## **1NC**

# **1**

Interpretation—“Armed forces” are military personnel—the aff is distinct

Lorber 13 – Eric Lorber, J.D. Candidate, University of Pennsylvania Law School, Ph.D Candidate, Duke University Department of Political Science. January 2013, "Executive Warmaking Authority and Offensive Cyber Operations: Can Existing Legislation Successfully Constrain Presidential Power?" University of Pennsylvania Journal of Contsitutional Law, 15 U. Pa. J. Const. L. 961, lexis nexis

As discussed above, critical to the application of the War Powers Resolution - especially in the context of an offensive cyber operation - are the **definitions of key terms**, **particularly** **"armed forces,"** as the relevant provisions of the Act are only triggered if the President "introduces armed forces] into hostilities or into situations [of] imminent ... hostilities," n172 or if such forces are introduced "into the territory, airspace, or waters of a foreign nation, while equipped for combat, except for deployments which relate solely to supply, replacement, repair, or training of such forces." n173 The requirements may also be triggered if the United States deploys armed forces "in numbers which substantially enlarge United States Armed Forces equipped for combat already located in a foreign nation." n174 As is evident, the definition of "armed forces" is crucial to deciphering whether the WPR applies in a particular circumstance to provide congressional leverage over executive actions. The definition of "hostilities," which has garnered the majority of scholarly and political attention, n175 particularly in the recent Libyan conflict, n176 will be dealt with secondarily here because it only becomes important if "armed forces" exist in the situation.

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** W**ar** P**owers** R**esolution 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.

“Hostilities” require an active exchange of fire with enemy forces – this is the controlling definition

Lee, U.S. Senator from Utah, and Koh, Legal Adviser of the U.S. Department of State and Sterling Professor of International Law at Yale, 6/28/2011

(Mike and Harold, Libya and War Powers, hearing of the U.S. Senate Foreign Relations Committee, CQ Testimony, Lexis)

First question I'd like to ask you relates to the definition of -- of **the term "hostilities" as used in Section 1541** and elsewhere in the War Powers Resolution. How do you sort of define the term "hostilities" as used in the War Powers Resolution? KOH: As our testimony sets forth, **the effort to define it** -- and -- and this is described in the descriptions of the conversations of Senator Javits, the sponsor, et cetera -- **was to leave the matter for subsequent executive practice**. Senator Corker had mentioned the House conference report had originally proposed the term "armed conflict." There's an irony in the question which is that arm conflicts is term of international law. They deliberately did not import that term into the statute precisely so that international law would not be the controlling factor. And the net result was that in 1975 under the Ford administration -- and -- and you know it well because of service that your own family did in that administration. The Congress -- and this is in the first footnote of my testimony -- invited the legal adviser, my predecessor, Monroe Leigh, **to come forth with a definition of hostilities** from the executive branch applying exactly the judgments that we're describing here. And in my testimony, I described the response that was given by Mr. Leigh and his co-author in which they essentially set forth a standard. And this is on page six of the testimony in which they said the executive branch understands the term "to mean **a situation in which units of U.S. armed forces are actively engaged in exchanges of fire with opposing units of hostile forces**" **and** then said that **the term should not include situations** which were -- ones **in which the nature of the mission is limited**, **where the exposure of U.S. forces is limited**, **where the risk of escalation is limited**, **or** when they're conducting **something less than full military encounters** as opposed to surgical military activity. LEE: Where is that from? Where is that from, Mr. Koh? KOH: It's described on page six of my testimony and it's in the first footnote of a letter from State Department of Legal Adviser Monroe Leigh with regard to the Mayaguez incident to the International Security and Scientific Affairs of the House Committee on International Relations. **It's an important document**, Senator, **because Congress acknowledged that it didn't know what** "**hostilities**" **meant from the legislative history alone**. And **so they invited the executive branch to give clarification**.

Prefer this:

1. Limits – hundreds of weapon systems and civilian agencies

2. Precision – we define “armed forces” in the context of the entire phrase, introduction into hostilities – key to predictability

3. Predictability – the phrase in the topic originated in the War Powers Resolution – history provides the best guide

Kerry, chairman of the Senate Foreign Relations Committee and now Secretary of State, 2011

(John, Libya and War Powers, SFRC Hearing, 6/28, CQ Testimony, Lexis)

We have never amended the War Powers Resolution. And we've never amended the resolution in terms of this particular authorization. It came through the United Nations.

**The Ford administration**, for example, **defined hostilities only as those situations where U.S troops were exchanging fire with hostile forces**. **And subsequent administrations**, **Republican and Democrat alike**, **built on that interpretation**.

4. Ground – it’s the true controversy:

Lorber, JD University of Pennsylvania, January 2013

(Eric, “Executive Warmaking Authority and Offensive Cyber Operations: Can Existing Legislation Successfully Constrain Presidential Power?” 15 U. Pa. J. Const. L. 961, Lexis)

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**.

# **2**

#### Text ---- The United States Executive Branch should establish a declaratory policy that the United States will not introduce nuclear weapons first into hostilities.

#### The plan is action policy and the CP is declaratory policy. Under declaratory NFU, it’s possible that in the face of incontrovertible evidence that an adversary is about to launch a nuclear strike, the U.S. could use nuclear weapons first.

Tertrais 9 – Bruno Tertrais, Senior Research Fellow at the Paris-based Foundation for Strategic Research and Contributing Editor to Survival, October-November 2009, “The Trouble with No First Use,” Survival, Vol. 51, No. 5, p. 26-27

The nuance is important. Declaratory policies (what states claim they would do) and action policies (what states actually plan to do) may not always be identical. However, planning for first use would be legally forbidden if a US president declared a no-first-use policy. 2 Again, vocabulary matters. Preemptive use (in case of incontrovertible evidence of an imminent nuclear attack) would be an act of self defence. Preventive use (a bolt-outof- the-blue nuclear strike) would be a different matter legally, strategically and politically. To the best of my knowledge, no Western country has included it in its nuclear doctrine; contrary to what sources quoted by Sagan claim, there is no evidence that the 2001 Nuclear Posture Review included this option.

#### This solves the case:

#### It’s virtually identical in function---the U.S. would only override a declaratory NFU in an extreme crisis---and global public opinion would rally behind the U.S.

Feiveson and Hogendoorn 3 – Harold Feiveson, senior research scientist and co-director of the Program in Science & Global Security at the Woodrow Wilson School at Princeton, and Ernst Hogendoorn, Ph.D. Candidate at the Woodrow Wilson School at Princeton, Summer 2003, “No First Use of Nuclear Weapons,” The Nonproliferation Review, online: http://cns.miis.edu/npr/pdfs/102feiv.pdf

In extremis, of course, a U.S. administration might find compelling reason to override a no-first-use commitment, and actually use or explicitly threaten to use nuclear weapons. Such an act would be taken only in the most dire of circumstances, and in such a situation it is hard to believe that U.S. flaunting of a prior declaratory commitment would weigh much in how the world viewed the U.S. actions.

#### The net-benefit---making NFU an action policy and completely prohibiting all scenarios for first-use costs hundreds of thousands of lives in an inevitable crisis---the CP’s declaratory NFU enables the U.S. to override its declared posture and launch damage-limitation strikes against an imminent nuclear attacker

Tertrais 9 – Bruno Tertrais, Senior Research Fellow at the Paris-based Foundation for Strategic Research and Contributing Editor to Survival, October-November 2009, “The Trouble with No First Use,” Survival, Vol. 51, No. 5, p. 25

A no-first-use policy might also have security costs beyond deterrence. As an action policy (as opposed to merely a declaratory one1), it would prevent a government which has adopted such a principle from striking pre-emptively at an adversary who has unmistakably demonstrated its intention to imminently launch a nuclear attack. Granted, such an extreme ‘damage limitation’ strike could only be executed in absolutely extraordinary circumstances. But it is only a slight exaggeration to say that a leader ready to forfeit it through a no-first-use policy is giving up the possibility of saving hundreds of thousands of his citizens.

#### Only a declaratory NFU creates successful existential deterrence---the knowledge that a declaratory NFU could be revoked in crisis de-escalates tension and prevents conflict

Feiveson and Hogendoorn 3 – Harold Feiveson, senior research scientist and co-director of the Program in Science & Global Security at the Woodrow Wilson School at Princeton, and Ernst Hogendoorn, Ph.D. Candidate at the Woodrow Wilson School at Princeton, Summer 2003, “No First Use of Nuclear Weapons,” The Nonproliferation Review, online: http://cns.miis.edu/npr/pdfs/102feiv.pdf

Opponents of a strong no-first-use declaration by the United States generally rely on three arguments. The first is that the United States may need nuclear weapons to respond to chemical and biological weapon attacks by rogue countries. This argument mistakenly conflates nuclear weapons with these other weapons of mass destruction, and in fact gives too much status to these "poor man's nuclear weapons." The second argument is that a no-first-use commitment can never be verified. While it is true that such a commitment is inherently uncertain, this uncertainty supports a no-first-use commitment, in that the country undertaking such a commitment will plan not to use nuclear weapons first, but other countries will never be quite sure that their potential adversary will never use nuclear weapons—and so nuclear use remains an existential deterrent regardless of declaratory policy. A third argument—that even if the United States would never actually use nuclear weapons, it is worthwhile to keep potential adversaries uncertain—is similarly flawed. Potential adversaries will always be uncertain. More important is to remove uncertainty from U.S. military commanders, who must never go into battle thinking they can rely on the use of nuclear weapons.

#### The CP’s the best middle ground---it refuses to tie the hands of future presidents while adopting the substance of NFU---the consequences of nuclear war mean declaratory NFU would only be overridden in catastrophic circumstances

Boese 6 – Wade Boese, Research Director of the Arms Control Association, March 25, 2006, “Preventing Nuclear Disaster,” online: http://www.armscontrol.org/print/128

Nuclear weapons possessors should be pushed to adopt no-first-use policies. At this time, China and India are the only two states that have renounced the first use of their nuclear arms.

In the absence of ending its nuclear deployments, the 26-member NATO alliance also should forswear the first use of their nuclear weapons. In its 1999 Strategic Concept, NATO declared that the possible use of nuclear weapons is "extremely remote." But even this is an overstatement given today's political and geo-strategic realities. Moscow's overwhelming superiority in conventional forces that gave rise to NATO's nuclear policy disappeared long ago and so should NATO's readiness to introduce or employ nuclear weapons in a conflict.

Universal adoption of a no-first-use option should particularly appeal to the United States, which possesses the world's most advanced and powerful conventional military. Nuclear weapons are the ultimate equalizer so it is hard to imagine a situation in which the United States would open the door to the only weapon that would moot U.S. conventional superiority. For this reason, as well as others, there really is not much affinity among the uniformed U.S. military for nuclear weapons.

U.S. political leaders also find it difficult to fathom scenarios in which nuclear weapons might be used first, particularly preemptively. Ambassador Linton Brooks, who heads the Department of Energy's National Nuclear Security Administration stated November 8, 2005, "While nobody will tie the hands of a president, I can't conceive of circumstances where nuclear pre-emption makes sense…The decision to use nuclear weapons is so apocalyptic that I can't imagine that any president would ever make it lightly." Although Brooks noted that the president's hands should not be tied, they should also not be tethered to nuclear weapons. The president would be liberated, not limited, by removing an option that carries such profound and immeasurable consequences. This holds true for other world leaders as well.

As long as nuclear weapons exist, their role should be confined to deterring a nuclear-weapons attack by another state. Anything more is unjustified. As former Secretary of Defense Robert McNamara wrote last year in Foreign Policy, "I would characterize current U.S. nuclear weapons policy as immoral, illegal, militarily unnecessary, and dreadfully dangerous."

# **3**

#### **A) Political conditions favor a deal on immigration reform:**

Chicago Sun Times, 1/2/2014 (“Immigration reform is possible this year,”

http://www.suntimes.com/opinions/24722793-474/immigration-reform-possible-this-year.html, Accessed 1/4/2014, rwg)

Now the same self-serving calculus appears to be serving the nation well in creating promising political conditions to pass comprehensive immigration reform. This, finally, could be the year. Democrats have long favored cutting a single big deal — Hispanic voters are, by and large, their voters. Now Republicans, waking to the realization that their days as a national party are numbered if they don’t broaden their appeal, are showing an uncharacteristic eagerness to tackle the problem, too. The GOP prefers a piecemeal approach, one that we fear could be nothing more than a way to avoid the most radioactive reforms; but the approach taken matters less than the essential result reached — a path to citizenship for the 11 million illegal immigrants now living among us. The election-year calendar works in favor of reform. After the March primary elections, Republicans in all but the most severely gerrymandered districts may be more willing to sign onto immigration reform, looking to appeal to more moderate voters in November. For a few brief months, they may be more amenable to the entreaties of their own party’s national leaders.

#### Debates on the authority to use force take up enormous time & political energy:

Steve Vladeck, 3/14/2013 (staff writer, “Hard National Security Choices,” <http://www.lawfareblog.com/2013/03/drones-domestic-detention-and-the-costs-of-libertarian-hijacking/>, Accessed 8/19/2013, rwg)

But the cost to the government is also relevant. As last week demonstrates, government officials end up having to expend a remarkable amount of energy to either defend or reject the government’s authority to undertake conduct it would seldom (or never) attempt, and to then endure and be forced to respond to criticisms because it had the temerity to suggest that there might be exceptional circumstances where such uses of force might be permissible.¶ Ultimately, there are difficult and important conversations to have about current and future U.S. policy when it comes to, inter alia, targeted killings and detention. But if last week’s filibuster and accompanying public relations storm are any indication, the most visible libertarians in Congress don’t appear to be interested in having them. That’s certainly their prerogative. But in that case, we might all be better off if they let these conversations take place, rather than hijacking them and turning them into debates in which there is virtually no one on the other side–not because there’s nothing to their points, but because there’s so much more in what’s not being said.

**C) Political Capital key to CIR**

**Orlando Sun Sentinel 11-1-2013**

“What we Think: It’ll Take Both Parties to Clear Immigration Reform,” <http://articles.orlandosentinel.com/2013-11-01/news/os-ed-immigration-reform-congress-20131031_1_immigration-reform-comprehensive-reform-house-republicans>

For those who thought the end of the government shutdown would provide a break from the partisan bickering in Washington, think again. The battle over comprehensive immigration reform could be every bit as contentious.¶ Polls show the popular momentum is there for comprehensive reform, which would include a path to citizenship for many of the nation's 11 million undocumented immigrants. But **it'll take plenty of political capital from President Obama** and leaders in both parties on Capitol Hill **to make it happen**.¶ Immigration-reform activists, who have been pushing for reform for years, are understandably impatient. This week police arrested 15 who blocked traffic at a demonstration in Orlando.¶ There are plenty of selling points for comprehensive immigration reform. An opportunity for millions of immigrants to get on the right side of the law. Stronger border security. The chance for law enforcement to focus limited resources on real threats to public safety, instead of nannies and fruit pickers. A more reliable work force to meet the needs of key industries. Reforms to let top talent from around the world stay here after studying in U.S. universities.¶ The Senate passed its version of comprehensive immigration in June. It includes all of the benefits above. Its path to citizenship requires undocumented immigrants to pay fines, learn English, pass a criminal background check and wait more than a decade.¶ So far, House Republicans have balked, taking a piecemeal rather than comprehensive approach. Many members fear being challenged from the right for supporting "amnesty."¶ Yet polls show the public supports comprehensive reform. In June, a Gallup poll found 87 percent of Americans — including 86 percent of Republicans — support a pathway to citizenship like the one outlined in the Senate bill.¶ Florida Republican Sen. Marco Rubio took flak from tea-party supporters for spearheading the comprehensive bill. Now, apparently aiming to mend fences, he says immigration should be handled piecemeal. He's politically savvy enough to know that's a dead end.¶ But **comprehensive reform won't have a chance without President Obama making full use of his bully pulpit to promote it,** emphasizing in particular all that undocumented immigrants would need to do to earn citizenship. House Democratic leaders will have to underscore the president's message.¶ And House Republican leaders will need to convince their members that comprehensive reform would be better for the economy, better for security, and better for the future of their party.

#### D) Immigration reform key to US-Latin American relations:

Arturo Lopez-Levy, 11/24/2012 (doctoral candidate at the Josef Korbel School of International Studies of the University of Denver, “The Latin American Gorilla,” <http://www.theepochtimes.com/n2/opinion/the-latin-american-gorilla-318169.html>, Accessed 1/23/2013, rwg)

Few political acts would have a greater effect on U.S.-Latin American relations than the naturalization of millions of Hispanics over the next decade. President Obama announced that immigration reform would be a legislative priority in his second term during the Summit of the Americas in Cartagena.¶ It is not only a domestic but a foreign policy promise. The countries that have the largest number of undocumented immigrants in the United States are the same ones that have free-trade agreements: Mexico, Central America, and Colombia. These are also the countries with the greatest need for a coordinated effort against organized crime and drug and arms trafficking.¶ Establishing a path to citizenship for millions of undocumented immigrants would make border control more manageable, and it would also lead to greater demand for the legal immigration of families and circular movement between the United States and immigrants’ countries of origin. Comprehensive U.S. immigration reform would have a very significant positive impact on tourism, remittances, investment, and the voting preferences of expatriates from those countries.

#### US-Latin American relations solve a host of existential scenarios:

Shifter 12 (Michael is the President of Inter-American Dialogue. “Remaking the Relationship: The United States and Latin America,” April, IAD Policy Report, <http://www.thedialogue.org/PublicationFiles/IAD2012PolicyReportFINAL.pdf>, Accessed 1/23/2013, rwg)

There are compelling reasons for the United States and Latin America to

pursue more robust ties. Every country in the Americas would benefit from strengthened and

expanded economic relations, with improved access to each other’s markets,

investment capital, and energy resources. Even with its current economic

problems, the United States’ $16-trillion economy is a vital market

and source of capital (including remittances) and technology for Latin

America, and it could contribute more to the region’s economic performance.

For its part, Latin America’s rising economies will inevitably become

more and more crucial to the United States’ economic future.

The United States and many nations of Latin America and the Caribbean

would also gain a great deal by more cooperation on such global matters

as climate change, nuclear non-proliferation, and democracy and human

rights. With a rapidly expanding US Hispanic population of more than 50

million, the cultural and demographic integration of the United States and

Latin America is proceeding at an accelerating pace, setting a firmer basis

for hemispheric partnership.

# Threats

#### Breakdown of the nuclear firebreak is inevitable

William Conrad 1, head professor of Aerospace Studies, Kansas State University, July 26, 2001, http://www.ciaonet.org/cbr/cbr00/video/cbr\_ctd/cbr\_ctd\_07.html, accessed August 16, 2003

Regardless of the exact form that conflict will take in the future, however, nuclear weapons will in the future be less contaminating, more discriminate, and more versatile, which, with the decline of conventional forces and the splintering of international conflict, will strengthen the temptation to use them. Indeed, there may be situations in which tactical nuclear weapons will appear to be not only a choice, but the only choice, and it would not be the first time someone argued that nuclear weapons had to be used in order to save lives. The taboo will likely break down to some extent, applying only to particular categories of nuclear weapon rather than nuclear weapons generally, or the use of the weapons against specific targets, freeing decisionmakers to use them. The use of these weapons, in turn, will undermine the taboo, setting a precedent for others. In any case, what would have been condemned in one period, much as had been the case with dynamite, will come to be not merely accepted, but even praised in another, the early prohibition as anachronistic to future observers as the horror with which the Church had regarded crossbows seems to people of our time.

#### Accidental launches won’t happen and wouldn’t escalate

Quinlan 9 [Michael Quinlan, former British Permanent Under Secretary of State for Defence, former Director of the Ditchley Foundation, Visiting Professor at King's College London, “Thinking About Nuclear Weapons: Principles, Problems, Prospects,” Oxford University Press, p. 69]

It was occasionally conjectured that nuclear war might be triggered by the real but accidental or unauthorized launch of a strategic nuclear-weapon delivery system in the direction of a potential adversary. No such launch is known to have occurred in over sixty years. The probability of it is therefore very low. But even if it did happen, the further hypothesis of its initiating a general nuclear exchange is far-fetched. It fails to consider the real situation of decision-makers, as pages 63–4 have brought out. The notion that cosmic holocaust might be mistakenly precipitated in this way belongs to science fiction.

#### No accidental detonation

Quinlan 9 [Michael Quinlan, former British Permanent Under Secretary of State for Defence, former Director of the Ditchley Foundation, Visiting Professor at King's College London, “Thinking About Nuclear Weapons: Principles, Problems, Prospects,” Oxford University Press, p. 67-8]

There have certainly been, across the decades since 1945, many known accidents involving nuclear weapons, from transporters skidding off roads to bomber aircraft crashing with or accidentally dropping the weapons they carried (in past days when such carriage was a frequent feature of readiness arrangements—it no longer is). A few of these accidents may have released into the nearby environment highly toxic material. None however has entailed a nuclear detonation. Some commentators suggest that this reflects bizarrely good fortune amid such massive activity and deployment over so many years. A more rational deduction from the facts of this long experience would however be that the probability of any accident triggering a nuclear explosion is extremely low. It might be further noted that the mechanisms needed to set off such an explosion are technically demanding, and that in a large number of ways the past sixty years have seen extensive improvements in safety arrangements for both the design and the handling of weapons. It is undoubtedly possible to see respects in which, after the cold war, some of the factors bearing upon risk may be new or more adverse; but some are now plainly less so. The years which the world has come through entirely without accidental or unauthorized detonation have included early decades in which knowledge was sketchier, precautions were less developed, and weapon designs were less ultra-safe than they later became, as well as substantial periods in which weapon numbers were larger, deployments more widespread and diverse, movements more frequent, and several aspects of doctrine and readiness arrangements more tense.

# China

#### SQ solves every impact and locks in relations

Shambaugh 13—Professor of Political Science and International Affairs and Director of the China Policy Program at the George Washington University, a nonresident Senior Fellow in Foreign Policy Studies and Center for Northeast Asian Policy Studies at the Brookings Institution (7/20/13, David, A Big Step Forward in U.S.-China Relations, www.realclearworld.com/articles/2013/07/20/a\_big\_step\_forward\_in\_us-china\_relations\_105332.html)

As a result of the recently concluded U.S.-China Strategic and Economic Dialogue (S&ED) the relationship between Washington and Beijing has not only stabilized, but has taken a major step forward-make that major steps. This year's S&ED builds on the new momentum in the relationship spurred by the June presidential summit in Sunnylands, California.¶ The totality of S&ED agreements reached by the two sides July 11-12 is truly impressive-and they outnumber in quantity and quality those reached even during recent presidential state visits (2009 and 2011). The announced agreements-91 on the "strategic track" and a similar number on the "economic track"(although they were not itemized)-are ample testimony to the breadth and depth of the relationship, and they are concrete steps forward in building what Chinese President Xi Jinping has described as building a "new type of major power relations."¶ Of course, the "devil is (always) in the detail" and there may well be a lack of bureaucratic follow-through in implementing such ambitious agreements. In recent years, similar well-intended Joint Statements (2009 and 2011) foundered soon after their issuance and failed to be implemented as intended. This time there seems to be a clearer level of bilateral commitment. A close reading of the strategic track document indicates that the majority of clauses are joint, i.e. "the United States and China affirm their commitment to...). In the past, the language was more often "parallel," i.e. "The United States maintains that...."; "China maintains that..." Such parallel clauses are usually code words for disagreements behind the scenes. This time, much of the language (more notably on the strategic than the economic track) is joint rather than parallel. There are also numerous references that both sides "decided" to undertake various initiatives, while numerous memorandums of understanding (MOUs) and joint "action plans" were agreed and signed. Behind these linguistic nuances lies a new mutual strategic commitment and practical bureaucratic cooperation. ¶The other reason for optimism on implementation is that it appears the two sides have established and expanded the number of joint working groups that will operate throughout the year. New working groups include a Cyber Working Group, U.S.-China Climate Change Working Group, an International Economic Affairs Consultation, a Legal Advisors Consultation, a Dialogue on Global Development, an EcoPartnership Dialogue, an Aviation Energy Conservation and Emission Reduction Initiative, and continued rounds of previously established bilateral mechanisms. Meanwhile, other joint dialogues have been upgraded-such as elevating the Counter-terrorism Consultations to the vice-ministerial level and the Energy Policy Dialogue to the ministerial level. Prior to this year's S&ED, the two governments had in existence around 90 such bilateral dialogues and mechanisms-after the meeting they now top 100. More importantly, as noted above, many will now operate year-round rather than once per year or in an episodic fashion. This will provide sustained momentum to the relationship between the annual S&ED and presidential meetings.¶ The sheer scope of topics covered and agreed are testimony to both the breadth and depth of the relationship. This includes security and military affairs, regional and global diplomacy, human rights, legal affairs and law enforcement, nonproliferation and arms control, customs issues and container security, supply chain security, fisheries and forests, wildlife trafficking and illegal logging, law of the sea and polar issues, marine science and meteorology, climate change, air and water quality, public health, development and aid, peacekeeping, nuclear safety, and a variety of energy-related issues. And these are only issues on the strategic track. The economic track also discussed and reached agreements in a wide range of specialized and technical areas as well: exchange rate liberalization, data transparency, global and regional financial stability, multilateral institutional cooperation (particularly in the IMF, APEC, and G-20), trade and foreign investment, intellectual property rights and protection of trade secrets, government procurement, anti-dumping, export credits and financing, market opening and distribution rights, banking regulations, and other issues.¶ My purpose for detailing this list is not to bore the reader, but to provide a full sense of the extraordinary scope of the U.S.-China relationship today. No other inter-governmental relationship in the world comes close to the breadth and depth of issues of mutual concern to both nations and which they are working to address together. The China-EU and China-Russia and U.S.-EU relationships have their own extensive areas of dialogue and bureaucratic interaction-but they both pale in comparison to the institutionalization of U.S.-China relations today.¶ Institutionalization is one of what I call the "two I's" in U.S.-China relations-the other being interdependence. These "two I's" interact with the "two c's" in the relationship: cooperation and competition. Institutionalization is the outgrowth of interdependence and the manifestation of cooperation-and all three elements serve to bufferand limitthe competition in the relationship.To be certain,competition and mistrust do exist-at the strategic, economic, military, diplomatic, political, and ideological levels-will continue to, and are not to be falsely minimized. But, exercises like the S&ED are tangible expressions that the two sides now seek to manage the competition and forge cooperation where possible. That is the best news we have had in U.S.-China relations for several years, and is good news for global stability and development.

#### Nuclear relations are independently complex---tension over first-use doesn’t undermine overall agreement on nuclear issues

Craig 7 – Susan Craig, China Specialist for PACOM J1, formerly intelligence analyst at the Foreign Military Studies Office for the U.S. Army, July 2007, “Defining the U.S.-China Relationship: Beyond the Cold War and Status Quo Rise Constructs,” Issues & Insights, Vol. 7, No. 8

If the Americans and Chinese could abandon the overly simplistic constructs of the status quo rise and the Cold War, perhaps our conversations could be more productive. Beyond these characterizations, there is much upon which the two countries agree. By exploring where our interests converge, perhaps we can find a more useful construct for our relationship.

The long-term peace and stability of East Asia is in both countries’ interest as is the nonproliferation of nuclear technologies and weapons. Both countries are concerned about affordable, accessible, and abundant energy supplies and the security of sea lanes of communication. Nontraditional transnational issues, such as infectious diseases, drug trafficking, terrorism, and pollution threaten both countries. Deterring a unilateral declaration of independence by Taiwan is also a shared goal.

Evident from the Strategic Dialogue, there is also much the U.S. and China have in common regarding nuclear issues. Whether or not we are equals, both are established nuclear powers. And whether our nuclear doctrine is one of strategic ambiguity or no first use, we both consider nuclear weapons to be a useful deterrent and a weapon of last resort. The security and reliability of both countries’ nuclear weapons stockpiles is an increasing concern, especially given the testing limitations to which both countries adhere. And, both countries recognize the importance of establishing lines of communication that are reliable in times of crisis.

We also share concerns about the other’s nuclear command and control. Both sides are concerned that there is a blurring of conventional and nuclear responsibilities within nuclear deployments and a devolution of nuclear authority has resulted. Further, both sides question the independence the other country’s military commanders have in executing orders from their leadership.

Given these areas of agreement and mutual concern, there is a wealth of opportunities for China-U.S. collaboration. The following recommendations are intended to make the limitations of the Cold War and “status rising power” constructs self-evident so that a more constructive, mutually beneficial status as partners can be pursued.

#### Disputes don’t disrupt strategic cooperation and won’t cause war---\*even on cyber

Sieff 13—Asia and Middle East expert. Chief Global Analyst at The Globalist Research Center and Editor-at-Large at The Globalist. He has been chief news analyst for United Press International and is its former Managing Editor for International Affairs. He has received three Pulitzer Prize nominations for international reporting. (6/24/13, Martin, China, U.S. recognize need for strategic cooperation, <http://apdforum.com/en_GB/article/rmiap/articles/online/features/2013/06/24/china-us-cooperate>, note - [T] added to ‘his’)

China and the United States continue to recognize the need for strategic cooperation and have been working for the past year on improving efforts to work together.¶ Most recently, U.S. President Barack Obama hosted his Chinese counterpart, XiJinpingto discuss security issuesand establish a foundation for cooperative efforts to continue.¶ The preparations for their meeting have been growing over the past year. Even while the two governments traded mutual allegations over such issues as cyber-security and cyber-espionage, they were quietly advancing their strategic ties and cooperation.¶ Over the course of the past year, positive developments included:¶ • The visit to the United States and to the Pentagon of then-Vice President Xi Jinping and of China’s then-Defense Minister Liang Guanglie. Liang was the highest ranking Chinese defense official to visit the Pentagon in nearly a decade;¶ • Former Secretary of Defense Leon Panetta, Chairman of the Joint Chiefs Gen. Martin Dempsey and Pacific Command Commander Adm. Samuel J. Locklear all led delegations to China;¶ • The first-ever Chinese delegation participated as observers of the U.S.-Philippine Balikatan exercise;¶ • U.S. and Chinese naval forces carried out their first-ever joint counter-piracy exercise in the Gulf of Aden;¶ • The United States invited China to participate in RIMPAC, the Pacific’s largest multilateral Naval exercise;¶ • The United States concluded an agreement to co-host a Pacific Army Chiefs Conference with China for the first time.¶ Later this year, Chinese Defense Minister ChangWanquan plans to visit the Pentagon.¶ “We are pleased to see this progress,” U.S. Defense Secretary Chuck Hagel told participants at the annual Shangri-La Dialogue in Singapore. “It is important for both the United States and China to provide clarity and predictability about each other’s current and future strategic intentions.”¶ China, U.S. discuss arms control¶ Following Hagel’s speech, the sixth Sino-U.S. consultation on strategic security and multilateral arms control began in Beijing.¶ Chinese Assistant Foreign Minister Ma Zhaoxu and U.S. acting Undersecretary of State for Arms Control and International Security Rose Gottemoeller met to discuss building new types of relations between major nations, regional hot spots and multilateral arms control.¶ This careful commitment to improving transparency and communications on both sides is grounded in a fundamental strategic reality: “China and the United States remain critically interdependent in their economies and financial systems. [T]his is the underlying strategic reality behind the recognition of their leaders that continued engagement and understanding is essential,” financial analyst Martin Hutchinson told Asia Pacific Defense Forum [APDF].¶Leading Chinese strategists recognize the same basic reality.¶ Common interests outweigh differences

#### No Chinese backsliding---decades of threats far worse than the status quo prove

Rong and Peng 9 – Rong Yu, Ph. D. candidate at the Institute of International Strategy and Development, School of Public Policy and Management, Tsinghua University, and Peng Guanqian, military strategist with the Chinese Academy of Military Sciences of the People's Liberation Army, Winter 2009, “Nuclear No-First-Use Revisited,” China Security, Vol. 5, No. 1

In addition, at least for now, the declaratory NFU policy, even a unilateral one, is proven to have immense binding power on the states pursuing it. Although some people believe China’s NFU policy is not credible, China has never wavered from its promise during the past 40 years. China had an inferior nuclear arsenal and conventional force when it was on poor terms with the Soviet Union and the United States during the Cold War. Today, China’s international environment has greatly improved, its economy has strengthened, and its technology capabilities have grown. Yet, China has not moved toward a change in its nuclear policy. Even today, when a possible cross-strait crisis initiated by Taiwanese secessionist activists might involve the nuclear superior United States, China still exerts great restraint in its response and has not wavered in its unilateral NFU policy.

#### China’s modernization is inherently slow and stable---it’s guided by their doctrine which rejects any offensive role for nuclear weapons---there’s no chance modernization turns offensive

Yuan 9 – Jing-Dong Yuan, Director of the East Asia Nonproliferation Program at the James Martin Center for Nonproliferation Studies and associate professor of international policy studies at the Monterey Institute of International Studies, April 2009, “China and the Nuclear-Free World,” in Engaging China and Russia on Nuclear Disarmament, eds. Hansell and Potter, online: http://cns.miis.edu/opapers/op15/op15.pdf

China has long maintained that its nuclear weapons development is largely driven by the need to respond to nuclear coercion and blackmail. The role of nuclear weapons, in this context, is purely defensive and retaliatory, rather than war-fighting, as some western analysts suggest.19 Indeed, in the early years, China even rejected the concept of deterrence, regarding it as an attempt by the superpowers to compel others with the threat of nuclear weapons. This probably explains the glacial pace with which China introduced, modified, and modernized its small-size nuclear arsenals over the past four decades. Mainly guided by the principle that nuclear weapons will only be used (but used in a rather indiscriminate way) if China is attacked with nuclear weapons by others, nuclear weapons in China’s defense strategy serve political rather than military purposes.20

PLA analysts emphasize that the terms “nuclear strategy” and “nuclear doctrine” are rarely used in Chinese strategic discourse; instead, a more commonly used term refers to “nuclear policy,” which in turn is governed by the country’s national strategy. Hence, the deployment and use of nuclear weapons are strictly under the “supreme command” of the Communist Party and its Central Military Commission. Nuclear weapons are for strategic deterrence only; no tactical or operational utility is entertained. If and when China is under a nuclear strike, regardless of the size and the yield, it warrants strategic responses and retaliation.21 Chinese leaders and military strategists consider the role for nuclear weapons as one of defensive nuclear deterrence (ziwei fangyu de heweishe). Specifically, the country’s nuclear doctrine and force modernization have been informed and guided by three general principles: effectiveness (youxiaoxing), sufficiency (zugou), and counter-deterrence (fanweishe).22 China’s 2006 Defense White Paper emphasizes the importance of developing land-based strategic capabilities, both nuclear and conventional, but provides no specifics on the existing arsenal, the structure of the Second Artillery Corps (China’s strategic nuclear force) order of battle, or the projected size of the nuclear force. It indicates only that China will continue to maintain and build a lean and effective nuclear force. While Chinese analysts acknowledge that deterrence underpins China’s nuclear doctrine, it is more in the sense of preventing nuclear coercion by the superpower(s) without being coercive itself, and hence it is counter-coercion or counter-deterrence. Rather than build a large nuclear arsenal as resources and relevant technologies have become available, a path pursued by the superpowers during the Cold War, China has kept the size of its nuclear weapons modest, compatible with a nuclear doctrine of minimum deterrence.23 According to Chinese analysts, nuclear weapons’ role in China’s defense doctrine and posture is limited and is reinforced by the NFU position, a limited nuclear arsenal, and support of nuclear disarmament.

#### Nuclear doctrine’s not key to relations---it’s not even the most important part of security relations

Brooks 9 – Ambassador Linton Brooks, independent national security consultant and former Director of the National Nuclear Security Administration, September 2009, “The Sino-American Nuclear Balance: Its Future and Implications,” in China’s Arrival: A Strategic Framework for a Global Relationship, ed. Abraham Denmark and Nirav Patel

The nuclear relationship between China and the United States is not the most important component of Sino-American relations; that honor belongs to economics. Nor is the nuclear relationship the most worrisome security issue. China’s growing emphasis on high-technology asymmetric warfare, especially cyber warfare, is likely to require far greater analysis and adaptation by the U.S. national security community. Yet nuclear weapons, because of their destructiveness and the mystique associated with them, remain a unique measure of national power. They have too often been neglected in discussions of Sino-American relations. This chapter, therefore, analyzes what is known about China’s strategic posture, identifies existing ambiguities, and suggests initiatives to improve mutual understanding and reduce the possibility of miscalculation. It does not consider other nuclear weapons-related issues such as the security of nuclear weapons or Chinese non-proliferation policy. 2

# Prolif

#### New proliferators will build small arsenals which are uniquely stable.

**Seng 98** (Jordan, PhD Candidate in Pol. Sci. – U. Chicago, Dissertation, “Strategy for Pandora's Children: Stable Nuclear Proliferation Among Minor States”, p. 203-206)

However, this "state of affairs" is not as dangerous as it might seem. The nuclear arsenals of limited nuclear proliferators will be small and, consequently, the command and control organizations that manage those arsenals will be small as well. The small arsenals of limited nuclear proliferators will mitigate against many of the dangers of the highly delegative, 'non-centralized' launch procedures Third World states are likely to use. This will happen in two main ways. First, only a small number of people need be involved in Third World command and control. The superpowers had tens of thousands of nuclear warheads and thousands of nuclear weapons personnel in a variety of deployments organized around numerous nuclear delivery platforms. A state that has, say, fifty nuclear weapons needs at most fifty launch operators and only a handful of group commanders. This has both quantitative and qualitative repercussions. Quantitatively, the very small number of people 'in the loop' **greatly diminishes the statistical probability** that accidents or human error will result in inappropriate nuclear launches. All else being equal, the chances of finding some guard asleep at some post increases with the number of guards and posts one has to cover. Qualitatively, small numbers makes it possible to centrally train operators, to screen and choose them with exceeding care, 7 and to keep each of them in direct contact with central authorities in times of crises. With very small control communities, there is no need for intermediary commanders. Important information and instructions can get out quickly and directly. Quality control of launch operators and operations is easier. In some part, at least, Third World states can compensate for their lack of sophisticated use-control technology with a more controlled selection of, and more extensive communication with, human operators. Secondly, and relatedly, Third World proliferators will not need to rely on cumbersome standard operating procedures to manage and launch their nuclear weapons. This is because the number of weapons will be so small, and also because the arsenals will be very simple in composition. Third World stares simply will not have that many weapons to keep track of. Third World states will not have the great variety of delivery platforms that the superpowers had (various ballistic missiles, cruise missiles, long range bombers, fighter bombers, missile submarines, nuclear armed ships, nuclear mortars, etc., etc.), or the great number and variety of basing options, and they will not employ the complicated strategies of international basing that the superpowers used. The small and simple arsenals of Third World proliferators will not require highly complex systems to coordinate nuclear activities. This creates two specific organizational advantages. One, small organizations, even if they do rely to some extent of standard operating procedures, can be flexible in times of crisis. As we have discussed, the essential problem of standard operating procedures in nuclear launch processes is that the full range if possible strategic developments cannot be predicted and specified before the fact, and thus responses to them cannot be standardized fully. An unexpected event can lead to 'mismatched' and inappropriate organizational reactions. In complex and extensive command and control organizations, standard operating procedures coordinate great numbers of people at numerous levels of command structure in a great multiplicity of places. If an unexpected event triggers operating procedures leading to what would be an inappropriate nuclear launch, it would be very difficult for central commanders to “get the word out' to everyone involved. The coordination needed to stop launch activity would be at least as complicated as the coordination needed to initiate it, and, depending on the speed of launch processes, there may be less time to accomplish it. However, the small numbers of people involved in nuclear launches and the simplicity of arsenals will make it far easier for Third World leaders to 'get the word out' and reverse launch procedures if necessary. Again, so few will be the numbers of weapons that all launch operators could be contacted directly by central leaders. The programmed triggers of standard operating procedures can be passed over in favor of unscripted, flexible responses based on a limited number of human-to-human communications and confirmations. Two, the smallness and simplicity of Third World command and control organizations will make it easier for leaders to keep track of everything that is going on at any given moment. One of the great dangers of complex organizational procedures is that once one organizational event is triggered—once an alarm is sounded and a programmed response is made—other branches of the organization are likely to be affected as well. This is what Charles Perrow refers to as interactive complexity, 8 and it has been a mainstay in organizational critiques of nuclear command and control s ystems.9 The more complex the organization is, the more likely these secondary effects are, and the less likely they are to be foreseen, noticed, and well-managed. So, for instance, an American commander that gives the order to scramble nuclear bombers over the U.S. as a defensive measure may find that he has unwittingly given the order to scramble bombers in Europe as well. A recall order to the American bombers may overlook the European theater, and nuclear misuse could result. However, when numbers of nuclear weapons can be measured in the dozens rather than the hundreds or thousands, and when deployment of those weapons does not involve multiple theaters and forward based delivery vehicles of numerous types, tight coupling is unlikely to cause unforeseen and unnoticeable organizational events. Other things being equal, it is just a lot easier to know all of what is going on. In short, while Third World states may not have the electronic use-control devices that help ensure that peripheral commanders do nor 'get out of control,' they have other advantages that make the challenge of centralized control easier than it was for the superpowers. The small numbers of personnel and organizational simplicity of launch bureaucracies means that even if a few more people have their fingers on the button than in the case of the superpowers, there will be less of a chance that weapons will be launched without a definite, informed and unambiguous decision to press that button.

#### Prolif will be slow

Tepperman 9 Deputy Editor at Newsweek. Frmr Deputy Managing Editor, Foreign Affairs. LLM, i-law, NYU. MA, jurisprudence, Oxford. (Jonathan, Why Obama Should Learn to Love the Bomb, http://jonathantepperman.com/Welcome\_files/nukes\_Final.pdf)

The risk of an arms race—with, say, other Persian Gulf states rushing to build a bomb after Iran got one—is a bit harder to dispel. Once again, however, history is instructive. "In 64 years, the most nuclear-weapons states we've ever had is 12," says Waltz. "Now with North Korea we're at nine. That's not proliferation; that's spread at glacial pace." Nuclear weapons are so controversial and expensive that only countries that deem them absolutely critical to their survival go through the extreme trouble of acquiring them. That's why South Africa, Ukraine, Belarus, and Kazakhstan voluntarily gave theirs up in the early '90s, and why other countries like Brazil and Argentina dropped nascent programs. This doesn't guarantee that one or more of Iran's neighbors—Egypt or Saudi Arabia, say—might not still go for the bomb if Iran manages to build one. But the risks of a rapid spread are low, especially given Secretary of State Hillary Clinton's recent suggestion that the United States would extend a nuclear umbrella over the region, as Washington has over South Korea and Japan, if Iran does complete a bomb. If one or two Gulf states nonetheless decided to pursue their own weapon, that still might not be so disastrous, given the way that bombs tend to mellow behavior.

#### No domino effect

Alagappa 9—Distinguished Senior Fellow, East-West Center. PhD, IR, Tufts (Muthiah, The long shadow: nuclear weapons and security in 21st century Asia, ed. Alagappa, 521-2)

It will be useful at this juncture to address more directly the set of instability arguments advanced by certain policy makers and scholars: the domino effect of new nuclear weapon states, the probability of preventive action against new nuclear weapon states, and the compulsion of these states to use their small arsenals early for fear of losing them in a preventive or preemptive strike by a stronger nuclear adversary. On the domino effect, India's and Pakistan's nuclear weapon programs have not fueled new programs in South Asia or beyond. Iran's quest for nuclear weapons is not a reaction to the Indian or Pakistani programs. It is grounded in that country's security concerns about the United States and Tehran's regional aspirations. The North Korean test has evoked mixed reactions in Northeast Asia. Tokyo is certainly concerned; its reaction, though, has not been to initiate its own nuclear weapon program but to reaffirm and strengthen the American extended deterrence commitment to Japan. Even if the U.S. Japan security treaty were to weaken, it is not certain that Japan would embark on a nuclear weapon program. Likewise, South Korea has sought reaffirmation of the American extended deterrence commitment, but has firmly held to its nonnuclear posture. Without dramatic change in its political, economic, and security circumstances, South Korea is highly unlikely to embark on a covert (or overt) nuclear weapon program as it did in the 1970s. South Korea could still become a nuclear weapon state by inheriting the nuclear weapons of North Korea should the Kim Jong Il regime collapse. Whether it retains or gives up that capability will hinge on the security circumstances of a unified Korea. The North Korean nuclear test has not spurred Taiwan or Mongolia to develop nuclear weapon capability. The point is that each country's decision to embark on and sustain nuclear weapon programs is contingent on its particular security and other circumstances. **Though appealing, the domino theory is not predictive**; often it is employed to justify policy on the basis of alarmist predictions. The loss of South Vietnam, for example, did not lead to the predicted domino effect in Southeast Asia. In fact the so-called dominos became drivers of a vibrant Southeast Asia and brought about a fundamental transformation in that subregion (Lord 1993, 1996). In the nuclear arena, the nuclear programs of China, India, and Pakistan were part of a security chain reaction, not mechanically falling dominos. However, as observed earlier the Indian, Pakistani, and North Korean nuclear tests have thus far not had the domino effect predicted by alarmist analysts and policy makers. Great caution should be exercised in accepting at face value the sensational predictions of individuals who have a vested interest in accentuating the dangers of nuclear proliferation. Such analysts are now focused on the dangers of a nuclear Iran. A nuclear Iran may or may not have destabilizing effects. Such claims must be assessed on the basis of an objective reading of the drivers of national and regional security in Iran and the Middle East.

**NPT fails**

**Betts 2k** – Professor of War and Peace Studies, Columbia (Richard, The Coming Crisis, ed Utgoff, p 69)

First, as useful as treaties are, it is a misconception to see them as a solution. They are effects of nonproliferation, not causes of it. The NPT and CTBT reflect the intent of their adherents to abjure nuclear weapons. To date, the countries considered problematic—those that might acquire nuclear weapons—simply did not join the NPT. (South Africa stayed out while it had a nuclear weapons program and joined when it decided to get rid of it.) Or else they joined and cheated (Iraq and North Korea). The inspection obligations of treaty membership did not reveal or reverse the weapons programs of Iraq and North Korea. Iraq passed International Atomic Energy Agency (IAEA) inspections, and it was unilateral U.S. intelligence collection, not the IAEA, that detected the illegal North Korean activity. **If the NPT or CTBT themselves prevent prolif**eration, **one should be able to name at least one specific country that would have sought nuclear weapons** or tested them**, but** refrained from doing so, or **was stopped, because of either treaty. None comes to mind.**

#### No risk of prolif, it wouldn’t cause a chain reaction, and it would be slow at worst - your evidence is alarmism

Gavin 10 (Francis, Tom Slick Professor of International Affairs and Director of the Robert S. Strauss Center for International Security and Law @ the Lyndon B. Johnson School of Public Affairs @ the University of Texas at Austin, “Sam As It Ever Was; Nuclear Alarmism, Proliferation, and the Cold War,” Lexis)

Fears of a tipping point were especially acute in the aftermath of China's 1964 detonation of an atomic bomb: it was predicted that India, Indonesia, and Japan might follow, with consequences worldwide, as "Israel, Sweden, Germany, and other potential nuclear countries far from China and India would be affected by proliferation in Asia." 40 A U.S. government document identified "at least eleven nations (India, Japan, Israel, Sweden, West Germany, Italy, Canada, Czechoslovakia, East Germany, Rumania, and Yugoslavia)" with the capacity to go nuclear, a number that would soon "grow substantially" to include "South Africa, the United Arab Republic, Spain, Brazil and Mexico." 41 A top-secret, blue-ribbon committee established to craft the U.S. response contended that "the [1964] Chinese nuclear explosion has increased the urgency and complexity of this problem by creating strong pressures to develop independent nuclear forces, which, in turn, could strongly influence the plans of other potential nuclear powers." 42 These predictions were largely wrong. In 1985 the National Intelligence Council noted that for "almost thirty years the Intelligence Community has been writing about which nations might next get the bomb." All of these estimates based their largely pessimistic and ultimately incorrect estimates on factors such as the increased "access to fissile materials," improved technical capabilities in countries, the likelihood of "chain reactions," or a "scramble" to proliferation when "even one additional state demonstrates a nuclear capability." The 1985 report goes on, "The most striking characteristic of the present-day nuclear proliferation scene is that, despite the alarms rung by past Estimates, no additional overt proliferation of nuclear weapons has actually occurred since China tested its bomb in 1964." Although "some proliferation of nuclear explosive capabilities and other major proliferation-related developments have taken place in the past two decades," they did not have "the damaging, systemwide impacts that the Intelligence community generally anticipated they would." 43 In his analysis of more than sixty years of failed efforts to accurately predict nuclear proliferation, analyst Moeed Yusuf concludes that "the pace of proliferation has been much slower than anticipated by most." The majority of countries suspected of trying to obtain a nuclear weapons capability "never even came close to crossing the threshold. In fact, most did not even initiate a weapons program." If all the countries that were considered prime suspects over the past sixty years had developed nuclear weapons, "the world would have at least 19 nuclear powers today." 44 As Potter and Mukhatzhanova argue, government and academic experts frequently "exaggerated the scope and pace of nuclear weapons proliferation." 45 Nor is there compelling evidence that a nuclear proliferation chain reaction will ever occur. Rather, the pool of potential proliferators has been shrinking. Proliferation pressures were far greater during the Cold War. In the 1960s, at least twenty-one countries either had or were considering nuclear weapons research programs. Today only nine countries are known to have nuclear weapons. Belarus, Brazil, Kazakhstan, Libya, South Africa, Sweden, and Ukraine have dismantled their weapons programs. Even rogue states that are/were a great concern to U.S. policymakers--Iran, Iraq, Libya, and North Korea--began their nuclear weapons programs before the Cold War had ended. 46 As far as is known, no nation has started a new nuclear weapons program since the demise of the Soviet Union in 1991. 47 Ironically, by focusing on the threat of rogue states, policymakers may have underestimated the potentially far more destabilizing effect of proliferation in "respectable" states such as Germany, Japan, South Korea, and Taiwan.

#### North Korean prolif inevitable—nothing will stop them

Palla 10(Stephanie, Experts Pessimistic on North Korea’s Willingness to Give Up Nukes, 25 February 2010, http://www.globalsecuritynewswire.org/gsn/nw\_20100225\_7481.php)

Even if North Korea agrees to resume negotiations on its nuclear program, it is unlikely to ever prove willing to give up its strategic deterrent, experts on East Asia's role in international security argued last week (see GSN, Feb. 24). During a panel discussion at the Hudson Institute, speakers addressed the obstacles the United States faces in trying to jump-start the denuclearization process in Pyongyang. Upon taking office in January 2009, the Obama administration made clear its willingness to engage directly with Pyongyang but also that it wanted to push ahead with the six-party talks intended to shutter the regime's nuclear-weapon program. The North responded with an apparent ballistic missile test in April and its second nuclear test in May, and was hit with stronger U.N. sanctions for its efforts. Pressure and heated rhetoric between Washington and Pyongyang have eased since then, according to Victor Cha, Korea chair at the Center for Strategic and International Studies. North Korea has expressed a willingness to participate in denuclearization negotiations with China, Japan, Russia, South Korea and the United States, which were last held in December 2008 - but only after being freed from sanctions and beginning peace talks with the United States. Experts voiced their pessimism over the chance of progress in any talks, based on failures by Washington and the other governments to deter North Korea from pursuing nuclear weapons even after giving Pyongyang numerous incentives. "I don't think that this administration or any future administration can promise more," Cha, a former negotiator to the talks, said at the Feb. 18 event. Diplomatic efforts by prior U.S. presidential administrations differed in approach but have offered North Korea the same basic incentives going back to the administration of President George H.W. Bush, Cha said. These promises included energy and economic support, normalization of relations between the Pyongyang and Washington, supporting a civilian nuclear energy program in the North, and consideration of a peace treaty to formally end the Korean War. Under the most recent agreement, in 2007, the Bush administration removed North Korea from the U.S. list of state sponsors of terrorism and joined several other six-party states in providing heavy fuel oil for isolated state. Pyongyang took steps toward disabling its plutonium-producing Yongbyon complex, but never followed through on its pledge to dismantle the site. It has since ejected international monitors and resumed operations there. In previous agreements with the North, the other states "put all the hard requirements down later on in the agreement just so you can get the negotiations going," said Patrick Cronin, senior director of the Asia-Pacific Security Program at the Center for a New American Security. "It's classic confidence building. The problem with that is every time we've done this, it's placed these sort of agreements at risk later on and they fall apart when there's anything serious about to be done." North Korea has conducted two nuclear test blasts and is believed to have sufficient plutonium for several weapons. However, its ability to actually delivery any warhead remains in doubt. The fundamental question underlining the years-long process of the six-party talks was the possibility North Korea could be persuaded to eliminate its nuclear program if given the right incentives. Pyongyang, though, has," and numerous U.S. pledges of its nonhostile intentions have not quelled that mistrust. continually cited the need for nuclear weapons in the face of "external threats This standoff is evidence that no U.S. assurances or incentives would curb North Korean doubts and persuade it to take meaningful steps toward denuclearization, according to Cha. "It is very difficult for me to see this particular regime ever denuclearizing because even if you got rid of every potential external threat to North Korea -- even if you surrounded North Korea with five Costa Ricas -- this regime would still feel insecure," he said. "It's the nature of the regime; its inability to fulfill at least their version of the socialist contract with their people. This is the primary insecurity to the regime." Cronin was similarly downbeat. "I hate to be an additional realist and skeptic on this," he said. "Are we asking and expecting too much from six-party talks?" The United States should not expect the regime's "calculus" to change through negotiations, he added. Instead, the Obama administration should use the talks to maintain and strengthen partnerships with allies South Korea and Japan, according to Cronin. An additional obstacle to North Korean nuclear disarmament is the program's international notoriety, according to one speaker. "I just don't see that the government in Pyongyang has much reason -- or much incentive -- to give away the one thing that has caused the rest of the world to pay them any significant attention whatsoever since the end of the Cold War," said Christopher Ford, director of the Center for Technology and Global Security at the Hudson Institute.

# 2nc

## CP

conditionality good 2NC

**Conditionality is good- first our offense**

1. **Key to education**
   1. Only conditionality allows simultaneous critical and policy evaluation of the plan which is good to fully test academic presentation.
   2. **Time pressure good-** Forces the 2AC to make intelligent strategic choices.
   3. **Best policy option-** Pinning down the negative in the 1NC forecloses our ability to fully test the 1AC.
2. **Key to Fairness**
   1. **Counterplan Ground-** Unconditionality is the only other alternative which scews the negative since the aff can run 8 minutes of perms and straight turns.
   2. **Negative strategy-** We should be able to counterplan out of 2AC add-ons in the 2NC since they weren’t calculated for in our 1NC strategy.
   3. **Err negative-** infinite prep, affirmative wins 60% of rounds, and first/last speech prove it is hard to be negative.
   4. **Conditional permutations check abuse-** they give the aff multiple conditional worlds, this outweighs negative conditionality since they get final choice of collapse-down in the 2AR and the plan is the focus of the debate.

**Now our defense**

1. **Multiple worlds are fair**
2. **1AC Checks the Status Quo-** Rebuttals can make up for 2AC undercoverage with 1AC cross-applications.
3. **Time skew is arbitrary-** 14 disads would spread the 2AC also- it isn’t a unique reason to vote against us.
4. **Its reciprocal-** Takes us as much time and strategic diversion to go for multiple worlds as it takes the aff to answer them.
5. **All arguments are conditional-** the 1AR doesn’t go for all 2AC arguments, and time constraints prevent extension of every argument.
6. **Counter interpretation**- the negative gets only 1 conditional counterplan- this checks infinite regression.
7. **Reasonability checks-** even if we lose offensive voters they should have to prove that conditionality is substantially worse for debate than unconditionality.
8. **Reject the argument not the team-** We’ve invested time on the theory debate too; the punishment should fit the crime.

### 2NC Perm-Do Both-Statutory-Flexibility

#### The perm still links to the D/A, only unilateral executive action solves the DA.

Moe and Howell, Fellow for the Hoover Institution and Harvard Professor, 99

Terry M. Moe and William G. Howell, senior fellow for the Hoover Institution and Associate Professor for the Government Department at Harvard University, “Unilateral Action and Presidential Power: A theory”, LexisNexus.com 12-99

If the president had the power to act unilaterally in this same situation, as depicted in Figure 1B, things would turn out much more favorably. He would not have to accept Congress's shift in policy from [SQ.sub.2] to [SQ.sub.2\*] and could take action on his own to move the status quo from [SQ.sub.2\*] to V--using his veto to prevent any movement away from this point. V would be the equilibrium outcome (as it was in the earlier case of unilateral action). And although the president would still lose some ground as policy moves from the original [SQ.sub.2] to V, unilateral action allows him to keep policy much closer to his ideal point--and farther from Congress's ideal point--than would otherwise have been the case. He clearly has more power over outcomes when he can act unilaterally.

The permutation prevents unilateral executive action

Bellia, Law Professor at Notre Dame, 02

Patricia L Bellia, Associate Law Professor for Notre Dame Law School, “Executive power in Youngstown’s shadows”, LexisNexus.com, 02

Justice Jackson suggested that presidential powers "are not fixed but fluctuate, depending upon their disjunction or conjunction with those of Congress." (59) He offered the following grouping of presidential actions and their legal consequences: 1. When the President acts pursuant to an express or implied authorization of Congress, his authority is at its maximum, for it includes all that he possesses in his own right plus all that Congress can delegate. 2. When the President acts in absence of either a congressional grant or denial of authority, he can only rely upon his own independent powers, but there is a zone of twilight in which he and Congress may have concurrent authority, or in which its distribution is uncertain. Therefore, congressional inertia, indifference or quiescence may sometimes, at least as a practical matter, enable, if not invite, measures on independent presidential responsibility. In this area, any actual test of power is likely to depend on the imperatives of events and contemporary imponderables rather than on abstract theories of law. 3. When the President takes measures incompatible with the expressed or implied will of Congress, his power is at its lowest ebb, for then he can rely only upon his own constitutional powers minus any constitutional powers of Congress over the matter. Courts can sustain exclusive presidential control in such a case only by disabling the Congress from acting upon the subject. (60)

### 2NC CP Avoids Politics

#### Executive action avoids politics

Sovacool 9

Dr. Benjamin K. Sovacool 2009 is a Research Fellow in the Energy Governance Program at the Centre on Asia and Globalization., Kelly E. Sovacool is a Senior Research Associate at the Lee Kuan Yew School of Public Policy at the National University of SingaporeArticle: Preventing National Electricity-Water Crisis Areas in the United States, Columbia Journal of Environmental Law 2009 34 Colum. J. Envtl. L. 333,

¶ Executive Orders also save time in a second sense. The President does not have to expend scarce political capital trying to persuade Congress to adopt his or her proposal. Executive Orders thus save ¶ ¶ presidential attention for other topics. Executive Orders bypass congressional debate and opposition, along with all of the horsetrading and compromise such legislative activity entails.¶ ¶ 292¶ ¶ Speediness of implementation can be especially important when challenges require rapid and decisive action. After the September ¶ ¶ 11, 2001 attacks on the Pentagon and World Trade Center, for ¶ ¶ instance, the Bush Administration almost immediately passed ¶ ¶ Executive Orders forcing airlines to reinforce cockpit doors and ¶ ¶ freezing the U.S. based assets of individuals and organizations ¶ ¶ involved with terrorist groups.¶ ¶ 293¶ ¶ These actions took Congress ¶ ¶ nearly four months to debate and subsequently endorse with ¶ ¶ legislation. Executive Orders therefore enable presidents to ¶ ¶ rapidly change law without having to wait for congressional action ¶ ¶ or agency regulatory rulemaking.

#### Backlash against Obama on executive action won’t gain traction

Ramsey 12

(MICHAEL D. RAMSEY, is Professor of Law at the University of San Diego School of Law, “THE FEDERALIST SOCIETY NATIONAL LAWYERS CONVENTION--2011: MEET THE NEW BOSS: CONTINUITY IN PRESIDENTIAL WAR POWERS?” Summer, 2012, Harvard Journal of Law & Public Policy, LexisNexis, KB)

Thus there has been an escalation in the use of unconstitutional executive war power under President Obama, yet there has not been an outcry against him resembling the outcry against the Bush Administration, which was routinely attacked for exceeding the limits of executive power. n29 Although some voices have been raised against President Obama's claims of executive power, n30 they have been marginalized. They have not [\*871] been taken up by the mainstream in the manner of similar criticisms of President Bush. My speculation is that there is an identification by legal and media elites with the establishment Democratic Party that makes it difficult for these criticisms to gain traction in the way they did in the Bush Administration.¶ I think this makes it easier for Democratic presidents than for Republican presidents to unconstitutionally extend executive power. Thus Obama's policies, which are much more deserving of constitutional criticism, do not generate the popular pushback that we saw, perhaps unjustifiably, against President Bush. In any event, what is most striking about executive war power under President Obama is not the commonly recognized continuity as compared to the prior administration, but rather the increased disregard of constitutional limits.

#### Their evidence doesn’t assume foreign policy which is uniquely shielded from backlash

Moe and Howell 99

(Terry Moe, William Bennett Munro professor of political science at Stanford University, a senior fellow at Stanford University's Hoover Institution, and a member of the Hoover Institution’s Koret Task Force on K-12, William Howell, the Sydney Stein Professor in American Politics in the Harris School, a professor in the Department of Political Science and the College, and a co-director of the Program on Political Institutions, “The Presidential Power of Unilateral Action” 1999, Oxford University Press, <http://jleo.oxfordjournals.org.ezproxy.baylor.edu/content/15/1/132.full.pdf>, KB)

Yet statutory constraint cannot be counted upon to work especially well as¶ a check on unilateral action by presidents. In the ﬁrst place, legislators may¶ actually prefer broad delegations of authority on many occasions, granting presidents substantial discretion to act unilaterally. This can happen, for instance,¶ (1) when their policy goals are similar to those of presidents, (2) when they are¶ heavily dependent on the expertise and experience of the administration, (3)¶ when they want to avoid making conflictual decisions within the legislature,¶ and thus ﬁnd it attractive to “shill the responsibility" to the executive, (4) when¶ Congress, as a collective institution, really doesn't have speciﬁc preferences¶ and can only decide on the broad outlines of a policy, (5) when, in complex pol-¶ icy areas with changing environments, it is impossible to design a decent policy¶ that promises to meet its objectives unless substantial authority is delegated¶ to the executive, and (6) when certain policies require speed, ﬂexibility, and¶ secrecy if they are to be successful (Moe, 1990, 1998; Epstein and O'l-ialloran,¶ I999). Most of these conditions, we should point out, are more likely to be met in foreign rather than domestic policy, so there is good reason to expect broad¶ delegations to be more common in that realm.

### CHina

**No Chinese backsliding---decades of threats far worse than the status quo prove**

**Rong and Peng 9** – Rong Yu, Ph. D. candidate at the Institute of International Strategy and Development, School of Public Policy and Management, Tsinghua University, and Peng Guanqian, military strategist with the Chinese Academy of Military Sciences of the People's Liberation Army, Winter 2009, “Nuclear No-First-Use Revisited,” China Security, Vol. 5, No. 1

In addition, at least for now, the declaratory NFU policy, even a unilateral one, is proven to have immense binding power on the states pursuing it. Although some people believe China’s NFU policy is not credible, China has never wavered from its promise during the past 40 years. China had an inferior nuclear arsenal and conventional force when it was on poor terms with the Soviet Union and the United States during the Cold War. Today, China’s international environment has greatly improved, its economy has strengthened, and its technology capabilities have grown. Yet, China has not moved toward a change in its nuclear policy. Even today, when a possible cross-strait crisis initiated by Taiwanese secessionist activists might involve the nuclear superior United States, China still exerts great restraint in its response and has not wavered in its unilateral NFU policy.

**China’s modernization is inherently slow and stable---it’s guided by their doctrine which rejects any offensive role for nuclear weapons---there’s no chance modernization turns offensive**

**Yuan 9** – Jing-Dong Yuan, Director of the East Asia Nonproliferation Program at the James Martin Center for Nonproliferation Studies and associate professor of international policy studies at the Monterey Institute of International Studies, April 2009, “China and the Nuclear-Free World,” in Engaging China and Russia on Nuclear Disarmament, eds. Hansell and Potter, online: http://cns.miis.edu/opapers/op15/op15.pdf

China has long maintained that its nuclear weapons development is largely driven by the need to respond to nuclear coercion and blackmail. The role of nuclear weapons, in this context, is purely defensive and retaliatory, rather than war-fighting, as some western analysts suggest.19 Indeed, in the early years, China even rejected the concept of deterrence, regarding it as an attempt by the superpowers to compel others with the threat of nuclear weapons. This probably explains the glacial pace with which China introduced, modified, and modernized its small-size nuclear arsenals over the past four decades. Mainly guided by the principle that nuclear weapons will only be used (but used in a rather indiscriminate way) if China is attacked with nuclear weapons by others, nuclear weapons in China’s defense strategy serve political rather than military purposes.20

PLA analysts emphasize that the terms “nuclear strategy” and “nuclear doctrine” are rarely used in Chinese strategic discourse; instead, a more commonly used term refers to “nuclear policy,” which in turn is governed by the country’s national strategy. Hence, the deployment and use of nuclear weapons are strictly under the “supreme command” of the Communist Party and its Central Military Commission. Nuclear weapons are for strategic deterrence only; no tactical or operational utility is entertained. If and when China is under a nuclear strike, regardless of the size and the yield, it warrants strategic responses and retaliation.21 Chinese leaders and military strategists consider the role for nuclear weapons as one of defensive nuclear deterrence (ziwei fangyu de heweishe). Specifically, the country’s nuclear doctrine and force modernization have been informed and guided by three general principles: effectiveness (youxiaoxing), sufficiency (zugou), and counter-deterrence (fanweishe).22 China’s 2006 Defense White Paper emphasizes the importance of developing land-based strategic capabilities, both nuclear and conventional, but provides no specifics on the existing arsenal, the structure of the Second Artillery Corps (China’s strategic nuclear force) order of battle, or the projected size of the nuclear force. It indicates only that China will continue to maintain and build a lean and effective nuclear force. While Chinese analysts acknowledge that deterrence underpins China’s nuclear doctrine, it is more in the sense of preventing nuclear coercion by the superpower(s) without being coercive itself, and hence it is counter-coercion or counter-deterrence. Rather than build a large nuclear arsenal as resources and relevant technologies have become available, a path pursued by the superpowers during the Cold War, China has kept the size of its nuclear weapons modest, compatible with a nuclear doctrine of minimum deterrence.23 According to Chinese analysts, nuclear weapons’ role in China’s defense doctrine and posture is limited and is reinforced by the NFU position, a limited nuclear arsenal, and support of nuclear disarmament.

### Prolif

#### No risk of prolif, it wouldn’t cause a chain reaction, and it would be slow at worst - your evidence is alarmism

Gavin 10 (Francis, Tom Slick Professor of International Affairs and Director of the Robert S. Strauss Center for International Security and Law @ the Lyndon B. Johnson School of Public Affairs @ the University of Texas at Austin, “Sam As It Ever Was; Nuclear Alarmism, Proliferation, and the Cold War,” Lexis)

Fears of a tipping point were especially acute in the aftermath of China's 1964 detonation of an atomic bomb: it was predicted that India, Indonesia, and Japan might follow, with consequences worldwide, as "Israel, Sweden, Germany, and other potential nuclear countries far from China and India would be affected by proliferation in Asia." 40 A U.S. government document identified "at least eleven nations (India, Japan, Israel, Sweden, West Germany, Italy, Canada, Czechoslovakia, East Germany, Rumania, and Yugoslavia)" with the capacity to go nuclear, a number that would soon "grow substantially" to include "South Africa, the United Arab Republic, Spain, Brazil and Mexico." 41 A top-secret, blue-ribbon committee established to craft the U.S. response contended that "the [1964] Chinese nuclear explosion has increased the urgency and complexity of this problem by creating strong pressures to develop independent nuclear forces, which, in turn, could strongly influence the plans of other potential nuclear powers." 42 These predictions were largely wrong. In 1985 the National Intelligence Council noted that for "almost thirty years the Intelligence Community has been writing about which nations might next get the bomb." All of these estimates based their largely pessimistic and ultimately incorrect estimates on factors such as the increased "access to fissile materials," improved technical capabilities in countries, the likelihood of "chain reactions," or a "scramble" to proliferation when "even one additional state demonstrates a nuclear capability." The 1985 report goes on, "The most striking characteristic of the present-day nuclear proliferation scene is that, despite the alarms rung by past Estimates, no additional overt proliferation of nuclear weapons has actually occurred since China tested its bomb in 1964." Although "some proliferation of nuclear explosive capabilities and other major proliferation-related developments have taken place in the past two decades," they did not have "the damaging, systemwide impacts that the Intelligence community generally anticipated they would." 43 In his analysis of more than sixty years of failed efforts to accurately predict nuclear proliferation, analyst Moeed Yusuf concludes that "the pace of proliferation has been much slower than anticipated by most." The majority of countries suspected of trying to obtain a nuclear weapons capability "never even came close to crossing the threshold. In fact, most did not even initiate a weapons program." If all the countries that were considered prime suspects over the past sixty years had developed nuclear weapons, "the world would have at least 19 nuclear powers today." 44 As Potter and Mukhatzhanova argue, government and academic experts frequently "exaggerated the scope and pace of nuclear weapons proliferation." 45 Nor is there compelling evidence that a nuclear proliferation chain reaction will ever occur. Rather, the pool of potential proliferators has been shrinking. Proliferation pressures were far greater during the Cold War. In the 1960s, at least twenty-one countries either had or were considering nuclear weapons research programs. Today only nine countries are known to have nuclear weapons. Belarus, Brazil, Kazakhstan, Libya, South Africa, Sweden, and Ukraine have dismantled their weapons programs. Even rogue states that are/were a great concern to U.S. policymakers--Iran, Iraq, Libya, and North Korea--began their nuclear weapons programs before the Cold War had ended. 46 As far as is known, no nation has started a new nuclear weapons program since the demise of the Soviet Union in 1991. 47 Ironically, by focusing on the threat of rogue states, policymakers may have underestimated the potentially far more destabilizing effect of proliferation in "respectable" states such as Germany, Japan, South Korea, and Taiwan.

#### North Korean prolif inevitable—nothing will stop them

Palla 10(Stephanie, Experts Pessimistic on North Korea’s Willingness to Give Up Nukes, 25 February 2010, http://www.globalsecuritynewswire.org/gsn/nw\_20100225\_7481.php)

Even if North Korea agrees to resume negotiations on its nuclear program, it is unlikely to ever prove willing to give up its strategic deterrent, experts on East Asia's role in international security argued last week (see GSN, Feb. 24). During a panel discussion at the Hudson Institute, speakers addressed the obstacles the United States faces in trying to jump-start the denuclearization process in Pyongyang. Upon taking office in January 2009, the Obama administration made clear its willingness to engage directly with Pyongyang but also that it wanted to push ahead with the six-party talks intended to shutter the regime's nuclear-weapon program. The North responded with an apparent ballistic missile test in April and its second nuclear test in May, and was hit with stronger U.N. sanctions for its efforts. Pressure and heated rhetoric between Washington and Pyongyang have eased since then, according to Victor Cha, Korea chair at the Center for Strategic and International Studies. North Korea has expressed a willingness to participate in denuclearization negotiations with China, Japan, Russia, South Korea and the United States, which were last held in December 2008 - but only after being freed from sanctions and beginning peace talks with the United States. Experts voiced their pessimism over the chance of progress in any talks, based on failures by Washington and the other governments to deter North Korea from pursuing nuclear weapons even after giving Pyongyang numerous incentives. "I don't think that this administration or any future administration can promise more," Cha, a former negotiator to the talks, said at the Feb. 18 event. Diplomatic efforts by prior U.S. presidential administrations differed in approach but have offered North Korea the same basic incentives going back to the administration of President George H.W. Bush, Cha said. These promises included energy and economic support, normalization of relations between the Pyongyang and Washington, supporting a civilian nuclear energy program in the North, and consideration of a peace treaty to formally end the Korean War. Under the most recent agreement, in 2007, the Bush administration removed North Korea from the U.S. list of state sponsors of terrorism and joined several other six-party states in providing heavy fuel oil for isolated state. Pyongyang took steps toward disabling its plutonium-producing Yongbyon complex, but never followed through on its pledge to dismantle the site. It has since ejected international monitors and resumed operations there. In previous agreements with the North, the other states "put all the hard requirements down later on in the agreement just so you can get the negotiations going," said Patrick Cronin, senior director of the Asia-Pacific Security Program at the Center for a New American Security. "It's classic confidence building. The problem with that is every time we've done this, it's placed these sort of agreements at risk later on and they fall apart when there's anything serious about to be done." North Korea has conducted two nuclear test blasts and is believed to have sufficient plutonium for several weapons. However, its ability to actually delivery any warhead remains in doubt. The fundamental question underlining the years-long process of the six-party talks was the possibility North Korea could be persuaded to eliminate its nuclear program if given the right incentives. Pyongyang, though, has," and numerous U.S. pledges of its nonhostile intentions have not quelled that mistrust. continually cited the need for nuclear weapons in the face of "external threats This standoff is evidence that no U.S. assurances or incentives would curb North Korean doubts and persuade it to take meaningful steps toward denuclearization, according to Cha. "It is very difficult for me to see this particular regime ever denuclearizing because even if you got rid of every potential external threat to North Korea -- even if you surrounded North Korea with five Costa Ricas -- this regime would still feel insecure," he said. "It's the nature of the regime; its inability to fulfill at least their version of the socialist contract with their people. This is the primary insecurity to the regime." Cronin was similarly downbeat. "I hate to be an additional realist and skeptic on this," he said. "Are we asking and expecting too much from six-party talks?" The United States should not expect the regime's "calculus" to change through negotiations, he added. Instead, the Obama administration should use the talks to maintain and strengthen partnerships with allies South Korea and Japan, according to Cronin. An additional obstacle to North Korean nuclear disarmament is the program's international notoriety, according to one speaker. "I just don't see that the government in Pyongyang has much reason -- or much incentive -- to give away the one thing that has caused the rest of the world to pay them any significant attention whatsoever since the end of the Cold War," said Christopher Ford, director of the Center for Technology and Global Security at the Hudson Institute.

# 1NR

### Impact Overview

#### (--) Extend our Shifter evidence—strong US Latin American relations are key to solving warming, proliferation, and the spread of democracy. —not only does it outweigh their AFF, it prevents AFF solvency on any of these questions…

#### **(--) Immigration reform is key to US-Latin American relations—no issue is as important:**

Shifter 12 (Michael is the President of Inter-American Dialogue. “Remaking the Relationship: The United States and Latin America,” April, IAD Policy Report, <http://www.thedialogue.org/PublicationFiles/IAD2012PolicyReportFINAL.pdf>, Accessed 1/23/2013, rwg)

Still another advance could come through US immigration reform. By better

aligning the supply and demand for workers in critical industries and opening

new opportunities for millions of currently unauthorized residents, a

more pragmatic migration policy would significantly bolster the US economy.

No other single policy measure would more clearly demonstrate US commitment

to cooperation with Latin America. The comprehensive reform advocated

by both the George W. Bush and the Obama administrations represents

the best approach. More modest changes, however, could still be helpful.

Rather than just responding issue by issue, Washington should seek a broader

framework for US economic relations with Latin America. While some believe

the Free Trade Area of the Americas (FTAA) should be revived, not abandoned,

others argue for pursuit of new approaches to economic integration.

#### (--) Immigration reform key to US-Latin American relations:

Charlene Barshefsky, 2008 (Serves on the Board of the

Council on Foreign Relations, “U.S.-Latin America Relations: A New Direction

for a New Reality, <http://www.cfr.org/mexico/us-latin-america-relations/p16279>, Accessed 1/23/2013, rwg)

Immigration reform is one of the most pressing domestic policy issues

facing the United States. It is also a critical issue for U.S.-Latin America

relations. The defeat of immigration reform in the U.S. Senate in 2007

suggests that no broad national policy change will be forthcoming in

Recommendations 65

the near term. Piecemeal measures implemented by states and cities

are no substitute for a coherent federal policy on immigration. The

next president and Congress must face this issue in order to meet U.S.

security, economic, and foreign policy interests better.

#### (--) And…Proliferation risks extinction:

**Taylor '02** (Stuart Jr., Senior Writer with the National Journal and contributing editor at Newsweek, Legal Times, September 16, L/N)  
< The truth is, no matter what we do about Iraq, if we don't stop proliferation another five or ten potentially unstable nations may go nuclear before long, making it ever more likely that one or more bombs will be set off on our soil by terrorists or terrorist governments. Even an airtight missile defense will be useless against a nuke hidden in a truck, a shipping container, or a boat. Unless we get serious about stopping proliferation, we are headed for "a world filled with nuclear-weapons states where every crisis threatens to go nuclear," where "**the survival of civilization truly is in question from day to day**," and where "it would be impossible to keep these weapons out of the hands of terrorists, religious cults, and criminal organizations," So writes Ambassador Thomas Graham Jr., a moderate Republican who served as a career arms-controller under six presidents and led the successful Clinton administration effort to extend the Nuclear Nonproliferation Treaty.

#### (--) And…Democracy promotion key to preventing inevitable extinction

Diamond, 1995 senior research fellow at Hoover Institution, **95** (Larry, *Promoting Democracy in the 1990s: Actors and Instruments, Issues and Imperatives,* A Report to the Carnegie Commission on Preventing Deadly Conflict, December 1995, p. 6)

This hardly exhausts the lists of threats to our security and well-being in the coming years and decades. In the former Yugoslavia nationalist aggression tears at the stability of Europe and could easily spread. The flow of illegal drugs intensifies through increasingly powerful international crime syndicates that have made common cause with authoritarian regimes and have utterly corrupted the institutions of tenuous, democratic ones. Nuclear, chemical, and biological weapons continue to proliferate. The very source of life on Earth, the global ecosystem, appears increasingly endangered. Most of these new and unconventional threats to security are associated with or aggravated by the weakness or absence of democracy, with its provisions for legality, accountability, popular sovereignty, and openness.

#### The only impact indict they have is that there impacts are more probable because there’s an incentive for war, but the impact of the disad causes an incentive for war which leads to proliferation and the impact module includes the existential risk of global warming which is happening right now.

#### Warming means extinction if nothing is done

*Graciela* ***Chichilnisky – at least 2010.*** *(Professor of Economics and of Statistics Director, Columbia Consortium for Risk Management (CCRM) Columbia University, 6th Annual Distinguished Lecture Chautauque Series on International StudiesKeynote Address for Women’s History MonthEastern Kentucky University, “Avoiding Extinction,” at least 2010,* [*http://www.chichilnisky.com/wp-content/uploads/2013/01/Avoiding-Extinction-EKU-revised-Jan-23-2013.pdf*](http://www.chichilnisky.com/wp-content/uploads/2013/01/Avoiding-Extinction-EKU-revised-Jan-23-2013.pdf)*, Accessed 8/16/2013, WSH)*

For the first time ever, humans dominate Planet Earth. We are changing the basic metabolism of the planet: the composition of gases in the atmosphere, the integrity of its bodies of water, and the complex web of species that makes life on Earth. What comes next? The changes we are precipitating in the atmosphere are fundamental and can lead to disruptions in climate and global warming. Signals abound: in the Southern hemisphere alpine glaciers and Antartic ice sheets are melting; in the Northern hemisphere Alaska’s permafrost is melting, sinking entire towns whose inhabitants are being relocated at a cost of $140,000 per person. Greenland's ice sheet is gone, creating hostile climate conditions for a number of species that are now close to extinction such as the polar bear. In Patagonia and the Alps we observe mountains without ice or glaciers, reducing the ability of these regions to store water needed for human consumption. In the Caribbean seas 50% of corals are already extinct. Desertification has overtaken 25% of China's land mass. Climatic instability has led to Australia’s longest draught on record, followed by the worst floods in that continent’s history. We observe disappearing summer ice in the Arctic Seas and soil erosion and storm surges in Alaska. Where is all of this coming from? The rapid industrialization of wealthy nations during the last century is responsible for most of the changes and for the risks they entail. Historically the industrialized nations in the Organization of Economic Cooperation and Development (OECD) originated 70% (now still 60%) of all global emissions of carbon, emissions that most scientists in the world, including those in the United Nations Intergovernmental Panel on Climate Change, believe to cause climate change. China’s relentless industrial growth over the last two decades is a sign of things to come: it accelerates the risk of climate change and underscores the fact that in 20 or 30 years into the future most emissions could come from today's poor nations as they assume their turn to industrialize. Water expands when it warms. Since the seas are warming they are rising all over the world. This irrevocable upward trend is well documented: slowly but surely the rising waters will sink the Maldives and most other island states – there are 43 island states in the United Nations representing about 23% of the global vote and most or all could disappear soon under the warming seas. The current shift in climate patterns has led to habitat changes for many insect species and therefore vector illnesses, for example new outbreaks of malaria in Africa. 25 million people are reportedly migrating due to drought and other climate change conditions, and the numbers are increasing rapidly. In the US the consequences are less extreme but they stack up: the mighty Colorado River is drying up, its basin under stress prompts orders to turnoff farm water. Lake Mead’s waters in Nevada exhibit record lows threatening the main supply of water to Las Vegas, and arid areas are spreading quickly as Vegas’ new sites double water use. Wild fires from drought conditions have multiplied and spread rapidly around the region, including California since 2006.The world is aware of the connection that scientists postulate between climate change and the use of fossil energy. The largest segment of carbon emissions, 45% of all global emissions of CO2, originate in the world’s power plant infrastructure, 87% of which are fossil fuel plants that produce the overwhelming majority of the world's electricity. This power plant infrastructure represents $55 trillion according to the International Energy Agency, about the size of the world's economic output. New forms of clean energy are emerging such as wind farms in Scotland and solar farms in Spain in an attempt to forestall carbon emissions. But the process is necessarily slow since the world’s fossil power plant infrastructure is comparable to the world’s entire GDP, and therefore changing this infrastructure will take decades. But this timeframe - several decades - is too slow to avert the potential catastrophes that are anticipated in the next 10 - 20 years. What, then, is the solution? Below we propose a realistic plan that involves market solutions in both industrial and developing nations, simultaneously resolving the problems of economic development and climate change and the global climate negotiations. But the climate change issue is just one of several global environmental areas that are in crisis today. Biodiversity is another: industrialization and climate warming threaten ecosystems. Endangered species include sea- mammals, birds such as cockatoos, polar bears, and marine life such as coral, sawfish, whales, sharks, dogfish, sea-turtles, skates, grouper, seals, rays, and bass; the survival even of primates, our cousins in evolution is at risk. Scientists know that we are in the midst of the 6th largest extinction of biodiversity in the history of Planet Earth, and that the scope of extinction is so large that 75% of all known species are at risk today. The UN Millennium Report documents rates of extinction 1,000 times higher than is found in fossil records. The current 6th largest extinction event follows the dinosaurs’ extinction, which took place 65 million years ago. But today's extinction event is unique in that it is caused, created, by human activity. And it puts our own species at risk. There is a warning signal worth bringing up: all major recorded planetary extinctions were related to changes in climate conditions. Through industrialization we have created environmental conditions that could put our own species’ survival at risk. 99.9% of all species that ever existed are now extinct. Are we to be next? Will humans survive? The issue now is how to avoid extinction**.**

And now is the key time, the impacts should be evaluated first, now is the key time

#### (--) Failure to act soon on Latin American relations causes strain to worsen:

Shifter 12 (Michael is the President of Inter-American Dialogue. “Remaking the Relationship: The United States and Latin America,” April, IAD Policy Report, <http://www.thedialogue.org/PublicationFiles/IAD2012PolicyReportFINAL.pdf>, Accessed 1/23/2013, rwg)

If the current state of affairs continues, the strain between the United States

and Latin America could worsen, adversely affecting the interests and wellbeing

of all in the hemisphere. There is a great deal at stake. This report

offers a realistic assessment of the relationship within a changing regional

and global context and sets out an agenda of old and new business that

need urgent attention. A collaborative effort should begin immediately at

the sixth Summit of the Americas in Cartagena, Colombia.

#### **(--) Failure to act soon will cause relations to drift apart—now is key:**

Shifter 12 (Michael is the President of Inter-American Dialogue. “Remaking the Relationship: The United States and Latin America,” April, IAD Policy Report, <http://www.thedialogue.org/PublicationFiles/IAD2012PolicyReportFINAL.pdf>, Accessed 1/23/2013, rwg)

Despite the multiple opportunities and potential benefits, relations between

the United States and Latin America remain disappointing. If new opportunities

are not seized, relations will likely continue to drift apart. The longer the

current situation persists, the harder it will be to reverse course and rebuild

vigorous cooperation. Hemispheric affairs require urgent attention—both

from the United States and from Latin America and the Caribbean.

#### UQ:

#### Extend our Chicago Sun Times evidence from Jan 2nd—Democrats are on board to cut a deal, Republicans are afraid they’ll lose their status as a major party, and election year politics favor moderation on immigration. Prefer our evidence it cites multiple factors and trends as opposed to the snapshot on immigration.

#### **4 reasons why immigration reform will pass**

Lopez 1-1-2014 [Oscar, Latino writer & scholar, Latin Times, "New Year 2014: 4 reasons Immigration reform will pass in 2014" http://www.latintimes.com/new-year-2014-4-reasons-immigration-reform-will-pass-2014-141778

Immigration reform is set to be the key issue of 2014. Following Mitt Romney's dismal performance among Latino voters in the 2012 election, both sides of the Government woke up to the necessity for comprehensive reform on immigration. Indeed, in his State of the Union address in February, President Obama declared that “the time has come to pass comprehensive immigration reform.” Yet with the House divided over Obamacare and the budget crisis, the Government Shutdown let immigration reform die. 2014 will change that: and here are 4 Reasons Why. 1. Republican Support: A fundamental lack of support from the GOP has always been one of the major obstacles for passing comprehensive reform legislation, and indeed this seemed to be the case this year after the Bill passed by the Senate was struck down by Congress. However, more and more GOP members are realizing the significance of the Latino vote and understanding that passing comprehensive immigration reform is the most significant way of securing support from Latino voters. A July poll from Latino Decisions found that immigration reform was the most important issue facing the Latino community for 60 percent of those surveyed. The poll also found that 70 percent of those questioned were dissatisfied with the job Republicans were doing on the issue. The survey also found the 39 percent would be more likely to support a Republican congressional candidate if immigration reform was passed with Republican leadership. Republican candidates have become aware of the significance of immigration reform for the party. Even in traditionally conservative Republican strongholds like Texas, candidates are turning towards immigration reform. According to Republican strategist and CNN en Español commentator Juan Hernandez, "it also wouldn’t surprise me if after the primary, the candidates move to the center and support reform. For Republicans to stay in leadership in Texas, we must properly address immigration.” The March 2014 primaries will be a key moment in determining how reform progresses: Republican Strategist John Feehery suggests, “The timing on this is very important. What was stupid to do becomes smart to do a little bit later in the year.” Once the primaries are over, GOP members will have the chance to implement reform legislation without fear of challenges from the right. 2. Legalization Over Citizenship: While the Senate’s 2013 immigration reform bill was struck down by Congress, GOP party members have indicated that they will support legislation which favors legalization of undocumented immigrants over a path to citizenship. Meanwhile, a recent survey from Pew Research Hispanic Trends Project demonstrated that 55 percent of Hispanic adults believe that legalizing immigrants and removing the fear of deportation is more important than a pathway to citizenship (although citizenship is still important to 89 percent of Latinos surveyed.) As CBS suggests, “Numbers like these could give leverage to lawmakers who are interested in making some reforms to the legal immigration system, but not necessarily offering any kind of citizenship.” If House Republicans offered legalization legislation for the undocumented community, this could put pressure on the President to compromise. And while this kind of reform would not be as comprehensive as the Senate’s bill, a bipartisan agreement would be a significant achievement towards accomplishing reform. 3. Activism Steps Up: 2013 saw one of the biggest surges in grassroots activism from immigration supporters, and political leaders started to listen. The hunger strike outside the White House was a particularly significant demonstration and drew visits of solidarity from a number of leaders from both sides of Congress, including the President and First Lady. Immigration reform activists have promised "we will be back in 2014." Indeed, 2014 promises to be a year of even greater activism. Activist Eliseo Medina has pledged that immigrant advocacy groups would visit “as many congressional districts as possible” in 2014 to ensure further support. Protests, rallies and marchers are likely to increase in 2014, putting greater pressure on Congress to pass legislation. Such visual, vocal protests will be key in ensuring comprehensive reform. 4. Leadership: As immigration reform comes to the fore, party leaders will step up in 2014 to ensure change is achieved. While President Obama has made clear his support for comprehensive reform, House Speaker John Boehner previously stated that he had “no intention” of negotiating with the Senate on their comprehensive immigration bill. However, towards the end of 2013, it seemed that Representative Boehner was changing his tune. In November, President Obama revealed that “the good news is, just this past week Speaker Boehner said that he is “hopeful we can make progress” on immigration reform.” As if to prove the point, Boehner has recently hired top aide Rebecca Tallent to work on immigration reform. With bipartisan leadership firmly focused on immigration reform and party members on both sides realizing the political importance of the issue, comprehensive legislation is one thing we can be sure of in 2014.

#### Immigration reform will pass now—multiple reasons:

Tim Kane, 1/3/2014 (chief economist for the Hudson Institute, “Why 2014 will be the year of Immigration reform,” http://www.foxnews.com/opinion/2014/01/03/why-2014-will-be-year-immigration-reform/, Accessed 1/4/2014/, rwg)

Maybe President Obama felt the need to change the subject from Obamacare, or maybe he was finally taking the advice of his former chief economist, Austan Goolsbee, to focus on reforms where all sides agree. Republicans are eager to present their party as more than mere obstructionists. Democrats are eager to do something, anything, besides health care. Unions who oppose migrants are weak. Entrepreneurs who favor foreign workers (many tech firms have migrant co-founders) are strong, and impatient.

FLOWWWWWWWWWW

Intrinsicness

They say Obama’s PC is already spent and that a debate about the bill proves PC is already gone and they say we don’t have a PC card but extend…

#### (--) Extend our political capital key evidence—you should prefer it—it is from November and assumes immigration reform.

**EXT: Political Capital key to CIR**

**Orlando Sun Sentinel 11-1-2013**

“What we Think: It’ll Take Both Parties to Clear Immigration Reform,” <http://articles.orlandosentinel.com/2013-11-01/news/os-ed-immigration-reform-congress-20131031_1_immigration-reform-comprehensive-reform-house-republicans>

For those who thought the end of the government shutdown would provide a break from the partisan bickering in Washington, think again. The battle over comprehensive immigration reform could be every bit as contentious.¶ Polls show the popular momentum is there for comprehensive reform, which would include a path to citizenship for many of the nation's 11 million undocumented immigrants. But **it'll take plenty of political capital from President Obama** and leaders in both parties on Capitol Hill **to make it happen**.¶ Immigration-reform activists, who have been pushing for reform for years, are understandably impatient. This week police arrested 15 who blocked traffic at a demonstration in Orlando.¶ There are plenty of selling points for comprehensive immigration reform. An opportunity for millions of immigrants to get on the right side of the law. Stronger border security. The chance for law enforcement to focus limited resources on real threats to public safety, instead of nannies and fruit pickers. A more reliable work force to meet the needs of key industries. Reforms to let top talent from around the world stay here after studying in U.S. universities.¶ The Senate passed its version of comprehensive immigration in June. It includes all of the benefits above. Its path to citizenship requires undocumented immigrants to pay fines, learn English, pass a criminal background check and wait more than a decade.¶ So far, House Republicans have balked, taking a piecemeal rather than comprehensive approach. Many members fear being challenged from the right for supporting "amnesty."¶ Yet polls show the public supports comprehensive reform. In June, a Gallup poll found 87 percent of Americans — including 86 percent of Republicans — support a pathway to citizenship like the one outlined in the Senate bill.¶ Florida Republican Sen. Marco Rubio took flak from tea-party supporters for spearheading the comprehensive bill. Now, apparently aiming to mend fences, he says immigration should be handled piecemeal. He's politically savvy enough to know that's a dead end.¶ But **comprehensive reform won't have a chance without President Obama making full use of his bully pulpit to promote it,** emphasizing in particular all that undocumented immigrants would need to do to earn citizenship. House Democratic leaders will have to underscore the president's message.¶ And House Republican leaders will need to convince their members that comprehensive reform would be better for the economy, better for security, and better for the future of their party.

#### (--) Obama’s political capital key to passage of immigration reform:

Laura Matthews, 10/16/2013 (staff writer, “2013 Immigration Reform Bill: 'I'm Going To Push To Call A Vote,' Says Obama,” <http://www.ibtimes.com/2013-immigration-reform-bill-im-going-push-call-vote-says-obama-1429220>, Accessed 10/17/2013, rwg)

Still, pro-immigration advocates are hopeful they can attain their goal soon. “With more prodding from the president and the American people,” Gutierrez said, “we can get immigration reform legislation passed in the House and signed into law.”

They say no impact:

I answered all that