# 1NR---UKRR---Race 1---Read

## Politics

### Impact---1NR

#### 2. Each scenario detonates into nuclear World War III.

Dr. Robert Farley 15, Senior Lecturer at the Patterson School of Diplomacy and International Commerce at the University of Kentucky, “How World War III Starts: 5 'Sparks' That Could Set the World Ablaze”, The National Interest, 11/21/2015, https://nationalinterest.org/feature/how-world-war-iii-starts-5-sparks-could-set-the-world-ablaze-14406

Every global war needs a spark. A conflict somewhere ignites the interest of more than one great power. World War I had the assassination of Franz Ferdinand; the Seven Years War had desultory fighting between the French and British along the Mississippi River. The combatants do not always appreciate that the sparks can lead to conflagrations.

But at some point things escalate. Other major nations become involved, and the initial cause of war becomes subsumed under great power competition. The goal of fighting becomes the establishment of a new global order, and with the increase in stakes comes an increase in the resources committed by the combatants, and the sacrifices that their people make.

“World War III” would, in effect, be the fifth World War in the history of the modern state system. What might spark such a war, and how would it escalate into a global conflict? Here are five potential scenarios, none likely, but all possible:

Syria

The Spark:

At the moment, ISIS has drawn the attention of most of the world’s most powerful countries, including France, the United States, and Russia. But the explosion of attention (not to mention air traffic) could complicate the next step in the war. On the one hand, an accidental confrontation between NATO and Russia aircraft could lead to bad tactical decisions, with one or more planes shot out of the air. On the other, a dramatic shift on the ground in Syria could force the hand of one of the supporters of the proxy combatants.

Escalation:

Even if the emerging anti-ISIS coalition prevails, conflict between major power could ensue. This could get ugly, as France, Russia, and the United States have very different views about how the future of Syria should look. If any of the three decide to intervene in favor of their preferred factions, the situation could very quickly come to resemble a game of chicken, with airstrikes, no fly zones, and secure enclaves providing the points of conflict. Serious fighting between external powers in Syria could quickly draw in Turkey, Iran, and Saudi Arabia, and potentially spread to other parts of the globe.

India and Pakistan

Spark:

India and Pakistan could go to war again for any number of reasons. If a Pakistani-sponsored terrorist group makes another attack similar to that in Mumbai, India’s patience could wear very thin. Either state could engage in some adventurism in Afghanistan, perhaps in response to the activity of non-state actors.

Debate over the conventional balance along the border between India and Pakistan has raged for years. But if Pakistan suffered a serious conventional defeat, the use of tactical nuclear weapons might seem like the only way out. If that happens, all bets are off.

Escalation:

The United States has grown closer to India over the past few years, even as it continues to send weapons and cash to Pakistan. Conversely, China has intensified the relationship with one of its only client states. The 1971 Indo-Pakistani War nearly drew in both the United States and China; in that conflict, both would have intervened on the Pakistani side. It is unclear, at this point, how the United States would respond if China felt that it needed to intercede on Pakistan’s behalf in a war with India.

East China Sea

Spark:

Over the past two years China and Japan have played a dangerous game around the Senkaku/Diaoyu Islands. Both countries claim the islands, and each has deployed military forces in their vicinity. A naval or air incident could create an upsurge of nationalist hostility in both countries, making it difficult for either Tokyo or Beijing to back down. Moreover, both countries have struggled to control the activities of nationalist groups, leading to additional potential flashpoints.

Escalation:

The United States is bound by treaty to defend Japan. If a conflict between China and Japan erupts, the United States may find it difficult to avoid entanglement. In context of any kind of sustained combat between Japanese and Chinese forces (not to mention an aggressive Chinese effort to land on the islands), the United States would almost certainly become involved. Given the likelihood that such intervention would prove decisive, China might feel compelled to pre-empt U.S. intervention by an attack on American military installations across the region. This would trigger a broader U.S. response, and throw the entire Asia-Pacific into chaos.

South China Sea

Spark:

The United States has already had a number of uncomfortable confrontations with Chinese naval and air units in the South China Sea. If an operator lost his or her cool, dreadful consequences could ensue. Similarly, as the United States steps up its involvement with Vietnam and the Philippines, it could become entangled in Chinese military operations against either country.

Escalation:

A U.S.-China war would be bad enough, but depending on the context and course of the conflict, both Japan and India might feel the need to intervene in some fashion. Russia would likely stay out, except insofar as it used its defense-industry to keep the Chinese military operating. War would result in a clash between the U.S. Air Force and U.S. Navy on one side, and the PLA’s anti-access, area denial systems on the other. Nuclear escalation could happen either accidentally (one side misinterprets a missile launch or targeting decision), or on purpose (China feels the need to staunch the bleeding if its Great Wall at Sea crumbles).

Ukraine

Spark:

Russia continues to view the political allegiance of the Kiev government as a critical national security interest. If it cannot command that allegiance, then Moscow can take steps to destabilize and weaken the country. Thus far, the United States and NATO have limited their exposure, supporting the right of the Kiev government to resist Russia, but not providing it much in the way of means to do so. The situation is rife with opportunities for miscalculation, and a mistake on either side could produce a militarized confrontation.

Escalation:

Much depends on how NATO countries decide to respond to Russian moves in Ukraine. If Russia became sufficiently certain of NATO intervention, then it could take steps to pre-empt NATO mobilization. Any attack, or serious threat of attack, against a NATO country could then trigger a NATO response, which could involve attacks into Russian territory. The Kaliningrad enclave could provide a key flashpoint for escalation, as military forces within the enclave are simultaneously threatening and vulnerable. And if Russia believes that it cannot prevail with conventional force (a possibility), Moscow could consider the use of tactical nuclear weapons.

#### 3. It's the most likely scenario---space dominance is key.

The Economist 24, “War in Space is No Longer Science Fiction”, 1-31-24, <https://www.economist.com/international/2024/01/31/america-china-and-russia-are-locked-in-a-new-struggle-over-space>, DOA: 1-15-25, JA

The first shot of the next war between the world’s big powers, it is often said, will be fired in space. As conflict spreads on Earth, ill omens are emerging in the firmament. As countries race to develop new capabilities in space, some are also building the forces and weapons to fight beyond the atmosphere. On January 28th Iran said it had launched three satellites; Western countries fear they could be used in its ballistic-missile programme. Russia’s invasion of Ukraine has opened a new chapter in space war. But America’s biggest dread is China, which seeks to match if not surpass America’s primacy in the heavens. Admiral Christopher Grady, vice-chairman of America’s joint chiefs of staff, explains it bluntly: “Space has emerged as our most essential warfighting domain.”

American generals scrutinise the cosmos from Space Command’s headquarters in Colorado Springs. “Guardians”, as America’s new breed of space warriors call themselves, monitor about 15 daily missile launches, from Ukraine to Iraq and North Korea, at the Joint Operations Centre (joc). They also watch the fast-growing deployment of satellites, heaps of orbiting junk and the re-entry of objects into the atmosphere. Above all, they look for danger.

Among the most closely observed objects are two recently launched robotic space planes, smaller versions of the space shuttle. America’s x37-b lifted off from Cape Canaveral on December 28th (pictured). China’s Shenlong, or Divine Dragon, was lofted a fortnight earlier. Both missions are largely secret. Space planes’ ability to undertake long missions, deliver and capture payloads, change orbit and return to Earth to refuel make them potentially important weapons. Russia launched Cosmos 2570 in October, the latest “nesting doll” in orbit: it released a second satellite, which then let out a third. To American commanders, such things look like a test of a “kill vehicle”, in other words a projectile for destroying satellites.

A foretaste of space hostilities came on the evening of November 14th 2021, Colorado Springs time, when two electronic bells warned the joc of a missile fired from Russia’s Plesetsk cosmodrome. Early-warning satellites detected the fireball, ground radars tracked the missile and computers soon projected its unusual trajectory: neither a ballistic-missile nor a satellite launch, but a Nudol anti-satellite weapon aimed at a defunct Soviet spy satellite.

Some in the joc thought Russia would aim close to the target. Others reckoned, correctly, it would blast the bird. This may well have been a Russian warning to America: stay out of the impending war in Ukraine or risk conflict that will stretch into space. Never mind the 1,800 bits of debris that forced astronauts in the International Space Station (including two Russians) to shelter in their escape craft.

Put your helmet on

Russia’s second shot was unambiguous: shortly before its tanks assaulted Ukraine on February 24th 2022 malware spread through part of the ka-sat network owned by Viasat, an American firm, and operated by a partner. It disabled the satellite-internet modems of some 50,000 European users, among them many Ukrainian military units. Within weeks, however, Ukrainian forces were back online thanks to the vast constellation of smaller Starlink broadband satellites launched by SpaceX, another private company. Russian attempts at hacking and jamming satellite signals persist, and the country has warned that commercial systems “can become a legitimate target for retaliation”.

All this shows that space is not just a place for peaceful exploration, but an arena for future combat. Control of space has become as important as dominance on land, sea and air. Space technology makes military forces in all other domains more powerful. Lose primacy in space and you risk losing wars on Earth. In any future conflict between America and China, for instance, satellites would be essential to finding and destroying targets across the vast distances of the Pacific Ocean (see China section). Much about warfare in space remains hidden, and most of what is known comes from America. What is clear, though, is that America is intensifying its effort to preserve its edge in space.

General John Shaw, a former deputy head of Space Command, argues that the world has entered “the third space age”. The first, in the cold war, was dominated by superpowers with large national-security satellites. Intelligence-gathering, early-warning and communications spacecraft were bound with nuclear deterrence. In the second stage, private firms became more prominent as they delivered communications, television and other services from space. Satellites such as the Global Positioning System (gps) revolutionised conventional warfare, starting with the war in Iraq in 1991. Later on, especially in Iraq and Afghanistan, they made possible precision bombing and long-distance drone operations. Space itself, though, was regarded as a sanctuary.

Not so in the third age. Space services are woven ever more tightly into civilian life—gps enables everything from financial transactions to mapping apps. Commercial firms such as SpaceX have reduced the cost of launches and satellites. Above all, the era features threats and potential conflict in space, says General Shaw.

Countries are beefing up military space branches. America’s Space Force, the youngest military service, seemed to be a whim of the then president, Donald Trump, when it was launched in 2019. In fact the germ of the idea had been around since at least 2001, when a bipartisan commission warned of a potential “space Pearl Harbour”. Carved out of the air force, and administratively tied to it, Space Force is by far the smallest American military service, but is growing fast. It counts just 8,600 active personnel, compared with 322,000 for the air force, but is likely to expand by 9% this year. Its budget of $26bn last year, compared with $180bn for the air force, is set to grow by 15%. Some worry about unnecessary duplication. Others question how far it has succeeded in overcoming a legacy of slow and costly procurement.

Like the air force, navy and other branches, Space Force is placing specialist units within America’s combatant commands, the headquarters responsible for military operations in the Indo-Pacific, Europe and other regions. Abutting them all is Space Command, also newish, which oversees the “astrographic” domain from 100km above sea level to, in theory, infinity. Among other things, it defends against long-distance missiles and manages satellite services for other commands.

But forget Star Wars, hyperspace-faring spaceships and zapping ray guns. War in space is part of earthly strife. It is also in its infancy. Like hot-air balloons and dirigibles in early aviation, satellites are invaluable platforms for observation but are usually easy to spot, hard to manoeuvre and largely defenceless.

In space offence has the advantage over defence, argues Space Force’s chief, General Chance Saltzman; the side that delivers the first blow can quickly gain the upper hand. “There’s nothing to hide behind in space,” he explains. Satellites move in predictable orbits, and lines of communication with them are exposed.

America, China and India have all tested Earth-based anti-satellite (asat) missiles like Russia’s Nudol (see chart). Other threats include ground-based “directed energy” weapons: lasers, high-power microwaves and radio-frequency jammers. All this can be done in orbit, too, which is why “rendez-vous and proximity operation” satellites, which get close to other ones, cause particular jitters. A nuclear blast in space is another worry. America says its satellites are regularly dazzled, jammed and probed remotely.

America’s intelligence agencies say China has fielded ground-based lasers and asat missiles “intended to disrupt, damage and destroy target satellites.” Orbital weapons are under development, too. Chinese documents speak of using “surprise, swift, limited-scale, overawing strikes” in space—not as part of war, but to deter one or to force early capitulation. China has the second-largest number of satellites and the country has stepped up the pace of its launches in recent years.

The Outer Space Treaty of 1967 bans territorial claims on celestial bodies and the stationing of nuclear weapons in space, but it is silent on conventional weapons. It has not prevented echoes of the cold war and earlier imperial land-grabs as America and China seek to establish lunar bases. Some have compared celestial bodies to contested islands in the Pacific.

Space “is increasingly congested, contested and competitive”, says recent military space doctrine from America’s joint chiefs of staff; America should preserve “space superiority”, not least through “offensive and defensive space operations”. Only a few guardians have direct experience of their domain. Some compare themselves to submariners, who must rely on sensors in order to fight shadowy, lurking foes. There is much about space that seems counterintuitive.

On Earth objects need propulsion to keep moving. In space they keep moving because friction is negligible, their orbits determined by gravity. A destroyed plane falls to the ground; a sunken ship goes to the bottom of the sea. The remains of a satellite struck by a missile stay in orbit for years or decades, endangering everything in their path. With enough junk, a collision could start a chain reaction of impacts, known as the “Kessler syndrome”, rendering some orbits all but unusable.

Instead of rivers and communications nodes, ”key terrain” in space consists of orbital regions (see diagram on the next page). Low-Earth orbit (leo), up to a height of 2,000km, is where most functioning satellites operate. They pass overhead only briefly, so large constellations are needed to ensure continuous coverage. Starlink has more than 5,000 in leo, with plans to grow to perhaps 12,000. Meanwhile China is creating rival mega-constellations.

Geostationary orbit (geo), about 36,000km away, is a vital but increasingly crowded band. Satellites circle the equator once a day, so appear fixed in the sky, which favours broadcasting, missile-warning and more. In-between, medium-earth orbit (meo) is used for gps. The poles are best served by highly elliptical orbits (heo), looping out to about 40,000km. Beyond, in “cis-lunar” space, lie Lagrange points where the gravitational interplay of the Earth and Moon allows satellites to keep stable positions with little fuel.

Even at orbital speeds—7.8km per second in leo—actions in space can still seem rather painfully slow. An asat missile takes about ten minutes to strike in leo, and hours to reach geo. Co-orbital weapons may take days to approach their targets. Friend and foe, private and military users, are intermingled.

Space Command’s mission is to ensure there is “never a day without space”. That requires it to do three things: detect threats, deter attacks and defeat enemies. Begin with detection. Just understanding what is happening beyond the atmosphere—space domain awareness—is demanding, slow and imperfect. Space Command tracks and publicises the movement of 45,000-odd objects ten centimetres in diameter and wider, of which only 9,400 are active satellites. Radars do not continuously watch all objects in leo; telescopes monitoring geo often cannot see in daylight or through clouds or when objects pass in the Earth’s shadow; and there are few telescopes in space. Such observation gaps afford foes a chance to act unseen.

The stars look very different today

Surveillance involves predicting the orbit of each object, and confirming it when it passes a sensor. If one goes missing, it must be found and “custody” restored. The more eyes the better. America’s main space-monitoring systems have long been concentrated in the northern hemisphere, a legacy of the cold war. But Space Command draws data from any radar it can, eg, those on warships. It is placing more sensors in Australia to cover the southern half of the globe, and is working with allies to share data. America, moreover, operates five satellites called gssap that wander in geo to monitor objects. Guardians have enlisted commercial space-monitoring firms, too. What they lack in high-end sensors they make up for in numbers, global distribution and automation.

One company, LeoLabs, with six radar sites to monitor leo, gave notice in December of Russia’s latest “nesting doll” test. Another, ExoAnalytic Solutions, which specialises in watching geo with hundreds of telescopes, recounted a striking Chinese satellite-removal manoeuvre in 2022. The sj-21 satellite, seemingly equipped with a grappling arm and a net, captured a satellite tumbling in geo and towed it to a graveyard orbit before returning. The manoeuvre was so abrupt that it was lost for some hours. “Like a magician’s sleight of hand,” in the words of one expert. Another trick is “zombie” objects: supposedly dead rocket motors and satellites that unexpectedly come back to life.

All this causes nervousness about what lurks in the vastness. A clean-up technique in peacetime could quickly turn into a crippling attack. “Deep space” beyond geo, where it is harder to spot things, is a particular worry. Ultimately, though, any object able to manoeuvre can be steered into the path of another one to destroy it.

All of which emphasises the importance of deterrence. A vital step is to lower the benefit of an attack through greater resilience. A long-standing priority has been to shift jobs done by a few “big, fat, juicy” satellites in geo to myriad smaller satellites in leo, akin to Starlink. The loss or jamming of any one makes little difference, and satellites can be replaced faster than asat missiles.

What if a set of orbits is rendered unusable? The answer is to have satellites in different orbits. America’s new sensors to detect and track missiles, including hypersonic ones, will rely on constellations in leo, meo and heo, supplementing older systems in geo.

It helps if lost capabilities can be replaced quickly. On this front America enjoys an advantage. SpaceX alone conducted more launches in the past year than all other operators—private and state-run—combined. But such dominance also raises worries about America’s dependence on a single provider, especially one run by an unpredictable ceo, Elon Musk.

Meanwhile, an exercise called Victus Nox in September showed that Space Force could mount and launch a new satellite within about a day, down from a typical 6-12 months. Guardians say they are trying to develop a “tactically responsive” mindset that involves making do and improvising with what is available, and fielding new systems rapidly by tapping into commercial technology. In times of need, they will also look to private firms and allies to provide back-up capabilities.

Space warriors are most cagey about the “defeat” aspect of their mission (a new Pentagon policy on declassifying space and other systems is itself classified). Projectiles are the most visible means to destroy spacecraft. But this may be self-defeating if debris makes parts of space unusable. “It’s almost like saying, how do you win a nuclear war?” argues General Saltzman. “There’s really just no winner when you go into a destructive on-orbit conflict.”

The quest is to develop nimbler defences and surgical strikes. “Dynamic space operations”—the ability to manoeuvre—will require spacecraft to carry more fuel, or have the ability to be repaired and refuelled in orbit. “Directed-energy weapons are likely to be the primary weapon of choice in space in the future,” reckons General Shaw. Such weapons act at the speed of light. If based in space, they are unencumbered by land obstacles or the atmosphere. Satellites will need better protection, too. Some talk of “bodyguard” satellites to detect and counter foes. In time, General Shaw adds, satellites will feature artificial intelligence to act on their own.

Satellites are only one part of a space system, and may be the hardest part to attack, notes Craig Miller of Viasat. Going after ground stations or communications links may be more effective. Indeed, commanders speak of a triad of military tactics involving space weapons, special forces and, especially, cyberattacks.

Without the experience of real war, guardians must learn from exercises and simulations. The Pentagon’s wargames are classified. A recent one explored requirements for dynamic space operations. Henry Sokolski of the Nonproliferation Policy Education Centre, a think-tank in Washington, dc, notes several lessons for America from unclassified games he has run. One envisaged North Korea detonating a nuclear bomb in space, highlighting the need to harden commercial satellites against electromagnetic pulses. Another imagined Pakistani terrorists using commercial satellite imagery and communications to hit India with drones, showing that muddy regulations could play a part in drawing America and China inadvertently into a conflict in space. “The frontline of strategic deterrence is gravitating away from the surface of the Earth and into space,” Mr Sokolski says.

If war does break out between America and China, the world will have to worry about much more than the fate of satellites. Perhaps the biggest near-term danger is miscalculation. The contest in space is novel and ambiguous. Nobody is certain what space weapons exist, not least because many civilian technologies have military uses. Rules of the road are ill defined or non-existent, with little prospect for arms control. “Grey-zone” attack, short of war, might thus be tempting. Like cyberattacks, disabling satellites does not usually kill people directly. But were an American early-warning satellite over the Pacific to be attacked, warns Brian Weeden of the Secure World Foundation, an American group that compiles public information on space weapons, perilous escalation might follow. “Washington would freak out and might think it was part of a nuclear attack. The understanding we had with the Soviets in the cold war is that interference with warning satellites would be interpreted as a sign of an impending nuclear attack.”

#### 4. Turns Case---Shutdown allows Trump to decide agency enforcement---turning case.

Jonathan Bogage 9/23, Reporter for The Washington Post; Riley Beggin is a Reporter for The Washington Post, “A Shutdown would give Trump More Power over Federal Spending,” The Washington Post, 9/23/25, https://www.washingtonpost.com/business/2025/09/23/government-shutdown-federal-spending/

The Trump administration would have broad authority to make decisions about spending if the government shuts down next week — and it would also have broad authority to make those decisions if the government stays open under a long-term funding extension.

Congress has operated under such an extension for months and is trying to pass another short-term extension, known as a continuing resolution, or CR, before federal funding laws expire. Without action, a shutdown would start just after midnight on Oct. 1.

Under an extension of funding, the administration has far greater leeway to decide how to spend federal money than it does under normal operations. If the government does shut down, Trump and the White House Office of Management and Budget would have the power to decide which agencies and offices stay open and which would go offline until the deadlock is resolved.

### Link---AT: Courts Shield---1NR [Emory]

#### The plan knocks the CR off the docket.

Dr. Valerie Heitshusen 19, PhD, Analyst, Congress & Legislative Process, Congressional Research Service, "The Legislative Process on the Senate Floor: An Introduction," Library of Congress, 07/22/2019, https://www.congress.gov/crs-product/96-548.

The legislative process is laborious and time-consuming, and the time available for Senate floor action each year is limited. Every day devoted to one bill is a day denied for consideration of other legislation, and there are not enough days to act on all the bills that Senators and Senate committees wish to see enacted. Naturally, the time pressures become even greater with the approach of deadlines such as the date for adjournment and the end of the fiscal year. So, for all but the most important bills, even the threat of a filibuster can provide significant leverage to Senators. Before a bill reaches the floor or while it is being debated, its supporters often seek ways to accommodate the concerns of opponents, preferring an amended bill that can be passed without protracted debate to the time, effort, and risks involved in confronting a filibuster or the threat of one.

#### It’s main citation is from 1893 AS well as a bunch of other old data-points, get out of here. Inserting.

McKinzie Craig & Joseph Daniel Ura 25. Assistant director at the Louisiana State University Paul M. Herbert Law Center, Ph.D. in political science and government from Texas A&M University. Professor of political science at Clemson University, Ph.D. in political science from the University of North Carolina at Chapel Hill. "Policy, Position-Taking, and Congressional Voting under Judicial Review." *American Politics Research*, 0.0, 2.

Scholars have also identified a number of deeper, more subtle ways that institution of judicial review influences congressional behavior. Thayer (1893), for example, argues that judicial review insures against unpalatable policy outcomes, creating a moral hazard for members of Congress. He writes, “No doubt our doctrine of constitutional law has had a tendency to drive out questions justice and right, and to fill the mind of legislators with thoughts of mere legality…‘if we are wrong,’ they say, ‘the courts will correct it’” (1893, pp. 155- 156). Rogers (2001) similarly argues that legislators’ knowing courts will ultimately review their decisions induces them to enact riskier laws than they would have in the absence of subsequent judicial scrutiny. Fox and Stephenson (2011) likewise claim judicial review creates incentives for legislators to “posture by taking some bold, dramatic action in order to appear competent to voters” even if the legislature is “insufficiently confident that such dramatic action is warranted” (p. 398). Graber’s (1993) also describes how Congress effectively delegates some politically fraught policy choices to the judiciary so its members can avoid taking controversial or unpopular political positions (see also Whittington, 2005).1

This latter set of studies broadly shares Thayer’s (1893) perspective that judicial review acts as a kind of safety net or backstop for difficult political choices in legislatures. Congress makes law knowing the Supreme Court may rescue it and the country from decisions to enact risky, unreasonably bold, or otherwise imprudent policy choices.2 At least in some cases, the possibility courts may cushion the blow of bad policy may lead Congress to make different decisions than it would have in the absence of judicial review.

#### D) Obviously, if the plan is controversial, it’ll result in fights.

Dr. Paul M. Collins Jr 22, PhD in Political Science from Binghamton, Professor of Legal Studies and Political Science, UMass Amherst; Dr. Matthew Eshbaugh-Soha has a PhD in Political Science from Binghamton, Professor of Political Science at University of North Texas, “The Supreme Court, the President, and Congress,” Journal of Law and Courts, Fall 2022, UK Libraries, AG, accessed 5/20/25

A variety of factors shape Supreme Court decision-making, including the justices’ ideological preferences, legal precedent, and public opinion (e.g., Epstein and Knight 1998; Friedman 2009). Evidence suggests that the executive and legislative branches of government also influence the justices’ decisions (e.g., Epstein and Jacobi 2010). According to the separation-of-powers model, the justices anticipate actions of the executive and legislative branches, and they alter their decisions based on external preferences ( Johnson 2004) or to avoid retaliation (e.g., Epstein and Knight 1998). This work contributes to our understanding of this perspective on the separation of powers in three ways. First, it shows that, even if the justices issue decisions to avoid retaliation by the president and Congress, there are nonetheless many instances in which their decisions generate such retaliation. Second, it helps us comprehend what motivates the president and Congress to take both negative and positive action in response to the Court’s decisions. Third, it speaks to a specific way in which presidents go public to address the actions of Congress and the Supreme Court.

We argue that presidential and congressional responses to Supreme Court decisions are motivated by a similar set of interrelated goals: the pursuit of good public policy, reelection, and protecting the power and authority of their respective institutions. It is well known that these goals motivate the president’s interaction with Congress (Edwards 1989; Bond and Fleisher 1990; Light 1999) and the public (Canes-Wrone 2006), as well as congressional behavior (e.g., Mayhew 1974; Arnold 1990; Meernik and Ignagni 1997; Cox and McCubbins 2007). We believe they also help to explain why presidents call on Congress to implement or override Supreme Court decisions, as well as congressional reactions to those calls. Because the bulk of the president’s relationship with Congress since at least the 1970s centers on a public relationship that affords the president enormous opportunity to lead Congress even in the face of divided government and gridlock (Kernell 1997), we focus on the president’s public calls on Congress, not on private communications with Congress

#### E) This is especially true of labor law.

Trey Kovacs 18, Policy Analyst at the Competitive Enterprise Institute, “Congressional Democrats Seek to Undermine Janus Decision,” Competitive Enterprise Institute, 7/5/18, https://cei.org/blog/congressional-democrats-seek-to-undermine-janus-decision/

Last week, the Supreme Court held in Janus v. AFSCME that requiring non-members to pay fees to a union as a condition of employment violates the First Amendment rights of public employees. The decision reverses Supreme Court precedent in Abood v. Detroit Board of Education. Under Abood, government employee unions could charge non-union members an agency fee to cover the cost of activities germane to collective bargaining.

However, government unions are inherently political, so the Supreme Court decision found that agency fees are inconsistent with the First Amendment. “Forcing free and independent individuals to endorse ideas they find objectionable is always demeaning,” Justice Samuel Alito wrote in the majority opinion.

Despite union hysterics, this decision does not impede or prohibit workers’ right to unionize or collectively bargain in the public sector. Government unions will simply have to compete for membership and funding like every other membership-based organization.

But Democrats in Congress are taking the threat of reduced campaign contributions from government unions seriously. Shortly after the Janus decision, prominent Democrats in the House and Senate introduced the Public Service Freedom to Negotiate Act of 2018 (PSFNA).

#### A) ‘Collective bargaining rights.’

Thomas Waterman 19, Justice, Supreme Court of Iowa, "AFSCME Iowa Council 61 v. State," No. 17-1841, 05/17/2019

"We reiterate that the scope of collective bargaining rights of public employees "is a matter for the legislature, not the courts." State Bd. of Regents v. United Packing House Food & Allied Workers, Local No. 1258, 175 N.W.2d 110, 113 (Iowa 1970); see also Bennett v. City of Redfield, 446 N.W.2d 467, 473 (Iowa 1989) ("The right to public employment is not a fundamental right."). House File 291 does not prohibit or restrict unions from soliciting members, disseminating materials, engaging in political activities, or expressing their views. As the State argues, "There is a fundamental distinction between the right to associate and whether someone must listen when you do. Declining to collectively bargain over certain topics does not inhibit the ability to associate." We agree and apply rational basis review to this challenge. Nothing in House File 291 prohibits public employees from joining AFSCME or any other union.…" AFSCME Iowa Council 61 v. State, 928 N.W.2d 21, 41.

#### B) ‘Federal government.’

CA 97, Congressional Archive, "Civil Rights Act of 1997," 105th Congress of the United States, 06/24/1997, Nexis Uni.

SEC. 5. DEFINITIONS.

In this Act, the following definitions apply:

(1) FEDERAL GOVERNMENT. - The term "Federal Government" means the executive and legislative branches of the Government of the United States.

#### C) ‘Resolved.’

LSA 05, Louisiana State Legislature, Governing body of the state of Louisiana, “Legislative Glossary,” Louisiana State Legislature, 2005, https://www.legis.la.gov/legis/Glossary.aspx

Resolution

A legislative instrument that generally is used for making declarations, stating policies, and making decisions where some other form is not required. A bill includes the constitutionally required enacting clause; a resolution uses the term "resolved". Not subject to a time limit for introduction nor to governor's veto. (Const. Art. III, §17(B) and House Rules 8.11, 13.1, 6.8, and 7.4 and Senate Rules 10.9, 13.5 and 15.1)

### AT: PC Fake

#### 2. Trump PC is real and limited.

Ed Kilgore 25. Columnist for Intelligencer since 2015, "Does Trump Feel the Need to Remain Popular?" New York Magazine. January 16, 2025. https://nymag.com/intelligencer/article/does-trump-feel-the-need-to-remain-popular.html

Having never lacked faith in himself, Donald Trump probably feels completely entitled to his 2024 election win, the governing trifecta it created, and the relatively high levels of popularity (for him, anyway) that made it all possible. But the odds are very high that between the weighty national problems he inherits and the controversial nature of some of the things he wants to do, he’s probably at the summit of his popularity, looking down at some steep cliffs. As Ross Barkan recently argued at New York, there may be nowhere to go but down:

Now are the days of wine and roses for MAGA because Joe Biden is still president and Trump’s reign remains hypothetical. On January 20, the script flips: The inflation and affordability crises are Trump’s problems. So is governing, which he has never excelled at. While Trump’s second term may promise, in theory, less chaos than his first, there isn’t much evidence that his White House will evince the grim, rapacious discipline of the Bush-Cheney years, when Republicans actually dominated all policymaking at home and abroad.

Trump does, however, have some control over how much popularity he is willing to lose. Like anyone who becomes president with some political capital and the ready means to use it (i.e., controlling Congress as well as the White House, and having a lot of friends on the U.S. Supreme Court too), the 47th president will have to decide whether to take some risks on policies that are very likely to reduce his popularity or, instead, play to the galleries. To put it even more simply, he can cash in some chips on stuff he wants to do that could offend or even shock some of the people who voted for him or keep building his stash for the future. Given Trump’s almost unlimited control over his troops in Washington, he can probably go in either direction, but that choice of direction could have an enormous impact on those of us who would greatly prefer a less ambitious MAGA agenda.

#### 3. Going too far wrecks the agenda, so he’ll make deals.

Eric Cortellessa 25. Senior Political Correspondent at TIME, January 1, 2025. “He’s at the Apex of Power Now”: A Preview of Trump’s Second Term, TIME, https://time.com/7208202/trump-inauguration-second-term-preview/

Despite Trump’s visions of enhanced executive authority, it was a recognition that his success will **rest on the cooperation**—or capitulation—of others. Even before his inauguration, he has been racking up wins. When Israel and Hamas announced a ceasefire after 15 months of war, Israeli officials credited Trump’s demand that the terror group release the hostages or else “all hell will break loose.” As President Biden warned in his farewell address of an ultra-wealthy oligarchy taking shape, the corporate titans he was referencing were cozying up to Trump in unsubtle displays of anticipatory obedience. Congressional Republicans similarly continue to bend to his will—whether it’s the few House members who threatened to derail Mike Johnson’s reelection for Speaker of the House, or the key Senator who expressed doubts about former Fox News host Pete Hegseth as Defense Secretary. Ultimately, they all backed down. “The way he went to bat for Mike Johnson and cracked down on dissenters sent a message to me and a lot of others to back off,” says a Republican Senator close to Trump. “Don’t ruin this.”

**Even** **with all that political capital, Trump still faces limits to his power**. Republican legislators balked at his request to use recess appointments to install his more controversial Cabinet picks. When it became clear there were enough holdouts to tank his choice of Matt Gaetz for Attorney General, Trump told the former Florida congressman to step aside. Today, he’s navigating the competing demands of Republicans in purple and ruby red districts as they try to carve out a legislative framework for his signature domestic priorities. And despite Trump’s GOP having full control of Washington, **the threat of internecine divisions derailing his plans looms large**. “When you have majorities in each chamber,” a Trump advisor says, “the worry is that it would become a circular firing squad.”

That remains a possibility. For Trump, who won on a promise to reshape government, the greatest obstacle may be just **how far his own party** is **willing to let him go**. In private meetings, sources close to Trump say the President keeps expressing a desire to move fast, fully aware that the window for maximal disruption won’t stay open for long. “Your biggest opportunities for change are in the first couple of years, and even more so in the first 18 months, because that's ahead of elections,” says a senior Trump official. “He's at the apex of power now. Every month that goes by, he has a little bit less.”

### U---2NC

#### Fetterman, Kaine and Durbin are all yes.

Nicholas Wu and Jordain Carney 9/18, Reporters for POLITICO, “Democrats are barreling toward a shutdown with no clear plan to get out,” POLITICO, 9/18/25, https://www.politico.com/news/2025/09/18/democrats-government-shutdown-strategy-00570559

Democrats could lose some of their own members on the GOP bill. Sen. John Fetterman (D-Pa.) has already vowed to support it, and several other Democratic senators have yet to put themselves in the “no” column with the whip effort still underway.

Jeffries privately huddled with swing-district lawmakers Wednesday morning to hear out their concerns. Most of them, while publicly declining to commit to opposing the stopgap funding bill, are staking out conditions for support that the GOP is unlikely to give them this month — or ever.

There are few signs from Republicans that they will be any more amenable to opposition demands if Senate Democrats reject the seven-week GOP funding bill and the government potentially shuts down.

Asked about the idea that Republicans had to give Democrats something in return for their votes, the typically affable Thune snapped Wednesday, arguing that Republicans supported similar funding bills more than a dozen times in recent years.

“What we’re talking about right now is giving the appropriators a chance to actually pass bills. … Is that difficult to understand?” Thune said. “Where are we supposed to do big policy initiatives on a seven-week extension to fund the government?”

Thune indicated this week that Schumer is free to call him or come to his office for a meeting. Democrats believe the South Dakota Republican, as majority leader, has to initiate the negotiations.

Meanwhile, there is hardly a firm consensus on what Democrats would consider a worthy trade for their votes beyond a general emphasis on health care. Most Democrats agree they need to push for an extension of health insurance subsidies that are set to expire next year as a baseline demand. Others want to push for the unlikely reversal of the Medicaid cuts from the GOP’s “big, beautiful” bill. Still others want firm protections against future Trump administration attempts to withhold congressionally approved spending.

“We expect them to come and negotiate and to live up to what they told their voters back in ’24, not even a year ago, what they were going to do, which was lower costs. And health care is a huge part of that,” House Minority Whip Katherine Clark told reporters Wednesday.

Many of those demands were included in Democrats’ alternative stopgap released Wednesday. But GOP leaders insist there is no way to cut a deal in the time remaining — even on extending the expiring health subsidies, which has some Republican support. Schumer and Jeffries have been cagey about possibly swallowing a short-term funding punt now in exchange for potential negotiations later.

Asked Wednesday evening if getting a commitment to work on issues like the health care subsidies would be enough to get Democrats on board with a stopgap, Schumer did not definitively reject the idea.

“We have two weeks,” he said. “They should sit down and talk to us and we maybe can get to a good proposal, let’s see. But when they don’t talk to us, there’s no hope of getting to a good proposal.”

And pressed Wednesday about whether their calls for “bipartisan negotiation” meant that any talks had to be concluded by Sept. 30 or if ongoing talks would be enough, several Democratic senators declined to answer directly.

“That’s a very smart question. I’m not sure I know the answer,” said Schatz, adding that Thune’s “come by anytime” rhetoric is not the way things should work.

More generally, a sense of gung-ho enthusiasm about a shutdown fight was hard to detect inside the Democratic ranks.

Sen. Tim Kaine (D-Va.), who represents hundreds of thousands of federal workers who would be furloughed in a shutdown, suggested it was a little too early to go to the mattresses.

“What is today — the 17th of September?” he said. “Let’s have a debate about the alternative.”

Sen. Dick Durbin of Illinois, the No. 2 Democratic leader who joined Schumer to advance the GOP funding bill in March, indicated Wednesday that he expects to vote against Republicans’ proposal this time.

But asked if he was comfortable going into a shutdown, Durbin rejected the premise.

#### So are Shaheen, Hassan, Masto, Rosen, and King---getting to the magic number.

Alexander Bolton 9/17, Senior Staff Writer at The Hill, “Democrats say Shutdown Necessary to Send ‘Message’ to Trump," The Hill, 9/17/25, https://thehill.com/homenews/senate/5508947-looming-government-shutdown-threat

Senate Democratic leaders haven’t conducted a formal whip count yet, but lawmakers believe that Sens. John Fetterman (Pa.), Jeanne Shaheen (N.H.), Maggie Hassan (N.H.), Catherine Cortez Masto (Nev.), Jacky Rosen (Nev.) and Angus King (Maine), an independent who caucuses with Democrats, are likely or possible “yes” votes.

#### At the very least, Dems are willing to hear out Republicans.

Thomas Smith 9/23, Reporter for NewsBreak, “Senate Republicans block Democrats’ ‘filthy’ counteroffer as shutdown deadline looms,” NewsBreak, 9/23/25, https://www.newsbreak.com/fort-worth-llc-333211895/4251726447919-senate-republicans-block-democrats-filthy-counteroffer-as-shutdown-deadline-looms

Democrats are especially focused on securing a deal for the expiring Obamacare subsidies and want some guarantees on future spending decisions.

“We’ll sit down and negotiate, if they will sit down and negotiate,” Schumer said. “We don’t have a red line, but we know we have to help the American people.”

#### Both sides are open to negotiations

King, New York Post, 9-21-25

[Ryan, 9-21-25, NY Post, “Schumer refuses to rule out caving to Trump in government shutdown fight”, <https://nypost.com/2025/09/21/us-news/schumer-refuses-to-rule-out-caving-to-trump-in-government-shutdown-fight/>, accessed 9-21-25, AFB] ADA-417

The GOP-led House approved its proposed stopgap — known as a continuing resolution — Friday without most Dems’ help to keep the government’s lights on through Nov. 21.

The Senate then voted on both the GOP CR and the Democratic one to avert a partial shutdown. Both failed.

While Republicans have a majority in both chambers, they need Democratic votes in the Senate to overcome the 60-vote threshold needed to break a filibuster.

In March, Schumer faced a revolt among his progressive base for declining to block a GOP-backed continuing resolution to avert a partial shutdown at the time. The backlash included open calls for him to face a primary in 2028.

“The situation is a lot different now than it was then,” Schumer insisted Sunday. “This is a demand from the American people across the board.”

Both Schumer and House Minority Leader Hakeem Jeffries (D-NY) have publicly demanded concessions from Republicans on healthcare funding.

### AT: AFF Solves---1NR

#### Brink is now---shutdown risks catastrophic safety failures.

Susan R. Kelleher 25, Senior Contributor at Forbes, “Aviation Safety At Risk Amid DOGE Cuts And Shutdown Fears, Industry Leaders Tell Congress”, https://www.forbes.com/sites/suzannerowankelleher/2025/03/04/aviation-safety-doge-cuts-shutdown-fears/

Staffing cuts and uncertainty over a potential federal government shutdown later this month is putting further pressure on the already-strained U.S. air traffic system, aviation leaders warned Tuesday during a Congressional hearing on bolstering the beleaguered U.S. Air Traffic Control system.

Aviation leaders criticized DOGE for firing approximately 400 Federal Aviation Administration employees in mid-February, telling the hearing that a potential government shutdown in mid-March could threaten the country’s aviation safety.

“Haphazardly eliminating positions and encouraging resignations are having a demoralizing effect on the workforce,” testified David Spero, president of the Professional Aviation Safety Specialists, which represents 132 terminated FAA workers who installed, maintained, and certified air traffic control and national defense equipment.

Spero added “no assessment had been done” before the firings to determine their impact on aviation safety.

Although air traffic controllers were exempted from DOGE firings, additional pressures on them puts them in a “very vulnerable position and as risk to the system,” Nick Daniels, president of the National Air Traffic Controllers Association, testified.

### AT: Impact Defense---1NR

#### 3. It deters conflict initiation and causes early settlement that avoids hotspot escalation.

John Yoo 18, Emanuel S. Heller Professor of Law at the University of California, Berkeley and Visiting Scholar at the American Enterprise Institute, JD from Yale Law School, “Winning The Space Race”, American Enterprise Institute, 10/15/2018, http://www.aei.org/publication/winning-the-space-race/

It is in this realm that new weapons technologies are emerging, prompting questions of whether space-faring nations like the United States should treat space as another area for great power competition. “The reality of confrontation in space politics pervades the reality of the ideal of true cooperation and political unity in space, which has never been genuine, and in the near term seems unlikely,” argues Everett Dolman.4 The U.S. certainly has taken such concerns to heart. In the decade ending in 2008, for example, the U.S. increased its space budget from $33.7 billion to $43 billion in constant dollars. The entirety of this spending increase went to the Defense Department.

These weapons systems take several forms. Already operational, the U.S. national missile defense system relies upon satellites to track ballistic missile launches and help guide ground-launched kill vehicles. Space-based lasers, like those in development by the U.S. today, remain the only viable method to destroy ballistic missiles in their initial boost phase, when they are easiest to destroy.

American reliance on space-based intelligence and communication for its startling conventional military advantages has made its satellites a target of potential rivals. In 2007, for example, China tested a ground-launched missile to destroy a weather satellite in low earth orbit—the same region inhabited by commercial satellites. “For countries that can never win a war with the United States by using the methods of tanks and planes, attacking an American space system may be an irresistible and most tempting choice,” Chinese analyst Wang Hucheng has written, in a much-noticed comment.5

Though the 2007 ASAT (Anti-satellite weapon) test sparked international controversy, China had only followed the footsteps of the superpowers. The United States had carried out a primitive anti-satellite weapon test as early as 1959. During the Eisenhower, Kennedy, and Johnson administrations, the U.S. continued to test anti-ballistic missile systems in an anti-satellite role. The Soviet Union followed suit. The superpowers temporarily dropped these programs with the signing of the Anti-Ballistic Missile Treaty of 1972, only to restart them in the 1990s. As rivals and rogue nations begin to mimic American development of force enhancement and space control abilities, the U.S. will naturally develop anti-satellite weapons to restore its advantage and deter attacks. Such anti-satellite weapons may become even more common due to the vulnerability of satellites and the spread of ballistic missile technology.

Critics question whether the benefits of space weapons are worth the possibility of strategic instability. They argue that only arms control agreements and international institutions can head off a disastrous military race in space. But space will become an arena for pre-emptive deterrence. Every environment—land, air, water, and now space—has become an arena for combat. The U.S. could deter destabilizing space threats from rivals by advancing its defensive capabilities. Some realist strategists argue not just in favor of protecting U.S. space assets, but seeking U.S. space supremacy. Because great power competition has already spread to space, the United States should capitalize on its early lead to control the ultimate high ground, that of outer space.

Criticisms of space weapons overlook the place of force in international politics. Advances in space technology can have greater humanitarian outcomes that outweigh concerns with space weapons themselves. Rather than increase the likelihood of war, space-based systems reduce the probability of destructive conflicts and limit both combatant and civilian casualties. Reconnaissance satellites reduce the chances that war will break out due to misunderstanding of a rival’s deployments or misperception of another nation’s intentions. Space-based communications support the location of targets for smart weapons on the battlefield, which lower harm to combatants and civilians. Space-based weapons may bring unparalleled speed and precision to the strategic use of force that could reduce the need for more harmful, less discriminate conventional weapons that spread greater destruction across a broader area. New weapons might bring war to a timely conclusion or even help nations avoid armed conflict in the first place. We do not argue that one nation’s overwhelming superiority in arms will prevent war from breaking out, though deterrence can have this effect. At the very least, space weapons, like other advanced military technologies, could help nations settle their disputes without resort to wider armed conflict, and hence bolster, rather than undermine, international security.

#### 5. Shutdown crushes the administrative state---federal employees either get furloughed or quit.

McGregor McCance 25, Executive Editor at the University of Virginia Darden School of Business, former Executive Director of Strategic Communications, Office of the EVP and Chief Operating Officer at Darden, “Hidden Costs: More Than Jobs Are Lost in a Government Shutdown”, https://news.darden.virginia.edu/2025/03/11/hidden-costs-more-than-jobs-are-lost-in-a-government-shutdown/

Another potential government shutdown looms as Congress struggles to fund operations. (A vote in the House is possible Tuesday.) Without a solution this week, thousands of federal workers face furloughs and citizens will suffer from diminished or lost services in the near future. For government employees, a shutdown would add insult to injury. Thousands already have lost their jobs due to cuts to agency payrolls from Elon Musk’s Department of Government Efficiency (DOGE), while all have faced uncertainty about their status, and aggressive demands to justify their contributions.

The potential damage to the federal workforce and the services it provides extends beyond lost wages due to furloughs or individual worries about continuing employment, according to University of Virginia Darden School of Business Assistant Professor Christoph Herpfer. The government suffers, too. Research by Herpfer and colleagues in 2023 found that employees affected by government shutdown experience a 31% increase in voluntary turnover after a furlough.