# 2NC UKRR Race 7

## T

### Overview---2NC

### AT: PTIV---2NC

### AT: CI---2NC

#### Doesn’t speak to the question of whether can aploly to new workers and concedes fed workiers excluded now

Harry Edwards 85. Circuit Judge for the District of Columbia Circuit. Amalgamated Transit Union Int'l v. Donovan, 1985 U.S. App. 1985. Lexis.

[\*950] In sum, Congress struck a delicate balance in section 13(c). The statute provides that state law should govern the labor relations of public transit authorities and their employees, but it conditions federal transit aid, in part, on the continuation of collective bargaining rights. In setting out those rights, Congress chose not to incorporate the entire structure and requirements of the NLRA into section 13(c), for to do so would force states to choose between federal transit aid and their exclusion from the coverage of the NLRA. On the other hand, Congress made it clear that federal labor policy would dictate the substantive meaning of collective bargaining for purposes of section 13(c). "Good faith" bargaining, to a point of impasse if necessary, over wages, hours and other terms and conditions of employment has always been the essence of federally-defined collective bargaining rights; indeed, excluding the federal sector, it is the almost universally recognized definition of collective bargaining in the United States.

### AT: make stronger

### Limits---2NC

#### There are tons of categories of workers exempted from the NLRA now.

CLJE 24 – Harvard Law School’s hub for labor policy research and innovation. Executive Director, Sharon Block, is a professor at Harvard Law School with a J.D. from Georgetown.

CLJE:Lab, “Building Worker Power in Cities & States: Workers Excluded from the NLRA,” Center for Labor and a Just Economy, Harvard Law School, 09/01/2024, https://clje.law.harvard.edu/publication/building-worker-power-in-cities-states/workers-excluded-from-the-nlra/

The NLRA has been criticized for excluding large categories of workers, some of whom are those most in need of labor law protections. The statute explicitly excludes public employees,1 supervisors, agricultural workers, domestic workers, independent contractors, employees covered by the Railway Labor Act, and “any individual employed by his parent or spouse.”2 Numerous other workers are partially or completely excluded from the Act’s coverage, including rehabilitation workers, incarcerated workers, and certain student workers. And while immigration status by itself does not preclude coverage under the Act, undocumented workers are not entitled to all of its remedies.

#### Literally any person who’s not an employee is currently exempted. They make each of those affs.

Legal Information Institute, Cornell Law.

“29 CFR § 471.4 - What employers are not covered under this part?” Legal Information Institute, Cornell Law School, no date, https://www.law.cornell.edu/cfr/text/29/471.4

§ 471.4 What employers are not covered under this part?

(a) The following employers are excluded from the definition of “employer” in the National Labor Relations Act (NLRA), and are not covered by the requirements of this part:

(1) The United States or any wholly owned Government corporation;

(2) Any Federal Reserve Bank;

(3) Any State or political subdivision thereof;

(4) Any person subject to the Railway Labor Act;

(5) Any labor organization (other than when acting as an employer); or

(6) Anyone acting in the capacity of officer or agent of such labor organization.

(b) Additionally, employers exclusively employing workers who are excluded from the definition of “employee” under the NLRA are not covered by the requirements of this part. Those excluded employees are employed:

(1) As agricultural laborers;

(2) In the domestic service of any family or person at his home;

(3) By his or her parent or spouse;

(4) As an independent contractor;

(5) As a supervisor as defined under the NLRA;

(6) By an employer subject to the Railway Labor Act; or

(7) By any other person who is not an employer as defined in the NLRA

#### Here are just some of those subjects.

NECA 24 – National Electrical Contractors Association.

“Navigating Mandatory, Permissive & Illegal Subjects of Bargaining,” Labor Relations Bulletin, National Electrical Contractors Association, 02-23-2024, https://www.necanet.org/docs/default-source/labor-relations-conference/labor-relations-bulletins/lrbulletin-navigatingmandatory-permissive-illegalsubjects-ofbargaining.pdf?sfvrsn=db27f3a2\_3

Permissive: The Two-Way Street

• Optional topics that parties may choose to include in negotiations. Offering flexibility, the topics of discussion can be things like training programs, work rules, and other items.

• It’s a two-way street – if one party isn’t interested, the other can’t force the issue. The focus here should be on mutual benefit.

• Either party may choose to keep it on the table, but they cannot force such an issue to impasse.

• A strike or lockout over a permissive subject would be an unprotected activity, and unilateral implementation would be illegal.

• Examples of permissive subjects include:

• Negotiating ground rules

• Supervisor’s conditions of employment

• Interest arbitration

• Settlement of a ULP charge

• Pensions for retired members

• Use of the Union label/flag

• Internal union matters (steward appointment, union dues, officer structure, bylaws)

• Recognition clause defining the bargaining unit

• Either party’s bargaining committee composition

• Composition of the employer’s Board of Directors or Trustees

• Demanding that a union settle arbitrable grievances filed under the previous contract.

#### Here are more. This is non-exhaustive!

FCA 25 – Finishing Contractors International; represents the largest community of finishing contractors in North America.

FCA, “Understanding and Operationalizing Mandatory, Permissive and Illegal Subjects of Bargaining,” Finishing Contractors International, 03-28-2025, https://finishingcontractors.org/do-we-have-to-negotiate-that-understanding-and-operationalizing-mandatory-permissive-and-illegal-subjects-of-bargaining/

Mandatory Subjects

Mandatory subjects of bargaining include:

Rates of pay and wages (e.g., shift differentials, bonuses, pensions, health and welfare plans, meals and discounts, profit sharing, etc.)

Hours of work (e.g., daily overtime, weekly overtime, etc.)

Other terms and conditions of employment (e.g., seniority, plant rules, work assignments, health testing, drug testing, union security, no strike/no lockout language, non-discrimination, etc.).

Again, parties have a statutory obligation to bargain over mandatory subjects of bargaining. The NLRA does not require agreement, of course, but the contractor must engage in bargaining over mandatory subjects of bargaining.

Permissive Subjects

Permissive subjects are matters that the parties are free to bargain over, but have no obligation to do so. Permissive subjects of bargaining include the following:

Definition of the bargaining unit

Union recognition clauses converting a Section 8(f) relationship to a Section 9(a) relationship

The inclusion of supervisors in the bargaining unit

Internal union affairs

Legal liability clauses (e.g., a provision fixing liability for violation of a no-strike clause)

Industry promotion funds

Interest arbitration (such as Article X, Section 8)

Settlement of unfair labor practice charges

Deductions for political action leagues

Union label clauses

Clauses prohibiting the arbitration of a dispute in the event the union has filed charges over the same issue with any state or federal agency

Illegal Subjects

Illegal bargaining subjects include:

Provisions for a closed shop

A provision for a hiring hall giving preference to union members

“Hot cargo” clauses in violation of Section 8(e) of the NLRA, such as subcontracting restrictions concerning non-jobsite work that require the subcontractor to be signatory to a labor agreement.

### Precision---2NC

#### There’s a clear legal distinction between the scope and strength of a right.

Schauer 82 – Distinguished Professor of Law, UVA Law, and Stanton Professor of the First Amendment, Kennedy School of Govt. at Harvard

Frederick F. Schauer, David and Mary Harrison Distinguished Professor of Law at the University of Virginia School of Law and Frank Stanton Professor of the First Amendment at Harvard University's Kennedy School of Government, *Free Speech: A Philosophical Enquiry*,(New York: Cambridge UPress), 1982, at pp. 134-136

It would seem therefore relatively uncontroversial to assert that freedom of speech is not and cannot be an absolute right. This broad statement, however, must be tempered by two highly per- tinent qualifications. First, it is important to recognize not only the distinction but also the relationship between the strength of a right and the scope of a right. This terminology is but another way of expressing the distinction between coverage and protection that I discussed earlier, but the terms ‘strength’ and ‘scope’ are particularly illuminating here. The scope of a right is its range, the activities it reaches. Rights may be narrow or broad in scope. Defining the scope of free speech as freedom of self-expression is very broad, defining it as freedom of communication substantially narrower, and defining it as freedom of political communication narrower still. The strength of a right is its ability to overcome opposing interests (or values, or other rights) within its scope. This distinc- tion is nothing new, although it is often ignored in popular dialogue about freedom of speech. The point I wish to make here is that although the scope of a right and the strength of that right are not joined by a strict logical relationship, they most often occur in inverse proportion to each other. The broader the scope of the right, the more likely it is to be weaker, largely because widening the scope increases the likelihood of conflict with other interests, some of which may be equally or more important. Conversely, rights that are narrower in scope are more easily taken to be very strong within that narrow scope. It is much easier, for example, to say that there is a very strong, almost absolute, right to purely verbal political speech than it would be to say that a right to self- expression can be as strong. Any examination of rights must first recognize this interrelationship and then try to preserve someequilibrium between scope and strength. This is easiest but not necessarily best at the extremes. Meiklejohn, for example, definedfreedom of speech as freedom of political speech by those without profit motives. Within this narrow scope it was easier for him to define the right as absolute (which he did) than it would have been had he broadened the scope to include other forms of com- munication. Yet the more narrowly we define a right, the more likely we are to exclude from coverage those acts that may fall within the justification for recognizing the right. Freedom of speech as freedom of political deliberation gains simple absolutism at the cost of excluding much that a deep theory of the Free Speech Prin- ciple would argue for including.

#### There’s consensus for the idea that strengthen requires pre-existence.

Mykkänen 17 – Faculty of Law, Master's Programme in Law Support.

Esa Mykkänen, “EXPULSION TO TORTURE – THE PRINCIPLE OF NON-REFOULEMENT AND INTERNATIONAL HUMAN RIGHTS LAW,” Master’s Thesis, University of Helsinki, Faculty of Law, 2017, https://core.ac.uk/download/pdf/84364852.pdf

The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (later referred to as CAT) was adopted by the United Nations on 1984 and came into force on 1987. Currently there are 159 States Parties to CAT.175 According to the preamble of CAT its aim is to strengthen the struggle against torture and other cruel, inhuman or degrading treatment or punishment throughout the world. The term “strengthen” clearly indicates that torture is already outlawed and fought against in international law but not sufficiently176 . CAT consists of three parts and 33 articles, of which articles 1 – 16 contain a definition of torture and obligations for States parties. The second part (articles 17 – 24) concerns rules regarding implementation of the Convention and its supervisory mechanism while the final part (articles 25 – 33) consists of final treaty clauses. Like the Refugee Convention and ECHR, CAT is a human rights treaty that formulates obligations for States parties to it, and those obligations can be seen as the rights of an individual177 . CAT is a universal treaty that is not regionally limited.

#### It's bolstering what already exists.

Rimmer 18 – Ed.D. Candidate, University of Reading. Is presently a Lecturer, English for Academic Purposes, University of Manchester.

Wayne Rimmer, “Exploring the contribution of teaching associations to the professionalism of teachers of English as a foreign language: a UK case study,” Institute of Education, University of Reading, October 2018, https://centaur.reading.ac.uk/84076/1/13030646\_Rimmer\_thesis.pdf

The argument of this thesis is that the assumed link between TAs and perceptions of professionalism is putative and lacks empirical corroboration. The connection between TAs and professionalism is that the former has claims to foster the latter. Thus, in Szesztay’s (2006) list of aims for prospective TAs, first comes “to strengthen language teachers’ sense of identity as members of a respected profession” (p. 17). The verb “strengthen” is sanguine as it implies that some degree of professionalism already exists, but one that needs bolstering. Unfortunately, there is evidence from the public sphere to suggest that EFL is not “respected”, as illustrated in a non-fiction work describing an introduction to the world of teaching EFL:

#### It's distinct from granting new ones.

APWU 14 – American Postal Workers Union.

American Postal Workers Union, Salt Lake City, “No FEAR Act,” Service Talk for All Employees, 2014, https://apwuslc6.org/onewebmedia/No-Fear-2014.pdf

The No FEAR Act was designed to help ensure federal agencies and their employees comply with antidiscrimination laws and protect those who report discrimination. The No FEAR Act does not introduce new rights, but rather serves to strengthen existing rights under existing laws. Anti-discrimination laws, whistleblower protection, and equal employment opportunities are the main focus.

#### Semantically, it supposes pre-existence, rather than replacing or creating anew.

Mandelkern 16 – Associate Professor, Philosophy, NYU. Ph.D., Philosophy, MIT.

Matthew Mandelkern, “A note on the architecture of presupposition,” Department of Linguistics and Philosophy, MIT, 2016, https://pdfs.semanticscholar.org/5481/17c1933b75efcb735bf4f8b1b3c083c865bc.pdf

This is the view endorsed in Schlenker 2011, citing Singh 2006; Lassiter 2012 endorses a similar view, according to which strengthening takes place just in case Prc(r) ≥ Prc(r|p). ‘Strengthened’ or ‘strengthened/unconditional reading’ is a bit of sloppiness that I will go in for here: of course the proposal is not that the semantic presupposition is replaced by something stronger, but rather that something stronger (namely, the relevant unconditional) is assumed to be presupposed by the speaker.

#### This is literally common sense.

Hewitt 25 – Quora blogger. If Michigan can do it, we can too. #GoBlue (derogatory)

Iain Hewitt, “Does A Full Moon Make Telepathy Stronger?” Quora, 06-14-2025, https://www.quora.com/Does-a-full-moon-make-telepathy-stronger

What is 3,000 ∗ 0 ?

Oh, that's right - a big fat ZERO.

Telepathy isn't real.

It's imaginary.

A delusion.

A con.

A lie.

You cannot make stronger that which does not exist.

You cannot make telepathy stronger any more than you can make an invisible 6 inch giant purple unicorn dragon hybrid bigger.

Grow up.

#### It’s central to what it means to be a right.

Copley 23 – Lecturer in Law, University of Southern Queensland School of Law and Justice; Centre for Heritage and Culture

Julie Copley, “A right to adequate housing: Translating ‘political’ rhetoric into legislation,” Australian Property Law Journal, Vol. 31, No. 2, pp. 71–98, 2023,

Nexis

In constitutional and human rights theory and practice, rights have two components.139 One is the scope of a right: the specific protections falling within the reach of the right.140 The other is the strength of a right: the right’s ‘power to withstand opposing considerations’, described also as the ‘core’ of the right.141 Örücü argues that positivisation of human rights is assisted greatly by identifying a right’s ‘inviolable and indefeasible content’.142 For a legislative process, Örücü says an identified core serves to check the tendencies of legislatures to confine rights, and to create extra awareness of the role and significance of a right among citizens, courts, scholars and those exercising public power.143

#### We even deliberately rejected resolutions that included a plank to “grant” CBR to new categories. That’s because “grant” is distinguished from “strengthen.”

Lakewood v. Pierce County 01, 106 Wn. App. 63, 23 P.3d 1, 2001 Wash. App. LEXIS 941 (Court of Appeals of Washington, Division TwoMay 4, 2001, Filed ). Accessed via Nexis Uni.

RCW 35A.47.040 provides that Lakewood has the authority to "grant nonexclusive franchises for the use of public streets" (emphasis added). HN14 To "grant" means to "allow," "to permit as a right [or] privilege," or to "give, bestow, confer," as in to "grant a loan to an applicant." WEBSTER'S NEW INTERNATIONAL DICTIONARY 989 (3d ed. 1969). In contrast, to "require" means to "claim by right and authority: insist upon," to "demand," or "to impose a compulsion or command upon [someone] to do something." WEBSTER'S NEW INTERNATIONAL DICTIONARY 1929 (3d ed. 1969).

#### Plus, contextual intent to distinguish.

NELP 23 – National Employment Law Project

National Employment Law Project, Economic Policy Institute, “2023-2024 State & Local Policy Agenda,” 2023-2024, https://www.nelp.org/app/uploads/2023/11/FINAL-2023-2024-State-and-Local-Policy-Agenda.pdf

In states that ban public-sector bargaining or lack comprehensive collective bargaining laws, policymakers should move swiftly to enact them. Governors and legislatures should also use their powers to restore workers’ rights in states where a decade of extreme anti-union legislation has weakened formerly strong public-sector bargaining laws, resulting in suppressed wages and eroded job quality. Colorado, Maryland, New Mexico, Nevada, and Virginia have taken recent steps to establish, expand, or strengthen collective bargaining rights for some public-sector workers. These trends signal positive momentum in the right direction, though there is still much left to do across the country.

### AT: Aff Ground---2NC

#### Even this portion of our topic alone would be sustainable.

NWU n.d. – Prominent trade union representing workers' rights and advocating for fair treatment in Jamaica.

National Workers Union, “Glossary,” National Workers Union, https://www.nationalworkersunion.org/glossary

Types of collective bargaining may include:

Local bargaining - where one union bargains with one employer.

Industry-wide bargaining - where one union or federation bargains with many or most of the firms in a particular sector/industry.

National bargaining - where the union or federation bargains with the dominant employer in the society, usually the state.

#### It’s diverse at the mechanism level.

Osgoode Hall Law School 8

TheCourt.ca, operated by Osgoode Hall Law School at York, founded by Simon Fodden, Professor Emeritus at Osgoode Hall Law School, Collective Bargaining Under the Charter: Ontario's Agricultural Workers, Nov. 2008, https://www.yorku.ca/osgoode/thecourt/2008/11/20/collective-bargaining-under-the-charter-ontarios-agricultural-workers/

The Fraser decision goes a long way to help answer some of those questions. The unanimous 3-judge panel headed up by Chief Justice Warren Winkler together with Eleanor Cronk and David Watt ruled that s. 2(d) places a positive obligation on the government of Ontario to enact legislative protections for the collective bargaining rights of agricultural workers. It struck down the ALRA as unconstitutional and gave the Ontario government 12 months to devise legislation that protects this new right. But the court went further. It also ruled that the s. 2(d) right to collective bargaining requires a mechanism for resolving disputes about the interpretation and application of collective agreements, and it requires a recognition of a single representative bargaining body, similar to the exclusivity enjoyed by unions in other industries. The court stopped short of recognizing a right to strike, however, but noted twice that the appellants had not made this request. Instead, the Court of Appeal found that s. 2(d) includes a right to a “mechanism for rezolving impasses in bargaining.” Noting that “the bargaining process is jeopardized if the parties have nothing to which they can resort in the face of fruitless bargaining,” Justice Winkler seems to indicate that under s. 2(d) unions have a right to some form of recourse should the bargaining process collapse, but leaves the enumeration of what that might be to the creativity of the legislature. Instead, his judgment states mysteriously that “there exists a broad range of collective bargaining dispute resolution mechanisms” and explains that it is up to the legislature to craft the specifics of an appropriate law.

### AT: Functional Limits---2NC

#### And, preemption.

USCCEPD 21 – Regularly interacts with Congressional staff, numerous Federal agencies and many national coalitions to shape national labor policy.

United States Chamber of Commerce Employment Policy Division, “Bait and Switch: The False Promise of New “Representation” Models,” US Chamber Documents, March 2021, https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=5136825

Machinists preemption applies where the NLRA neither protects nor prohibits the activity in question, but national labor policy requires that the activity should be wholly unregulated and left to the free play of economic forces.120 By excluding independent contractors in NLRA, Congress made a deliberate choice to exclude them from the field of collective bargaining and treat independent contractors as businesses governed by market forces, rather than as employees able to collectively bargain. Any bargaining statute that provides a right for independent contractors to organize, thus, is likely Machinists preempted

#### And, antitrust.

USCCEPD 21 – Regularly interacts with Congressional staff, numerous Federal agencies and many national coalitions to shape national labor policy.

United States Chamber of Commerce Employment Policy Division, “Bait and Switch: The False Promise of New “Representation” Models,” US Chamber Documents, March 2021, https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=5136825

In May 2018, the United States Court of Appeals for the Ninth Circuit in United States Chamber of Commerce v. City of Seattle held that Seattle’s ordinance that permitted independent contractors to unionize and bargain through their union over the fees and other terms of engagement with ride-sharing companies violated federal antitrust law.116 The Ninth Circuit accepted that the ordinance violated the Sherman Act as a per se antitrust violation and was not saved from federal antitrust preemption by the state- action immunity doctrine. The Court held that the State of Washington’s statutes relied upon by Seattle to enact the challenged ordinance did not clearly articulate and affirmatively express “allowing for-hire drivers to price-fix their compensation.”

### AT: Reasonability---2NC

## Unions PIC

### AT: DB

### Conditionality---2NC

### ---AT: Skew---2NC

### ---AT: CI---Dispo---2NC

### Link---2NC

#### It’s an existential threat.

Withe 25 – Chief Executive Officer of the Freedom Foundation, BA from Corban University.

Aaron Withe, “Trump’s stance on unions is what Roosevelt wanted all along,” The Hill, 04-09-2025, https://thehill.com/opinion/congress-blog/labor/5237960-trump-executive-order-union-obstruction/

President Trump’s executive order ending collective bargaining across national security agencies represents a return to Roosevelt’s sensible approach. The order leverages authority granted by Congress through the Civil Service Reform Act of 1978 to ensure critical government functions aren’t hamstrung by union obstruction.

The urgency of this action becomes clear when examining recent history. According to the White House, since January, the Department of Veterans Affairs alone has faced 70 national and local grievances from unions, more than one per day. What’s more, when the Veterans Administration attempted to implement congressionally mandated accountability reforms, unions tried to force the reinstatement of 4,000 employees, many of whom were removed for poor performance or misconduct.

In what alternate universe can private organizations invalidate legislation passed by elected representatives?

Similar stories play out across the federal landscape. According to the Federal Labor Relations Authority, Immigration and Customs Enforcement officials cannot modify cybersecurity policies without first completing time-consuming midterm bargaining with unions.

When vital agencies can’t adapt to emerging threats without union permission, national security is at risk.

Critics will argue the executive order’s definition of national security is too expansive. Unfortunately, modern threats don’t fit neatly into Cold War categories.

Energy security, cybersecurity, pandemic preparedness and economic defense all represent critical vulnerabilities adversaries can exploit. The integrated nature of these threats requires a holistic understanding of national security extending well beyond traditional military concerns.

**It’s “intolerable.”**

**Hall 25**, Counsel to the Assistant Attorney General, Civil Division, at the United States Department of Justice, JD from Yale Law School, former Law Clerk to Associate Justice Brett Kavanaugh of the United States Supreme Court (Emily Hall, March 27, 2025, “Complaint for Declaratory Relief,” Document 1 in ECF for Department of Defense, et al., v. American Federation of Government Employees, et al., No. 6:25-cv-119, United States District Court for the Western District of Texas, Waco Division, https://storage.courtlistener.com/recap/gov.uscourts.txwd.1172831290/gov.uscourts.txwd.1172831290.1.0.pdf)

1. Since taking office, two of President Trump’s top priorities for his Administration have been to improve the efficiency and efficacy of the federal workforce, and to promote the national security of the United States. Unfortunately, many Executive Branch departments and agencies have been hamstrung in advancing both of those important efforts by restrictive terms of collective bargaining agreements (CBAs), including those negotiated or amended in the waning days of the prior Administration to tie the new President’s hands.

2. These CBAs significantly constrain the Executive Branch. Indeed, their content and timing indicate they were intended to do just that, extending for as long as five years and past the end of the President’s term, signed just following an election loss to keep a new Administration from taking charge of union relations and agency supervision on its own terms.

3. Some of these “midnight” CBAs restrict return-to-work policies. Others effectively delegate important decision-making to unaccountable private arbitrators in the form of grievance adjudication. Virtually all limit the power of the President and his Executive Branch officials to promptly identify and address underperformance, thus impeding the President’s Take Care Clause responsibility under Article II of the Constitution. And for agencies and employees that work on national security matters, these CBAs also impinge on the President’s efforts to protect the United States from foreign and domestic threats.

4. Public servants, appointees, and officials come to work every day advancing the public interest, serving the American people, and furthering the President’s agenda with energy. Like every large workforce, they deserve strong leadership and accountability that recognizes great performance and winnows out inefficiency. When inflexible CBAs obstruct presidential and agency head capacity to ensure accountability and improve performance, all citizens pay the price.

5. And the price is particularly **intolerable** when national security is **on the line**. One of the President’s most important responsibilities is to oversee national security, investigative, and intelligence efforts on behalf of the United States and the American public. See U.S. Const. art. II, §§ 1, 2, 3. The President commands our nation’s defense and military capabilities. He necessarily does so through executive agencies and subdivisions that hold a primary function in supporting that important work, including by ensuring that our nation’s economic, food supply, labor, transportation, trade, information and technology, and financial systems are not undermined by threats. In exercising those critical functions, the President and his senior Executive Branch officials cannot afford to be obstructed by CBAs that micromanage oversight of the federal workforce and impede performance accountability.

#### Federal unions bake in inefficiencies to create more jobs.

Howard 23 – Lawyer and Writer. Author of “The Death of Common Sense.” Leading authority on government simplification, streamlining regulations, and legal reform. J.D., UVA Law School.

Philip K. Howard, “Why Government Unions—Unlike Trade Unions—Corrupt Democracy,” Time Magazine, 04-04-2023, https://time.com/6267979/government-unions-corrupt-democracy/

Government bargaining, however, is radically different from trade union bargaining:

A trade union must honor efficiency, or else the jobs are lost when the business moves out of town or fails. Government can’t go out of business or move, so public employee bargaining is aimed at creating deliberate inefficiencies to foster more jobs. Multi-hundred-page contracts that are designed for featherbedding and overtime excesses. Taxpayers must foot the bill.

Trade union bargaining is limited to dividing the pie of profit between capital and labor. There is no profit in government, so the scope of government bargaining has no defined limits. Again, the taxpayers must pay.

In trade union bargaining, it would be unlawful for management to collude with a complicit workers group. In government bargaining, overt collusion is how the game is played. In exchange for huge union campaign support, politicians agree to give unions control over public operations and pensions. As unions like to say, “we elect our own bosses.” At a rally with public unions, New Jersey’s then-Governor Jon Corzine called out that “We will fight for a fair contract!” Who was he going to fight? Collective bargaining with government unions is not a real negotiation. It’s a pay-off.

For fifty years, government union controls have gotten ever-tighter. Unlike all other interest groups, government unions have a binding contractual veto over how government operates, and are first in line for public resources. They keep it that way with preemptive political force. Stanford political scientist Terry Moe found that in 36 states teachers unions contributed more than all business groups combined.

The Disempowerment of Elected Executives

Newly-elected governors and mayors in most states quickly discover that they have no managerial control over schools, police, and other government operations. If an elected executive has the backbone to try to buck the union, and restore managerial powers when an agreement comes up for renegotiation, the executive in many states will find that unelected arbitrators have the final say.

Near-zero accountability makes its practically impossible to transform a lousy school, or an abusive police culture, because the supervisor can’t enforce good values and standards. No accountability also removes the mutual trust needed for any healthy organization. Why try hard, or go the extra mile, when others just go through the motions? The absence of accountability is like releasing a nerve gas into the agency or school.

Rigid work rules guarantee massive inefficiency. Basic services such as trash collection, and road and transit maintenance, cost two to three times what it would cost in the private sector. Need someone to help out or fill in? Sorry, not permitted. Need teachers to do remote teaching during the pandemic? There’s nothing about that in the agreement, so it must be negotiated.

#### Costs are staggering.

Vernuccio 25 – President of the Institute for the American Worker

Vincent, “Trump gives taxpayers union collective bargaining transparency,” Washington Examiner, March 24, 2025, https://www.washingtontimes.com/news/2025/mar/24/trump-gives-taxpayers-union-collective-bargaining-transparency/

Case in point: Taxpayers are spending money negotiating with unions over a supposed right to wear spandex in federal offices. Unions are also negotiating with the federal government over the height of cubicle desk panels—how far they reach the floor. And negotiations even focus on things like carving out smoking zones on federal properties that are supposed to be smoke-free. While government unions can’t legally bargain over wages and benefits set by federal law, they’re left negotiating over these types of picayune demands, making the bargaining process incredibly costly.

Taxpayers are getting hit over and over. The public pays for the salaries of the federal negotiators and, in many cases, even for the union officials on the other side of the bargaining table. Taxpayers also pay for travel and other expenses. Negotiating often requires hiring costly outside experts, factfinders, mediators, and arbitrators. Even the pens and paper negotiators use are on the taxpayer’s dime. The bargaining process can take months, if not years, and taxpayers spend more money daily.

But the initial negotiations are just the tip of the iceberg. When unions renegotiate their contracts, taxpayers are on the hook all over again. When unions file grievance claims, taxpayers cover the cost of finding a resolution, even when union members get in trouble on the job. And taxpayers pay for “official time,” in which federal employees do union work—instead of their jobs—during business hours. Official time does not concern public service, but taxpayers cover it anyway. While the Trump administration has already taken action to peel back the curtain on official time, this latest step ensures even greater transparency.

The cost to Americans is bigger than anyone realizes. The Trump administration notes that negotiations with just two bargaining units cost $1.8 million at the Social Security Administration alone. That doesn’t include the cost of other negotiations and union handouts like official time. Nor does it account for the other 400-plus federal agencies, many of which are unionized. According to an estimate from the first Trump administration, official time cost $135 million in 2019 alone. The full cost of federal collective bargaining undoubtedly pushes that total much higher.

#### It’s “Mickey Mouse stuff.”

Sherk 24 – Director of the Center for American Freedom, America First Policy Institute

James, “Explainer Episode 64 – Union Release Time: Who Should Pay?,” Regulatory Transparency Project, March 4, 2024, https://rtp.fedsoc.org/podcast/explainer-episode-64-union-release-time-who-should-pay/

James Sherk: Okay. So litigation is great insofar as it goes. It seems like at least from what I’ve seen at the federal level if you had a federal version of the gift clause, the official time would surely qualify. Right? This is just a gift to the unions to subsidize their operations, and in many cases, they’re using it for things that are completely antithetical to the efficient operations of the agency.

One of the things the unions — you typically get to do on release time is lobbying, so they get to go to Congress and lobby for their preferred policies, which oftentimes are not in the interest of effective and efficient government. Another thing that they’ll do at the federal level is use of grievances. And so you might wonder if you ever spend much time taking a look at some of these federal grievances, you just see some ridiculous grievances getting filed over just Mickey Mouse stuff where the arbitrators or in some cases the Federal Labor Relations Authority just laugh it out of their courtroom.

There was one case I saw a few years back where you had an employee who’s the union president in a minimum security federal prison in West Virginia, and you had a dress code of minimal attire that you had to wear in the prison, which makes sense. It’s a law enforcement environment. And you had the union president just come in and blatantly violating the dress code and just not even wearing clothing that was up to code.

And so the warden said no, could you go home and change and then come back? And the union president was [inaudible 00:22:15] with this and brought a grievance, and the grievance went nowhere. And ultimately the arbitrator said what are you smoking? You violated the policies. Goodbye.

But that process, like the initial stage is everything up until you bring it to an arbitrator. The arbitrator, the unions and the agencies typically split the cost 50/50. But everything up to that point where you’ve got these exhaustive agency proceedings trying to resolve the grievance is all paid for, both sides of it — the taxpayers are paying for the agency side obviously, but they’re also paying for the union side. It costs them nothing. And so if you’ve got a union president who is torqued off at someone at an agency and just wants to tweak them or basically show that he can make their life miserable, he can file these complete Mickey Mouse grievances, and we are paying them to do it. It’s absolutely insane.

So that being the case litigation is great, especially if you win, but it’s also a fairly expensive process to find plaintiffs and bring charges. And litigation’s not cheap, and it’s also in some ways a bit less democratic than just having the legislative bodies say this is a bad policy. We the people decide not to waste money on ridiculous things.

### Net Benefit---2NC

#### 60 years doesn’t thump It’s *the reason* government remains broken.

Howard 23 – Lawyer and Writer. Author of “The Death of Common Sense.” Leading authority on government simplification, streamlining regulations, and legal reform. J.D., UVA Law School.

Philip K. Howard, “Why Government Unions—Unlike Trade Unions—Corrupt Democracy,” Time Magazine, 04-04-2023, https://time.com/6267979/government-unions-corrupt-democracy/

No public purpose is served by union controls. Nor do union controls make government an attractive employer. Good candidates are repelled by toxic public cultures without energy or pride. Union controls serve only to transfer governing authority to union officials, who exercise that authority mainly to pad public employment and insulate government workers from supervisory judgments.

Public unions have turned public operations into a permanent spoils system: Unions have control over public operations and have insulated public employees from accountability, no matter how poorly they perform. That’s why democratically-elected leaders almost never fix what’s broken.

#### 1. OFAC solves prolif. Nuclear war.

Wolfsthal 25 – Director of Global Risk at the Federation of American Scientists

Jon, “Don’t Let American Allies Go Nuclear,” FAS, 02.12.25, https://fas.org/publication/dont-let-american-allies-go-nuclear/

And states with nuclear weapons create a nuclear risk if nuclear technology, materials and knowhow are stolen or diverted. Five of today’s nuclear weapon states – America, Russia, China, France, and Pakistan – have either knowingly or unwittingly helped other states go nuclear. Even if theft or transfer were not an issue, when new states have gone nuclear in the past, others have followed. America’s nuclear success led the Soviet Union to build them as well. This in turn led the UK and France to follow suit. These four nuclear weapon programs fueled China’s desire to join the club. Beijing having the bomb drove India to do the same, which then led Pakistan to follow suit.

And any nuclear state might decide one day to use those weapons. Every nuclear leader must get every nuclear decision right, every time or boom. The history of U.S. and Soviet nuclear deterrence is marked as much by nuclear misunderstandings and potential accidents as by stable deterrence. India and Pakistan have the same problem. It is reasonable to assume new nuclear states with nuclear weapons would encounter many of the same risks.

#### 2. HHS prevents pandemics and bioterror. Extinction.

Johnson 24 – Senior Researcher in infectious disease ethics, based at the Ethox Centre, University of Oxford

Tess, “For the Good of the Globe: Moral Reasons for States to Mitigate Global Catastrophic Biological Risks,” Bioethical Inquiry 21, 559–570 (2024). https://doi.org/10.1007/s11673-024-10337-z

Harms during the COVID-19 pandemic resulted not only from the disease itself, but from poorly internationally coordinated responses. Mortality, economic losses, and ongoing mental and physical health burdens continue around the world. The pandemic highlighted human vulnerability to biological threats, and policymakers’ often-ineffectual attempts to take collective action against them. In 2020–2021, worldwide excess mortality associated with COVID-19 was around fifteen million lives (World Health Organization 2022). Yet, even COVID-19 has not had a very significant impact on the world, when compared to the biological catastrophes that might be still to come. “Global catastrophic biological risks” (GCBRs) can be defined as events leading to “sudden, extraordinary, widespread disaster beyond the collective capability of national and international governments and the private sector to control” (Schoch-Spana, et al. 2017, 323). Examples may include naturally occurring pandemics, pandemics resulting from artificial/engineered pathogens, use of bioweapons programmes, the development of extreme drug resistance across multiple pathogens, or bio-hacking and harmful outcomes of human genome editing (Nouri and Chyba 2011). Their possible effects (whether the actions were deliberate or accidental) range from societal collapse to the institution of totalitarian regimes, to extreme morbidity and mortality across the human population. Indeed, they might occur on a scale that could cause human extinction and would then be re-termed existential risks. Whilst the risk of extinction from natural causes remains relatively constant (and we are not extinct yet, despite having spent a while now on this planet), anthropogenic existential and catastrophic risks are increasing. Despite this, bioethical work to date mostly focuses on natural pandemics and biological risks (Dawson 2007; Emanuel, et al. 2020; Giubilini 2019), with some exceptions (Adalja, et al. 2019; Chyba and Greninger 2004). Building on emerging public goods accounts in bioethics, I propose applying this framing to GCBRs to illuminate the issue of GCBR mitigation in a way that may help the future development and international coordination of interventions.

Experts on GCBRs have estimated a chance of up to 1 in 1000 that humanity will become extinct from an artificial pandemic within the next century (Lewis 2020; Millett and Snyder-Beattie 2017). This is an example of only one potential GCBR, and we might therefore expect the risk of extinction from GCBRs as a whole to be greater. The data is based on extrapolations from historical data on experiments with creating or modifying pathogens. The situation for this GCBR and others that involve the use of biotechnologies, including biohacking and misuses of human genome editing may deteriorate in the future, as two changes occur (Lewis 2020). The first change is increasing technological availability: the tools needed to edit genomes, whether pathogen or human, are becoming more available and affordable, with benchtop DNA synthesizers available to buy online, and mail-order DNA sequences available for USD 100-300 for a small gene, even back in 2017. The second change is knowledge availability: knowledge concerning how to simultaneously increase the lethality, transmissibility, incubation time and drug-resistance of pathogens whilst reducing their detectability is set to improve as synthetic biology research and, in particular, gain-of-function research continues and is performed and published in freely or pay-for-access academic journals. (For instance, in 2012, the U.S. National Science Advisory Board for Biosecurity allowed the publication of studies that described the modification of H5N1 viruses to allow airborne transmission between ferrets (Burki 2018).) The same goes for knowledge surrounding the influence of particular human genes on our traits and how these might be used for personal gain (Ma, et al. 2017).

#### 3. FDA secures the food supply. That’s a catastrophic safety net.

Meyer 16 – Founding Executive Editor of Heatmap News, author, and former writer at the Atlantic

Robinson, “Human Extinction Isn't That Unlikely,” The Atlantic, April 26, 2016, https://www.theatlantic.com/technology/archive/2016/04/a-human-extinction-isnt-that-unlikely/480444/

So what’s the societal version of an airbag and seatbelt? Farquhar conceded that many existential risks were best handled by policies catered to the specific issue, like reducing stockpiles of warheads or cutting greenhouse-gas emissions. But civilization could generally increase its resilience if it developed technology to rapidly accelerate food production. If technical society had the power to ramp-up less sunlight-dependent food sources, especially, there would be a “lower chance that a particulate winter [from a volcano or nuclear war] would have catastrophic consequences.”

#### 4. DOE provides cybersecurity. That prevents existential grid collapse.

Monarch 20 – Deputy district attorney for the State of Colorado

Benjamin, “Black start: the risk of grid failure from a cyber attack and the policies needed to prepare for it,” Journal of Energy & Natural Resources Law, 2020, Vol 38, No 2, 131-160, https://doi.org/10.1080/02646811.2020.1744368

'Black start', not to be confused with the term 'blackout', is the name given to the process of restoring an electric grid to operation without relying on the external electric power transmission network to recover from a total or partial shutdown. 3 At first glance, this description is unremarkable, but it implies a disturbing catch-22 - how might one restore power if the entire external transmission network is compromised?

If an electric disruption occurs at a household level, some homes may be equipped with a modest gasoline generator to temporarily restore power. If a hospital loses power, it will almost invariably be resupplied by automatic, industrial-scale generators. These micro considerations hardly give anyone pause; they are hiccups on a stormy night or a snowy day. In other words, their 'black start' is a quick and effective process for restoring power. But what happens, at a macro level, when an electric grid supplying power to large portions of the United States goes black, or worse, what happens if all of the United States' electric grids go down simultaneously? 4 In that scenario, how might enough non-grid power be harnessed and transmitted to turn the United States' lights back on? Moreover, how might such a catastrophe occur in the first place? Perhaps the more ominous question is not how, but whether or not we can survive such circumstances if they persist in the long term.

The United States electric grid ('the grid') is the 'largest interconnected machine' in the world.5 It consists of more than 7000 power plants, 55,000 substations, 160,000 miles of high-voltage transmission lines and millions of low-voltage distribution lines.6 The scale and complexity of the grid in the context of the modern digital world are beyond comprehension because within it are innumerable industrial control systems; incalculable connections to digital networks; millions, if not billions, of analogue or digital sensors; many thousands of human actors; and trillions of lines of programming code.7 Further complexifying the grid is that it is comprised of generations of technologies, stitched together in ways that are not inherently secure in a world of cyber threats." The vastness of the grid makes security of it challenging. Likewise, the vastness of the grid makes the opportunities for intrusion seemingly infinite.

By any measure, grid failure will unleash a parade of horrors. Stores would close, food scarcity would follow, communication would cease, garbage would pile up, planes would be grounded, clean water would become a luxury, service stations would yield no fuel, hospitals would eventually go dark, financial transactions would stop, and this is only the tip of the iceberg - in a prolonged grid failure social chaos would reign, once-eradicated diseases would re-emerge and, increasingly, hope of returning to a normal life would fade. 9 The notion of complete grid failure, once relegated to science fiction comics or James Bond movies, is now not only possible but also one of the most pressing national security threats today.10

#### 5. Treasury solves terrorism and internal unrest. Solves catastrophic destabilization.

Yelnats 22 – Co-founder of Concentric Policies

T.J. “The top X-factor EA neglects: destabilization of the United States,” Effective Altruism Forum, Aug 31 2022, https://forum.effectivealtruism.org/posts/5Yk6MczhaeWiDCcv6/the-top-x-factor-ea-neglects-destabilization-of-the-united#Highlights

Importance

Authoritarianism[22] and civil conflict have reliable negative consequences, such as economic decline[23] and increased violence. However, the consequences of destabilization of the United States would constitute an X-factor and a historic setback to alleviating suffering and stewarding the long-term future.

Global ramifications and great power conflict

Destabilization of history’s most powerful superpower would hijack global attention from other issues (e.g. eradicating abject poverty, developing better PPE). It could also disrupt the current liberal-led world order. Multiple international democracy experts think failure of American democracy would result in a global decline in democracy.[24]

The decline of the world’s superpower and/or the disruption of the Western hegemony would reduce the power disparity between China and other members of the Western alliance and incentivize competition in artificial intelligence and bio-capabilities for military purposes.

Superpower decline, disruption of the dominant alliance, a superpower led by an authoritarian with little checks on power, and a civil conflict of the 2nd largest nuclear arsenal (think rogue nukes) all increase the likelihood of a great power conflict. The risk of nuclear war, engineered pandemics, weaponized AI, and development of new WMDs all go up.[25] Cooperation on climate disruption, AI safety, and biosecurity all evaporate.

### AT: Unitary Exemptions---2NC

### AT: sovles terminal

## Civil Service Adv

### No Solve---2NC

#### SCOTUS has greenlit more.

Merrill 25 – Journalist, Washington Post.   
Jeremy B. Merrill, Kati Perry and Jacob Bogage, “The White House’s plan to downsize the federal government, in charts”, 7/16/25, The Washington Post, https://www.washingtonpost.com/politics/interactive/2025/white-house-budget-federal-government

President Donald Trump and his advisers have called for dramatically shrinking the size and scope of the federal government, dispatching officials to agency after agency to block funding and slash staffing.

The Supreme Court has revived the administration’s efforts to lay off workers, allowing planned reductions in force to resume in a ruling last week. The State Department announced staff cuts a few days later.

The administration aims to go beyond that. As part of Trump’s 2026 budget request, the White House laid out in detail how many employees the executive branch hopes to cut. It envisions a government with 5 percent fewer employees compared to the final year of the Biden administration.

That would cut more than 114,000 jobs, while adding several thousand for immigration enforcement and border security. The government would go from having about 2,142,000 employees in 2024 to about 2,028,000 in 2026. That figure reflects full-time employment, even if one job is done by two part-timers.

Five agencies — responsible for helping homeless Americans, administering foreign aid, investigating chemical safety incidents, protecting consumers from unsafe products and more — would have no staff under Trump’s plan, and 14 more agencies would lose at least a third of their employees.

The Agriculture Department, where the White House is calling for the most cuts, would shed more than 31,000 employees — about 35 percent of its 91,000 employees as of last year. About 12,000 such employees work on wildland fire management; more than 10,500 of those positions aren’t being eliminated, but instead moved to the Interior Department.

NASA, too, would shrink from 18,000 employees last year to about 12,300 in 2026, a cut of more than 30 percent. Billionaire tech entrepreneur Elon Musk, until recently a trusted adviser to Trump, advocated preserving much of NASA’s resources — now it’s unclear if his acrimonious departure from the White House will change the president’s plan for the agency.

The departments of Education, Labor, Housing and Urban Development, and the Equal Employment Opportunity Commission, all longtime targets of some conservative policymakers, would also see thousands fewer employees.

#### Legality is irrelevant.

Berger 25 – Senior Fellow, JD from Yale Law School.   
Sam Berger and Jacon Leibenluft, “Trump Administration’s Mass Layoffs of Federal Workers Are Illegal”, Center on Budget and Policy Priorities, 5/2/25, https://www.cbpp.org/research/federal-budget/trump-administrations-mass-layoffs-of-federal-workers-are-illegal

In some cases, these RIFs are part of the Administration’s open attempt to dismantle statutorily required agencies like the Department of Education and the Consumer Financial Protection Bureau; in other cases, the Administration appears to be seeking to eliminate key government functions without publicly acknowledging it. In fact, internal government documents show that agencies have been explicitly instructed to engage in RIFs to match drastic budget proposals the Administration has not yet even submitted to Congress as part of next year’s budget process, effectively forcing those changes to occur even though they are contrary to current law.[11]

#### CBR does not solve it.

Bednar 24 – Associate Professor, University of Minnesota Law School. J.D., University of Minnesota.

Nick Bednar, “A Primer on the Civil Service and the Trump Administration,” Lawfare, 12-03-2024, https://www.lawfaremedia.org/article/a-primer-on-the-civil-service-and-the-trump-administration

Schedule F and Reclassification

One of the most powerful mechanisms that presidents have to shape personnel policy is to reclassify positions under § 3302. Trump’s 2021 executive order creating Schedule F is perhaps the most salient and significant personnel action in over two decades. Schedule F promised to make the hiring and firing of federal employees easier by exempting “positions of a confidential, policy-determining, policy-making, or policy-advocating character” from the competitive service, echoing the language of § 7511’s exemption.

Trump justified Schedule F as necessary for good administration because it would give agencies “additional flexibility to assess prospective appointees without the limitations imposed by competitive service selection procedures.” This flexibility would allow agencies to evaluate whether individuals “display appropriate temperament, acumen, impartiality, and sound judgment” for these positions.

In theory, the reclassification of positions as “confidential, policy-determining, policy-making, or policy advocating” would make it easier for agencies to remove individuals in these positions. The language of Schedule F mirrors § 7511’s exemption, suggesting that agencies would be able to remove Schedule F employees without the standard procedures. Indeed, President Trump’s executive order justified reclassification as providing agencies with “the flexibility to expeditiously remove poorly performing employees from these positions without facing extensive delays or litigation.”

Although Trump couched the order in language about government performance, few doubted that the pretextual reason for creating Schedule F was to make it easier for the president to hire loyal employees and fire disloyal ones. Shortly after Trump issued the order, Ron Sanders—Trump’s appointee to chair the Federal Salary Council—resigned in protest. In his resignation letter, Sanders explained, “[I]t is clear that its stated purpose notwithstanding, the Executive Order is nothing more than a smokescreen for what is clearly an attempt to require the political loyalty of those who advise the President, or failing that, to enable their removal with little if any due process.” Other commentators reached similar conclusions about Trump’s motives. In a 2022 report, the Government Accountability Office warned that a future administration could use Schedule F to “expedite hiring of federal employees committed to advancing the President’s policy agenda, and removing those who were not.”

Trump created Schedule F in October 2020—only three months before he left office. President Biden repealed the order immediately after taking office. Agencies had little time to implement Schedule F before its repeal, and its scope is somewhat uncertain. There is little doubt that Trump will attempt to recreate Schedule F during his second term. As one former Trump administration official stated, “It literally takes five minutes to reissue it.” Despite the president’s broad authority under the civil service laws, the legality of Schedule F is contested.

One of its most controversial aspects relates to its interpretation of “positions of a confidential, policy-determining, policy-making, or policy-advocating character.” The executive order describes these positions using sweeping and amorphous terms to include merely “viewing, circulating, or otherwise working with proposed regulations, guidance, executive orders, or other non-public policy proposals.” Although it is impossible to estimate precisely the number of positions affected by Schedule F, early estimates placed the total number of employees at around 50,000. Don Moynihan describes this number as “probably a floor rather than a ceiling.” Documents obtained from OPM show that reclassification extended to human resource specialists, administrative assistants, and information technology specialists. Such an expansive interpretation of Schedule F would sweep a large swath of federal employees into the excepted service.

The breadth of this interpretation calls into question whether Schedule F exceeds the intended meaning of § 7511. Nothing in the plain text of § 7511 prohibits its application to career employees. Nevertheless, there is evidence that “positions of a confidential, policy-determining, policy-making, or policy-advocating character” refers exclusively to political appointees. For example, the statute establishing the Department of Homeland Security’s Office of Strategy, Policy, and Plans defines the phrase “political appointee” as “any employee who occupies a position which has been excepted from the competitive service by reason of its confidential, policy-determining, policy-making, or policy-advocating character.” Other enabling statutes use similar language. In adopting the Civil Service Reform Act of 1978, the Report for the House Committee on the Postal Service and Civil Service described these positions as “generally political appointees.” After the Supreme Court’s decision in Loper Bright v. Raimondo—in which the majority held that courts should determine the best meaning of the statute and not defer to the agency’s interpretation—the Trump administration’s ability to depart from this long-standing interpretation is called into question.

Moreover, it is unclear whether involuntarily recategorizing employees would strip them of the protections afforded by the competitive service. While it is true that § 7511 exempts these employees from prohibited personnel practices, civil servants have a due process right to a hearing before they are stripped of tenure protections. OPM’s regulations specify that “an employee who was in the competitive service ... at the time ... the employee was moved involuntarily to a position in the excepted service; remains in the competitive service for purposes of status and any accrued adverse action protections, while the employee occupies that position.” These regulations are consistent with the U.S. Court of Appeals for the D.C. Circuit precedent holding that civil servants do not lose the protections afforded by the competitive service when they are moved to the excepted service. Given these regulations and case law, Schedule F may not enable the firing of existing employees.

A new final rule adopted during the Biden administration will also delay the adoption of Schedule F. In its final rule, OPM advanced many of the above arguments in defining “employees in confidential, policy-determining, policy-making or policy-advocating positions” to mean noncareer, political appointments. This provision prevents future administrations from reclassifying career staff as policymaking employees. While the Biden administration’s rule stalls the implementation of Schedule F, the Trump administration can repeal the rule through notice-and-comment rulemaking. This could happen relatively quickly. The Biden administration managed to propose and finalize its rule in less than a year. The Trump administration could act just as fast in repealing the rule.

These critiques provide several possible challenges to Schedule F. First, plaintiffs may seek to challenge the Trump administration’s interpretation of “confidential, policy-determining, policy-making, or policy-making” positions as inconsistent with the statute. Second, federal employees may raise constitutional objections under the Due Process Clause. Third and finally, plaintiffs may challenge the repeal of the Biden administration’s rule under State Farm—a key precedent that requires agencies to adequately explain the rationale behind repealing rules adopted by the previous administration.

While a legal challenge to Schedule F is likely, Congress could also introduce legislation to amend the civil service laws. Sen. Tim Kaine (D-Va.) sought to attach the Saving the Civil Service Act to the 2024 National Defense Authorization Act. This bill would severely limit the ability of agencies to move positions from the competitive service to the excepted service. During a Republican Congress, however, the bill is unlikely to pass, and there is no question that Trump would veto any such effort.

While Schedule F has received the greatest attention, it was not the only executive order to reclassify civil servants. Executive Order 13843 established a new Schedule E to exempt newly hired administrative law judges from the competitive service. This order responded, in part, to the Supreme Court’s decision in Lucia v. Securities and Exchange Commission, which deemed administrative law judges “officers of the United States” subject to the Appointments Clause. Separately, Executive Order 13842 placed criminal investigators of the U.S. Marshals Service in Schedule B—a portion of the excepted service that includes occupations for which it is “not practicable” to hold competitive examination. Less expansive reclassifications provide Trump a mechanism to shape the civil service while repeal of the Biden-era rule is pending.

Federal Labor Unions

Another source of authority comes from the ability of presidents and their appointees to negotiate with federal labor unions. Section 7102 provides federal employees “the right to form, join, or assist any labor organization.” As Nicholas Handler demonstrates in a recent article, these labor organizations play an important role in negotiating on behalf of federal employees and constraining the powers of the president.

#### Unions won’t resist Trump. They’ll kiss the ring.

Kagan 25 – Author of The Fall and Rise and Fall of NYC’s TWU Local 100, 1975–2009

Marc Kagan, “What Trump’s Decertification of Federal Employee Unions Means,” Jacobin, 08.14.2025, https://jacobin.com/2025/08/trump-decertification-federal-employee-unions

Talk, but No Walk, From Unions

Across the labor movement, some major unions were completely silent about Trump’s declaration; others issued statements claiming that they were upset but managed to avoid using the word “Trump,” presumably to give them the leeway to kiss the ring later. The most common response was to complain, even to use the word “fight,” but then suggest either no action whatsoever or the tamest ones imaginable — like the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) did in suggesting people call Congress.

#### They lack resources and skills to mobilize.

Kagan 25 – Author of The Fall and Rise and Fall of NYC’s TWU Local 100, 1975–2009

Marc Kagan, “What Trump’s Decertification of Federal Employee Unions Means,” Jacobin, 08.14.2025, https://jacobin.com/2025/08/trump-decertification-federal-employee-unions

Months later, do those conditions still apply? Holding to the strategy of the courts, the federal unions have squandered their most precious resources — the feeling of urgency and anger among their members, and time. And, of course, going forward, they will have far fewer resources to mobilize their dwindling number of members — even if they were inclined to change their spots.

### Bureaucracy Dead---2NC

#### Even workers who weren’t fired got bought out.

Sullivan 25 – Federal Workforce Journalist at The New York Times.

Eileen Sullivan, “More Than 150,000 Federal Workers Accepted Trump’s Resignation Incentives,” New York Times, 07-31-2025, https://www.nytimes.com/2025/07/31/us/politics/firings-federal-workers-trump-administration.html

The Trump administration is paying about 154,000 employees not to work as a result of novel resignation incentives offered to federal workers since Inauguration Day, the government’s human resources arm said on Thursday.

That estimate is the first comprehensive disclosure from the government about the scale of President Trump’s effort to downsize the federal work force.

Still, the figure represents just a portion of the total number of workers who have left the federal government since the beginning of the Trump administration — only those who accepted an offer to resign early in exchange for many months of pay. It does not include the thousands of people who were laid off or fired.

While the Trump administration has not made public a complete picture of the cuts, the work of Mr. Trump and his Department of Government Efficiency under Elon Musk amounts to the largest reduction to the federal work force in the modern era. The government employed roughly 2.3 million nonmilitary workers at the start of the year.

#### 4. The admin state was floundering even before Trump.

[Lewis](https://www.amacad.org/publication/daedalus/failed-pandemic-response-symptom-diseased-administrative-state) 21 – Rebecca Webb Wilson University Distinguished Professor in the Department of Political Science at Vanderbilt University, former Professor of Politics at Princeton University, PhD from Stanford University.

David E. Lewis, “Is the Failed Pandemic Response a Symptom of a Diseased Administrative State?” Daedalus, Summer 2021, https://www.amacad.org/publication/daedalus/failed-pandemic-response-symptom-diseased-administrative-state

While most federal executives reported satisfaction in their work and agencies, they also reported serious and worsening capacity problems related to the quality and size of the federal workforce. To begin, we asked respondents whether they agreed or disagreed with the statement “An inadequately skilled workforce is a significant obstacle to [my agency] fulfilling its core mission.”31 As Figure 1 reveals, 60 percent of 2020 respondents agreed or strongly agreed with this statement. Only one-third reported that their workforce was adequate to fulfill its core mission. It is important to note that the question does not ask executives about common tasks across agencies like information processing, contract management, human resources, or legal work. It asks about core tasks, those central to the agency’s mission. What are these core tasks? They range from providing national defense to delivering the mail to ensuring nondiscrimination in housing to approving patent applications. Across the government, federal executives report problems in the workforce that make fulfilling their core mission difficult.

This number is up from 39 percent in 2014, toward the end of the Obama administration. This is a striking change in responses between the two surveys. In 2014, we remarked that it was a serious concern when close to 40 percent of managers report a problem in their workforces. That number is now 60 percent.

Legal scholars tend to imagine the administrative state as a set of rules and guidance emanating from delegation of authority, but these formal actions have no force without persons to bring them to life, to translate law into policy through the hard work of interpretation and action. Agencies need people to animate law by conducting inspections, filing charges, managing contracts, negotiating agreements, and writing reports. Laws assigning core tasks mean little if there is no robust administrative infrastructure to execute the law.

The evident decline in workforce skills between 2014 and 2020 could be due to a number of factors. First, the quality of the people working in federal agencies could be declining. That is, the people working in the agency could be, on average, just of lower ability. For example, agencies could be losing excellent experienced professionals to retirement or work in the private sector. The people who replace them may not be of the same quality. Second, the agency may simply have too few people. It might be the case that agency personnel are very talented but there just aren’t enough of them. Third, there may be enough workers, but they might not have the right skills necessary to meet new challenges. For example, agencies may lack expertise to keep up with new developments in areas like information technology, artificial intelligence, data analytics, or contract management.

The survey includes questions that explore all three possibilities. In one set of questions, we asked respondents to evaluate the competence of the people they work with. Specifically, we asked, “Now thinking about people, apart from yourself, who work in [your agency], how competent are the following?” Respondents evaluated political appointees, senior civil servants, low- to mid-level civil servants, and contractors on a scale from one–not at all competent–to five–extremely competent. On scales of this type, we expect the evaluations to be anchored around the middle–three–because we expect that few people are “not at all competent” and “extremely competent” is a high bar.

The average 2020 response, during the Trump administration, is represented in Figure 2 as the black bar. I include responses to the same question in 2007, during George W. Bush’s second term, as a comparison (we did not ask this question in 2014). In the far-left column, we see how federal executives rate the Trump administration’s political appointees. On a one-to-five scale, the average rating is 3.19, significantly lower than the 3.57 that respondents rated Bush administration appointees in 2007.32 Respondents report that agency appointee leadership, on average, is middling. Some of the qualitative comments in the survey bolster this. One respondent wrote, “My concern in Department leadership is the lack of attention given to the qualifications of an individual selected for a political appointee position. They have no apparent requirement to understand, document and declare fidelity to agency mission.”

#### 5. The courts are useless to stop Trump. They’re too slow and he’ll ignore them.

Sen 25 – Professor of Public Policy at Harvard, PhD from the Department of Government

Maya Sen, “Why federal courts are unlikely to save democracy from Trump’s and Musk’s attacks,” Harvard Kennedy School Ash Center for Democratic Governance and Innovation, Feb 12, 2025, https://ash.harvard.edu/articles/why-federal-courts-are-unlikely-to-save-democracy-from-trumps-and-musks-attacks/

As a scholar of the federal courts, however, I expect the courts will be of limited help in navigating through this complicated new political landscape.

One problem is that the U.S. Supreme Court in recent years has moved sharply to the right and has approved of past efforts to expand the powers of the presidency. But the problem with relying on the courts for help goes beyond ideology and right-leaning justices going along with a right-leaning president, as happened in Trump’s first term.

One challenge is speed: The Trump administration is moving much faster than courts do, or even can. The other is authority: The courts’ ability to compel government action is limited, and also slow.

And that doesn’t even factor in statements by Trump, Vice President JD Vance and “special government employee” multibillionaire Elon Musk. All three have indicated that they are open to ignoring court rulings and have even threatened to seek the impeachment of judges who rule in ways they don’t like.

Speed

Musk has been put in charge of White House efforts to cut government services, both in spending amount and reach.

Constitutional law is clear: The executive branch cannot, on its own, close or shut down a federal agency that has been established by Congress. That is Congress’ job. But Trump and Musk are trying to do so anyway, including declaring that the congressionally established U.S. Agency for International Development will be shut down and turning employees away from the agency’s offices in Washington, D.C.

The administration’s strategy, it seems, is the longstanding tech-company mantra: “move fast and break things.” The U.S. courts do not – and by design cannot – move equally quickly.

It can take years for a case to wind its way through the lower courts to reach the U.S. Supreme Court. This is by design.

Courts are deliberative in nature. They take into account multiple factors and can engage in multiple rounds of deliberation and fact-finding before reaching a final ruling. At every stage, lawyers on both sides are given time to make their cases. Even when a case does get to the Supreme Court – as many of these lawsuits likely will – it can take months to be fully resolved.

By contrast, Trump’s and Musk’s actions are happening in a matter of days. By the time a court finally resolves an issue that happened in late January or early February 2025, the situation may have changed substantially.

For an example, consider the effort to shut down the U.S. Agency for International Development. In the space of a week, the Trump administration put most of USAID’s workers on administrative leave and halted USAID’s overseas medical trials, which included pausing potentially lifesaving treatments.

As of this writing, a district judge has temporarily blocked the order putting USAID workers on leave. But even if the courts ultimately conclude several months from now that the Trump administration’s actions regarding USAID were unlawful, it might be impossible to reconstitute the agency the way it used to be.

### AT: Diplomacy---2NC

### AT: Climate---2NC

#### Even without brain drain, Loper Bright crushes science-based regulation.

Clement et al. 25 – Professor of Environmental Engineering at the University of Alabama, PhD in Civil Engineering from Auburn University; Professor of Civil Procedure at the University of Alabama School of Law, J.D. from the University of California, Berkeley, MPhil and M.A. in Political Science from Yale University.

T. Prabhakar Clement, Heather Elliott, and Nimisha Wasankar, “Lack of Scientific Expertise in US Courts Is a Cause of National Concern in the Post-Chevron Era,” Perspectives of Earth and Space Sciences, 05-29-2025, https://agupubs.onlinelibrary.wiley.com/doi/full/10.1029/2025CN000274

Unfortunately, in June 2024, the Court's decision in Loper-Bright Enterprises v. Raimondo ended the Chevron doctrine and discarded the idea that scientific expertise and accountability to people should play a key role in statutory interpretation. Instead, (mostly) unelected judges with (usually) no scientific expertise are now allowed to override an agency's interpretation of the statute based on available data, scientific principles, and the will of Congress. Countless areas of policy—healthcare, education, the environment, workplace safety, and the like—will suffer as a result. Indeed, since Loper was decided, federal judges have already invoked it to reject numerous agency regulations, despite the data and rigorous analysis underpinning them. In Texas v. US Department of Labor (DOL), a district court judge in Eastern Texas cited Loper to overturn a DOL regulation increasing the minimum salary threshold for exemptions from overtime for executive, administrative, and professional employees. In Ryan LLC v. Federal Trade Commission, the U.S. District Court for the Northern District of Texas cited Loper in blocking a nationwide ban on employer noncompete agreements.

States and other entities are also taking Loper as a license to ignore federal agency action, even in circumstances that Loper itself would not support. For example, Iowa's Secretary of Agriculture recently indicated that he might challenge federal agencies' definition of “the waters of the US” (Henderson, 2024), a key concept in several lawsuits involving the Clean Water Act. The US Air Force recently cited Loper to avoid its obligation to remediate groundwater contaminated with per- and polyfluoroalkyl (PFAS) substances and other chemicals in Tucson, Arizona (Perkins, 2024). These actions indicate a concerning trend of expanding Loper's applicability, and such extrapolations could hinder the enforcement of existing regulations and delay the development of other useful new regulations.

A major problem with the Loper decision is that it shifts science policymaking to the courts, a serious mistake. Most judges are trained in social and political sciences and have received little to no formal education in STEM fields. For example, a 2001 study found that 96% of the 400 state judges surveyed had not received even general scientific instruction (Wasankar & Clement, 2024). Given the complexities of the modern world, judges are expected to learn science on the job and eventually become amateur scientists. However, legal scholars (e.g., Justice Breyer) have warned that judges don't make good amateur scientists, and they often adopt junk science in their courtrooms (Breyer, 2000; Faigman, 2006; Hilbert, 2018) or, at times, even refuse to recognize the need to understand science (Faigman, 2006).

3 Implications of the Lack of Scientific Expertise in Courtrooms

For managing complex natural systems like groundwater aquifers, the lack of scientific expertise can be a serious hindrance. Even though groundwater science has progressed by leaps and bounds in recent years, the courts have not fully assimilated the new knowledge, perhaps due to the complexity of this natural system. Furthermore, some natural processes are inherently paradoxical and are not intuitive to understand. Therefore, as recent as 1999, the US justice system was citing an age-old paradigm that assumed: “… the existence, origin, movement, and course of such waters (groundwater), and the causes which govern and direct their movements, are so secret, occult and concealed, that an attempt to administer any set of legal rules in respect to them would be involved in hopeless uncertainty and would be, therefore, practically impossible” (Wasankar & Clement, 2024).

The continuing lack of groundwater knowledge in courtrooms was brought to clear focus in the MS v. TN groundwater case. While the Court correctly ruled that the water stored in interstate aquifers must be subject to equitable apportionment, the oral argument transcripts of the case reveal that the Justices had several egregious scientific misconceptions about groundwater aquifers (Wasankar et al., 2024). Chief Justice Roberts and Justice Barrett misunderstood how groundwater is stored in aquifers and how pumping wells are designed. Both Justices incorrectly assumed that groundwater is water mixed with sand and silt. Justice Barrett even wondered if TN could pump MS-owned silt and extract valuable minerals from it using pumping wells. Contrary to the Justices' understanding, water and sand/silt do not mix, but instead exist as two separate phases within an aquifer (Wasankar et al., 2024). Furthermore, when groundwater is accessed through a borehole, screens installed in the well would prevent fine particles from entering the borehole.

In another exchange, Justice Breyer displayed his misunderstanding regarding groundwater transport processes. Chief Justice Roberts initially compared groundwater to wild horses in a discussion about interstate water management. He was concerned that TN could potentially capture these “horses” when the horses randomly wandered across the border. Justice Breyer liked this analogy since, in his view, groundwater movement appeared to be the same as the random motion of wild horses. He also wondered if capturing groundwater is like capturing San Francisco fog and physically flying it to Colorado or Massachusetts (Wasankar et al., 2024). These unrealistic discussions indicate Justice Breyer's conceptually incorrect belief that groundwater moves randomly in all directions when, in fact, groundwater flow in an aquifer is predictable and is governed by the well-known Darcy's law. Furthermore, flow capture can be controlled by managing the design of pumping well fields, and does not require a state to physically intrude into another state's sovereign territory.

The MS v. TN case serves as an example of how even the highest court in our country lacks scientific expertise. Yet, under Loper, courts exhibiting similar scientific ignorance can overturn an EPA regulation on water pollution or a Fish & Wildlife regulation protecting groundwater-dependent endangered ecosystems. Therefore, the Loper ruling can prove to be detrimental to the functioning of federal and state agencies. It is almost impossible for Congress to draft detailed legislation foreseeing all possible future scenarios, and hence, it must depend on scientifically trained agency experts to interpret inevitable ambiguities. Loper upsets these expectations and exposes legislation to the whims of judges with no relevant scientific expertise.

#### The data and expertise is gone permanently.

Fleck 25 – Specialist at the Institute for Policy Integrity at the NYU School of Law, Senior Staff Writer at Resources for the Future.

Matt Fleck, “If/Then: Staff Reductions at Federal Agencies Strain the Process of Informing Policy,” Resources for the Future, 06-27-2025, https://www.resources.org/common-resources/if-then-staff-reductions-at-federal-agencies-strain-the-process-of-informing-policy/

Science is a team effort, in which researchers affiliated with academia, think tanks, and government work collaboratively to create new knowledge and solve society’s most pressing problems. Governments provide data and identify the problems that need solving through long institutional memories and collaborations with external scientists who help develop solutions.

Recent efforts to reduce staff across the federal government severely restrict this pipeline of productive problem solving. The agencies that handle environmental and energy issues have seen significant staff reductions since January, either through layoffs, early retirements, or buyouts. Almost 20 percent of the staff at the Department of Energy has accepted a buyout. The National Oceanic and Atmospheric Administration may have lost 20 percent of its workforce; the Federal Emergency Management Agency, about 30 percent; the US Forest Service, 10 percent.

Further cuts are planned for the summer to comply with an executive order and subsequent guidance that calls for large-scale reductions in force across federal agencies. The Environmental Protection Agency has announced plans to reorganize and shrink its workforce by an additional 20 percent, including the elimination of its research arm and environmental justice office. Mass layoffs may depend on ongoing or future legal battles, but more federal workers are resigning or accepting buyouts in anticipation of firings or because of work environments that have become increasingly stressful.

The staff reductions and general losses of capacity at federal agencies herald a structural change in the policy and evidence ecosystem. With each federal worker that exits the government, expertise and experience are lost, and so are their social and professional networks. Without those networks, less quality information—or lower-quality information—may be available to policymakers, researchers, communities, and businesses across the country. A potential result is that researchers will analyze policies without important federal data and input, that information could be politicized, and that policy will be ineffective and inefficient.

This blog post chronicles some of the positive interactions that researchers at Resources for the Future (RFF) have had with government scientists, and the results of their activities (such as database development), so readers can have a better appreciation of what could be lost.

In 1982, for example, Congress passed a law that established the Coastal Barrier Resources System, a set of coastal lands where federal flood insurance, development subsidies, and disaster relief are unavailable. The law aims to protect natural coastal ecosystems and reduce the costs and human harm from extreme weather events in these coastal areas by removing incentives for development.

In August 2024, Margaret Walls and coauthors published a study of the effectiveness of the Coastal Barrier Resources System. Walls, who directs RFF’s Climate Risks and Resilience Program, knew that understanding the effects of the system was important to the federal government; in particular, the Fish and Wildlife Service, the federal agency that is responsible for the conservation of wildlife and habitats in the United States and administers the Coastal Barrier Resources System. In turn, engagement with the agency helped Walls and her team understand the nuances of the system and improve their research.

The study was acutely relevant to Congress: In November 2024, Congress passed a new law with bipartisan support that added to the Coastal Barrier Resources System an amount of land approximately equal to 220,000 football fields.

Yet, these kinds of interactions are now being disrupted.

David Wear, currently the director of RFF’s Land Use, Forestry, and Agriculture Program, had spent most of his career in the research division of the Forest Service and stresses the value of the long-run data sets maintained by the agency. After all, “forests grow slowly,” he says.

“Well-developed, long-run data sets allow researchers to test hypotheses or do careful assessments of policy questions in the short run,” says Wear. And because scientists at the Forest Service generally can’t recommend changes in policy, “civil society can extend the conversation into the details of policy and actually engage with policymakers to improve the information platform upon which policy choices are made,” says Wear. But the loss of federal workers strains the ability of the agency to understand what’s happening in US forests.

The context and nuance federal workers can provide about these data sets also seem at risk. Karen Palmer, the director of RFF’s Electric Power Program, has seen benefits in her research because she has been able to ask experts at the Energy Information Administration about its Annual Energy Outlook, a report with data and projections about the domestic energy sector that often serves as a baseline for policy research. The Energy Information Administration traditionally holds a launch event to explain findings in the report and answer questions from the public, but not this year—a condensed version of the report simply was posted online. “It’s sad to lose that event,” says Palmer. In general, Palmer adds, “it’s just going to be harder for us [at RFF] to do our work” due to staff reductions at the agency.

Engagement with federal workers also is valuable because of their experience implementing many of the policies and programs that researchers study. “The loss of that kind of engagement, ground-truthing, and brainstorming with people who have that much experience is just huge,” says Kevin Rennert, director of RFF’s Federal Climate Policy Initiative. “Our work will continue to move forward, but it will be missing key input from these experienced practitioners.”

With the capacity of federal agencies in flux and networks between federal workers and civil society thinned or gone, researchers likely will struggle to replace the federal data sets, funding, and input necessary to answer certain research questions.

Reductions in the quality or availability of federal data would be very difficult to replace—or irreplaceable. Researchers at RFF have long-standing connections with state and local policymakers and plan to continue to work on state-level issues. However, state governments generally lack the infrastructure to collect and report data at a similar quality as the federal government on a consistent basis. Universities also regularly partner with RFF researchers, though universities are at risk of losing funding. Businesses or consulting firms may collect proprietary data on subjects that are relevant to researchers, and they often charge for access to the data. The federal government performs a public service by maintaining high-quality data sets and making them available for free.

### !D---Warming---2NC

#### Plus, adaptation solves.

Nils P. Gleditsch 21, Research Professor at the Peace Research Institute Oslo, “This time is different! Or is it? NeoMalthusians and environmental optimists in the age of climate change,” Journal of Peace Research, pg. 5-6, 2021, SAGE. clarification denoted with brackets.

The response of the environmental optimists continues to emphasize the role of innovations; technological innovations, such as improvements in battery technology, the key element in the 2019 Nobel Prize in chemistry,11 but also social innovations, as exemplified by the experimental approach to the alleviation of poverty, rewarded in the same year by the Nobel Prize in economics.12

While the most important countermeasures will be directed at the mitigation of climate change, there is also a strong case for adaptation. If sea-level rise cannot be totally prevented, dikes and flood barriers will be cost-effective and necessary, at least in high-value urban areas. If parts of Africa suffer from drought, there will be increased use for new crops that are more suitable for a dry climate, possibly developed in part by GMO technology. Industrialization in Africa can decrease the one-sided reliance on rain-fed agriculture, as it has in other parts of the world, which have moved human resources from the primary sector to industry (and then to services). Continuing urbanization will move millions out of the most vulnerable communities (Collier, 2010). While structural change failed to produce economic growth in Latin America and Africa after 1990, Africa has experienced a turnaround in the new millennium (McMillan & Rodrik, 2014) and there are also potentials for increasing productivity by structural change within agriculture in Africa (McCullough, 2017).

## Presidency Adv

### No Trump Nuke---2NC

#### He’s anti-nukes and aware of the dangers.

Futter 25 – Professor of International Politics at the University of Leicester, PhD from the University of Birmingham.

Andrew Futter, “Will Trump make nuclear war more likely? University of Leicester expert gives his view,” University of Leicester, 01-15-2025, https://le.ac.uk/news/2025/january/trump-nuclear

Despite the various security concerns, Professor Futter also thinks Trump’s attitude to the effects of nuclear weapons might have a dampening effect on any rise in nuclear instability.

He said: “I do think Trump is aware of just how dangerous these weapons are, and there may be a push from him to do a deal on arms control with Russia, and he may find a way to reduce nuclear risks in other ways.

#### That remains true even if it’s directly from Trump.

Carpenter et al. 25 – Professor of Political Science at the University of Massachusetts Amherst, PhD in Political Science from the University of Oregon; Researchers in the Human Security Lab at the University of Massachusetts Amherst.

Charli Carpenter, Grace Bernheart, Joseph Mara, and Zahra Marashi, “Military-trained Americans’ trust in the president’s nuclear launch authority dropped during Iran Crisis. Here’s why it matters.,” Union of Concerned Scientists, 07-18-2025, https://thebulletin.org/2025/07/military-trained-americans-trust-in-the-presidents-nuclear-launch-authority-dropped-during-iran-crisis-heres-why-it-matters/

The Human Security Lab / YouGov survey found a similar concern among military-trained Americans: only a minority of troops and veterans (30 percent) believe that the US Commander-in-Chief should have the authority to launch a nuclear weapon whenever he or she deems it necessary. Nearly half (48 percent) say they would prefer a policy that nuclear weapons could only be used under “limited and extreme circumstances.” Twenty-one percent of military-trained respondents said nuclear weapons “should never be used under any circumstances.” (See figure 2.)

#### And, it remains true even during a crisis. Iran proves.

Carpenter et al. 25 – Professor of Political Science at the University of Massachusetts Amherst, PhD in Political Science from the University of Oregon; Researchers in the Human Security Lab at the University of Massachusetts Amherst.

Charli Carpenter, Grace Bernheart, Joseph Mara, and Zahra Marashi, “Military-trained Americans’ trust in the president’s nuclear launch authority dropped during Iran Crisis. Here’s why it matters.,” Union of Concerned Scientists, 07-18-2025, https://thebulletin.org/2025/07/military-trained-americans-trust-in-the-presidents-nuclear-launch-authority-dropped-during-iran-crisis-heres-why-it-matters/

Here’s the interesting thing: Our research team, in collaboration with YouGov, was collecting this latest data when the recent crisis in Iran broke out. This enabled us to see how a real-world crisis might itself affect military attitudes toward nuclear use. Would it rally troops around a Commander-in-Chief or render them even more skeptical of Presidential launch authority?

In fact, military-trained Americans shifted even further away from a trust in Presidential launch authority over the course of the recent Iran crisis. Our survey was in the field between June 9 and June 23, spanning the period when first Israel and then the United States attacked Iran’s nuclear sites on June 13 and June 21 respectively. Looking at our data as a three-phase time-series, the percentage of survey respondents supporting the President’s discretionary authority over nuclear weapons dropped a full 10 points as the crisis unfolded. (See figure 3.)

#### The risk is low.

Carpenter et al. 25 – Professor of Political Science at the University of Massachusetts Amherst, PhD in Political Science from the University of Oregon; Researchers in the Human Security Lab at the University of Massachusetts Amherst.

Charli Carpenter, Grace Bernheart, Joseph Mara, and Zahra Marashi, “Military-trained Americans’ trust in the president’s nuclear launch authority dropped during Iran Crisis. Here’s why it matters.,” Union of Concerned Scientists, 07-18-2025, https://thebulletin.org/2025/07/military-trained-americans-trust-in-the-presidents-nuclear-launch-authority-dropped-during-iran-crisis-heres-why-it-matters/

Considering the large number of nuclear near-misses that have been avoided due to the moral courage of specific uniformed service-members in multiple countries, this should be heartening news for those concerned about a world on hair-triggers.

### AT: about signal

## Whistleblow Adv

### It’s Dead---2NC

### Impact D---2NC