## AFF

### 2AC---Theory

#### Reject 50-state fiat on NATO topic-

#### 1---Topic education –

#### A. Distracts from “security cooperation” key debates.

#### B. We already had two domestic policy topics in a row, no new education.

#### 2---Fairness – no comparative solvency evidence, aff literature doesn’t assume uniform state foreign policy.

#### 3---Illogical. No judge controls both FG and states. AND, their interp allows any-non FG actor, which leads to object and abuse international fiat

### 2AC---Solvency---Oversight

#### SPP fails---confusion and lack of oversight render the program ineffective.

GAO, 12 (United States Government Accountability Office, May 2012, accessed on 7-3-2022, “Improved Oversight, Guidance, and Training Needed for National Guard’s Efforts with Foreign Partners”, <https://www.gao.gov/assets/gao-12-548-highlights.pdf>, HBisevac)

Many **S**tate **P**artnership **P**rogram stakeholders, including State Partnership Program Coordinators, Bilateral Affairs Officers, and combatant command officials, cited benefits to the program, but the program lacks a **comprehensive oversight framework** that includes clear program **goals**, **objectives**, and metrics to measure **progress** against those goals, which limits the Department of Defense’s (DOD) and Congress’ ability to assess whether the program is an effective and efficient use of resources. The benefits described by all stakeholders focused on the program’s contributions to meeting their specific missions, such as building security relationships, providing experience to guardsmen, and supporting combatant commands’ missions. Goals, objectives, and metrics to measure progress are necessary for management oversight, and National Guard Bureau officials told GAO that they recognize the need to **update** the program’s goals and develop metrics and have initiated efforts in these areas. Officials expect completion of these efforts in summer 2012. Until program goals and metrics are implemented, DOD cannot **fully assess** or **adequately oversee** the program.

State Partnership Program **activity data** are **incomplete** as well as inconsistent and **funding data** are **incomplete** for fiscal years 2007 through 2011; therefore GAO cannot provide complete information on the types and frequency of activities or total funding amounts for those years. GAO found that the multiple data systems used to track program activities and funding are **not interoperable** and users apply varying methods and definitions to guide data inputs. The terminology used to identify activity types is **inconsistent** across the combatant commands and the National Guard Bureau. Further, funding data from the National Guard Bureau and the combatant commands were incomplete, and while the National Guard Bureau provided its total spending on the program since 2007, it could not provide information on the cost of individual activities. Although the National Guard Bureau has initiated efforts to improve the accuracy of its own State Partnership Program data, without common agreement with the combatant commands on what types of data need to be tracked and how to define activities, the data cannot be easily reconciled across databases.

The most **prominent challenge** cited by State Partnership Program stakeholders involved how to fund activities that include U.S. and **foreign partner** **civilian participants**. Activities involving civilians, for example, have included subjectmatter expert exchanges on military support to civil authorities and maritime border security. Although DOD guidance does not prohibit civilian involvement in activities, many stakeholders have the **impression** that the U.S. military is **not permitted** to engage civilians in State Partnership Program activities and some states may have chosen not to conduct any events with civilians due to the perception that it may **violate DOD guidance**. DOD and the National Guard Bureau are working on developing additional guidance and training in this area. Until these efforts are completed, **confusion** may **continue to exist** and **hinder** the program’s **full potential** to fulfill National Guard and combatant command missions.

### 2AC---Solvency---Fails

#### SPP fails

Dickerson 13, Lieutenant Colonel @ US National Guard (Jeffrey, “Shifting State Partnership Program Resources to the Asia-Pacific Region,” *US Army War College*, https://apps.dtic.mil/sti/pdfs/ADA589403.pdf)//BB

Some critics come from Congress, who raised concerns over SPP’s effectiveness, conformity to federal law, nesting with TSCPs, and encroachment upon or conflicts with DoS and USAID interests, responsibilities, and programs.48 In a 2011 Congressional Research Service (CRS) report, congressional researchers noted that the program suffers from written assessments “limited in scope” and focused on “outputs… rather than outcomes”49 The report also noted that “the SPP has no dedicated statute authority”50 of its own and uses several different statues within United States Code (U.S.C.) to authorize SPP activities. These statues range from Title 10 U.S.C. (Armed Forces), to Title 32 U.S.C. (National Guard), to Title 22 U.S.C. (Foreign Relations and Intercourse).51 The 2011 CRS report provided several options for Congress to consider: (1) consider a Directive Type Memorandum regarding SPP funding, (2) direct periodic evaluations, (3) require centralized approval of SPP activities, and (4) codify the SPP in law. 52 Still, the report acknowledged SPP’s ability to build enduring relationships; capitalize upon unique civilian skill sets of National Guard Soldiers and Airmen and the dual state and federal status of the National Guard; remain engaged with high and low priority nations; and develop unique relationships between states and foreign countries.53 Despite the issues outlined in the CRS’s report, a 15 subsequent U.S. General Accounting Office (GAO) report characterized the SPP as “a force enabler for the combatant commands”. 54 In May 2012, the GAO conducted an investigation into SPP and found several problems. They identified a lack of comprehensive oversight that clearly defined and outlined the program’s goals, objectives, and measures of performance. There was insufficient data available for an assessment, to include management of funding from 2007-2011, multiple data management systems, inconsistent program terminology between the GCCs and National Guard Bureau (NGB), and challenges with funding civilian participation in the program.55 The GAO, therefore, found that neither Congress nor the DoD can quantitatively assess the effectiveness and efficiency of the program.56 Thus, the GAO made the following recommendations to the DoD in May 2012: develop an oversight process to measure program effectiveness and standardize data management; develop specific guidance for funding civilian participation in the program; and develop additional training for SPP Coordinators and Bi-Lateral Affairs Officers.57 In an effort to address the Congressional concerns, NGB began implementing a more formal process for assessing the program’s goals, and tracking program funding in accordance with the recommendations in the GAO’s report. NGB has also initiated a more comprehensive and formal training process for Bi-Lateral Affairs Officers and SPP Coordinators, 58 but the ability to quantitatively assess the program has yet to be Reached.

### 2AC---NB---DoD

#### Funds come from the same place.

Megan Lambert, 21 (Megan Lambert, Captain, United States Air Force BA from Colorado State University and MLS from University of Denver, March 2021, accessed on 7-1-2022, Calhoun, The Naval Post Graduate School Institutional Archive, “THE NATIONAL GUARD STATE PARTNERSHIP PROGRAM: IMPROVING SECURITY COOPERATION IN COUNTERTERRORISM AND HUMANITARIAN CRISIS RESPONSE”, <https://calhoun.nps.edu/bitstream/handle/10945/67147/21Mar_Lambert_Megan.pdf?sequence=1&isAllowed=y>, HBisevac) NGB = National Guard Bureau

Historically, the SPP has faced issues stemming from the way in which the program is funded and how funding interacts with program management and manning. This section will detail the intricacies of SPP funding and how it creates challenges in meeting national security cooperation objectives. The SPP is managed by the NGB, and the stable-state program management personnel are sourced from the NG. However, engagements with Partner Nations are funded through COCOM Operations and Maintenance (OM) funds. Significantly, the NG personnel must be on active duty (Title 10) orders when they participate in engagements overseas. Thus, a problem in funding is created when moving personnel from Title 32 to Title 10 status, as the care and feeding of these personnel is not captured within OM funds, nor is it accounted for in authorizations under traditional NGB funding streams. Furthermore, engagements are designed to meet specific objectives, which are associated with different authorities. Therefore, any “activity that relies on multiple security cooperation authorities must comply with all legal and policy requirements for each authority relied on, and use the appropriate funding for each authority.”55 The intricacies of complex engagements spanning multiple objectives complicate planning and manning the activities appropriately in order to utilize the best personnel available to optimize each engagement.

#### Links to tradeoff---requires DoD personnel who are working on other SC activities

CALL 18 (The Center for Army Lessons Learned, “Security Cooperation and the State Partnership Program,” https://usacac.army.mil/sites/default/files/publications/19-01%20State%20Partnership%20Program%20%28Lo%20Res%29.pdf)//BB

Much of the management of State Partnership Program (SPP) activities is handled by SPP coordinators assigned to each state’s National Guard headquarters, and by military officers assigned full-time to the U.S. Embassy accredited to the partner nation ‒ normally from the state National Guard involved in the partnership ‒ whose duty description includes coordinating SPP and often other Department of Defense (DOD) security cooperation activities. The combatant commands (CCMDs) manage the latter group, providing for their pay and performance evaluations. These officers serve in a Title 10 status, typically hold the rank of captain through lieutenant colonel, but have different titles and tours of duty depending on the CCMD to which they are assigned. For example, officers serving in embassies within the U.S. European Command (USEUCOM) area of responsibility (AOR) are known as bilateral affairs officers (BAOs) and serve two-year tours, which can be extended. Those in the U.S. Southern Command (USSOUTHCOM) AOR are known as traditional combatant commander’s activities (TCAs) coordinators and are usually on six-month temporary duty assignments, which can be extended. In nations without a BAO, TCA, or similar officer, the state’s SPP coordinator travels to the partner nation to coordinate SPP activities. The National Guard Bureau (NGB) would prefer to have a BAO, TCA, or similar officer stationed at the U.S. Embassy for each of the 73 partnerships, and it is currently working on a plan to fund this.

### 2AC---NB---PTX

#### Links to politics. Requires Congressional funding.

Dickerson 13, Lieutenant Colonel @ US National Guard (Jeffrey, “Shifting State Partnership Program Resources to the Asia-Pacific Region,” US Army War College, https://apps.dtic.mil/sti/pdfs/ADA589403.pdf)//BB

The primary deterrent to SPP expansion within the Asia-Pacific region, as well as within other geographic regions, is lack of adequate funding. NGB currently receives a congressional funding allocation of $13,000,000 total for all 65 state partnerships.73 This essentially equates to $200,000 per partnership annually. Additionally, each new partnership costs approximately $830,000 initially.74 Based upon an expectation that congressional funding will remain at the current level for the next ten years, NGB currently forecasts expansion of the program at the rate of two countries per year over the course of the next ten years.75 Regrettably, this forecasted growth rate does not immediately take full advantage of the maximum partnering capacity of the National Guard. NGB estimates full partnering capacity of all 54 states and territories to be 85 partnerships.76 At the forecasted growth rate of two partnerships per year, it will take a full decade for the U.S. to maximize the full potential of the SPP. In order to take full advantage of the states’ maximum partnering capacity, DoD should immediately expand the program by 20 additional partnerships. Congress would need to increase the funding for the SPP from its current allocation of $13,000,000 to $26,600,000 initially in order to fund the initial partnership start-up costs, followed by an increase in annual funding of $4,000,000 thereafter for a total yearly funding of $17,000,000 annually to maintain 85 state partnerships.

### 2AC---INB---Non-Unique

#### NU---SPP high now

CALL 18 (The Center for Army Lessons Learned, “Security Cooperation and the State Partnership Program,” https://usacac.army.mil/sites/default/files/publications/19-01%20State%20Partnership%20Program%20%28Lo%20Res%29.pdf)//BB

For more than 20 years, the National Guard has played an integral role in international security cooperation. Through the State Partnership Program (SPP) – which has grown from 13 partnerships with the newly independent nations of Eastern Europe in the early 1990s to 73 partnerships today across all six geographic combatant commands (CCMDs) – the National Guard has contributed to the accomplishment of the U.S. national security objectives by developing and sustaining enduring relationships around the world.

### 2AC---INB---Soft Power Defense

#### Soft-power is either resilient or everything else that Trump has done thumps.

**Brands 2018** - Henry A. Kissinger Distinguished Professor at the Henry A. Kissinger Center for Global Affairs at Johns Hopkins University's School of Advanced International Studies (Hal, "Not Even Trump Can Obliterate America's Soft Power," Jan 18, https://www.bloomberg.com/view/articles/2018-01-18/not-even-trump-can-obliterate-america-s-soft-power)

Third, Trump has weakened American soft power through his own behavior. He is hardly the only president to say loathsome things, but he is unique in displaying his unattractive qualities so openly, so unembarrassedly, so repeatedly. The president’s use of racist and xenophobic appeals, his disdain for democratic norms, his generally crass style of rhetoric and action — all these characteristics have been dragging down global respect for America since the moment he took office. The outraged global reaction to the “shithole countries” incident was sadly familiar — it mimicked the criticism the president earned through his refusal to condemn white supremacists after the violence last summer in Charlottesville, Virginia, as well as several other episodes. There is no ambiguity about the effect this is having. As early as June 2017, America’s global favorability in the Pew poll of global attitudes and trends had dropped from 64 percent at the end of Barack Obama’s presidency to 49 percent under Trump. Large majorities of global respondents described the American president as “intolerant,” “arrogant” and “dangerous.” Even Xi Jinping and Vladimir Putin — ambitious dictators of revisionist countries — had higher personal favorability ratings than Trump. As Trump’s own defense secretary, James Mattis, has remarked, the U.S. needs to “get the power of inspiration back.” That’s not going to happen as long as Trump is president. The real question is how long it will take American soft power to recover once he departs. The good news is that U.S. soft power has traditionally been quite resilient — it has survived globally unpopular presidents before. The reason for this, as the Harvard scholar Joseph Nye points out, is that over the long term U.S. soft power derives less from the image of any individual than from the broader attractiveness of America’s society, culture and political values. The bad news, however, is that Trump can nonetheless do damage that will not be so easy to repair. As Nicholas Burns and Ryan Crocker, two of America’s most distinguished diplomats, have noted, the brain drain affecting the State Department today will have a lasting effect on America’s ability to exert non-military power effectively, because the department is losing so many individuals with experience that takes years or even decades to develop. (The fact that applications for entry-level spots in the Foreign Service are also down will make replacing that expertise all the harder.) More problematic still, even if Trump does not succeed in making the U.S. a less tolerant, less democratic, less attractive society, he may affect global views of America even after he leaves office. Once Trump is gone, most governments and populations around the world will probably breathe a sigh of relief. But they won’t forget that Americans elected such an individual as its president, and they will surely wonder what that says about the judgment and the character of the nation that has long claimed to be the “last, best hope of mankind.” Most of the countries the U.S. has traditionally worked with will be eager for their relationships with the superpower to get back to normal. Yet they will have seen what the U.S. electoral system is capable of producing, and so it will be a long time before the world ever looks at America quite the same way again.

#### Soft power is irrelevant to leadership.

**Fedirka 2017** - Senior Analyst @ Geopolitical Futures (Allison, "Hard Power is Still King," Jul 20, https://geopoliticalfutures.com/hard-power-still-king/)

Soft Power Doesn’t Make Great Powers Nevertheless, many remain fixated on soft power. Just this week, a U.K.-based consultancy firm called Portland, in cooperation with the USC Center on Public Diplomacy, published a report ranking the world’s top 30 countries by soft power. The ranking is based on the composite score of soft power elements: culture, digital footprint, government, engagement, education and business/enterprise. The first thing that stands out is that European countries dominate the list, and these countries outrank others that are geopolitical heavyweights. Ireland outranks Russia, and Greece is above China. In fact, Russia, China and Turkey are all in the bottom six of this top-30 ranking. That two small European countries are considered more powerful than three much larger countries – countries that are major geopolitical centers of gravity – should automatically raise questions about the credibility of soft power. A second observation is that most of the countries at the top of the soft power ranking – France, the U.K., the U.S. and Germany – are also among the world leaders in hard power. The U.S. has regularly demonstrated that through hard power measures such as sanctions or military activity, it can coerce other countries to change their behavior. Germany is the economic powerhouse of the European Union and has threatened economic measures against smaller EU countries, especially Greece, to coerce them into supporting EU regulations. France’s cultural influence – a component of soft power – does have global reach, but the foundation for this cultural influence was colonization, a product of hard power. Soft power reads well on paper, but its dependence on persuasion makes it largely inconsequential in the world of geopolitics, whereas hard power dictates reality and the course of events.

#### Too many alt causes to soft power *swamp* their internal links.

**Betley 2017** - studied philosophy, politics, and economics at St. Olaf College (Alexander M, "The decline of American soft power - will it persist after Trump?," Oct 6, https://www.minnpost.com/community-voices/2017/10/decline-american-soft-power-will-it-persist-after-trump)

Turmoil, disengagement But today, as noted by Mattis, the turmoil associated with domestic political discord, as well as a disengagement with the international community on key issues, puts U.S. soft power severely at risk. Domestically, the president’s DACA debacle, as well as his failure to unequivocally denounce the violence instigated and perpetrated by neo-Nazis and white supremacists in Charlottesville, have left much of the world reeling. In the instance of Charlottesville, where President Donald Trump resorted to proclaiming that there was “blame on both sides,” it took a foreign leader, German Chancellor Angela Merkel, to rightfully condemn the events as “horrifying,” “racist,” and “evil.” Though Global Trumpism (to use Mark Blyth’s aptly entitled phrase) seems to be sweeping the Western world, basic liberal democratic values remain a fundamental linchpin of global order. Trump’s antics, glaringly hypocritical to professed American values, repel foreign actors and damage our image abroad — ultimately undermining our soft power. Additionally, blunders over the support of NATO, withdrawal from the Paris Climate Accord, and bellicose threats of meeting the North Korean challenge with “fire and fury like the world has never seen” further weaken our international standing. Paris has been, more than anything, an acknowledgment of the grave threat climate change poses to human society. Though the accord doesn’t contain binding agreements upon signatory states, the concerted will of the international community to hold strong to Paris leaves the United States isolated from international political consensus on perhaps the most sensitive issue of our time. Taking a serious toll Recent polling data from the Pew Research Center suggests these occurrences are having a serious toll on our power of attraction. Whereas only 25 to 30 percent of Europeans polled during Barack Obama's administration felt the U.S. was “on the decline,” recent surveys taken during the Trump administration show this number has spiked to 52 percent. Fewer countries than ever before view the United States as the world’s leading economic power (many replacing it with China). Nearly 75 percent of the world has given Trump a vote of no confidence in his ability “to do the right thing regarding world affairs.” This is in stark contradistinction to Obama’s time in office, where at any given moment the world population believed he would “do the right thing regarding world affairs” over 75 percent of the time. These trends and numbers, however, only confirm what many of us had already feared — President Trump’s unwillingness or inability to protect and advance fundamental U.S. interests due to the political necessity of maintaining his base at home. And although Mattis and Nye are both optimistic of the United States' ability to retain or recover many of her soft power resources in the future, such assurances in an age of pressing political challenges and revisionist international powers are surely no guarantee. Rather, it is much more likely this cascade begun by the Trump administration, indicative of the deeper and systemic pathologies of American political institutions, will persist far beyond a single presidency. As the ancient Greek historian, Thucydides, once warned, the delusional self-aggrandizement and egoism of a declining power accelerates its demise. Cleon-like, Trump is accelerating ours, ushering in the tragic and untimely decline of American soft power.

#### Soft power fails.

Jim Lacey 13 — Jim Lacey, Professor of Strategic Studies at the Marine Corps War College, holds a Ph.D. in Military History from Leeds University, 2013 (“Soft Power, Smart Power,” National Review Online, April 22nd, Available Online at http://www.nationalreview.com/article/346131/soft-power-smart-power, Accessed 05-27-2013)

During World War II, Stalin’s advisers encouraged him to seek the favor of the pope. He famously replied: “How many divisions does the pope have?” Decades later, the Soviets came to realize that papal power was not something to cavalierly disregard. Many, in fact, claim that Pope John Paul II’s moral authority was decisive in breaking the Soviet hold on Poland and propelling the Evil Empire toward its final demise. It was, therefore, a true example of the clout of “soft power.” Of course, one can maintain that view only by discounting the massive U.S. and NATO military forces that kept Soviet hard power in check for decades. A few years back, a number of policymakers, jumping on a popular academic trend given its greatest voice by Joseph Nye, began espousing a theory of soft power. In this new and shiny vision, America could wield its greatest global influence through the power of its example. The world would just look at how good we were, and how great it was to be an American, and clamor to follow us. Somehow these visionaries neglected to notice that Europe’s almost total unilateral disarmament had failed to translate into influence on the global stage. Rather, it had done the opposite. In a remarkably short time, European opinions on any matter of consequence ceased to matter. Worse, a large segment of the world took a good look at the American example and was repelled. Some of these people launched the 9/11 attack. At some point, it became clear that those holding a world vision that included returning to eighth-century barbarism were not finding our example attractive. Our deep-thinking strategists realized they needed a new answer. What they came up with was even more seductive than soft power. In the future, America would prosper through the employment of “smart power.” One wonders if our policymakers had been willfully employing “dumb power” for the previous two centuries. In any case, smart-power advocates claimed that a new policy nirvana was attainable, if only we could find the right mix of soft and hard power. Well, soft power and smart power were fascinating intellectual exercises that led nowhere. Iran is still building nuclear weapons, North Korea is threatening to nuke U.S. cities, and China is becoming militarily more aggressive. It turns out that power is what it has always been — the ability to influence and control others — and deploying it requires, as it always has, hard instruments. Without superior military power and the economic strength that underpins it, the U.S. would have no more ability to influence global events than Costa Rica. When President Obama made the strategic decision to pivot toward Asia, he did not follow up by sending dance troupes to China, or opening more cultural centers across the Pacific’s great expanse. Rather, he ordered the U.S. military to begin shifting assets into the region, so as to show the seriousness of our intent. If North Korea is dissuaded from the ultimate act of stupidity, it will have a lot more to do with our maintenance of ready military forces in the region than with any desire the North Korean regime has for a continuing flow of Hollywood movies. By now every serious strategist and policymaker understands that if the United States is going to continue influencing global events it requires hard power — a military — second to none. That is what makes a new report from the well-respected Stockholm International Peace Research Institute troubling. According to SIPRI, in 2012, China’s real military spending increased by nearly 8 percent, while Russia’s increased by a whopping 16 percent. Worse, SIPRI expects both nations to increase spending by even greater percentages this year. The United States, on the other hand, decreased real spending by 6 percent last year, with much larger cuts on the way. After a decade of war, much of our military equipment is simply worn out and in need of immediate replacement. Moreover, technology’s rapid advance continues, threatening much of our current weapons inventory with obsolescence. As much as the utopians (soft-power believers) want to deny it, American power is weakening even as the world becomes progressively less stable and more dangerous. In a world where too many states are led by men who still believe Mao’s dictum that “Power comes from the barrel of a gun,” weakness is dangerous. Weakness is also a choice. The United States, despite our current economic woes, can easily afford the cost of recapitalizing and maintaining our military. We are not even close to spending levels that would lead one to worry about “imperial overstretch.” Rather, our long-term security is being eaten up so as to fund “entitlement overstretch.” I suppose that one day, if left unchecked, the welfare state will absorb so much spending that the only military we can afford will be a shadow of what has protected us for the past seven decades. Soft power will then cease to be one option among many and, instead, become our only choice. We will become as relevant to the rest of the world as Europe. I wonder how many people realize just how different their daily lives will become if that day arrives. For a long time, American hard power has cast a protective shield around the liberal world order. It will not be pretty when that is gone.

### 2AC---INB---FAF---Warming Defense

#### No climate impact

Amber Kerr et al. 19 (Amber Kerr is an agroecologist with a PhD from UC Berkeley, and was the coordinator of the USDA California Climate Hub, based at the University of California, Davis, Daniel Swain is a Climate Scientist at UCLA, Andrew King is a lecturer in Climate Science and ARC DECRA fellow at the School of Earth Sciences and ARC Centre of Excellence for Climate Extremes, University of Melbourne, Peter Kalmus is an American climate scientist and data scientist at NASA's Jet Propulsion Laboratory, Richard Bettis is Chair in Climate Impacts at the University of Exeter and Head of Climate Impacts in the Met Office Hadley Centre, 6/4/19, accessed 11/17/21, “Claim that human civilization could end in 30 years is speculative, not supported with evidence”, https://climatefeedback.org/evaluation/iflscience-story-on-speculative-report-provides-little-scientific-context-james-felton/)AGabay

There is no scientific basis to suggest that climate **breakdown will** “annihilate intelligent **life**” (by which I assume the report authors mean **human** **extinction**) by 2050. However, climate breakdown does pose a grave threat to civilization as we know it, and the potential for mass suffering on a scale perhaps never before encountered by humankind. This should be enough reason for action without any need for exaggeration or misrepresentation! A “Hothouse Earth” scenario plays out that sees Earth’s temperatures doomed to rise by a further 1°C (1.8°F) even if we stopped emissions immediately. Peter Kalmus, Data Scientist, Jet Propulsion Laboratory This word choice perhaps reveals a bias on the part of the author of the article. A temperature can’t be doomed. And while I certainly do not encourage false optimism, assuming that humanity is doomed is **lazy** and counterproductive. Fifty-five percent of the global population are subject to more than 20 days a year of lethal heat conditions beyond that which humans can **survive** Richard Betts, Professor, Met Office Hadley Centre & University of Exeter: This is clearly from Mora et al (2017) although the report does not include a citation of the paper as the source of that statement. The way it is written here (and in the report) is misleading because it gives the impression that everyone dies in those conditions. That is not actually how Mora et al define “deadly heat” – they merely looked for heatwaves when somebody died (not everybody) and then used that as the definition of a “deadly” heatwave. North America suffers extreme weather events including wildfires, drought, and heatwaves. Monsoons in China fail, the great rivers of Asia virtually dry up, and rainfall in central America falls by half. Andrew King, Research fellow, University of Melbourne: Projections of extreme events such as these are very difficult to make and **vary greatly** between differentclimate **models**. Deadly heat conditions across West Africa persist for over **100 days a year** Peter Kalmus, Data Scientist, Jet Propulsion Laboratory: The deadly heat projections (this, and the one from the previous paragraph) come from Mora et al (2017)1. It should be clarified that “deadly heat” here means heat and humidity beyond a two-dimension threshold where at least one person in the region subject to that heat and humidity dies (i.e., not everyone instantly dies). That said, in my opinion, the projections in Mora et al are conservative and the methods of Mora et al are sound. I did not check the claims in this report against Mora et al but I have no reason to think they are in error. 1- Mora et al (2017) Global risk of deadly heat, Nature Climate Change The knock-on consequences affect national security, as the scale of the challenges involved, such as pandemic disease outbreaks, are overwhelming. Armed conflicts over resources may become a reality, and have the potential to escalate into nuclear war. In the worst case scenario, a scale of destruction the authors say is beyond their capacity to model, there is a ‘high likelihood of human civilization coming to an end’. Willem Huiskamp, Postdoctoral research fellow, Potsdam Institute for Climate Impact Research: This is a highly questionable conclusion. The reference provided in the report is for the “Global Catastrophic Risks 2018” report from the “Global Challenges Foundation” and not peer-reviewed literature. (It is worth noting that this latter report also provides no peer-reviewed evidence to support this claim). Furthermore, if it is apparently beyond our capability to model these impacts, how can they assign a ‘high likelihood’ to this outcome? While it is true that warming of this magnitude would be catastrophic, making claims such as this without evidence serves only to undermine the trust the public will have in the science. Daniel Swain, Climate Scientist, University of California, Los Angeles: It seems that the eye-catching headline-level claims in the report stem almost entirely from these **knock-on effects**, which the authors themselves admit are “beyond their **capacity** to **model**.” Thus, from a scientific perspective, the purported “high likelihood of civilization coming to an end by 2050” is essentially personal **speculation** on the part of the report’s authors, rather than a clear conclusion drawn from **rigorous assessment** of the available **evidence**.

**Models are wrong AND are exaggerated**

Vijay Jayaraj 21 (Vijay Jayaraj has a M.Sc., Environmental Science, University of East Anglia, England), Research Contributor for the Cornwall Alliance for the Stewardship of Creation, 3/11/21, accessed 10/17/21, “Why I Am a Climate Realist”, https://cornwallalliance.org/2021/03/why-i-am-a-climate-realist/)AGabay

The answer to my question trickled in slowly over a number of years. Evidence began to emerge that **scientists** **acknowledged** a large **gap** between the **actual** **observed** real-world temperature datasets (from satellites) and those temperature predictions from **computer climate models**. While these differences may not prove the allegations against the Climategate scientists, they do confirm one thing: the computer climate models exaggerate the future warming rate due to their high sensitivity to carbon dioxide emissions. As a result, the models continue to show an excessive and unreal warming rate for future decades. Despite plenty of evidence, the IPCC continues to use these **faulty model predictions** to inform the **public** and **policymakers** about future changes in temperature. A steady stream of scientific studies has documented the **evidence for lack of dangerous warming**—IPCC’s level of warming based on fifth- and sixth-generation (CMIP5 and CMIP6) models and the apparent absence of climate-induced ecological collapse. In 2020 alone, over 400 peer**-reviewed scientific papers** took up a **skeptical position** on **climate** **alarmism**. These papers—and hundreds from previous years—address various issues related to climate change, including problems with climate change observation, climate reconstructions, lack of anthropogenic/CO2 signal in sea-level rise, natural mechanisms that drive climate change (solar influence on climate, ocean circulations, cloud climate influence, ice sheet melting in high geothermal heat flux areas), hydrological trends that do not follow modeled expectations, the fact that corals thrive in warm, high-CO2 environments, elevated CO2 and higher crop yields, no increasing trends in intense hurricanes and drought frequency, the myth of mass extinctions due to global cooling, etc. Academia is filled with scientific literature that **contradicts** the position of those who believe climate change is **unprecedented**. Also, during the course of the last decade, it became apparent that most of Al Gore’s claims in his 2006 documentary were false. Contrary to his claims, polar bear populations remained steady, the Arctic did not become ice free during the summer of 2014, and storms did not get stronger due to global warming. In simple words, Gore misled the world and promoted falsehood as science, and he continues to do so while profiting from a renewable industry that is sold as the cure for global warming. Yet, he himself generates carbon dioxide emissions many times higher than an average family’s. So, not only are the predictions of models wrong, but also the interpretations of climate data and the propaganda of a climate doomsday were also wrong. Today, we know the modern warming rate is not **unprecedented**. Warming of such magnitude has **happened twice** within the past **2000** **years**. Further, ice at both poles is at historic highs, even compared with the Little Ice Age of the 17th century. Besides, there has been no increase in extreme weather events due to climate change and the loss of lives due to environmental disasters has drastically reduced during the last 100 years. So, I am a climate realist. I acknowledge that there has been a gradual increase in global average temperature since the end of the Little Ice Age in the 17th century. I acknowledge that climate change can happen in both ways—warming and cooling. I do understand that anthropogenic CO2 emissions and other greenhouse gases could have positively contributed to the warming from mid-20th century onwards. I also acknowledge that warming and the increased atmospheric carbon dioxide that has contributed to it have actually helped society. The current atmospheric carbon dioxide concentration, nearly 50 percent higher than in the 17th century, and the warming—which has occurred chiefly in winter, in higher latitudes and altitudes, and at night, thus raising cold temperatures but with little effect on hot temperatures—have actually resulted in optimal conditions for global plant growth, thus aiding in the flourishing of the agricultural sector. The Bengal tiger populations have bounced back, and polar bear populations are steady, thanks to conservation efforts. Forest area in Europe is increasing every year, and countries are planting tree saplings at a record rate. Life expectancy has reached all-time highs in many countries, and more people are constantly pulled out of extreme poverty every year (although business lockdowns to fight COVID-19 threaten to reverse that trend). Access to freshwater has improved and human productivity has increased drastically. So, there is no actual **climate emergency**. Instead, what we have are celebrities, activists, un-elected political bodies like the UN, and even some climate scientists religiously promoting a popular doomsday belief. The models do not know the future, and neither do the Climategate scientists. But an exaggerated view of **future** warming provides the ideal background for anti-carbon-based fuels policies that will undermine the **economic well-being** of every society in the world. We must not allow that.

#### Their models are bad and offend consensus

Piper 19 -- Kelsey Piper, citing John Halstead climate change mitigation researcher at the Founders Pledge. [Is climate change an "existential threat" — or just a catastrophic one? 6-28-2019, https://www.vox.com/future-perfect/2019/6/13/18660548/climate-change-human-civilization-existential-risk]

I also talked to some researchers who study existential risks, like John Halstead, who studies climate change mitigation at the philanthropic advising group Founders Pledge, and who has a detailed online analysis of all the (strikingly few) climate change papers that address existential risk (his analysis has not been peer-reviewed yet).

Halstead looks into the models of potential temperature increases that Breakthrough’s report highlights. The models show a surprisingly large chance of extreme degrees of warming. Halstead points out that in many papers, this is the result of the simplistic form of statistical modeling used. Other papers have made a convincing case that this form of statistical modeling is an irresponsible way to reason about climate change, and that the dire projections rest on a statistical method that is widely understood to be a bad approach for that question.

Further, “the carbon effects don’t seem to pose an existential risk,” he told me. “People use 10 degrees as an illustrative example” — of a nightmare scenario where climate change goes much, much worse than expected in every respect — “and looking at it, even 10 degrees would not really cause the collapse of industrial civilization,” though the effects would still be pretty horrifying. (On the question of whether an increase of 10 degrees would be survivable, there is much debate.)

Does it matter if climate change is an existential risk or just a really bad one?

That last distinction Halstead draws — of climate change as being awful but not quite an existential threat — is a controversial one.

That’s where a difference in worldviews looms large: Existential risk researchers are extremely concerned with the difference between the annihilation of humanity and mass casualties that humanity can survive. To everyone else, those two outcomes seem pretty similar.

To academics in philosophy and public policy who study the future of humankind, an existential risk is a very specific thing: a disaster that destroys all future human potential and ensures that no generations of humans will ever leave Earth and explore our universe. The death of 7 billion people is, of course, an unimaginable tragedy. But researchers who study existential risks argue that the annihilation of humanity is actually much, much worse than that. Not only do we lose existing people, but we lose all the people who could otherwise have had the chance to exist.

In this worldview, 7 billion humans dying is not just seven times as bad as 1 billion humans dying — it’s much worse. This style of thinking seems plausible enough when you think about past tragedies; the Black Death, which killed at least a tenth of all humans alive at the time, was not one-tenth as bad as a hypothetical plague that wiped us all out.

Most people don’t think about existential risks much. Many analyses of climate change — including the report Vice based its article on — treat the deaths of a billion people and the extinction of humanity as pretty similar outcomes, interchangeably using descriptions of catastrophes that would kill hundreds of millions and catastrophes that’d kill us all. And the existential risk conversation can come across as tone-deaf and off-puttingly academic, as if it’s no big deal if merely hundreds of millions of people will die due to climate change.

Obviously, and this needs to be stressed, climate change is a big deal either way. But there are differences between catastrophe and extinction. If the models tell us that all humans are going to die, then extreme solutions — which might save us, or might have unprecedented, catastrophic negative consequences — might be worth trying. Think of plans to release aerosols into the atmosphere to reflect sunlight and cool the planet back down in the manner that volcanic explosions do. It’d be an enormous endeavor with significant potential downsides (we don’t even yet know all the risks it might pose), but if the alternative is extinction then those risks would be worth taking.

But if the models tell us that climate change is devastating but survivable, as most models show, then those last-ditch solutions should perhaps stay in the toolkit for now.

Then there’s the morale argument. Defenders of overstating the risks of climate change point out that, well, understating them isn’t working. The IPCC may have chosen to maintain optimism about containing warming to 2 degrees Celsius in the hopes that it’d spur people to action, but if so, it hasn’t really worked. Maybe alarmism will achieve what optimism couldn’t.

That’s how Spratt sees it. “Alarmism?” he said to me. “Should we be alarmed about where we’re going? Of course we should be.”

Swedish teenager Greta Thunberg has taken an arguably alarmist bent in her advocacy for climate solutions in the EU, saying, “Our house is on fire. I don’t want your hope. ... I want you to panic.” She’s gotten strong reactions from politicians, suggesting that at least sometimes a relentless focus on the severity of the emergency can get results.

So where does this all leave us? It’s worthwhile to look into the worst-case scenarios, and even to highlight and emphasize them. But it’s important to accurately represent current climate consensus along the way. It’s hard to see how we solve a problem we have widespread misapprehensions about in either direction, and when a warning is overstated or inaccurate, it may sow more confusion than inspiration.

Climate change won’t kill us all. That matters. Yet it’s one of the biggest challenges ahead of us, and the results of our failure to act will be devastating. That message — the most accurate message we’ve got — will have to stand on its own.

### 2AC---INB---FAF---FAF Bad

#### Foreign affairs federalism disunites messaging and angers other actors

Baasch & Prakash 16 Ryan Baasch, Law Clerk to Judge Karen LeCraft Henderson, 2015-16. Saikrishna Bangalore Prakash, Law Prof @ University of Virginia. [Congress and The Reconstruction of Foreign Affairs Federalism, 115 Mich. L. Rev. 47]//BPS

I. Cacophonous Foreign Affairs The case against state involvement in foreign affairs is easy to make. States are unqualified to act in the international arena because they lack the information and the expertise that comes from continued and sustained engagement in foreign matters. Because of their ignorance and inexperience, states are apt to anger allies and undermine the actions and priorities of the more expert federal political branches. Those untutored in foreign matters should not be suffered to hamper those more informed and skilled, however good the intentions of the former. Further, the international ventures of state officials run counter to popular expectations. Voters expect that local officials will stick to local matters and that federal officials--senators, representatives, presidents--will steer our nation's diplomacy. In sum, foreign affairs federalism, as it operates today, imposes substantial costs and renders the United States disunited before the world. Some scholars disagree with our diagnosis. A few of them claim that state intervention generates weighty benefits. Others suggest that the drawbacks of state freelancing are insignificant, or are manageable. We disagree. This Part highlights the drawbacks of state involvement in foreign affairs. It then maintains that the supposed benefits of many voices in foreign affairs are illusory.

#### Nuclear war with Russia

Spiro '99 (Peter J. Spiro, Associate Professor at Hofstra Law School, 1999, Lexis//GH-Aspomer)

Zschernig has been questioned even by those who otherwise propound federal exclusivity. n87 But the decision seems both explained and justified (at least at the time) by its Cold War context. In the tinderbox world of superpower competition, the potential consequences of giving offense were obviously profound. One could not expect the Soviets necessarily to understand that when a state official spoke, **it was not for the nation**; or at least one would not want to risk error in assessing that perception. At the very least, **there was the specter of *state action* upsetting the elaborately choreographed relationship between East and West** Blocs; at worst, **one could plausibly draw a scenario in which offense caused by state action lit the fuse to World War III**. Nor against this backdrop could one rely on the political branches to beat back state action before the damage was done; n88 the context, in other words, supported the strict application of a dormant federal power. n89 [\*1243] Zschernig found parallels in two other contexts at the juncture of state activity and foreign relations. In applying the dormant foreign Commerce Clause to strike down a state tax on foreign-owned cargo containers, the Court in Japan Line emphasized the "paramount" requirement that the federal government "speak with one voice when regulating commercial relations with foreign governments." n90 The Court stressed the danger that a state tax on international instrumentalities could provoke the retaliation of foreign nations, which "retaliation of necessity would be directed at American transportation equipment in general, not just that of the taxing state, so that the Nation as a whole would suffer." n91 As in Zschernig, the Japan Line Court nullified the state measure notwithstanding the absence of an affirmative federal policy (either through treaty or statute) on the issue. California, the Court concluded, "may not tell this Nation or Japan how to run their foreign policies" in "an area where a uniform federal rule is essential... Even a slight overlapping of tax - a problem that might be deemed de minimis in a domestic context - assumes importance when sensitive matters of foreign relations and national sovereignty are concerned." n92 Perhaps even more clearly than the dormant foreign affairs power, this sort of severe application of the dormant foreign Commerce Clause would have seemed defensible, especially insofar as it built upon a well-settled dormant power in the domestic commerce context. n93 Japan Line was handed down against an international economic backdrop not far removed from the corresponding national security context, where before theentrenchment of today's free trade regimes the specter of trade wars loomed in economic relations even between friendly states. [\*1244] Finally, one can also integrate into the rule of federal exclusivity the designation of customary international law as part of federal common law. Under the regime of Swift v. Tyson, n94 the federal courts were free to apply general common law, including customary international law, without regard to the common law interpretations of state courts; there was no need specially to justify the application of customary international law in the absence of controlling state or federal statutory or constitutional law. n95 That changed with Erie Railroad v. Tompkins, n96 which denied the federal courts the power to create common law "except in matters governed by the Federal Constitution or by Acts of Congress." n97 The presumption thereafter was that federal common lawmaking had to be grounded in some particular federal interest. n98 It was only with the Supreme Court's 1964 decision in Sabbatino that the application of customary international law as federal common law was found acceptable under Erie. n99 That holding can be justified on the same basis as the dormant [\*1245] foreign affairs power. Inappropriate interpretation of or noncompliance with customary international law could cause offense to foreign nations, which might respond with action against the nation as a whole. The Court did not clearly articulate its holding in such terms, adverting only to unspecified "potential dangers" n100 were Erie extended to legal problems affecting international relations, and noting "a concern for uniformity in this country's dealings with foreign nations." n101 The decision did, however, cite commentary that advocated federal court interpretation of customary international law, "lest the provincialism of state courts lead to impolitic judicial decisions offensive to the sensibilities of foreign nations." n102 As with the dormant foreign affairs power cases, the rule against state court interpretation of customary international law would seem to have been justified, especially in a Cold War context. To take the facts of Sabbatino itself, the federal government couldn't have state courts misapplying the act of state doctrine n103 to deny the effectiveness of Cuban (and other Communist Bloc) nationalizations; the risk of upsetting the superpower balance would have been too great to trust the responsibility of applying or interpreting the relevant standards to nonfederal actors. n104 And that perhaps explains why [\*1246] the inclusion of customary international law in the category of federal common law has, until recently, been accepted as uncontroversial. n105 And so these three different strands of the exclusivity principle - the dormant foreign affairs power, the dormant foreign commerce power, and the inclusion of customary international law as a part of federal common law - all seemed sustainable in a world that would not differentiate between the component unit and the whole. However important they would otherwise be, federalism values could not be vindicated in the face of a plausible and substantial risk that unconstrained state action would result in dramatic harm to the nation as a whole. C. The Case for Maintaining Federal Exclusivity If one assumed a world in which nations were still held responsible for the acts of their component units, one could support a fairly strong case for confirming the holdings of Zschernig, Japan Line, and Sabbatino, and the precept that the states should be denied the tools to **interfere** with national foreign relations. n106 Constitutional pedigree aside, the functional [\*1247] underpinnings of the exclusivity principle are powerful. It is not just that individual states will take action that will harm other states, though that fact highlights the problems of state-level action from a democratic process perspective. It is that such decisions will be consistently distorted in the face of significant externalities; state-level actors, because they do not shoulder the consequences of their actions, will not take into account those consequences in the decision-making balance. These externalities will also tend to create **information deficiencies**; **because the states will not shoulder the consequences of their conduct, they have less incentive to understand what those consequences will be**. Indeed, a standard lament of state-level foreign policy activity is that it is based on insufficient expertise. n107 Assuming continued externalities, the case against state-level action remains strong. The magnitude of state and local international activity has grown dramatically in recent years, so that one might expect a growing risk of unwelcome resulting entanglements; though much of this activity is benign, some provokes the traditional concerns of the exclusivity principle. The persistent potential for subfederal action to **disrupt national foreign relations** is demonstrated by the recent diplomatic controversy and constitutional litigation concerning state and local sanctions against companies doing business in Burma. n108 Though they enjoy the formal power to suppress it, the political branches of the federal government remain less well positioned to police this activity than the courts. The changing construction of international society aside, n109 perhaps the best argument for softening the rule of federal exclusivity highlights the end of the Cold War and the diminished ultimate dangers of foreign retaliation. In recent years there has been a marked blurring of the distinction between foreign and domestic affairs; so fast has the line eroded - hastened by the communications revolution, the greater ease of travel, and the growing priority of trade over traditional national security issues - that globalization has become almost an instant cliche. The international arena is now very much of local interest, as reflected in the dramatically [\*1248] heightened profile of state and local governments on the world scene. This is particularly pronounced in matters relating to trade and investment. One in six private-sector jobs in the United States is now linked to the global economy. n110 The number of Americans working for foreign companies in the United States now stands at five million; foreign direct investment in the United States has quadrupled since 1981. n111 Subfederal jurisdictions now see international trade and foreign investment as critical to their economic well-being. They compete ferociously for foreign investment with tax breaks and other incentives. n112 Most states now maintain at least one trade office abroad; n113 many have concluded trade-related agreements with foreign entities; n114 and the foreign trade mission has become a standard responsibility for governors and large-city mayors. Most of these trade and investment-related activities are unobjectionable, from both policy and constitutional perspectives. n115 [\*1249] The growing importance of the world to the states has also made the states more important to the world. If they stood as independent nations, seven American states would be counted among the top twenty-five countries in terms of gross domestic product; even Vermont, with the smallest economy among the states, would outrank almost 100 nations. n116 It is thus not surprising that foreign authorities, themselves critically interested in global commerce, court state-level officials to attract investment from and promote exports within the subfederal jurisdictions. Moreover, state and local governments directly control vast procurement budgets; the annual expenditures of state and local governments exceeds one trillion dollars. n117 Subfederal governments now have international economic clout. The problem is that this clout can and will occasionally be deployed in ways that **offend** foreign nations.

#### Risks retal against the whole country

Glennon and Sloane 16 Michael J. Glennon, ILaw Prof @ Tufts University. Robert D. Sloane, Law Prof @ Boston University [Foreign Affairs Federalism: The Myth of National Exclusivity, Print]//BPS

2. The Danger of Retaliation against the Entire Nation Above all, however, the Framers stressed a concern at the outset that continues to be politically relevant today: "that the peace of the WHOLE ought not to be left at the disposal of a PART," for "[t]he union will undoubtedly be answerable to foreign powers for the conduct of its members."107 State involvement in the international realm risks conflicts with nations that may retaliate—economically, militarily, or otherwise—against the United States as a whole.108 For the Framers, this was no hypothetical danger. Their experience under the Articles of Confederation underscored the very real threats and concrete retaliatory conduct, including war, that state disregard of national treaty obligations had provoked. Since 1789, the Supreme Court has consistently echoed the same concerns. In 1832, in Brown v. Maryland,109 the Court struck down a Maryland law that required licenses for certain imports, emphasizing that the state law at issue could spark disputes with other nations. "What answer," Chief Justice Marshall asked, "would the United States give to the complaints and just reproaches to which such an extraordi¬nary circumstance would expose them? No apology could be received, or even offered."110 It is one thing, the Court has suggested, for a state to expose itself to the risks of conflict with a foreign power, but it is quite another to arrogate to itself the power to expose its fellow states to those risks. Hence, in the same vein, the Court in 1875 struck down a California law that in effect regulated immi¬gration, and by implication, commerce with foreign nations. The injured nation could not direct a claim for redress to California, the Court observed, because California could: hold no exterior relations with other nations. It [the foreign claim] would be made upon the government of the United States. If that government should get into a difficulty which would lead to war, or to suspension of intercourse, would California alone suffer, or all the Union?111 A century later, in 1979, California imposed an ad valorem property tax on foreign-owned cargo containers. The Court again invalidated the state law, mind¬ful that the "risk of retaliation by Japan ... [was] acute, and such retaliation of necessity would be felt by the Nation as a whole."112 The Court's concerns in this regard are now embodied in the so-called "one voice" doctrine—a putative requirement, inferred from the Constitution's text and structure, that the nation speak with one voice in the realm of foreign affairs. The one-voice doctrine often reflects a reasonable national interest in bolstering the efficacy of American foreign policy. The national interest sometimes benefits from at least the appearance of national unity and popular support. Open conflict between the federal and state governments on key foreign policy questions can undermine national foreign policy objectives. Of course, sometimes the foreign policy of the federal government is less than clear. Yet the federal government’s silence with respect to a particular issue of foreign policy does not neces¬sarily imply an absence of a federal policy. Still less does it indicate that the states should feel free to enter the field. Federal silence, inaction, or ambiguity may be calculated. Sometimes the best policy is to do and say nothing, or deliberately to attempt, with nuance, to leave national policy unclear.113 But the question is whether the doctrine has been expanded beyond the limit of its logic.114

### 2AC---AT Russian Backlash

#### The counterplan triggers Russian backlash

SIRECI and COLETTA 9 (SIRECI, JONATHAN, and DAMON COLETTA. Sireci; MS @ Troy Univeristy, BS @ United States Air Force Academy. Coletta; Professor of Political Science @ United States Air Force Academy.“Enduring without an Enemy: NATO’s Realist Foundation.” Perspectives, vol. 17, no. 1, 2009, pp. 57–81. JSTOR, http://www.jstor.org/stable/23616104. Accessed 4 Jul. 2022.)LR

From a defensive realist perspective, longer partnerships can signal more of a threat against the common enemy of the cooperating states. This variable ties into the final independent variable: the number of military partnerships a state is engaged in. An increased number of partnerships a state is engaged in can threaten its opposing powers, who may feel the need to engage in partnerships of their own to maintain a balance of alliances and power. The use of American state-level militaries with nation-states designates the expanded role of American states in national defense. The purpose of the State Partnership Program is to create less of a defensive reaction by opposing states that are more likely to be threatened by the expansion of American military endeavors. The stationing of Russian troops in Latvia, Lithuania, and Estonia was a reaction to the formation of the State Partnership Program. Threatened by the encroachment of American forces (regardless of the fact they were reserve troops), **Russia sought countermeasures to create a balance of power** against the offshore hegemony. The defensive actions taken by Russia led the United States to sent only reserve forces. Under defensive realism, it becomes increasingly difficult for American troops to operate in a former Soviet realm, since any activity taken can easily be perceived as hostile and aggressive.

#### China proves

Balachandran 6-22 (P.K, M.A.in Sociology University of Delhi, BA and MA in Politics and Sociology @ Delhi University. “Nepal Backs Away From US State Partnership Program”, https://thediplomat.com/2022/06/nepal-backs-away-from-us-state-partnership-program/#:~:text=Suspicious%20about%20the%20military%20content,a%20U.S.%20disaster%20mitigation%20program.)LR

Suspicious about the military content and wary of antagonizing China, Nepal rejects a U.S. disaster mitigation program. Fearing that the U.S. State Partnership Program (SPP) is a trap to involve Nepal in an anti-China military alliance, the Sher Bahadur Deuba government has rejected the program. The Deuba government – like predecessor governments in 2015, 2017 and 2019 – was initially impressed with the SPP for its disaster mitigation content, but it had to reject the partnership in the end, because the mood in Nepal is unambiguously against foreign programs that smack of a military alliance. Nepali governments have generally not wanted any transnational agreements that could jeopardize their delicately balanced relationship between India and the United States on the on hand and China on the other. Flush with success in convincing the Deuba government to get the Millennium Challenge Corporation (MCC) compact ratified by the Nepali parliament in February, the U.S. moved to bolster the military dimension to Nepal-U.S. relations by pushing ahead with a pending request from Nepal to join the SPP. The SPP is a bilateral program that is outwardly peaceful in intent. But it is perceived to have deep-set military objectives with consequences not only for Nepal’s internal security, but also for relations with its two big neighbors, China and India. Critics in Nepal say that joining the SPP would be tantamount to signing onto to the U.S. Indo-Pacific Strategy (IPS). The impact on Sino-Nepal relations would be catastrophic if the SPP leads to stronger Nepal-U.S. military ties. At the same time, India might not be thrilled either. Under the SPP, the Indian Army’s exclusive and unique relationship with the Nepali Army would be diluted, a prospect the conservative Indian top brass cannot reconcile with. Critics say that while disaster mitigation is fine, the rub lies elsewhere: The SPP is administered by the National Guard Bureau, guided by State Department foreign policy goals, and executed by each U.S. state’s senior military officer (the state adjutant general) in support of the Department of Defense policy goals. “Through SPP, the National Guard conducts military-to-military engagements in support of defense security goals but also leverages whole-of-society relationships and capabilities to facilitate broader interagency and corollary engagements spanning military, government, economic and social spheres,” the U.S. National Guard website says. In other words, the SPP is a multi-purpose vehicle to advance wide-ranging U.S. political and strategic objectives under the overall cloak of humanitarian engagement. Worried about Nepal coming under more pressure from the United States, Chinese Ambassador to Nepal Hou Yanqi called on Nepal’s home minister, ostensibly to get confirmation of Nepal’s continued adherence to the “One China” policy. But sources said that the SPP was the envoy’s main concern. Nepal’s condemnation of Russia for its aggression in Ukraine had made Beijing suspicious about growing links between the Deuba and the Biden regimes.

### 2AC---Perm---Do Both---Shields PTX

#### Perm shifts backlash to the states

A. Brooke Overby, 3 (A. Brooke Overby, Professor of Law, Tulane University School of Law, 2003, accessed on 7-4-2022, Temple University of the Commonwealth System of Higher Education Temple Law Review, Summer, 76 Temp. L. Rev. 297,“Our New Commercial Law Federalism”, <https://heinonline.org/HOL/LandingPage?handle=hein.journals/temple76&div=16&id=&page=>, HBisevac)

We held in New York that Congress cannot compel the States to enact or enforce a federal regulatory program. Today we hold that Congress cannot circumvent that prohibition by conscripting the States' officers directly. The Federal Government may neither issue directives requiring the States to address particular problems, nor command the States' officers, or those of their political subdivisions, to administer or enforce a federal regulatory program. It matters not whether policymaking is involved, and no case-by-case weighing of the burdens or benefits is necessary; such commands are fundamentally incompatible with our constitutional system of dual sovereignty.n65 The concerns articulated in New York and echoed again in Printz addressed the erosion of the lines of political accountability that could result from federal commandeering.n66 Federal authority to **compel implementation** of a national legislative agenda through the **state legislatures** or officers would **blur** or launder the **federal provenance** of the legislation and **shift** **political** consequences and **costs** thereof to the **state legislators**. Left unchecked, Congress could foist upon the states expensive or unpopular programs yet **shield itself** from accountability to citizens. While drawing the line between constitutionally permissible optional implementation and impermissible mandatory implementation does not erase these concerns with accountability, it does ameliorate them slightly.

### 2AC---Perm---Do the CP

#### The counterplan requires federal action

USC, ND (10 U.S. Code § 341 - Department of Defense State Partnership Program https://www.law.cornell.edu/uscode/text/10/341)LR

Authority.— (1)In general.—The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to establish a program of activities described in paragraph (2), to support the security cooperation objectives of the United States, between members of the National Guard of a State or territory and any of the following: (A)The military forces of a foreign country. (B)The security forces of a foreign country. (C)Governmental organizations of a foreign country whose primary functions include disaster response or emergency response. (2)State partnership.— Each program established under this subsection shall be known as a “State Partnership”. (b)Limitations.— (1)In general.— An activity with forces referred to in subsection (a)(1)(B) or organizations described in subsection (a)(1)(C) under a program established under subsection (a) may be carried out only if the Secretary of Defense, with the concurrence of the Secretary of State, determines and notifies the appropriate congressional committees not less than 15 days before initiating such activity that the activity is in the national security interests of the United States. (2)Prohibition on activities with units that have committed gross violations of human rights.— The conduct of any assistance activities under a program established under subsection (a) shall be subject to the provisions of section 362 of this title. (c)Coordination of Activities.— The Chief of the National Guard Bureau shall designate a director for each State and territory to be responsible for the coordination of activities under a program established under subsection (a) for such State or territory and reporting on activities under the program. (d)Regulations.— This section shall be carried out in accordance with such regulations as the Secretary of Defense shall prescribe for purposes of this section. Such regulations shall include accounting procedures to ensure that expenditures of funds to carry out this section are accounted for and appropriate. (e)Availability of Authorized Funds for Program.— (1)In general.—Funds authorized to be appropriated to the Department of Defense, including funds authorized to be appropriated for the Army National Guard and Air National Guard, are authorized to be available— (A)for payment of costs incurred by the National Guard of a State or territory to conduct activities under a program established under subsection (a); and (B)for payment of incremental expenses of a foreign country to conduct activities under a program established under subsection (a). (2)Limitations.— (A)Active duty requirement.— Funds shall not be available under paragraph (1) for the participation of a member of the National Guard of a State or territory in activities in a foreign country unless the member is on active duty in the Armed Forces at the time of such participation. (B)Incremental expenses.— The total amount of payments for incremental expenses of foreign countries as authorized under paragraph (1)(B) for activities under programs established under subsection (a) in any fiscal year may not exceed $10,000,000. (f)Rule of Construction.— Nothing in this section shall be construed to supersede any authority under title 10 as in effect on December 26, 2013. (Added and amended Pub. L. 114–328, div. A, title XII, § 1246(a)–(c), (d)(1), (2)(B), Dec. 23, 2016, 130 Stat. 2520, 2521; Pub. L. 115–232, div. A, title XII, § 1210, Aug. 13, 2018, 132 Stat. 2023; Pub. L. 116–92, div. A, title XVII, § 1731(a)(16), Dec. 20, 2019, 133 Stat. 1813.)

#### Federal gov’t is a shared division of power---includes states.

Legal Dictionary 16 [Federal Government. August 7, 2016. https://legaldictionary.net/federal-government/]

A federal government is a system of government that divides the power between a larger central government, and the local and regional governments beneath it. In the United States, the federal government’s powers were established by the Constitution. Perfect examples of federal governments are those that function best in large countries with a broad diversity among its citizens, though where a common culture still exists, which ties everyone together. To explore this concept, consider the following federal government definition.

Definition of Federal Government

Noun

A system of government in which power is divided between a central, larger government, and the local, regional, or state governments beneath it.

Origin

1635-1645 Latin foederal – (league)