international community about the increasing threat of nuclear/ radiological terrorism. He stated on April 5, 2009: “Black market trade in nuclear secrets and nuclear materials abound. The technology to build a bomb has spread. Terrorists are determined to buy, build or steal one. Our efforts to contain these dangers are centered on a global non-proliferation regime, but as more people and nations break the rules, we could reach the point where **the center cannot hold** (Remarks by President Barack Obama, 2009, April 5).” He added: “One terrorist with one nuclear weapon could unleash **massive destruction**. Al Qaeda has said it seeks a bomb and that it would have no problem with using it. And we know that there is unsecured nuclear material across the globe” (Remarks by President Barack Obama, 2009, April 5). In July 2009, at the G-8 Summit, President Obama announced the convening of a Nuclear Security Summit in 2010 to deliberate on the mechanism to “secure nuclear materials, combat nuclear smuggling, and prevent nuclear terrorism” (Luongo, 2009, November 10). President Obama’s nuclear/radiological threat perceptions were also accentuated by the United Nations Security Council (UNSC) Resolution 1887 (2009). The UNSC expressed its grave concern regarding ‘the threat of nuclear terrorism.” It also recognized the need for all States “to take effective measures to prevent nuclear material or technical assistance becoming available to terrorists.” The UNSC Resolution called “for universal adherence to the Convention on Physical Protection of Nuclear Materials and its 2005 Amendment, and the Convention for the Suppression of Acts of Nuclear Terrorism.” (UNSC Resolution, 2009) The United States Nuclear Posture Review (NPR) document revealed on April 6, 2010 declared that “terrorism and proliferation are far greater threats to the United States and international stability.” (Security of Defence, 2010, April 6: i). The United States declared that it reserved the right to “hold fully accountable” any state or group “that supports or enables terrorist efforts to obtain or use weapons of mass destruction, whether by facilitating, financing, or providing expertise or safe haven for such efforts (Nuclear Posture Review Report, 2010, April: 12)”. This declaration underscores the possibility that terrorist groups could acquire fissile material from the rogue states.

### Weaponization Adv

**Space weaponization and conflict is inevitable - winning the race for dominance is key to US hegemony**

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In the “commons” above Earth, US military forces must deal with junk and potential predators. Last year, an Iridium communications satellite unexpectedly went dead. US military space analysts soon discovered it had smashed into a defunct Russian Cosmos satellite, a collision that destroyed both spacecraft and created a large and dangerous debris field in space. That incident followed another worrisome event. In January 2007, China successfully tested an anti-satellite missile against one of its own defunct satellites. That attack, a direct hit, created 150,000 pieces of space clutter—not all of it even visible to US space operators. Both events reveal that the global commons of space—which the United States has long dominated and has increasingly used as leverage to achieve a decisive military edge—is increasingly crowded and contested. There have been years of warnings that US space dominance is in peril. It is now safe to assume that, in a future war, the military will not have unhindered access to the space-based capabilities that create numerous US combat advantages. Potential adversaries aren’t just aware of how heavily the US relies on space. They already have the means to compete and to challenge US operations there. Today, many commanders view space dominance as vital to warfare in the Information Age. "Certainly in the air world, in the ISR [intelligence-surveillance-reconnaissance] world, and most especially in the space world, [there is] competition out there, [and the] competition is getting better," said Lt. Gen. Larry D. James, commander of 14th Air Force at Vandenberg AFB, Calif. "Multiple nation-states now have space launch capability, have ISR capability, [and] have intelligence capability from space, so we’ve got to continue to raise our game to make sure we are still the best." As a recent report by the Center for a New American Security (CNAS) noted, it is increasingly clear that a military able to effectively use space has tremendous advantages through rapid globe-spanning communications, broad and sophisticated surveillance and intelligence-gathering capability, and accurate force positioning, operations timing, and precision targeting abilities. "Put in military terms, the space commons offers distinct and significant advantages in command, control, communications, intelligence, surveillance, and reconnaissance (C3ISR), maneuverability, and firepower," noted report author Eric Sterner. "As the United States has been the world’s leading innovator in the use of space for military purposes, this development is largely a story of American innovation." Given the game-changing advantages that the United States reaps from its dominance of space, it was inevitable that other countries would also seek to exploit space for their own uses, both military and commercial. Today, nine countries, plus the European Space Agency member states, have the ability to independently place satellites into orbit, and virtually any country or nonstate actor can access satellite technology by buying time on commercial satellites. As the US military’s dependence on space systems has grown exponentially in recent years, however, so has a growing sense of unease among military commanders concerned about the vulnerability of those assets. In 2001, the Commission to Assess United States National Security Space Management and Organization released a report that predicted that future warfare in space was a "virtual certainty," and it proposed that the United States [should] begin to develop the means both to deter and defend against attacks on its space assets, and to mount offensive operations to deny the use of space to potential adversaries. To do otherwise, the commission warned, would invite a "space Pearl Harbor." US officials confirmed in 2006 that China had successfully "painted" a US satellite with a laser. China’s January 2007 test of the direct-ascent, anti-satellite SC-19 missile greatly heightened those concerns. And a recent Pentagon report on China’s military modernization revealed that China is developing other anti-satellite systems, to include ground-based lasers designed to blind sensitive satellite optics. China is also reportedly developing microsatellites crafted to act as "space mines," which could loiter in space until given the signal to destroy other satellites. At present, US officials say they are uncertain whether China has already launched such "parasite" satellites. "In today’s world, ... there are a lot of folks launching a lot of satellites, some of them very small," and we have a lot of work to do in terms of knowing "what their mission is, ... what the intent of the owner is," and whether they represent a threat, said James. That really gets into the intelligence world more than the tracking world, but, "frankly, we have a long way to go" in achieving that space situational awareness. According to the CNAS report, China has identified American dependence on space as an asymmetric vulnerability to exploit. "China is developing robust capabilities to operate in space and deny its adversaries the use of space during a time of crisis or conflict," the report concluded.

**That turns the whole aff**

Dolman 10 (Everett, PhD and Professor of Comparative Military Studies @ US Air Force School of Advanced Air and Space Studies and Recipient of Central Intelligence’s Outstanding Intelligence Analyst Award, “The Case for Weapons in Space: A Geopolitical Assessment,” September, http://papers.ssrn.com/sol3/cf\_dev/AbsByAuth.cfm?per\_id=1532576, EMM)

This is the context in which the world now exists. The relatively stable global hegemony of US dominance since 1945, punctuated by limited wars and shifting balances of opposition, has relied on technology-dominant global power projection. Today, that technology is wholly integrated and inextricable from space support, and no state relies more on space power for its economic and security well-being than the US. Any effort to deny space capabilities would be a direct challenge to its hegemonic power, and the United States must confront the usurper or abdicate its leadership position. To be sure, China’s increasing space emphasis and its cultural antipathy to military transparency suggests that a serious attempt at seizing control of space is in the works. A lingering fear is the sudden introduction of an unknown capability (call it Technology X) that would allow a hostile state to place multiple weapons into orbit quickly and cheaply. The advantages gained from controlling the high ground of space would accrue to it as surely as to any other state, and the concomitant loss of military power from the denial of space to America’s already-dependent military forces could cause the immediate demise of the extant international system. The longer the United States dithers on its military responsibilities, the more likely a potential opponent could seize low-earth orbit before America is able to respond. And in such circumstances, the US certainly would respond. Conversely, if America were to weaponize space, it is not at all sure that any other state or group of states would find it rational to counter in kind. The entry cost to provide the necessary infrastructure is still too high—hundreds of billions of dollars, at minimum. The years of investment needed to achieve a comparable counter-force capability—essentially from scratch—would provide more than ample time for the United States to entrench

itself in space and readily counter preliminary efforts to displace it. The tremendous effort in time and resources would be worse than wasted. Most states, if not all, would opt not to counter US deployments directly. They might oppose American interests with asymmetric balancing, depending on how aggressively it uses its new power, but the likelihood of a hemorrhaging arms race in space should the United States deploy weapons first—at least for the next few years—is remote. This reasoning does not dispute the fact that US deployment of weapons in outer space would represent the addition of a potent new military capacity, one that would assist in extending the current period of American hegemony well into the future. Clearly this would be intimidating, and America must expect severe condemnation and increased competition in peripheral areas. But such an outcome is less threatening than another, particularly non-liberal authoritarian state doing so, as the necessity of a response in kind is compelling. Placement of weapons in space by the United States would be perceived correctly as an attempt at continuing American hegemony. Although there is obvious opposition to the current international balance of power, the majority of states seem to regard it as at least tolerable. A continuation of the status quo is thus minimally acceptable, even to states working toward its demise. As long as the United States does not employ its power arbitrarily, the situation would be bearable initially and grudgingly accepted over time. Mirror-imaging does not apply here. An attempt by China to dominate space would be part of an effort to break the land-sea-air dominance of the United States in preparation for a new international order. Such an action would challenge the status quo, rather than seek to perpetuate it. This would be disconcerting to nations that accept, no matter how grudgingly, the current international order—including the venerable institutions of trade, finance, and law that operate within it—and intolerable to the United States. As leader of the current system, the United States could do no less than engage in a perhaps ruinous space arms race, save graciously decide to step aside and accept a diminished world status. Seizing the initiative and securing low-Earth orbit now, while the United States is dominant in space infrastructure, would do much to stabilize the international system and prevent an arms race in space. The enhanced ability to deny any attempt by another nation to place military assets in space and to readily engage and destroy terrestrial anti-satellite capacity would make the possibility of large-scale space war or military space races less likely, not more. Why would a state expend the effort to compete in space with a superpower that has the extraordinary advantage of holding securely the highest ground at the top of the gravity well? So long as the controlling state demonstrates a capacity and a will to use force to defend its position, in effect expending a small amount of violence as needed to prevent a greater conflagration in the future, the likelihood of a future war in space is remote.

**Key to prevent nuke terror – that risks extinction**

**Dolman and Cooper 11** (Everett, PhD and Professor of Comparative Military Studies @ US Air Force School of Advanced Air and Space Studies and Recipient of Central Intelligence’s Outstanding Intelligence Analyst Award, and Henry, Former Deputy for the Strategic and Space Systems of the DOD and Chairman of High Fronteir, a non-profit organization studying issues of missile defense and space, “Chapter 19: Increasing the Military Uses of Space,” Part of “Toward a Theory of Spacepower,” Edited by Charles Lutes and Peter Hays, National Defense University Press, <http://www.ndu.edu/press/lib/pdf/spacepower/spacepower.pdf>, EMM)

But if a single missile were launched out of the blue from deep within the Asian landmass today, for whatever reason, a space-based missile defense system with 99-percent reliability would be a godsend. And if a U.S. space defense could intercept a single Scud missile launched by terrorists from a ship near America's coasts before it detonated a nuclear warhead 100 miles up—creating an electromagnetic pulse that shuts down America's powergrid, halts America's banking and commerce, and reduces the battlefield for America's military to third world status8—it might provide for the very survival of our way of life.

**Their form of multilateralism fails – structural reforms in global governance are required**

**Langenhove, 11** – Luk Van, Director of the Comparative Regional Integration Studies Institute of the United Nations University (“Multilateralism 2.0: The transformation of international relations,” UN University, 5/31/11, http://unu.edu/publications/articles/multilateralism-2-0-the-transformation-of-international-relations.html)**Red**

Two major developments are currently transforming the multilateral system. The first is the trend towards multi-polarity as expressed by the rising number of states that act as key players. There have been times when only a few or even one player dominated the geopolitical game. But today it seems that several states are becoming dominant players as global or regional actors. The (voting) behavior of the BRICS countries (Brazil, Russia, India, China and South Africa) in the UN and their presence in the G20 illustrates this trend. The second development, meanwhile, is that new types of actors are changing the nature of the playing multilateral field. Regions with statehood properties are increasingly present in the area of international relations. Since 1974, the European Union (EU) for instance has been an observer in the United Nations General Assembly (UNGA). But on 3 May 2011, UNGA upgraded the EU’s status by giving it speaking rights. And that same resolution opens the door for other regional organizations to request the same speaking rights. Undoubtedly, this is what is what will happen in the near future. But as stated by some UN members in discussions on this resolution, this could unbalance the ‘one state, one vote’ rule within the UN. On the other hand, this opening towards regional organizations brings with it new opportunities. Together these two developments illustrate that multilateralism is no longer only a play between states: various regions as well as other actors are present and are profoundly changing the multilateral game. **But thinking about multilateralism is still very much based upon the centrality of states**: they are regarded as the constitutive elements of the multilateral system and it is their interrelations that determine the form and content of multilateralism. This implies that international politics is regarded as a closed system in at least two ways: firstly, it spans the whole world; and, secondly, there are huge barriers to enter the system. Many authors have pointed to all kinds of dys-functions such as the complexity of the UN system with its decentralized and overlapping array of councils and agencies, or to the divides between developed and developing countries. The emergence of truly global problems such as climate change, proliferation of weapons of mass destruction and many others have indeed **led to an increasing paradox** of governance. As Thakur and Van Langenhove put it in Global Governance (2006, 12:3) “[t]he policy authority for tackling global problems still belong to the states, while the sources of the problems and potential solutions are situated at transnational, regional or global level”. As such the building blocks of multilateralism, the states, seem to be **less and less capable of dealing with the challenges** of globalization. But because the multilateral world order is so dependent on the input of states, **multilateralism itself is not functioning well.** From an open to a closed system One way to capture the above-mentioned developments is to use the metaphor of ‘multilateralism 2.0’ in order to stress how the playing field and the players in multilateralism are changing. The essence of the Web 2.0 metaphor is that it stresses the emergence of network thinking and practices in international relations, as well as the transformation of multilateralism from a closed to an open system. In multilateralism 1.0 the principle actors in the inter-state space of international relations are states. National governments are the ‘star players’. Intergovernmental organizations are only dependent agents whose degrees of freedom only go as far as the states allow them to go. The primacy of sovereignty is the ultimate principle of international relations. In contrast, in multilateralism 2.0, there are players other than sovereign states that play a role and some of these players challenge the notion of sovereignty. Regions are one such type of actor. Conceived by states, other players can have statehood properties and as such aim to be actors in the multilateral system. Regional organizations especially are willing and able to play such a role. But sub-national regions as well increasingly have multilateral ambitions as demonstrated by their efforts towards para-diplomacy. As a result ‘international relations’ is becoming much more than just inter-state relations. Regions are claiming their place as well. This has major consequences for how international relations develop and become institutionalized, as well as for how international relations ought to be studied. What was once an exclusive playing ground for states has now become a space that states have to share with others. It is a fascinating phenomenon: both supra- and sub-national governance entities are largely built by states and can therefore be regarded as ‘dependent agencies’ of those states. However, once created, these entities start to have a life of their own and are not always totally controllable by their founding fathers. These new sub- and supra-entities are knocking on the door of the multilateral system because the have a tendency to behave ‘as if’ they were states. This actorness gives them, at least in principle, the possibility to position themselves against other actors, including their founding fathers! All of this has weakened the Westphalian relation between state and sovereignty. ‘One state, one vote’ Organizing multilateralism in a state-centric would only be possible if all states are treated as equal. This means that irrespective of the differences in territorial size, population size, military power or economic strength, all states have the same legal personality. Or in other words, the Westphalian principle of sovereign equality means working with the principle of ‘one state, one vote’, although it is universally acknowledged that this principle does not correspond to the reality. In multilateralism 2.0 this could be balanced through a more flexible system that compares actors in terms of certain dimensions (such as economic power) regardless of the type of actors they are. In other words, one can for instance compare big states with regions or small states with sub-national regions. This allows not only a more flexible form of multilateralism. It could perhaps also lead to a more just system with a more equal balance of power and representation. Within the present multilateral system, the UN occupies a major position. But, in order to adapt to the emerging ‘mode 2.0’ of multilateralism, it needs to open up to regions. This is a problem, as the UN is a global organization with sovereign states as members. Indeed, the way the UN is organized, only sovereign states, the star players, can be full members (see Article four of the UN Charter). Even though the EU was granted speaking rights, it was not granted voting rights. Chapter VIII of the Charter also mentions the possibility of cooperation with regional organizations and right from its conception there have been attempts to go beyond a state-centric approach. However, for many years now, the UN has struggled with the question of what place supra-national regional organizations should and could take in achieving UN goals. On one end of the spectrum is the position that regionalism blocks the necessary global and universal approach needed to solve the problems of today. At the other end there is the position that regionalism can serve the overall goals of the UN. Obviously, the question is not only a philosophical one. Rather, it is also about power of institutions. Are regional organizations weakening the UN or can they be considered as allies of the UN in dealing with supra-national problems? Further recognition required The key issue in relation to any institutional reform aimed at reinforcing multilateralism is how to create a balance of power among UN members and a balance of responsibilities and representation for the people of our planet. **Such a complex set of balances cannot be found if reform propositions continue to be based upon states as the sole building blocks of multilateralism. A radical rethinking is needed**, which recognizes that, next to states, world regions based upon integration processes between states have to play a role in establishing an effective multilateralism. Today’s reality is that, next to states, world regions are becoming increasingly important tools of global governance. There needs to be, however, a lot of creative and innovative thinking based upon careful analysis of the regional dimensions of ongoing conflicts and of existing cooperation between the UN and regional organizations. The upgrading of the EU’s status in the UN is an important step forward. But it is not enough. Other regional organizations such as the African Union, ASEAN or the League of Arab States should follow. And next to speaking rights, collaboration between the UN and regional organizations needs to be further developed. This is the only way to increase regional ownership of what the UN and its Security Council decide. As a matter of fact, this recently happened with the UNSC resolution 1973 regarding Libya: explicit reference is made to the African Union, the League of Arab States and the Organization of Islamic Conference. Moreover, the League of Arab States’ members are requested to act in the spirit of Chapter VIII of the UN Charter in implementing the resolution. Reviving Chapter VIII seems to be a promising way to combine global concerns with local (regional) legitimacy and capacity to act. The challenge is that in line with the complexity of the emerging new world order, any proposal to rethink multilateralism in such a way that it incorporates regionalism needs to be flexible. A simplistic system of regional representations that replace the national representations will not work. And not only the UN, but also the regional organizations themselves need to adjust to the reality of multilateralism 2.0. In this respect it remains to be seen to what extent the EU Member States will allow the EU to speak with one vision. And above all, in order to become politically feasible, the idea of a multi-regional world order needs to be supported and promoted by civil society. As long as this is not the case, **old habits and organizational structures will not change, and the world will not become a more secure place to live in.**

**Warming is 100% irreversible – plan can’t solve key internal links**

**Dye, 10/26/12** (Lee, “It May Be Too Late to Stop Global Warming,” ABC News, http://abcnews.go.com/Technology/late-stop-global-warming/story?id=17557814#.UI4EpcU8CSo)**Red**

Here's a dark secret about the earth's changing climate that many scientists believe, but few seem eager to discuss: It's **too late to stop** global **warming.** Greenhouse gasses pumped into the planet's atmosphere will continue to grow even if the industrialized nations cut their emissions down to the bone. Furthermore, the severe measures that would have to be taken to make those reductions stand about the same chance as that proverbial snowball in hell. Two scientists who believe we are on the wrong track argue in the current issue of the journal Nature Climate Change that global warming is inevitable and it's time to switch our focus from trying to stop it to figuring out how we are going to deal with its consequences. "At present, governments' attempts to limit greenhouse-gas emissions through carbon cap-and-trade schemes and to promote renewable and sustainable energy sources are probably **too late to arrest the inevitable trend** of global warming," Jasper Knight of Wits University in Johannesburg, South Africa, and Stephan Harrison of the University of Exeter in England argue in their study. Those efforts, they continue, "have little relationship to the real world." What is clear, they contend, is a profound lack of understanding about how we are going to deal with the loss of huge land areas, including some entire island nations, and massive migrations as humans flee areas no longer suitable for sustaining life, the inundation of coastal properties around the world, and so on ... and on ... and on. That doesn't mean nations should stop trying to reduce their carbon emissions, because any reduction could lessen the consequences. But the cold fact is no matter what Europe and the United States and other "developed" nations do, it's not going to curb global climate change, according to one scientist who was once highly skeptical of the entire issue of global warming. "Call me a converted skeptic," physicist Richard A. Muller says in an op-ed piece published in the New York Times last July. Muller's latest book, "Energy for Future Presidents," attempts to poke holes in nearly everything we've been told about energy and climate change, except the fact that "humans are almost entirely the cause" of global warming. Those of us who live in the "developed" world initiated it. Those who live in the "developing" world will sustain it as they strive for a standard of living equal to ours. "As far as global warming is concerned, **the developed world is becoming irrelevant**," Muller insists in his book. **We could set an example by curbing our emissions**, and thus claim in the future that "it wasn't our fault," **but** about **the only thing that could stop it would be a complete economic collapse in** China and the rest of the world's **developing countries.** As they race forward, their industrial growth -- and their greenhouse gas emissions -- will outpace any efforts by the West to reduce their carbon footprints, Muller contends. "China has been installing a new gigawatt of coal power each week," he says in his Times piece, and each plant pumps an additional ton of gases into the atmosphere "**every second**." "By the time you read this, China's yearly greenhouse gas emissions will be double those of the United States, perhaps higher," he contends. **And that's not likely to change.** "**China is fighting poverty, malnutrition, hunger, poor health, inadequate education and limited opportunity. If you were the president of China, would you endanger progress to avoid a few degrees of temperature change?**" he asks. Muller suggests a better course for the West to take than condemning China for trying to be like the rest of us. Instead, we should encourage China to switch from coal to natural gas for its power plants, which would cut those emissions in half. "Coal," he writes, "is the filthiest fuel we have." **Meanwhile, the West waits for a silver bullet**, possibly a geo-engineering solution that would make global warming go away by reflecting sunlight back into space, or fertilizing the oceans so they could absorb more carbon dioxide, or something we haven't even heard about. **Don't expect it anytime soon.** It would take a bold, and perhaps foolish, nation to take over the complex systems that control the planet's weather patterns. That's sort of what we did beginning with the Industrial Revolution. Now we have to live with it. So maybe Knight and Harrison are right. It's time to pay more attention to how we are going to handle changes to our planet that seem inevitable. We can fight global warming and try to mitigate the consequences, but it isn't going to go away.

### Heg Adv

Codifiying norms doesn’t solve – no causal claims

**Hegemony isn’t key anymore. Rivalry, stability, and deterrence claims are all false**

**Friedman 10**—research fellow in defense and homeland security, Cato. PhD candidate in pol sci, MIT (Ben, Military Restraint and Defense Savings, 20 July 2010, http://www.cato.org/testimony/ct-bf-07202010.html)

Another argument for high military spending is that U.S. military hegemony underlies global stability. Our forces and alliance commitments dampen conflict between potential rivals like China and Japan, we are told, preventing them from fighting wars that would disrupt trade and cost us more than the military spending that would have prevented war. The theoretical and empirical foundation for this claim is weak. It overestimates both the American military's contribution to international stability and the danger that instability abroad poses to Americans. In Western Europe, U.S. forces now contribute little to peace, at best making the tiny odds of war among states there slightly more so.7 Even in Asia, where there is more tension, the history of international relations suggests that without U.S. military deployments potential rivals, especially those separated by sea like Japan and China, will generally achieve a stable balance of power rather than fight. In other cases, as with our bases in Saudi Arabia between the Iraq wars, U.S. forces probably create more unrest than they prevent. Our force deployments can also generate instability by prompting states to develop nuclear weapons. Even when wars occur, their economic impact is likely to be limited here.8 By linking markets, globalization provides supply alternatives for the goods we consume, including oil. If political upheaval disrupts supply in one location, suppliers elsewhere will take our orders. Prices may increase, but markets adjust. That makes American consumers less dependent on any particular supply source, undermining the claim that we need to use force to prevent unrest in supplier nations or secure trade routes.9 Part of the confusion about the value of hegemony comes from misunderstanding the Cold War. People tend to assume, falsely, that our activist foreign policy, with troops forward supporting allies, not only caused the Soviet Union's collapse but is obviously a good thing even without such a rival. Forgotten is the sensible notion that alliances are a necessary evil occasionally tolerated to balance a particularly threatening enemy. The main justification for creating our Cold War alliances was the fear that Communist nations could conquer or capture by insurrection the industrial centers in Western Europe and Japan and then harness enough of that wealth to threaten us — either directly or by forcing us to become a garrison state at ruinous cost. We kept troops in South Korea after 1953 for fear that the North would otherwise overrun it. But these alliances outlasted the conditions that caused them. During the Cold War, Japan, Western Europe and South Korea grew wealthy enough to defend themselves. We should let them. These alliances heighten our force requirements and threaten to drag us into wars, while providing no obvious benefit.

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**Limits kill the activity**

**Rowland 84 -** (Robert C., Baylor U., “Topic Selection in Debate”, American Forensics in Perspective. Ed. Parson, p. 53-4)

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

#### And the WPR’s definition should be the most predictable – that phrase is specifically linked to the WPR in judicial interpretation

**Friedman, 99 –** US District Court Judge (TOM CAMPBELL, et al., Plaintiffs, v. WILLIAM JEFFERSON CLINTON, President of the United States, Defendant. Civil Action No. 99-1072 (PLF) UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA 52 F. Supp. 2d 34; 1999 U.S. Dist. LEXIS 8630 June 8, 1999, Decided, lexis)

Finally, the War Powers Resolution explicitly provides that authority to introduce forces into hostilities shall not be inferred "from any provision of law . . . including any provision contained in any appropriations Act, unless such provision specifically authorizes the introduction of United States Armed Forces into hostilities or into such situations and states that it is intended to constitute specific statutory authorization within the meaning of [the War Powers Resolution]," or "from any treaty . . . unless such [\*\*6] treaty is implemented by legislation specifically authorizing the introduction of United States [\*37] Armed Forces into hostilities or into such situations and stating that it is intended to constitute specific statutory authorization within the meaning of [the War Powers Resolution]." 50 U.S.C. § 1547(a) (emphasis added).

#### Restrictions on war powers could include restrictions on any weapons system – nuclear weapons, land mine bans, cluster bombs, chemical weapons – it’s why we need a ‘human’ limit

**Lobel, 8** - Professor of Law, University of Pittsburgh Law School (Jules, “Conflicts Between the Commander in Chief and Congress: Concurrent Power over the Conduct of War” 392 OHIO STATE LAW JOURNAL [Vol. 69:391, <http://moritzlaw.osu.edu/students/groups/oslj/files/2012/04/69.3.lobel_.pdf>)

The third theory—based on the distinction between general rules and specific tactics—also has surface appeal, but is unworkable when applied to specific issues because the line between policy and tactic is too amorphous and hazy to be useful in real world situations. For example, how does one decide whether the use of waterboarding as a technique of interrogation is a policy or specific tactic? Even if it is arguably a specific tactic, Congress could certainly prohibit that tactic as antithetical to a policy prohibiting cruel and inhumane treatment. So too, President Bush’s surge strategy in Iraq could be viewed as a tactic to promote a more stable Iraq, or as a general policy which Congress should be able to limit through use of its funding power. Congress can limit tactical decisions to use particular weapons such as chemical weapons, nuclear weapons, or cluster bombs by forbidding the production or use of such weapons, or simply refusing to fund them.42 Congress could also, however, enact more limited and specific restrictions to prohibit the use of nuclear weapons or land mines in a particular conflict or even a particular theater of war. Indeed, most specific tactics could be permitted or prohibited by a rule. In short, the distinctions between strategies and tactics, rules and detailed instructions, or policies and tactics are simply labels which are virtually indistinguishable. Labeling an activity with one of these terms is largely a distinction without a difference. Accordingly, these labels are not helpful to the real problem of determining the respective powers of Congress and the President.43

### 2nc Heg

**Counterbalancing empirically doesn’t happen – countries can’t match us and use other measures instead**

**Ikenberry et al, 13** – G. John, Alberg G. Milbank Professor of Politics and International Affairs at Princeton, with Stephen G. Brooks, associate professor of government at Dartmouth and William C. Wohlforth, Daniel Webster Professor of Government at Dartmouth (“Lean Forward,” Foreign Affairs, Jan/Feb 2013, Print)**Red**

UNBALANCED One such alleged cost of the current grand strategy is that, in the words of the political scientist Barry Posen, it "prompts states to balance against U.S. power however they can." Yet there is no evidence that countries have banded together in anti-American alliances or tried to match the United States' military capacity on their own -- or that they will do so in the future. Indeed, it's hard to see how the current grand strategy could generate true counterbalancing. Unlike past hegemons, the United States is **geographically isolated**, which means that it is far less threatening to other major states and that it faces no contiguous great-power rivals that could step up to the task of balancing against it. Moreover, any competitor would have a hard time matching the U.S. military. Not only is the United States so far ahead militarily in both **quantitative and qualitative terms**, but its **security guarantees** also give it the leverage to prevent allies from giving military technology to potential U.S. rivals. Because the United States dominates the high-end defense industry, it can trade access to its defense market for allies' agreement not to transfer key military technologies

**STOP**

to its competitors. The embargo that the United States has convinced the EU to maintain on military sales to China since 1989 is a case in point. If U.S. global leadership were prompting balancing, then one would expect actual examples of pushback -- especially during the administration of George W. Bush, who pursued a foreign policy that seemed particularly unilateral. Yet since the Soviet Union collapsed, **no major powers have tried to balance** against the United States by seeking to match its military might or by assembling a formidable alliance; the prospect is simply too daunting. Instead, they have resorted to what scholars call "**soft balancing**," **using international institutions** and norms to constrain Washington. Setting aside the fact that soft balancing is a slippery concept and difficult to distinguish from everyday diplomatic competition, it is wrong to say that the practice only harms the United States. Arguably, as the global leader, the United States benefits from employing soft-balancing-style leverage more than any other country. After all, today's rules and institutions came about under its auspices and largely **reflect its interests**, and so they are in fact tailor-made for soft balancing by the United States itself. In 2011, for example, Washington coordinated action with several Southeast Asian states to oppose Beijing's claims in the South China Sea by pointing to established international law and norms.

**Threats to heg are inflated and wrong – its inevitable**

**Zenko and Cohen, 12** - \*Micah, Fellow in the Center for Preventive Action at the Council on Foreign Relations, and \*\*Michael A., Fellow at the Century Foundation (“Clear and Present Safety: The United States Is More Secure Than Washington Thinks,” Foreign Affairs, March/April 2012)**Red**

Within the foreign policy elite, there exists a pervasive belief that the post–Cold War world is a treacherous place, full of great uncertainty and grave risks. A 2009 survey conducted by the Pew Research Center for the People and the Press found that 69 percent of members of the Council on Foreign Relations believed that for the United States at that moment, the world was either as dangerous as or more dangerous than it was during the Cold War. Similarly, in 2008, the Center for American Progress surveyed more than 100 foreign policy experts and found that 70 percent of them believed that the world was becoming more dangerous. Perhaps more than any other idea, this belief shapes debates on U.S. foreign policy and frames the public’s understanding of international affairs. **There is just one problem. It is simply wrong.** The world that the United States inhabits today is a **remarkably safe and secure** place. It is a world with fewer violent conflicts and greater political freedom than at virtually any other point in human history. All over the world, people enjoy longer life expectancy and greater economic opportunity than ever before. The United States faces **no plausible existential threats**, **no great-power rival, and no near-term competition for the role of global hegemon.** The U.S. military is the world’s most powerful, and even in the middle of a sustained downturn, the U.S. economy remains among one of the world’s most vibrant and adaptive. Although the United States faces a host of international challenges, they pose little risk to the overwhelming majority of American citizens and can be managed with existing diplomatic, economic, and, to a much lesser extent, military tools. This reality is barely reflected in U.S. national security strategy or in American foreign policy debates. President Barack Obama’s most recent National Security Strategy aspires to “a world in which America is stronger, more secure, and is able to overcome our challenges while appealing to the aspirations of people around the world.” Yet that is basically the world that exists today. The United States is the world’s most powerful nation, unchallenged and secure. But the country’s political and policy elite seems unwilling to recognize this fact, much less integrate it into foreign policy and national security decision-making. The disparity between foreign threats and domestic threat-mongering results from a confluence of factors. The most obvious and important is electoral politics. Hyping dangers serves the interests of both political parties. For Republicans, who have long benefited from attacking Democrats for their alleged weakness in the face of foreign threats, there is little incentive to tone down the rhetoric; the notion of a dangerous world plays to perhaps their greatest political advantage. For Democrats, who are fearful of being cast as feckless, acting and sounding tough is a shield against GOP attacks and an insurance policy in case a challenge to the United States materializes into a genuine threat. Warnings about a dangerous world also benefit powerful bureaucratic interests. The specter of looming dangers sustains and justifies the massive budgets of the military and the intelligence agencies, along with the national security infrastructure that exists outside government -- defense contractors, lobbying groups, think tanks, and academic departments. There is also a pernicious feedback loop at work. Because of the chronic exaggeration of the threats facing the United States, Washington overemphasizes military approaches to problems (including many that could best be solved by nonmilitary means). The militarization of foreign policy leads, in turn, to further dark warnings about the potentially harmful effects of any effort to rebalance U.S. national security spending or trim the massive military budget -- warnings that are inevitably bolstered by more threat exaggeration. Last fall, General Norton Schwartz, the U.S. Air Force chief of staff, said that defense cuts that would return military spending to its 2007 level would undermine the military’s “ability to protect the nation” and could create “dire consequences.” Along the same lines, Panetta warned that the same reductions would “invite aggression” from enemies. These are a puzzling statements given that the U.S. defense budget is larger than the **next 14 countries’ defense budgets combined** and that the United States still maintains weapons systems designed to fight an enemy that disappeared 20 years ago. Of course, threat inflation is not new. During the Cold War, although the United States faced genuine existential threats, American political leaders nevertheless hyped smaller threats or conflated them with larger ones. Today, there are no dangers to the United States **remotely resembling** those of **the Cold War** era, yet policymakers routinely talk in the alarmist terms once used to describe superpower conflict. Indeed, the mindset of the United States in the post-9/11 world was best (albeit crudely) captured by former Vice President Dick Cheney. While in office, Cheney promoted the idea that the United States must prepare for even the most remote threat as though it were certain to occur. The journalist Ron Suskind termed this belief “the one percent doctrine,” a reference to what Cheney called the “one percent chance that Pakistani scientists are helping al Qaeda build or develop a nuclear weapon.” According to Suskind, Cheney insisted that the United States must treat such a remote potential threat “as a certainty in terms of our response.” Such hair-trigger responsiveness is rarely replicated outside the realm of national security, even when the government confronts problems that cause Americans far more harm than any foreign threat. According to an analysis by the budget expert Linda Bilmes and the economist Joseph Stiglitz, in the ten years since 9/11, the combined direct and indirect costs of the U.S. response to the murder of almost 3,000 of its citizens have totaled more than $3 trillion. A study by the Urban Institute, a nonpartisan think tank, estimated that during an overlapping period, from 2000 to 2006, 137,000 Americans died prematurely because they lacked health insurance. Although the federal government maintains robust health insurance programs for older and poor Americans, its response to a national crisis in health care during that time paled in comparison to its response to the far less deadly terrorist attacks. Rather than Cheney’s one percent doctrine, what the United States actually needs is a 99 percent doctrine: a national security strategy based on the fact that the United States is a safe and well-protected country and grounded in the reality that the opportunities for furthering U.S. interests far exceed the threats to them. Fully comprehending the world as it is today is the best way to keep the United States secure and resistant to the **overreactions** that **have defined its foreign policy for far too long.** BETTER THAN EVER The United States, along with the rest of the world, currently faces a period of economic and political uncertainty. But consider four long-term global trends that underscore just how misguided the constant fear-mongering in U.S. politics is: the falling prevalence of violent conflict, the declining incidence of terrorism, the spread of political freedom and prosperity, and the global improvement in public health. In 1992, there were 53 armed conflicts raging in 39 countries around the world; in 2010, there were 30 armed conflicts in 25 countries. Of the latter, only four have resulted in at least 1,000 battle-related deaths and can therefore be classified as wars, according to the Uppsala Conflict Data Program: the conflicts in Afghanistan, Iraq, Pakistan, and Somalia, two of which were started by the United States. Today, wars tend to be low-intensity conflicts that, on average, kill about 90 percent fewer people than did violent struggles in the 1950s. Indeed, the first decade of this century witnessed fewer deaths from war than any decade in the last century. Meanwhile, the world’s great powers have not fought a direct conflict in more than 60 years -- “the longest period of major power peace in centuries,” as the Human Security Report Project puts it. Nor is there much reason for the United States to fear such a war in the near future: **no state currently has the capabilities or the inclination to confront the U**nited **S**tates **militarily**.

### 2nc Weaponization

**Space arms control fails – not verifiable, dual use technologies and a crisis could make use necessary.**

**O’Hanlon 11** (Michael, Senior Fellow @ Brookings, Looks like Evan McCarty, “Chapter 21: Balancing U.S. Security Interests in Space,” Part of “Toward a Theory of Spacepower,” Edited by Charles Lutes and Peter Hays, National Defense University Press, <http://www.ndu.edu/press/lib/pdf/spacepower/spacepower.pdf>, EMM)

One type of arms control accord on activities in space would be quite comprehensive, calling for no testing, production, or deployment of ASATs of any kind, based in space or on the ground, at any time; no Earth-attack weapons stationed in space, ever; and formal, permanent treaties codifying these prohibitions. These provisions are in line with those in proposals made by the Chinese and Russian delegations to the UN Conference on Disarmament in Geneva. They also are supported by some traditional arms control proponents who argue that space should be a sanctuary from weaponization and that the Outer Space Treaty already strongly suggests as much.14

These provisions suffer from three main flaws. To begin, it is difficult to be sure that other countries' satellite payloads are not ASATs. This is especially true in regard to microsatellites, which are hard to track. Some have proposed inspections of all payloads going into orbit, but this would not prevent a "breakout," in which a country on the verge of war would simply refuse to continue to abide by the provisions. Since microsats can be tested for maneuverability without making them look like ASATs and are being so tested, it will be difficult to preclude this scenario. A similar problem arises with the idea of banning specific types of experimentation, such as outdoor experiments or flight testing.15 A laser can be tested for beam strength and pointing accuracy as a ballistic missile defense device without being identified as an ASAT. A microsat can be tested for maneuverability as a scientific probe, even if its real purpose is different, since maneuvering microsats capable of colliding with other satellites may have no visible features clearly revealing their intended purpose. Bans on outdoor testing of declared ASAT devices would do little to impede their development.

Second, more broadly, it is not possible to prevent certain types of weapons designed for ballistic missile defense from being used as ASATs. This is in essence a problem of verification. However, the issue is less of verification per se than of knowing the intent of the country building a given system—and ensuring that its intent never changes. The latter goals are unrealistic. Some systems designed for missile defense have inherent ASAT capabilities and will retain them, due to the laws of physics, regardless of what arms control prohibitions are developed, and countries possessing these systems will recognize their latent capabilities.16 For example, the American midcourse missile defense system and the airborne laser would both have inherent capabilities against low Earth orbit (LEO) satellites, if given good information on a satellite's location—easy to obtain—and perhaps some software modifications. The United States could declare for the time being that it will not link these missile defense systems to satellite networks or give them the necessary communications and software capabilities to accept such data. But such restraints, while currently worthwhile as informal, nonbinding measures, are difficult to verify and easy to reverse. Thus, no robust, long-term formal treaty regime should be based on them. Indeed, the problem goes beyond missile defense systems. Even the space shuttle, with its ability to maneuver and approach satellites in low Earth orbit, has inherent ASAT potential. So do any country's nuclear weapons deployed atop ballistic missiles. Explicit testing in ASAT modes can be prohibited, but any prohibition could have limited meaning.

Third, it is not clear that the United States will benefit militarily from an ASAT ban forever. The scenario of a war in the Taiwan Strait is a good example of how, someday, the United States could be put at serious risk by another country's satellites.17 That day is not near, and there are many other possible ways to deal with the worry in the near term besides developing destructive ASATs. But over time, a possible need for such a weapon cannot be ruled out.

**\*\*\*Russia and China are using excuses about the US because it gives them cover for weaponization—arms control will fail and only constrain the US.**

**Stone 2009 --** space strategy planner for the USAF, a former staff member for two US Senators, and Executive Director of a growing Chamber of Commerce (Christopher, “How should we secure our space-based assets as a nation?.”the space review <http://www.thespacereview.com/article/1345/1_>) CMR

At the same, US satellites, military as well as commercial, have been dropping offline in space. There is also the case an Iridium satellite and a defunct Russian satellite colliding in orbit, creating yet another band of space debris in orbit around our planet. All throughout these situations, the United States has been the one nation that has been blamed for developing space weapons and planning to create a sort of “space hegemony” according to one author in *Air and Space Power Journal*. At the UN, the US has been lambasted by Chinese and Russian officials stating that their security is being threatened by the US because of our discussions about space weapons threats to our satellites and the need for increased space situational awareness of our national security and commercial space infrastructure. They also point to the National Space Policy created in 2006 by the Bush Administration as creating the framework to create such a “space hegemony” whereby other nations would cease to have access to space. This is simply not the case. US government officials have stated numerous times, categorically, that there are no space weapons programs being funded by Congress. Yet, the Russians and Chinese both have stated that the only reason they are developing their space weapons is to defend themselves against the US deployment of weapons, weapons that according to many government officials, past and present, are not even being planned, much less deployed. Despite reassurances of quite the opposite, General Popovkin, the Russian Deputy Defense Minister gives the impression that the Russians, while developing their own space weapons systems are just defending their interests. “Russia has always been for non-deployment of weapons in space, but when others are doing this, we cannot be just onlookers, and such work is underway in Russia. This is all I can tell you.” By reading reports in the press such as these, as well as decades of Russian and Chinese open source planning and doctrine papers from their government diplomatic and war colleges, it appears the Russians and Chinese are moving (and have been for many years) towards weaponizing space, but they are blaming the US falsely for doing it first as their excuse. This tactic is called “projection”. Moreover, they are very effectively luring the arms control community into blaming the victim. The United States is dependent on satellites for our security, economy, and our ability to project power around the globe, and they know it. They are no where near as dependent on space as we are and they are knowledgeable of that, too. The Obama Administration must seriously question the wisdom of entering into space arms control agreements of any kind with Russia and China when they may be engaging in a campaign of deception designed to trick the US into signing treaties that leave our space systems and their users completely vulnerable. In other words, **they seek only to constrain US power** and are exploiting the good intentions of the arms control community and the American people to help achieve their ends. This approach is not new, and the Russians and Chinese are counting on the naiveté of the new administration to fall for it. If space arms control measures are adopted, the only option US strategists will have to protect the nation from “illegal” attacks on its space systems will be a transfer of capability from space to terrestrial alternatives and abandoning most of the current security and commercial space sectors. This will result in a significant contraction of the overall national space program and the space industrial base that supports it. **That means job losses and a reduction in America's aerospace industry**—**our most successful economic sector**—at a time when job security is scarce as it is.

**Lasers are the most effective ASATs - we need them for effective weaponization**

**Summers 2k** (Thomas, Major of the USAF, “ HOW IS U.S. SPACE POWER JEOPARDIZED BY AN ADVERSARY’S EXPLOITATION, TECHNOLOGICAL DEVELOPMENTS, EMPLOYMENT AND ENGAGEMENT OF LASER ANTISATELLITE WEAPONS?,” Air Command and Staff College @ Airforce University, April, http://www.au.af.mil/au/awc/awcgate/acsc/00-172.pdf, EMM)

The laser is an excellent ASAT weapon candidate for adversaries to use against space assets. Appendix A gives an in-depth explanation and comparison of why lasers are the most likely ASAT weapons of choice when compared to several other types of directed energy weapon systems. In addition, Appendix B briefly defines and describes a laser and its basic operations. However, for our purposes, after introducing the exploitable, attractive ASAT weapon characteristics of a laser system, this chapter will focus on key laser lethality factors and advanced enabling laser technology developments.

Let’s first consider the laser’s ASAT weapons advantages of directionality, wavelength, modulation, output and speed of delivery.

Coherence and Directionality

Lasers have the key property that their output beam is coherent (extremely consistent) and highly directional. The high coherence of the laser is a manifestation of the regularity—the great predictability in time and space—of the light waves the laser produces.

**STOP**

As for directionality, typical laser beams have beam divergences of less than a milliradian.2 For example, a laser system with a one-meter output beam diameter and a 0.05 milliradian beam divergence would only expand to 25 meters after traveling 500 kilometers (311 miles). Thus, the laser’s advantage as a satellite weapon is that coherence and directionality allows the highly accurate placement of energy on distant targets. Additionally, the beam, whether or not emitting in the visible range of the electromagnetic (EM) spectrum, is difficult to see or detect unless in the line of sight of the beam. The disadvantage is that accurately pointing the beam requires a high degree of control and precision.

Wavelength, Bandwidth and Tunability

Since today’s lasers operate from the ultraviolet to the infrared regions of the EM spectrum, they offer great adaptability for various applications. Lasers are typically described by their wavelength (λ) in microns (μm or 10-6 meters) or nanometers (nm or 10-9 meters). Many lasers produce light of a very narrow band, called bandwidth, around a single, central wavelength that appears as a single, very pure color. For example, the neodymium yttrium aluminum garnet (Nd:YAG) laser, often used as a laser target designator, has a 1064 nm output beam with typical bandwidth of 0.45 nm.3 Some lasers simultaneously operate and emit light on several different wavelengths, such as argon lasers that can emit light at 488 and 514 nm.4 Depending on the application, multi-wavelength discrete emissions may or may not be beneficial to get maximum laser power on target.

Laser tunability, the ability to tune some lasers to flexibly operate over a range of wavelengths, adds great versatility and agility to laser weapons. For example, the tunable solid state titanium sapphire (Ti:S) laser has a tunable wavelength range from 660 to 1180 nm.5 Since laser lethality is strongly wavelength dependent, tunability gives adversaries a great laser weapon advantage in that it is more difficult for the US to employ countermeasures to negate an adversary’s laser ASAT weapons operating over a range of wavelengths rather than at discrete values.

Temporal (Time) Modulation

Laser systems can be designed to operate either continuously (called “continuous wave” or CW) or pulsed. By convention, a laser is usually called CW if the output beam lasts more than 0.25 seconds.6 A pulsed laser is usually characterized by the time of its pulse duration. If a laser is pulsed repeatedly, the pulse repetition frequency (called prf and measured in Hertz) is the period from the beginning of one pulse to the beginning of the next pulse.7 The duty cycle of the laser expresses the percent of the time the laser is emitting and is defined as the product of the pulse duration and prf. For example, a laser with a 25 percent duty cycle means the laser is emitting its beam a quarter of the time it operates. Most military operations use lasers operating CW or with very short, nanosecond pulses. For instance, the Air Force’s Airborne Laser is a CW laser capable of 20 laser “shots” before needing laser fuel resupply, while laser target designators typically emit pulses of 10 nanoseconds in duration and 10 Hertz prfs.8 By carrying their own laser fuel supplies, CW or pulsed lasers can “shoot” many times giving them the advantage of a “deep magazine.”9

Output Power and Energy

As discussed in Appendix B, the laser beam contains energy in the form of electromagnetic radiation delivered by photons. Lasers operating with CW output are usually characterized by the power of the beam measured in Watts (W), while pulsed laser output is characterized by the energy in each pulse measured in Joules (J).10 In addition, pulsed laser output is often characterized by average power for comparison purposes to CW lasers. The output power from CW lasers range from milliwatts (mW) to megawatts (MW). For example, the Mid-Infrared Advance Chemical Laser (MIRACL) is a US megawatt-class, CW, deuterium-fluoride (DF) chemical laser and is routinely used for static and dynamic target vulnerability studies.11 The ability to adjust the power or energy output of a laser system on a target is also an advantage of using lasers to attack satellites due to increased flexibility and versatility.

All of the output power or energy of a laser is concentrated in a small solid angle (area/radius2) due to the narrow beam. A high-power, or weapons-class, laser is a system that attempts to inflict damage on a target or aerospace vehicle by placing a large amount of energy on a small area. The result is a thermal kill, such as weakening and eventual rupture of structural components, ignition or combustion of flammable materials or destruction of thermally sensitive items in critical components.12

Weapons-class lasers operating CW are often preferred over pulsed lasers for military applications, such as laser ASAT weapons, due to the phenomenon known as laser supported combustion (LSC) that occurs when high-powered laser beams strike a target surface.13 As the high-power laser vaporizes surface material from the target, the hot gas can absorb more laser energy. If enough energy is directed onto a target on a short time scale, the hot gas is rapidly ionized, producing a hot, dense plasma. The plasma then absorbs the incident light and virtually shields the target from the beam. LSC is a disadvantage for high-power pulsed lasers and the upper limit for putting laser energy on a target. If incident beam powers above the LSC point are used, then the effect of the laser is further degraded as the LSC develops into a detonation wave and travels up the laser beam to further decouple, or disengage, the laser from the target.14

Speed of Light Delivery

Since all laser beams are electromagnetic radiation, they travel at the speed of light, 3.0 x 108 m/sec. To help put this speed in perspective, light travels about one foot in one nanosecond. Therefore a “laser could attack an object 1,000 kilometers [622 miles] away in 3 thousandths of a second, while a high-speed rifle-bullet, for example, would have to be shot 16 minutes before impact with such a distant target.”15 Since lasers can attack targets at the speed of light, laser beams can engage a single target and then move on to engage other targets almost instantaneously, even if targets are relatively far away. If the target can be detected and tracked visually, then the laser beam can be placed on target and, if sufficient energy is delivered, the desired damage effect can be achieved. This key characteristic is very useful during operations where time is critical and the engagement range of the target, such as a satellite, is very long.

### Warming

**It’s irreversible, but adaptation solves**

**Capuano, 12/31/12** (Julie, “It’s too late to stop global warming, according to top climate scientists,” Science Recorder, http://www.sciencerecorder.com/news/too-late-to-stop-global-warming-according-to-top-climate-scientists/)**Red**

**It’s too late to stop global warming, according to top climate scientists Any possibility of halting the effects of global warming will likely fail**, according to a newly released report. A published report by Johannesburg-based Wits University geoscientist Dr. Jasper Knight and Dr. Stephan Harrison of the University of Exeter in the United Kingdom, finds that government attempts to curtail greenhouse gas emissions over the past decade has largely failed and that **policy makers should seek ways of adapting to a warmer planet.** “At present, governments’ attempts to limit greenhouse-gas emissions through carbon cap-and-trade schemes and to promote renewable and sustainable energy sources **are probably too late to arrest the inevitable trend** of global warming,” the scientists write in a paper published online in the scientific journal, Nature Climate Change. The paper, entitled The Impacts of climate change on terrestrial Earth surface systems, is published in the Perspective section of Nature Climate Change and its argues that recent studies confirm that Earth is experiencing a warming period. The team says data collected by scientists around the world show that despite efforts to limit the emissions of greenhouse gases, few countries have demonstrated success in limiting emissions. According to researchers, climate models remain inadequate for predicting future climate changes, which they argue should serve as an impetuousness for examining possible solutions for addressing changes that may occur. The team said changes to the climate are likely to **disproportionately impact coastal areas**, where policy makers are **already considering contingency plans.** “This is particularly the case in coastal environments, where rocky and sandy coastlines will yield very different responses to climate forcing, and where coastal-zone management plans are usually based on past rather than future climatic patterns,” they argue. While the team urged policy makers to begin considering how to adapt to a warmer world, they did note that additional resources should be devoted to collecting data on how the Earth is managing increased emissions. With that in mind, the scientists said an international coordinated effort is likely needed, a proposal that could cost millions of dollars. “However, monitoring of the response of these systems to climate forcing requires decadal-scale data sets of instrumented basins and under different climatic regimes worldwide. This will require a considerable international science effort as well as commitment from national governments,” said the two scientists. The study comes as the debate over the effects of global warming continue. Policy makers seem to widely agree that curbing emissions is possible, however, opponents to cuts in emissions argue that the economic impact could push the world economy back into recession.

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**food prices impact**

**T-bond crisis causes food price spikes**

**Min 10** – Associate Director for Financial Markets Policy, Center for American Progress (David, "The Big Freeze", 10/28, <http://www.americanprogress.org/issues/2010/10/big_freeze.html)>

A freeze on the debt ceiling could erode confidence in U.S. Treasury bonds in a number of ways, creating further and wider panic in financial markets. First, by causing a disruption in the issuance of Treasury debt, as happened in 1995-96, a freeze would cause investors to seek alternative financial investments, even perhaps causing a run on Treasurys. Such a run would cause the cost of U.S. debt to soar, putting even more stress on our budget, and the resulting enormous capital flows would likely be highly destabilizing to global financial markets, potentially creating more asset bubbles and busts throughout the world.

Second, the massive withdrawal of public spending that would occur would cause significant concern among institutional investors worldwide that the U.S. would swiftly enter a second, very deep, recession, raising concerns about the ability of the United States to repay its debt. Finally, the sheer recklessness of a debt freeze during these tenuous times would signal to already nervous investors that there was a significant amount of political risk, which could cause them to shy away from investing in the United States generally.

Taken together, these factors would almost certainly result in a significant increase in the interest rates we currently pay on our national debt, currently just above 2.5 percent for a 10-year Treasury note. If in the near term these rates moved even to 5.9 percent, the long-term rate predicted by the Congressional Budget Office, then our interest payments would increase by more than double, to nearly $600 billion a year. These rates could climb even higher, if investors began to price in a “default risk” into Treasurys—something that reckless actions by Congress could potentially spark—thus greatly exacerbating our budget problems.

The U.S. dollar, of course, is the world’s reserve currency in large part because of the depth and liquidity of the U.S. Treasury bond market. If this market is severely disrupted, and investors lost confidence in U.S. Treasurys, then it is unclear where nervous investors might go next. A sharp and swift move by investors out of U.S. Treasury bonds could be highly destabilizing, straining the already delicate global economy.

Imagine, for example, if investors moved from sovereign debt into commodities, most of which are priced and traded in dollars. This could have the catastrophic impact of weakening the world’s largest economies while also raising the prices of the basic inputs (such as metals or food) that are necessary for economic growth.

In short, a freeze on the debt ceiling would cause our interest payments to spike, making our budget situation even more problematic, while potentially triggering greater global instability—

perhaps even a global economic depression.

**Prices spikes kill billions and cause global war**

**Brown 7** – Director, Earth Policy Institute, (Lester R., 3-21, <http://www.earth-policy.org/press_room/C68/senateepw07>)

Urban food protests in response to rising food prices in low and middle income countries, such as Mexico, could lead to political instability that would add to the growing list of failing states. At some point, spreading political instability could disrupt global economic progress.

Against this backdrop, Washington is consumed with "ethanol euphoria." President Bush in his State of the Union address set a production goal for 2017 of 35 billion gallons of alternative fuels, including grain-based and cellulosic ethanol, and fuel from coal. Given the current difficulties in producing cellulosic ethanol at a competitive cost and given the mounting public opposition to coal fuels, which are far more carbon-intensive than gasoline, most of the fuel to meet this goal might well have to come from grain. This could take most of the U.S. grain harvest, leaving little grain to meet U.S. needs, much less those of the hundred or so countries that import grain.

The stage is now set for direct competition for grain between the 800 million people who own automobiles, and the world's 2 billion poorest people. The risk is that millions of those on the lower rungs of the global economic ladder will start falling off as rising food prices drop their consumption below the survival level.

**Key to economy**

**It will collapse the US economy**

**McAuliff, 9/18/13** (Michael, “Debt Limit Showdown Could Be Catastrophic For Economy: Analysts” Huffington Post, <http://www.huffingtonpost.com/2013/09/18/debt-limit-showdown_n_3950890.html>)

The House Republican plan to have showdowns over both funding the government and raising the nation's debt limit could have severe consequences for the overall U.S. economy, non-partisan analysts said Wednesday.

The concern surrounding a potential political fight over the country's borrowing cap next month was highlighted prominently by Moody's economist Mark Zandi, a former adviser to Sen. John McCain (R-Ariz.) who testified at a joint congressional hearing Wednesday on "The Economic Costs of Debt-Ceiling Brinkmanship.”

The debt limit, which stands at $16.7 trillion, authorizes the Treasury Department to pay for the spending that has already been authorized by Congress. Treasury officials warned in the spring that they had begun taking extraordinary measures to keep the government's bills paid, and would likely have to default on some payments in mid-October if Congress did not grant borrowing authority that equals the spending it has written into law.

Such a default would be devastating, Zandi warned.

"You need to raise the debt limit. There's no other option," he told lawmakers. "Otherwise, it's disastrous. It's counterproductive to your own goals because it's going to result in a recession, bigger deficits and raise the debt."

House Speaker John Boehner (R-Ohio) argued earlier on Wednesday that the debt limit is often used as a negotiating lever for politicians, and Rep. Sean Duffy (R-Wis.) made the same point during the hearing, asking why Democrats shouldn't be more willing to talk over Republican demands.

Much like Democrats who released their own report on the topic, Zandi noted, however, that in the last showdown over the debt ceiling two years ago, the U.S. government's credit rating was downgraded and the stock market tanked.

"You can only put the gun to your head so many times before someone's going to make a mistake and pull the trigger, and it's to everyone's detriment," Zandi told Duffy.

He gave a crushing summary of the potential impacts of a default.

"If you don't raise the debt limit in time, you will be opening an economic Pandora's box. It will be devastating to the economy," he predicted. "If you don't do it in time, confidence will evaporate, consumer confidence will sharply decline, [as well as] investor confidence, business confidence. Businesses will stop hiring, consumers will stop spending, the stock market will fall significantly in value, borrowing costs for businesses and households will rise."

"We'll be in the middle of a very, very severe recession, and I don't see how we get out of it," he added.

**Default will kill the economy**

**Schwarcz, 8/14/13** – professor of law at Duke, founding director of the Duke Global Capital Markets Center (Steven, “Rollover Risk: Ideating a U.S. Debt Default” SSRN)

A U.S. debt default153 would also have both microeconomic and macroeconomic, or systemic,154 consequences. Observers have argued that a default would likely result in stocks, bonds, and the dollar “plummet[ing] in the immediate aftermath.”155 Credit markets would likely freeze,156 harming both companies and consumers.157 The downgrading of credit ratings on U.S. debt would also make it much more difficult and expensive for the country to borrow.158

Even a mere “technical” default, caused by illiquidity, could harm the real economy.159 The 1979 debt defaults, which were temporarily caused by a federal debt ceiling limit on new borrowings,160 resulted in a 60 basis point increase in the interest rate on Treasury bills161—an increase that appears to be permanent.162 Such a rate increase could also increase the cost of private borrowings. Treasury Secretary Timothy Geithner has observed, for example, that a U.S. debt default would “raise all borrowing costs”163 because “US Treasuries set the benchmark borrowing rate” for private loans.164

Investment bank J.P. Morgan recently issued a report updating the potential economic impact of a technical default. The report assumes that the United States temporarily misses an interest or principal payment on its debt.165 Even if this temporary default does not reflect an actual deterioration of U.S. solvency, it still would “almost certainly have large systemic effects with long-term adverse consequences for Treasury finances and the U.S. economy.”166 At a minimum, the United States would likely see a one percent reduction in gross domestic product (GDP) due to higher interest rates and a likely equity selloff.167 Even worse, the report concluded, the default also “could leave lasting damage in its wake due to a permanent decline in foreign demand [for U.S. Treasury securities], which will likely lead to [continuing] higher borrowing costs and larger deficits.”168

**AT: Syria thumper**

**Our uniqueness accounts for Syria – 1nc Washington Post says that the Syria deferral freed up capital for the debt ceiling – even if Congress is still pissed about Syria, our 1nc fully accounts for it**

**There won’t be a Syria vote – the crisis was averted**

**Pittsburgh Post-Gazette, 9/17**/13 (“SYRIAN SOLUTION?; DIPLOMACY TO END THE WAR STILL HAS A LONG WAY TO GO” lexis)

With the help of adroit diplomacy by the United States and others, the problem of Syria has been moved to a much better state than it was in a week ago.

At the same time, the situation is precarious, with a lot of "ifs" and moving pieces, the equivalent of a close football game in which the home team is ahead by two points but the contest is only in the second quarter.

President Barack Obama is considerably better off. Instead of facing a vote in Congress on attacking Syria -- which he probably would have lost, with unknown but serious consequences -- the issue of what to do about Syrian President Bashar Assad and his regime's possession and possible use of chemical weapons has now been shifted to international diplomacy, first through an agreement reached Saturday between the United States and Russia and then to implementation by the United Nations. That is where it should be, especially according to the U.S. public, who have indicated that they have no taste for another Middle East war, on the heels of the long Iraq war and the longer Afghanistan war now winding down.

Americans' distaste was based on a perception that, in spite of Mr. Obama's claims, no vital U.S. interests were at stake in Syria. They also developed no enthusiasm for U.S. attacks, in spite of advocacy by Sen. John McCain, R-Ariz., the American Israel Public Affairs Committee and some of the Syrian rebel groups.

The list of actions that must occur before anyone, including Mr. Obama, is out of the woods is nonetheless daunting. The Assad government must hand over a list of all its chemical weapons. U.N. inspectors have to see, secure and eventually destroy them, based on a Security Council resolution that has yet to be agreed upon and passed. To seek a transition from a chemical weapons agreement to a satisfactory end to the two-year-old civil war, the Syrian rebels, which include al-Qaida-affiliated groups, must be brought to a negotiating table through a combination of cajolery and military aid.

All this will not be easy, but it is preferable to the human, political and financial cost to the United States of another war. The performance of Secretary of State John F. Kerry so far encourages some optimism that he can, in the end, bring the matter to a successful conclusion for America.

**AT: Capital not key**

**Focus and prioritization matter even if political capital doesn’t exist --- plan can still tradeoff with other priorities**

**Hirsh, 13** --- Chief correspondent (2/7/2013, Michael, “There’s No Such Thing as Political Capital; The idea of political capital—or mandates, or momentum—is so poorly defined that presidents and pundits often get it wrong,” <http://www.nationaljournal.com/magazine/there-s-no-such-thing-as-political-capital-20130207)>)

THE REAL LIMITS ON POWER

**Presidents are limited in what they can do by time and attention span**, of course, **just as much as they are by electoral balances in the House and Senate. But this, too, has nothing to do with political capital**. **Another well-worn meme of recent years was that Obama used up too much political capital passing the health care** law in his first term. But **the real problem was that the plan was unpopular**, the economy was bad, and the president didn’t realize that the national mood (yes, again, the national mood) was at a tipping point against big-government intervention, with the tea-party revolt about to burst on the scene. For Americans in 2009 and 2010—haunted by too many rounds of layoffs, appalled by the Wall Street bailout, aghast at the amount of federal spending that never seemed to find its way into their pockets—government-imposed health care coverage was simply an intervention too far. So was the idea of another economic stimulus. Cue the tea party and what ensued: two titanic fights over the debt ceiling. Obama, like Bush, had settled on pushing an issue that was out of sync with the country’s mood.

Unlike Bush, **Obama did ultimately get his idea passed. But the bigger political problem with health care reform was that it distracted the government’s attention from other issues that people cared about more urgently**, such as the need to jump-start the economy and financial reform. Various congressional staffers told me at the time that their bosses didn’t really have the time to understand how the Wall Street lobby was riddling the Dodd-Frank financial-reform legislation with loopholes. **Health care was sucking all the oxygen out of the room, the aides said**.

**PC key to debt ceiling**

**Political capital is key to avoid making concessions on the debt ceiling**

**Garnham, 9/17/13** (Peter, “Summers not over for dollar strength” Euromoney,

Full article: <http://www.euromoney.com/Article/3255829/Category/16/ChannelPage/0/Summers-not-over-for-dollar-strength.html?single=true&copyrightInfo=true>)

That is because seeking his confirmation in the US Senate could have cost Obama **valuable political capital.** As Geoffrey Yu, strategist at UBS, points out, that could have meant that reaching an agreement on raising the debt ceiling afterwards would have therefore **required even greater concessions from Obama** and created additional fiscal drag on the US economy. Overall, it would seem the ripple effects from Summers’ withdrawal from the race to become Fed chairman and the negative impact on the dollar could disappear quickly.

**Concessions will split the Democratic base and make a deal impossible**

**Cook, 9/17**/13 - Economic and Fiscal Policy Correspondent at National Journal (Nancy, “How Dangerous Is the Rift Among Democrats?” National Journal, <http://www.nationaljournal.com/congress/how-dangerous-is-the-rift-among-democrats-20130917>)

Remember that split among congressional Republicans on fiscal strategy? Well, now it seems the Democrats have the makings of a similar problem.

In recent weeks, congressional D's have been uncharacteristically independent, breaking with their leadership and the Obama administration. First they opposed military action in Syria, warning the president they would deny his request to strike. And then came Larry Summers, who was brought down by a handful of Senate Democrats who let the White House know they would not confirm him as Fed chief.

All this bodes quite poorly for President Obama (and Harry Reid and Nancy Pelosi) as the spending and debt fights approach.

If Obama's advisers take anything away from the Syria and Summers episodes, Capitol Hill aides and lawmakers suggest it should be the message that Democrats are not going to get in line with a budget deal that compromises their liberal positions. No longer should the White House feel free, as it has in the past, to consider tweaks to programs like Medicare or Social Security, for instance (unless, of course, Republicans agree to extract more money from taxpayers).

Reid and one of his primary deputies, Sen. Patty Murray, continue to oppose the "chained CPI" proposal that would change the way government benefits are calculated and make them less generous—one of the ideas the president offered up in past budget negotiations. House Democrats largely are not in favor of one of the president's other previous budget offers—to cut Medicare by $400 billion.

These concessions would be an incredibly hard sell to Democrats during a year where the country's annual deficit continues to fall, says a House Democratic leadership aide.

"A lot of our members were concerned about the drift of the negotiations during the fiscal cliff," the aide said. "Our sense is that any deal this fall would not be as large so there is not as much of a necessity to offer up those items."

The White House hasn't ruled those items out though; it's not really even engaging in the discussion at all yet. If lawmakers start to draw lines in the sand, the president will have fewer tools to use and fewer levers to pull to score a deal that keeps the government running and the United States current on its debt.

**A2 Plan = Capital**

Congressional Democrats fight limits on war powers authority because they see it as weakening Obama and undermining the rest of his agenda

**Hughes, 13** (Brian, “Obama's base increasingly wary of drone program” Washington Examiner, <http://washingtonexaminer.com/obamas-base-increasingly-wary-of-drone-program/article/2520787>)

Since becoming president, Obama has championed and expanded most of the Bush-era terror practices that he decried while running for the White House in 2008.

It's estimated that roughly 2,500 people have died in drone strikes conducted by the Obama administration.

However, most voters have embraced the president's expanded use of drone strikes. A recent Pew survey found 62 percent of Americans approved of the U.S. government's drone campaign against extremist leaders. And some analysts doubted whether Democratic lawmakers would challenged Obama and **risk undermining his second-term agenda.**

"Democrats, they're going to want the president to succeed on domestic priorities and **don't want to do anything to erode his political capital**," said Christopher Preble, vice president for defense and foreign policy studies at the Cato Institute. "It's just so partisan right now. An awful lot of [lawmakers] think the president should be able to **do whatever he wants**."

2nc – losers lose links

Fighting to defend the war power derails the rest of the agenda

**Kriner 10** Douglas L. Kriner (assistant professor of political science at Boston University) “After the Rubicon: Congress, Presidents, and the Politics of Waging War”, University of Chicago Press, Dec 1, 2010, page 68-69.

While congressional support leaves the president’s reserve of political capital intact, congressional criticism saps energy from other initiatives on the home front by forcing the president to expend energy and effort defending his international agenda. Political capital spent shoring up support for a president’s foreign policies is capital that is unavailable for his future policy initiatives. Moreover, any weakening in the president’s political clout may have immediate ramifications for his reelection prospects, as well as indirect consequences for congressional races.59 Indeed, Democratic efforts to tie congressional Republican incumbents to President George W. Bush and his war policies paid immediate political dividends in the 2006 midterms, particularly in states, districts, and counties that had suffered the highest casualty rates in the Iraq War. 60 In addition to boding ill for the president’s perceived political capital and reputation, such partisan losses in Congress only further imperil his programmatic agenda, both international and domestic. Scholars have long noted that President Lyndon Johnson’s dream of a Great Society also perished in the rice paddies of Vietnam. Lacking the requisite funds in a war-depleted treasury and the political capital needed to sustain his legislative vision, Johnson gradually let his domestic goals slip away as he hunkered down in an effort first to win and then to end the Vietnam War. In the same way, many of President Bush’s highest second-term domestic proprieties, such as Social Security and immigration reform, failed perhaps in large part because the administration had to expend so much energy and effort waging a rear-guard action against congressional critics of the war in Iraq.61 When making their cost-benefit calculations, presidents surely consider these wider political costs of congressional opposition to their military policies. If congressional opposition in the military arena stands to derail other elements of his agenda, all else being equal, the president will be more likely to judge the benefits of military action insufficient to its costs than if Congress stood behind him in the international arena.

2nc at: winners win

**PC is finite and the plan is more likely to disrupt Obama’s careful issue selection**

**Eberly, 13** - coordinator of Public Policy Studies and assistant professor in the Department of Political Science at St. Mary's College of Maryland (Todd, Baltimore Sun, “The presidential power trap” <http://articles.baltimoresun.com/2013-01-21/news/bs-ed-political-capital-20130121_1_political-system-george-hw-bush-party-support/2>)

Only by solving the problem of political capital is a president likely to avoid a power trap. Presidents in recent years have been unable to prevent their political capital from eroding. When it did, their power assertions often got them into further political trouble. Through leveraging public support, presidents have at times been able to overcome contemporary leadership challenges by adopting as their own issues that the public already supports. Bill Clinton's centrist "triangulation" and George W. Bush's **careful issue selection** early in his presidency allowed them to secure important policy changes — in Mr. Clinton's case, welfare reform and budget balance, in Mr. Bush's tax cuts and education reform — that at the time received popular approval.

However, short-term legislative strategies may win policy success for a president but do not serve as an antidote to declining political capital over time, as the difficult final years of both the Bill Clinton and George W. Bush presidencies demonstrate. None of Barack Obama's recent predecessors solved the political capital problem or avoided the power trap. It is the central political challenge confronted by modern presidents and one that will likely weigh heavily on the current president's mind today as he takes his second oath of office.

### AT Asteroids

**High-magnitude logic doesn’t apply—asteroid strike is so improbable that we can just ignore it**

**BENNETT 2010** (James, Prof of Economics at George Mason, *The Doomsday Lobby: Hype and Panic from Sputniks, Martians, and Marauding Meteors*, p. 175)

Now, it makes sense for the appropriate agencies to make plans for the evacuation of cities in the event of a levee breaking or a power plant disaster. These “incidents” are plausible, or at least thinkable. Better safe than sorry. A collision with an asteroid or comet, on the other hand, is so highly implausible, so exceedingly unlikely, that “planning” for it is a potent blend of the useless and the expensive. Boosting the DHS’s National Response Plan was Evan R. Seamone, writing in 2004 in the Georgetown International Environmental Law Review. Seamone bemoaned that “Current legal and policy efforts to enable adequate defense against potential asteroid or comet collisions with the earth are insufficient because they are indirectly premised upon theories that require verification of a clear and imminent threat before governmental agencies can act.” In other words, the antediluvian theories that underlay our system and the systems of most other governments of the world require that there be an actual threat before the state is mobilized to meet that threat. Obviously the philosophers who spin such theories never saw Armageddon on DVD. As an alternative for the 21st century, Seamone proposed a “precautionary principle” as the cornerstone of a governmental asteroid defense program. This tenet — which might also be known as the fling-open-the-doors-to-the-Treasury principle — “requires governments to take action to prevent harm even when it is uncertain if, when, or where the harm will occur.”