## 1nc

### 1nc – politics

**GOP will give into *political pressure* but it’ll be a fight**

**Sargent 10-30**-13 GREG SARGENT . Washington Post “Immigration reform is definitely undead” [http://www.washingtonpost.com/blogs/plum-line/wp/2013/10/30/immigration-reform-is-definitely-undead/] **[MG]**

We now have three House Republicans who have signed on to the House Dem comprehensive immigration reform bill, putting immigration reform officially back in the “undead” category. GOP Rep. David **Valada**o of California is officially on board with the bipartisan proposal, according to a statement from the Congressman sent my way: “I have been working with my colleagues on both sides of the aisle to find common ground on the issue of immigration reform. Recently, I have focused my efforts on joining with likeminded Republicans in organizing and demonstrating to Republican Leadership broad support within the Party to address immigration reform in the House by the end of the year. “By supporting H.R. 15 I am strengthening my message: Addressing immigration reform in the House cannot wait. I am serious about making real progress and will remain committed to doing whatever it takes to repair our broken immigration system.” Valadao’s move is not wholly unexpected, given that he inhabits a moderate district with a lot of Latinos. But his insistence that addressing immigration reform “cannot wait” is helpful. It seems like an implicit message to the GOP leadership: We must act this year, and on this bill, if necessary. This comes after GOP Reps. leana Ros-Lehtinen and Jeff Denham did the same. Denham has said he expects “more” Republicans to ultimately sign on, and has also said that the House GOP leadership told him there will be a vote on something immigration-related by the end of the year. It’s unclear whether there will actually be a House vote on anything involving immigration before the year runs out, and it seems very unlikely that there will be a vote on the House Dem measure, which is essentially the Senate comprehensive immigration reform bill, without the Corker-Hoeven border security amendment that House Dems dislike, and instead with another border security amendment House Dems like swapped in. However, the movement among Republicans towards the Dem bill — even if it is only a trickle for now — is interesting, as a reminder that immigration reform can happen if House GOP leaders actually want it to. To be sure, immigration reform faces a huge obstacle: The stark underlying structural realities of the House Republican caucus. Far too few Republican members have large enough Latino populations to impact the outcome in 2014. With primaries coming, there just may be no incentive for Republicans to act until after the 2014 elections. But there are other factors to consider. In some key respects, immigration reform poses its own unique set of political challenges and conditions — **it is not quite as polarizing an issue** as, say, Obamacare or even the question of whether to agree to new revenues as part of a budget deal. Major GOP aligned constituencies — the **U.S. Chamber of Commerce**, **evangelicals,** **high tech and agricultural interests** in the districts of House Republicans – want immigration reform. What’s more, there is a built-in incentive for Republicans to put this issue behind them, given the slow forward march of demographic realities. Also, as longtime immigration operative Simon Rosenberg explains, Congressional Republicans have a long history of working on this issue. And some polls show that even sizable chunks of Republican voters want comprehensive reform, particularly if it is packaged with border security (Republican pollster Whit Ayres’ research, in particular, has shown that even GOP primary voters want action when informed that the other option is the status quo or “de facto amnesty,” as some pro-reform Republicans put it. Indeed, if there is anything that can make something happen, it’s the possibility that inaction is far more difficult politically for Republicans than many of them (and many commentators) claim. The immigration problem — “de facto amnesty” is not going away. If more Republicans like these three urge action inside the GOP caucus, it’s not impossible that House GOP leaders will allow votes on border security, the Kids Act, or potentially the legalization proposal that Republicans are said to be working on. That could possibly get us to conference. Yes, **immigration reform remains decidedly undead.**

**PC Is Key to Getting the *Essential Parts* of the Bill Through**

Anderson **Robichaud October 25**, 2013. n behalf of Robichaud, Anderson & Alcantara P.A. posted in US Immigration Law on “Beyond The Poisoned Well” http://www.robichaudlaw.com/blog/2013/10/beyond-the-poisoned-well-immigration-reform-tactics-changing.shtml

President Obama has not given up on enacting **c**omprehensive **i**mmigration **r**eform. ¶ To be sure, there is concern in Washington, DC and around the country that the partisan wrangling over the partial federal government shutdown "poisoned the well" of good will that may be needed to get the president and both chambers of Congress to agree on a specific proposal.¶ That is one reason why it may be necessary to break up the proposal passed by the Senate earlier this year into several different smaller bills. The smaller bills could tackle specific issues such as work visas or family immigration.¶ This week, there were indications that President Obama may be coming around to that point of view.¶ After the Senate passed a comprehensive immigration bill in June, the hope was that the U.S. House of Representatives would take up that bill. But the House did not do so. And now, after the passage of several months and the reality-check of the shutdown, the president appears to be shifting his tactics.¶ President Obama said this week that he is open to proposals from Republicans about possibly dividing up an immigration overhaul into several separate parts.¶ In political terms, it may be more practical to pass one or more of those parts than to keep holding out for a comprehensive reform that addresses all of the issues, all at once.¶ Of course, **in either form** -- either comprehensive or broken into separate parts -- **it will take considerable political capita**l and probably some (often elusive) compromise to actually pass immigration reform. But President **Obama is clearly** still **committed to making such reform one of the top priorities** of his second term.

#### Plan drains PC – clout and raw political power

Martinez 13 – Political Science and History major, Deputy Supervisor, Councilman (Tony, “United States Cuba Relations – Why US Cuba Policy Does Not Change: Asymmetrical Absurdity”, US Cuba Politics, <http://www.uscubapolitics.com/2013/05/united-states-cuba-relations-why-us.html>, May 14, 2013)//PN

It’s the perennial chant, “when is U.S. Cuba policy going to change?” Well it is not going to change anytime soon unless those who really want to change it actually do what is required to change it. Similarly you have to ask yourself what is going on and hold those leading the charge accountable. Over the last decade we have seen many attempts to change U.S. Cuba policy beginning with lifting the travel ban. All have failed. Most recently, we have seen the efforts to remove Cuba from the Terror List, a designation that Cuba does not deserve and only serves to keep costs higher between the two countries, also fail. Conversely, we have seen the hand of the pro-embargo hardliners grow bigger and stronger. Legislation to expand Cuba travel is consistently blocked or thwarted in Congress. Funding for clandestine “Democracy” programs like the ones that got Alan Gross into a Cuban prison, still continue to be funded. The pro-embargo voting bloc raises money and elected six Members of Congress to be their vanguards on the floors of Congress. Their capacity to even reach into the White House, the Executive Branch, and establish themselves in gateway leadership positions in the Congress all speak to a well concerted political effort. Government officials and policy makers have to tow the hard line through the veiled and actual threats of holding up Presidential appointments or congressional funding. Intelligence and reason have taken a back slide to raw political power. Meet the consequences of distorted politics.

**Comprehensive immigration reform is key to solve structural and violence against immigrant communities and turns all of their impacts**

Banuelas 10 (Arturo, "The lies are killing us: The need for immigration reform," US Catholic, October,www.uscatholic.org/culture/social-justice/2010/10/lies-are-killing-us-need-immigration-reform)

Immigrants like Marisol show us that immigration reform is more than simply a matter of human rights for undocumented immigrants. It is a matter of survival for the poorest. No child of God should ever have to leave her family at 5 years of age to be able to eat and survive in our world. Like the majority of people who cross the border, these are not terrorists or drug smugglers but our brothers and sisters.¶ The growing anti-immigrant sentiment in our country since 9/11 did not happen because people suddenly wanted to become cruel and heartless. It began because people started believing a lie about who we Latinos are, both documented and undocumented.¶ This is why immigration is a defining issue that is about us—all of us Latinos—and about how we will shape the future of our church and our country. There is a saying in Spanish, "La mentira nos trae la muerte." Lies bring death.¶ The lie is that immigrants, and by association all of us Latinos, are disposable as human beings and not worthy of human dignity and respect. And this lie is killing us.¶ An immigrant recently told me, "I've been sacrificing myself for my family, but in this country I am worth nothing." Latinos and immigrants encounter racism, resentment, and extreme hostilities against them, and they masquerade as patriotism and now also as national security.¶ By now we are familiar with the countless problems immigrants endure as a result of this lie: an increase in border deaths to more than 400 a year; raids, arrests, and deportations separating families; a backlog in family reunification and visa requests; militarization of the border; sexual exploitation of women immigrants traveling north; abuses in detention centers.¶ Arizona has recently made national headlines for passing harsh anti-immigrant laws, but today more than 20 states have introduced even harsher laws than Arizona. The solutions these laws propose perpetuate lies, persecute innocent people, expose all of us Latinos to racial profiling, and cause death and suffering to the poor. Those who say that they are not against immigrants yet support such oppressive laws are practicing backdoor racism at its worst.¶ Sure, every nation has a right to protect its borders against impending threats, but immigrants working to feed their children are not a threat to anyone. Their presence is not a threat, it is a human right; and we support their right to a better life.¶ Many today scapegoat the poor for self-serving political gain, for economic greed, and security fears. Their lies blind people from seeing Christ in others and keep them from hearing the gospel call to hospitality of the stranger among us. These lies are being used to justify injustice and foster racism that causes pervasive exploitation of immigrants, who are demonized as illegal, as alien, as suspicious human beings.¶ Since the majority of the more than 90 nationalities that daily cross our borders are from the Americas, it is our Latinidad itself that is being attacked. We know that the root causes of immigration include extreme poverty, unemployment, political and military corruption, and government instability in the countries of origin. However, we Latinos and Latinas throughout the Americas also know that the United States shares in the responsibility for these conditions that drive immigrants north across our borders.¶ It is not a secret that once the estimated 12 to 20 million currently undocumented immigrants become citizens, our country will be different. This process has already begun, but wait until we get to vote, buy homes, graduate from universities, and become elected officials.¶ Es mentira, it is a lie that immigrants will not learn English. In our parish we have some 100 people learning English to become citizens, and similar programs exist all over.¶ Es mentira that all immigrants are here illegally. The truth is that the majority are here on some type of visa.¶ Es mentira that stronger enforcement along the U.S.-Mexico border will stop immigrants from crossing the border. It is jobs that bring immigrants to the United States.¶ Es mentira that immigrants are draining our health care and educational systems. The fact is that immigrants contribute about $90 billion in taxes, much more than the $5 billion they use in services.¶ Despite these lies I feel optimistic because this is our time, this is Latino time. We are coming of age, and we want to help fashion a new nation: one that is more just, equal, and free for all citizens, especially the poorest.¶ But we will need to do this the Latino way, grounded in a new vision we inherited from our indigenous ancestors, who said, "Tu eres mi otro yo," you are my other self. This is a profound spiritual vision of life, an economic program for justice, a cultural solution for peace, and an authentic reform for human dignity.¶ Tu eres mi otro yo is the Latino way. We are all linked as one. We stand together, or we fall together. We are each other, and we need to help each other. Our ancestors teach us: If I despise you, I despise myself. And if I promote the good in you, I promote the goodness in me and everyone else.¶ Our fathers, mothers, and abuelos have always taught what Christ teaches us: that we were made good and for good. When we see life from this decidedly Latino worldview, we discover that there are more good people in the world than bad, that the world is in truth moving toward this oneness. This is the Latino good news.¶ I believe that our greatest meaning in life comes from our solidarity with others, especially the struggling poorest among us. As long as they do not eat, have health care, get a good education, live in decent housing, get treated with respect and dignity, then we all remain incomplete in ourselves and as a nation.¶ In a time of such propaganda, lies, drastic poverty, violence, racism, and war, in this time when human life seems so dirt cheap, we must proclaim that each person matters, that they matter enormously to us because tu eres mi otro yo.¶ As a Latino from the border I have reason to feel optimistic about life and our future because in us we carry this deep Latino desire to live out our God-given oneness; at the end of all our human struggles, we will see that it is our oneness that will win over lies, divisions, hate, and racism. In the end the glory will go to those who know how to embrace tu eres mi otro yo. In the end victory comes in our togetherness.¶ I look at our Latino history in terms of the biblical story of the Exodus: Some have crossed the sea into the Promised Land of no more borders. Others are still in the water trying to make it to land. And some arrived late and are still wandering in the desert. Moses told them to be at the edge of the sea by 10 a.m., but, being Latino, they arrived at noon. They are still out there dreaming and wondering what it will be like when they get to the other side. Some of them are dying without water, acceptance, lack of health care, food, or shelter.¶ But today we say, "Come, venganse," we are with you because our ministries represent solidarity in the struggle for human rights for all people.¶ The divisive border wall exists also in our hearts. When the border fence went up, I was part of a march protesting it. I remember walking up to the ugly steel barrier. I put my fingers through the fence, and I felt deep anger. I wanted to tear it down with my bare hands.¶ I kept remembering the Raramuri children in our parish missions in Mexico's northern Sierra Tarahumara, who do not have enough to eat, whose fathers and brothers search for ways to feed their families. Holding the fence I remembered their empty stomachs. I could hear Ester ask her mother, "Are we going to eat today?"¶ Holding the fence in my hands, I said a prayer. I asked Jesus to forgive us. And I asked la Virgen de Guadalupe to protect her children. What the fence says is: "I don't want you to be my other self."¶ Those of us who live on the border question whether the racial make-up of our families has anything to do with the fact that Canada and the Atlantic and Pacific coasts do not have disgusting walls, yet their combined border miles far exceed our 2,000-mile-long southwest border.¶ This immoral wall along our border and in our nation's heart is causing moral damage to the nation's soul with long-term consequences far beyond the fears we have of terrorists. It says that we have stopped dreaming of the possibilities to help each other as human beings in the land of the free. It says that we have given in to smallness of our hearts because of the fear-filled lies that claim doom when we welcome the strangers in our midst.¶ This ugly $242 billion wall is a wake-up call that our national leadership has failed to help us and that it is time for us to offer a better vision for national problems. We need to stop the further construction of this wall, tear it down, and make good use of the materials. What we need instead is just, comprehensive immigration reform, which will help America become a decent nation.¶ This is an historic moment for us. We have never been this close to immigration reform, and we are not backing down because we are not afraid of those who oppose us. I have seen in the faces of Latinos all over the country that we are ready to show our resolve, our conviction, and our dedication to the immigrants and to reform. We want to do what it takes because we deeply believe that justice will triumph over hate, that love will conquer racism, and that common compassion will overcome the lies.

### 1nc – t

#### Substantial” means considerable or to a large degree

Arkush 2 (David, JD Candidate – Harvard University, “Preserving "Catalyst" Attorneys' Fees Under the Freedom of Information Act in the Wake of Buckhannon Board and Care Home v. West Virginia Department of Health and Human Resources”, Harvard Civil Rights-Civil Liberties Law Review, Winter,
37 Harv. C.R.-C.L. L. Rev. 131)

Plaintiffs should argue that the term "substantially prevail" is not a term of art because if considered a term of art, resort to Black's 7th produces a definition of "prevail" that could be interpreted adversely to plaintiffs. [99](http://www.lexis.com/research/retrieve?_m=1421887dc00d6c0b78bddb20857a69fa&docnum=16&_fmtstr=FULL&_startdoc=1&wchp=dGLbVzW-zSkAz&_md5=3f3ffe65eadff46b38ea49c40cb1037e&focBudTerms=definition%20of%20the%20term%21%20substantial%21%20or%20definition%20of%20the%20word%20substantial%21&focBudSel=all#n99) It is commonly accepted that words that are not legal terms of art should be accorded their ordinary, not their legal, meaning, 100 and ordinary-usage dictionaries provide FOIA fee claimants with helpful arguments. The Supreme Court has already found favorable, temporally relevant definitions of the word "substantially" in ordinary dictionaries: "Substantially" suggests "considerable" or "specified to a large degree." See Webster's Third New International Dictionary 2280 (1976) (defining "substantially" as "in a substantial manner" and "substantial" as "considerable in amount, value, or worth" and "being that specified to a large degree or in the main"); see also 17 Oxford English Dictionary 66-67 (2d ed. 1989) ("substantial": "relating to or proceeding from the essence of a thing; essential"; "of ample or considerable amount, quantity or dimensions"). [101](http://www.lexis.com/research/retrieve?_m=1421887dc00d6c0b78bddb20857a69fa&docnum=16&_fmtstr=FULL&_startdoc=1&wchp=dGLbVzW-zSkAz&_md5=3f3ffe65eadff46b38ea49c40cb1037e&focBudTerms=definition%20of%20the%20term%21%20substantial%21%20or%20definition%20of%20the%20word%20substantial%21&focBudSel=all#n101)

#### “Increase” means to become larger or greater in quantity

Encarta 6 – Encarta Online Dictionary. 2006. ("Increase" http://encarta.msn.com/encnet/features/dictionary/DictionaryResults.aspx?refid=1861620741)

in·crease [ in krss ]
transitive and intransitive verb  (*past and past participle* in·creased, *present participle* in·creas·ing, *3rd person present singular* in·creas·es)Definition**:**make or become larger or greater: to become, or make something become, larger in number, quantity, or degree
noun  (*plural* in·creas·es)

#### Interpretation – Economic engagement is direct investment – not removal of RESTRICTIONS

Haass, 2K – Brookings Foreign Policy Studies director

[Richard, and Meghan O'Sullivan, "Introduction" in Honey and Vinegar, ed. by Haass and O'Sullivan, google books]

Architects of engagement strategies have a **wide variety** of incentives from which to choose. Economic engagement might offer tangible incentives such as export credits, investment insurance or promotion, access to technology, loans, and economic aid." Other equally useful economic incentives involve the removal of penalties, whether they be trade embargoes, investment bans, or high tariffs that have impeded economic relations between the United States and the target country. In addition, facilitated entry into the global economic arena and the institutions that govem it rank among the most potent incentives in today's global market."

### 1nc – shunning

**The affirmative engages with known human rights abusers-— *moral duty* to shun**

**Beversluis 89** — Eric H. Beversluis, Professor of Philosophy and Economics at Aquinas College, holds an A.B. in Philosophy and German from Calvin College, an M.A. in Philosophy from Northwestern University, an M.A. in Economics from Ohio State University, and a Ph.D. in the Philosophy of Education from Northwestern University, 1989 (“On Shunning Undesirable Regimes: Ethics and Economic Sanctions,” *Public Affairs Quarterly*, Volume 3, Number 2, April, Available Online to Subscribing Institutions via JSTOR, p. 17-19)

A fundamental task of morality is resolving conflicting interests. If we both want the same piece of land, ethics provides a basis for resolving the conflict by identifying "mine" and "thine." If in anger I want to smash your [end page 17] face, ethics indicates that your face's being unsmashed is a legitimate interest of yours which takes precedence over my own interest in expressing my rage. Thus ethics identifies the rights of individuals when their interests conflict. But how can a case for shunning be made on this view of morality? Whose interests (rights) does shunning protect? The shunner may well have to sacrifice his interest, e.g., by foregoing a beneficial trade relationship, but whose rights are thereby protected? In shunning there seem to be no "rights" that are protected. For shunning, as we have seen, does not assume that the resulting cost will change the disapproved behavior. If economic sanctions against South Africa will not bring apartheid to an end, and thus will not help the blacks get their rights, on what grounds might it be a duty to impose such sanctions? We find the answer when we note that there is another "level" of moral duties. When Galtung speaks of "reinforcing … morality," he has identified a duty that goes beyond specific acts of respecting people's rights. The argument goes like this: There is more involved in respecting the rights of others than not violating them by one's actions. For if there is such a thing as a moral order, which unites people in a moral community, then surely one has a **duty** (at least prima facie) not only to avoid violating the rights of others with one's actions but **also to support that moral order**. Consider that the moral order itself **contributes significantly** to people's rights being respected. It does so by **encouraging and reinforcing** moral behavior and by **discouraging and sanctioning** immoral behavior. In this moral community people **mutually reinforce** each other's moral behavior and thus raise the overall level of morality. Were this moral order to disintegrate, were people to stop reinforcing each other's moral behavior, there would be **much more violation of people's rights**. Thus to the extent that behavior affects the moral order, it indirectly affects people's rights. And this is where shunning fits in. Certain types of behavior constitute **a direct attack on the moral order**. When the violation of human rights is **flagrant**, **willful**, and **persistent**, the offender is, as it were, thumbing her nose at the moral order, publicly rejecting it as binding her behavior. Clearly such behavior, if tolerated by society, will weaken and perhaps eventually **undermine altogether** the moral order. Let us look briefly at those three conditions which turn immoral behavior into an attack on the moral order. An immoral action is flagrant if it is "extremely or deliberately conspicuous; notorious, shocking." Etymologically the word means "burning" or "blazing." The definition of shunning implies therefore that those offenses require shunning which are shameless or indiscreet, which the person makes no effort to hide and no good-faith effort to excuse. Such actions "blaze forth" as an attack on the moral order. But to merit shunning the action must also be willful and persistent. We do not consider the actions of the "backslider," the [end page 18] weak-willed, the one-time offender to be challenges to the moral order. It is the repeat offender, the unrepentant sinner, the cold-blooded violator of morality whose behavior demands that others publicly reaffirm the moral order. When someone **flagrantly**, **willfully**, and **repeatedly** violates the moral order, those who believe in the moral order, the members of the moral community, **must respond in a way that reaffirms the legitimacy of that moral order**. How does shunning do this? First, by refusing publicly to have to do with such a person one announces **support for the moral order** and **backs up the announcement with action**. This action **reinforces the commitment to the moral order** both of the shunner and of the other members of the community. (Secretary of State Shultz in effect made this argument in his call for international sanctions on Libya in the early days of 1986.) Further, shunning may have **a moral effect** on the shunned person, even if the direct impact is not adequate to change the immoral behavior. If the shunned person thinks of herself as part of the moral community, shunning may well make clear to her that she is, in fact, removing herself from that community by the behavior in question. Thus shunning may achieve by **moral suasion** what cannot be achieved by "force." Finally, shunning may be a form of punishment, of **moral sanction**, whose appropriateness depends not on whether it will change the person's behavior, but on whether he deserves the punishment for violating the moral order. Punishment then can be viewed as a way of **maintaining the moral order**, of "purifying the community" after it has been made "unclean," as ancient communities might have put it. Yet not every immoral action requires that we shun. As noted above, we live in a fallen world. None of us is perfect. If the argument implied that we may have nothing to do with anyone who is immoral, it would consist of a reductio of the very notion of shunning. To isolate a person, to shun him, to give him the "silent treatment," is a serious thing. Nothing strikes at a person's wellbeing as person more directly than such ostracism. Furthermore, not every immoral act is an attack on the moral order. Actions which are repented and actions which are done out of weakness of will clearly violate but do not attack the moral order. Thus because of the serious nature of shunning, it is defined as a response not just to any violation of the moral order, but to attacks on the moral order itself through flagrant, willful, and persistent wrongdoing. We can also now see why failure to shun can under certain circumstances suggest complicity. But it is not that we have a duty to shun because failure to do so suggests complicity. Rather, because we have **an obligation to shun** in certain circumstances, when we fail to do so others may interpret our failure as **tacit complicity** in the **willful**, **persistent**, and **flagrant immorality**.

### 1nc – xo cp

#### The President of the United States should send a report to Congress that Cuba should be exempt from section 6(j) of the Export Administration Act, section 40 of the Arms Export Control Act, and section 620A of the Foreign Assistant Act by stating that Cuba should be removed from the United States Department of State’s list of state sponsors of terrorism.

#### Solves the Aff

Miami Herald 2013 U.S. officials: Cuba will be kept on list of nations that sponsor terrorism http://www.miamiherald.com/2013/05/01/3375305/us-officials-cuba-will-be-kept.html#storylink=cpy

The next version of the Country Report, expected to be made public in coming weeks, will certainly report that Cuba remains on the state sponsors’ list, the officials told El Nuevo Herald.¶ But that does not rule out the possibility that at any time in the future the U.S. government will decide that Cuba should be removed from the state sponsors list, the officials added.¶ A Congressional Research Service (CRS) study dated April 5 reported that technically either the U.S. president or Congress can remove a country from the list, although it would be more likely for the president to do so in either of two ways.¶ The president can send Congress a report “certifying that there has been a fundamental change in the leadership and policies of the government and that the government is not supporting acts of international terrorism and is providing assurances that it will not support such acts in the future,” the study noted.¶ Or the president can send Congress a report, at least 45 days in advance of the removal, “certifying that the government has not provided any support for international terrorism during the preceding six months, and has provided assurances that it will not support such acts in the future.”

#### Solves Via *Better Congressional Signal*, *Future Expectations* and *Anticipatory Behavior Changes* and *Future Binding Policy* – Competes and Avoids Politics Because its Non Binding and there is No Presidential Involvement

Posner 2008 (Eric A, Professor of Law, The University of Chicago and Jacob E. Gersen, Assistant Professor of Law, The University of Chicago. Stanford LR, December)

The academic literatures on these topics have different concerns, yet the themes are similar. Soft law refers to statements by lawmaking authorities that do not have the force of law (most often because they do not comply with relevant formalities or for other reasons are not regarded as legally binding 12), but nonetheless affect the behavior of others either (1) because others take the statements as credible expressions of policy judgments or intentions that, at some later point, might be embodied in formally binding law and reflected in the coercive actions of executive agents, or (2) because the statements provide epistemic guidance about how the authorities see the world. 13 Individuals, governments, states, and other agents use soft law in order to enter commitments and influence behavior where legal mechanisms are regarded as undesirable. Against this backdrop, it is a puzzle that no parallel literature has emerged in the field of legislation and legislative process. 14 One does not have to look hard to find a similar form of soft law: the congressional resolution. Congressional resolutions - whether concurrent or one-house - generally have no formal legal effect. 15 Periodically, proposals surface to pay more attention to the resolution as a mechanism for influencing statutory interpretation, 16 foreign policy, 17 or some other external matter. Yet the soft statute has [\*578] received little attention in scholarly work on legislation. 18 The conventional wisdom is that such measures lack importance because they do not create binding legal obligations. 19 They are cheap and often happy talk by legislatures, commending military officers for good service or sports teams for winning championships. In fact, many congressional resolutions are very serious: they assert controversial foreign policy judgments, urge the President to intervene in humanitarian crises or to avoid a military conflict, criticize allies and enemies, forecast plans for taxation and regulation, send signals to regulatory agencies about Congress's expectations, criticize the President's interpretations of executive power, advance interpretations of constitutional provisions and statutes, encourage state and local governments to address policy problems, identify public health threats that need funding, and much more. 20 Statutory soft law deserves more attention than it has received, especially in light of the large cognate literatures that examine the workings of soft law in other fields. In the course of analyzing congressional resolutions and other forms of legislative soft law - including hortatory statutes - we advance a general theory that explains the attractiveness of soft law, its advantages and disadvantages, and its place in our constitutional order. We show that soft public law is preferable to hard public law in identifiable cases and contexts. The congressional resolution is essentially a "soft statute" - a device for communicating the policy views and intentions of one or both houses of Congress. Legislative soft law communicates congressional intentions more accurately and cheaply than does a regular statute, which will usually reflect the views of the President as well. Legislative soft law communicates the views of a chamber or the Congress more accurately than do statements of individual legislators, whose views will often diverge from that of the majority. These communications can influence the behavior of the public and of other political institutions through three main mechanisms. First, a congressional communication affects people's beliefs about how Congress will (formally) regulate in the future, to the extent that it credibly reveals the political preferences of Congress (or its members or a substantial coalition of its members or its leadership, etc.). A soft statute thus anticipates a hard statute, [\*579] but when the target audience reacts appropriately to the soft statute, the hard statute may become unnecessary. Second, a congressional communication may have a purely epistemic effect. Information about Congress's views might cause people to change their beliefs about the state of the world. 21 Third, in some settings other institutions that generate formal law take legislative views as an input. Agencies, courts, and the President regularly incorporate legislative views as one of many factors in the construction of binding policy.

### 1nc – terror da

#### Allied cooperation is key to effective counter-terrorism, global criticism of the war on terror undermines background diplomacy and strategic flexibility—

Micah Zenko 13, Douglas Dillon fellow with the Center for Preventive Action at the Council on Foreign Relations, Newsday, January 30, "Zenko: Why we can't just drone Algeria", http://www.newsday.com/opinion/oped/zenko-why-we-can-t-just-drone-algeria-1.4536641

CNN should not have been surprised. Neither the Bush nor Obama administrations received blanket permission to transit Algerian airspace with surveillance planes or drones; instead, they received authorization only on a case-by-case basis and with advance notice.¶ According to Washington Post journalist Craig Whitlock, the U.S. military relies on a fleet of civilian-looking unarmed aircraft to spy on suspected Islamist groups in North Africa, because they are less conspicuous - and therefore less politically sensitive for host nations - than drones. Moreover, even if the United States received flyover rights for armed drones, it has been unable to secure a base in southern Europe or northern Africa from which it would be permitted to conduct drone strikes; and presently, U.S. armed drones cannot be launched and recovered from naval platforms.¶ According to Hollywood movies or television dramas, with its immense intelligence collection and military strike capabilities, the United States can locate, track, and kill anyone in the world.¶ This misperception is continually reinvigorated by the White House's, the CIA's, and the Pentagon's close cooperation with movie and television studios. For example, several years before the CIA even started conducting non-battlefield drone strikes, it was recommending the tactic as a plotline in the short-lived (2001-2003) drama "The Agency." As the show's writer and producer later revealed: "The Hellfire missile thing, they suggested that. I didn't come up with this stuff. I think they were doing a public opinion poll by virtue of giving me some good ideas."¶ Similarly, as of November there were at least 10 movies about the Navy SEALs in production or in theaters, which included so much support from the Pentagon that one film even starred active-duty SEALs.¶ The Obama administration's lack of a military response in Algeria reflects how sovereign states routinely constrain U.S. intelligence and military activities. As the U.S. Air Force Judge Advocate General's Air Force Operations and the Law guidebook states: "The unauthorized or improper entry of foreign aircraft into a state's national airspace is a violation of that state's sovereignty. . . . Except for overflight of international straits and archipelagic sea lanes, all nations have complete discretion in regulating or prohibiting flights within their national airspace."¶ Though not sexy and little reported, deploying CIA drones or special operations forces requires constant behind-the-scenes diplomacy: with very rare exceptions - like the Bin Laden raid - the U.S. military follows the rules of the world's other 194 sovereign, independent states.¶ These rules come in many forms. For example, basing rights agreements can limit the number of civilian, military and contractor personnel at an airbase or post; what access they have to the electromagnetic spectrum; what types of aircraft they can fly; how many sorties they can conduct per day; when those sorties can occur and how long they can last; whether the aircraft can drop bombs on another country and what sort of bombs; and whether they can use lethal force in self-defense. When the United States led the enforcement of the northern no-fly zone over Iraq from the Incirlik Air Base in southern Turkey from 1991 to 2003, a Turkish military official at the rank of lieutenant colonel or higher was always on board U.S. Air Force AWACS planes, monitoring the airspace to assure that the United States did not violate its highly restrictive basing agreement.¶ As Algeria is doing presently, the denial or approval of overflight rights is a powerful tool that states can impose on the United States. These include where U.S. air assets can enter and exit another state, what flight path they may take, how high they must fly, what type of planes can be included in the force package, and what sort of missions they can execute. In addition, these constraints include what is called shutter control, or the limits to when and how a transiting aircraft can collect information. For example, U.S. drones that currently fly out of the civilian airfield in Arba Minch, Ethiopia, to Somalia, are restricted in their collection activities over Ethiopia's Ogaden region, where the government has conducted an intermittent counterinsurgency against the Ogaden National Liberation Front.

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

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

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

#### Extinction---equivalent to full-scale nuclear war

Owen B. Toon 7, chair of the Department of Atmospheric and Oceanic Sciences at CU-Boulder, et al., April 19, 2007, “Atmospheric effects and societal consequences of regional scale nuclear conflicts and acts of individual nuclear terrorism,” online: http://climate.envsci.rutgers.edu/pdf/acp-7-1973-2007.pdf

To an increasing extent, people are congregating in the world’s great urban centers, creating megacities with populations exceeding 10 million individuals. At the same time, advanced technology has designed nuclear explosives of such small size they can be easily transported in a car, small plane or boat to the heart of a city. We demonstrate here that a single detonation in the 15 kiloton range can produce urban fatalities approaching one million in some cases, and casualties exceeding one million. Thousands of small weapons still exist in the arsenals of the U.S. and Russia, and there are at least six other countries with substantial nuclear weapons inventories. In all, thirty-three countries control sufficient amounts of highly enriched uranium or plutonium to assemble nuclear explosives. A conflict between any of these countries involving 50-100 weapons with yields of 15 kt has the potential to create fatalities rivaling those of the Second World War. Moreover, even a single surface nuclear explosion, or an air burst in rainy conditions, in a city center is likely to cause the entire metropolitan area to be abandoned at least for decades owing to infrastructure damage and radioactive contamination. As the aftermath of hurricane Katrina in Louisiana suggests, the economic consequences of even a localized nuclear catastrophe would most likely have severe national and international economic consequences. Striking effects result even from relatively small nuclear attacks because low yield detonations are most effective against city centers where business and social activity as well as population are concentrated. Rogue nations and terrorists would be most likely to strike there. Accordingly, an organized attack on the U.S. by a small nuclear state, or terrorists supported by such a state, could generate casualties comparable to those once predicted for a full-scale nuclear “counterforce” exchange in a superpower conflict. Remarkably, the estimated quantities of smoke generated by attacks totaling about one megaton of nuclear explosives could lead to significant global climate perturbations (Robock et al., 2007). While we did not extend our casualty and damage predictions to include potential medical, social or economic impacts following the initial explosions, such analyses have been performed in the past for large-scale nuclear war scenarios (Harwell and Hutchinson, 1985). Such a study should be carried out as well for the present scenarios and physical outcomes.

**High probability—**

**Hellman 8** [Martin E. Hellman, Professor @ Stanford, “Risk Analysis of Nuclear Deterrence” SPRING 2008 THE BENT OF TAU BETA PI, http://www.nuclearrisk.org/paper.pdf]

The threat of nuclear terrorism looms much larger in the public’s mind than the threat of a full-scale nuclear war, yet this article focuses primarily on the latter. An explanation is therefore in order before proceeding. A terrorist attack involving a nuclear weapon would be a catastrophe of immense proportions: “A 10-kiloton bomb detonated at Grand Central Station on a typical work day would likely kill some half a million people, and inflict over a trillion dollars in direct economic damage. America and its way of life would be changed forever.” [Bunn 2003, pages viii-ix]. The likelihood of such an attack is also **significant**. Former Secretary of Defense William Perry has estimated the chance of a nuclear terrorist incident within the next decade to be roughly 50 percent [Bunn 2007, page 15]. David Albright, a former weapons inspector in Iraq, estimates those odds at less than one percent, but notes, “We would never accept a situation where the chance of a major nuclear accident like Chernobyl would be anywhere near 1% .... A nuclear terrorism attack is a low-probability event, but we can’t live in a world where it’s anything but extremely low-probability.” [Hegland 2005]. In a survey of **85 national security experts**, Senator Richard Lugar **found** a median estimate of 20 percent for the “probability of **an attack involving a nuclear explosion occurring** somewhere in the world **in the next 10 years**,” with 79 percent of the respondents believing “it more likely to be carried out by terrorists” than by a government [Lugar 2005, pp. 14-15]. I support increased efforts to reduce the threat of nuclear terrorism, but that is not inconsistent with the approach of this article. Because terrorism is one of the potential trigger mechanisms for a **full-scale nuclear war**, the risk analyses proposed herein will include estimating the risk of nuclear terrorism as one component of the overall risk. If that risk, the overall risk, or both are found to be unacceptable, then the proposed remedies would be directed to reduce which- ever risk(s) warrant attention. Similar remarks apply to a number of other threats (e.g., nuclear war between the U.S. and China over Taiwan). his article would be incomplete if it only dealt with the threat of nuclear terrorism and neglected the threat of full- scale nuclear war. If both risks are unacceptable, an effort to reduce only the terrorist component would leave humanity in great peril. In fact, society’s almost total neglect of the threat of full-scale nuclear war makes studying that risk all the more important. The cosT of World War iii The danger associated with nuclear deterrence depends on both the cost of a failure and the failure rate.3 This section explores the cost of a failure of nuclear deterrence, and the next section is concerned with the failure rate. While other definitions are possible, this article defines a failure of deterrence to mean a full-scale exchange of all nuclear weapons available to the U.S. and Russia, an event that will be termed World War III. Approximately 20 million people died as a result of the first World War. World War II’s fatalities were double or triple that number—chaos prevented a more precise deter- mination. In both cases humanity recovered, and the world today bears few scars that attest to the horror of those two wars. Many people therefore implicitly believe that a third World War would be horrible but survivable, an extrapola- tion of the effects of the first two global wars. In that view, World War III, while horrible, is something that humanity may just have to face and from which it will then have to recover. In contrast, some of those most qualified to assess the situation hold a very different view. In a 1961 speech to a joint session of the Philippine Con- gress, General Douglas MacArthur, stated, “Global war has become a Frankenstein to destroy both sides. … If you lose, you are annihilated. If you win, you stand only to lose. No longer does it possess even the chance of the winner of a duel. It contains now only the germs of double suicide.” Former Secretary of Defense Robert McNamara ex- pressed a similar view: “If deterrence fails and conflict develops, the present U.S. and NATO strategy carries with it a high risk that Western **civilization will be destroyed**” [McNamara 1986, page 6]. More recently, George Shultz, William Perry, Henry Kissinger, and Sam Nunn4 echoed those concerns when they quoted President Reagan’s belief that nuclear weapons were “totally irrational, totally inhu- mane, good for nothing but killing, possibly destructive of life on earth and civilization.” [Shultz 2007] Official studies, while couched in less emotional terms, still convey the horrendous toll that World War III would exact: “The resulting deaths would be far beyond any precedent. Executive branch calculations show a range of U.S. deaths from 35 to 77 percent (i.e., 79-160 million dead) … a change in targeting could kill somewhere between 20 million and 30 million additional people on each side .... These calculations reflect only deaths during the first 30 days. Additional millions would be injured, and many would eventually die from lack of adequate medical care … millions of people might starve or freeze during the follow- ing winter, but it is not possible to estimate how many. … further millions … might eventually die of latent radiation effects.” [OTA 1979, page 8] This OTA report also noted the possibility of serious ecological damage [OTA 1979, page 9], a concern that as- sumed a new potentiality when the TTAPS report [TTAPS 1983] proposed that the ash and dust from so many nearly simultaneous nuclear explosions and their resultant fire- storms could usher in a **nuclear winter** that might **erase homo sapiens from** the face of the **earth**, much as many scientists now believe the K-T Extinction that wiped out the dinosaurs resulted from an impact winter caused by ash and dust from a large asteroid or comet striking Earth. The TTAPS report produced a heated debate, and there is still no scientific consensus on whether a nuclear winter would follow a full-scale nuclear war. Recent work [Robock 2007, Toon 2007] suggests that even a limited nuclear exchange or one between newer nuclear-weapon states, such as India and Pakistan, could have **devastating** long-lasting c**limatic consequences** due to the large volumes of smoke that would be generated by fires in modern megacities. While it is uncertain how destructive World War III would be, prudence dictates that we apply the same engi- neering conservatism that saved the Golden Gate Bridge from collapsing on its 50th anniversary and assume that preventing World War III is a necessity—not an option.

#### Nuclear terrorism is feasible---high risk of theft and attacks escalate

Vladimir Z. Dvorkin 12 Major General (retired), doctor of technical sciences, professor, and senior fellow at the Center for International Security of the Institute of World Economy and International Relations of the Russian Academy of Sciences. The Center participates in the working group of the U.S.-Russia Initiative to Prevent Nuclear Terrorism, 9/21/12, "What Can Destroy Strategic Stability: Nuclear Terrorism is a Real Threat," belfercenter.ksg.harvard.edu/publication/22333/what\_can\_destroy\_strategic\_stability.html

Hundreds of scientific papers and reports have been published on nuclear terrorism. International conferences have been held on this threat with participation of Russian organizations, including IMEMO and the Institute of U.S. and Canadian Studies. Recommendations on how to combat the threat have been issued by the International Luxembourg Forum on Preventing Nuclear Catastrophe, Pugwash Conferences on Science and World Affairs, Russian-American Elbe Group, and other organizations. The UN General Assembly adopted the International Convention for the Suppression of Acts of Nuclear Terrorism in 2005 and cooperation among intelligence services of leading states in this sphere is developing.¶ At the same time, these efforts fall short for a number of reasons, partly because various acts of nuclear terrorism are possible. Dispersal of radioactive material by detonation of conventional explosives (“dirty bombs”) is a method that is most accessible for terrorists. With the wide spread of radioactive sources, raw materials for such attacks have become much more accessible than weapons-useable nuclear material or nuclear weapons. The use of “dirty bombs” will not cause many immediate casualties, but it will result into long-term radioactive contamination, contributing to the spread of panic and socio-economic destabilization.¶ Severe **consequences can be caused by sabotaging nuclear power plants, research reactors, and radioactive materials storage facilities. Large cities are especially vulnerable to such attacks. A large city may host dozens of research reactors with a nuclear power plant or a couple of spent nuclear fuel storage facilities and dozens of large radioactive materials storage facilities located nearby.** The past few years have seen significant efforts made to enhance organizational and physical aspects of security at facilities, especially at nuclear power plants. Efforts have also been made to improve security culture. But these efforts do not preclude the possibility that well-trained terrorists may be able to penetrate nuclear facilities.¶ Some estimates show that sabotage of a research reactor in a metropolis may expose hundreds of thousands to high doses of radiation. A formidable part of the city would become uninhabitable for a long time.¶ Of all the scenarios, it is building an improvised nuclear device by terrorists that poses the maximum risk. **There are no engineering problems that cannot be solved if terrorists decide to build a simple “gun-type” nuclear device.** Information on the design of such devices, as well as implosion-type devices, is available in the public domain. It is the acquisition of weapons-grade uranium that presents the sole serious obstacle. Despite numerous preventive measures taken, we cannot rule out the possibility that such materials can be bought on the black market. Theft of weapons-grade uranium is also possible. Research reactor fuel is considered to be particularly vulnerable to theft, as it is scattered at sites in dozens of countries. There are about 100 research reactors in the world that run on weapons-grade uranium fuel, according to the International Atomic Energy Agency (IAEA).¶ A terrorist “gun-type” uranium bomb can have a yield of least 10-15 kt, which is comparable to the yield of the bomb dropped on Hiroshima. The explosion of such a bomb in a modern metropolis can kill and wound hundreds of thousands and cause serious economic damage. There will also be long-term sociopsychological and political consequences.¶ The vast majority of states have introduced unprecedented security and surveillance measures at transportation and other large-scale public facilities after the terrorist attacks in the United States, Great Britain, Italy, and other countries. These measures have proved burdensome for the countries’ populations, but the public has accepted them as necessary. A nuclear terrorist attack will make the public accept further measures meant to enhance control even if these measures significantly restrict the democratic liberties they are accustomed to. Authoritarian states could be expected to adopt even more restrictive measures.¶ If a nuclear terrorist act occurs, nations will delegate tens of thousands of their secret services’ best personnel to investigate and attribute the attack. Radical Islamist groups are among those capable of such an act. We can imagine what would happen if they do so, given the anti-Muslim sentiments and resentment that conventional terrorist attacks by Islamists have generated in developed democratic countries. Mass deportation of the non-indigenous population and severe sanctions would follow such an attack in what will cause **violent protests in the Muslim world**. **Series of armed clashing terrorist attacks may follow**. The prediction that Samuel Huntington has made in his book “The Clash of Civilizations and the Remaking of World Order” may come true. Huntington’s book clearly demonstrates that it is not Islamic extremists that are the cause of the Western world’s problems. Rather there is a deep, intractable conflict that is rooted in the fault lines that run between Islam and Christianity. This is especially dangerous for Russia because these fault lines run across its territory. To sum it up, the political leadership of Russia has every reason to revise its list of factors that could undermine strategic stability.  BMD does not deserve to be even last on that list because its effectiveness in repelling massive missile strikes will be extremely low. BMD systems can prove useful only if deployed to defend against launches of individual ballistic missiles or groups of such missiles. Prioritization of other destabilizing factors—that could affect global and regional stability—merits a separate study or studies. But even without them I can conclude that nuclear terrorism should be placed on top of the list. The threat of nuclear terrorism is real, and a successful nuclear terrorist attack would lead to a radical transformation of the global order.  All of the threats on the revised list must become a subject of thorough studies by experts. States need to work hard to forge a common understanding of these threats and develop a strategy to combat them.

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#### They aren’t a substantial increase – the embargo penalties and sanctions override

**Burns, 13** – (Robert Clifton, “U.S. may be considering dropping Cuba from terrorist country list” http://www.lexology.com/library/detail.aspx?g=4b1250d3-0ddb-452a-8ed7-10baa04d034e)djm

It appears that the Department of State may be considering removing Cuba from the list of state sponsors of terrorism. The immediate impact of this will be howls of outrage from the rabid Babalú crowd and other die-hard supporter of Cuba sanctions. Of course, of more interest to the readership of this blog will be the practical impact of such a removal, if it occurs, on exports to Cuba. If you think that the removal of Cuba from the list will permit unlicensed exports of food, medicine and agricultural goods to Cuba, think again. Although section 7205 of the Trade Sanctions Reform and Export Enhancement Act of 2000 (“TSRA”) does indeed impose a license requirement on shipments of these goods to state sponsors of terrorism, it also directly imposes that restriction on TSRA exports to Cuba. **So a license will still be required even if Cuba is removed from the list.** Section 40 of the Arms Export Control Act prohibits granting licenses for the export of items on the United States Munitions List to state supporters of terrorism. So there is a theoretical possibility, I suppose, that if Cuba is removed from the list, **the arms embargo** against Cuba might also be lifted. Right. When pigs fly. Then we have Section 6(j) of the now-defunct Export Administration Act as allegedly extended in force by various executive orders. That provision requires that certain licenses for exports of goods on the Commerce Control List to state sponsors of terrorism be notified to Congress. Since licenses for CCL items **are rarely granted in any event for Cuba, and seem unlikely to be granted even if Cuba is removed from the list,** this doesn’t seem to an area in which Cuba’s removal would have much impact. **In sum, removal of Cuba from the list seems largely symbolic and with little practical effect**. At most, it could presage a liberalization of the embargo down the road, particularly if the current Cuban government gnaws on this bone a little rather than simply regarding it with disdain.

#### Reasonability is arbitrary and undermines research and preparation

**Resnick 01**, assistant professor of political science – Yeshiva University,

(Evan, “Defining Engagement,” Journal of International Affairs, Vol. 54, Iss. 2)

In matters of national security, establishing a clear definition of terms is a precondition for effective policymaking. Decisionmakers who invoke critical terms in an erratic, ad hoc fashion risk alienating their constituencies. They also risk exacerbating misperceptions and hostility among those the policies target. Scholars who commit the same error undercut their ability to conduct valuable empirical research. Hence, if scholars and policymakers fail rigorously to define "engagement," they undermine the ability to build an effective foreign policy.

### 2nc – terror da

**Terror is a real threat driven by forces the aff can’t resolve---we should reform the war on terror, not vulnerability---any terror attack turns the entire case**

Peter **Beinart 8**, associate professor of journalism and political science at CUNY, The Good Fight; Why Liberals – and only Liberals – Can Win the War on Terror and Make America Great Again, 110-1

Indeed, while the Bush administration bears the blame for these hor- rors, White House officials exploited a shift in public values after 9/11. When asked by Princeton Survey Research Associates in 1997 whether stopping terrorism required citizens to cede some civil liberties, less than one-t hird of Americans said yes. By the spring of 2002, that had grown to almost three- quarters. Public support for the government’s right to wire- tap phones and read people’s mail also grew exponentially. In fact, polling in the months after the attack showed Americans less concerned that the Bush administration was violating civil liberties than that **it wasn’t violating them enough**. What will happen the next time? It is, of course, impossible to predict the reaction to any particular attack. But in 2003, the Center for Public Integrity got a draft of something called the Domestic Security Enhance- ment Act, quickly dubbed Patriot II. According to the center’s executive director, Charles Lewis, **it expanded government power** five or **ten times as much as its predecessor**. One provision permitted the government to strip native-born Americans of their citizenship, allowing them to be **indefinitely imprisoned** without legal recourse if they were deemed to have provided any support—even nonviolent support—to groups designated as terrorist. After an outcry, the bill was shelved. But it offers a hint of what this administration—or **any administration**—might do if the United States were hit again. ¶ When the CIA recently tried to imagine how the world might look in 2020, it conjured four potential scenarios. One was called the “cycle of fear,” and it drastically inverted the assumption of security that C. Vann Woodward called central to America’s national character. The United States has been attacked again and the government has responded with “large- scale intrusive security measures.” In this dystopian future, two arms dealers, one with jihadist ties, text- message about a potential nuclear deal. One notes that terrorist networks have “turned into mini-s tates.” The other jokes about the global recession sparked by the latest attacks. And he muses about how terrorism has changed American life. “That new Patriot Act,” he writes, “went **way beyond anything imagined after 9/11**.” “The fear cycle generated by an increasing spread of WMD and terrorist attacks,” comments the CIA report, “once under way, would be one of the **hardest to break**.” And the more entrenched that fear cycle grows, the less free America will become. Which is why a new generation of American liberals must make the fight against this new totalitarianism their own.

**And, war turns structural violence**

**Winter 99** – Professor of Psychology, Whitman (Deborah and Dana Leighton, Structural Violence Section Introduction, http://www.psych.ubc.ca/~dleighton/svintro.html)

While structural violence often leads to direct violence, the reverse is also true, as brutality often terrorizes bystanders, who then become unwilling or unable to confront social injustice. Increasingly, civilians pay enormous costs of war through death and devastation of neighborhoods and ecosystems. Ruling elites rarely suffer from armed conflict as much as civilian populations do, who endure decades of poverty and disease in war-torn societies.

**Their causality is backwards—war is the root of dehumanization**

**Goldstein 1 –** IR Professor, American U (Joshua, War and Gender, p 412)

The evidence in this book suggests that causality runs at least as strongly the other way. War is not a product of capitalism, imperialism, gender, innate aggression, or any other single cause, although all of these influence wars' outbreaks and outcomes. Rather, war has in part fueled and sustained these and other injustices.4 So, "if you want peace, work for peace." Indeed, if you want justice (gender and others), work for peace. Causality does not run just upward through the levels of analysis, from types of individuals, societies, and governments up to war. It runs downward too. Enloe suggests that changes in attitudes towards war and the military may be the most important way to "reverse women's oppression." The dilemma is that peace work focused on justice brings to the peace movement energy, allies, and moral grounding, yet, in light of this book's evidence, the emphasis on injustice as the main cause of war seems to be empirically inadequate."

**AQAP will attack the US**

Jim **Kouri, 3-7**- ’12 (Vice President and Public Information Officer of the National Association of Chiefs of Police, has served on the National Drug Task Force and trained police and security officers throughout the country, “Al-Qaeda dangerously close to turning Yemen into a new Afghanistan”, The Examiner)

The Yemeni police and security forces were placed Monday and Tuesday on maximum alert following a weekend of deadly terrorist attacks by al-Qaeda in the Arabian Peninsula who have gained control of most of Yemen's provinces in that country's south, **a U.S. security official** told the Law Enforcement Examiner. The security official **said he and several colleagues believe the next terror threats to be faced by Americans within the continental United States will be perpetrated by Yemeni-connected al-Qaeda terrorists.**  **"It doesn't take much imagination to envision Yemen turning into a new Afghanistan complete with training camps and volunteers to travel to the U.S. and European nations to plan and carry out terrorist attacks**," said the Law Enforcement Examiner's anonymous security source.

**Effective methods of counterterror solve – the alternative is worse**

By Daniel **Green** Soref fellow at The Washington Institute and a military veteran of Afghanistan and Iraq. **January 24**, 2013 Al-Qaeda's Soft Power Strategy in Yemen http://www.realclearworld.com/articles/2013/01/24/al-qaedas\_soft\_power\_strategy\_in\_yemen\_100502-full.html

Learning from jihadist mistakes in Iraq and Afghanistan, al-Qaeda in the Arabian Peninsula (**AQAP**) has become adept at aligning with local political movements and building popular support in Yemen. In doing so, it has morphed into an insurgency while retaining its roots as a terrorist group. To counter the group's political, legal, and social-welfare efforts in areas outside the capital, the Yemeni and U.S. governments must supplement their counterterrorism campaign by expanding services to the provinces in a decentralized fashion.¶ BACKGROUND¶ Since its founding in January 2009, AQAP has repeatedly attacked the United States and its interests. Washington has responded by significantly expanding its drone strikes in Yemen and bolstering the government's ability to fight AQAP itself through additional military aid and training.¶ When the Arab Spring began to sweep the region in 2011, a political crisis emerged in Yemen between then president Ali Saleh, who had ruled for over thirty years, and opponents who criticized the regime's corruption, lack of services, and leadership. As the crisis unfolded, Yemeni security forces became involved in political struggles in Sana, with many units moving from the south to the capital. Sensing a vacuum, AQAP launched a series of raids throughout the south that year, using conventional tactics to overrun large swathes of territory, including many districts and a provincial capital.¶ HEARTS AND MINDS CAMPAIGN¶ After seizing control of various southern Yemeni towns and districts, AQAP moved beyond its terrorist focus, adopting the characteristics of an insurgency and holding territory in order to create a nascent government. Its ability to do so was based not only on its enhanced military capabilities and the departure of government security forces, but also on its effective community engagement strategy.¶ Capitalizing on longstanding southern grievances regarding insufficient education, healthcare, security, rule of law, political representation, and economic development, AQAP sought to replicate the central government's functions throughout the region. Its political agents established a form of stability based on Islamic law, convening regular meetings with community leaders, solving local problems, and attempting to replace chaotic tribal feuds with a more ordered and religiously inspired justice system. This effort included mitigating tribal conflicts, protecting weaker tribes from stronger rivals, and creating opportunities for some ambitious locals, including weaker tribal factions, to rise beyond their social position and seize power in their communities. AQAP also provided humanitarian assistance such as fresh water and food for the indigent, basic healthcare, and educational opportunities (albeit only Quranic teachings).¶ Many of these efforts appealed to the population, not only because they were better than what the local government had provided, but also because many tribal sheiks had previously been discredited for not living up to their responsibilities. Additionally, Quran-based engagement was highly appealing to communities in which that book was often the only text residents knew.¶ Al-Qaeda's strategy in Yemen reflects many of the lessons it learned in Iraq and Afghanistan, where it frequently alienated locals through the brutality of its rule. In addition, Yemeni tribal structures are far stronger than in those two countries, and tribal leaders are much more adept at governing their traditional areas of control. AQAP has therefore pursued a softer approach not simply because it wants to, but because it must, since the tribes have far greater power than it currently wields.¶ AQAP has also been effective at joining its cause with local political movements in Yemen, as it did in Iraq with Sunni Arab nationalists. To date, it has aligned its interests with southern elements seeking greater autonomy from the central government or complete independence from Yemen (though it is probably not working with the longstanding Southern Mobility Movement).¶ ¶ ¶ Finally, al-Qaeda does not have as strong a foreign character in Yemen as it did in previous conflicts. This reduces Washington and Sana's ability to separate the population from the terrorist group by using national pride, ethnic/tribal differences, or simple xenophobia to rebuff AQAP's advances.¶ REPULSED BUT NOT REJECTED¶ Last year, in response to **AQAP**'s gains, the Yemeni military launched widespread operations against the group's forces in the south. Although these efforts were largely successful in pushing AQAP out of areas it overran in 2011, the group **continues to pose a threat.** Having retreated to its traditional safe havens in the interior, al-Qaeda has since undertaken a concerted assassination campaign against Yemeni security, military, and intelligence officials as it reconstitutes its forces.¶ In addition, the group still commands sympathy and influence in the south. To be sure, AQAP eventually reverted to harsh rule in many communities once it consolidated power there, alienating many locals and spurring the exodus of thousands from areas under its sway. Yet many others remain sympathetic to the group, not just for religious or culturally conservative reasons, but also out of a general feeling that al-Qaeda, with all its imperfections, is still a better alternative than the Yemeni government.¶ Although relief efforts for war refugees did much to improve Sana's image among southerners, only a sustained governance and development initiative -- one highly synchronized with military clearing and holding operations against AQAP -- will consolidate support for the central government. Yet this sort of initiative **will not come naturally to Sana or Washington**. The lack of such efforts following last year's clearing operations is already undermining popular support, creating another opportunity for a chastened but resilient AQAP to leverage the south against the central government. The group is already adapting its community engagement strategy by apologizing for the excesses of its recent rule and making overtures to key local leaders to lay the groundwork for reasserting control.

**focusing the criticism on drones distracts from larger questions about the structures that perpetuate violence and ignores the reasons why other alternatives fail**

Doug **Noble** September 10 **2012** Is It the Drones or the Killings We Oppose? http://upstatedroneaction.org/wordpress/2012/09/10/is-it-the-drones-or-the-killings-we-oppose-americas-technological-fetishism/

US drone strikes make news every day, fostering worldwide outrage and public scrutiny. The drone has become an icon of US lethality and dominance, and it has understandably become a principal focus of our antiwar effort.¶ But recent controversial revelations about presidential-approved “kill lists,” used to identify targets for drone assassinations, suggest a broader scope for our opposition. US assassination and targeted killing, with presidential approval, has been going on covertly for at least half a century, and continues to this day, both with and without drones. Drone strikes may be merely the most visible portion of a wider, global program of US targeted killing, “a covert side to the Global War on Terrorism that is not visible and not currently knowable.”[1] Perhaps a limited focus on remote-controlled murder by drone technology blinds us to a broader US enterprise of targeted assassination around the globe. Shouldn’t we, then, turn more of our attention to this wider canvas of US killing, repositioning our drone protest within a larger context, rather than limiting ourselves by our focused opposition to drone technology?¶ In a recent article, “Assassination Nation,”[2] I trace the history of US targeted assassination to the US Phoenix Program in Vietnam, in which the CIA and Special Forces targeted and assassinated over 20,000 “suspect” civilians in a reign of terror from 1967 and 1972. Phoenix was the direct source of US counterterrorist kill lists and civilian assassinations in Latin American countries throughout the 1980s and, more recently, in both Iraq and Afghanistan.¶ In Iraq, from 2003, a large-scale Special Forces covert war targeting Ba’athist insurgents for capture or assassination was called “preëmptive manhunting,” with all the earmarks of the Phoenix Program. [3] In Afghanistan, starting in 2009, a campaign of targeted night “kill/capture raids” against insurgents, up to 40 raids a night, were carried out by Joint Special Operations Command commandos killing 2,000Afghans in 2010 alone, mostly innocent civilians. One officer called the campaign an “industrial strength counterterrorism killing machine.”[4]¶ Meanwhile, top military advisors such as David Kilcullen have recommended “a global Phoenix program” for “a new strategic approach to the Global War on Terrorism.” [5] The Obama administration uses a six-point program for such “light-footprint warfare,” relying on raids by special forces, drone strikes, and proxy fighters, and also spies, cyber warfare, and civilian partnerships. [6] Worldwide, there is now a US special antiterrorism force of about 60,000 operating in as many as 120 countries, according to former US intelligence officials. [7] The Pentagon also develops “proxy” clandestine militias called “Counterterror Pursuit Teams” in many countries, for “remote killing” of a different sort, run by the CIA and U.S. Special Forces. [8] And the Pentagon now conducts joint military and counterterrorist exercises with countries in Africa, Central and South America, and the Asia-Pacific region. According to Andrew Bacevich, US Special Forces assets today go to more places and undertake more missions … than ever before.” [9]¶ There are, of course, very good reasons for the antiwar movement to focus its opposition on drones. There is a heightened media awareness of drone technology, with daily articles about their use in war and surveillance, and about the lives of their remote pilots, scattered on military bases throughout the country, fast replacing airborne pilots. Policymakers are currently on the defensive, forced to reveal hitherto top secret activities and policies behind the use of drones. The growing use of drones for domestic surveillance, by police departments and border control agencies, offers a powerful opportunity to raise public opposition to drones. Also, US protest against drones offers solidarity with the multitude of civilian victims of drone strikes throughout the world, and it capitalizes on this peculiarly menacing icon, reviled by the rest of the world.¶ There are, however, equally good reasons not to focus our opposition on drones. The wizardry of drone technology has great popular appeal in the US. According to Pew Research’s latest polling, 62% of the US public enthusiastically approve of drone use for remote-controlled killing in the war on terror. The New York State Fair now has a popular exhibit providing children the simulated thrill of piloting a drone mission. The burgeoning drone manufacturing industry appears unstoppable, with nearly 50 companies developing some 150 different systems, ranging from miniature models to those with wingspans comparable to airliners. Law enforcement and security agencies will have $6 billion in U.S. sales by 2016, for domestic surveillance. Altogether, the drone industry’s lobbying group, Association for Unmanned Vehicle Systems International, claims 507 corporate members in 55 countries. **There is virtually no Congressional opposition to the drone fever that has gripped the military**, which is spending $4.2 billion on drones this year alone; one large bipartisan congressional committee is solely committed to promoting drone technology.¶ Furthermore, as the technology develops, drones will have many positive uses beyond war and surveillance, diluting potential opposition to the technology itself. So a continued focus on drones carries the danger of distracting our attention from the horrific, illegal and immoral, targeted killing of civilians, including women and children, which is the original motivation for our years of opposition and protest.

**CT’s effective**

Kenneth **Anderson 13**, Professor of International Law at American University, June 2013, “The Case for Drones,” Commentary, Vol. 135, No. 6

If one believes, as many of the critics of drone warfare do, that the proper strategies of counterterrorism are essentially defensive -- including those that eschew the paradigm of armed conflict in favor of law enforcement and criminal law -- then the strategic virtue of an offensive capability against the terrorists themselves will seem small. But that has not been American policy since 9/11, not under the Bush administration, not under the Obama administration -- and not by the Congress of the United States, which has authorized hundreds of billions of dollars to fight the war on terror aggressively. The United States has used many offensive methods in the past dozen years: Regime change of states offering safe havens, counter-insurgency war, special operations, military and intelligence assistance to regimes battling our common enemies are examples of the methods that are just of military nature.

Drone warfare today is integrated with a much larger strategic counterterrorism target -- one in which, as in Afghanistan in the late 1990s, radical Islamist groups seize governance of whole populations and territories and provide not only safe haven, but also an honored central role to transnational terrorist groups. This is what current conflicts in Yemen and Mali threaten, in counterterrorism terms, and why the United States, along with France and even the UN, has moved to intervene militarily. Drone warfare is just one element of overall strategy, but it has a clear utility in disrupting terrorist leadership. It makes the planning and execution of complex plots difficult if only because it is hard to plan for years down the road if you have some reason to think you will be struck down by a drone but have no idea when. The unpredictability and terrifying anticipation of sudden attack, which terrorists have acknowledged in communications, have a significant impact on planning and organizational effectiveness.

**Terrorism studies are epistemologically and methodologically valid---our authors are self-reflexive – their critique is too reductionist**

Michael J. **Boyle '8**, School of International Relations, University of St. Andrews, and John Horgan, International Center for the Study of Terrorism, Department of Psychology, Pennsylvania State University, April 2008, “A Case Against Critical Terrorism Studies,” Critical Studies On Terrorism, Vol. 1, No. 1, p. 51-64

One of the tensions within CTS concerns the issue of ‘policy relevance’. At the most basic level, **there are some sweeping generalizations made by CTS scholars, often with little evidence**. For example, Jackson (2007c) describes ‘the core terrorism scholars’ (without explicitly saying who he is referring to) as ‘intimately connected – institutionally, financially, politically, and ideologically – with a state hegemonic project’ (p. 245). **Without giving any details of who these ‘core’ scholars are, where they are, what they do, and exactly who funds them, his arguments are tantamount to conjecture at best. We do not deny that governments fund terrorism research and terrorism researchers, and that this can influence the direction** (and even the findings) of the research. But **we are suspicious of over-generalizations of this count on two grounds: (1) accepting government funding or information does not necessarily obviate one’s independent scholarly judgment in a particular project; and (2) having policy relevance is not always a sin**. On the first point, we are in agreement with some CTS scholars. Gunning provides a sensitive analysis of this problem, and calls on CTS advocates to come to terms with how they can engage policy-makers without losing their critical distance. He recognizes that CTS can (and should) aim to be policy-relevant, but perhaps to a different audience, including non-governmental organizations (NGOs), civil society than just governments and security services. In other words, **CTS aims to whisper into the ear of the prince, but it is just a different prince**. Gunning (2007a) also argues that **research should be assessed on its own merits, for ‘just because a piece of research comes from RAND does not invalidate it; conversely, a “critical” study is not inherently good’** (p. 240). We agree entirely with this. Not all sponsored or contract research is made to ‘toe a party line’, and **much of the work coming out of** official **government agencies** or affiliated government agencies **has little agenda and can be** analytically **useful. The task of the scholar is to retain one’s sense of critical judgment and integrity, and we believe that there is no prima facie reason to assume that this cannot be done in sponsored research projects**. What matters here are the details of the research – what is the purpose of the work, how will it be done, how might the work be used in policy – and for these questions the scholar must be self-critical and insistent on their intellectual autonomy. The scholar must also be mindful of the responsibility they bear for shaping a government’s response to the problem of terrorism. **Nothing – not the source of the funding, purpose of the research or prior empirical or theoretical commitment – obviates the need of the scholar to consider his or her own conscience carefully when engaging in work with any external actor. But simply engaging with governments on discrete projects does not make one an ‘embedded expert’ nor does it imply sanction to their actions**. But we also believe that the **study of political violence lends itself to policy relevance and** that **those who seek to produce research that might help policy-makers reduce the rates of terrorist attack are committing no sin**, provided that they retain their independent judgment and report their findings candidly and honestly. In the case of terrorism, we would go further to argue that being policy relevant is in some instances an entirely justifiable moral choice. For example, neither of us has any problem producing research with a morally defensible but policy relevant goal (for example, helping the British government to prevent suicide bombers from attacking the London Underground) and we do not believe that engaging in such work tarnishes one’s stature as an independent scholar. **Implicit in the CTS literature is a deep suspicion about the state** and those who engage with it. **Such a suspicion may blind some CTS scholars to good work** done by those associated with the state. But to assume that being ‘embedded’ in an institution linked to the ‘establishment’ consists of being captured by a state hegemonic project is too simple. We do not believe that scholars studying terrorism must all be policy-relevant, but equally we do not believe that being policy relevant should always be interpreted as writing a blank cheque for governments or as necessarily implicating the scholar in the behaviour of that government on issues unrelated to one’s work. Working for the US government, for instance, does not imply that the scholar sanctions or approves of the abuses at Abu Ghraib prison. **The assumption that those who do not practice CTS are all ‘embedded’ with the ‘establishment’ and that this somehow gives the green light for states to engage in illegal activity is in our view unwarranted, to say the very least.**

### 2nc – case

**CTS is wrong---our authors are at least as objective as theirs**

Verena **Erlenbusch 13**, Assistant Professor in the Department of Philosophy at the University of Memphis., How (Not) to Study Terrorism, http://www.tandfonline.com/doi/pdf/10.1080/13698230.2013.767040

Even though CTS scholars correctly point out some of the major short- comings of conventional terrorism scholarship, some of their key objections are simply false. First, claiming that the field of terrorism research lacks historicity, interdisciplinarity, and a focus on state terrorism is **disingenuous and factually wrong**. While the way in which historical examples of terrorism are used in much of the more mainstream literature is indeed problematic (see the second section above), critical scholars of terrorism are wrong to accuse traditional scholarship of a lack of historicity and con- textualization. Even though one might harbor legitimate concerns about the motivations for and approach to historical examples, it is insincere, to say the least, to discount a whole body of literature examining the relevance of the history of political violence for terrorism studies. Second, it is certainly true that the bulk of terrorism research has traditionally been policy oriented or at least used for political purposes. Nevertheless, **it does not follow that neutral** or unbiased **knowledge about terrorism**, including knowledge about the contexts and conditions in which something like terrorism is mobilized as a form of violence or as a discursive representation of violence, **is impossible.** Neither does the overwhelmingly pejorative understanding of the term ‘terrorism’ necessarily preclude any objective knowledge of the concept, its meaning, and its use. Similarly, many more mainstream scholars in the field have documented the use of terrorism his- torically made by states and governments against their own populations. While it is true that these scholars have generally been unwilling to extend this kind of analysis to the United States and other liberal democracies, a wholesale dismissal of terrorism research for not considering state terrorism tout court is both false and dishonest.7 More interesting for the purpose of this article, however, is the solution proposed by CTS to the failure of Terrorism Studies to generate an accepted definition of terrorism. One might expect a certain reluctance to define terrorism, given CTS scholars’ commitment to the ‘inherent ontological instability of the “terrorism” category’ (Jackson 2007, p. 244) and their consequent skepticism towards [...] the ‘terrorism’ label because it is recognized that in practice it has always been a pejorative rather than analytical term and that to use the term is a powerful form of labeling that implies a political judge- ment about the legitimacy of actors and their actions. (p. 247) It is, therefore, all the more surprising that ‘CTS views terrorism funda- mentally as a strategy or a tactic of political violence’ which ‘involves the deliberate targeting of civilians in order to intimidate or terrorise for dis- tinctly political purposes’ (p. 248). Despite the claim that terrorism is neither a ‘brute fact’ nor an ‘analyti- cal term’ but instead a way of representing violence in a certain way (p. 247), CTS nevertheless conceptualizes terrorism as a ‘form of behaviour that can, within specific discursive and structural contexts, be understood as “terrorist”’ (Jackson et al. 2009, p. 9). Not only does this view reproduce key elements of many mainstream definitions of terrorism, but also it belies the alleged anti-naturalism, anti-essentialism, and anti-determinism of CTS by having to determine the specific difference that distinguishes the tactic of terrorism from other forms of political violence. Even though CTS scholars are critical of the attribution of the label ‘ter- rorism’ to certain kinds of violence, **they agree with traditional accounts of terrorism that something like terrorism exists and that it is possible to identify it**. The problem diagnosed by CTS, then, is not only that governments themselves seem to engage in what they define as terrorism, but also that governments apply the term to forms of violence that are, in fact, legitimate forms of resistance, insurgency, or civil conflict. CTS scholars claim to know that governments do this because of ideological reasons. They also argue that governments are not justified in doing so. Consequently, CTS scholars seek to reclaim and reserve the label terrorism for forms of vio- lence that are ‘properly’ terrorist. As Jackson explains, CTS consequently has to be ‘openly normative in orientation’ because through the identification of who the ‘terrorist other’ actually is – deciding and affirming which individuals and groups may be rightly called ‘terrorists’ is a routine practice in the field – terrorism studies actually provides an authoritative judgment about who may legitimately be killed, tortured, ren- dered or incarcerated by the state in the name of counter-terrorism. (Jackson 2007, p. 249) It is, however, not at all clear by what standards this distinction is made or on what basis CTS scholars can claim a privileged position in distinguishing between terrorist and non-terrorist or legitimate and illegitimate violence – let alone attribute authority to determine who may be tortured or killed on the basis of such problematic arguments. CTS scholars have to introduce a criterion by which to differentiate terrorism proper from legitimate violence, a criterion that is neither clear cut nor his- torically or contextually stable. Justifications of violence in terms of a natu- ral or moral right to violent resistance, for instance, are not too far away from the legitimation of state violence proffered by conventional terrorism research.8 Just like Terrorism Studies, CTS enshrines terrorism as an instrument for classifying particular types of behavior and then giving that classification the force of law. By announcing its critical stance towards governments’ opportunism and politicization of terrorism, CTS covers over its own complicity in the production of a powerful weapon that allows one to attribute legitimacy to certain forms of violence while criminalizing oth- ers. Radical approaches

**Their scholars are not without their own bias – means its insufficient to just reject our terrorism real stuff based on epistemic bias**

**Jones & Smith, ’09**

[David Jones, University of Queensland, Australia, and M.L.R. Smith, Kings College, University of London, “We're All Terrorists Now: Critical—or Hypocritical—Studies “on” Terrorism?” Studies in Conflict & Terrorism, Volume [32](http://www.informaworld.com.proxy.lib.umich.edu/smpp/title~db%3Dall~content%3Dt713742821~tab%3Dissueslist~branches%3D32#v32), Issue [4,](http://www.informaworld.com.proxy.lib.umich.edu/smpp/title~db%3Dall~content%3Dg909981711)April 2009, pg. 292 – 302]

Of course, the doubtful contribution of critical theory by no means implies that all is well with what one might call conventional terrorism studies. The subject area has in the past produced superﬁcial assessments that have done little to contribute to an informed understanding of conﬂict. This is a point readily conceded by John Horgan and Michael Boyle who put “A Case Against ‘Critical Terrorism Studies’” (pp. 51–74). Although they do not seek to challenge the agenda, assumptions, and contradictions inherent in the critical approach, their contribution to the new journal distinguishes itself by actually having a well-organized and well-supported argument. The authors’ willingness to acknowledge deﬁciencies in some terrorism research shows that critical self-reﬂection is already present in existing terrorism studies. It is ironic, in fact, that the most clearly reﬂective, original, and critical contribution in the ﬁrst edition should come from established terrorism researchers who critique the critical position. Interestingly, the specter haunting both conventional and critical terrorism studies is that both assume that terrorism is an existential phenomenon, and thus has causes and solutions. Burke makes this explicit: “The inauguration of this journal,” he declares, “indeed suggests broad agreement that there is a phenomenon called terrorism” (p. 39). Yet this is not the only way of looking at terrorism. For a strategic theorist the notion of terrorism does not exist as an independent phenomenon. It is an abstract noun. More precisely, it is merely a tactic—the creation of fear for political ends—that can be employed by any social actor, be it state or non-state, in any context, without any necessary moral value being involved. Ironically, then, strategic theory offers a far more “critical perspective on terrorism” than do the perspectives advanced in this journal. Guelke, for example, propounds a curiously orthodox standpoint when he asserts: “to describe an act as one of terrorism, without the qualiﬁcation of quotation marks to indicate the author’s distance from such a judgement, is to condemn it as absolutely illegitimate” (p. 19). If you are a strategic theorist this is an invalid claim. Terrorism is simply a method to achieve an end. Any moral judgment on the act is entirely separate. To fuse the two is a category mistake. In strategic theory, which Guelke ignores, terrorism does not, ipso facto, denote “absolutely illegitimate violence.” Intriguingly, Stohl, Booth, and Burke also imply that a strategic understanding forms part of their critical viewpoint. Booth, for instance, argues in one of his commandments that terrorism should be seen as a conscious human choice. Few strategic theorists would disagree. Similarly, Burke feels that there does “appear to be a consensus” that terrorism is a “form of instrumental political violence” (p. 38). The problem for the contributors to this volume is that they cannot emancipate themselves from the very orthodox assumption that the word terrorism is pejorative. That may be the popular understanding of the term, but inherently terrorism conveys no necessary connotation of moral condemnation. “Is terrorism a form of warfare, insurgency, struggle, resistance, coercion, atrocity, or great political crime,” Burke asks rhetorically. But once more he misses the point. All violence is instrumental. Grading it according to whether it is insurgency, resistance, or atrocity is irrelevant. Any strategic actor may practice forms of warfare. For this reason Burke’s further claim that existing deﬁnitions of terrorism have “speciﬁcally excluded states as possible perpetrators and privilege them as targets,” is wholly inaccurate (p. 38). Strategic theory has never excluded state-directed terrorism as an object of study, and neither for that matter, as Horgan and Boyle point out, have more conventional studies of terrorism. Yet, Burke offers—as a critical revelation—that “the strategic intent behind the US bombing of North Vietnam and Cambodia, Israel’s bombing of Lebanon, or the sanctions against Iraq is also terrorist.” He continues: “My point is not to remind us that states practise terror, but to show how mainstream strategic doctrines are terrorist in these terms and undermine any prospect of achieving the normative consensus if such terrorism is to be reduced and eventually eliminated” (original italics) (p. 41). This is not merely confused, it displays remarkable nescience on the part of one engaged in teaching the next generation of graduates from the Australian Defence Force Academy. Strategic theory conventionally recognizes that actions on the part of state or non-state actors that aim to create fear (such as the allied aerial bombing of Germany in World War II or the nuclear deterrent posture of Mutually Assured Destruction) can be terroristic in nature. 7 The problem for critical analysts like Burke is that they impute their own moral valuations to the term terror. Strategic theorists do not. Moreover, the statement that this undermines any prospect that terrorism can be eliminated is illogical: **you can never eliminate an abstract noun**. Consequently, those interested in a truly “critical” approach to the subject should perhaps turn to strategic theory for some relief from the strictures that have traditionally governed the study of terrorism, not to self-proclaimed critical theorists who only replicate the ﬂawed understandings of those whom they criticize. Horgan and Boyle conclude their thoughtful article by claiming that critical terrorism studies has more in common with traditional terrorism research than critical theorists would possibly like to admit. These reviewers agree: they are two sides of the same coin.

**Failing to prevent a horrible outcome is just as bad as causing it – the aff is moral evasion**

**Nielsen** – philosophy prof, Calgary - **93**

Kai Nielsen, Professor of Philosophy, University of Calgary, Absolutism and Its Consequentialist Critics, ed. Joram Graf Haber, 1993, p. 170-2

Forget the levity of the example and consider the case of the innocent fat man. If there really is no other way of unsticking our fat man and if plainly, without blasting him out, everyone in the cave will drown, then, innocent or not, he should be blasted out. This indeed overrides the principle that the innocent should never be deliberately killed, but it does not reveal a callousness toward life, for the people involved are caught in a desperate situation in which, if such extreme action is not taken, many lives will be lost and far greater misery will obtain. Moreover, the people who do such a horrible thing or acquiesce in the doing of it are not likely to be rendered more callous about human life and human suffering as a result. Its occurrence will haunt them for the rest of their lives and is as likely as not to make them more rather than less morally sensitive. It is not even correct to say that such a desperate act shows a lack of respect for persons. We are not treating the fat man merely as a means. The fat man's person‑his interests and rights are not ignored. Killing him is something which is undertaken with the greatest reluctance. It is only when it is quite certain that there is no other way to save the lives of the others that such a violent course of action is justifiably undertaken. Alan Donagan, arguing rather as Anscombe argues, maintains that "to use any innocent man ill for the sake of some public good is directly to degrade him to being a mere means" and to do this is of course to violate a principle essential to morality, that is, that human beings should never merely be treated as means but should be treated as ends in themselves (as persons worthy of respect)." But, as my above remarks show, it need not be the case, and in the above situation it is not the case, that in killing such an innocent man we are treating him merely as a means. The action is universalizable, all alternative actions which would save his life are duly considered, the blasting out is done only as a last and desperate resort with the minimum of harshness and indifference to his suffering and the like. It indeed sounds ironical to talk this way, given what is done to him. But if such a terrible situation were to arise, there would always be more or less humane ways of going about one's grim task. And in acting in the more humane ways toward the fat man, as we do what we must do and would have done to ourselves were the roles reversed, we show a respect for his person. In so treating the fat man‑not just to further the public good but to prevent the certain death of a whole group of people (that is to prevent an even greater evil than his being killed in this way)‑the claims of justice are not overriden either, for each individual involved, if he is reasonably correct, should realize that if he were so stuck rather than the fat man, he should in such situations be blasted out. Thus, there is no question of being unfair. Surely we must choose between evils here, but is there anything more reasonable, more morally appropriate, than choosing the lesser evil when doing or allowing some evil cannot be avoided? That is, where there is no avoiding both and where our actions can determine whether a greater or lesser evil obtains, should we not plainly always opt for the lesser evil? And is it not obviously a greater evil that all those other innocent people should suffer and die than that the fat man should suffer and die? Blowing up the fat man is indeed monstrous. But letting him remain stuck while the whole group drowns is still more monstrous. The consequentialist is on strong moral ground here, and, if his reflective moral convictions do not square either with certain unrehearsed or with certain reflective particular moral convictions of human beings, so much the worse for such commonsense moral convictions. One could even usefully and relevantly adapt herethough for a quite different purpose‑an argument of Donagan's. Consequentialism of the kind I have been arguing for provides so persuasive "a theoretical basis for common morality that when it contradicts some moral intuition, it is natural to suspect that intuition, not theory, is corrupt."" Given the comprehensiveness, plausibility, and overall rationality of consequentialism, it is not unreasonable to override even a deeply felt moral conviction if it does not square with such a theory, though, if it made no sense or overrode the bulk of or even a great many of our considered moral convictions, that would be another matter indeed. Anticonsequentialists often point to the inhumanity of people who will sanction such killing of the innocent, but cannot the compliment be returned by speaking of the even greater inhumanity, conjoined with evasiveness, of those who will allow even more death and far greater misery and then excuse themselves on the ground that they did not intend the death and misery but merely forbore to prevent it? In such a context, such reasoning and such forbearing to prevent seems to me to constitute a moral evasion. I say it is evasive because rather than steeling himself to do what in normal circumstances would be a horrible and vile act but in this circumstance is a harsh moral necessity, he allows, when he has the power to prevent it, a situation which is still many times worse. He tries to keep his `moral purity' and avoid `dirty hands' at the price of utter moral failure and what Kierkegaard called `double‑mindedness.' It is understandable that people should act in this morally evasive way but this does not make it right.

**Your Affirmatives method lacks sufficient interrogation to alter the ways that terrorism discourse operates and lacks an important discussion of method and implementation – takes out solvency and creates a false flag that assumes we have alleviated the broader issues**

**Michel and Richards, 2k9** (Torsten University of St. Andrews and Anthony University of East London, False dawns or new horizons? Further issues and challenges for Critical Terrorism Studies, *Critical Studies on Terrorism* 2.3, 399-413)

Critical Terrorism Studies (**CTS) is not a completely new theoretical and conceptual way of approaching problems** or issues in international politics, **but rather it draws heavily from the wider body of critical thought in the field of International Relations. This relationship, however, also implies an onus upon CTS scholars to take on board some of the problems within critical scholarship if they are serious about their theoretical and practical aims**. **Particularly important** in relation to this point seems **the almost complete absence of any meaningful and substantial engagement with the epistemological implications of Crit­ical Theory and its close** - **but** again partly **problematic - relation to the normative-ethical agenda of emancipation**. In order to present a coherent and conceptually sound argument, CTS scholars need a much closer treatment of these issues than is currently the case. This is not only due to the need for theoretical and conceptual rigour, but also, as has been argued above, it is related to the demands of Critical Theory itself which stipulates an inextricable link between social and political philosophy and the practical tasks for the application of any critique of reason. Furthermore, **it also seems necessary to develop the notion of emancipation beyond the mere aim of liberating people from different kinds of violence**, be it physical or structural. The last thing CTS needs is a political agenda that drives its research. **Emanci­pation as a practical task of Critical Theory is a perpetual endeavour necessitated by the inevitable fusion of instrumental and emancipatory reason; any stipulation that this pro­cess of a self-reflective critique by and of reason can come to an end through realising a specific political and/or social setting is not only naive, but also would entail a crude and almost banal understanding of Critical Theory itself- something that CTS surely intends to avoid**. In the same vein**, it seems necessary to elaborate more clearly on the value of the scholarly output of CTS studies. It is one thing to criticise the ongoing practice of episte-mological and methodological reification in pursuit of a hegemonic agenda, but quite another to present a valid alternative that answers the conceptual and theoretical shortcomings of such an approach**. The question of truth in its widest meaning arises since the spectre of historicism opens the door to the charge of relativism. To be sure, historicist conceptions of knowledge do not necessarily lead to a relativistic position, but **the challenge of how to avoid falling into relativism needs to be addressed and stated clearly**. Critical Theory itself addresses this problematique and provides an answer to this challenge (which itself entails certain problems that need to be discussed) and so must CTS if its scholarly validity and rigour is to be taken seriously. **A further challenge for CTS is to convince that it has something significantly new to offer terrorism studies. It is not a revelation to discover that states have been responsible for committing the worst acts of 'terror' or indeed that democratic states are culpable when it comes to sponsoring terrorism**. We are all engaged in trying to understand the phe­nomenon of terrorism and its causes. But, (admittedly) like much of terrorism studies in general, **CTS scholarship is empirically flawed and, like the broader critical project, draws on a number of assumed relationships**. **Two of these assumed relationships are: between the state and individual insecurity, and between that individual insecurity and motivation for terrorism**. The question then logically follows (if these relationships do exist): what part of individual insecurity is attributable to 'the state\* and what part of individual insecurity motivates terrorism, and therefore, most importantly, is there an overlap between the two? In other words to what extent is 'the state' culpable for any of the individual insecurity that is causally linked to the occurrence of terrorism? **Not only are the answers to these questions difficult to vali­date but so are the assumptions that lie beneath them**. In what context arc these questions being posed in the first place? Is it really to underpin a rigorous understanding as to why terrorism occurs or is it actually to provide a convenient explanation for terrorism that serves the wider critical project? Finally, it is important to emphasise that CTS perspectives should certainly be part of any curriculum on the subject of terrorism. **It is** also therefore a little **unfortunate that some of its proponents have adopted an adversarial approach towards what has been called 'tra­ditional terrorism studies' - that somehow critical theorists have seen the light while the 'orthodox' researchers have for a long time been walking along a skewed and discredited path.** **This does a great disservice to some of the eminent scholars in the field who have contributed so much to the study of terrorism.** We therefore suggest that while **CTS should certainly be part of terrorism studies, the field should remain as just that - terrorism studies, it would a shame if a separate 'Critical Terrorism Studies' field emerged as a manifestation of a 'separate camps' mentality, at the expense of a more integrated and fruitful debate within terrorism studies as a whole.**

**This education is uniquely important because post 9-11 responses to terror makes some government violence inevitable – the only way to ensure that violence doesn’t escalate out of control is by rejecting the impulse of utopianism and learning to debate about the consequences of political adoption**

Michael **Ignatieff**, Carr professor of human rights at Harvard, **2004** Lesser Evils p. 18-19

To insist that justified exercises of coercion can be defined as a lesser evil is to say that evil can be qualified. If two acts are evil, how can we say that one is the lesser, the other the greater? Qualifying evil in this way would seem to excuse it. Yet it is essential to the idea of a lesser evil that one can justify resort to it without denying that it is evil, justifiable only because other means would be insufficient or unavailable. Using the word evil rather than the word harm is intended to highlight the elements of moral risk that a liberal theory of government believes are intrinsic to the maintenance of order in any society premised upon the dignity of individuals. Thus even in times of safety, liberal democracies seek to limit the use of force necessary to their maintenanc**e**. These limits seek to balance the conflict between the commitments to individual dignity incarnated in rights and the commitments to majority interest incarnated in popular sovereignty. In times of danger, this conflict of values becomes intense. The suppression of civil liberties, surveillance of individuals, targeted assassination, torture, and preemptive war put liberal commitments to dignity under such obvious strain, and the harms they entail are so serious, that, even if mandated by peremptory majority interest, they should be spoken of only in the language of evil. In a war on terror, I would argue, the issue is not whether we can avoid evil acts altogether, but whether we can succeed in choosing lesser evils and keep them from becoming greater ones. We should do so, I would argue, by making some starting commitments—to the conservative principle (maintaining the free institutions we have), to the dignity principle (preserving individuals from gross harms)—and then **reasoning out the consequences of various courses of action, anticipating harms and coming to a rational judgment of which course of action is likely to inflict the least damage** on the two principles. When we are satisfied that a coercive measure is a genuine last resort, justified by the facts as we can understand them, we have chosen the lesser evil, and we are entitled to stick to it even if the price proves higher than we anticipated. But not indefinitely so. At some point—when we "have to destroy the village in order to save it"—we may conclude that we have slipped from the lesser to the greater. Then we have no choice but to admit our error and reverse course. In the situation of factual uncertainty in which most decisions about terrorism have to be taken, error is probably unavoidable. It is tempting to suppose that moral life can avoid this slope simply by avoiding evil means altogether**. But no such angelic option may exist.** Either we fight evil with evil or we succumb. So if we resort to the lesser evil, we should do so, first, in full awareness that evil is involved. Second, we should act under a demonstrable state of necessity. Third, we should chose evil means only as a last resort, having tried everything else. Finally, we must satisfy a fourth obligation: **we** must justify our actions publicly to our fellow citizens and submit to their judgment as to their correctness.

## 1nr

### 1nr – cir

**Immigration reform expands skilled labor—spurs relations and economic growth in China and India.**

**LA Times** 11/9/**12** [Other countries eagerly await U.S. immigration reform, <http://latimesblogs.latimes.com/world_now/2012/11/us-immigration-reform-eagerly-awaited-by-source-countries.html>]

"Comprehensive immigration reform will see expansion of skilled labor visas," predicted B. Lindsay Lowell, director of policy studies for the Institute for the Study of International Migration at Georgetown University. A former research chief for the congressionally appointed Commission on Immigration Reform, Lowell said he expects to see at least a fivefold increase in the number of highly skilled labor visas that would provide "a significant shot in the arm for India and China." There is widespread consensus among economists and academics that skilled migration fosters new trade and business relationships between countries andenhances links to the global economy, Lowell said. "Countries like India and China weigh the opportunities of business abroad from their expats with the possibility of brain drain, and I think they still see the immigration opportunity as a bigger plus than not," he said.

**US-Indian relations avert South Asian nuclear war.**

**Schaffer 2** [Spring 2002, Teresita—Director of the South Asia Program at the Center for Strategic and International Security, Washington Quarterly, Lexis]

Washington's increased interest in India since the late 1990s reflects India's economic expansion and position as Asia's newest rising power. New Delhi, for its part, is adjusting to the end of the Cold War. As a result, both giant democracies see that they can benefit by closer cooperation. For Washington, the advantages include a wider network of friends in Asia at a time when the region is changing rapidly, as well as a stronger position from which to help calm possible future nuclear tensions in the region. Enhanced trade and investment benefit both countries and are a India. For India, the country's ambition to assume a stronger leadership role in the world and to maintain an economy that lifts its people out of poverty depends critically on good relations with the United States.

**LA Times also says we solve the Chinese economy – solves nuclear war**

**Kaminski 07** (Antoni Z., Professor – Institute of Political Studies, “World Order: The Mechanics of Threats (Central European Perspective)”, Polish Quarterly of International Affairs, 1, p. 58)

As already argued, the economic advance of China has taken place with relatively few corresponding changes in the political system, although the operation of political and economic institutions has seen some major changes. Still, tools are missing that would allow the establishment of political and legal foundations for the modem economy, or they are too weak. The tools are efficient public administration, the rule of law, clearly defined ownership rights, efficient banking system, etc. For these reasons, many experts fear an economic crisis in China. Considering the importance of the state for the development of the global economy, the crisis would have serious global repercussions. Its political ramifications could be no less dramatic owing to the special position the military occupies in the Chinese political system, and the existence of many potential vexed issues in East Asia (disputes over islands in the China Sea and the Pacific). A potential hotbed of conflict is also Taiwan's status. Economic recession and the related destabilization of internal policies could lead to a political, or even military crisis. The likelihood of the global escalation of the conflict is high, as the interests of Russia, China, Japan, Australia and, first and foremost, the US clash in the region.

#### Immigration reform will pass – compromise is coming now

Chicago Tribune 10/30/13 (Clarence Page, "GOP Divided by Immigration Debate")

"I'm seldom accused of being too nice," writes Rep. Luis Gutierrez, D-Ill., in his lively new autobiography. Yet the feisty and frank Chicago Democrat has been sounding a lot like Mr. Nice Guy these days as he tries to salvage immigration reform in the GOP-controlled House.¶ His book, "Still Dreaming: My Journey From the Barrio to Capitol Hill," stirred considerable buzz for its less-than-flattering portrayal of President Barack Obama, of whom Gutierrez was an early supporter, for failing to push immigration reform during his first term as he had promised.¶ But on the heels of the government shutdown and the debt-ceiling showdown, the second-term president and both parties have new incentives to pass immigration reform — with only 18 working days left on the congressional calendar before the end of the year.¶ "I feel very, very optimistic," Gutierrez told me in a phone interview between meetings on Capitol Hill. In spite of Washington's bitter partisanship on full display in recent weeks, "quiet diplomacy" and "dialogue" about immigration reform "continued during all of that time."

#### Immigration reform will pass – GOP support

USA Today 10/30/13 (Alan Gomez, "Three Republicans Back Democratic Immigration Bill in House")

House Speaker John Boehner, R-Ohio, has said he is "hopeful" that immigration could be voted on by the full House before the end of the year, but he has given no timetable.¶ "These guys signing on (to the Democratic bill) are kind of like people left standing when the music stops in musical chairs," said Mark Krikorian, executive director of the Center for Immigration Studies, which opposes the Senate immigration bill. "Just as the prospects of a bill passing are declining, these people are signing on."¶ Supporters of the Democratic bill see something else happening.¶ Frank Sharry, executive director of America's Voice, a group that supports the Senate immigration bill, said the increasing support of the Democratic bill puts more pressure on GOP leaders to get moving on immigration.¶ "Does it mean that this bill is going to be brought up sometime soon? Probably not," Sharry said. "But does it ratchet up the pressure on house leadership to get something going? Yeah. It'll make it harder for House leadership to slow-walk this thing to death.

#### CIR will pass now – vote count is there – prefer evidence cites vote counts

Klimas 10/29/13 (Jacqueline, "Pelso: Votes are there to pass immigration reform")

Minority Leader [Nancy Pelosi](http://www.washingtontimes.com/topics/nancy-pelosi/) said Tuesday there is a bipartisan majority in the [House of Representatives](http://www.washingtontimes.com/topics/house-of-representatives/) ready to pass a comprehensive immigration overhaul bill, but she may never get the chance to prove it if [GOP](http://www.washingtontimes.com/topics/republican-party/) Speaker [John A. Boehner](http://www.washingtontimes.com/topics/john-a-boehner/) doesn’t bring a vote in the Republican-lead House.¶ “With 28 Republicans having publicly expressed support for a path to citizenship, we believe the votes are there on a bipartisan basis to pass a bill,” she wrote on [Facebook](http://www.washingtontimes.com/topics/facebook/). “It’s just a question whether Speaker [Boehner](http://www.washingtontimes.com/topics/john-a-boehner/) can muster the will to schedule a vote.”

#### And this is the STATE DEPARTMENT acting – Obama nominated people there like Kerry – that means he gets the blame becuased he nominated them

**Greene 97** (Abner S., Associate Professor – Fordham University School of Law, “Fidelity In Constitutional Theory: Fidelity As Translation: Discounting Accountability”, Fordham Law Review, March, 65 Fordham L. Rev. 1489, Lexis)

It is hard to argue that accountability does not matter to American constitutional law, in both its affirmative and negative aspects. But accountability does not require that constitutional interpretation be tied either to science or politics (present or past) or that the President be at the top of a chain of command over agency policy-making. Constraints both past and present necessarily exist, and are not in danger of escaping. Regarding the past: We should not forget constraints of endogeneity and of reasoning. Judges in our system cannot help but be constrained, in this broad (and, yes, weak) way, by text, structure, and history. Judges live in our system and have been trained in it. And reasoning provides its own constraints. As a descriptive matter, it's not clear that the interpretation of the majestic and vague clauses - free speech, due process, equal protection, to name three - has been constrained in any stronger fashion than that provided by the constraints of endogeneity and reasoning. Regarding the present, and the presidency: Plenty of ballot box accountability remains even regarding independent agencies. They are created, dismantled, funded, and authorized to act through Acts of Congress that the President must either sign or see enacted over his veto. The agency commissioners are appointed by the President by and with the advice and consent of the Senate (and must be so reappointed), and the President often has the statutory power to name and remove the agency chair. Further, as a matter of political reality, both executive and independent agencies often seek presidential support, whether the support comes in the form of information or congressional lobbying. [59](http://www.lexis.com/research/retrieve?_m=f58cac0712387491e5ddf734eb7ab120&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLzVtz-zSkAz&_md5=0bceb63f8f09f8cb57f2d16620da398b#n59)

**This doesn’t apply – Should means the aff has to be immediate – that’s key to all DA ground or they’d spike out of time-specific DAs like Politics and Relations**

Summers 94 — Justice on the Oklahoma Supreme Court (“Kelsey v. Dollarsaver Food Warehouse of Durant”, 1994 OK 123, 11-8, http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn13)

4 The legal question to be resolved by the court is whether the word "should"13 in the May 18 order connotes futurity or may be deemed a ruling in praesenti.14 The answer to this query is not to be divined from rules of grammar;15 it must be governed by the age-old practice culture of legal professionals and its immemorial language usage. To determine if the omission (from the critical May 18 entry) of the turgid phrase, "and the same hereby is", (1) makes it an in futuro ruling - i.e., an expression of what the judge will or would do at a later stage - or (2) constitutes an in in praesenti resolution of a disputed law issue, the trial judge's intent must be garnered from the four corners of the entire record.16 ¶5 Nisi prius orders should be so construed as to give effect to every words and every part of the text, with a view to carrying out the evident intent of the judge's direction.17 The order's language ought not to be considered abstractly. The actual meaning intended by the document's signatory should be derived from the context in which the phrase to be interpreted is used.18 When applied to the May 18 memorial, these told canons impel my conclusion that the judge doubtless intended his ruling as an in praesenti resolution of Dollarsaver's quest for judgment n.o.v. Approval of all counsel plainly appears on the face of the critical May 18 entry which is [885 P.2d 1358] signed by the judge.19 True minutes20 of a court neither call for nor bear the approval of the parties' counsel nor the judge's signature. To reject out of hand the view that in this context "should" is impliedly followed by the customary, "and the same hereby is", makes the court once again revert to medieval notions of ritualistic formalism now so thoroughly condemned in national jurisprudence and long abandoned by the statutory policy of this State. [Continues – To Footnote] 14 In praesenti means literally "at the present time." BLACK'S LAW DICTIONARY 792 (6th Ed. 1990). In legal parlance the phrase denotes that which in law is presently or immediately effective, as opposed to something that will or would become effective in the future [in futurol]. See Van Wyck v. Knevals, 106 U.S. 360, 365, 1 S.Ct. 336, 337, 27 L.Ed. 201 (1882).

#### “Government” is all three branches – they have to use Congress

Black’s Law 90 (Dictionary, p. 695)

“[*Government*] In the United States, government consists of the executive, legislative, and judicial branches in addition to administrative agencies. In a broader sense, includes the federal government and all its agencies and bureaus, state and county governments, and city and township governments.”

#### Obama gets the blame for the Plan – all agency action links.

Nicholas and Hook 10. (Peter and Janet, Staff Writers – LA Times, “Obama the Velcro president”, LA Times, 7-30, http://articles.latimes.com/2010/jul/30/nation/la-na-velcro-presidency-20100730/3)

If Ronald Reagan was the classic Teflon president, Barack Obama is made of Velcro. Through two terms, Reagan eluded much of the responsibility for recession and foreign policy scandal. In less than two years, Obama has become ensnared in blame. Hoping to better insulate Obama, White House aides have sought to give other Cabinet officials a higher profile and additional public exposure. They are also crafting new ways to explain the president's policies to a skeptical public. But Obama remains the colossus of his administration — to a point where trouble anywhere in the world is often his to solve. The president is on the hook to repair the Gulf Coast oil spill disaster, stabilize Afghanistan, help fix Greece's ailing economy and do right by Shirley Sherrod, the Agriculture Department official fired as a result of a misleading fragment of videotape. What's not sticking to Obama is a legislative track record that his recent predecessors might envy. Political dividends from passage of a healthcare overhaul or a financial regulatory bill have been fleeting. Instead, voters are measuring his presidency by a more immediate yardstick: Is he creating enough jobs? So far the verdict is no, and that has taken a toll on Obama's approval ratings. Only 46% approve of Obama's job performance, compared with 47% who disapprove, according to Gallup's daily tracking poll. "I think the accomplishments are very significant, but I think most people would look at this and say, 'What was the plan for jobs?' " said Sen. Byron L. Dorgan (D-N.D.). "The agenda he's pushed here has been a very important agenda, but it hasn't translated into dinner table conversations." Reagan was able to glide past controversies with his popularity largely intact. He maintained his affable persona as a small-government advocate while seeming above the fray in his own administration. Reagan was untarnished by such calamities as the 1983 terrorist bombing of the Marines stationed in Beirut and scandals involving members of his administration. In the 1986 Iran-Contra affair, most of the blame fell on lieutenants. Obama lately has tried to rip off the Velcro veneer. In a revealing moment during the oil spill crisis, he reminded Americans that his powers aren't "limitless." He told residents in Grand Isle, La., that he is a flesh-and-blood president, not a comic-book superhero able to dive to the bottom of the sea and plug the hole. "I can't suck it up with a straw," he said. But as a candidate in 2008, he set sky-high expectations about what he could achieve and what government could accomplish. Clinching the Democratic nomination two years ago, Obama described the moment as an epic breakthrough when "we began to provide care for the sick and good jobs to the jobless" and "when the rise of the oceans began to slow and our planet began to heal." Those towering goals remain a long way off. And most people would have preferred to see Obama focus more narrowly on the "good jobs" part of the promise. A recent Gallup poll showed that 53% of the population rated unemployment and the economy as the nation's most important problem. By contrast, only 7% cited healthcare — a single-minded focus of the White House for a full year. At every turn, Obama makes the argument that he has improved lives in concrete ways. Without the steps he took, he says, the economy would be in worse shape and more people would be out of work. There's evidence to support that. Two economists, Mark Zandi and Alan Blinder, reported recently that without the stimulus and other measures, gross domestic product would be about 6.5% lower. Yet, Americans aren't apt to cheer when something bad doesn't materialize. Unemployment has been rising — from 7.7% when Obama took office, to 9.5%. Last month, more than 2 million homes in the U.S. were in various stages of foreclosure — up from 1.7 million when Obama was sworn in. "Folks just aren't in a mood to hand out gold stars when unemployment is hovering around 10%," said Paul Begala, a Democratic pundit. Insulating the president from bad news has proved impossible. Other White Houses have tried doing so with more success. Reagan's Cabinet officials often took the blame, shielding the boss. But the Obama administration is about one man. Obama is the White House's chief spokesman, policy pitchman, fundraiser and negotiator. No Cabinet secretary has emerged as an adequate surrogate. Treasury Secretary Timothy F. Geithner is seen as a tepid public speaker; Energy Secretary Steven Chu is prone to long, wonky digressions and has rarely gone before the cameras during an oil spill crisis that he is working to end. So, more falls to Obama, reinforcing the Velcro effect: Everything sticks to him. He has opined on virtually everything in the hundreds of public statements he has made: nuclear arms treaties, basketball star LeBron James' career plans; Chelsea Clinton's wedding. Few audiences are off-limits. On Wednesday, he taped a spot on ABC's "The View," drawing a rebuke from Democratic Pennsylvania Gov. Edward G. Rendell, who deemed the appearance unworthy of the presidency during tough times. "Stylistically he creates some of those problems," Eddie Mahe, a Republican political strategist, said in an interview. "His favorite pronoun is 'I.' When you position yourself as being all things to all people, the ultimate controller and decision maker with the capacity to fix anything, you set yourself up to be blamed when it doesn't get fixed or things happen." A new White House strategy is to forgo talk of big policy changes that are easy to ridicule. Instead, aides want to market policies as more digestible pieces. So, rather than tout the healthcare package as a whole, advisors will talk about smaller parts that may be more appealing and understandable — such as barring insurers from denying coverage based on preexisting conditions. But at this stage, it may be late in the game to downsize either the president or his agenda. Sen. Richard J. Durbin (D-Ill.) said: "The man came in promising change. He has a higher profile than some presidents because of his youth, his race and the way he came to the White House with the message he brought in. It's naive to believe he can step back and have some Cabinet secretary be the face of the oil spill. The buck stops with his office."

**Political unpopularity is the reason Cuba is on the state sponsor list now**

**CDA 13** (Center for Democracy in the Americas, LA Times: Political calculus keeps Cuba on U.S. list of terror sponsors, <http://www.democracyinamericas.org/blog-post/la-times-political-calculus-keeps-cuba-on-u-s-list-of-terror-sponsors/>, 5/3/13)

Kayyem laments the “diluting” of the terrorist designation based on political or ideological disputes. “We work with a lot of countries we don’t like, but the imprimatur of ‘terrorism’ has a ring to it in a way that can be harmful to us,” she said. Collaboration between the United States and Cuba on emergency planning to respond to the mutual threats posed by hurricanes, oil spills and refugee crises are complicated by the set of trade and financial restrictions that comes along with the “state sponsor” censure, Kayyem said. “There are some real operational impediments when we have a system that begins with ‘no’ rather than ‘why not?’ ” she said of the legally encumbered contacts between Havana and Washington. Politicians who have pushed for a continued hard line against Cuba cheered their victory in getting the Obama administration to keep Cuba on the list. U.S. Rep. Ileana Ros-Lehtinen, a South Florida Republican whose efforts to isolate and punish the Castro regime have been a central plank of her election strategy throughout her 24 years in Congress, hailed the State Department decision as “reaffirming the threat that the Castro regime represents.” Arash Aramesh, a national security analyst at Stanford Law School, blamed the continued branding of Cuba as a terrorism sponsor on politicians “pandering for a certain political base.” He also said President Obama and Secretary of State John F. Kerry have failed to make a priority of removing the impediment to better relations with Cuba.

#### Drains Finite PC and derails more important agenda priorities – powerful cuba lobby, congressional opposition and Gross imprisonment issue block

Williams, 13

Carol J. Williams, Los Angeles Times international affairs writer. Former foreign correspondent, 25 years covering Europe, Latin America, Asia and the Middle East, 5/3/13, <http://www.democracyinamericas.org/blog-post/la-times-political-calculus-keeps-cuba-on-u-s-list-of-terror-sponsors/>

LA Times: Political calculus keeps Cuba on U.S. list of terror sponsors – Cuba’s communist leadership was quick to send condolences to the victims of the Boston Marathon bombings and to reiterate to Washington that it “rejects and condemns unequivocally all acts of terrorism.” Once a key supplier of arms and training to leftist rebels in Latin America, the Castro regime long ago disentangled itself from the Cold War-era confrontations. Havana now hosts peace talks between the Revolutionary Armed Forces of Colombia that it once supported and the U.S.-allied government the insurgents battled for years. Havana still gives refuge to a few fugitive radicals from the Black Panthers and Basque insurgents, and two years ago a Cuban court convicted 64-year-old development specialist Alan Gross on spying charges for attempting to install satellite equipment without government permission. But nothing that Cuba has done suggests its government is plotting harm against Americans, national security experts say. And they criticize as counterproductive the State Department’s decision, disclosed this week, to keep Cuba on its list of “state sponsors of terrorism.” “We ought to reserve that term for nations that actually use the apparatus of statehood to support the targeting of U.S. interests and civilians,” said Juliette Kayyem, a former assistant secretary for intergovernmental affairs at the Department of Homeland Security and now writing and lecturing on national security in the Boston area. “Yes, Cuba does a lot of bad things that we don’t like, but it doesn’t rise to anything on the level of a terrorist threat.” On Wednesday, State Department spokesman Patrick Ventrell said the administration “has no current plans to remove Cuba” from the list to be released later this month. The island nation that has been under a U.S. trade and travel embargo since shortly after revolutionary leader Fidel Castro came to power in 1959 is in the company of only Iran, Syria and Sudan in being branded with the “state sponsor” label. Kayyem laments the “diluting” of the terrorist designation based on political or ideological disputes. “We work with a lot of countries we don’t like, but the imprimatur of ‘terrorism’ has a ring to it in a way that can be harmful to us,” she said. Collaboration between the United States and Cuba on emergency planning to respond to the mutual threats posed by hurricanes, oil spills and refugee crises are complicated by the set of trade and financial restrictions that comes along with the “state sponsor” censure, Kayyem said. “There are some real operational impediments when we have a system that begins with ‘no’ rather than ‘why not?’ ” she said of the legally encumbered contacts between Havana and Washington. 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Kerry have failed to make a priority of removing the impediment to better relations with Cuba. “As much as I’d like to see the Castro regime gone and an open and free Cuba, it takes away from the State Department’s credibility when they include countries on the list that aren’t even close” to threatening Americans, Aramesh said. Political considerations also factor into excluding countries from the “state sponsor” list, he said, pointing to Pakistan as a prime example. Although Islamabad “very clearly supports terrorist and insurgent organizations,” he said, the U.S. government has long refused to provoke its ally in the region with the official censure. The decision to retain Cuba on the list surprised some observers of the long-contentious relationship between Havana and Washington. Since Fidel Castro retired five years ago and handed the reins of power to his younger brother, Raul, modest economic reforms have been tackled and the government has revoked the practice of requiring Cubans to get “exit visas” before they could leave their country for foreign travel. There was talk early in Obama’s first term of easing the 51-year-old embargo, and Kerry, though still in the Senate then, wrote a commentary for the Tampa Bay Tribune in 2009 in which he deemed the security threat from Cuba “a faint shadow.” He called then for freer travel between the two countries and an end to the U.S. policy of isolating Cuba “that has manifestly failed for nearly 50 years.” The political clout of the Cuban American community in South Florida and more recently Havana’s refusal to release Gross have kept any warming between the Cold War adversaries at bay. It’s a matter of political priorities and trade-offs, Aramesh said. He noted that former Secretary of State Hillary Rodham Clinton last year exercised her discretion to get the Iranian opposition group Mujahedeen Khalq, or MEK, removed from the government’s list of designated terrorist organizations. That move was motivated by the hopes of some in Congress that the group could be aided and encouraged to eventually challenge the Tehran regime. “It’s a question of how much political cost you want to incur or how much political capital you want to spend,” Aramesh said. “President Obama has decided not to reach out to Cuba, that he has more important foreign policy battles elsewhere.”

#### PC finite- legislative wins don’t spillover –empirics, true for Obama, too polarized- newest ev

\*it is just really hard to use PC

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As Barack Obama prepares to be sworn in for the second time as president of the United States, he faces the stark reality that little of what he hopes to accomplish in a second term will likely come to pass. Mr. Obama occupies an office that many assume to be all powerful, but like so many of his recent predecessors, the president knows better. He faces a political capital problem and a power trap.¶ In the post-1960s American political system, presidents have found the exercise of effective leadership a difficult task. To lead well, a president needs support — or at least permission — from federal courts and Congress; steady allegiance from public opinion and fellow partisans in the electorate; backing from powerful, entrenched interest groups; and accordance with contemporary public opinion about the proper size and scope of government. This is a long list of requirements. If presidents fail to satisfy these requirements, they face the prospect of inadequate political support or political capital to back their power assertions.¶ What was so crucial about the 1960s? We can trace so much of what defines contemporary politics to trends that emerged then. Americans' confidence in government began a precipitous decline as the tumult and tragedies of the 1960s gave way to the scandals and economic uncertainties of the 1970s. Long-standing party coalitions began to fray as the New Deal coalition, which had elected Franklin Roosevelt to four terms and made Democrats the indisputable majority party, faded into history. The election of Richard Nixon in 1968 marked the beginning of an unprecedented era of divided government. Finally, the two parties began ideologically divergent journeys that resulted in intense polarization in Congress, diminishing the possibility of bipartisan compromise. These changes, combined with the growing influence of money and interest groups and the steady "thickening" of the federal bureaucracy, introduced significant challenges to presidential leadership.¶ Political capital can best be understood as a combination of the president's party support in Congress, public approval of his job performance, and the president's electoral victory margin. The components of political capital are central to the fate of presidencies. It is difficult to claim warrants for leadership in an era when job approval, congressional support and partisan affiliation provide less backing for a president than in times past. In recent years, presidents' political capital has shrunk while their power assertions have grown, making the president a volatile player in the national political system.¶ Jimmy Carter and George H.W. Bush joined the small ranks of incumbents defeated while seeking a second term. Ronald Reagan was elected in two landslides, yet his most successful year for domestic policy was his first year in office. Bill Clinton was twice elected by a comfortable margin, but with less than majority support, and despite a strong economy during his second term, his greatest legislative successes came during his first year with the passage of a controversial but crucial budget bill, the Family and Medical Leave Act, and the North American Free Trade Agreement. George W. Bush won election in 2000 having lost the popular vote, and though his impact on national security policy after the Sept. 11 attacks was far reaching, his greatest domestic policy successes came during 2001. Ambitious plans for Social Security reform, following his narrow re-election in 2004, went nowhere.¶ Faced with obstacles to successful leadership, recent presidents have come to rely more on their formal powers. The number of important executive orders has increased significantly since the 1960s, as have the issuance of presidential signing statements. Both are used by presidents in an attempt to shape and direct policy on their terms. Presidents have had to rely more on recess appointments as well, appointing individuals to important positions during a congressional recess (even a weekend recess) to avoid delays and obstruction often encountered in the Senate. Such power assertions typically elicit close media scrutiny and often further erode political capital.¶ Barack Obama's election in 2008 seemed to signal a change. Mr. Obama's popular vote majority was the largest for any president since 1988, and he was the first Democrat to clear the 50 percent mark since Lyndon Johnson. The president initially enjoyed strong public approval and, with a Democratic Congress, was able to produce an impressive string of legislative accomplishments during his first year and early into his second, capped by enactment of the Patient Protection and Affordable Care Act. But with each legislative battle and success, his political capital waned. His impressive successes with Congress in 2009 and 2010 were accompanied by a shift in the public mood against him, evident in the rise of the tea party movement, the collapse in his approval rating, and the large GOP gains in the 2010 elections, which brought a return to divided government.¶ By mid-2011, Mr. Obama's job approval had slipped well below its initial levels, and Congress was proving increasingly intransigent. In the face of declining public support and rising congressional opposition, Mr. Obama, like his predecessors, looked to the energetic use of executive power. In 2012, the president relied on executive discretion and legal ambiguity to allow homeowners to more easily refinance federally backed mortgages, to help veterans find employment and to make it easier for college graduates to consolidate federal student loan debt. He issued several executive orders effecting change in the nation's enforcement of existing immigration laws. He used an executive order to authorize the Department of Education to grant states waivers from the requirements of the No Child Left Behind Act — though the enacting legislation makes no accommodation for such waivers. Contrary to the outcry from partisan opponents, Mr. Obama's actions were hardly unprecedented or imperial. Rather, they represented a rather typical power assertion from a contemporary president.¶ Many looked to the 2012 election as a means to break present trends. But Barack Obama's narrow re-election victory, coupled with the re-election of a somewhat-diminished Republican majority House and Democratic majority Senate, hardly signals a grand resurgence of his political capital. The president's recent issuance of multiple executive orders to deal with the issue of gun violence is further evidence of his power trap. Faced with the likelihood of legislative defeat in Congress, the president must rely on claims of unilateral power. But such claims are not without limit or cost and will likely further erode his political capital.¶ Only by solving the problem of political capital is a president likely to avoid a power trap. Presidents in recent years have been unable to prevent their political capital from eroding. When it did, their power assertions often got them into further political trouble. Through leveraging public support, presidents have at times been able to overcome contemporary leadership challenges by adopting as their own issues that the public already supports. Bill Clinton's centrist "triangulation" and George W. Bush's careful issue selection early in his presidency allowed them to secure important policy changes — in Mr. Clinton's case, welfare reform and budget balance, in Mr. Bush's tax cuts and education reform — that at the time received popular approval.¶ However, short-term legislative strategies may win policy success for a president but do not serve as an antidote to declining political capital over time, as the difficult final years of both the Bill Clinton and George W. Bush presidencies demonstrate. None of Barack Obama's recent predecessors solved the political capital problem or avoided the power trap. It is the central political challenge confronted by modern presidents and one that will likely weigh heavily on the current president's mind today as he takes his second oath of office.

#### Political capital is key

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Orlando Sentinel, 11-1 – (“It'll take both parties to clear immigration logjam” EDITORIAL; FLORIDA; WHAT WE THINK; Pg. A18 lexis)djm

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 back-ground 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 Ameri-cans -- 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 citizen-ship. House Democratic leaders will have to underscore the president's message.

**PC Key to Immigration**

By: Reid J. **Epstein October 17**, 2013 Obama’s latest push features a familiar strategy http://dyn.politico.com/printstory.cfm?uuid=00B694F1-5D59-4D13-B6D1-FC437A465923

It is exactly that sort of say-no attitude among Republicans that the White House has signaled it will highlight in its immigration push.¶ Obama himself said there won’t always be agreements, but in his repeated praise for “reasonable Republicans,” he made clear that he will continue to point to conservative and tea party-affiliated Republicans as the impediment to the progress he seeks — and pushing GOP lawmakers on this issue, as he did in the recent fiscal fights, to sign on to some version of the Senate’s latest compromise.¶ “We all know that we have divided government right now,” Obama said Thursday. “There’s a lot of noise out there, and the pressure from the extremes affect how a lot of members of Congress see the day-to-day work that’s supposed to be done here.”