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#### Obama decreasing drone strikes now

LA Times 13 (5-23-13, "Obama puts restrictions on drone program" LA Times) articles.latimes.com/2013/may/23/world/la-fg-obama-drones-20130524

WASHINGTON — Reining back the aggressive counter-terrorism strategy he has embraced for five years, President Obama declared clear, public restrictions for the first time on using un~~manned~~ [staffed] aircraft to kill terrorists, a shift likely to significantly reduce U.S. drone strikes in Pakistan and elsewhere.

**Risk of nuclear terrorism is real and high now**

**Matthew, et al, 10/2/13** [ Bunn, Matthew, Valentin Kuznetsov, Martin B. Malin, Yuri Morozov, Simon Saradzhyan, William H. Tobey, Viktor I. Yesin, and Pavel S. Zolotarev. "Steps to Prevent Nuclear Terrorism." Paper, Belfer Center for Science and International Affairs, Harvard Kennedy School, October 2, 2013, Matthew Bunn. Professor of the Practice of Public Policy at Harvard Kennedy School andCo-Principal Investigator of Project on Managing the Atom at Harvard University’s Belfer Center for Science and International Affairs. • Vice Admiral Valentin Kuznetsov (retired Russian Navy). Senior research fellow at the Institute for U.S. and Canadian Studies of the Russian Academy of Sciences, Senior Military Representative of the Russian Ministry of Defense to NATO from 2002 to 2008. • Martin Malin. Executive Director of the Project on Managing the Atom at the Belfer Center for Science and International Affairs. • Colonel Yuri Morozov (retired Russian Armed Forces). Professor of the Russian Academy of Military Sciences and senior research fellow at the Institute for U.S. and Canadian Studies of the Russian Academy of Sciences, chief of department at the Center for Military-Strategic Studies at the General Staff of the Russian Armed Forces from 1995 to 2000. • Simon Saradzhyan. Fellow at Harvard University’s Belfer Center for Science and International Affairs, Moscow-based defense and security expert and writer from 1993 to 2008. • William Tobey. Senior fellow at Harvard University’s Belfer Center for Science and International Affairs and director of the U.S.-Russia Initiative to Prevent Nuclear Terrorism, deputy administrator for Defense Nuclear Nonproliferation at the U.S. National Nuclear Security Administration from 2006 to 2009. • Colonel General Viktor Yesin (retired Russian Armed Forces). Leading research fellow at the Institute for U.S. and Canadian Studies of the Russian Academy of Sciences and advisor to commander of the Strategic Missile Forces of Russia, chief of staff of the Strategic Missile Forces from 1994 to 1996. • Major General Pavel Zolotarev (retired Russian Armed Forces). Deputy director of the Institute for U.S. and Canadian Studies of the Russian Academy of Sciences, head of the Information and Analysis Center of the Russian Ministry of Defense from1993 to 1997, section head - deputy chief of staff of the Defense Council of Russia from 1997 to 1998.<http://belfercenter.ksg.harvard.edu/publication/23430/steps_to_prevent_nuclear_terrorism.html>]

I. Introduction **In 2011, Harvard’s Belfer Center** for Science and International Affairs **and the Russian Academy** **of Sciences’** Institute for U.S. and Canadian Studies **published “The U.S. – Russia Joint Threat** **Assessment** on Nuclear Terrorism.” **The assessment analyzed the means, motives, and access of would-be nuclear terrorists**, **and concluded that the threat of nuclear terrorism is urgent and real**. **The Washington and Seoul Nuclear Security Summits in 2010 and 2012 established and demonstrated a consensus among political leaders from around the world that nuclear terrorism poses a serious threat to the peace, security, and prosperity of our planet. For any country, a terrorist** **attack** **with a nuclear device would be an immediate and catastrophic disaster**, **and** the negative effects **would reverberate around the world far beyond the location and moment of the detonation. Preventing a** **nuclear terrorist attack requires** international **cooperation** to secure nuclear materials, especially among those states producing nuclear materials and weapons. As the world’s two greatest nuclear powers, the United States and Russia have the greatest//xperience and capabilities in securing nuclear materials and plants and, therefore, share a special responsibility to lead international efforts to prevent terrorists from seizing such materials and plants. The depth of convergence between U.S. and Russian vital national interests on the issue of nuclear security is best illustrated by the fact that bilateral cooperation on this issue has continued uninterrupted for more than two decades, even when relations between the two countries occasionally became frosty, as in the aftermath of the August 2008 war in Georgia. Russia and the United States have strong incentives to forge a close and trusting partnership to prevent nuclear terrorism and have made enormous progress in securing fissile material both at home and in partnership with other countries. However, to meet the evolving threat posed by those individuals intent upon using nuclear weapons for terrorist purposes, the United States and Russia need to deepen and broaden their cooperation. The 2011 “U.S. - Russia Joint Threat Assessment” offered both specific conclusions about the nature of the threat and general observations about how it might be addressed. This report builds on that foundation and analyzes the existing framework for action, cites gaps and deficiencies, and makes specific recommendations for improvement. “The U.S. – Russia Joint Threat Assessment on Nuclear Terrorism” (The 2011 report executive summary): • **Nuclear terrorism is a real and urgent threat**. Urgent actions are required to reduce the risk. **The risk is driven by the rise of terrorists who seek to inflict unlimited damage, many of whom have sought justification for their plans in radical interpretations of Islam**; **by the spread of information about the decades-old technology of nuclear weapons**; **by the increased availability of weapons-usable nuclear materials; and by globalization, which makes it easier to move people, technologies, and materials across the world.** • **Making a crude nuclear bomb** would not be easy, but **is potentially within the capabilities of a technically sophisticated terrorist group**, **as numerous government studies have confirmed**. Detonating a stolen nuclear weapon would likely be difficult for terrorists to accomplish, if the weapon was equipped with modern technical safeguards (such as the electronic locks known as Permissive Action Links, or PALs). **Terrorists could**, however, **cut open a stolen** **nuclear weapon and make use of its nuclear material for a bomb of their own**. • **The nuclear material for a bomb is small and difficult to detect, making it a major challenge to stop nuclear smuggling or to recover nuclear material after it has been stolen**. Hence, a primary focus in reducing the risk must be to keep nuclear material and nuclear weapons from being stolen by continually improving their security, as agreed at the Nuclear Security Summit in Washington in April 2010. • **Al-Qaeda has sought nuclear weapons for almost two decades**. **The group has repeatedly attempted to purchase stolen nuclear material or nuclear weapons, and has repeatedly attempted to recruit nuclear expertise**. **Al-Qaeda reportedly conducted tests of conventional explosives for its nuclear program in the desert in Afghanistan**. The group’s nuclear ambitions continued after its dispersal following the fall of the Taliban regime in Afghanistan. **Recent writings from top al-Qaeda leadership are focused on justifying the mass slaughter of civilians, including the use of weapons of mass destruction, and are in all likelihood intended to provide a formal religious justification for nuclear use.** While there are significant gaps in coverage of the group’s activities, al-Qaeda appears to have been frustrated thus far in acquiring a nuclear capability; it is unclear whether the the group has acquired weapons-usable nuclear material or the expertise needed to make such material into a bomb. Furthermore, pressure from a broad range of counter-terrorist actions probably has reduced the group’s ability to manage large, complex projects, but has not eliminated the danger. However, **there is no sign the group has abandoned its nuclear ambitions.** On the contrary, **leadership statements as recently as 2008 indicate that the intention to acquire and use nuclear weapons is as strong as ever.**

**SG DA: 2AC**

**Courts will uphold the Canning decision now**

**Lolito and Schuman 1-15**-13 (Michael and Ilyse, staff writers, "United States: Supreme Court Expressed Skepticism Regarding Validity Of President Obama's NLRB Recess Appointments" Mondaq) www.mondaq.com/unitedstates/x/286226/employee+rights+labour+relations/Supreme+Court+Expressed+Skepticism+Regarding+Validity+of+President+Obamas+NLRB+Recess+Appointments+See+more+at+httpwwwlittlercomlaborrelationscounselsupremecourtexpressedskepticismregardingvaliditypresidentobamasnlrbsthashHsPg

**During** Monday's oral arguments of the closely watched case **NLRB v. Noel Canning, several members of the Supreme Court – including those considered the most liberal – took issue with the government's legal justifications in support of** President **Obama's** January 4, 2012 **recess appointments to the National Labor Relations Board.** On January 25, 2013, the D.C. Circuit held in Noel Canning that the appointments of former members Sharon Block, Terence Flynn, and Richard Griffin to the Board while the Senate was holding pro forma sessions were unconstitutional. **While it is always difficult to read the tea leaves during a Supreme Court argument, it appears that there is a good chance that the Court will uphold Noel Canning, placing hundreds of Board decisions in legal limbo.**

**SG is politicized now**

**Simon 12** (Ammon, judicial correspondent, 4-30-12, "Defending the Indefensible" National Review) www.nationalreview.com/bench-memos/297328/defending-indefensible-ammon-simon

**During** Attorney General Eric **Holder’s confirmation hearings,** General **Holder decried the politicization of the Department of Justice**, declaring, “I will work to restore the credibility of a department badly shaken by allegations of improper political interference . . . Under my stewardship, the Department of Justice will serve justice, not the fleeting interests of any political party.” **This echoed a similar theme that** then-senator Barack **Obama sounded on the 2008 campaign trail**; he would not overly politicize the Department of Justice, and “was a constitutional law professor, which means that unlike the current president I actually respect the Constitution.” **The Supreme Court’s oral arguments** last week **in Arizona v. U**nited **S**tates **highlight** one more instance of **how** much the **Obama** administration **has failed at keeping these promises. As** Byron **York asked** on Twitter last week, **is** DOJ’s **Solicitor General** “Donald **Verrilli bad at his job or just burdened by having to defend the indefensible?” Evidence suggests the latter. Arizona revolves around the constitutionality of the** controversial **Arizona immigration statute, that mandates local-police enforcement of federal immigration laws. The administration argued that the law violated the Supremacy Clause, which prohibits state laws that conflict with federal laws.** As John Hinderaker pointed out on Wednesday, **even** Justice **Sotomayor was openly skeptical of the DOJ’s argument**, telling Solicitor General Verrilli to put aside an argument that was “not selling well,” and “try to come up with something else.” Later on, Justice Kennedy wondered if Verrilli was arguing that the “government has a legitimate interest in not enforcing its laws.” Justice Scalia followed up Verrilli’s largely incoherent response by asking if “we have to enforce our laws in a manner that will please Mexico.” **The DOJ’s politicization is becoming a noticeable pattern. Their greatest hits include: Defending the government’s ability to ban books. In** the **Citizens United** oral arguments, **a DOJ lawyer** **claimed that the national government can ban books published by corporations** if they contain political advocacy. The Court was so disturbed that they scheduled a second oral argument, where the DOJ “clarified” their position. **Outright hostility toward religion. In Hosanna-Tabor, the Supreme Court unanimously rejected the DOJ’s argument that, for employment-discrimination cases, “the court’s analysis should be essentially the same whether the employer accused of discrimination was a labor union or a church.”** As my colleague Carrie Severino explained, the DOJ’s position would implicate religious organizations, such as the Catholic Church, that “fire or refuse to hire ministers for ‘illegal’ reasons, such as sex or ethnicity . . .” **Even the liberal justices understood how extreme this position was**; during oral arguments, Justice Scalia characterized the DOJ’s position as “extraordinary,” and Justice Kagan added, “I, too, find that amazing.” **Rejecting judicial review.** As I previously mentioned, **in Sackett v. EPA**, in another unanimous rebuttal, the **Supreme Court rejected the DOJ’s argument that property owners have no right to judicial review of the EPA’s prohibition of certain land uses. Flimsy legal argumentation in pursuit of political ends**. As I’ve noted before, the DOJ pressured the City of St. Paul to drop a challenge to the “disparate impact” standard in Fair Housing Act litigation, for fear that the Court would accept their argument. Elsewhere, **the DOJ filed such a weak case against a pro-life sidewalk counselor that the court fined the DOJ $120,000 for filing the suit in the first place.** The judge was so incensed that he wondered if the DOJ was complicit in the abortion clinic’s use of the law to intimidate the pro-lifer. For the DOJ to waste our taxpayer dollars on a frivolous (and offensive) lawsuit is a disgrace. Some DOJ defeats come with the job — they have to defend statutes to the best of their ability, which can be difficult. This is different. Instead, **the** Eric Holder **DOJ is getting walloped for much stronger and farther-out-of-the-“mainstream” legal positions that are often times not necessary to fulfill their legal duty, or even competently advance their agenda** within the contours of acceptable policy discretion. Hopefully President Obama and the Eric Holder DOJ will stop trying to defend the indefensible, and focus instead on competently enforcing our nation’s laws.

**Partisan involvement doesn’t deplete capital**

Margaret **Meriwether Cordray**, Professor, Law, Capital University and Richard Cordray, Ohio Attorney Genera, “The Solicitor General’s Changing Role in Supreme Court Litigation,” BOSTON COLLEGE LAW REVIEW v. 51 n. 5, 20**10**, p. 1380.

**Participation in social agenda cases is clearly consistent with the Solicitor General’s constitutional role as the President’s advocate. The President’s policy agenda extends well beyond simply ensuring the smooth functioning of law enforcement and the federal bureaucracy, and the Solicitor General’s obligation to represent the President encompasses advocacy of broader policy goals, in light of the President’s independent interpretation of the Constitution**.288 **The more difficult question is whether the Solicitor General’s partisan involvement in social agenda cases draws too deeply on the office’s reservoir of credibility with the justices, thus undermining its advocacy in other cases.**289 **Given how infrequently the Solicitor General has been participating in these cases**, however, **it seems unlikely that it** has (or **will) adversely affect the office’s standing with the Court**.290 Indeed, **these social agenda cases**—which present high-profile issues on culturally sensitive topics—**are easily recognizable. The justices are no doubt aware that the Solicitor General is acting in a different and more partisan capacity in these cases, and they can treat such advocacy accordingly**. 291

**Ideology of justices and argument controls prevent SG influence**

**Hudson 12** (John, writer for the Atlantic, 4-25-12, "It's Not Easy Being Donald Verrilli" The Wire) www.thewire.com/politics/2012/04/its-not-easy-being-donald-verrilli/51578/

The editorializing fits comfortably within the narrative that President Obama's chief lawyer has been whiffing it in the biggest court cases in recent memory. To some extent, criticisms of his performance on health care made sense: As the audio transcripts make clear, Verrilli sounded nervous, had to take water breaks, and repeatedly stuttered and stammered. But delivery is just one, largely overrated aspect of arguing in front of the high court. And **in today's case, Verrilli delivered his arguments without the previous hiccups. What's left is the disposition of the justices themselves**, as The Washington Post's Ezra Klein wrote in March. And **if the justices are in a pre-disposition to accept the direction of the argument from the other side, there's not much Verrilli can do.** In today's case, not only were the conservatives against him, but so was liberal justice Sonya Sotomayor. At one point, when Justice Antonin Scalia argued that Verrilli's point smacked of a racial profiling argument, something Verrilli pledged he would not argue, Sotomayor stepped in. "You can see it's not selling very well,” she said. “I’m terribly confused by your answer.” Chief Justice John **Roberts and** Justice **Scalia were** also **hostile to Verrilli's remarks**. “It seems to me the federal government just doesn’t want to know who’s here illegally,” said Roberts. **It's** a bit **unfair to blame Verrilli for the way the justices already feel about the case.** Additionally, **it's wrong to solely blame Verrilli for the way the case is framed**. This was a point Newsweek's Einer Elhauge made well last time around and it's worth making again. "**The solicitor general had a tough time defending the health-care law ... but the government didn't do him any favors** in the months before the Supreme showdown," he wrote. In essence, **Verrilli was limited by what the government would permit him to argue and what its going-in strategy was.** According to Elhauge, the government let the health care law's challenger's frame the debate, as an unprecedented overreach of federal power, instead of opting for an alternative framework. "**Had the government more squarely attacked the challengers' framing of the case months ago, it would have been much clearer to everyone why this case is not at all about a fundamental change in the relationship of individual to government," he wrote.** So maybe spare some sympathy for Verrilli?

**Verrilli is incompetent**

**Hudson 12** (John, journalist, 3-27-12, "The Guy Who Choked in Front of the Supreme Court" The Wire) www.thewire.com/politics/2012/03/guy-who-choked-front-supreme-court/50411/

**Solicitor General** Donald **Verrilli has become the left's fall guy for wilting like a flower in front of the Supreme Court** today while defending the Obama administration's individual mandate, a key provision of the Democrats' health reform bill. **Until today, conventional wisdom held that the court would uphold** **ObamaCare's** individual **mandate** by a close 5-4 vote. **But Verrilli's bruising performance** in front of conservative justices Antonin Scalia, Samuel Alito and others **has transformed the media calculus** and observers are letting him know it. "Reading the transcript of today's Supreme Court hearing, it suddenly hit me: **Donald Verrilli is the new Billy Cundiff**," tweeted The New Yorker's Alex Koppelman, in a reference to the star-crossed Baltimore Ravens placekicker. Offering up an alternative sports analogy, The Huffington Post's Jason Linkins tweeted "Donald B**. Verrilli,** Jr. **is** apparently **the JaVale McGee of Solicitor Generals**," referring to the Denver Nuggets' troubled center. Remarking on his cadence, The Atlanta Journal-Constitution's Jamie **Dupree wrote "from the outset, Verrilli seemed nervous, as he coughed during one of his opening lines, re-started his presentation to the Justices, and then interrupted himself to reach down for a glass of water." He adds, "his voice seemed to warble while he almost stammered at times in a search for words."** The Washington Post's Ezra Klein says like-minded justices even tried to help him out as he struggled along. "You can mark -- p 14 -- when liberal justices decide Verrilli is screwing up and step in," he tweets. "Yup. It's an incredible moment," adds writer Alex Klein. BuzzFeed's Zeke Miller went ahead and spliced together all of his stumbles and stutters, and uploaded it to YouTube.

**Filibuster reform means recess appointments are unnecessary**

**Taylor 11-25**-13 (Steven, "Some Potential Benefits of Filibuster Reform" Outside the Beltway) www.outsidethebeltway.com/some-potential-benefits-of-filibuster-reform/

Ezra Klein noted the following the other day: **One huge effect of filibuster reform:** Obama can actually fire people. This is worth considering, since in the pre-reform period the administration ran the risk of a massive, lengthy vacancy for anyone who was asked to leave. Also, it may induce higher quality candidates to be interested in appointment. Under the pre-reform system a candidate would not only have to go through an exhaustive vetting process, but then wait around for an indefinite amount of time since the appointment could be held up in the Senate indefinitely. For example: the nominee would often have to put their life on hold for months or years as the Senate worked through the obstruction — and, sometimes, the nomination would end in defeat. Republicans filibustered the nomination of Nobel Prize-winning economist Peter Diamond to the Federal Reserve Board for over a year. Eventually, he just gave up, and so the U.S. government lost the service of one of the world’s most brilliant economists. Another point that occurs to me, and that I have not seen discussed as yet: **the change could have an affect on recess appointments. If presidents can be guaranteed a vote on their nominees, this should diminish the rationale for making recess appointments.**

**Obama wants the courts to take the blame**

**Stimson 9**

[09/25/09, Cully Stimson is a senior legal fellow at the Heritage Foundation and an instructor at the Naval Justice School former American career appointee at the Pentagon. Stimson was the Deputy Assistant Secretary of Defense for Detainee Affairs., “Punting National Security To The Judiciary”, http://blog.heritage.org/2009/09/25/punting-national-security-to-the-judiciary/]

**So what is really going on here? To those of us who have either served in senior policy posts and dealt with these issues on a daily basis, or followed them closely from the outside, it is becoming increasingly clear that this administration is trying to create the appearance of a tough national-security policy regarding the detention of terrorists at Guantanamo, yet allow the courts to make the tough calls on releasing the bad guys. Letting the courts do the dirty work would give the administration plausible cover and distance from the decision-making process. The numbers speak for themselves. Of the 38 detainees whose cases have been adjudicated through the habeas process in federal court in Washington, 30 have been ordered released by civilian judges. That is close to an 80 percent loss rate for the government, which argued for continued detention. Yet, how many of these decisions has this administration appealed, knowing full well that many of those 30 detainees should not in good conscience be let go? The answer: one. Letting the courts do it for him gives the president distance from the unsavory release decisions.** It also allows him to state with a straight face, as he did at the Archives speech, “We are not going to release anyone if it would endanger our national security, nor will we release detainees within the United States who endanger the American people**.” No, the president won’t release detainees; he’ll sit back and let the courts to do it for him. And the president won’t seek congressional authorization for prolonged detention of the enemy, as he promised, because it will anger his political base on the Left.** The ultra-liberals aren’t about to relinquish their “try them or set them free” mantra, even though such a policy threatens to put terrorists back on the battlefield. Moreover, the president would have to spend political capital to win congressional authorization for a prolonged detention policy. Obviously, **he would rather spend that capital on other policy priorities.** Politically speaking, **it is easier to maintain the status quo and let the detainees seek release from federal judges. The passive approach also helps the administration close Gitmo without taking the heat for actually releasing detainees themselves.**

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#### Rubin EVD says that is INEVITABLE because Iran will cheat, Iran will not make concessions, and/or the deal will be fatally flawed – Either way, the result is middle east war now - THIS TAKES OUT THE DA

Jennifer Rubin 2/7 Washington Post. “Menendez’s blasts Obama’s Iran policy” 2-7-14 [http://www.washingtonpost.com/blogs/right-turn/wp/2014/02/07/menendezs-blasts-obamas-iran-policy](http://www.washingtonpost.com/blogs/right-turn/wp/2014/02/07/menendezs-blasts-obamas-iran-policy///wyoccd)

The administration has a big problem on Iran. It has for now successfully fended off sanctions, but in doing so it helped forge consensus about the flaws in its approach and set the scene for a major showdown with Congress when, as everyone but Secretary of State John Kerry expects, Iran refuses to agree to even minimal steps to dismantle its nuclear weapons program. In other words, it has set itself up for failure with no back-up plan.Thursday, Sen. Robert Menendez (D-N.J.), denied by his majority leader a vote on a sanctions bill that would pass with more than 70 votes, explained in detail the administration’s gross mishandling of negotiations. It is worth reading in full, but some portions deserve emphasis. After describing in detail the requirements the administration, the United Nations and former administration official Dennis Ross have confirmed are needed to prevent a nuclear-capable Iran, the New Jersey Democrat summed up the flaws in the interim deal:¶ Iran is insisting on keeping core elements of its programs – enrichment, the Arak heavy-water reactor, the underground Fordow facility, and the Parchin military complex. And, while they may be subject to safeguards — so they can satisfy the international community in the short-run – if they are allowed to retain their core infrastructure, they could quickly revive their program sometime in the future. At the same time, Iran is seeking to reverse the harsh international sanctions regimes against them. Bottom line: They dismantle nothing. We gut the sanctions.¶ Directly contradicting Kerry’s assurances, Menendez states:¶ Since the interim deal was signed there was an immediate effort by many nations – including many European nations — to revive trade and resume business with Iran. There have been recent headlines that the Russians may be seeking a barter deal that could increase Iran’s oil exports by 50 percent. That Iran and Russia are negotiating an oil-for-goods deal worth $1.5 billion a month — $18 billion a year – which would significantly boost Iran’s oil exports by 500,000 barrels a day in exchange for Russian goods . . . Iran’s economy is recovering. . . . Sanctions relief — combined with the “open for business sign” that Iran is posting — is paying returns.¶ And as for the potential for sanctions at the end of the six months, Menendez states definitively that this would be too late. It is quite an extraordinary assertion — in essence, that barring a miraculous negotiated solution, we’re now in the mode of “containment,” precisely what the president swore up and down he’d never allow:¶ My legislation – cosponsored by 59 Senators – would simply require that Iran act in good faith, adhering to the implementing agreement, not engage in new acts of terror against American citizens or U.S, property — and not conduct new ballistic missile tests with a range beyond 500 kilometers.¶ The legislation is not the problem. Congress is not the problem. Iran is the problem. We need to worry about Iran, not the Congress. We need to focus on Iran’s long history of deception surrounding its nuclear program and how this should inform our approach to reaching a comprehensive deal. . . .New sanctions are not a spigot that can be turned off-and-on as has been suggested.¶ Even if Congress were to take-up and pass new sanctions at the moment of Iran’s first breach of the Joint Plan of Action, there is a lag time of at least 6 months to bring those sanctions on line — and at least a year for the real impact to be felt.¶ This would bring us beyond the very short-time Iran would need to build a nuclear bomb, especially since the interim agreement does not require them neither to dismantle anything, and freezes their capability as it stands today.¶ So let everyone understand — if there is no deal we won’t have time to impose new sanctions before Iran could produce a nuclear weapon. . . .¶ The simple and deeply troubling fact is — Iran is literally weeks to months away from breakout, and the parameters of the final agreement — laid out in the Joint Plan of Action — do not appear to set Iran’s development-capacity back by more than a few weeks. [Emphasis added.]¶ He concludes, “The concerns I have raised here are legitimate. They are not — as the President’s press secretary has said – ‘war-mongering.’ . . . Iran says it won’t negotiate with a gun to its head. Well, I would suggest it is Iran that has put a nuclear gun to the world’s head. So, at the end of the day, name-calling is not an argument, nor is it sound policy. It is a false choice to say a vote for sanctions is equivalent to war-mongering. . . . The ball is in the Administration’s court, not in Congress’.”¶ So then, in the estimation of the Senate’s Democratic foreign affairs chairman the interim deal is fatally flawed, a final deal must achieve things Iran has no intention of giving us and it will be too late to pass sanctions in six months. He has in essence accused the president of setting us on a road to containment since the president and Senate Majority Leader Harry Reid will not permit a sanctions vote that is the last hope to bring Iran to heel.¶ I wonder what the point of the speech really was. Does he think Reid will bend? Does he have more Democrats on board to force a vote? Does he think sanctions proponents will say, ‘What a nice speech. He’ll be on the ball when the talks fail“? (But Menendez’s entire point was when the talks fail, it will be too late.)¶ In six-months, when the talks fail and/or another six-months are declared necessary for a deal, Congress then can try to restart sanctions, I suppose. But Menendez says that won’t be effective. The alternative is accepting a nuclear-capable Iran or an Israeli military strike. The latter is becoming the most likely scenario if Menendez’s assessment of the timeline is correct. Obama will therefore have brought about the one thing he was desperate to avoid — a Middle East war.

#### Court don’t link—gitmo-specific

Stimson 9

[09/25/09, Cully Stimson is a senior legal fellow at the Heritage Foundation and an instructor at the Naval Justice School former American career appointee at the Pentagon. Stimson was the Deputy Assistant Secretary of Defense for Detainee Affairs., “Punting National Security To The Judiciary”, http://blog.heritage.org/2009/09/25/punting-national-security-to-the-judiciary/]

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#### Court legitimacy shields

Pacelle 02 Richard L. Pacelle, Associate Professor, Political Science, University of Missouri-St. Louis, THE ROLE OF THE SUPREME COURT IN AMERICAN POLITICS, 2002, p. 102.

The limitations on the Court are not as significant as they once seemed. They constrain the Court, but the boundaries of those constraints are very broad. Justiciability is self-imposed and seems to be a function of the composition of the Court rarther than a philosophical position. Checks and balances are seldom successfully invoked against the judiciary, in part because the Court has positive institutional resource to justify its decision. The Supreme Court has a relatively high level of diffuse support that comes, in part, from a general lack of knowledge by the public and that contributes to its legitimacy. The cloak of the Constitution and the symbolism attendant to the marble palace and the law contribute as well. As a result, presidents and the Congress should pause before striking at the Court or refusing to follow its directives. Indeed, presidents and members of Congress can often use unpopular Court decisions as political cover. They cite the need to enforce or support such decision even though they disagree with them. In the end, the institutional limitations do not mandate judicial restraint, but turn the focus to judicial capacity, the subject of the next chapter.

#### The decision won’t be announced till spring, after the DA

SCOTUS 12 (Supreme Court of the United States, 7/25/2012 “The Court and Its Procedures,”

http://www.supremecourt.gov/about/procedures.aspx, Accessed 7/25/2012, rwg)

The Court maintains this schedule each Term until all cases ready for submission have been heard and decided. In May and June the Court sits only to announce orders and opinions. The Court recesses at the end of June, but the work of the Justices is unceasing. During the summer they continue to analyze new petitions for review, consider motions and applications, and must make preparations for cases scheduled for fall argument.

**Obama waiver solves—Congress won’t void**

Patrick **Clawson**, Washington Institute for Near East Policy,” Sanctions Relief for Iran without Congressional Approval,” **10—17**—13,

www.washingtoninstitute.org/policy-analysis/view/sanctions-relief-for-iran-without-congressional-approval

While the president may have to pay a heavy political price for not enforcing a given law, some in **Congress might prefer that the** **White House bear** that **responsibility**. In the case of Iran, **such an approach could allow Washington to reach a nuclear accord without Congress having to vote** on rescinding, even temporarily or conditionally, certain sanctions. **No matter how stiff** and far-reaching **sanctions may be** as embodied **in** U.S. **law, they** would **have less bite if the administration stopped enforcing them.** For instance, the **Obama** administration **could turn a blind eye** by following the ILSA precedent, claiming that it is unable to verify press reports that a particular country is purchasing Iranian oil. Or **it could take a** more **subtle approach** by simply **easing** up on its **enforcement** efforts. Implementing the many Iran sanctions has required much work to ferret out front companies, and the resources currently being committed represent a drastic increase from past years (e.g., a 2007 Government Accountability Office report criticized OFAC for opening more investigations and imposing more penalties on individuals found carrying Cuban cigars at U.S. airports than for violations of Iran sanctions). If the administration were to scale back the resources devoted to enforcing these sanctions, they would be less effective. To be sure, major businesses have changed their internal procedures and norms to comply with sanctions rules over the past decade. Given the large fines imposed for past violations, they may be hesitant to test U.S. laws against doing business with Iran even if the administration relaxes its enforcement efforts.

#### Issues are compartmentalized

Dickenson 09   Presidential Power, A NonPartisan Analysis of Presidential Politics . “Sotomayor, Obama and Presidential Power” May 26, 2009 by Matthew Dickinson Categories: Uncategorized http://blogs.middlebury.edu/presidentialpower/2009/05/26/sotamayor-obama-and-presidential-power/

What is of more interest to me, however, is what her selection reveals about the basis of presidential power. Political scientists, like baseball writers evaluating hitters, have devised numerous means of measuring a president’s influence in Congress. I will devote a separate post to discussing these, but in brief, they often center on the creation of legislative “box scores” designed to measure how many times a president’s preferred piece of legislation, or nominee to the executive branch or the courts, is approved by Congress. That is, how many pieces of legislation that the president supports actually pass Congress? How often do members of Congress vote with the president’s preferences? How often is a president’s policy position supported by roll call outcomes? These measures, however, are a misleading gauge of presidential power – they are a better indicator of congressional power. This is because how members of Congress vote on a nominee or legislative item is rarely influenced by anything a president does. Although journalists (and political scientists) often focus on the legislative “endgame” to gauge presidential influence – will the President swing enough votes to get his preferred legislation enacted? – this mistakes an outcome with actual evidence of presidential influence. Once we control for other factors – a member of Congress’ ideological and partisan leanings, the political leanings of her constituency, whether she’s up for reelection or not – we can usually predict how she will vote without needing to know much of anything about what the president wants. (I am ignoring the importance of a president’s veto power for the moment.) Despite the much publicized and celebrated instances of presidential arm-twisting during the legislative endgame, then, most legislative outcomes don’t depend on presidential lobbying. But this is not to say that presidents lack influence. Instead, the primary means by which presidents influence what Congress does is through their ability to determine the alternatives from which Congress must choose. That is, presidential power is largely an exercise in agenda-setting – not arm-twisting. And we see this in the Sotomayer nomination. Barring a major scandal, she will almost certainly be confirmed to the Supreme Court whether Obama spends the confirmation hearings calling every Senator or instead spends the next few weeks ignoring the Senate debate in order to play Halo III on his Xbox. That is, how senators decide to vote on Sotomayor will have almost nothing to do with Obama’s lobbying from here on in (or lack thereof). His real influence has already occurred, in the decision to present Sotomayor as his nominee.

### XO

#### Multiple congressional restrictions block—only court action solves

Rosenberg 12 (Carol, 1-9-12, "Congress, rules keep Obama from closing Guantanamo Bay" The Miami Herald) www.mcclatchydc.com/2012/01/09/135179/congress-rule-keep-obama-from.html#.UjXQNcasiSo

The last two prisoners to leave the U.S. detention center at Guantánamo Bay were dead. On February 1, Awal Gul, a 48-year-old Afghan, collapsed in the shower and died of an apparent heart attack after working out on an exercise machine. Then, at dawn one morning in May, Haji Nassim, a 37-year-old man also from Afghanistan, was found hanging from bed linen in a prison camp recreation yard. In both cases, the Pentagon conducted swift autopsies and the U.S. military sent the bodies back to Afghanistan for traditional Muslim burials. These voyages were something the Pentagon had not planned for either man: Each was an “indefinite detainee,” categorized by the Obama administration’s 2009 Guantánamo Review Task Force as someone against whom the United States had no evidence to convict of a war crime but had concluded was too dangerous to let go. Today, this category of detainees makes up 46 of the last 171 captives held at Guantánamo. The only guaranteed route out of Guantánamo these days for a detainee, it seems, is in a body bag. The responsibility lies not so much with the White House but with Congress, which has thwarted President Barack Obama’s plans to close the detention center, which the Bush administration opened on Jan. 11, 2002, with 20 captives. Congress has used its spending oversight authority both to forbid the White House from financing trials of Guantánamo captives on U.S. soil and to block the acquisition of a state prison in Illinois to hold captives currently held in Cuba who would not be put on trial — a sort of Guantánamo North. The latest defense bill adopted by Congress moved to mandate military detention for most future al Qaida cases. The White House withdrew a veto threat on the eve of passage, and then Obama signed it into law with a “signing statement” that suggested he could lawfully ignore it. On paper, at least, the Obama administration would be set to release almost half the current captives at Guantánamo. The 2009 Task Force Review concluded that about 80 of the 171 detainees now held at Guantánamo could be let go if their home country was stable enough to help resettle them or if a foreign country could safely give them a new start. But Congress has made it nearly impossible to transfer captives anywhere. Legislation passed since Obama took office has created a series of roadblocks that mean that only a federal court order or a national security waiver issued by Secretary of Defense Leon Panetta could trump Congress and permit the release of a detainee to another country.

#### Bureaucracy prevents implementation of an executive order

Rosenberg 12 (Carol, 1-9-12, "Congress, rules keep Obama from closing Guantanamo Bay" The Miami Herald) www.mcclatchydc.com/2012/01/09/135179/congress-rule-keep-obama-from.html#.UjXQNcasiSo

Lastly, Obama’s executive order to close Guantánamo was undone by the burdensome bureaucracy of the task force, which sought to sort each captive’s Bush-era file. Each detainee’s case file contained competing and often contradictory assessments from the Defense Intelligence Agency, the Pentagon’s Office of Military Commissions, the Department of Justice, and myriad other offices, bogging down the review process. Time ran out before the task force could settle on a master plan to move the detainees out of Guantánamo in time for Obama’s one-year deadline. Now it’s the war court — the military commissions that the Bush administration created to hear war crimes cases at Guantánamo, which were reformed by Obama through legislation — or nothing. And only two cases, both proposing military executions, are currently slated to go before the Guantánamo tribunals: those for the 9/11 attacks and for the October 2000 bombing of the U.S.S. Cole. To date, the war court has produced six convictions, four of them through guilty pleas in exchange for short sentences designed to get the detainees out of Guantánamo within a couple of years. Still, in the Kafkaesque world of military detention, neither an acquittal at the war court nor even a completed sentence guarantees that a detainee gets to leave Guantánamo. Once convicted, a captive is separated from the other detainees to serve his sentence on a different cellblock. (Four are there today, only one serving life.) Once that sentence is over, as both the Bush and Obama administrations have outlined detention policy, the convict can then be returned to the general population at Guantánamo as an “unprivileged enemy belligerent.” The doctrine has yet to be challenged. But if Ibrahim al Qosi, a 51-year-old Sudanese man convicted for working as a cook in an al Qaida compound in Kandahar, does not go home when his sentence expires this year, his lawyers are likely to turn to the civilian courts to seek a release order. Guantánamo has largely faded from public attention. There is little reason to expect it to emerge as an issue in the upcoming presidential campaign season beyond the usual finger-pointing and slogans: Obama may blame Congress for cornering him into keeping the captives at Guantánamo rather than moving them somewhere else, and his opponents will no doubt argue that, by virtue of his wanting to close the facility in the first place, Obama is soft on terrorism. (“My view is we ought to double it,” Mitt Romney said about Guantánamo in a 2007 debate.) Meanwhile, the detention center enters its 11th year on January 11. Guantánamo is arguably the most expensive prison camp on earth, with a staff of 1,850 U.S. troops and civilians managing a compound that contains 171 captives, at a cost of $800,000 a year per detainee. Of those 171 prisoners, just six are facing Pentagon tribunals that may start a year from now after pretrial hearings and discovery. Guantánamo today is the place that Obama cannot close.

#### Links to politics

Miles 13 (Chris, editor and writer for major media outlets including the Associated Press, January 2013, "An Obama Gun Control Executive Order Could Sink the President's Favorability" Policy Mic) www.policymic.com/articles/23296/an-obama-gun-control-executive-order-could-sink-the-president-s-favorability

An Obama Gun Control Executive Order Could Sink the President's Favorability Could Obama be wasting valuable political capital by issuing an executive order on gun control? If Obama acts unilaterally on gun control, the event will likely fire-up conservatives and pro-gun advocates, calling out the president for failing to use the legislative process. The conservative Drudge Report compared executive action to dictators Hitler and Stalin. The backlash could be immense and could cost Obama leverage in future political battles, most notably the coming debt ceiling fight next month. Obama has often pulled the "popular mandate" card, saying that his re-election in November proves the American people are behind him ... almost unconditionally. But what do the American people really think about the gun debate. Well, for starters, just 4% of Americans identify guns as the nation's top problem, per Gallup. Based on that alone, Obama may think twice about pushing popcorn policies that will only splash onto headlines and divide Americans. Any executive action could even hurt his favorability rating, and by extension his ability to negotiate in the future.

**Executive orders are not enforced and will get rolled back**

Richard Wolf, citing Paul Light, professor of public service, “Obama Uses Executive Powers to Get Past Congress,” USA TODAY, 10—27—11, www.usatoday.com/news/washington/story/2011-10-26/obama-executive-orders/50942170/1, accessed 7-18-12.

On all three initiatives, Obama used his executive authority rather than seeking legislation. That limited the scope of his actions, but it enabled him to blow by his Republican critics. "It's the executive branch flexing its muscles," presidential historian and author Douglas Brinkley says. "President Obama's showing, 'I've still got a lot of cards up my sleeve.'" The cards aren't exactly aces, however. Unlike acts of Congress, executive actions cannot appropriate money. And they **can be wiped off the books** by courts, Congress or the next president. Thus it was that on the day after Obama was inaugurated, he revoked one of George W. Bush's executive orders limiting access to presidential records. On the very next day, Obama signed an executive order calling for the Guantanamo Bay military detention facility in Cuba to be closed within a year. **It remains open** today. Harry Truman's federal seizure of steel mills was invalidated by the Supreme Court. George H.W. Bush's establishment of a limited fetal tissue bank was blocked by Congress. Bill Clinton's five-year ban on senior staff lobbying former colleagues was lifted eight years later — by Clinton. "**Even presidents sometimes reverse themselves**," says Paul Light, a professor of public service at New York University. "Generally speaking, it's more symbolic than substantive."

### Defer Add-On: Nuclear Accidents 2AC

#### Deference causes nuclear accidents

Yap 04 [Julie G., JD Cand @ Fordham, “Just Keep Swimming: Guiding Environmental Stewardship out of the Riptide of National Security,” 73 Fordham L. Rev. 1289, December, LN//uwyo-ajl]

The U.S. Supreme Court's opinion in Weinberger v. Catholic Action, a case in which the Court rejected a NEPA challenge to a Navy construction project, illustrates the degree of judicial deference afforded to the military when the issue of national security is invoked. In Catholic Action, the Navy built forty-eight earth-covered magazines on Hawaii that had capabilities for storing nuclear weapons. Actual nuclear storage at the site could not be confirmed due to classification for national security reasons. No EIS was prepared. "A local citizens' group ... filed suit calling for an EIS that would analyze: (1) the risk and consequences of a nuclear accident, (2) the effect of a plane from nearby Honolulu International Airport crashing into one of the magazines, and (3) the hazard to local residents from low-level radiation." The U.S. Court of Appeals for the Ninth Circuit had ordered that the Navy prepare a hypothetical EIS for a facility capable of storing nuclear weapons. The Supreme Court held that an EIS was not required because the Navy was only contemplating storing nuclear weapons at the site; nuclear storage was not actually proposed. The Court also stated that "ultimately, whether or not the Navy has complied with NEPA "to the fullest extent possible' is beyond judicial scrutiny" because the trial would ultimately lead to the disclosure of confidential information. Given this level of judicial deference to military secrecy, the invocation of national security by the military would almost always eliminate NEPA's effectiveness as a check on the military's decision-making process, even when the proposals and decisions may involve major risks to the community and the environment where the proposed action is to occur.

#### Nuclear meltdowns will destroy all life

Wasserman 02 [Harvey, senior advisor to Greenpeace USA and the Nuclear Information & Resource Service “Nuclear Power and Terrorism,” Earth island Journal Spring 2002 Vol. 17, No.1//delo-uwyo]

As at Three Mile Island, where thousands of farm and wild animals died in heaps, natural ecosystems would be permanently and irrevocably destroyed. Spiritually, psychologically, financially and ecologically, our nation would never recover. This is what we missed by a mere 40 miles on September 11. Now that we are at war, this is what could be happening as you read this. There are 103 of these potential Bombs of the Apocalypse operating in the US. They generate a mere 8 percent of our total energy. Since its deregulation crisis, California cut its electric consumption by some 15 percent. Within a year, the US could cheaply replace virtually all the reactors with increased efficiency. Yet, as the terror escalates, Congress is fast-tracking the extension of the Price-Anderson Act, a form of legal immunity that protects reactor operators from liability in case of a meltdown or terrorist attack. Do we take this war seriously? Are we committed to the survival of our nation? If so, the ticking reactor bombs that could obliterate the very core of our life and of all future generations must be shut down.

### Politics

#### Court don’t link—gitmo-specific

Stimson 9

[09/25/09, Cully Stimson is a senior legal fellow at the Heritage Foundation and an instructor at the Naval Justice School former American career appointee at the Pentagon. Stimson was the Deputy Assistant Secretary of Defense for Detainee Affairs., “Punting National Security To The Judiciary”, http://blog.heritage.org/2009/09/25/punting-national-security-to-the-judiciary/]

So what is really going on here? To those of us who have either served in senior policy posts and dealt with these issues on a daily basis, or followed them closely from the outside, it is becoming increasingly clear that this administration is trying to create the appearance of a tough national-security policy regarding the detention of terrorists at Guantanamo, yet allow the courts to make the tough calls on releasing the bad guys. Letting the courts do the dirty work would give the administration plausible cover and distance from the decision-making process. The numbers speak for themselves. Of the 38 detainees whose cases have been adjudicated through the habeas process in federal court in Washington, 30 have been ordered released by civilian judges. That is close to an 80 percent loss rate for the government, which argued for continued detention. Yet, how many of these decisions has this administration appealed, knowing full well that many of those 30 detainees should not in good conscience be let go? The answer: one. Letting the courts do it for him gives the president distance from the unsavory release decisions. It also allows him to state with a straight face, as he did at the Archives speech, “We are not going to release anyone if it would endanger our national security, nor will we release detainees within the United States who endanger the American people.” No, the president won’t release detainees; he’ll sit back and let the courts to do it for him. And the president won’t seek congressional authorization for prolonged detention of the enemy, as he promised, because it will anger his political base on the Left. The ultra-liberals aren’t about to relinquish their “try them or set them free” mantra, even though such a policy threatens to put terrorists back on the battlefield. Moreover, the president would have to spend political capital to win congressional authorization for a prolonged detention policy. Obviously, he would rather spend that capital on other policy priorities. Politically speaking, it is easier to maintain the status quo and let the detainees seek release from federal judges. The passive approach also helps the administration close Gitmo without taking the heat for actually releasing detainees themselves.

#### Court legitimacy shields

Pacelle 02 Richard L. Pacelle, Associate Professor, Political Science, University of Missouri-St. Louis, THE ROLE OF THE SUPREME COURT IN AMERICAN POLITICS, 2002, p. 102.

The limitations on the Court are not as significant as they once seemed. They constrain the Court, but the boundaries of those constraints are very broad. Justiciability is self-imposed and seems to be a function of the composition of the Court rarther than a philosophical position. Checks and balances are seldom successfully invoked against the judiciary, in part because the Court has positive institutional resource to justify its decision. The Supreme Court has a relatively high level of diffuse support that comes, in part, from a general lack of knowledge by the public and that contributes to its legitimacy. The cloak of the Constitution and the symbolism attendant to the marble palace and the law contribute as well. As a result, presidents and the Congress should pause before striking at the Court or refusing to follow its directives. Indeed, presidents and members of Congress can often use unpopular Court decisions as political cover. They cite the need to enforce or support such decision even though they disagree with them. In the end, the institutional limitations do not mandate judicial restraint, but turn the focus to judicial capacity, the subject of the next chapter.

No Israeli strike regardless of deal collapse

Keck 11/28/13

Zachary, associate editor of The Diplomat, “Five Reasons Israel Won't Attack Iran,” http://nationalinterest.org/print/commentary/five-reasons-israel-wont-attack-iran-9469

Although not a member of the P5+1 itself, Israel has always loomed large over the negotiations concerning Iran’s nuclear program. For example, in explaining French opposition to a possible nuclear deal earlier this month, French Foreign Minister Laurent Fabius [3]stated [3]: “The security concerns of Israel and all the countries of the region have to be taken into account.” Part of Fabius’ concern derives from the long-held fear that Israel will launch a preventive strike against Iran to prevent it from obtaining nuclear weapons. For some, this possibility remains all too real despite the important interim agreement the P5+1 and Iran reached this weekend. For example, when asked on ABC’s This Week whether Israel would attack Iran while the interim deal is in place, [4]William Kristol responded [4]: “I don't think the prime minister will think he is constrained by the U.S. deciding to have a six-month deal. […] six months, one year, I mean, if they're going to break out, they're going to break out.” Israeli prime minister Benjamin Netanyahu has done little to dispel this notion. Besides blasting the deal as a “historic mistake,” Netanyahu said [5] Israel “is not obliged to the agreement” and warned “the regime in Iran is dedicated to destroying Israel and Israel has the right and obligation to defend itself with its own forces against every threat.” **Many dismiss this talk as bluster, however**. Over at Bloomberg View, for instance, Jeffrey Goldberg [6]argues that the [6] nuclear deal has “boxed-in Israeli Prime Minister Benjamin Netanyahu so comprehensively that it's unimaginable Israel will strike Iran in the foreseeable future.” Eurasia Group's Cliff Kupchan similarly argued: “The chance of Israeli strikes during the period of the interim agreement drops to virtually zero.” Although the interim deal does further reduce Israel’s propensity to attack, the truth is that the likelihood of an Israeli strike on Iran’s nuclear facilities has always been greatly exaggerated. There are at least five reasons why Israel isn’t likely to attack Iran. 1. You Snooze, You Lose First, if Israel was going to strike Iran’s nuclear facilities, **it would have done so a long time ago.** Since getting caught off-guard at the beginning of the Yom Kippur War in 1973, Israel has generally acted proactively to thwart security threats. On no issue has this been truer than with **nuclear-weapon programs**. For example, Israel bombed Saddam Hussein’s program when it consisted of just a single nuclear reactor. [7]According to [7]ABC News [7], Israel struck Syria’s lone nuclear reactor just months after discovering it. The IAEA had been completely in the dark about the reactor, and took years to confirm the building was in fact housing one. Contrast this with Israel’s policy toward Iran’s nuclear program. The uranium-enrichment facility in Natanz and the heavy-water reactor at Arak first became public knowledge in 2002. For more than a decade now, Tel Aviv has watched as the program has expanded into two fully operational nuclear facilities, a budding nuclear-research reactor, and countless other well-protected and -dispersed sites. Furthermore, America’s [8]**extreme reluctance to** [8] **initiate strikes** on Iran was made clear to Israel at least as far back as 2008. It would be **completely at odds** with how Israel operates for it to standby until the last minute when faced with what it views as an existential threat. 2. Bombing Iran Makes an Iranian Bomb More Likely Much like a U.S. strike, only with much less tactical impact, an Israeli air strike against Iran’s nuclear facilities would only increase the likelihood that Iran would build the bomb. At home, Supreme Leader Ali Khamenei could use the attack to justify rescinding his fatwa against possessing a nuclear-weapons program, while using the greater domestic support for the regime and the nuclear program to mobilize greater resources for the country’s nuclear efforts. Israel’s attack would also give the Iranian regime a legitimate (in much of the world’s eyes) reason to withdraw from the Nuclear Non-Proliferation Treaty (NPT) and kick out international inspectors. If Tehran’s membership didn’t even prevent it from being attacked, how could it justify staying in the regime? Finally, support for international sanctions will crumble in the aftermath of an Israeli attack, giving Iran more resources with which to rebuild its nuclear facilities. 3. Helps Iran, Hurts Israel Relatedly, an Israeli strike on Iran’s nuclear program would be a net gain for Iran and a huge loss for Tel Aviv. Iran could use the strike to regain its popularity with the Arab street and increase the pressure against Arab rulers. As noted above, it would also lead to international sanctions collapsing, and an outpouring of sympathy for Iran in many countries around the world. Meanwhile, a strike on Iran’s nuclear facilities would leave Israel in a far worse-off position. Were Iran to respond by attacking U.S. regional assets, this could greatly hurt Israel’s ties with the United States at both the elite and mass levels. Indeed, a war-weary American public is adamantly opposed to its own leaders dragging it into another conflict in the Middle East. Americans would be even more hostile to an ally taking actions that they fully understood would put the U.S. in danger. Furthermore, the quiet but growing cooperation Israel is enjoying with Sunni Arab nations against Iran would **evaporate overnight**. Even though many of the political elites in these countries would secretly support Israel’s action, their explosive domestic situations would force them to distance themselves from Tel Aviv for an extended period of time. Israel’s reputation would also take a further blow in Europe and Asia, neither of which would soon forgive Tel Aviv. 4. Israel’s Veto Players Although Netanyahu may be ready to attack Iran’s nuclear facilities, he operates **within a democracy** **with a strong elite structure,** particularly in the field of national security. It seems unlikely that he would **have enough elite support for him to** seriously consider such a daring and risky operation. For one thing, Israel has **strong institutional checks on using military force**. As then vice prime minister and current defense minister Moshe Yaalon [9]explained last year [9]: “In the State of Israel, any process of a military operation, and any military move, undergoes the approval of the security cabinet and in certain cases, the full cabinet… the decision is not made by two people, nor three, nor eight**.” It’s far from clear Netanyahu,** a fairly divisive figure in Israeli politics, **could gain this support**. In fact, Menachem Begin struggled to gain sufficient support for the 1981 attack on Iraq even though Baghdad presented a more clear and present danger to Israel than Iran does today. What is clearer is that **Netanyahu lacks** the **support of much of Israel’s highly respected national security establishment**. Many former top intelligence and military officials [10]have spoken [10] out publicly against Netanyahu’s hardline Iran policy, with at least one of them questioning whether Iran is actually seeking a nuclear weapon. Another former chief of staff of the Israeli Defense Forces told [11] The Independent that, “It is quite clear that much if not all of the IDF [Israeli Defence Forces] leadership **do not support military action** at this point…. **In the past the advice of the head of the IDF and the head of Mossad had led to military action being stopped**.”

### SG

#### Leadership good--key to our sustained economic health

Stephen G. **Brooks**, Associate Professor, Government, Dartmouth College, G. John Ikenberry, Professor, Politics and International Affairs, Princeton University and William C. Wohlforth, Professor, Government, Dartmouth College, "Don't Come Home, America," INTERNATIONAL SECURITY, Winter 2012-20**13**, p. 40-46.

The case against deep engagement overstates its costs and underestimates its security benefits. Perhaps its most important weakness, however, is that its preoccupation with security issues diverts attention from some of deep engagement’s most important benefits: sustaining the global economy and fostering institutionalized cooperation in ways advantageous to U.S. national interests. Economic Benefits Deep engagement is based on a premise central to realist scholarship from E.H. Carr to Robert Gilpin: economic orders do not just emerge spontaneously; they are created and sustained by and for powerful states. To be sure, the sheer size of its economy would guarantee the United States a significant role in the politics of the global economy whatever grand strategy it adopted. Yet the fact that it is the leading military power and security provider also enables economic leadership. The security role figures in the creation, maintenance, and expansion of the system. In part because other states—including all but one of the world’s largest economies—were heavily dependent on U.S. security protection during the Cold War, the United States was able not only to foster the economic order but also to prod other states to buy into it and to support plans for its progressive expansion. Today, as the discussion in the previous section underscores, the security commitments of deep engagement support the global economic order by reducing the likelihood of security dilemmas, arms racing, instability, regional conflicts and, in extremis, major power war. In so doing, the strategy helps to maintain a stable and comparatively open world economy—a long-standing U.S. national interest. In addition to ensuring the global economy against important sources of insecurity, the extensive set of U.S. military commitments and deployments helps to protect the “global economic commons.” One key way is by helping to keep sea-lanes and other shipping corridors freely available for commerce. A second key way is by helping to establish and protect property/sovereignty rights in the oceans. Although it is not the only global actor relevant to protecting the global economic commons, the United States has by far the most important role given its massive naval superiority

and the leadership role it plays in international economic institutions. If the United States were to pull back from the world, protecting the global economic commons would likely be much harder to accomplish for a number of reasons: cooperating with other nations on these matters would be less likely to occur; maintaining the relevant institutional foundations for promoting this goal would be harder; and preserving access to bases throughout the world—which is needed to accomplish this mission—would likely be curtailed to some degree. Advocates of retrenchment agree that a flourishing global economy is an important U.S. interest, but they are largely silent on the role U.S. grand strategy plays in sustaining it. For their part, many scholars of international political economy have long argued that economic openness might continue even in the absence of hegemonic leadership. Yet this does not address the real question of interest: Does hegemonic leadership make the continuation of global economic stability more likely? The voluminous literature contains no analysis that suggests a negative answer; what scholars instead note is that the likelihood of overcoming problems of collective action, relative gains, and incomplete information drops in the absence of leadership. It would thus take a bold if not reckless leader to run a grand experiment to determine whether the global economy can continue to expand in the absence of U.S. leadership. Deep engagement not only helps to underwrite the global economy in a general sense, but it also allows the United States to structure it in ways that serve the United States’ narrow economic interests. Carla Norrlof argues persuasively that America disproportionately benefits from the current structure of the global economy, and that its ability to reap these advantages is directly tied to its position of military preeminence within the system. One way this occurs is via “microlevel structuring”—that is, the United States gets better economic bargains or increased economic cooperation on some specific issues than it would if it did not play such a key security role. As Joseph Nye ob serves, “Even if the direct use of force were banned among a group of countries, military force would still play an important political role. For example, the American military role in deterring threats to allies, or of assuring access to a crucial resource such as oil in the Persian Gulf, means that the provision of protective force can be used in bargaining situations. Sometimes the linkage may be direct; more often it is a factor not mentioned openly but present in the back of statesmen’s minds.” Although Nye is right that such linkage will generally be implicit, extensive analyses of declassified documents by historians shows that the United States directly used its overseas security commitments and military deployments to convince allies to change their economic policies to its benefit during the Cold War. The United States’ security commitments continue to bolster the pursuit of its economic interests. Interviews with current and past U.S. administration officials reveal wide agreement that alliance ties help gain favorable outcomes on trade and other economic issues. To the question, “Does the alliance system pay dividends for America in nonsecurity areas, such as economic relations?,” the typical answer in interviews is “an unequivocal yes.” U.S. security commitments sometimes enhance bargaining leverage over the specific terms of economic agreements and give other governments more general incentives to enter into agreements that benefit the United States economically—two recent examples being the 2012 Korea–United States Free Trade Agreement (KORUS FTA) and the United States–Australia FTA (which entered into force in 2005). Officials across administrations of different parties stress that the desire of Korea and Australia to tighten their security relationships with the United States was a core reason why Washington was able to enter into free trade agreements with them and to do so on terms favorable to U.S. economic interests. As one former official indicates, “The KORUS FTA—and I was involved in the initial planning—was attractive to Korea in large measure because it would help to underpin the US-ROK [South Korea] alliance at a time of shifting power in the region.” Korean leaders’ interest in maintaining a strong security relationship with the United States, another former official stressed, made them more willing to be flexible regarding the terms of the agreement because “failure would look like a setback to the political and security relationship. Once we got into negotiations with the ROK, look at how many times we reneged even after we signed a deal. . . . We asked for changes in labor and environment clauses, in auto clauses and the Koreans took it all.” U.S. security leverage is economically beneficial in a second respect: it can facilitate “macrolevel structuring” of the global economy. Macrolevel structuring is crucial because so much of what the United States wants from the economic order is simply “more of the same”—it prefers the structure of the main international economic institutions such as the World Trade Organization and the International Monetary Fund; it prefers the existence of “open regionalism” ; it prefers the dollar as the reserve currency; and so on. U.S. interests are thus well served to the extent that American allies favor the global economic status quo rather than revisions that could be harmful to U.S. economic interests. One reason they are often inclined to take this approach is because of their security relationship with the United States. For example, interviews with U.S. officials stress that alliance ties give Washington leverage and authority in the current struggle over multilateral governance institutions in Asia. As one official noted, “On the economic side, the existence of the security alliance contributes to an atmosphere of trust that enables the United States and Japan to present a united front on shared economic goals—such as open markets and transparency, for example, through APEC [Asia-Pacific Economic Cooperation].” Likewise, Japan’s current interest in the Trans-Pacific Partnership, the Obama administration’s most important long-term economic initiative in East Asia, is widely understood to be shaped less by specific Japanese economic interests than by the belief of Yoshihiko Noda’s administration that it will strengthen alliance ties with the United States. As one former administration official stressed, this enhanced allied interest in supporting U.S.- favored economic frameworks as a means of strengthening security ties with the United States helps to ensure against any shift to “a Sino-centric/ nontransparent/more mercantilist economic order in Asia.” The United States’ security leverage over its allies matters even if it is not used actively to garner support for its conception of the global economy and other economic issues. This is perhaps best illustrated by the status of the dollar as the reserve currency, which confers major benefits on the United States. For many analysts, the U.S. position as the leading superpower with worldwide security commitments is an important reason why the dollar was established as the reserve currency and why it is likely to retain this status for a long time. In the past, Washington frequently used direct security leverage to get its allies to support the dollar. There are a number of subtler mechanisms, however, through which the current U.S. geopolitical position serves the same end. First, Kathleen McNamara builds on the logic of focal points to argue that the U.S. global military role bolsters the likelihood that the dollar will long continue to be the currency that actors converge upon as the “‘natural’ dominant currency.” Second, Norrlof emphasizes the significance of a mechanism that U.S. officials also stress: the United States’ geopolitical position gives it the ability to constrain certain forms of Asian regionalism that, if they were to eventuate, could help to promote movement away from the dollar. Third, Adam Posen emphasizes that the EU’s security dependence on the United States makes it less likely that the euro countries will develop a true global military capacity and thus “that the dollar will continue to benefit from the geopolitical sources of its global role” in ways that the euro countries will never match. In sum, the United States is a key pillar of the global economy, but it does not provide this service for free: it also extracts disproportionate benefits. Undertaking retrenchment would place these benefits at risk.