# 1NR Evidence

### 2NC Cyberattack

#### Immigration reform will increase high-tech visas.

Smith, 11/7/2012 (Gerry, Technology Industry Puts Immigration Reform As Top Hope For Obama's Second Term, p. <http://www.huffingtonpost.com/2012/11/07/technology-immigration-reform-obama_n_2087457.html>)

Many startups in New York's "Silicon Alley" say they can't hire enough qualified engineers because of a shortage of temporary work visas and green cards. They have been pushing for legislation that would allow more immigrants with high-tech skills to remain in the country. The issue was not a priority during the president's first term. But on the campaign trail, Obama hinted that it would be a priority in his next term. And in his acceptance speech early Wednesday morning, he said "fixing our immigration system" would be one of the policy issues that he would address "in the coming weeks and months." But to accomplish that, Obama will need help from Congress, which after Tuesday's election, remains divided. Democrats maintained control of the Senate and Republicans kept control of the House. The issue of expanding visas for highly-skilled immigrants has faced opposition from both parties. The STEM Jobs Act, which would have granted more visas to immigrants with math and science degrees, was widely supported by the tech community. But it failed to pass this year in part because Democrats demanded more comprehensive immigration reform. And expanding visa programs are politically controversial: Critics claim they produce an influx in foreign-born workers who depress wages and make it more difficult for American-born workers to find jobs in high-tech fields. Over the past four years, Obama has received high marks from the tech community on some measures. He recently signed laws, for example, that will allow entrepreneurs to use “crowdfunding” to raise capital. But they've expressed disappointed that he hasn't accomplished more. "He hasn’t done as much on tech as we would like but he's clearly leaning toward many of our policy goals," said Andrew Rasiej, chairman of NY Tech Meetup, which hosts monthly gatherings for tech entrepreneurs. Besides immigration, those goals include increasing investment in research and development and science and math education. In a letter he sent last month to NY Tech Meetup, which has more than 27,000 members, Obama said he planned to recruit 10,000 math and science teachers over the next decade and train 2 million workers for high-tech jobs. Now that the election is over, some are optimistic that Obama will give more attention to their top policy issue. "We think the president was sincere in his talk about the need for immigriaton reform in the second term, and we think he'll have a receptive House and Senate who want to look at that issue as well," said Mark Heesen, the president of the National Venture Capital Association, an industry group. One factor may help explain the tech community's optimism that Obama will prioritize their issues in his next term: the industry made sizable contributions to his campaign. Obama raised $7.1 million from members of the tech industry, according to the Center for Responsive Politics.

#### Increasing green cards generates effective IT experts to combat cyber war

McLarty 9 (Thomas F. III, President – McLarty Associates and Former White House Chief of Staff and Task Force Co-Chair, “U.S. Immigration Policy: Report of a CFR-Sponsored Independent Task Force”, 7-8, http://www.cfr.org/ publication/19759/us\_immigration\_policy.html)

We have seen, when you look at the table of the top 20 firms that are H1-B visa requestors, at least 15 of those are IT firms. And as we're seeing across industry, much of the hardware and software that's used in this country is not only manufactured now overseas, but it's developed overseas by scientists and engineers who were educated here in the United States.

We're seeing a lot more activity around cyber-security, certainly noteworthy attacks here very recently. It's becoming an increasingly dominant set of requirements across not only to the Department of Defense, but the Department of Homeland Security and the critical infrastructure that's held in private hands. Was there any discussion or any interest from DOD or DHS as you undertook this review on the security things about what can be done to try to generate a more effective group of IT experts here in the United States, many of which are coming to the U.S. institutions, academic institutions from overseas and often returning back? This potentially puts us at a competitive disadvantage going forward.

MCLARTY: Yes. And I think your question largely is the answer as well. I mean, clearly we have less talented students here studying -- or put another way, more talented students studying in other countries that are gifted, talented, really have a tremendous ability to develop these kind of technology and scientific advances, we're going to be put at an increasingly disadvantage. Where if they come here -- and I kind of like Dr. Land's approach of the green card being handed to them or carefully put in their billfold or purse as they graduate -- then, obviously, that's going to strengthen, I think, our system, our security needs.

#### That deters and solves the impact to cyberattacks

Saydjari 8 (O. Sami, Cyber Defense Agency, LLC, “Structuring for Strategic Cyber Defense: A Cyber Manhattan Project Blueprint”, 2008 Annual Computer Security Applications Conference, http://www.acsac.org/2008/program /keynotes/saydjari.pdf)

As a step toward a security research plan that includes such capabilities, we should identify endstates— goals in terms of how we want our systems to ideally operate. This fresh perspective includes the overall strategic picture and connects clearly with strategic actions that significantly mitigate strategic vulnerabilities. If, for example, the nation has a capability to quickly recover its critical information infrastructure, then the end-state is that strategic attack damages are mitigated and critical services are restored quickly, possibly deterring adversaries from attempting a future attack. Desired End-States. The National Cyber Defense Initiative (NCDI) Opening Moves Workshop [4] identified important end-states, the outcome of a 10- year research effort to create critical capabilities. The following end-states appear in the workshop proceedings: --Continuity of Critical Information Infrastructure Operations. Create technology that would be the basis for a resilient US cyber infrastructure that would sustain critical functions in the face of attacks, including those that could be affected by determined adversaries. --Well-Defended Critical Assets. Make it economically prohibitive for an adversary to cause strategic damage to critical US infrastructures. Currently, adversaries can attack critical systems without investing substantial resources.

### 1NC India Relations !

#### Immigration reform expands skilled labor --- spurs relations and economic growth in China and India

LAT, 12 (11/9/2012, Carol J. Williams, “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 and enhances 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.

#### Relations averts South Asian nuclear war

Schaffer, Spring 2002 (Teresita – Director of the South Asia Program at the Center for Strategic and International Security, Washington Quarterly, p. 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 prerequisite for improved U.S. relations with 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.

### 2NC Nuclear Link

#### New nuclear energy spending is extremely contentious even within the republican party – tea party members think that the plan is a waste – even SMR supporters think that it’s extremely difficult to get anything passed because its caught up in the energy spending debate – that’s Greenwire

#### Prefer our ev

#### Most recent evidence goes negative – Obama would have to get involved in a fight to pass new energy policies

CER, 1/7 (Clean Energy Report, 1/7/2013, “POLITICAL DIVISIONS, FISCAL FEARS LIMIT OPTIONS FOR OBAMA'S ENERGY POLICIES,” Factiva)

Ongoing political divisions and deficit fears are tempering expectations for congressional approval of any major new Obama administration clean energy or climate change initiatives, observers say, which could limit progress on President Obama's goal of reducing carbon emissions and advancing cleaner energy to a series of executive actions in 2013. The budget constraints and a divided 113th Congress -- where the House will remain led by Republicans and the Senate by an expanded Democratic majority -- mean contentious debates are likely on a host of key energy issues, including tax credits or other subsidies for building renewable power facilities; a natural gas boom and how to handle exports of the energy source; calls by some for a carbon tax or other climate change legislation; and an oil industry push to overhaul renewable fuels policy, including repeal of EPA's renewable fuel standard. However, while observers predict hearings on these and other energy issues, they are downplaying prospects for Congress to agree on major climate or energy law that Obama would sign. Some say the recent battle over legislation to avert the "fiscal cliff" shows funding is a key obstacle, as last- minute legislation approved by the House Jan. 1 defers the start of across the board budget cuts, known as sequestration, for energy and other spending only until March 27. "Money . . . will be a constraint on what we can do" on clean energy support, says one Hill Democrat who downplays expectations for Congress funding major new energy initiatives given the ongoing atmosphere of budget austerity."A former Hill staffer tracking energy and climate issues agrees, saying, "I don't look for a huge amount of progress in boosting support or maybe even matching previous levels of support" for clean energy. Although incoming Senate Energy and Natural Resources Committee Chairman Ron Wyden (D-OR) and panel ranking member Lisa Murkowski (R-AK) have vowed to work together, one GOP lobbyist says they will strike "a lot of rhetorical agreements, but find at the end of the day that they can't move much through the Senate." Still, some lawmakers and others suggest a piecemeal approach to climate and energy legislation might be possible, and one utility industry source warns against downplaying the 2013 energy agenda before it starts. "You never know [what will happen]," the source tells Inside EPA, citing a major 2007 energy bill as an example. "They said it could never happen a month before it passed with more than 80 votes in the Senate," the source says. Much will likely depend on how aggressively Obama pushes legislation and rules to implement programs to reduce greenhouse gas (GHG) emissions or promote clean energy. At his Nov. 14 post-reelection press conference, Obama noted "regional differences" between lawmakers of both parties in how to address those issues. The president signaled a go-slow approach, vowing not to pursue climate control efforts at the expense of jobs and economic growth; noting a major effort would mean "tough political choices"; and promising to hold discussions on the issue. "If . . . we can shape an agenda that says we can create jobs, advance growth and make a serious dent in climate change and be an international leader, I think that's something that the American people would support," Obama said, promising discussion "in the coming months and years" about how to shape a bipartisan agenda.

#### Expanding nuclear power is massively contentious

Industry Week, 12 (3/5/2012, “U.S. Energy Policies Stall As Partisan Gap Widens; Don't expect much movement during this election year, say CERA Week panelists,” <http://www.industryweek.com/environment/us-energy-policies-stall-partisan-gap-widens>)

Congress is progressing with bipartisan support for some energy issues, but wide rifts remain on how to proceed with major policy initiatives, including domestic drilling and nuclear energy, said panelists speaking at the IHS CERA Week energy conference in Houston March 5. Partisan wrangling has significantly slowed down the number of laws passed by Congress in recent years, said Robert Simon, Democratic staff director for the U.S. Senate Energy Committee. Areas that have received cross-party backing include energy efficiency, clean energy and cybersecurity for the smart grid, he said. Simon was part of a panel discussing U.S. energy policy in an election year during opening discussions for the five-day event. CERA Week is one of the largest annual energy conferences. This year's event includes keynote speeches from energy and chemical industry leaders such as Exxon Mobil Corp. CEO Rex Tillerson and Dow Chemical's Andrew Liveris.

### A2 DOD Link

#### They have no evidence that DOD energy programs are popular – before the election Republicans were bashing the administration for using the Pentagon as a vehicle for its clean energy programs putting biofuels into our planes and the Navy – even if R&D weapons projects are popular energy isn’t – they have no evidence that makes this argument – no new 1AR cards on this

#### Obama tied to agency --- he sets the overall agenda for it

NGI, 11/12 (Natural Gas Intelligence, 11/12/2012, “Energy Debate Still in Hands of Obama, Divided Congress,” Factiva)

Reports that Obama may shake up his energy cabinet are making the rounds in Washington, DC, but it's unlikely there will be any major change in energy policy if this occurs. "We've heard various rumors about existing cabinet secretaries leaving, but I don't think anything is final until a resignation is announced," said Cathy Landry, a spokeswoman for INGAA. Even if there are major departures, "it's unlikely to influence policy in any major way. The president/White House sets the overall agenda for an agency. Sure, there may be differences in the way a department is managed or even how a regulatory issue is handled, but the general policy still is set in coordination with the policies laid out by the president and his senior staff," she said. Those said to be most likely to leave soon are Energy Secretary Steven Chu and Environmental Protection Agency (EPA) Administrator Lisa Jackson, according to published reports.

Former Sen. Byron Dorgan (D-ND) or perhaps retiring Sen. Jeff Bingaman (D-NM) might be on the short list to replace Chu, The Washington Post reported. Ernie Moniz, director of energy initiatives at the Massachusetts Institute of Technology and an Obama energy adviser, might also be considered.

#### Presidents are tied to agency action --- Obama will get embroiled

Wallison, 3 --- resident fellow at AEI (1/1/2003, “A Power Shift No One Noticed,” <http://www.aei.org/issue/15652>)

Control over independent regulatory agencies has traditionally resided with Congress, which created all of them. The recent controversy over the Securities and Exchange Commission suggests, however, that now Congress, the White House, and the public all take for granted that the independent agencies are the **president's responsibility**. The political frenzy surrounding Enron's collapse and other corporate scandals may have produced--or at least exposed--a significant shift in the relationship between Congress and the White House. The efforts of congressional Democrats to pin some of the blame for the scandals on the president and the head of the Securities and Exchange Commission--and President Bush's willingness to act as though the SEC is his responsibility--may signal the end of more than a century of experimentation with independent regulatory agencies as a so-called "fourth branch" of government. History of Independent Agencies Independent agencies such as the SEC have always been regarded as "arms of Congress," outside the control of the executive branch. The president appointed the members and the chairman, but the terms for these officials overlapped presidential administrations, allowing--and encouraging--them to act without policy direction from the White House. The political fallout from the recent scandals has turned all this on its head. These independent agencies are creatures of Congress, not the Constitution. The first, the Interstate Commerce Commission (ICC), was established in 1887 to control the powerful railroad industry. Later, especially during the Progressive and New Deal eras, a number of other agencies were created, several of which still exist--including the SEC, the Federal Trade Commission, and the Federal Communications Commission. Several others, such as the Federal Power Commission and the Civil Aeronautics Board, went out of business a quarter-century ago. The ICC closed its doors in 1995. There was no clear reason, or constitutional rationale, why the duties of these bodies could not have been performed by regular executive branch departments. Presidents have expressed their unhappiness with this diminution of their authority, and some have tried to influence agency policies through the appointments process, but they have not confronted Congress on the issue. And Congress--always jealous of its prerogatives in the face of the executive branch's growing power--has never conceded that the independent regulatory agencies could take policy direction from the president. Then, in 1971, the status quo was called into question. The President's Advisory Council on Executive Organization--known as the Ash Council after its chairman, Roy L. Ash of Litton Industries--recommended that almost all of the functions of these bodies be transferred to single administrators, appointed by the president and accountable to him. The Ash Council's rationale for this reform was simple: If the president's policy control did not extend to these independent agencies, then his responsibility for them could not be clearly fixed and voters could not hold him accountable. Moreover, the president's policies, even if adopted by Congress, could be frustrated through contrary actions by the independent agencies. The Ash Council's proposal, like many reform ideas, went nowhere. There was no support in Congress for enhancing the president's power, and the Nixon administration--beset first by economic problems and then by the Watergate scandal--had no stomach for challenging Congress. (The Ash Council's report did lead, however, to the creation of the Environmental Protection Agency, headed by an administrator who answers to the president.) During the Reagan administration, however, the executive branch became more assertive. The Justice Department took the Constitution's separation of powers seriously, which by implication challenged the very legitimacy of the independent regulatory agencies. Nevertheless, because of congressional sensitivities and the continuing sense that these bodies were quasi-judicial in nature, White House officials were warned that all contacts with the independent regulatory agencies had to be approved in advance--or actually carried out--by the White House counsel's office. The Reagan administration never seriously considered taking on Congress through a legislative proposal that would bring these independent agencies within the constitutionally established structure. The Presidential Role All this history appears to have been forgotten in the politics of 2002. The Democrats, hoping to make an election issue out of the SEC's "failure" to stop "corporate corruption," proceeded to blame a Republican president for events that were solely within the authority of the SEC. There was no indication that departments or agencies unquestionably controlled by the president had any role for policing either the securities industry or the companies under scrutiny. So if President Bush was somehow responsible for what happened at Enron, WorldCom, Tyco, and the rest, it had to be as a consequence of some presidential authority over the SEC. To be sure, the president had appointed the chairman and the other members of the SEC, but that in itself would not make him blameworthy unless one assumed that he was also directly responsible for how the SEC acted before, and after, the scandals erupted. That is the nub of the important but largely unnoticed change that has occurred: the unchallenged assumption on the part of all parties--in Congress, in the media, among the public, and even in the White House itself--that the president was fully accountable for an agency that has always been viewed as independent. The significance of this change in the grand government scheme of things can hardly be overstated. Without legislation or judicial decision, **the president has suddenly become electorally responsible for the decisions of bodies that were considered to be within the special purview of Congress, susceptible only to congressional policy direction.** Of course, this functional revolution did not give the president any new powers with respect to the independent regulatory agencies. But the die is now cast. The way the American people look at the president's responsibilities apparently is changing, and **that will affect the attitude of Congress**. If the American people believe that the president should be responsible for the actions of the SEC, it will be difficult to convince them otherwise. Significantly, since Harvey Pitt's resignation as SEC chairman in November, the media have routinely referred to the president's choice to head the SEC, investment banker William H. Donaldson, as a member of the Bush "economic team."

# Uniqueness

### 2NC AT: Hagel Thumper

#### Won’t be a fight --- their ev doesn’t reflect reality

Marshall, 1/6 --- editor and publisher of TalkingPointsMemo.com (Josh, 1/6/2013, “Crack Pipe,” <http://talkingpointsmemo.com/archives/2013/01/crack_pipe_1.php>)

I’m watching a lot of neoconservative policy activists and a lot of people in the press telling me that it’s a very up in the air thing whether Chuck Hagel gets confirmed as Secretary of Defense. These folks should stop smoking crack. Because crack isn’t good for you. Maybe I’m just out of the loop because I’m not reporting aggressively myself. Or maybe — I think much more likely — I’m not in the same crack den with the rest of these good people so the air I’m breathing is clear and I know what is happening in the real world. Will Republicans uniformly oppose a former member of their own caucus when the issues at stake are complaints that look comical when held up to the light of day? One who was one of the top foreign policy Republicans in the Senate? I doubt it. Will Democratic senators deny a reelected President Obama his choice for one of the top four cabinet positions when he is quite popular and the expansion of their caucus is due in significant measure to his popularity? Please. Chuck Schumer will oppose the President? Not likely.So I look forward to Republican crocodile tears on gay rights — seemingly in large part over something Hagel said in the 90s in support of the Senate Republican caucus’s efforts to pillory an openly gay nominee. And yes, perhaps it really will pave the way for a LGBT upsurge of support for Richard Grinnell for President in 2016. But I doubt it. Otherwise, assuming President Obama nominates him tomorrow, get ready for a Hagel Pentagon.

#### Appointments empirically don’t drain capital

Hutchison, 12-2 --- author, political analyst and a frequent political commentator on MSNBC and a weekly co-host of the Al Sharpton Show on American Urban Radio Network

(Earl Ofari, 12/2/2012, “Rice Nomination Fight Won’t Drain President Obama’s Political Capital,” www.eurweb.com/2012/12/rice-nomination-fight-wont-drain-president-obamas-political-capital/)

It won’t hurt him. All presidents from time to time face some backlash from real or manufactured controversies by opponents over a potential nominee to the Supreme Court, a cabinet or diplomatic post. In 2008, Obama faced backlash when he nominated Eric Holder as Attorney General. A pack of GOP senators huffed and puffed at Holder for alleged transgressions involving presidential pardons he signed off on as Clinton’s Deputy Attorney General. In the end he was confirmed. The mild tiff over Holder didn’t dampen, diminish, or tarnish Obama in his hard pursuit of his major first term initiative, namely health care reform. This was true three years earlier when then President Bush nominated Condoleezza Rice for Secretary of State. Rice was slammed hard by some Democratic senators for being up to her eyeballs in selling the phony, conniving Bush falsehood on Iraq’s weapons of mass destruction. The threat to delay Rice’s confirmation in the Senate quickly fizzled out, and she was confirmed. This did not distract or dampen Bush in his pursuit of his key initiatives. There was not the slightest inference that in nominating Rice, and standing behind her in the face of Democrats grumbles about her would threaten his push of his administration’s larger agenda items. Susan Rice will continue to be a handy and cynical whipping person for the GOP to hector Obama. But the political reality is that the legislative business that Congress and the White House must do never has been shut down by any political squabble over a presidential appointee. The fiscal cliff is an issue that’s too critical to the fiscal and economic well-being of too many interest groups to think that Rice’s possible nomination will be any kind of impediment to an eventual deal brokered by the GOP and the White House. The Rice flap won’t interfere in any way with other White House pursuits for another reason. By holding Rice hostage to a resolution of the fiscal cliff peril and other crucial legislative issues, the GOP would badly shoot itself in the foot. It would open the gate wide to the blatant politicizing of presidential appointments by subjecting every presidential appointment to a litmus test, not on the fitness of the nominee for the job, but on whether the appointee could be a bargaining chip to oppose a vital piece of legislation or a major White House initiative. This would hopelessly blur the legislative process and ultimately could be turned against a future GOP president. This is a slippery slope that Democrats and the GOP dare not risk going down. Rice will not be Obama’s only appointment at the start of his second term. He will as all presidents see a small revolving door of some cabinet members and agency heads that will leave, and must be replaced. There almost certainly will be another Obama pick that will raise some eyebrows and draw inevitable fire from either the GOP or some interests groups. Just as other presidents, Obama will have to weigh carefully the political fall-out if any from his pick. But as is usually the case the likelihood of any lasting harm to the administration will be minimal to nonexistent.

#### There is bipartisan support for Hagel and no Republican has promised to filibuster

Dwyer, 1/7 (Devin Dwyer and Jonathan Karl, 1/7/2013, “President Obama Picks Chuck Hagel, Fight Over Defense Secretary,” <http://abcnews.go.com/Politics/OTUS/president-obama-taps-chuck-hagel-defense-secretary-girds/story?id=18147109>)

Top Senate Democrats tell ABC News there is no guarantee Hagel will win confirmation and that, as of right now, there are enough Democratic Senators with serious concerns about Hagel to put him below 50 votes. But that could change, with many top lawmakers publicly vowing to withhold final judgment until Hagel has an opportunity to answer his critics during confirmation hearings. No senator has yet publicly vowed to filibuster the Hagel nomination. Hagel is a decorated Vietnam veteran and businessman who served in the senate from 1997 to 2009. After having sat on that chamber's Foreign Relations and Intelligence committees, he has in recent years gathered praise from current and former diplomats for his work on Obama's Intelligence Advisory Board as well as the policy board of current Defense Secretary Leon Panetta. "Chuck Hagel is a tremendous patriot and statesman, served incredibly in Vietnam, served this country as a United States senator. He hasn't had a chance to speak for himself. And so why all the prejudging?" said Sen. Heidi Heitkamp, D-N.D., on "This Week." "In America, you give everybody a chance to speak for themselves and then we'll decide," she said. The top Senate Republican echoed that sentiment. "I'm going to wait and see how the hearings go and see whether Chuck's views square with the job he would be nominated to do," Senate Minority Leader Mitch McConnell of Kentucky said. Praise for Hagel AboundsCurrent and former diplomats and leading political figures have heaped praise on Hagel in recent days, defending his record and highlighting his bipartisan values."No one has been more steadfast in supporting America's commitment to Israel's security than has Senator Hagel," wrote a group of six former political and diplomatic officials, including former National Security Advisors Brent Scowcroft and Zbigniew Brzezinski, in a public letter to Obama. "Our polarized political life is much in need of leaders with the kind of bipartisanship and independence of conscience and mind that Chuck Hagel's service to our country has exemplified," they wrote. Former U.S. ambassador to Iraq and Afghanistan Ryan Crocker wrote in a "Wall Street Journal" editorial that Hagel "knows the leaders of the world and their issues" and "has an unbending focus on U.S. national security." "Chuck Hagel is pro-gay, pro-LGBT, pro-ending 'don't ask, don't tell.' The only problem is that no one asked him his views lately," wrote Steve Clemons, an editor for The Atlantic and Hagel ally who has spoken extensively with the former senator, in a column. Obama has also thrown public support behind Hagel, calling him a "patriot" who has done "extraordinary work" in public service in an interview last week.

### 2NC AT: Debt Ceiling Thumper

#### Empirically congress just kicks the can – it’s in congress’ self interest

Binder, 1-2 --- Senior Fellow in Governance Studies who is an expert on Congress and legislative politics (Sarah, 1/2/2013, “A Congress Nerd’s Superbowl: Watching the Fiscal Cliff Game,” <http://themonkeycage.org/blog/2013/01/02/a-congress-nerds-superbowl-watching-the-fiscal-cliff-game/>)

At worst

At worst: Finally, the fiscal cliff solution punted on the key fiscal issue of the day: How can the U.S. address its future fiscal sustainability? This week’s drama is a good reminder of the difficulty Congress faces in legislating solutions to long-term problems. Imposing costs today to secure benefits tomorrow puts legislators at risk for voter backlash. Myopic policies for myopic voters, Ed Tufte once wrote. The result is that Congress more often plays a new round of kick the can than tackles solutions to its fiscal mess. This time, Republicans think they will have the upper hand, as the parties go to battle over what it will take to raise the government’s debt ceiling. I suspect any solution will involve a new set of future deadlines intended to force Congress to legislate. Deja vu all over again.

#### Obama will avoid debt ceiling negotiations

Helderman, 1-2 (Rosalind, 1/2/2013, “After the ‘fiscal cliff’: When are the next battles in Congress?” <http://www.washingtonpost.com/politics/after-the-fiscal-cliff-when-are-the-next-battles-in-congress/2013/01/02/370700ac-54ff-11e2-a613-ec8d394535c6_story.html>)

The “fiscal cliff” debate may be over, but Congress’s battles are just beginning. In coming months, the new Congress that will take office Thursday will face a series of deadlines that will force lawmakers to confront the same issues they failed to resolve with Tuesday’s late night vote. • Around the end of February: Extraordinary measures put in place by the Treasury Department to extend the nation’s $16.4 trillion legal borrowing limit will be exhausted. Congress must agree to raise the debt ceiling or allow the nation to default on its spending obligations. Republicans have said they will insist on major spending concessions before they agree to raise the limit again, but President Obama has said he considers the action to be Congress’s fiduciary responsibility and he will not be drawn into such talks.

### 2NC PC Key (Immigration)

#### The link frames the uniqueness debate – comprehensive immigration reform will happen only if Obama invests substantial political muscle into the fight to bring both parties together – DMN

#### Obama’s leadership and capital are key --- other agenda priorities can tradeoff and quick action is necessary for passage

Hesson, 1/2 (Ted, 1/2/2013, “Analysis: 6 Things Obama Needs To Do for Immigration Reform,” <http://abcnews.go.com/ABC_Univision/News/things-president-obama-immigration-reform/story?id=18103115#.UOR2lXfbhtE>)

On Sunday, President Barack Obama said that immigration reform is a "top priority" on his agenda and that he would introduce legislation in his first year. To find out what he needs to do to make reform a reality, we talked to Lynn Tramonte, the deputy director at America's Voice, a group that lobbies for immigration reform, and Muzaffar Chishti, the director of the New York office of Migration Policy Institute, a think tank. Here's what we came up with. 1. Be a Leader During Obama's first term, bipartisan legislation never got off the ground. The president needs to do a better job leading the charge this time around, according to Chishti. "He has to make it clear that it's a high priority of his," he said. "He has to make it clear that he'll use his bully pulpit and his political muscle to make it happen, and he has to be open to using his veto power." His announcement this weekend is a step in that direction, but he needs to follow through. 2. Clear Space on the Agenda Political priorities aren't always dictated by the folks in D.C., as the tragic Connecticut school shooting shows us. While immigration had inertia after the election, the fiscal cliff and gun violence have been the most talked about issues around the Capitol in recent weeks. The cliff could recede from view now that Congress has passed a bill, but how quickly the president can resolve the other issues on his agenda could determine whether immigration reform is possible this year. "There's only limited oxygen in the room," Chishti said. 3. Choose an Approach The president has said that he plans to introduce his own immigration legislation in 2013. That's a strategic choice -- he could also wait for Democrats or Republicans in Congress to come up with a bill. Some Republicans, like Speaker of the House John Boehner, seem ready to cede leadership on the issue to the president. But that doesn't preclude Republicans in Congress from coming up with their own piece of legislation, and Sen. Marco Rubio (R-Fla.), a strong voice on immigration in his party, recently met with reform champion Rep. Luis Gutiérrez (D-Ill.). Obama's decision to introduce his own bill could also have repercussions in the 2014 congressional elections. A liberal immigration bill could put Republicans in the position of either embracing the president's approach or adopting more restrictionist positions, as noted by The Daily Caller. Congressional Republicans could find themselves facing the same questions as Mitt Romney in whether to embrace reform or something like "self-deportation." 4. Acknowledge the Power of the Latino Vote What sort of policies should be included in a 2013 reform bill? An article in the Los Angeles Times earlier this month mentioned that the White House could pick up more than 300 pages of draft legislation that was developed during the first term. But that might not be as relevant today. The role that Latino voters played in the election -- and will continue to play in future elections -- has changed the game, according to Lynn Tramonte. The president and Congress need to "realize that the negotiating dynamic has changed on this issue," she says. "Democrats bring the votes to immigration reform but Republicans have the most to gain with it politically." Groups like America's Voice are hoping that means a better chance at passing a large-scale legalization program without the same level of increased enforcement that has been proposed as a trade-off in the past. "We've done a lot of enforcement, but what we haven't done is deal with the 11 million people without papers." 5. Keep a Clear Message Remember death panels? The claim started on Sarah Palin's Facebook page but became a headache for the Obama administration during the fight for healthcare reform (It was eventually awarded PoliFact's "Lie of the Year" for 2009). The president will need to focus on selling the core points of the bill -- which could be quite complicated overall -- and not get distracted by minutia and misinformation. "Something that happened in healthcare was that it was very confusing to Americans," Tramonte said. "They didn't know what was in the bill...Immigration has the potential to be much simpler." 6. Move Quickly "Time is of the essence," according to Tramonte. Members of Congress are always looking ahead to the next election, and some advocates think a reform bill will need to be introduced early in 2013 to have a chance. "I don't think it helps any issue to stay out there in Congress for a long time," Tramonte said. "Just get it off the table and move on to the next thing."

### 2NC AT: Intrinsicness (Short)

#### Link proves DA is intrinsic – plan will affect Obama’s agenda – evaluating politics good for decision-making – willpower is finite and we should learn about making tough choices – teaches us about negotiations which is good for policy advocacy especially on this topic

### 2NC AT: Reform Delayed

#### Obama is gonna push right away for immigration reform

Foley and Stein, 1/3 (Elise and Sam, 1/2/2013, “Obama's Immigration Reform Push To Begin This Month,” <http://www.huffingtonpost.com/2013/01/02/obama-immigration-reform_n_2398507.html>)

WASHINGTON -- Despite a bruising fiscal cliff battle that managed to set the stage for an even more heated showdown that will likely take place in a matter of months, President Barack Obama is planning to move full steam ahead with the rest of his domestic policy agenda. An Obama administration official said the president plans to push for immigration reform this January. The official, who spoke about legislative plans only on condition of anonymity, said that coming standoffs over deficit reduction are unlikely to drain momentum from other priorities. The White House plans to push forward quickly, not just on immigration reform but gun control laws as well. The timeframe is likely to be cheered by Democrats and immigration reform advocates alike, who have privately expressed fears that Obama's second term will be drowned out in seemingly unending showdowns between parties. The just-completed fiscal cliff deal is giving way to a two-month deadline to resolve delayed sequestration cuts, an expiring continuing resolution to fund the government and a debt ceiling that will soon be hit. With those bitter battles ahead, the possibility of passing other complicated legislation would seem diminished.

#### PC is spent in the negotiation period, not when the vote comes up—Early-game political capital is key to effective negotiations – it’s not just about the roll-call vote

Beckman 10 – Professor of Political Science Matthew N. Beckman, Professor of Political Science @ UC-Irvine, 2010, "Pushing the Agenda: Presidential Leadership in U.S. Lawmaking, 1953-2004," pg. 53

2.2.2.1 The logic of agenda-centered lobbying. To the cynic, meetings between White House officials and congressional leaders offer little more than pageantry — an opportunity to portray legislative work, not to do it. And, to be sure, sometimes these interbranch exchanges entail little more than pleasantries and pictures. However, many close observers of the presidential-congressional relationship have long cited prevoting bargaining across Pennsylvania Avenue as being substantively important. For example, discussing President Eisenhower's legislative record in 1953, CQ staffers issued a caveat they have often repeated in the years since: The President's leadership often was tested beyond the glare spotlighting roll calls…Negotiations off the floor and action in committee sometimes are as important as the recorded votes. (CQ Almanac \*953>77) Many a political scientist has agreed. Charles Jones (1994), for one, wrote, "However they are interpreted, roll call votes cannot be more than they are: one form of floor action on legislation. If analysts insist on scoring the president, concentrating on this stage of lawmaking can provide no more than a partial tally" (195). And Jon Bond and Richard Fleisher (1990) note that even if they ultimately are reflected in roll-call votes, "many important decisions in Congress are made in places other than floor votes and recorded by means other than roll calls..." (68). Still, while citing earlygame processes as being potentially important, no one has yet shown how (or when) they are, much less integrated the earlygame and endgame within a unified framework. This is what I aim to accomplish here. Specifically, let me now uncover how, in addition to the familiar endgame lobbying option, presidents may also seek to exert influence in the legislative earlygame by implementing a two-pronged approach: mobilizing leading allies and deterring leading opponents.

#### PC is key now – bills are being formed

Cooper 12-20 – JD Bo, "Immigration Reform Prospects For 2013," Metro Corporate Council, <http://www.metrocorpcounsel.com/articles/21794/immigration-reform-prospects-2013>

Cooper: They generally are very supportive of comprehensive reform, with a firm emphasis on legalization and a path to citizenship for the undocumented. Organized labor and advocates for the undocumented have generally closely been aligned on this issue. There will undoubtedly be some tricky issues ahead in the debate though. For example, organized labor and the high-skilled employer community have had an uneasy relationship over what the right immigration levels and the right labor protections are. This is one of those areas where careful, measured thinking and continued dialogue will be critical and employers will need to be vocal about their talent needs and the ways that foreign professionals can generate jobs and economic opportunity for Americans, and now is the time. Conversations are happening among policymakers, plans are being designed, positions are being staked out, alliances are being formed, and bills will start appearing early in the year. None of us knows how it will play out, but the game’s on.

### 2NC U/Q

#### Immigration reform will pass --- coming deficit battles won’t derail it

Foley & Stein, 1/3 (Elise and Sam, 1/2/2013, “Obama's Immigration Reform Push To Begin This Month,” <http://www.huffingtonpost.com/2013/01/02/obama-immigration-reform_n_2398507.html>)

WASHINGTON -- Despite a bruising fiscal cliff battle that managed to set the stage for an even more heated showdown that will likely take place in a matter of months, President Barack Obama is planning to move full steam ahead with the rest of his domestic policy agenda. An Obama administration official said the president plans to push for immigration reform this January. The official, who spoke about legislative plans only on condition of anonymity, said that coming standoffs over deficit reduction are unlikely to drain momentum from other priorities. The White House plans to push forward quickly, not just on immigration reform but gun control laws as well. The timeframe is likely to be cheered by Democrats and immigration reform advocates alike, who have privately expressed fears that Obama's second term will be drowned out in seemingly unending showdowns between parties. The just-completed fiscal cliff deal is giving way to a two-month deadline to resolve delayed sequestration cuts, an expiring continuing resolution to fund the government and a debt ceiling that will soon be hit. With those bitter battles ahead, the possibility of passing other complicated legislation would seem diminished. "The negative effect of this fiscal cliff fiasco is that every time we become engaged in one of these fights, there's no oxygen for anything else," said a Senate Democratic aide, who asked for anonymity to speak candidly. "It's not like you can be multi-tasking -- with something like this, Congress just comes to a complete standstill." It remains unclear what type of immigration policies the White House plans to push in January, but turning them into law could be a long process. Aides expect it will take about two months to write a bipartisan bill, then another few months before it goes up for a vote, possibly in June. A bipartisan group of senators are already working on a deal, although they are still in the early stages. Rep. Zoe Lofgren (D-Calif.) will likely lead on the Democratic side in the House. While many Republicans have expressed interest in piecemeal reform, it's still unclear which of them plan to join the push. Lofgren expressed hope that immigration reform would be able to get past partisan gridlock, arguing that the election was seen as something of a mandate for fixing the immigration system and Republicans won't be able to forget their post-election promises to work on a bill. "In the end, immigration reform is going to depend very much on whether Speaker [John] Boehner wants to do it or not," Lofgren said. Advocates have vowed to keep pushing for reform. As part of their efforts, they plan to remind Republican members of Congress about their presidential nominee's defeat among Latino and Asian voters, a majority of whom support a fix to the immigration system. "They can procrastinate as long as they want, but they're going to have a serious day of reckoning next election cycle," said Angela Kelley, vice president for immigration policy and advocacy at the Center for American Progress. "We're going to have a lot of near-death experiences with this issue, but I'm pretty confident it's never going to go completely to a flatline." Good news for immigration advocates may have come Tuesday night, when Boehner broke the so-called "Hastert Rule" and allowed the fiscal cliff bill to come for a vote without support from a majority of his Republican conference. Given opposition to immigration reform by many Tea Party Republicans, the proof that Boehner is willing to bypass them on major legislation is a good sign, the Democratic aide said. "If something is of such importance that the GOP establishment [is] telling Boehner, 'You must do this. You need to get this off the table soon,'" the Democratic aide said, the speaker could break the Hastert Rule again. "He already did it with this fiscal issue, so I would not be surprised if when it came down to it he puts up a bill that he just allows to go through with a combination of Democratic and Republican votes, without worrying about a majority of the majority," the aide continued. Frank Sharry, executive director of the pro-immigration reform group America's Voice, also said he thinks the House could pass an immigration bill in the same way it did last night, relying on support from both parties. He's hopeful that the fiscal cliff fight could even make them happy to work out legislation in a more standard way."I never thought I'd say this, but after bruising battles over the future of the American and world economy, the chance to legislate through regular order on immigration reform might have leaders in both parties working together and singing 'Kumbaya,'" Sharry said.

#### Immigration reform is a priority and can pass with compromise

Derury, 1/3 (Emily, 1/3/2013, ABC News, “Pelosi Urges Immigration Action as Congress Opens,” abcnews.go.com/ABC\_Univision/Politics/pelosi-calls-immigration-reform-congress-opens/story?id=18125376#.UObvKYnjms0)

House Minority Leader Nancy Pelosi (D-San Francisco) urged her colleagues to act on comprehensive immigration reform on the first day of the 113th Congress, where immigration is expected to take center stage. During opening remarks of the new Congress on Thursday afternoon, the California Democrat said the issue would be a priority for the nation's top lawmakers. "By and large, the United States is a nation of immigrants," Pelosi said. "Built, enriched and strengthened by men, women and children who share our patriotism and seek the American dream. The strength of our democracy will be advanced by bold action for comprehensive immigration reform." "We must empower the voters," she added. "We must remove obstacles to participation in our democracy for all Americans." Newly re-elected House Speaker John Boehner (R-Ohio), who is tasked with directing the agenda for the lower chamber, made no mention of immigration in his speech. He instead focused on job growth and improving the economy, and tackling the national debt. The visibly emotional Boehner did not reference immigration or gun laws, two issues Obama has put at the top of his domestic agenda for 2013. Obama has again promised comprehensive immigration reform in his first year, which he failed to bring up during his first term despite a 2008 pledge to take up the issue during his first year in office. The White House reaffirmed this week that it would move forward with a proposal on immigration reform this month despite the fact lawmakers will have to address lingering issues like the debt limit in the next two months. The president, meanwhile, has tasked Vice President Joe Biden with leading a task force to propose changes to the nation's gun laws in the wake of the Newtown, Connecticut school shootings. Although Boehner did not mention immigration, Republican Rep. Cathy McMorris Rodgers (Washington), referenced the issue as one that Congress would tackle during her speech nominating Boehner for a second term as speaker. Immigration draws forceful responses from both sides of the aisle, and the issue is sure to spark contentious debate as battle lines take shape. While immigration players such as Rep. Luis Guiterrez (D-Illinois) and Sen. Bob Menendez (D-New Jersey) support a path to citizenship for undocumented workers in the country, others, such as Republican Marco Rubio of Florida, do not. Hammering out a bill that will have the approval of enough Republicans and Democrats is going to take compromise. While the last Congress was somewhat infamous for its seeming inability to do that - lawmakers failed to reach a fiscal cliff deal until the very last minute - this new batch of representatives and senators, which includes more Latinos than ever before, has a chance with immigration to prove it can facilitate real change.

#### Obama is using his political capital to pass immigration reform --- fiscal battles won’t prevent passage

Kludt, 1/3 (Tom, 1/3/2013, “Report: Obama To Make Push For Immigration Reform This Month,” <http://livewire.talkingpointsmemo.com/entry/report-obama-to-make-push-for-immigration-reform>)

President Barack Obama is prepared to use his political capital to pursue immigration reform this month, according to a report published Wednesday in the Huffington Post. The report cited an anonymous official in the Obama administration, who suggested that the president is unlikely to be deterred by the protracted fiscal cliff debate that will be revisited in the coming months. As such, the administration will reportedly move quickly on both immigration reform and gun control. The report also quoted an unnamed Senate Democratic aide, who gauged the likelihood of immigration reform to pass Congress. Citing the fiscal cliff deal that passed the House of Represenatives this week with a combination of Republican and Democratic votes, the aide expressed confidence that House Speaker John Boehner (R-OH) will be able to overcome expected opposition from the conservative wing of his caucus. "He already did it with this fiscal issue, so I would not be surprised if when it came down to it he puts up a bill that he just allows to go through with a combination of Democratic and Republican votes, without worrying about a majority of the majority," the aide said.