# 1AC – Gareema

### Advantage 1: Terrorism

#### Nuclear Terror in a Year – They Have the Means and Motivation

-ISIL has enough $

-nuke weapon from Pakistan

-smuggled from Mex border

-more possible today than ever

PressTV 25 2015 Foreign Policy Mon May 25, 2015 ISIL planning ‘nuclear attack inside US next year’: Report http://www.presstv.ir/Detail/2015/05/25/412751/ISIL-nuclear-attack-US-next-year-report

The ISIL terrorist group claims that it has enough money to buy a nuclear weapon from Pakistan and carry out an attack inside the United States next year.¶ The group said in an article in its English-language online magazine Dabiq that the weapon could be smuggled into the United States via its southern border with Mexico.¶ British journalist John Cantlie wrote in the article ISIL “has billions of dollars in the bank, so they call on their wilayah (Province) in Pakistan to purchase a nuclear device through weapons dealers with links to corrupt officials in the region.”¶ “The weapon is then transported overland until it makes it to Libya, where the mujahidin move it south to Nigeria,” the journalist said.¶ He added that “drug shipments from Columbia bound for Europe pass through West Africa, so moving other types of contraband from East to West is just as possible.”¶ Cantlie continued the weapon and accompanying radicals would then move up through Central America and Mexico before entering the US.¶ "From there it's a quick hop through a smuggling tunnel and hey presto, they're mingling with another 12 million 'illegal' aliens in America with a nuclear bomb in the trunk," he wrote.¶ "Perhaps such a scenario is far-fetched but it's the sum of all fears for Western intelligence agencies and it's infinitely more possible today than it was just one year ago,” Cantlie said.

#### They Will Use WMDs

-empirics prove

-they’ve done it b4

-chem, bio, or nuke

By Theodore Schleifer, CNN May 12, 2015 Former CIA official: ISIS terrorist attack in U.S. is possible http://www.cnn.com/2015/05/12/politics/michael-morell-isis-attack-osama-bin-laden/

Islamic militants have the ability to direct individuals to conduct small-scale attacks in the United States and could pose an even greater threat in the future, according to the former deputy director of the Central Intelligence Agency. Michael Morell, a longtime intelligence analyst who served as acting director of the agency after the resignation of David Petraeus in 2012, warned that if ISIS was allowed to take refuge in Iraq and Syria, they could orchestrate an attack in the United States. The group has claimed responsibility for a recent attack in Garland, Texas, where police killed two gunmen. RELATED: Former CIA official takes aim at politicians Morell told CNN's Jake Tapper on "The Lead" that it is "not far-fetched" that ISIS or other terrorist groups could gain access to weapons of mass destruction. "That would be the nightmare scenario: a terrorist attack, here in the United States, here in New York, another major city, that involved either chemical, biological or other nuclear weapons," he said. Morell also disputed a report this week by Pulitzer Prize-winning journalist Seymour Hersh that a walk-in informant tipped the United States off to the location of Osama bin Laden before the American military killed him. "I can't tell you that somebody didn't walk into a station somewhere and say 'I know where Osama bin Laden is.'" Morell said. "But I can guarantee you that no one walk in ever provided information that actually led us to Osama bin Laden."

#### Oversaturation of information makes tracking these threats impossible

-fusions centers -> saturation

-too much useless info on ppl who not terrorists

-struggle 4 FBI

-so much info, important stuff goes under the radar

Thomas ’15 [Kansas City Star, Judy L. Thomas writer for Kansas City Star, http://projects.kansascity.com/2015/domestic-terrorism/#/story/18859890]

But as Islamic extremists continue to wage attacks, the focus and some funding for preventing terrorism at home have dissolved: ▪ The 78 “fusion centers” promoted by the Department of Homeland Security to be the centerpiece of terror intelligence in the wake of 9/11 has disrupted a system of police work that previously had been effective. ▪ Despite hundreds of millions of taxpayer dollars pumped into them, the centers are largely autonomous and operated by disparate agencies that sometimes don’t even cooperate with one another. ▪ The fusion center victories the DHS touts often have little to do with domestic terrorism. In fact, many of them involve drug busts, fugitive apprehension or natural disaster responses. ▪ The FBI, which operates more than 100 terrorism task forces, also has struggled to track domestic terrorism for a variety of reasons, including clashes with fusion centers, critics say. ▪ Congress has eliminated funding for a Justice Department program that provides anti-terrorism training and resources to thousands of law enforcement officers. The FBI acknowledges the agency turned its attention to foreign terrorists after 9/11. “Our efforts today remain very heavily focused in the area of the international terrorism threat, but we have an active domestic terrorism program as well,” said spokesman Paul Bresson. “Over the course of time, it has been critical for the FBI to be agile to respond to all emerging threats, regardless of where they originate. And that is what we have done extremely well over our 107-year history.” A DHS spokesman said his agency, too, was continuing to give domestic terrorism the attention it needs. Homeland Security “protects our nation from all threats, whether foreign or homegrown, and regardless of the ideology that motivates its violence,” S.Y. Lee said in an email last month. The agency “does not concentrate on any particular group or ideology,” Lee said. Yet all the while, those who monitor domestic terrorism say the threat continues to mount. “We are five years into the largest resurgence of right-wing extremism that we’ve had since the 1990s,” said Mark Pitcavage, director of investigative research for the Anti-Defamation League, which trains more than 10,000 law enforcement officers a year about domestic terrorism, extremism and hate crimes. From 2009 through July 2014, Pitcavage said, authorities were involved in 46 shootouts with domestic extremists. “When it comes to domestic extremism, what tends to happen is that a lot of it goes under the radar, and a lot — including murders and what you would think would be major incidents — only gets reported locally and regionally,” Pitcavage said. “So unless it happens in your backyard, the average American doesn’t quite realize how much of this is happening.”

#### Dirty bombs go nuclear---high risk of theft and attacks escalate

-dirty bombs accessible to terrorists (easily)

-leads to:

-radioactive contamination

-panic and socio-economic destabilization

-sabotaging of nuclear facilities

-theft of weapons grade uranium also possible

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

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

#### Independently causes extinction via retaliation

-act occurs under a backdrop of tension

-political leaders are tempted to assume the worst

-Washington may place the nuclear arsenal on high alert

-this is seen as a use of force by Moscow and China

-preemtion temptations grow

Ayson 10 - Professor of Strategic Studies and Director of the Centre for Strategic Studies: New Zealand at the Victoria University of Wellington (Robert, July. “After a Terrorist Nuclear Attack: Envisaging Catalytic Effects.” Studies in Conflict & Terrorism, Vol. 33, Issue 7. InformaWorld.)

But these two nuclear worlds—a non-state actor nuclear attack and a catastrophic interstate nuclear exchange—are not necessarily separable. It is just possible that some sort of terrorist attack, and especially an act of nuclear terrorism, could precipitate a chain of events leading to a massive exchange of nuclear weapons between two or more of the states that possess them. In this context, today’s and tomorrow’s terrorist groups might assume the place allotted during the early Cold War years to new state possessors of small nuclear arsenals who were seen as raising the risks of a catalytic nuclear war between the superpowers started by third parties. These risks were considered in the late 1950s and early 1960s as concerns grew about nuclear proliferation, the so-called n+1 problem. It may require a considerable amount of imagination to depict an especially plausible situation where an act of nuclear terrorism could lead to such a massive inter-state nuclear war. For example, in the event of a terrorist nuclear attack on the United States, it might well be wondered just how Russia and/or China could plausibly be brought into the picture, not least because they seem unlikely to be fingered as the most obvious state sponsors or encouragers of terrorist groups. They would seem far too responsible to be involved in supporting that sort of terrorist behavior that could just as easily threaten them as well. Some possibilities, however remote, do suggest themselves. For example, how might the United States react if it was thought or discovered that the fissile material used in the act of nuclear terrorism had come from Russian stocks,40 and if for some reason Moscow denied any responsibility for nuclear laxity? The correct attribution of that nuclear material to a particular country might not be a case of science fiction given the observation by Michael May et al. that while the debris resulting from a nuclear explosion would be “spread over a wide area in tiny fragments, its radioactivity makes it detectable, identifiable and collectable, and a wealth of information can be obtained from its analysis: the efficiency of the explosion, the materials used and, most important … some indication of where the nuclear material came from.”41 Alternatively, if the act of nuclear terrorism came as a complete surprise, and American officials refused to believe that a terrorist group was fully responsible (or responsible at all) suspicion would shift immediately to state possessors. Ruling out Western ally countries like the United Kingdom and France, and probably Israel and India as well, authorities in Washington would be left with a very short list consisting of North Korea, perhaps Iran if its program continues, and possibly Pakistan. But at what stage would Russia and China be definitely ruled out in this high stakes game of nuclear Cluedo? In particular, if the act of nuclear terrorism occurred against a backdrop of existing tension in Washington’s relations with Russia and/or China, and at a time when threats had already been traded between these major powers, would officials and political leaders not be tempted to assume the worst? Of course, the chances of this occurring would only seem to increase if the United States was already involved in some sort of limited armed conflict with Russia and/or China, or if they were confronting each other from a distance in a proxy war, as unlikely as these developments may seem at the present time. The reverse might well apply too: should a nuclear terrorist attack occur in Russia or China during a period of heightened tension or even limited conflict with the United States, could Moscow and Beijing resist the pressures that might rise domestically to consider the United States as a possible perpetrator or encourager of the attack? Washington’s early response to a terrorist nuclear attack on its own soil might also raise the possibility of an unwanted (and nuclear aided) confrontation with Russia and/or China. For example, in the noise and confusion during the immediate aftermath of the terrorist nuclear attack, the U.S. president might be expected to place the country’s armed forces, including its nuclear arsenal, on a higher stage of alert. In such a tense environment, when careful planning runs up against the friction of reality, it is just possible that Moscow and/or China might mistakenly read this as a sign of U.S. intentions to use force (and possibly nuclear force) against them. In that situation, the temptations to preempt such actions might grow, although it must be admitted that any preemption would probably still meet with a devastating response. As part of its initial response to the act of nuclear terrorism (as discussed earlier) Washington might decide to order a significant conventional (or nuclear) retaliatory or disarming attack against the leadership of the terrorist group and/or states seen to support that group. Depending on the identity and especially the location of these targets, Russia and/or China might interpret such action as being far too close for their comfort, and potentially as an infringement on their spheres of influence and even on their sovereignty. One far-fetched but perhaps not impossible scenario might stem from a judgment in Washington that some of the main aiders and abetters of the terrorist action resided somewhere such as Chechnya, perhaps in connection with what Allison claims is the “Chechen insurgents’ … long-standing interest in all things nuclear.”42 American pressure on that part of the world would almost certainly raise alarms in Moscow that might require a degree of advanced consultation from Washington that the latter found itself unable or unwilling to provide. There is also the question of how other nuclear-armed states respond to the act of nuclear terrorism on another member of that special club. It could reasonably be expected that following a nuclear terrorist attack on the United States, bothRussia and China would extend immediate sympathy and support to Washington and would work alongside the United States in the Security Council. But there is just a chance, albeit a slim one, where the support of Russia and/or China is less automatic in some cases than in others. For example, what would happen if the United States wished to discuss its right to retaliate against groups based in their territory? If, for some reason, Washington found the responses of Russia and China deeply underwhelming, (neither “for us or against us”) might it also suspect that they secretly were in cahoots with the group, increasing (again perhaps ever so slightly) the chances of a major exchange. If the terrorist group had some connections to groups in Russia and China, or existed in areas of the world over which Russia and China held sway, and if Washington felt that Moscow or Beijing were placing a curiously modest level of pressure on them, what conclusions might it then draw about their culpability.

#### Even Limited Casualties Are Sufficient to Trigger the Impact

-lone wolf attacks are deemed 100% probable by the FBI

-more than enough to trigger the impact

NTI ’11 Citing Vahid Majidi. Feb. 17 “FBI Official Sees 100% Likelihood of WMD Strike on U.S.” The Nuclear Threat Initiative works to strengthen global security by reducing global threats, Vahid Majidi is an FBI senior official. http://www.nti.org/gsn/article/fbi-official-sees-100-likelihood-of-wmd-strike-on-us/

Newsmax cited the case of Roger Bergendorff, who in 2008 was sentenced to 42 months in prison for possession of the lethal toxin ricin (see GSN, Nov. 18, 2008). A WMD event with limited casualties could still produce terrible psychological effects, Majidi said. "A singular lone wolf individual can do things in the dark of the night with access to a laboratory with low quantities of material and could hurt a few people but create a devastating effect on the American psyche," he said. A would-be attacker working alone remains a major concern, while intelligence agencies in the United States and abroad have established strategies for identifying schemes developed by terrorist organizations such as al-Qaeda, according to Majidi. Majidi said his office is pursuing strategies for identifying preparation of novel bioterrorism materials. "We are not sitting on our hands waiting to predict what will happen based on what happened yesterday,” Majidi said. "You can design an organism de novo that never existed before. While there is no known articulated threat, this is something that we feel is a technology or science that potentially can be misused, either accidentally or on purpose."

#### The Plan is Necessary to Shift From Mass Surveillance to Targeted Surveillance

-two solid empirical studies

-if you target everything, there’s no target

-mass surveillance actually helps terrorists (turns the DA)

Omtzigt and Schirmer 15 (Pieter and GÜNTER, “Mass surveillance: wrong in practice as well as principle,” Open Democracy, Feb 23, 2015, Accessed May 20, 2015, https://www.opendemo...-principle)//

In fact, two solid empirical studies on either side of the Atlantic, cited in the report of the Legal Affairs and Human Rights Committee, have shown that mass surveillance has not proved effective in the prevention of terrorist attacks, whereas targeted surveillance has. These studies have shown that those, like the former NSA director, General Keith Alexander, who insist on collecting “the whole haystack” are not really helping the fight against terrorism. Jim Sensenbrenner, a veteran Republican member of Congress, pointed out that “the bigger haystack makes it harder to find the needle”. And Thomas Drake, a former NSA executive turned critic, said that “if you target everything, there’s no target”. An analysis of the Boston marathon bombing in April 2013 showed that alarm signals pointing to the future perpetrator were lost in a mass of alerts generated by tactics that threw the net too widely. In short, mass surveillance may actually help terrorists because it diverts limited resources away from traditional law enforcement, which gathers more intelligence on a smaller set of targets. In both the Boston and Paris cases, the perpetrators had been on the radar of the authorities for some time, but the relevant intelligence was not followed up properly because it was drowned in a mass of data. By flooding the system with false positives, big-data approaches to counter-terrorism actually make it harder to identify and stop the real terrorists before they strike.

**That Makes FBI Surveillance Efficient and Effective – Only Way to Stop Terrorist Plots**

-less saturated data allows for the FBI to prevent attacks more efficiently

**Schmidt ’15** "Report Credits F.B.I. With Progress Since 9/11, but Says More Is Needed." The New York Times. The New York Times, 25 Mar. 2015. Web. 24 June 2015.

**The F.B.I. has made great strides since the Sept. 11 attacks** but urgently needs to improve its intelligence capabilities, hire more linguists and elevate the stature of its analysts to counter the rapidly evolving threats to the United States, according to a report released on Wednesday. **The report by the F.B.I. 9/11 Review Commission said the bureau had prevented catastrophic terrorist attacks but needed to improve its ability to collect information from people and to efficiently analyze it,** contending that the bureau lags “behind marked advances in law enforcement capabilities.” “This imbalance needs urgently to be addressed to meet growing and increasingly complex national security threats, from adaptive and increasingly tech-savvy terrorists, more brazen computer hackers and more technically capable, global cyber syndicates,” the report said. The 2004 report of the national Sept. 11 Commission and subsequent reviews called for major changes to the F.B.I., but **the report released Wednesday was far less critical. Rather than a rebuke, it amounts to a status-check on the F.B.I. transformation that began in 2001. Today’s bureau bears little resemblance to that organization, and some of the areas cited for improvement are markedly better than they were years ago.** For instance, **the 2004 report said that two-thirds of the bureau’s analysts were qualified to perform their jobs**. The latest report, by contrast, said, “**The training and professional status of analysts has improved in recent years**.” And while the report said the F.B.I. needed more translators, it was much less critical of the bureau’s foreign language ability than previous reports were. Many of the report’s recommendations related to issues that the F.B.I.’s director, James B. Comey, has raised since he took over the bureau in September 2013. For instance, Mr. Comey has said that one of his biggest priorities is continuing **the F.B.I**.’s transformation from a law enforcement agency to an intelligence operation. Last year, he **created a high-level executive position to oversee a branch division meant to expand the use of intelligence across all investigations.** He has **also** said that **raising the profile of analysts, and strengthening their relationships with agents**, are among his chief priorities. “I think **this is a moment of pride for the F.B.I**.,” Mr. Comey said Wednesday at a news conference in Washington. “An outside group of some of our nation’s most important leaders and thinkers has stared hard at us and said, ‘**You have done a great job at transforming yourself.’** They’ve also said what I’ve said around the country: ‘It’s not good enough.’” He added, “There are a lot of ways you can be even better.” The review commission was created by Congress in 2014 to assess the bureau’s progress since the attacks. In particular, the panel examined the extent to which the F.B.I. had put into effect the recommendations of the Sept. 11 Commission. “**Many of the findings and recommendations in this report will not be new to the F.B.I.**,” the latest report said. “**The bureau is already taking steps to address them**. In 2015, however, the F.B.I. faces an increasingly complicated and dangerous global threat environment that will demand an accelerated commitment to reform. **Everything is moving faster**.” The principal authors of the report were Bruce Hoffman, a professor of security studies at Georgetown University; Edwin Meese III, the former attorney general; and Timothy J. Roemer, a former House member from Indiana and former ambassador to India. The panel was particularly critical of how the F.B.I. treats its analysts. It said that “despite its stated intentions to address concerns from its analysts,” the bureau did not regard them as a “professional work force” that needed to be continually trained and educated. It said analysts needed to “be empowered to question special agent’s operational assumptions.” **The F.B.I. is far better at sharing information with other government agencies than it was before the Sept. 11 attacks**, the report said. But **it needs to improve how it communicates with local law enforcement**

**authorities and the private sector.** “Looking ahead, the F.B.I. will be increasingly dependent upon all domestic and foreign partnerships to succeed in its critical and growing national security missions — including against the rapidly evolving cyber and terrorist threats,” the report said.

### Advantage 2: Cloud Computing

#### Bulk data collection kills U.S trust

Eoyang and Horwitz ’13 (12-20 Mieke,- the Director of the National Security Program and Gabriel,- is the Director of the Economic Program at Third Way “NSA Snooping's Negative Impact On Business Would Have The Founding Fathers 'Aghast'”)

The revelations about the scope and scale of NSA’s surveillance both at home and abroad have made many uneasy about the security of their data. This loss of trust could have ongoing consequences for the U.S. economy and for the future development of the Internet. Policymakers must understand these implications as they make decisions on how to reform our surveillance efforts. First, what will this mean for American competitiveness? For years, the Internet has been largely “Made in America”, but the technical architecture and data transcend national borders. European, Chinese, Russian, and other global competitors are vying for the billions of consumers who currently use U.S. Internet services every day—from Google to Facebook to Ebay. One major competitive global advantage for U.S. companies is that America’s openness and freedoms have brought an implied level of trust in the security and privacy of the data flowing through their servers. But when the U.S. government asserts that it can exploit electronic data abroad for intelligence purposes, it creates an international reaction with profound economic consequences. For example, Europe’s Commissioner for digital affairs, Neelie Kroes, predicts the fallout from Snowden’s leaks will have “multi-billion Euro consequences” for US businesses. The EU Commission’s Vice President, Viviane Reding, is pushing for Europe to adopt more expansive privacy laws that will help build market share for regional companies—thereby shutting American companies out. The economic consequences could be staggering. Studies by leading Internet researchers at ITIF, Gartner, and Forrester examining the NSA surveillance revelations’ impact project potential lost revenue for U.S. cloud computing companies ranging from $35 billion to $180 billion over the next three years. More than half of the overseas members of a cloud industry group, the Cloud Security Alliance, said they were less likely to use U.S. cloud providers in the future. Ten percent of such members said they had cancelled a U.S. cloud services project as a result of the “Snowden Incident”. While the true costs of the loss of trust are hard to quantify, and will be reported in future quarters, the potential losses are enormous. Second, what will this mean for the future of Internet governance? Since its earliest days, the U.S.-based Internet Corporation for Assigned Names and Numbers (ICANN) has governed the web. As the Internet has expanded, several nations, especially China, have been pressing to end American dominance and transfer control of Internet governance to the International Telecommunication Union (ITU), a specialized agency within the United Nations. Worse still for prospects of continued American dominance, the NSA revelations have prompted calls for extensive regional control of the Internet. For example, Brazil, which has long called for such regional control, will host an important Internet governance conference in April that could challenge America’s role. Unless the U.S. government takes steps to restore some degree of trust, the groundswell of international interest in a new approach to Internet governance could undermine or end U.S. Internet leadership. This could leave management of the Internet to nations like China or Russia that do not share America’s commitment to safety, openness, competition, and growth. Recommendations for change are coming from many corners. President Obama’s advisory group on NSA reform is calling for an end to bulk collection of Americans’ metadata and other steps to restore protections abroad. Major Internet companies have called for greater restrictions on surveillance activities, saying the balance has tipped too far from the individual. The government should heed these calls for reflection and reform. Without understanding the economic implications of our security policies and taking reasonable steps to restore trust in America’s surveillance efforts, our Internet dominance and our economy could pay the price.

#### Fusion Centers steal vast amounts of data from private corporations.

**American Civil Liberties Union**, 2/25/**2009**, "What's Wrong With Fusion Centers," https://www.aclu.org/report/whats-wrong-fusion-centers-executive-summary

A new institution is emerging in American life: Fusion Centers. These state, local and regional institutions were originally created to improve the sharing of anti-terrorism intelligence among different state, local and federal law enforcement agencies. Though they developed independently and remain quite different from one another, for many the scope of their mission has quickly expanded - with the support and encouragement of the federal government - to cover "all crimes and all hazards." The types of information they seek for analysis has also broadened over time to include not just criminal intelligence, but public and private sector data, and participation in these centers has grown to include not just law enforcement, but other government entities, the military and even select members of the private sector. These new fusion centers, over 40 of which have been established around the country, raise very serious privacy issues at a time when new technology, government powers and zeal in the "war on terrorism" are combining to threaten Americans' privacy at an unprecedented level.

#### This surveillance done by the Fusion Centers undermine cloud computing

Lomas 13

(Natasha, “NSA Spying Risks Undermining Trust In U.S. Cloud Computing Businesses, Warns Kroes,” Tech Crunch, July 4, 2013, Accessed April 8, 2015, http://techcrunch.com/2013/07/04/spying-bad-for-business/)//AD

The NSA spying scandal risks undermining trust in U.S. cloud computing businesses, the European Commission’s vice-president, Neelie Kroes, has warned in a speech today. Kroes also reiterated calls for “clarity and transparency” from the U.S. regarding the scope and nature of its surveillance and access to data on individuals and businesses living and conducting business in Europe in order to avoid a knock-on effect on cloud businesses. Loss of Europeans’ trust could result in “multi-billion euro consequences” for U.S. cloud providers, she added. Kroes was speaking during a press conference held in Estonia, following a meeting of the EC’s European Cloud Partnership Steering Board, which was held to agree on EU-wide specifications for cloud procurement. In her speech, part of which follows below, she argued that cloud computing businesses are at particular risk of fallout from a wide-reaching U.S. government surveillance program because they rely on their customers’ trust to function — trust that the data entrusted to them is stored securely. Kroes said: If businesses or governments think they might be spied on, they will have less reason to trust the cloud, and it will be cloud providers who ultimately miss out. Why would you pay someone else to hold your commercial or other secrets, if you suspect or know they are being shared against your wishes? Front or back door – it doesn’t matter – any smart person doesn’t want the information shared at all. Customers will act rationally, and providers will miss out on a great opportunity.

#### Cloud computing key to solve climate modeling

Boyce 10

[Eric, technical writer and user advocate for The Rackspace Cloud, September 14, 2010 http://www.rackspacecloud.com/blog/2010/09/14/the-future-of-cloud-computing-the-big-25-in-the-next-25/]

The promise of the cloud isn’t just about gaming and the ability to safely store all those photos that you wish you hadn’t ever taken. Many of the most promising cloud-based applications also require massive computational power. Searching a database of global DNA samples requires abundant, scalable processing power. Modeling protein folding is another example of how compute resources will be used. Protein folding is linked to many diseases including Alzheimer’s and cancer, and analyzing the folding process can lead to new treatments and cures, but it requires enormous compute power. Projects like Folding@home are using distributed computing to tackle these modeling tasks. The cloud will offer a larger, faster, more scalable way to process data and thus benefit any heavy data manipulation task. 6. Is it going to be hot tomorrow? Like protein folding modeling, climate simulation and forecasting requires a large amount of data storage and processing. Recently the German Climate Computing Center (DKRZ) installed a climate calculating supercomputer that is capable of analyzing 60 petabytes of data (roughly 13 million DVD’s) at over 158 teraflops (trillion calculations per second). In the next couple of decades, this level of computing power will be widely available and will exist on remote hardware. Sophisticated climate models combined with never before seen compute power will provide better predictions of climate change and more rapid early warning systems

#### Key to warming adaptation

Pope 10

[ Vicky Pope is the head of climate science advice at the Met Office Hadley Centre, “ How science will shape climate adaptation plans,” 16 September 2010, http://www.guardian.co.uk/environment/cif-green/2010/sep/16/science-climate-change-adaptation]

Some would argue that the demand for information on how climate change will affect our future outstrips the current capability of the science and climate models. My view is that as scientists, we can provide useful information, but we need to be clear about its limitations and strive to improve information for the future. We need to be clear about the uncertainties in our projections while still extracting useful information for practical decision-making. I have been involved in developing climate models for the last 15 years and despite their limitations we are now able to assess the probability of different outcomes for the first time. That means we can quantify the risk of these outcomes happening. These projections – the UK climate projections published in 2009 - are already forming the backbone of adaptation decisions being made in the UK for 50 to 100 years ahead. A project commissioned by the Environment Agency to investigate the impact of climate change on the Thames estuary over the next 100 years concluded that current government predictions for sea level rise are realistic. A major outcome from the scientific analysis was that the worst-case scenarios for high water levels can be significantly reduced - from 4.2m to 2.7m – because we are able to rule out the more extreme sea level rise. As a result, massive investment in a tide-excluding estuary barrage is unlikely to be needed this century. This will be reviewed as more information becomes available, taking a flexible approach to adaptation. The energy industry, working with the Met Office, looked at the likely impact of climate change on its infrastructure. The project found that very few changes in design standards are required, although it did highlight a number of issues. For instance, transformers could suffer higher failure rates and efficiency of some types of thermal power station could be markedly reduced because of increasing temperatures. A particular concern highlighted by this report and reiterated in today's report from the Climate Change Committee - the independent body that advises government on its climate targets - is that little is known about how winds will change in the future - important because of the increasing role of wind power in the UK energy mix. Fortunately many people, from private industry to government, recognise the value of even incomplete information to help make decisions about the future. Demand for climate information is increasing, particularly relating to changes in the short to medium term. More still needs to be done to refine the climate projections and make them more usable and accessible. This is especially true if we are to provide reliable projections for the next 10 to 30 years. The necessary science and modelling tools are being developed, and the first tentative results are being produced. We need particularly to look at how we communicate complex and often conflicting results. In order to explain complex science to a lay audience, scientists and journalists are prone to progressively downplay the complexity. Conversely, in striving to adopt a more scientific approach and include the full range of uncertainty, we often give sceptics an easy route to undermine the science. All too often uncertainty in science offers a convenient excuse for delaying important decisions. However, in the case of climate change there is overwhelming evidence that the climate is changing — in part due to human activities — and that changes will accelerate if emissions continue unabated. In examining the uncertainty in the science we must take care to not throw away what we do know. Science has established that climate is changing. Scientists now need to press on in developing the emerging tools that will be used to underpin sensible adaptation decisions which will determine our future.

#### Warming is inevitable–only adaptation can prevent extinction

Romero 8

[Purple, reporter for ABS-CBN news, 05/17/2008, Climate change and human extinction--are you ready to be fossilized? http://www.abs-cbnnews.com/nation/05/16/08/climate-change-and-human-extinction-are-you-ready-be-fossilized

Climate change killed the dinosaurs. Will it kill us as well? Will we let it destroy the human race? This was the grim, depressing message that hung in the background of the Climate Change Forum hosted on Friday by the Philippine National Red Cross at the Manila Hotel. "Not one dinosaur is alive today. Maybe someday it will be our fossils that another race will dig up in the future, " said Roger Bracke of the International Federation of Red Cross and Red Crescent Societies, underscoring his point that no less than extinction is faced by the human race, unless we are able to address global warming and climate change in this generation. Bracke, however, countered the pessimistic mood of the day by saying that the human race still has an opportunity to save itself. This more hopeful view was also presented by the four other speakers in the forum. Bracke pointed out that all peoples of the world must be involved in two types of response to the threat of climate change: mitigation and adaptation. "Prevention" is no longer possible, according to Bracke and the other experts at the forum, since climate change is already happening. Last chance The forum's speakers all noted the increasing number and intensity of devastating typhoons--most recently cyclone Nargis in Myanmar, which killed more than 100,000 people--as evidence that the world's climatic and weather conditions are turning deadly because of climate change. They also reminded the audience that deadly typhoons have also hit the Philippines recently, particularly Milenyo and Reming, which left hundreds of thousands of Filipino families homeless. World Wildlife Fund Climate and Energy Program head Naderev Saño said that "this generation the last chance for the human race" to do something and ensure that humanity stays alive in this planet. According to Saño, while most members of our generation will be dead by the time the worst effects of climate change are felt, our children will be the ones to suffer. How will Filipinos survive climate change? Well, first of all, they have to be made aware that climate change is a problem that threatens their lives. The easiest way to do this – as former Consultant for the Secretariats of the UN Convention on Climate Change Dr. Pak Sum Low told abs-cbnews.com/Newsbreak – is to particularize the disasters that it could cause. Talking in the language of destruction, Pak and other experts paint this portrait of a Philippines hit by climate change: increased typhoons in Visayas, drought in Mindanao, destroyed agricultural areas in Pampanga, and higher incidence rates of dengue and malaria. Sañom said that as polar ice caps melt due to global warming, sea levels will rise, endangering coastal and low-lying areas like Manila. He said Manila Bay would experience a sea level increase of 72 meters over 20 years. This means that from Pampanga to Nueva Ecija, farms and fishponds would be in danger of being would be inundated in saltwater. Sañom added that Albay, which has been marked as a vulnerable area to typhoons, would be the top province at risk. Sañom also pointed out that extreme weather conditions arising from climate change, including typhoons and severe droughts, would have social, economic and political consequences: Ruined farmlands and fishponds would hamper crop growth and reduce food sources, typhoons would displace people, cause diseases, and limit actions in education and employment. Thus, Saño said, while environmental protection should remain at the top of the agenda in fighting climate change, solutions to the phenomenon "must also be economic, social, moral and political." Mitigation Joyceline Goco, Climate Change Coordinator of the Environment Management Bureau of the Department of Environment and Natural Resources, focused her lecture on the programs Philippine government is implementing in order to mitigate the effects of climate change. Goco said that the Philippines is already a signatory to global agreements calling for a reduction in the "greenhouse gasses"--mostly carbon dioxide, chloroflourocarbons and methane--that are responsible for trapping heat inside the planet and raising global temperatures. Goco said the DENR, which is tasked to oversee and activate the Clean Development Mechanism, has registered projects which would reduce methane and carbon dioxide. These projects include landfill and electricity generation initiatives. She also said that the government is also looking at alternative fuel sources in order do reduce the country's dependence on the burning of fossil fuels--oil--which are known culprits behind global warming. Bracke however said that mitigation is not enough. "The ongoing debate about mitigation of climate change effects is highly technical. It involves making fundamental changes in the policies of governments, making costly changes in how industry operates. All of this takes time and, frankly, we're not even sure if such mitigation efforts will be successful. In the meantime, while the debate goes on, the effects of climate change are already happening to us." Adaptation A few nations and communities have already begun adapting their lifestyles to cope with the effects of climate change. In Bangladesh, farmers have switched to raising ducks instead of chickens because the latter easily succumb to weather disturbances and immediate effects, such as floods. In Norway, houses with elevated foundations have been constructed to decrease displacement due to typhoons. In the Philippines main body for fighting climate change, the Presidential Task Force on Climate Change, (PTFCC) headed by Department on Energy Sec. Angelo Reyes, has identified emission reduction measures and has looked into what fuel mix could be both environment and economic friendly. The Department of Health has started work with the World Health Organization in strengthening its surveillance mechanisms for health services. However, bringing information hatched from PTFCC’s studies down to and crafting an action plan for adaptation with the communities in the barangay level remains a challenge. Bracke said that the Red Cross is already at the forefront of efforts to prepare for disasters related to climate change. He pointed out that since the Red Cross was founded in 1919, it has already been helping people beset by natural disasters. "The problems resulting from climate change are not new to the Red Cross. The Red Cross has been facing those challenges for a long time. However, the frequency and magnitude of those problems are unprecedented. This is why the Red Cross can no longer face these problems alone," he said. Using a medieval analogy, Bracke said that the Red Cross can no longer be a "knight in shining armor rescuing a damsel in distress" whenever disaster strikes. He said that disaster preparedness in the face of climate change has to involve people at the grassroots level. "The role of the Red Cross in the era of climate change will be less as a direct actor and increase as a trainor and guide to other partners who will help us adapt to climate change and respond to disasters," said Bracke. PNRC chairman and Senator Richard Gordon gave a picture of how the PNRC plans to take climate change response to the grassroots level, through its project, dubbed "Red Cross 143". Gordon explained how Red Cross 143 will train forty-four volunteers from each community at a barangay level. These volunteers will have training in leading communities in disaster response. Red Cross 143 volunteers will rely on information technology like cellular phones to alert the PNRC about disasters in their localities, mobilize people for evacuation, and lead efforts to get health care, emergency supplies, rescue efforts, etc.

#### Adaptation solves global wars

Werz and Conley 12 - Senior Fellow @American Progress where his work as member of the National Security Team focuses on the nexus of climate change, migration, and security and emerging democracies & Research Associate for National Security and International Policy @ the Center for American Progress [Michael Werz & Laura Conley, “Climate Change, Migration, and Conflict: Addressing complex crisis scenarios in the 21st Century,” Center for American Progress, January 2012]

The costs and consequences of climate change on our world will define the 21st century. Even if nations across our planet were to take immediate steps to rein in carbon emissions—an unlikely prospect—a warmer climate is inevitable. As the U.N. Intergovernmental Panel on Climate Change, or IPCC, noted in 2007, human-created “warming of the climate system is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice and rising global average sea level.”1 As these ill effects progress they will have serious implications for U.S. national security interests as well as global stability—extending from the sustainability of coastal military installations to the stability of nations that lack the resources, good governance, and resiliency needed to respond to the many adverse consequences of climate change. And as these effects accelerate, the stress will impact human migration and conflict around the world. It is difficult to fully understand the detailed causes of migration and economic and political instability, but the growing evidence of links between climate change, migration, and conflict raise plenty of reasons for concern. This is why it’s time to start thinking about new and comprehensive answers to multifaceted crisis scenarios brought on or worsened by global climate change. As Achim Steiner, executive director of the U.N. Environment Program, argues, “The question we must continuously ask ourselves in the face of scientific complexity and uncertainty, but also growing evidence of climate change, is at what point precaution, common sense or prudent risk management demands action.”2 In the coming decades climate change will increasingly threaten humanity’s shared interests and collective security in many parts of the world, disproportionately affecting the globe’s least developed countries. Climate change will pose challenging social, political, and strategic questions for the many different multinational, regional, national, and nonprofit organizations dedicated to improving the human condition worldwide. Organizations as different as Amnesty International, the U.S. Agency for International Development, the World Bank, the International Rescue Committee, and the World Health Organization will all have to tackle directly the myriad effects of climate change. Climate change also poses distinct challenges to U.S. national security. Recent intelligence reports and war games, including some conducted by the U.S. Department of Defense, conclude that over the next two or three decades, vulnerable regions (particularly sub-Saharan Africa, the Middle East, South and Southeast Asia) will face the prospect of food shortages, water crises, and catastrophic flooding driven by climate change. These developments could demand U.S., European, and international humanitarian relief or military responses, often the delivery vehicle for aid in crisis situations. This report provides the foundation and overview for a series of papers focusing on the particular challenges posed by the cumulative effects of climate change, migration, and conflict in some of our world’s most complex environments. In the papers following this report, we plan to outline the effects of this nexus in northwest Africa, in India and Bangladesh, in the Andean region of South America, and in China. In this paper we detail that nexus across our planet and offer wide ranging recommendations about how the United States, its allies in the global community, and the community at large can deal with the coming climate-driven crises with comprehensive sustainable security solutions encompassing national security, diplomacy, and economic, social, and environmental development. Here, we briefly summarize our arguments and our conclusions. The nexus The Arab Spring can be at least partly credited to climate change. Rising food prices and efforts by authoritarian regimes to crush political protests were linked first to food and then to political repression—two important motivators in the Arab makeover this past year. To be sure, longstanding economic and social distress and lack of opportunity for so many Arab youth in the Middle East and across North Africa only needed a spark to ignite revolutions across the region. But environmental degradation and the movement of people from rural areas to already overcrowded cities alongside rising food prices enabled the cumulative effects of long-term economic and political failures to sweep across borders with remarkable agility. It does not require much foresight to acknowledge that other effects of climate change will add to the pressure in the decades to come. In particular the cumulative overlays of climate change with human migration driven by environmental crises, political conflict caused by this migration, and competition for more scarce resources will add new dimensions of complexity to existing and future crisis scenarios. It is thus critical to understand how governments plan to answer and prioritize these new threats from climate change, migration, and conflict. Climate change Climate change alone poses a daunting challenge. No matter what steps the global community takes to mitigate carbon emissions, a warmer climate is inevitable. The effects are already being felt today and will intensify as climate change worsens. All of the world’s regions and nations will experience some of the effects of this transformational challenge. Here’s just one case in point: African states are likely to be the most vulnerable to multiple stresses, with up to 250 million people projected to suffer from water and food insecurity and, in low-lying areas, a rising sea level.3 As little as 1 percent of Africa’s land is located in low-lying coastal zones but this land supports 12 percent of its urban population.4 Furthermore, a majority of people in Africa live in lower altitudes—including the Sahel, the area just south of the Sahara—where the worst effects of water scarcity, hotter temperatures, and longer dry seasons are expected to occur.5 These developments may well be exacerbated by the lack of state and regional capacity to manage the effects of climate change. These same dynamics haunt many nations in Asia and the Americas, too, and the implications for developed countries such as the United States and much of Europe will be profound. Migration Migration adds another layer of complexity to the scenario. In the 21st century the world could see substantial numbers of climate migrants—people displaced by either the slow or sudden onset of the effects of climate change. The United Nations’ recent Human Development Report stated that, worldwide, there are already an estimated 700 million internal migrants—those leaving their homes within their own countries—a number that includes people whose migration isrelated to climate change and environmental factors. Overall migration across national borders is already at approximately 214 million people worldwide,6 with estimates of up to 20 million displaced in 2008 alone because of a rising sea level, desertification, and flooding.7 One expert, Oli Brown of the International Institute for Sustainable Development, predicts a tenfold increase in the current number of internally displaced persons and international refugees by 2050.8 It is important to acknowledge that there is no consensus on this estimate. In fact there is major disagreement among experts about how to identify climate as a causal factor in internal and international migration. But even though the root causes of human mobility are not always easy to decipher, the policy challenges posed by that movement are real. A 2009 report by the International Organization for Migration produced in cooperation with the United Nations University and the Climate Change, Environment and Migration Alliance cites numbers that range from “200 million to 1 billion migrants from climate change alone, by 2050,”9 arguing that “environmental drivers of migration are often coupled with economic, social and developmental factors that can accelerate and to a certain extent mask the impact of climate change.” The report also notes that “migration can result from different environmental factors, among them gradual environmental degradation (including desertification, soil and coastal erosion) and natural disasters (such as earthquakes, floods or tropical storms).”10 (See box on page 15 for a more detailed definition of climate migrants.) Clearly, then, climate change is expected to aggravate many existing migratory pressures around the world. Indeed associated extreme weather events resulting in drought, floods, and disease are projected to increase the number of sudden humanitarian crises and disasters in areas least able to cope, such as those already mired in poverty or prone to conflict.11 Conflict This final layer is the most unpredictable, both within nations and transnationally, and will force the United States and the international community to confront climate and migration challenges within an increasingly unstructured local or regional security environment. In contrast to the great power conflicts and the associated proxy wars that marked most of the 20th century, the immediate post- Cold War decades witnessed a diffusion of national security interests and threats. U.S. national security policy is increasingly integrating thinking about nonstate actors and nontraditional sources of conflict and instability, for example in the fight against Al Qaeda and its affiliated groups. Climate change is among these newly visible issues sparking conflict. But because the direct link between conflict and climate change is unclear, awareness of the indirect links has yet to lead to substantial and sustained action to address its security implications. Still the potential for the changing climate to induce conflict or exacerbate existing instability in some of the world’s most vulnerable regions is now recognized in national security circles in the United States, although research gaps still exists in many places. The climate-conflict nexus was highlighted with particular effect by the current U.S. administration’s security-planning reviews over the past two years, as well as the Center for Naval Analysis, which termed climate change a “threat multiplier,” indicating that it can exacerbate existing stresses and insecurity.12 The Pentagon’s latest Quadrennial Defense Review also recognized climate change as an “accelerant of instability or conflict,” highlighting the operational challenges that will confront U.S. and partner militaries amid a rising sea level, growing extreme weather events, and other anticipated effects of climate change.13 The U.S. Department of Defense has even voiced concern for American military installations that may be threatened by a rising sea level.14 There is also well-developed international analysis on these points. The United Kingdom’s 2010 Defense Review, for example, referenced the security aspects of climate change as an evolving challenge for militaries and policymakers. Additionally, in 2010, the Nigerian government referred to climate change as the “greatest environmental and humanitarian challenge facing the country this century,” demonstrating that climate change is no longer seen as solely scientific or environmental, but increasingly as a social and political issue cutting across all aspects of human development.15 As these three threads—climate change, migration, and conflict—interact more intensely, the consequences will be far-reaching and occasionally counterintuitive. It is impossible to predict the outcome of the Arab Spring movement, for example, but the blossoming of democracy in some countries and the demand for it in others is partly an unexpected result of the consequences of climate change on global food prices. On the other hand, the interplay of these factors will drive complex crisis situations in which domestic policy, international policy, humanitarian assistance, and security converge in new ways. Areas of concern Several regional hotspots frequently come up in the international debate on climate change, migration, and conflict. Climate migrants in northwest Africa, for example, are causing communities across the region to respond in different ways, often to the detriment of regional and international security concerns. Political and social instability in the region plays into the hands of organizations such as Al Qaeda in the Islamic Maghreb. And recent developments in Libya, especially the large number of weapons looted from depots after strongman Moammar Qaddafi’s regime fell— which still remain unaccounted for—are a threat to stability across North Africa. Effective solutions need not address all of these issues simultaneously but must recognize the layers of relationships among them. And these solutions must also recognize that these variables will not always intersect in predictable ways. While some migrants may flee floodplains, for example, others may migrate to them in search of greater opportunities in coastal urban areas.16 Bangladesh, already well known for its disastrous floods, faces rising waters in the future due to climate-driven glacial meltdowns in neighboring India. The effects can hardly be over. In December 2008 the National Defense University in Washington, D.C., ran an exercise that explored the impact of a flood that sent hundreds of thousands of refugees into neighboring India. The result: the exercise predicted a new wave of migration would touch off religious conflicts, encourage the spread of contagious diseases, and cause vast damage to infrastructure. India itself is not in a position to absorb climate-induced pressures—never mind foreign climate migrants. The country will contribute 22 percent of global population growth and have close to 1.6 billion inhabitants by 2050, causing demographic developments that are sure to spark waves of internal migration across the country. Then there’s the Andean region of South America, where melting glaciers and snowcaps will drive climate, migration, and security concerns. The average rate of glacial melting has doubled over the past few years, according to the World Glacier Monitoring Service.17 Besides Peru, which faces the gravest consequences in Latin America, a number of other Andean countries will be massively affected, including Bolivia, Ecuador, and Colombia. This development will put water security, agricultural production, and power generation at risk—all factors that could prompt people to leave their homes and migrate. The IPCC report argues that the region is especially vulnerable because of its fragile ecosystem.18 Finally, China is now in its fourth decade of ever-growing internal migration, some of it driven in recent years by environmental change. Today, across its vast territory, China continues to experience the full spectrum of climate change related consequences that have the potential to continue to encourage such migration. The Center for a New American Security recently found that the consequences of climate change and continued internal migration in China include “water stress; increased droughts, flooding, or other severe events; increased coastal erosion and saltwater inundation; glacial melt in the Himala as that could affect hundreds of millions; and shifting agricultural zones”—all of which will affect food supplies. 19 Pg. 1-7

### Plan

#### Plan: The United States Federal Government should substantially curtail its fusion center edomestic surveillance.

### Solvency

#### Fusion Center’s Oversaturate Organizations with too much information – this makes the effective utilization of that information impossible

Jesse **Walke**, Author Extraordinaire, 10/3/**2012**, "Fusion Centers: Expensive, Practically Useless, and Bad for Your Liberty," Reason, http://reason.com/blog/2012/10/03/fusion-centers-expensive-practically-use

The Senate Committee on Homeland Security and Governmental Affairs has just released a report [pdf] on the "fusion centers" that pepper the law-enforcement landscape -- shadowy intelligence-sharing shops run on the state and local level but heavily funded by the federal Department of Homeland Security. It is a devastating document. When a report's recommendations include a plea for the DHS to "track how much money it gives to each fusion center," you know you're dealing with a system that has some very basic problems. After reviewing 13 months' worth of the fusion centers' output, Senate investigators concluded that the centers' reports were "oftentimes shoddy, rarely timely, sometimes endangering citizens' civil liberties and Privacy Act protections, occasionally taken from already-published public sources, and **more often than not unrelated to terrorism."** One report offered the vital intelligence that "a certain model of automobile had folding rear seats that provided access to the trunk without leaving the car," a feature deemed notable because it "could be useful to human traffickers." Others highlighted illegal activities by people in the Terrorist Identities Datamart Environment (TIDE) database, which sounds useful until you hear just what those people did that attracted the centers' attention. One man was caught speeding. Another shoplifted some shoes. TIDE itself, according to the Senate report, is filled not just with suspected terrorists but with [and] their "associates," a term broad enough to rope in a two-year-old boy. Nearly a third of the reports were not even circulated after they were written, sometimes because they contained no useful information, sometimes because they "overstepped legal boundaries" in disturbing ways: "Reporting on First Amendment-protected activities lacking a nexus to violence or criminality; reporting on or improperly characterizing political, religious or ideological speech that is not explicitly violent or criminal; and attributing to an entire group the violent or criminal acts of one or a limited number of the group's members." (One analyst, for example, felt the need to note that a Muslim community group's list of recommended readings included four items whose authors were in the TIDE database.) Interestingly, while the DHS usually refused to publish these problematic reports, the department also retained them for an "apparantly indefinite" period. Why did the centers churn out so much useless and illegal material? A former employee says officers were judged "by the number [of reports] they produced, not by quality or evaluations they received." Senate investigators were "able to identify only one case in which an official with a history of serious reporting issues faced any consequences for his mistakes." Specifically, he had to attend an extra week of training. Other issues identified in the Senate report: • Some of the fusion centers touted by the Department of Homeland Security do not, in fact, exist. • Centers have reported threats that do not exist either. An alleged Russian "cyberattack" turned out to be an American network technician accessing a work computer remotely while on vacation. • DHS "was unable to provide an accurate tally of how much it had granted to states and cities to support fusion centers efforts." Instead it offered "broad estimates of the total amount of federal dollars spent on fusion center activities from 2003 to 2011, estimates which ranged from $289 million to $1.4 billion." When you aren't keeping track of how much you're spending, it becomes hard to keep track of what that money is being spent on. All sorts of dubious expenses slipped by. A center in San Diego "spent nearly $75,000 on 55 flat-screen televisions," according to the Senate report. "When asked what the televisions were being used for, officials said they displayed calendars, and were used for 'open-source monitoring.' Asked to define 'open-source monitoring,' SD-LECC officials said they meant 'watching the news.'" The report is also filled with signs of stonewalling. A "2010 assessment of state and local fusion centers conducted at the request of DHS found widespread deficiencies in the centers' basic counterterrorism information-sharing capabilities," for example. "DHS did not share that report with Congress or discuss its findings publicly. When the Subcommittee requested the assessment as part of its investigation, DHS at first denied it existed, then disputed whether it could be shared with Congress, before ultimately providing a copy." And then there's the matter of mission creep. Many centers have adopted an "all-crime, all-hazards" approach that shifts their focus from stopping terrorism and onto a broader spectrum of threats. You could make a reasonable case that this is a wiser use of public resources -- terrorism is rare, after all, and the DHS-driven movement away from the all-hazards approach in the early post-9/11 years had disastrous results. Unfortunately, the leading "hazards" on the fusion centers' agenda appear to be drugs and illegal aliens. At any rate, the DHS should stop citing the centers as a key part of America's counterterrorism efforts if those centers have found better (or easier) things to do than trying to fight terror.

# 1AC - Trenton

### Advantage 1: Terrorism

#### Nuclear Terror in a Year – They Have the Means and Motivation

PressTV 25 2015 (quotes John Cantlie, prisoner of ISIS [captured 2012 in Syria], Foreign Policy Mon May 25, 2015 ISIL planning ‘nuclear attack inside US next year’: Report http://www.presstv.ir/Detail/2015/05/25/412751/ISIL-nuclear-attack-US-next-year-report)

The ISIL terrorist group claims that it has enough money to buy a nuclear weapon from Pakistan and carry out an attack inside the United States next year.¶ The group said in an article in its English-language online magazine Dabiq that the weapon could be smuggled into the United States via its southern border with Mexico.¶ British journalist John Cantlie wrote in the article ISIL “has billions of dollars in the bank, so they call on their wilayah (Province) in Pakistan to purchase a nuclear device through weapons dealers with links to corrupt officials in the region.”¶ “The weapon is then transported overland until it makes it to Libya, where the mujahidin move it south to Nigeria,” the journalist said.¶ He added that “drug shipments from Columbia bound for Europe pass through West Africa, so moving other types of contraband from East to West is just as possible.”¶ Cantlie continued the weapon and accompanying radicals would then move up through Central America and Mexico before entering the US.¶ "From there it's a quick hop through a smuggling tunnel and hey presto, they're mingling with another 12 million 'illegal' aliens in America with a nuclear bomb in the trunk," he wrote.¶ "Perhaps such a scenario is far-fetched but it's the sum of all fears for Western intelligence agencies and it's infinitely more possible today than it was just one year ago,” Cantlie said.

#### They Will Use WMDs

By Theodore Schleifer, CNN May 12, 2015 Former CIA official: ISIS terrorist attack in U.S. is possible http://www.cnn.com/2015/05/12/politics/michael-morell-isis-attack-osama-bin-laden/

Islamic militants have the ability to direct individuals to conduct small-scale attacks in the United States and could pose an even greater threat in the future, according to the former deputy director of the Central Intelligence Agency. Michael Morell, a longtime intelligence analyst who served as acting director of the agency after the resignation of David Petraeus in 2012, warned that if ISIS was allowed to take refuge in Iraq and Syria, they could orchestrate an attack in the United States. The group has claimed responsibility for a recent attack in Garland, Texas, where police killed two gunmen. RELATED: Former CIA official takes aim at politicians Morell told CNN's Jake Tapper on "The Lead" that it is "not far-fetched" that ISIS or other terrorist groups could gain access to weapons of mass destruction. "That would be the nightmare scenario: a terrorist attack, here in the United States, here in New York, another major city, that involved either chemical, biological or other nuclear weapons," he said. Morell also disputed a report this week by Pulitzer Prize-winning journalist Seymour Hersh that a walk-in informant tipped the United States off to the location of Osama bin Laden before the American military killed him. "I can't tell you that somebody didn't walk into a station somewhere and say 'I know where Osama bin Laden is.'" Morell said. "But I can guarantee you that no one walk in ever provided information that actually led us to Osama bin Laden."

#### They Already Have Radiological Material – Stolen From Iraqi University

Adam Kredo September 5, 2014 U.S. Fears ISIL Smuggling Nuclear and Radioactive Materials http://freebeacon.com/national-security/u-s-fears-isil-smuggling-nuclear-and-radioactive-materials/

Yet there is evidence that terrorists stole some nuclear materials in Iraq earlier this year.¶ Iraqi officials revealed to the United Nations in July that insurgents had seized uranium that was being used for research purposes at an academic institution in the northern part of the country.¶ Nearly 90 pounds of low-level uranium was stolen from Iraq’s Mosul University by “terrorist groups,” Iraq’s U.N. ambassador was quoted as saying at the time by Reuters.¶ “Terrorist groups have seized control of nuclear material at the sites that came out of the control of the state,” Iraqi Ambassador Mohamed Ali Alhakim wrote in a letter claiming that these material could be “used in manufacturing weapons of mass destruction,” according to Reuters.

#### Oversaturation of information makes tracking these threats impossible

Thomas ’15 [Kansas City Star, Judy L. Thomas writer for Kansas City Star, http://projects.kansascity.com/2015/domestic-terrorism/#/story/18859890]

But as Islamic extremists continue to wage attacks, the focus and some funding for preventing terrorism at home have dissolved: ▪ The 78 “fusion centers” promoted by the Department of Homeland Security to be the centerpiece of terror intelligence in the wake of 9/11 has disrupted a system of police work that previously had been effective. ▪ Despite hundreds of millions of taxpayer dollars pumped into them, the centers are largely autonomous and operated by disparate agencies that sometimes don’t even cooperate with one another. ▪ The fusion center victories the DHS touts often have little to do with domestic terrorism. In fact, many of them involve drug busts, fugitive apprehension or natural disaster responses. ▪ The FBI, which operates more than 100 terrorism task forces, also has struggled to track domestic terrorism for a variety of reasons, including clashes with fusion centers, critics say. ▪ Congress has eliminated funding for a Justice Department program that provides anti-terrorism training and resources to thousands of law enforcement officers. The FBI acknowledges the agency turned its attention to foreign terrorists after 9/11. “Our efforts today remain very heavily focused in the area of the international terrorism threat, but we have an active domestic terrorism program as well,” said spokesman Paul Bresson. “Over the course of time, it has been critical for the FBI to be agile to respond to all emerging threats, regardless of where they originate. And that is what we have done extremely well over our 107-year history.” A DHS spokesman said his agency, too, was continuing to give domestic terrorism the attention it needs. Homeland Security “protects our nation from all threats, whether foreign or homegrown, and regardless of the ideology that motivates its violence,” S.Y. Lee said in an email last month. The agency “does not concentrate on any particular group or ideology,” Lee said. Yet all the while, those who monitor domestic terrorism say the threat continues to mount. “We are five years into the largest resurgence of right-wing extremism that we’ve had since the 1990s,” said Mark Pitcavage, director of investigative research for the Anti-Defamation League, which trains more than 10,000 law enforcement officers a year about domestic terrorism, extremism and hate crimes. From 2009 through July 2014, Pitcavage said, authorities were involved in 46 shootouts with domestic extremists. “When it comes to domestic extremism, what tends to happen is that a lot of it goes under the radar, and a lot — including murders and what you would think would be major incidents — only gets reported locally and regionally,” Pitcavage said. “So unless it happens in your backyard, the average American doesn’t quite realize how much of this is happening.”

#### Dirty bombs go nuclear---high risk of theft and attacks escalate

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

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

#### Independently causes extinction via retaliation

Ayson 10 - Professor of Strategic Studies and Director of the Centre for Strategic Studies: New Zealand at the Victoria University of Wellington (Robert, July. “After a Terrorist Nuclear Attack: Envisaging Catalytic Effects.” Studies in Conflict & Terrorism, Vol. 33, Issue 7. InformaWorld.)

But these two nuclear worlds—a non-state actor nuclear attack and a catastrophic interstate nuclear exchange—are not necessarily separable. It is just possible that some sort of terrorist attack, and especially an act of nuclear terrorism, could precipitate a chain of events leading to a massive exchange of nuclear weapons between two or more of the states that possess them. In this context, today’s and tomorrow’s terrorist groups might assume the place allotted during the early Cold War years to new state possessors of small nuclear arsenals who were seen as raising the risks of a catalytic nuclear war between the superpowers started by third parties. These risks were considered in the late 1950s and early 1960s as concerns grew about nuclear proliferation, the so-called n+1 problem. It may require a considerable amount of imagination to depict an especially plausible situation where an act of nuclear terrorism could lead to such a massive inter-state nuclear war. For example, in the event of a terrorist nuclear attack on the United States, it might well be wondered just how Russia and/or China could plausibly be brought into the picture, not least because they seem unlikely to be fingered as the most obvious state sponsors or encouragers of terrorist groups. They would seem far too responsible to be involved in supporting that sort of terrorist behavior that could just as easily threaten them as well. Some possibilities, however remote, do suggest themselves. For example, how might the United States react if it was thought or discovered that the fissile material used in the act of nuclear terrorism had come from Russian stocks,40 and if for some reason Moscow denied any responsibility for nuclear laxity? The correct attribution of that nuclear material to a particular country might not be a case of science fiction given the observation by Michael May et al. that while the debris resulting from a nuclear explosion would be “spread over a wide area in tiny fragments, its radioactivity makes it detectable, identifiable and collectable, and a wealth of information can be obtained from its analysis: the efficiency of the explosion, the materials used and, most important … some indication of where the nuclear material came from.”41 Alternatively, if the act of nuclear terrorism came as a complete surprise, and American officials refused to believe that a terrorist group was fully responsible (or responsible at all) suspicion would shift immediately to state possessors. Ruling out Western ally countries like the United Kingdom and France, and probably Israel and India as well, authorities in Washington would be left with a very short list consisting of North Korea, perhaps Iran if its program continues, and possibly Pakistan. But at what stage would Russia and China be definitely ruled out in this high stakes game of nuclear Cluedo? In particular, if the act of nuclear terrorism occurred against a backdrop of existing tension in Washington’s relations with Russia and/or China, and at a time when threats had already been traded between these major powers, would officials and political leaders not be tempted to assume the worst? Of course, the chances of this occurring would only seem to increase if the United States was already involved in some sort of limited armed conflict with Russia and/or China, or if they were confronting each other from a distance in a proxy war, as unlikely as these developments may seem at the present time. The reverse might well apply too: should a nuclear terrorist attack occur in Russia or China during a period of heightened tension or even limited conflict with the United States, could Moscow and Beijing resist the pressures that might rise domestically to consider the United States as a possible perpetrator or encourager of the attack? Washington’s early response to a terrorist nuclear attack on its own soil might also raise the possibility of an unwanted (and nuclear aided) confrontation with Russia and/or China. For example, in the noise and confusion during the immediate aftermath of the terrorist nuclear attack, the U.S. president might be expected to place the country’s armed forces, including its nuclear arsenal, on a higher stage of alert. In such a tense environment, when careful planning runs up against the friction of reality, it is just possible that Moscow and/or China might mistakenly read this as a sign of U.S. intentions to use force (and possibly nuclear force) against them. In that situation, the temptations to preempt such actions might grow, although it must be admitted that any preemption would probably still meet with a devastating response. As part of its initial response to the act of nuclear terrorism (as discussed earlier) Washington might decide to order a significant conventional (or nuclear) retaliatory or disarming attack against the leadership of the terrorist group and/or states seen to support that group. Depending on the identity and especially the location of these targets, Russia and/or China might interpret such action as being far too close for their comfort, and potentially as an infringement on their spheres of influence and even on their sovereignty. One far-fetched but perhaps not impossible scenario might stem from a judgment in Washington that some of the main aiders and abetters of the terrorist action resided somewhere such as Chechnya, perhaps in connection with what Allison claims is the “Chechen insurgents’ … long-standing interest in all things nuclear.”42 American pressure on that part of the world would almost certainly raise alarms in Moscow that might require a degree of advanced consultation from Washington that the latter found itself unable or unwilling to provide. There is also the question of how other nuclear-armed states respond to the act of nuclear terrorism on another member of that special club. It could reasonably be expected that following a nuclear terrorist attack on the United States, bothRussia and China would extend immediate sympathy and support to Washington and would work alongside the United States in the Security Council. But there is just a chance, albeit a slim one, where the support of Russia and/or China is less automatic in some cases than in others. For example, what would happen if the United States wished to discuss its right to retaliate against groups based in their territory? If, for some reason, Washington found the responses of Russia and China deeply underwhelming, (neither “for us or against us”) might it also suspect that they secretly were in cahoots with the group, increasing (again perhaps ever so slightly) the chances of a major exchange. If the terrorist group had some connections to groups in Russia and China, or existed in areas of the world over which Russia and China held sway, and if Washington felt that Moscow or Beijing were placing a curiously modest level of pressure on them, what conclusions might it then draw about their culpability.

#### Even Limited Casualties Are Sufficient to Trigger the Impact

NTI ’11 Citing Vahid Majidi. Feb. 17 “FBI Official Sees 100% Likelihood of WMD Strike on U.S.” The Nuclear Threat Initiative works to strengthen global security by reducing global threats, Vahid Majidi is an FBI senior official. http://www.nti.org/gsn/article/fbi-official-sees-100-likelihood-of-wmd-strike-on-us/

Newsmax cited the case of Roger Bergendorff, who in 2008 was sentenced to 42 months in prison for possession of the lethal toxin ricin (see GSN, Nov. 18, 2008). A WMD event with limited casualties could still produce terrible psychological effects, Majidi said. "A singular lone wolf individual can do things in the dark of the night with access to a laboratory with low quantities of material and could hurt a few people but create a devastating effect on the American psyche," he said. A would-be attacker working alone remains a major concern, while intelligence agencies in the United States and abroad have established strategies for identifying schemes developed by terrorist organizations such as al-Qaeda, according to Majidi. Majidi said his office is pursuing strategies for identifying preparation of novel bioterrorism materials. "We are not sitting on our hands waiting to predict what will happen based on what happened yesterday,” Majidi said. "You can design an organism de novo that never existed before. While there is no known articulated threat, this is something that we feel is a technology or science that potentially can be misused, either accidentally or on purpose."

#### The Plan is Necessary to Shift From Mass Surveillance to Targeted Surveillance

Omtzigt and Schirmer 15 (Pieter and GÜNTER, “Mass surveillance: wrong in practice as well as principle,” Open Democracy, Feb 23, 2015, Accessed May 20, 2015, https://www.opendemo...-principle)//

In fact, two solid empirical studies on either side of the Atlantic, cited in the report of the Legal Affairs and Human Rights Committee, have shown that mass surveillance has not proved effective in the prevention of terrorist attacks, whereas targeted surveillance has. These studies have shown that those, like the former NSA director, General Keith Alexander, who insist on collecting “the whole haystack” are not really helping the fight against terrorism. Jim Sensenbrenner, a veteran Republican member of Congress, pointed out that “the bigger haystack makes it harder to find the needle”. And Thomas Drake, a former NSA executive turned critic, said that “if you target everything, there’s no target”. An analysis of the Boston marathon bombing in April 2013 showed that alarm signals pointing to the future perpetrator were lost in a mass of alerts generated by tactics that threw the net too widely. In short, mass surveillance may actually help terrorists because it diverts limited resources away from traditional law enforcement, which gathers more intelligence on a smaller set of targets. In both the Boston and Paris cases, the perpetrators had been on the radar of the authorities for some time, but the relevant intelligence was not followed up properly because it was drowned in a mass of data. By flooding the system with false positives, big-data approaches to counter-terrorism actually make it harder to identify and stop the real terrorists before they strike.

#### That Makes FBI Surveillance Efficient and Effective – Only Way to Stop Terrorist Plots

-less saturated data allows for the FBI to prevent attacks more efficiently

**Schmidt ’15** "Report Credits F.B.I. With Progress Since 9/11, but Says More Is Needed." The New York Times. The New York Times, 25 Mar. 2015. Web. 24 June 2015.

**The F.B.I. has made great strides since the Sept. 11 attacks** but urgently needs to improve its intelligence capabilities, hire more linguists and elevate the stature of its analysts to counter the rapidly evolving threats to the United States, according to a report released on Wednesday. **The report by the F.B.I. 9/11 Review Commission said the bureau had prevented catastrophic terrorist attacks but needed to improve its ability to collect information from people and to efficiently analyze it,** contending that the bureau lags “behind marked advances in law enforcement capabilities.” “This imbalance needs urgently to be addressed to meet growing and increasingly complex national security threats, from adaptive and increasingly tech-savvy terrorists, more brazen computer hackers and more technically capable, global cyber syndicates,” the report said. The 2004 report of the national Sept. 11 Commission and subsequent reviews called for major changes to the F.B.I., but **the report released Wednesday was far less critical. Rather than a rebuke, it amounts to a status-check on the F.B.I. transformation that began in 2001. Today’s bureau bears little resemblance to that organization, and some of the areas cited for improvement are markedly better than they were years ago.** For instance, **the 2004 report said that two-thirds of the bureau’s analysts were qualified to perform their jobs**. The latest report, by contrast, said, “**The training and professional status of analysts has improved in recent years**.” And while the report said the F.B.I. needed more translators, it was much less critical of the bureau’s foreign language ability than previous reports were. Many of the report’s recommendations related to issues that the F.B.I.’s director, James B. Comey, has raised since he took over the bureau in September 2013. For instance, Mr. Comey has said that one of his biggest priorities is continuing **the F.B.I**.’s transformation from a law enforcement agency to an intelligence operation. Last year, he **created a high-level executive position to oversee a branch division meant to expand the use of intelligence across all investigations.** He has **also** said that **raising the profile of analysts, and strengthening their relationships with agents**, are among his chief priorities. “I think **this is a moment of pride for the F.B.I**.,” Mr. Comey said Wednesday at a news conference in Washington. “An outside group of some of our nation’s most important leaders and thinkers has stared hard at us and said, ‘**You have done a great job at transforming yourself.’** They’ve also said what I’ve said around the country: ‘It’s not good enough.’” He added, “There are a lot of ways you can be even better.” The review commission was created by Congress in 2014 to assess the bureau’s progress since the attacks. In particular, the panel examined the extent to which the F.B.I. had put into effect the recommendations of the Sept. 11 Commission. “**Many of the findings and recommendations in this report will not be new to the F.B.I.**,” the latest report said. “**The bureau is already taking steps to address them**. In 2015, however, the F.B.I. faces an increasingly complicated and dangerous global threat environment that will demand an accelerated commitment to reform. **Everything is moving faster**.” The principal authors of the report were Bruce Hoffman, a professor of security studies at Georgetown University; Edwin Meese III, the former attorney general; and Timothy J. Roemer, a former House member from Indiana and former ambassador to India. The panel was particularly critical of how the F.B.I. treats its analysts. It said that “despite its stated intentions to address concerns from its analysts,” the bureau did not regard them as a “professional work force” that needed to be continually trained and educated. It said analysts needed to “be empowered to question special agent’s operational assumptions.” **The F.B.I. is far better at sharing information with other government agencies than it was before the Sept. 11 attacks**, the report said. But **it needs to improve how it communicates with local law enforcement**

**authorities and the private sector.** “Looking ahead, the F.B.I. will be increasingly dependent upon all domestic and foreign partnerships to succeed in its critical and growing national security missions — including against the rapidly evolving cyber and terrorist threats,” the report said.

### Advantage 2: Cloud Computing

#### Bulk surveillance will kill investment in US cloud computing. That crushes the US tech sector.

Mindock ’15

(Clark Mindock - Reporting Fellow at International Business Times – Internally quoting The Information Technology and Innovation Foundation. ITIF is a non-partisan research and educational institute – a think tank – whose mission is to formulate and promote public policies to advance technological innovation and productivity internationally, in Washington, and in the states. “NSA Surveillance Could Cost Billions For US Internet Companies After Edward Snowden Revelations” - International Business Times - June 10 2015 http://www.ibtimes.com/nsa-surveillance-could-cost-billions-us-internet-companies-after-edward-snowden-1959737)

Failure to reform National Security Administration spying programs revealed by Edward Snowden could be more economically taxing than previously thought, says a new study published by the Information Technology and Innovation Foundation Tuesday. The study suggests the programs could be affecting the technology sector as a whole, not just the cloud-computing sector, and that the costs could soar much higher than previously expected. Even modest declines in cloud computing revenues from the revealed surveillance programs, according to a previous report, would cost between $21.5 billion and $35 billion by 2016. New estimates show that the toll “will likely far exceed ITIF’s initial $35 billion estimate.” “The U.S. government’s failure to reform many of the NSA’s surveillance programs has damaged the competitiveness of the U.S. tech sector and cost it a portion of the global market share,” a summary of the report said. Revelations by defense contractor Snowden in June 2013 exposed massive U.S. government surveillance capabilities and showed the NSA collected American phone records in bulk, and without a warrant. The bulk phone-record revelations, and many others in the same vein, including the required complacency of American telecom and Internet companies in providing the data, raised questions about the transparency of American surveillance programs and prompted outrage from privacy advocates. The study, published this week, argues that unless the American government can vigorously reform how NSA surveillance is regulated and overseen, U.S. companies will lose contracts and, ultimately, their competitive edge in a global market as consumers around the world choose cloud computing and technology options that do not have potential ties to American surveillance programs. The report comes amid a debate in Congress on what to do with the Patriot Act, the law that provides much of the authority for the surveillance programs. As of June 1, authority to collect American phone data en masse expired, though questions remain as to whether letting that authority expire is enough to protect privacy. Supporters of the programs argue that they provide the country with necessary capabilities to fight terrorism abroad. A further reform made the phone records collection process illegal for the government, and instead gave that responsibility to the telecom companies.

#### Cloud computing empirically promising for climate change

Yaser Jararweh, Mahmoud Al -Ayyoub, et. al. 5-30-15 (Incl. Izzat Alsmadi , and Darrel Jenerette¶ Jordan University of Science and Technology, Irbid, Jordan; Boise State University, Idaho, USA; University of California, Riverside, USA, respectively. “Climate Change above the Cloud: Accelerating Climate ¶ Change Research with Cloud Computing Infrastructure,” May 30, 2015, http://www.researchgate.net/publication/277476603\_Climate\_Change\_above\_the\_Cloud\_Accelerating\_Climate\_Change\_Research\_with\_Cloud\_Computing\_Infrastructure)//tchainzzz

The analysis of large¶ -¶ scale data for the purpose of extracting patterns is applicable to several research ¶ fields. However, the size of this data is rapidly growing on a daily basis creating a need for new computing paradigms capable of handling such growing data ¶ efficiently. Cloud computing is one of the possible solutions to satisfy this pressing need . In this paper, a cloud computing based study for ¶ large scale climate related historical dat¶ a from Jordan is conducted. The main focus is to accelerate ¶ the experimental part of the climate research using the cloud computing Infrastructure which will lea¶ d ¶ to faster results generation. ¶ Climate change research is receiving a lot of interest as the climate change phenomena is expected to have a direct as well as an indirect impact on human life. However, the amount of computational resources required to conduct such research in a useful and practical manner is very high. This work aims at accelerating the climate changes related research by exploiting the seemingly limitless cloud computing resources. This will help in faster results generation and accurately building climate models in reasonable time. ¶ Also, we are planning to have a cloud based portal ¶ for climate researcher¶ s ¶ who are not computing experts ¶ [1]¶ . ¶ For the experiments and analysis, we use time series functions from different applications including ¶ R¶ -¶ Packag¶ e¶ -¶ forecast and WEKA time series¶ . Some of the time series methods are: ARIMA, ar, ¶ HoltWi¶ nters and StructTS. The initial analysis shows that ARIMA can be the best choice for our data ¶ and forecasting. Autoregressive Integrated Moving Average (ARIMA) time series algorithms or ¶ models include an explicit statistical model. It can handle irregular ¶ components of time series. This ¶ allows for non¶ -¶ zero autocorrelations in the irregular component. ARIMA models are defined for ¶ stationary time series. Some preprocessing methods are used to make a time series stationary. An ¶ example of those is the function ¶ (diff) in R¶ -¶ Package ¶ [2]¶ . ¶ Our experimental framework is an IBM CloudBurst system. We used ¶ two ¶ virtual machines with four ¶ virtua¶ l CPUs and 32 GB of memory each. ¶ T¶ he operating system is Windows 7. Our results show that using the cloud system to conduct a computing intensive climate change experiments is very promising as we are able to generate large number of results in a relatively short time compared with using conventional machines. The results we are presenting are for climate related data from all weather stations in Jordan over a period of about 20 years. The data is collected for the years from 1990 to 2012. We present two types of results, the ¶ t¶ ime series analysis results and the forecasting ¶ results that are used to predict future possible evolution i¶ n weather attributes. Based on these results, ¶ we found that ¶ h¶ umidity and dew point are the two weather attributes that showed significant increase. ¶ Such increase is categorized under global warming and is expected to cause impacts on the life of: ¶ plants, a¶ nimal and human directly or indirectly.

#### Climate models are k2 developing adaptation methods.

Pope 10

[ Vicky Pope is the head of climate science advice at the Met Office Hadley Centre, “ How science will shape climate adaptation plans,” 16 September 2010, http://www.guardian.co.uk/environment/cif-green/2010/sep/16/science-climate-change-adaptation]

Some would argue that the demand for information on how climate change will affect our future outstrips the current capability of the science and climate models. My view is that as scientists, we can provide useful information, but we need to be clear about its limitations and strive to improve information for the future. We need to be clear about the uncertainties in our projections while still extracting useful information for practical decision-making. I have been involved in developing climate models for the last 15 years and despite their limitations we are now able to assess the probability of different outcomes for the first time. That means we can quantify the risk of these outcomes happening. These projections – the UK climate projections published in 2009 - are already forming the backbone of adaptation decisions being made in the UK for 50 to 100 years ahead. A project commissioned by the Environment Agency to investigate the impact of climate change on the Thames estuary over the next 100 years concluded that current government predictions for sea level rise are realistic. A major outcome from the scientific analysis was that the worst-case scenarios for high water levels can be significantly reduced - from 4.2m to 2.7m – because we are able to rule out the more extreme sea level rise. As a result, massive investment in a tide-excluding estuary barrage is unlikely to be needed this century. This will be reviewed as more information becomes available, taking a flexible approach to adaptation. The energy industry, working with the Met Office, looked at the likely impact of climate change on its infrastructure. The project found that very few changes in design standards are required, although it did highlight a number of issues. For instance, transformers could suffer higher failure rates and efficiency of some types of thermal power station could be markedly reduced because of increasing temperatures. A particular concern highlighted by this report and reiterated in today's report from the Climate Change Committee - the independent body that advises government on its climate targets - is that little is known about how winds will change in the future - important because of the increasing role of wind power in the UK energy mix. Fortunately many people, from private industry to government, recognise the value of even incomplete information to help make decisions about the future. Demand for climate information is increasing, particularly relating to changes in the short to medium term. More still needs to be done to refine the climate projections and make them more usable and accessible. This is especially true if we are to provide reliable projections for the next 10 to 30 years. The necessary science and modelling tools are being developed, and the first tentative results are being produced. We need particularly to look at how we communicate complex and often conflicting results. In order to explain complex science to a lay audience, scientists and journalists are prone to progressively downplay the complexity. Conversely, in striving to adopt a more scientific approach and include the full range of uncertainty, we often give sceptics an easy route to undermine the science. All too often uncertainty in science offers a convenient excuse for delaying important decisions. However, in the case of climate change there is overwhelming evidence that the climate is changing — in part due to human activities — and that changes will accelerate if emissions continue unabated. In examining the uncertainty in the science we must take care to not throw away what we do know. Science has established that climate is changing. Scientists now need to press on in developing the emerging tools that will be used to underpin sensible adaptation decisions which will determine our future.

#### Climate change is irreversible, human caused, and adaptation is key

Peet and Madrigano 10-2-2015, (Evan Peet, Associate Economist, The RAND Corporation, 2015-present Postdoctoral Fellow, Harvard University School of Public Health, 2013-2015 Mentors: Günther Fink, Corwin Zigler, Francesca Dominici and Wafaie Fawzi Visiting Professor, Brigham Young University, 2011; Jaime Madrigano, Assistant Professor, Rutgers, The State University of New Jersey, Adapting to a Hotter World, U.S. News & World Report By [Evan Peet](http://www.usnews.com/topics/author/evan-peet) and Jaime Madrigano, Oct. 2, 2015, http://www.usnews.com/opinion/economic-intelligence/2015/10/02/the-vital-element-missing-from-the-climate-change-debate)--tchainzzz

The scientific consensus on climate change is clear. Human actions, like building coal power plants and driving gasoline-powered cars, have led to a global temperature increase of 1.8 degrees Fahrenheit over the past century. In the next 100 years, average global temperature will likely increase an additional 3.6 degrees.¶ This is expected to lead to more floods, droughts and extreme weather all around the world – with huge implications for public health. Growing droughts, floods and other natural disasters will threaten the fresh water supply and displace people. Swelling temperatures will raise sea levels, expand energy demand, reduce economic productivity and lead to increased incidence of heat stroke and spread of food-related illnesses, infectious diseases and airborne allergens. Disrupted ecosystems will alter food chains, potentially resulting in greater malnutrition. Mitigation policies, such as the Clean Power Plan, are designed with the intent of tempering these impacts by slowing and potentially stopping further climate change. They also often produce additional benefits, such as reducing other health-damaging pollutants, or, as [recent RAND research](http://www.rand.org/pubs/external_publications/EP66214.html) indicates, saving billions in health care costs.¶ But because climate change is largely irreversible, mitigation alone won't solve the problem. Adaptation – efforts to prepare for or adjust to climate change's effects – is also necessary. Adaptation can take many forms, including developing [heat-tolerant crops](http://www.nsf.gov/discoveries/disc_summ.jsp?cntn_id=114642) and improving management of natural resources and resilience to extreme weather. ¶ Like mitigation, adaptation can produce added benefits. For example, improved water management strategies in climate-vulnerable developing countries would likely protect future water supply and produce health benefits from improved water quality and access.While mitigation efforts will prevent even greater, future climatic changes, adaptation efforts will prepare the world for a new set of living conditions – whatever they may be. Those seeking solutions to climate change need to focus on the right mix of adaptation and mitigation, instead of making it an either-or (or neither) argument.¶ Both mitigation and adaptation are costly. And costs may increase as each successive strategy targets the low-hanging fruit options that will become increasingly scarce. And so while the Environmental Protection Agency expects the Clean Power Plan to save the United States between [$25 billion and $45 billion annually by 2030](http://www2.epa.gov/cleanpowerplan/clean-power-plan-final-rule-regulatory-impact-analysis), additional future mitigation will be more reliant on renewable energy sources, which have historically been prohibitively costly. While costs have dropped dramatically in recent years, future cost estimates carry a high degree of uncertainty. The projected annual global cost of adaptations before 2050 is expected to exceed $70 billion. Future adaptive measures, such as the major relocation of displaced populations, will have far-reaching social and economic implications. And consequences such as species extinction will likely fall beyond adaptation's reach.¶Missing from today's climate change debate is an understanding of the costs, benefits and limitations of combined mitigation and adaptation efforts. Research could help determine how each strategy could overcome the other's limitations. While [proposed frameworks](http://www.worldscientific.com/doi/abs/10.1142/S201000781000008X) to jointly assess mitigation and adaptation effects can identify redundancies and opportunities for cost reductions, little has been done to evaluate current and planned policies or resolve their [conflicting goals](http://www.sciencedirect.com/science/article/pii/S0197397508000659).¶ State and local governments in Louisiana and [New York City](http://www1.nyc.gov/office-of-the-mayor/news/122-15/mayor-de-blasio-releases-npcc-2015-report-providing-climate-projections-2100-the-first) are among the leaders addressing climate change. In response to coastal flood risk, [Louisiana](http://www.rand.org/pubs/research_reports/RR437.html) has produced a 50-year, $50 billion strategy for reducing flood risk and coastal land loss (designed in cooperation with RAND researchers). Meanwhile, New York has an independent panel on climate change that advises the city on climate risks and resiliency. Such ongoing evaluation of strategies can inform broader initiatives.¶ Lacking simple solutions to the complex challenge of climate change, researchers and policymakers must debate and embrace all available information and remain flexible enough to reevaluate actions and adapt as new information arises. As the climate continues to change, so must the response to it.¶

#### Adaptation solves global wars

Werz and Conley 12 - Senior Fellow @American Progress where his work as member of the National Security Team focuses on the nexus of climate change, migration, and security and emerging democracies & Research Associate for National Security and International Policy @ the Center for American Progress [Michael Werz & Laura Conley, “Climate Change, Migration, and Conflict: Addressing complex crisis scenarios in the 21st Century,” Center for American Progress, January 2012]

The costs and consequences of climate change on our world will define the 21st century. Even if nations across our planet were to take immediate steps to rein in carbon emissions—an unlikely prospect—a warmer climate is inevitable. As the U.N. Intergovernmental Panel on Climate Change, or IPCC, noted in 2007, human-created “warming of the climate system is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice and rising global average sea level.”1 As these ill effects progress they will have serious implications for U.S. national security interests as well as global stability—extending from the sustainability of coastal military installations to the stability of nations that lack the resources, good governance, and resiliency needed to respond to the many adverse consequences of climate change. And as these effects accelerate, the stress will impact human migration and conflict around the world. It is difficult to fully understand the detailed causes of migration and economic and political instability, but the growing evidence of links between climate change, migration, and conflict raise plenty of reasons for concern. This is why it’s time to start thinking about new and comprehensive answers to multifaceted crisis scenarios brought on or worsened by global climate change. As Achim Steiner, executive director of the U.N. Environment Program, argues, “The question we must continuously ask ourselves in the face of scientific complexity and uncertainty, but also growing evidence of climate change, is at what point precaution, common sense or prudent risk management demands action.”2 In the coming decades climate change will increasingly threaten humanity’s shared interests and collective security in many parts of the world, disproportionately affecting the globe’s least developed countries. Climate change will pose challenging social, political, and strategic questions for the many different multinational, regional, national, and nonprofit organizations dedicated to improving the human condition worldwide. Organizations as different as Amnesty International, the U.S. Agency for International Development, the World Bank, the International Rescue Committee, and the World Health Organization will all have to tackle directly the myriad effects of climate change. Climate change also poses distinct challenges to U.S. national security. Recent intelligence reports and war games, including some conducted by the U.S. Department of Defense, conclude that over the next two or three decades, vulnerable regions (particularly sub-Saharan Africa, the Middle East, South and Southeast Asia) will face the prospect of food shortages, water crises, and catastrophic flooding driven by climate change. These developments could demand U.S., European, and international humanitarian relief or military responses, often the delivery vehicle for aid in crisis situations. This report provides the foundation and overview for a series of papers focusing on the particular challenges posed by the cumulative effects of climate change, migration, and conflict in some of our world’s most complex environments. In the papers following this report, we plan to outline the effects of this nexus in northwest Africa, in India and Bangladesh, in the Andean region of South America, and in China. In this paper we detail that nexus across our planet and offer wide ranging recommendations about how the United States, its allies in the global community, and the community at large can deal with the coming climate-driven crises with comprehensive sustainable security solutions encompassing national security, diplomacy, and economic, social, and environmental development. Here, we briefly summarize our arguments and our conclusions. The nexus The Arab Spring can be at least partly credited to climate change. Rising food prices and efforts by authoritarian regimes to crush political protests were linked first to food and then to political repression—two important motivators in the Arab makeover this past year. To be sure, longstanding economic and social distress and lack of opportunity for so many Arab youth in the Middle East and across North Africa only needed a spark to ignite revolutions across the region. But environmental degradation and the movement of people from rural areas to already overcrowded cities alongside rising food prices enabled the cumulative effects of long-term economic and political failures to sweep across borders with remarkable agility. It does not require much foresight to acknowledge that other effects of climate change will add to the pressure in the decades to come. In particular the cumulative overlays of climate change with human migration driven by environmental crises, political conflict caused by this migration, and competition for more scarce resources will add new dimensions of complexity to existing and future crisis scenarios. It is thus critical to understand how governments plan to answer and prioritize these new threats from climate change, migration, and conflict. Climate change Climate change alone poses a daunting challenge. No matter what steps the global community takes to mitigate carbon emissions, a warmer climate is inevitable. The effects are already being felt today and will intensify as climate change worsens. All of the world’s regions and nations will experience some of the effects of this transformational challenge. Here’s just one case in point: African states are likely to be the most vulnerable to multiple stresses, with up to 250 million people projected to suffer from water and food insecurity and, in low-lying areas, a rising sea level.3 As little as 1 percent of Africa’s land is located in low-lying coastal zones but this land supports 12 percent of its urban population.4 Furthermore, a majority of people in Africa live in lower altitudes—including the Sahel, the area just south of the Sahara—where the worst effects of water scarcity, hotter temperatures, and longer dry seasons are expected to occur.5 These developments may well be exacerbated by the lack of state and regional capacity to manage the effects of climate change. These same dynamics haunt many nations in Asia and the Americas, too, and the implications for developed countries such as the United States and much of Europe will be profound. Migration Migration adds another layer of complexity to the scenario. In the 21st century the world could see substantial numbers of climate migrants—people displaced by either the slow or sudden onset of the effects of climate change. The United Nations’ recent Human Development Report stated that, worldwide, there are already an estimated 700 million internal migrants—those leaving their homes within their own countries—a number that includes people whose migration isrelated to climate change and environmental factors. Overall migration across national borders is already at approximately 214 million people worldwide,6 with estimates of up to 20 million displaced in 2008 alone because of a rising sea level, desertification, and flooding.7 One expert, Oli Brown of the International Institute for Sustainable Development, predicts a tenfold increase in the current number of internally displaced persons and international refugees by 2050.8 It is important to acknowledge that there is no consensus on this estimate. In fact there is major disagreement among experts about how to identify climate as a causal factor in internal and international migration. But even though the root causes of human mobility are not always easy to decipher, the policy challenges posed by that movement are real. A 2009 report by the International Organization for Migration produced in cooperation with the United Nations University and the Climate Change, Environment and Migration Alliance cites numbers that range from “200 million to 1 billion migrants from climate change alone, by 2050,”9 arguing that “environmental drivers of migration are often coupled with economic, social and developmental factors that can accelerate and to a certain extent mask the impact of climate change.” The report also notes that “migration can result from different environmental factors, among them gradual environmental degradation (including desertification, soil and coastal erosion) and natural disasters (such as earthquakes, floods or tropical storms).”10 (See box on page 15 for a more detailed definition of climate migrants.) Clearly, then, climate change is expected to aggravate many existing migratory pressures around the world. Indeed associated extreme weather events resulting in drought, floods, and disease are projected to increase the number of sudden humanitarian crises and disasters in areas least able to cope, such as those already mired in poverty or prone to conflict.11 Conflict This final layer is the most unpredictable, both within nations and transnationally, and will force the United States and the international community to confront climate and migration challenges within an increasingly unstructured local or regional security environment. In contrast to the great power conflicts and the associated proxy wars that marked most of the 20th century, the immediate post- Cold War decades witnessed a diffusion of national security interests and threats. U.S. national security policy is increasingly integrating thinking about nonstate actors and nontraditional sources of conflict and instability, for example in the fight against Al Qaeda and its affiliated groups. Climate change is among these newly visible issues sparking conflict. But because the direct link between conflict and climate change is unclear, awareness of the indirect links has yet to lead to substantial and sustained action to address its security implications. Still the potential for the changing climate to induce conflict or exacerbate existing instability in some of the world’s most vulnerable regions is now recognized in national security circles in the United States, although research gaps still exists in many places. The climate-co 1nflict nexus was highlighted with particular effect by the current U.S. administration’s security-planning reviews over the past two years, as well as the Center for Naval Analysis, which termed climate change a “threat multiplier,” indicating that it can exacerbate existing stresses and insecurity.12 The Pentagon’s latest Quadrennial Defense Review also recognized climate change as an “accelerant of instability or conflict,” highlighting the operational challenges that will confront U.S. and partner militaries amid a rising sea level, growing extreme weather events, and other anticipated effects of climate change.13 The U.S. Department of Defense has even voiced concern for American military installations that may be threatened by a rising sea level.14 There is also well-developed international analysis on these points. The United Kingdom’s 2010 Defense Review, for example, referenced the security aspects of climate change as an evolving challenge for militaries and policymakers. Additionally, in 2010, the Nigerian government referred to climate change as the “greatest environmental and humanitarian challenge facing the country this century,” demonstrating that climate change is no longer seen as solely scientific or environmental, but increasingly as a social and political issue cutting across all aspects of human development.15 As these three threads—climate change, migration, and conflict—interact more intensely, the consequences will be far-reaching and occasionally counterintuitive. It is impossible to predict the outcome of the Arab Spring movement, for example, but the blossoming of democracy in some countries and the demand for it in others is partly an unexpected result of the consequences of climate change on global food prices. On the other hand, the interplay of these factors will drive complex crisis situations in which domestic policy, international policy, humanitarian assistance, and security converge in new ways. Areas of concern Several regional hotspots frequently come up in the international debate on climate change, migration, and conflict. Climate migrants in northwest Africa, for example, are causing communities across the region to respond in different ways, often to the detriment of regional and international security concerns. Political and social instability in the region plays into the hands of organizations such as Al Qaeda in the Islamic Maghreb. And recent developments in Libya, especially the large number of weapons looted from depots after strongman Moammar Qaddafi’s regime fell— which still remain unaccounted for—are a threat to stability across North Africa. Effective solutions need not address all of these issues simultaneously but must recognize the layers of relationships among them. And these solutions must also recognize that these variables will not always intersect in predictable ways. While some migrants may flee floodplains, for example, others may migrate to them in search of greater opportunities in coastal urban areas.16 Bangladesh, already well known for its disastrous floods, faces rising waters in the future due to climate-driven glacial meltdowns in neighboring India. The effects can hardly be over. In December 2008 the National Defense University in Washington, D.C., ran an exercise that explored the impact of a flood that sent hundreds of thousands of refugees into neighboring India. The result: the exercise predicted a new wave of migration would touch off religious conflicts, encourage the spread of contagious diseases, and cause vast damage to infrastructure. India itself is not in a position to absorb climate-induced pressures—never mind foreign climate migrants. The country will contribute 22 percent of global population growth and have close to 1.6 billion inhabitants by 2050, causing demographic developments that are sure to spark waves of internal migration across the country. Then there’s the Andean region of South America, where melting glaciers and snowcaps will drive climate, migration, and security concerns. The average rate of glacial melting has doubled over the past few years, according to the World Glacier Monitoring Service.17 Besides Peru, which faces the gravest consequences in Latin America, a number of other Andean countries will be massively affected, including Bolivia, Ecuador, and Colombia. This development will put water security, agricultural production, and power generation at risk—all factors that could prompt people to leave their homes and migrate. The IPCC report argues that the region is especially vulnerable because of its fragile ecosystem.18 Finally, China is now in its fourth decade of ever-growing internal migration, some of it driven in recent years by environmental change. Today, across its vast territory, China continues to experience the full spectrum of climate change related consequences that have the potential to continue to encourage such migration. The Center for a New American Security recently found that the consequences of climate change and continued internal migration in China include “water stress; increased droughts, flooding, or other severe events; increased coastal erosion and saltwater inundation; glacial melt in the Himala as that could affect hundreds of millions; and shifting agricultural zones”—all of which will affect food supplies. 19 Pg. 1-7

### Plan

#### Plan: The United States Federal Government should substantially curtail its domestic surveillance by cutting fusion centers.

### Solvency

#### Fusion Center’s Oversaturate Organizations with too much information – this makes the effective utilization of that information impossible

Jesse **Walke**, Author Extraordinaire, 10/3/**2012**, "Fusion Centers: Expensive, Practically Useless, and Bad for Your Liberty," Reason, http://reason.com/blog/2012/10/03/fusion-centers-expensive-practically-use

The Senate Committee on Homeland Security and Governmental Affairs has just released a report [pdf] on the "fusion centers" that pepper the law-enforcement landscape -- shadowy intelligence-sharing shops run on the state and local level but heavily funded by the federal Department of Homeland Security. It is a devastating document. When a report's recommendations include a plea for the DHS to "track how much money it gives to each fusion center," you know you're dealing with a system that has some very basic problems. After reviewing 13 months' worth of the fusion centers' output, Senate investigators concluded that the centers' reports were "oftentimes shoddy, rarely timely, sometimes endangering citizens' civil liberties and Privacy Act protections, occasionally taken from already-published public sources, and **more often than not unrelated to terrorism."** One report offered the vital intelligence that "a certain model of automobile had folding rear seats that provided access to the trunk without leaving the car," a feature deemed notable because it "could be useful to human traffickers." Others highlighted illegal activities by people in the Terrorist Identities Datamart Environment (TIDE) database, which sounds useful until you hear just what those people did that attracted the centers' attention. One man was caught speeding. Another shoplifted some shoes. TIDE itself, according to the Senate report, is filled not just with suspected terrorists but with [and] their "associates," a term broad enough to rope in a two-year-old boy. Nearly a third of the reports were not even circulated after they were written, sometimes because they contained no useful information, sometimes because they "overstepped legal boundaries" in disturbing ways: "Reporting on First Amendment-protected activities lacking a nexus to violence or criminality; reporting on or improperly characterizing political, religious or ideological speech that is not explicitly violent or criminal; and attributing to an entire group the violent or criminal acts of one or a limited number of the group's members." (One analyst, for example, felt the need to note that a Muslim community group's list of recommended readings included four items whose authors were in the TIDE database.) Interestingly, while the DHS usually refused to publish these problematic reports, the department also retained them for an "apparantly indefinite" period. Why did the centers churn out so much useless and illegal material? A former employee says officers were judged "by the number [of reports] they produced, not by quality or evaluations they received." Senate investigators were "able to identify only one case in which an official with a history of serious reporting issues faced any consequences for his mistakes." Specifically, he had to attend an extra week of training. Other issues identified in the Senate report: • Some of the fusion centers touted by the Department of Homeland Security do not, in fact, exist. • Centers have reported threats that do not exist either. An alleged Russian "cyberattack" turned out to be an American network technician accessing a work computer remotely while on vacation. • DHS "was unable to provide an accurate tally of how much it had granted to states and cities to support fusion centers efforts." Instead it offered "broad estimates of the total amount of federal dollars spent on fusion center activities from 2003 to 2011, estimates which ranged from $289 million to $1.4 billion." When you aren't keeping track of how much you're spending, it becomes hard to keep track of what that money is being spent on. All sorts of dubious expenses slipped by. A center in San Diego "spent nearly $75,000 on 55 flat-screen televisions," according to the Senate report. "When asked what the televisions were being used for, officials said they displayed calendars, and were used for 'open-source monitoring.' Asked to define 'open-source monitoring,' SD-LECC officials said they meant 'watching the news.'" The report is also filled with signs of stonewalling. A "2010 assessment of state and local fusion centers conducted at the request of DHS found widespread deficiencies in the centers' basic counterterrorism information-sharing capabilities," for example. "DHS did not share that report with Congress or discuss its findings publicly. When the Subcommittee requested the assessment as part of its investigation, DHS at first denied it existed, then disputed whether it could be shared with Congress, before ultimately providing a copy." And then there's the matter of mission creep. Many centers have adopted an "all-crime, all-hazards" approach that shifts their focus from stopping terrorism and onto a broader spectrum of threats. You could make a reasonable case that this is a wiser use of public resources -- terrorism is rare, after all, and the DHS-driven movement away from the all-hazards approach in the early post-9/11 years had disastrous results. Unfortunately, the leading "hazards" on the fusion centers' agenda appear to be drugs and illegal aliens. At any rate, the DHS should stop citing the centers as a key part of America's counterterrorism efforts if those centers have found better (or easier) things to do than trying to fight terror.

#### Fusion centers must be defunded and ended

Hilliard, Messineo ’14 [May 23, 2014, GlobalResearch, Mara Verheyden-Hillard cofounder of the Partnership for Civil Justice Legal Defense & Education Fund, Attorney for the International Action Center, Anti-war activist, Carl Messineo cofounder of the Partnership for Civil Justice Legal Defense and Education Fund; “The Hidden Role of the Fusion Centers in the Nationwide Spying Operation against the Occupy Movement and Peaceful Protest in America”, http://www.globalresearch.ca/the-hidden-role-of-the-fusion-centers-in-the-nationwide-spying-operation-against-the-occupy-movement-and-peaceful-protest-in-america/5383571]

Until now the role of the Fusion Centers in their application of anti-terrorism authority and resources has been shrouded in secrecy. In 2012, the Senate issued an investigative report on the Fusion Centers that The Washington Post described as revealing “pools of ineptitude, waste and civil liberties intrusions.” The Department of Homeland Security immediately dismissed and “condemned the report and defended the fusion centers, saying the Senate investigators relied on out-of-date data,” from 2009 and 2010, and prior years of materials. The public was not privy to the records underlying that investigation, however, the documents that the Senate reviewed predated the documents that the Partnership for Civil Justice Fund has obtained and made public. The newly released documents show that the Department of Homeland Security’s representations were far from true, that the conduct of the Fusion Centers continued unabated. The American people can now see for themselves how the U.S. government and the Department of Homeland Security are spending hundreds of millions of dollars of their money in Fusion Center operations. These documents, along with materials previously released by the PCJF that exposed the FBI and other domestic intelligence and law enforcement agencies’ targeting of Occupy, reveal a U.S. surveillance-industrial apparatus charging forward in willful disregard for the fundamental civil liberties and political freedoms of the people. Targeting a peaceful social justice movement as a criminal or terrorist enterprise is incompatible with a constitutional democracy. These documents show that the Fusion Centers constitute a menace to democracy. This gross misuse of U.S. taxpayers’ money also demonstrates that the Fusion Centers are a colossal rat hole of waste. The Fusion Centers should be defunded and ended immediately. Coinciding with the publication of these new documents and this report, the Partnership for Civil Justice Fund has initiated a nationwide campaign to End the Fusion Centers! The campaign includes a mass email and letter-writing effort to President Obama and all members of Congress calling on them to defund and end the Fusion Centers. As part of the End the Fusion Centers campaign and to broaden awareness of the dangers posed by the Fusion Centers, the PCJF has also made the new documents fully available to the public and to the media in searchable format at BigBrotherAmerica.org. Although the Fusion Centers’ existence is justified by the DHS as a necessary component in stoppYLing terrorism and violent crime, the documents show that the Fusion Centers in the Fall of 2011 and Winter of 2012 were devoted to unconstrained targeting of a grassroots movement for social change that was acknowledged to be peaceful in character.

# Cross-Ex Questions

### Any Off-Case

#### What is the status of your off-case positions?

### T

#### What off-case arguments do you lose under our interpretation?

#### What affs are considered topical under your interpretation?

#### Which surveillance agencies of the USFG are topical?

#### Is the FBI topical?

### K

#### How does the alt solve?

#### What does the world of the alt look like?

#### Can the plan exist in the world of the alt?

#### (Only ask if they read an impact like extinction, war, death, etc.) How does the plan uniquely trigger the impacts? What does the alt do for every other instance of problematic advocacies?

#### Can you cite empirical evidence of your impacts happening?

# Overviews

### 1: Terror

#### It’s try or die for the aff. ISIS is planning to smuggle a nuclear bomb into the US thru Mexico- that’s Press TV. Easily accessible dirty bombs and stolen radioactive material gives us the edge on probability. Even a small attack triggers nuclear war- escalation and pre-emptive measures create conflict in a backdrop of tension. This draws in great powers – that’s Ayson. Only the plan solves. Elimination of over saturation allows for movement towards efficient and targeted surveillance – that’s Thomas 15’.

### 2: Cloud

#### Fusion centers are surveilling the cloud in the squo, killing US corporations’ trust in cloud computing. Cloud computing is key to solve for climate modeling which allows us to solve adaptation through weather and climate predictions and take counter measures- that’s Pope. Adaptation prevents global wars. In times of global warming, migration periods occur, studies prove correlation. Great power wars go nuclear - that’s Werz and Conley – this card is extremely good, it gives a laundry list of impacts to global warming, such as human migration, food shortages, water insecurity, military responses, political/social instability playing into the hands of al Qaeda, catalyzing religious conflicts, spreading disease, and affecting power generation. All we have to do to win this advantage and solve for all of these impacts is prove that cloud computing is at stake and that the cloud is key to adaptation.

# Add-Ons

## #BlackLivesMatter

### #BlackLivesMatter Add-On (Long)

#### The Black Lives matter movement, centered around raising visibility around the issues of racialized violence, is gaining momentum against anti-blackness

Paschel 14 (Tianna, Assistant Professor of African American Studies, “The Making of a Grassroots Movement against Anti-black Racism” in Insurgency: The Black Matter(s) Issue Dept. of African American Studies | University of California, Berkeley http://www.thediasporablackmattersissue.com/ December 23, 2014

First, the recent waves of protest from Ferguson to Oakland to New York represent the emergence of a grassroots movement against anti-black racism, unprecedented in recent decades. Beyond the sheer size and number of protests, their locus has also been somewhat surprising given what we know about social movements. Rather than emerging from established civil rights organizations or black political elites that have long considered themselves the spokespersons of the black community, this movement has radiated out from the outraged and grieving families and communities of the black men killed by the police. In taking their struggle to the streets, these communities have targeted state institutions as well as ordinary Americans who have passively watched as black people experience racialized violence. What is most remarkable about the protests in Ferguson, in particular, is how collective pain and indignation itself has called so many people to the street, night after night, in the face of an increasingly militarized police force and largely outside of “respectable” black middle class institutions. Indeed, while in some cases, traditional civil rights institutions have helped to shine a spotlight on these injustices, their involvement has largely happened after mobilization was well underway. Moreover, amidst debates on the right as to whether these deaths were racially motivated at all, some traditional black leaders have tried to discipline protesters and emphasize personal responsibility as a potential remedy to the ills facing black communities. This was best captured in Al Sharpton’s eulogy at Mike Brown’s funeral, which spoke not only about racialized state violence, but the need for blacks to “clean up” their communities and embrace being successful. The family of Akai Gurley, another unarmed black man gunned down by the NYPD in a dark stairwell, refused to let Sharpton speak at his memorial service. In this sense, recent mobilization must be understood as having its roots in spontaneous, grassroots action that has become increasingly coordinated. The second root of such organizing both on the streets and on the internet *is* black youth-led social movement organizations and networks such as Black Lives Matter, We Charge Genocide and Black Youth Project 100 (BYP100), to name a few. All of them have emerged in recent years around the question of racialized police violence as well as other issues facing black people. In so doing, they have not only mobilized and raised visibility around these issues, but have also produced important written analyses of the situation. They have insisted that we understand these murders as systemic rather than episodic, as endemic rather than aberrations to an otherwise post-racial society and state apparatus. These organizations have also been emphatic about contextualizing these horrific events along a spectrum of state violence that black people, and particularly poor black people experience every day in the form of surveillance, hyper criminalization and mass incarceration.We Charge Genocide – a grassroots Chicago-based organization that emerged in the wake of the killing of Dominique “Damo” Franklin and that works to equip individuals and communities to “police” the police– took its name from a 1951 Petition with the same name. Originally submitted to the UN General Assembly submitted by the Civil Rights Congress, the petition documented 153 racial killings and was signed by W.E.B. Dubois and Paul Robeson, among many others. Its authors held that “the oppressed Negro citizens of the United States, segregated, discriminated against and long the target of violence, suffer from genocide as the result of the consistent, conscious, unified policies of every branch of government.” In a similar vein, the youth organizing with We Charge Genocide, along with the parents of Mike Brown made similar statements on state violence against black communities in front of the UN Committee on Torture in Geneva in November of this year. The parallels between these two moments of black resistance in both domestic and international space are many. These similarities caution us to resist the temptation to demarcate the current moment as constituting a new kind of racial violence.The third aspect of this movement that is important to underscore is that it is not a white movement. If you have participated in recent protests, or even seen footage of them, you have likely noticed that many of those organizing for racial justice and against anti-black racism are not black. In fact, a great deal of the images circulating in the newspapers in cities like New York and in the Bay Area show a great deal of white, likely middle class liberal whites marching and “dying in”. On the one hand, it is significant moment when whites chant “black lives matter”. This is especially the case when we consider that much of the racialized violence perpetuated against black people (though not all) has happened at the hands of white police officers who refuse to see black people as fully human. Having participated in some of the protests myself, I have to admit that watching black people being joined by other people of color and white people yell “black lives matter” gave me a little bit of renewed hope about the possibilities of breaking through the ideological force of “post-racial” America. On the other hand, the participation and visibility of white protestors has been highly problematic. Social Justice Blogger Tam highlighted this best in a recent post entitled “Dear White Protesters”: “As a Black person in this country, I am well aware that the streets belong to white people. I am not empowered or made more safe by hundreds of white people chanting that the streets belong to them. The street in Ferguson where Mike Brown was murdered and lay dead for 4.5 hours should have belonged to him, but it didn’t. He’s dead. He’s not coming back. That’s because the streets belong to white people.” Indeed, the impulse of many white protestors throughout the United States has not been to simply stand in solidarity with black communities and others affected directly by racialized state violence, but to appropriate that suffering, to “give voice” to black people, to be at the center of the movement.These tensions were accentuated in a recent protest organized by black students at the University of Chicago where students called on everyone to march, but only allowed black students to “die in”. This was a strategic decision that was an important one because it reaffirmed the fact that it is blackness itself that made Eric Garner and Mike Brown susceptible to what Achille Mbembe calls “necropolitics” or the “contemporary forms of subjugation of life to the power of death” that “profoundly reconfigure the relations among resistance, sacrifice, and terror”. Yet while it is important that black bodies remain at the center of this movement, it makes sense that we would not necessarily be there. Indeed, the same de-facto mandate of the police to serve and protect white people (and perhaps more importantly, white property) that led to the deaths of these black men is what makes whites so comfortable showing their outrage in public spaces, that affords them the privilege of feeling relatively safe while protesting, that prompts them to taunt police. As such, while broad-based cross-racial solidarity can certainly shape the sustainability and outcomes of this movement, there must also be a critical reflection among white protestors, as well as the movement more generally, about the ways in which whiteness is being articulated in it.Finally, it is important to note that while many protestors have made it clear that this is about black livesmattering, in much of the actual discourse and political practices, a concern for black men’s lives have eclipsed that of black people on the whole. This has led to a de-emphasis of the ways that racialized state violence affect black women. More importantly, the effective erasure of black girls and women from the popularized slogan “black lives matter” has also rendered invisible the stories of black women such as Tarika Wilson, Miriam Carey and Yvette Smith, all of whom were also brutally killed by the police. As a result, we have to ask ourselves why the stories of black men are the only ones that compel people to march, why their names are the only ones that are remembered. Ultimately, we are experiencing a special moment in black resistance. While the dynamics of mobilization that have coalesced under #blacklivesmatter are still somewhat nascent, they arguably started with mobilization around the deaths of Oscar Grant and Trayvon Martin years before. Of course, the racial violence to which they speak has an even longer and deeper history. What one senses as people have taken to the streets is a cumulative and collective sense of pain and outrage over the continual disrespect of black life and suffering. The haunting expression “I can’t breathe” that Eric Garner whispered while being choked to death by the NYPD has had deep resonance with black people as a metaphor to our suffering. It expresses a collective awareness that behind the brutal killing of Mike Brown are hundreds of other black women and men that black people have yet to be guaranteed the basic rights to life and dignity. The media has disparagingly called some of the mobilization around Ferguson as riots. While I do not share this analysis entirely, it makes sense that a people who feel like they can’t breathe might turn to riots, a strategy some scholars have aptly argued is the last weapon of the truly dispossessed.

#### The Department of Homeland Security, is using ‘Fusion Centers’ in order to constantly monitor the BLM protesters.

Daniel Rivero, Journalist Extraordinaire, 4/16/2015, "Counter-terrorism police might be tracking your #BlackLivesMatter tweets," Fusion, http://fusion.net/story/121695/counter-terrorism-police-might-be-tracking-your-blacklivesmatter-tweets/

Newly released emails show that counter-terrorism officials have been called on to monitor Black Lives Matter protests in California. The emails and other documents, released by the Bay Area’s East Bay Express, illustrate specific internal communications between the California Highway Patrol and its “Terrorism Liaison Officers.” “Reminder for Tonight and this week: Do Not Advise Protesters That We Are Following Them on Social Media,” read the subject line of an internal email obtained by the publication. “We want to continue tracking the protesters as much as possible. If they believe we are tracking them, they will go silent,” the note read in part. Other emails show that counter-terrorism officials were at times embedded with protesters in Oakland. Another shows Oakland police flagged a local church visit by Michael Brown Sr., father of the late Ferguson, Mo. teenager, with a “situational awareness” tag for state authorities to potentially monitor. The obvious should be stated. If you publish something on social media that is publicly viewable, then people will view it and take it into account, including officers of the law. The assassination of two police officers in Brooklyn last December was announced over social media before it occurred, and authorities took notice. “If you see something on social media that is a threat against a police officer, call 911 immediately,” New York Mayor Bill de Blasio said after the incident. “We cannot take this lightly,” he said. Oakland protest in December, after a grand jury did not indict police for the death of Eric Garner in NYC. Photo: Getty Images Oakland protest in December, after a grand jury did not indict police for the death of Eric Garner in NYC. Photo: Getty Images But many things remain unclear about social media monitoring programs like the one in California. “We don’t know as much about the [California] program as we should,” Nadia Kayyali, an activist with the Electronic Frontier Foundation, told the East Bay Express. “We don’t know what their standards are, their policies with respect to limits and privacy.” A California Highway Patrol official told the Express that it did not have any policies regarding its monitoring of social media, but that they “”search for any and all ‘open source,’ or publicly available, information related our public safety assessments.” The paper also with some of the activists it found counter-terrorism officials were tracking, like Twitter user @DomainAwareness, a digital privacy activist who asked not to be identified. “It’s the coordination [of the tracking] that’s disturbing,” the Twitter user said. “Everything’s totally fusion center-oriented and the information is going very high up.” Fusion centers are real time “receipt, analysis, gathering, and sharing of threat-related information” hubs, whose stated purpose is to facilitate communication between local, state, and federal law enforcement agencies in the event of a major terrorist attack or catastrophic natural disaster, according to the Department of Homeland Security (DHS). DHS grants fund the centers’ equipment and facilities, though operations are often left in control of local officials. Several of the emails released from East Bay Express originated inside of the Northern California Regional Intelligence Center, a fusion center which the paper says “connects police agencies from Monterey County to the Oregon border.” “They’ve built this big network and they have tremendous resources,” commented @DomainAwareness about the use of the fusion centers to monitor Black Lives Matter protests. Unfortunately, at least one alleged terrorist plot has been planned in the midst of the Black Lives Matter protests. In November, two members of the St. Louis chapter of the New Black Panthers were busted by the FBI when they allegedly bought pipe bombs from undercover agents, which they planned to use against “people, buildings, vehicles and property” during the unrest that was sweeping the region at the time. The duo was formally indicted for the alleged plot in early April. They have both pleaded not guilty. Three days after they were arrested, a grand jury made its announcement not to press charges against former Ferguson police officer Darren Wilson for the shooting death of Michael Brown. Riots and violence spread through St. Louis and the city of Ferguson after the announcement. Richard Callahan, the U.S. Attorney for the Eastern District of Missouri, said that the disruption of the plot “saved some lives” of both protesters and law enforcement.

#### This unique form of surveillance against the BLM protesters, as well as similar political and social protests, creates a “chilling effect” that ceases all forms of resistance activism

Bondgraha ’15"Counter-Terrorism Officials Helped Track Black Lives Matter Protesters." East Bay Express. N.p., 15 Apr. 2015. Web. 22 June 2015.

On December 9, 2014, at 4:48 p.m., an internal email with the subject line, "Reminder for Tonight and this week: Do Not Advise Protesters That We Are Following Them on Social Media," circulated among dozens of California Highway Patrol commanders. The message read: "A quick reminder ... as you know, our TLO [Terrorism Liaison Officers] officers are actively following multiple leads over social media." The note continued, "this morning, we found posts detailing protesters' interaction with individual officers last night. In the posts, protesters are stating that we (CHP) were claiming to follow them on social media. Please have your personnel refrain from such comments; we want to continue tracking the protesters as much as possible. If they believe we are tracking them, they will go silent."¶ In recent years, police agencies throughout the United States have scoured social media as part of criminal investigations. But the police are also watching social media to spy on political protesters, especially those they suspect will engage in acts of civil disobedience. During the recent Black Lives Matter protests, local and state police agents monitored protesters on social media and activist websites. Several hundred CHP emails obtained by the Express show that social media is now a key source of intel for the police when monitoring political protests.¶ But the emails raise serious questions, say civil libertarians and some of the activists whose posts were harvested as intel. How do police monitor social media? Do they store data or track particular people? Are agencies over-reacting and wasting resources? And why are counter-terrorism police involved?¶ The TLOs tasked by the CHP with monitoring Black Lives Matter protesters on social media are employed by different local agencies and serve as points of contact for matters regarding terrorism. The role was created after 9/11, and the officers communicate through networks coordinated by fusion centers, such as the Northern California Regional Intelligence Center, or NCRIC, which connects police agencies from Monterey County to the Oregon border.¶ "We don't know as much about the TLO program as we should," said Nadia Kayyali, an activist with the Electronic Frontier Foundation. "We don't know what their standards are, their policies with respect to limits and privacy."¶ The Twitter user @domainawareness, whose tweets were collected by the police and used as intel, reviewed some of the CHP emails that we obtained. "It's the coordination that's disturbing," said @domainawareness, whom the Express has agreed to not identify. "Everything's totally fusion center-oriented and the information is going very high up."¶ An email sent on December 12 illustrates how counter-terrorism officials working out of fusion centers helped CHP monitor protesters. At 12:12 p.m. that day, Elijah Owen, a senior intelligence advisor with the California State Threat Assessment Center (Cal STAC) sent CHP officer Michael Berndl a copy of a protest flier calling for a speak-out and march against the CHP the next day. "Just so it's on your folks' radar," wrote Owen. Cal STAC officers appear in other CHP emails as sources of information, or recipients of intel gathered by the Oakland Police Department, Alameda County Sheriff's Office, and other agencies.¶ "We are not the CHP," Matthew Hopkins the deputy commander of Cal STAC told me. "There are CHP officers in the center, but it's a task force environment. We assess threats. Transnational crime. Terrorism." Hopkins said Cal STAC is a fusion center like NCRIC, except that its main focus is assessing strategic threats to the state of California. Hopkins said he could not comment on any emails sent by his subordinate because he hasn't seen them.¶ "They've built this big network and they have tremendous resources," said @domainawareness about the involvement of fusion centers in monitoring the Black Lives Matter protests. "But they don't have enough to do, so they're using this to watch political protesters. It's mission creep."¶ Kayyali added: "There's this mystique around doing surveillance and intel-gathering, and they're not really thinking about the usefulness of what they're doing, and why they're doing it."¶ Another email circulated among CHP commanders on December 11 included a two-page brief on the department's undercover operations in Oakland and Berkeley in which at least four CHP officers were "[e]mbedded with protesters." According to the brief, these were Terrorism Liaison Officers from CHP's Investigative Services Unit (ISU).¶ "Up to this point, ISU TLO officers obtained intelligence on protesters through social media regarding dates, times, and locations of planned protests and of intentions to disrupt Bay Area freeways," explained the CHP brief.¶ The document includes screenshots of tweets, including three from East Bay resident Noura Khouri who took part in the protests. Khouri had tweeted two days before, "Since were dreaming @thehoopoe how about the bay bridge shut down + port shut down + general strike #shutitdown <3." On December 9 Gareth Lacy, a press officer with Caltrans forwarded to CHP commanders a similar tweet composed by @reclaimuc which stated: "may 2, 1992: UC berkeley and berkeley high students occupy bay bridge after acquittal of cops who beat Rodney king." Records show that CHP interpreted social media postings like these as evidence that the Bay Bridge was going to be shut down by protesters.¶ Acting on this fear, on December 12, CHP Assistant Chief Paul Fontana wrote his commanders requesting special response teams from other divisions. "I would also like to request SWAT," wrote Fontana, referring to the heavily armed special weapons and tactics team.¶ In an interview, Khouri characterized the reaction of CHP to the protests as extreme and ironic. "These protests initially formed as a direct result of police abuses," said Khouri. "I personally have stopped using Facebook for my political expression because of my deep concern for privacy, and law enforcement using it as a tool of political repression."¶ The CHP emails show that police were monitoring almost anything related to the Black Lives Matter movement. For example, Maria Dominguez helped organize a "Human Rights Day Vigil" with the nonprofit Ella Baker Center of Oakland on December 10 at the Alameda County Administration Building. "I posted our event on Indybay," said Dominguez in an interview. "We're always cautious of not putting anything online that would raise interest of law enforcement." Dominguez was surprised when she got a phone call from the Alameda County Sheriff's Office.¶ "When organizers get a call, it is chilling," said Dominguez. "The unsaid thing was, 'warning there's going to be a lot of police there, so if you're planning anything out of line, watch out.'"¶ Other police agencies flagged Dominguez's event as a threat. In an email with the subject line "RE: Social Media Update," CHP Investigator Timothy Randall emailed half a dozen other officers on December 10, including CHP Chief Avery Browne, and included a screenshot of Dominguez's event posting from Indybay. "Supposed to be just a 'vigil' but it is occurring in Oakland," wrote Randall.¶ I asked Dominguez why law enforcement might single out her event. "Maybe it's a virtual version of stop and frisk," said Dominguez. "My name is Maria Dominguez. I'm a Latina, and the Ella Baker Center, it's racialized — it's named after a Black woman."¶ The Oakland Police Department also monitored the Twitter accounts and Facebook postings of Black Lives Matter protesters in December. One "situational awareness" update that OPD sent to the CHP listed a candlelight vigil by Lake Merritt, a Berkeley City Council meeting, and a visit by Mike Brown, Sr. to a San Francisco church as events to monitor.¶ I called Sergeant Randal Bandino, one of the OPD officers sharing these emails, to ask about how OPD monitors social media. Bandino said he personally isn't involved and can't speak to OPD's practices and policies. But he added, "It's nothing special. What we're looking at is what's open to the public."¶ Deputy Alameda County Sheriff David Darrin also said he couldn't speak about how his agency monitors social media, referring me instead to the sheriff's official spokesperson. Darrin is also an intelligence officer with the NCRIC fusion center. On December 7, Darrin shared Facebook events advertising upcoming marches "to protest the police riot in Berkeley" with his NCRIC colleague Nicholas Silva. Silva, a CHP officer, forwarded the information on to CHP investigators.¶ CHP spokesperson Brandie Dressel wrote in an email to me that the CHP has no policies governing the monitoring of social media, but that officers "search for any and all 'open source,' or publicly available, information related our public safety assessments." According to Dressel, the CHP doesn't keep any of this data. As to why Terrorism Liaison Officers were leading the CHP's effort to monitor Black Lives Matter protesters, Dressel wrote, "CHP TLOs can at times be assigned to gather intelligence and provide logistical support for a reasonable and clearly articulated law enforcement purpose."¶ The emails obtained by the Express from CHP were originally part of a Public Records Act request made by San Francisco resident Michael Petrelis. Petrelis said he asked for the records because he was concerned about CHP's use of less-than-lethal weapons and armed undercover agents. Petrelis also said he is not surprised to see the extensive monitoring of social media by the police. "I come out of Act Up in NYC," said Petrelis. "The cops came to our meetings and they picked up all the lit.¶ "My experience in organizing is that cops are watching you," he continued. "In the Tech Age, you have to always think the cops are reading this."

#### Independently, the surveillance of this movement reinforces the social hierarchies present in the United States, and perpetuates gratuitous violence.

Malkia Amala, Activist Extraordinaire, 3/30/2015, "Black America's State of Surveillance," No Publication, <http://www.progressive.org/news/2015/03/188074/black-americas-state-surveillance>

Ten years ago, on Martin Luther King Jr.’s birthday, my mother, a former Black Panther, died from complications of sickle cell anemia. Weeks before she died, the FBI came knocking at our door, demanding that my mother testify in a secret trial proceeding against other former Panthers or face arrest. My mother, unable to walk, refused. The detectives told my mother as they left that they would be watching her. They didn’t get to do that. My mother died just two weeks later. My mother was not the only black person to come under the watchful eye of American law enforcement for perceived and actual dissidence. Nor is dissidence always a requirement for being subject to spying. Files obtained during a break-in at an FBI office in 1971 revealed that African Americans, J. Edger Hoover’s largest target group, didn’t have to be perceived as dissident to warrant surveillance. They just had to be black. As I write this, the same philosophy is driving the increasing adoption and use of surveillance technologies by local law enforcement agencies across the United States. Today, media reporting on government surveillance is laser-focused on the revelations by Edward Snowden that millions of Americans were being spied on by the NSA. Yet my mother’s visit from the FBI reminds me that, from the slave pass system to laws that deputized white civilians as enforcers of Jim Crow, black people and other people of color have lived for centuries with surveillance practices aimed at maintaining a racial hierarchy. It’s time for journalists to tell a new story that does not start the clock when privileged classes learn they are targets of surveillance. We need to understand that data has historically been overused to repress dissidence, monitor perceived criminality, and perpetually maintain an impoverished underclass. In an era of big data, the Internet has increased the speed and secrecy of data collection. Thanks to new surveillance technologies, law enforcement agencies are now able to collect massive amounts of indiscriminate data. Yet legal protections and policies have not caught up to this technological advance. Concerned advocates see mass surveillance as the problem and protecting privacy as the goal. Targeted surveillance is an obvious answer—it may be discriminatory, but it helps protect the privacy perceived as an earned privilege of the inherently innocent. The trouble is, targeted surveillance frequently includes the indiscriminate collection of the private data of people targeted by race but not involved in any crime. For targeted communities, there is little to no expectation of privacy from government or corporate surveillance. Instead, we are watched, either as criminals or as consumers. We do not expect policies to protect us. Instead, we’ve birthed a complex and coded culture—from jazz to spoken dialects—in order to navigate a world in which spying, from AT&T and Walmart to public benefits programs and beat cops on the block, is as much a part of our built environment as the streets covered in our blood. In a recent address, New York City Police Commissioner Bill Bratton made it clear: “2015 will be one of the most significant years in the history of this organization. It will be the year of technology, in which we literally will give to every member of this department technology that would’ve been unheard of even a few years ago.” Predictive policing, also known as “Total Information Awareness,” is described as using advanced technological tools and data analysis to “preempt” crime. It utilizes trends, patterns, sequences, and affinities found in data to make determinations about when and where crimes will occur. This model is deceptive, however, because it presumes data inputs to be neutral. They aren’t. In a racially discriminatory criminal justice system, surveillance technologies reproduce injustice. Instead of reducing discrimination, predictive policing is a face of what author Michelle Alexander calls the “New Jim Crow”—a de facto system of separate and unequal application of laws, police practices, conviction rates, sentencing terms, and conditions of confinement that operate more as a system of social control by racial hierarchy than as crime prevention or punishment. In New York City, the predictive policing approach in use is “Broken Windows.” This approach to policing places an undue focus on quality of life crimes—like selling loose cigarettes, the kind of offense for which Eric Garner was choked to death. Without oversight, accountability, transparency, or rights, predictive policing is just high-tech racial profiling—indiscriminate data collection that drives discriminatory policing practices. As local law enforcement agencies increasingly adopt surveillance technologies, they use them in three primary ways: to listen in on specific conversations on and offline; to observe daily movements of individuals and groups; and to observe data trends. Police departments like Bratton’s aim to use sophisticated technologies to do all three. They will use technologies like license plate readers, which the Electronic Frontier Foundation found to be disproportionately used in communities of color and communities in the process of being gentrified. They will use facial recognition, biometric scanning software, which the FBI has now rolled out as a national system, to be adopted by local police departments for any criminal justice purpose. They intend to use body and dashboard cameras, which have been touted as an effective step toward accountability based on the results of one study, yet storage and archiving procedures, among many other issues, remain unclear. They will use Stingray cellphone interceptors. According to the ACLU, Stingray technology is an invasive cellphone surveillance device that mimics cellphone towers and sends out signals to trick cellphones in the area into transmitting their locations and identifying information. When used to track a suspect’s cellphone, they also gather information about the phones of countless bystanders who happen to be nearby. The same is true of domestic drones, which are in increasing use by U.S. law enforcement to conduct routine aerial surveillance. While drones are currently unarmed, drone manufacturers are considering arming these remote-controlled aircraft with weapons like rubber bullets, tasers, and tear gas. They will use fusion centers. Originally designed to increase interagency collaboration for the purposes of counterterrorism, these have instead become the local arm of the intelligence community. According to Electronic Frontier Foundation, there are currently seventy-eight on record. They are the clearinghouse for increasingly used “suspicious activity reports”—described as “official documentation of observed behavior reasonably indicative of pre-operational planning related to terrorism or other criminal activity.” These reports and other collected data are often stored in massive databases like e-Verify and Prism. As anybody who’s ever dealt with gang databases knows, it’s almost impossible to get off a federal or state database, even when the data collected is incorrect or no longer true. Predictive policing doesn’t just lead to racial and religious profiling—it relies on it. Just as stop and frisk legitimized an initial, unwarranted contact between police and people of color, almost 90 percent of whom turn out to be innocent of any crime, suspicious activities reporting and the dragnet approach of fusion centers target communities of color. One review of such reports collected in Los Angeles shows approximately 75 percent were of people of color. This is the future of policing in America, and it should terrify you as much as it terrifies me. Unfortunately, it probably doesn’t, because my life is at far greater risk than the lives of white Americans, especially those reporting on the issue in the media or advocating in the halls of power. One of the most terrifying aspects of high-tech surveillance is the invisibility of those it disproportionately impacts. The NSA and FBI have engaged local law enforcement agencies and electronic surveillance technologies to spy on Muslims living in the United States. According to FBI training materials uncovered by Wired in 2011, the bureau taught agents to treat “mainstream” Muslims as supporters of terrorism, to view charitable donations by Muslims as “a funding mechanism for combat,” and to view Islam itself as a “Death Star” that must be destroyed if terrorism is to be contained. From New York City to Chicago and beyond, local law enforcement agencies have expanded unlawful and covert racial and religious profiling against Muslims not suspected of any crime. There is no national security reason to profile all Muslims. At the same time, almost 450,000 migrants are in detention facilities throughout the United States, including survivors of torture, asylum seekers, families with small children, and the elderly. Undocumented migrant communities enjoy few legal protections, and are therefore subject to brutal policing practices, including illegal surveillance practices. According to the Sentencing Project, of the more than 2 million people incarcerated in the United States, more than 60 percent are racial and ethnic minorities. But by far, the widest net is cast over black communities. Black people alone represent 40 percent of those incarcerated. More black men are incarcerated than were held in slavery in 1850, on the eve of the Civil War. Lest some misinterpret that statistic as evidence of greater criminality, a 2012 study confirms that black defendants are at least 30 percent more likely to be imprisoned than whites for the same crime. This is not a broken system, it is a system working perfectly as intended, to the detriment of all. The NSA could not have spied on millions of cellphones if it were not already spying on black people, Muslims, and migrants. As surveillance technologies are increasingly adopted and integrated by law enforcement agencies today, racial disparities are being made invisible by a media environment that has failed to tell the story of surveillance in the context of structural racism. Reporters love to tell the technology story. For some, it’s a sexier read. To me, freedom from repression and racism is far sexier than the newest gadget used to reinforce racial hierarchy. As civil rights protections catch up with the technological terrain, reporting needs to catch up, too. Many journalists still focus their reporting on the technological trends and not the racial hierarchies that these trends are enforcing. Martin Luther King Jr. once said, “Everything we see is a shadow cast by that which we do not see.” Journalists have an obligation to tell the stories that are hidden from view. We are living in an incredible time, when migrant activists have blocked deportation buses, and a movement for black lives has emerged, and when women, queer, and trans experiences have been placed right at the center. The decentralized power of the Internet makes that possible. But the Internet also makes possible the high-tech surveillance that threatens to drive structural racism in the twenty-first century. We can help black lives matter by ensuring that technology is not used to cement a racial hierarchy that leaves too many people like me dead or in jail. Our communities need partners, not gatekeepers. Together, we can change the cultural terrain that makes killing black people routine. We can counter inequality by ensuring that both the technology and the police departments that use it are democratized. We can change the story on surveillance to raise the voices of those who have been left out. There are no voiceless people, only those that ain’t been heard yet. Let’s birth a new norm in which the technological tools of the twenty-first century create equity and justice for all—so all bodies enjoy full and equal protection, and the Jim Crow surveillance state exists no more.

#### Without the success of the BLM movement, the anti-black violence prevalent in society makes reconciliation impossible – we must act as soon as possible.

Brady 12 [Nicholas Brady, activist scholar, executive board member of Leaders of a Beautiful Struggle, BA in philosophy from Johns Hopkins, PhD student at the University of California-Irvine Culture and Theory program, 10-26-12, “The Flesh Grinder: Prosecutorial Discretion and the Terror of Mass Incarceration,” <http://academia.edu/2776507/The_Flesh_Grinder_Prosecutorial_Discretion_and_the_Quotidian_Terror_of_Mass_Incarceration>]

The recent murder of Trayvon Martin brought the national conversation back to a topic that had been repressed for the myth of a post-racial America propagated since the election of Barack Obama to the presidency: the fundamental openness of the black body to wanton and excessive abuse and “premature death” (Gilmore, 28). That the national narrative around Martin’s death, even the narratives built by black political and civil leaders, only had Emit Till to compare his death to is example par excellance of the complete lack of any language we have to discuss the machinations that make a phrase such as “black death” into a redundancy. Trayvon Martin was not a singular case but was one of 120 black people killed extra-judicially (by police officers, security officials, and vigilante justice-seekers) in 2012 between January and July . That every 36 hours on average a black life is taken extra-judicially means that Trayvon Martin is not exceptional, but we do not have a language to deal with either the exceptional or the quotidian. Into the abyss, though the demand for justice, something productive happened: the rallying cry for justice made an invisible and ethereal part of the justice system into something a little more material. The call to arrest and charge George Zimmerman brought our attention to the role of the Prosecutor in the criminal punishment system. After the protests, statement from the President, and daily media blitzes, a special prosecutor was assigned to the case to meet the calls for justice. Angela Corey would become the face for an area of the law that is both ubiquitous and unthought. It seems she understood this for her statement, before officially giving the charge, set up a context for evaluating prosecutors, ¶ The Supreme Court has defined our role as Proscutors [as] not only “ministers of justice” but “seekers of the truth.”… Every single day our prosecutors across this great country handle difficult cases and they adhere to that same standard: a never ending search for the truth and a quest to always do the right thing for the right reason. There is a reason cases are tried in a court of law and not in the court of public opinion or the media. Because details have to come out in excruciating and minute fashion. Detail by detail, bit of evidence by bit of evidence. And it is only then, when the Trier of fact whether judge or jury, gets all the details that then a decision can be rendered. ¶ Corey is laboring to legitimize a system that took weeks to actually arrest George Zimmerman, yet this labor represses her own case history, for example the case of Marissa Alexander. Alexander is a mother who was convicted of attempted murder because she shot a warning shot at the father of her children who has admitted to beating her on several occasions before. Alexander was arrested on spot and charged within days in a case where the “stand your ground” defense was also being called upon. This supposed contradiction of methods that meet different bodies is the norm of the criminal punishment system, and this paper will attempt to string out some parts of the structure that make it so. ¶ In many disciplines there has been renewed attention given to mass incarceration. Yet, in spite of the growing level of multidisciplinary scrutiny on police surveillance and violent gulags, a major actor has slipped through virtually untouched in the humanities' attention to prisons. This major actor, regularly described in criminology and legal scholarship as the most powerful agent in the criminal punishment system, is the Prosecutor. The office of the prosecutor exists in a place where matter doesn't matter. Or put differently, the prosecutor’s agency is assembled where black matter no longer matters and where what matters, the happenings of the human and the quest for civil justice, can only be produced through the quotidian grinding and destruction of black flesh.¶ This paper will seek to shine a light, or better yet a shadow, on the white knights of the justice system. While one would think they know the job of a Prosecutor given its ubiquity on television crime dramas and movies, the mundaneness of their actual day-to-day activities are mystified by television's fascination with the drama of the trial, whether fictional or "real." In fact, it is rare that you will find a prosecutor who takes even 10 percent of their cases to trial. Over 90 percent of cases are settled through a plea bargain where the defendant will agree to plead guilty usually for the guarantee of less time, parole, or a lighter charge. As one law professor put it, the plea bargain is not an addendum to the criminal justice system, it is the criminal justice system (Scott and Stuntz, 1912). In spite of its centrality, there is little literature on the inner-workings of the plea bargain outside of schematic analysis in criminology. Instead of focusing on the theatrics of the trial, this paper will analyze the day-to-day grind of the plea bargain in order to explicate the quotidian terror that lies at the heart of prosecutorial discretion. ¶ From day-to-day a Prosecutor can be working on anywhere between 20 to 100 cases at a time (Heumann, 98). While a Prosecutor is given wide discretion to charge a case the way they want, there are hierarchies that determine the norms and procedures of each office. There are the district attorneys that the general population votes into office and the deputy attorneys that answer directly to him or her. Underneath them are the line prosecutors who work on the majority of the cases but whose decisions generally follow the established protocols of the veteran prosecutors and deputies. New prosecutors often come straight from law school with lofty dreams of becoming courtroom heroes only to learn that their job is much more akin to assembly-line justice. Legal scholar Abraham Blumberg describes this as the, “emergence of ‘bureaucratic due process,’… consist[ing] of secret bargaining sessions [and] employing subtle, bureaucratically ordained modes of coercion and influence to dispose of large case loads” (Blumberg, 69). ¶ While each office is different from the next, there is a stunning amount of unity at the procedural level. Deputy district attorneys will reject thirty to forty percent of cases the police send to them on face. The remaining 60 percent are considered suspects that are, according to the evidence provided, conclusively guilty. For the Prosecutor, these cases would be slam-dunk wins in front of a jury (Lewis, 51). This begs the question: What is the dividing line between cases that are charged and cases that get dropped by Prosecutors? ¶ Some statistics on the racial component of sentencing might lead us to an answer. In terms of drug crimes, according to a comprehensive report by Human Rights Watch, blacks are 14 percent of drug users, but are 37 percent of people arrested for drug possession, and are anywhere between 45 to 60 percent of those charged . These strings of numbers reveal an anti-black trajectory: the cases that the Prosecutor overwhelmingly pursues are black cases, the ones he drops are overwhelmingly non-black. A defense attorney called these for-sure-guilty cases “born dead.” This is a curious phrase, but when considering the historic connection between blackness and crime dating back to the inception of the national polity through slavery, the defense attorney’s phrasing gets us to a much more paradigmatic argument. Walt Lewis, a Los Angeles prosecutor, describes a “criminal justice” continuum where bodies are transformed from being “free” to being “incarcerated” (Lewis, 20). One is first arrested by the police and becomes a “suspect.” If the prosecutor decides to charge, then you go from being a “suspect” to a “defendant.” Finally if you are found guilty, you go from being a “defendant” to a “convict.” This process describes a temporality that transforms the “human” into the incarcerated “inhuman.” As violent as this process can be, the black’s fate is fundamentally different and more terrifying. The black is arrested, charged, and convicted at disproportionate rates because we were never actually “suspects” or “defendants.” Instead, we were always criminals, always already slaves-in-waiting. Instead of a continuum, the black body floats in a “zone of non-being” where time and transformation lose all meaning. Cases involving black bodies do not need to be rock-solid in terms of facts for their bodies have already been marked by the law as criminal (Fanon, 2). Thus cases involving black bodies are always for-sure victories, are always already “born dead.” ¶ In an interesting case that made it all the way to the Supreme Court titled United States versus Armstrong, a group of black defendants levied a critique similar to this paper’s argument . A group of black men were brought on charges of possessing 50 grams of crack cocaine. Unlike a normal defense where the details of the state’s accusation would be called into question, the defense instead argued that the prosecution selectively charges black people in cases involving crack cocaine. The first argument of the defense was that the majority of crack cocaine users in California are actually whites, not black people. The second argument of the defense used testimonies from government lawyers to prove that of all 841 cases the state brought against people possessing crack cocaine, all of them were black. Using these two claims, the defense said there was adequate proof to show that prosecutors were using unconstitutional means, racial markers, to select who would be charged and who wouldn’t be charged. According to past rulings by the Supreme Court, if selective prosecution can be proven then that is adequate grounds to vacate the sentence, even if the defendants were caught “red-handed.” Against this defense, the prosecution counter-argued that it does not selectively prosecute based on race, but instead on fact and circumstance. The district court that initially heard the appeal ruled that the state should turn over records of the 841 cases in question to prove who was right in the dispute. The state refused to reveal its documents and instead appealed the decision all the way up to the Supreme Court. Overturning the district and federal circuit court, the Supreme Court ruled in favor of the prosecution for a few reasons. The first reason Rehnquist gave was that it is not in the best interest of the government’s war on crime to monitor prosecutors. Rehnquist argued that the prosecutor must have the freedom to operate in the way she sees fit. The second and most important reason Rehnquist gave was by far the most explicitly racist and I will quote it in full: quote “a published 1989 Drug Enforcement Administration report concluded that "[l]arge scale, interstate trafficking networks controlled by Jamaicans, Haitians and Black street gangs dominate the manufacture and distribution of crack.… [and] the most recent statistics of the United States Sentencing Commission… show that: More than 90% of the persons sentenced in 1994 for crack cocaine trafficking were black.” . The Supreme Court answered the defendant’s accusation of selective prosecution by arguing that such a prosecution strategy is legitimate because it can be verified through statistics that black people are the major users and distributors of crack cocaine. To word it differently, the Supreme Court ruled that it was in the state’s interest to terrorize black communities because we are the most heinous drug users in the country. To be black is to be marked as a danger that must be controlled, seized, and incarcerated. Prosecutors act within and perpetuate this matrix of violence that precedes discourse. When a Prosecutor sees a case with a black body, he knows the same statistic the Supreme Court quoted and he knows, if not consciously then unconsciously, that this case is already done, already guilty, already “born dead.”

#### Racism is an A Priori Impact

Memmi 2000, Professor Emeritus of Sociology @ Unv. Of Paris 2000, Albert-; RACISM, translated by Steve Martinot, pp.163-165

The struggle against racism will be long, difficult, without intermission, without remission, probably never achieved, yet for this very reason, it is a struggle to be undertaken without surcease and without concessions. One cannot be indulgent toward racism. One cannot even let the monster in the house, especially not in a mask. To give it merely a foothold means to augment the bestial part in us and in other people which is to diminish what is human. To accept the racist universe to the slightest degree is to endorse fear, injustice, and violence. It is to accept the persistence of the dark history in which we still largely live. It is to agree that the outsider will always be a possible victim (and which [person] man is not [themself] himself an outsider relative to someone else?). Racism illustrates in sum, the inevitable negativity of the condition of the dominated; that is it illuminates in a certain sense the entire human condition. The anti-racist struggle, difficult though it is, and always in question, is nevertheless one of the prologues to the ultimate passage from animality to humanity. In that sense, we cannot fail to rise to the racist challenge. However, it remains true that one’s moral conduct only emerges from a choice: one has to want it. It is a choice among other choices, and always debatable in its foundations and its consequences. Let us say, broadly speaking, that the choice to conduct oneself morally is the condition for the establishment of a human order for which racism is the very negation. This is almost a redundancy. One cannot found a moral order, let alone a legislative order, on racism because racism signifies the exclusion of the other and his or her subjection to violence and domination. From an ethical point of view, if one can deploy a little religious language, racism is “the truly capital sin.”fn22 It is not an accident that almost all of humanity’s spiritual traditions counsel respect for the weak, for orphans, widows, or strangers. It is not just a question of theoretical counsel respect for the weak, for orphans, widows or strangers. It is not just a question of theoretical morality and disinterested commandments. Such unanimity in the safeguarding of the other suggests the real utility of such sentiments. All things considered, we have an interest in banishing injustice, because injustice engenders violence and death. Of course, this is debatable. There are those who think that if one is strong enough, the assault on and oppression of others is permissible. But no one is ever sure of remaining the strongest. One day, perhaps, the roles will be reversed. All unjust society contains within itself the seeds of its own death. It is probably smarter to treat others with respect so that they treat you with respect. “Recall,” says the bible, “that you were once a stranger in Egypt,” which means both that you ought to respect the stranger because you were a stranger yourself and that you risk becoming once again someday. It is an ethical and a practical appeal – indeed, it is a contract, however implicit it might be. In short, the refusal of racism is the condition for all theoretical and practical morality. Because, in the end, the ethical choice commands the political choice. A just society must be a society accepted by all. If this contractual principle is not accepted, then only conflict, violence, and destruction will be our lot. If it is accepted, we can hope someday to live in peace. True, it is a wager, but the stakes are irresistible.

### #BlackLivesMatter Add-On (Short)

#### The Department of Homeland Security, is using ‘Fusion Centers’ in order to constantly monitor the BLM protesters.

Daniel Rivero, Journalist Extraordinaire, 4/16/2015, "Counter-terrorism police might be tracking your #BlackLivesMatter tweets," Fusion, http://fusion.net/story/121695/counter-terrorism-police-might-be-tracking-your-blacklivesmatter-tweets/

Newly released emails show that counter-terrorism officials have been called on to monitor Black Lives Matter protests in California. The emails and other documents, released by the Bay Area’s East Bay Express, illustrate specific internal communications between the California Highway Patrol and its “Terrorism Liaison Officers.” “Reminder for Tonight and this week: Do Not Advise Protesters That We Are Following Them on Social Media,” read the subject line of an internal email obtained by the publication. “We want to continue tracking the protesters as much as possible. If they believe we are tracking them, they will go silent,” the note read in part. Other emails show that counter-terrorism officials were at times embedded with protesters in Oakland. Another shows Oakland police flagged a local church visit by Michael Brown Sr., father of the late Ferguson, Mo. teenager, with a “situational awareness” tag for state authorities to potentially monitor. The obvious should be stated. If you publish something on social media that is publicly viewable, then people will view it and take it into account, including officers of the law. The assassination of two police officers in Brooklyn last December was announced over social media before it occurred, and authorities took notice. “If you see something on social media that is a threat against a police officer, call 911 immediately,” New York Mayor Bill de Blasio said after the incident. “We cannot take this lightly,” he said. Oakland protest in December, after a grand jury did not indict police for the death of Eric Garner in NYC. Photo: Getty Images Oakland protest in December, after a grand jury did not indict police for the death of Eric Garner in NYC. Photo: Getty Images But many things remain unclear about social media monitoring programs like the one in California. “We don’t know as much about the [California] program as we should,” Nadia Kayyali, an activist with the Electronic Frontier Foundation, told the East Bay Express. “We don’t know what their standards are, their policies with respect to limits and privacy.” A California Highway Patrol official told the Express that it did not have any policies regarding its monitoring of social media, but that they “”search for any and all ‘open source,’ or publicly available, information related our public safety assessments.” The paper also with some of the activists it found counter-terrorism officials were tracking, like Twitter user @DomainAwareness, a digital privacy activist who asked not to be identified. “It’s the coordination [of the tracking] that’s disturbing,” the Twitter user said. “Everything’s totally fusion center-oriented and the information is going very high up.” Fusion centers are real time “receipt, analysis, gathering, and sharing of threat-related information” hubs, whose stated purpose is to facilitate communication between local, state, and federal law enforcement agencies in the event of a major terrorist attack or catastrophic natural disaster, according to the Department of Homeland Security (DHS). DHS grants fund the centers’ equipment and facilities, though operations are often left in control of local officials. Several of the emails released from East Bay Express originated inside of the Northern California Regional Intelligence Center, a fusion center which the paper says “connects police agencies from Monterey County to the Oregon border.” “They’ve built this big network and they have tremendous resources,” commented @DomainAwareness about the use of the fusion centers to monitor Black Lives Matter protests. Unfortunately, at least one alleged terrorist plot has been planned in the midst of the Black Lives Matter protests. In November, two members of the St. Louis chapter of the New Black Panthers were busted by the FBI when they allegedly bought pipe bombs from undercover agents, which they planned to use against “people, buildings, vehicles and property” during the unrest that was sweeping the region at the time. The duo was formally indicted for the alleged plot in early April. They have both pleaded not guilty. Three days after they were arrested, a grand jury made its announcement not to press charges against former Ferguson police officer Darren Wilson for the shooting death of Michael Brown. Riots and violence spread through St. Louis and the city of Ferguson after the announcement. Richard Callahan, the U.S. Attorney for the Eastern District of Missouri, said that the disruption of the plot “saved some lives” of both protesters and law enforcement.

#### This unique form of surveillance against the BLM protesters, as well as similar political and social protests, creates a “chilling effect” that ceases all forms of resistance activism

Bondgraha ’15"Counter-Terrorism Officials Helped Track Black Lives Matter Protesters." East Bay Express. N.p., 15 Apr. 2015. Web. 22 June 2015.

On December 9, 2014, at 4:48 p.m., an internal email with the subject line, "Reminder for Tonight and this week: Do Not Advise Protesters That We Are Following Them on Social Media," circulated among dozens of California Highway Patrol commanders. The message read: "A quick reminder ... as you know, our TLO [Terrorism Liaison Officers] officers are actively following multiple leads over social media." The note continued, "this morning, we found posts detailing protesters' interaction with individual officers last night. In the posts, protesters are stating that we (CHP) were claiming to follow them on social media. Please have your personnel refrain from such comments; we want to continue tracking the protesters as much as possible. If they believe we are tracking them, they will go silent."¶ In recent years, police agencies throughout the United States have scoured social media as part of criminal investigations. But the police are also watching social media to spy on political protesters, especially those they suspect will engage in acts of civil disobedience. During the recent Black Lives Matter protests, local and state police agents monitored protesters on social media and activist websites. Several hundred CHP emails obtained by the Express show that social media is now a key source of intel for the police when monitoring political protests.¶ But the emails raise serious questions, say civil libertarians and some of the activists whose posts were harvested as intel. How do police monitor social media? Do they store data or track particular people? Are agencies over-reacting and wasting resources? And why are counter-terrorism police involved?¶ The TLOs tasked by the CHP with monitoring Black Lives Matter protesters on social media are employed by different local agencies and serve as points of contact for matters regarding terrorism. The role was created after 9/11, and the officers communicate through networks coordinated by fusion centers, such as the Northern California Regional Intelligence Center, or NCRIC, which connects police agencies from Monterey County to the Oregon border.¶ "We don't know as much about the TLO program as we should," said Nadia Kayyali, an activist with the Electronic Frontier Foundation. "We don't know what their standards are, their policies with respect to limits and privacy."¶ The Twitter user @domainawareness, whose tweets were collected by the police and used as intel, reviewed some of the CHP emails that we obtained. "It's the coordination that's disturbing," said @domainawareness, whom the Express has agreed to not identify. "Everything's totally fusion center-oriented and the information is going very high up."¶ An email sent on December 12 illustrates how counter-terrorism officials working out of fusion centers helped CHP monitor protesters. At 12:12 p.m. that day, Elijah Owen, a senior intelligence advisor with the California State Threat Assessment Center (Cal STAC) sent CHP officer Michael Berndl a copy of a protest flier calling for a speak-out and march against the CHP the next day. "Just so it's on your folks' radar," wrote Owen. Cal STAC officers appear in other CHP emails as sources of information, or recipients of intel gathered by the Oakland Police Department, Alameda County Sheriff's Office, and other agencies.¶ "We are not the CHP," Matthew Hopkins the deputy commander of Cal STAC told me. "There are CHP officers in the center, but it's a task force environment. We assess threats. Transnational crime. Terrorism." Hopkins said Cal STAC is a fusion center like NCRIC, except that its main focus is assessing strategic threats to the state of California. Hopkins said he could not comment on any emails sent by his subordinate because he hasn't seen them.¶ "They've built this big network and they have tremendous resources," said @domainawareness about the involvement of fusion centers in monitoring the Black Lives Matter protests. "But they don't have enough to do, so they're using this to watch political protesters. It's mission creep."¶ Kayyali added: "There's this mystique around doing surveillance and intel-gathering, and they're not really thinking about the usefulness of what they're doing, and why they're doing it."¶ Another email circulated among CHP commanders on December 11 included a two-page brief on the department's undercover operations in Oakland and Berkeley in which at least four CHP officers were "[e]mbedded with protesters." According to the brief, these were Terrorism Liaison Officers from CHP's Investigative Services Unit (ISU).¶ "Up to this point, ISU TLO officers obtained intelligence on protesters through social media regarding dates, times, and locations of planned protests and of intentions to disrupt Bay Area freeways," explained the CHP brief.¶ The document includes screenshots of tweets, including three from East Bay resident Noura Khouri who took part in the protests. Khouri had tweeted two days before, "Since were dreaming @thehoopoe how about the bay bridge shut down + port shut down + general strike #shutitdown <3." On December 9 Gareth Lacy, a press officer with Caltrans forwarded to CHP commanders a similar tweet composed by @reclaimuc which stated: "may 2, 1992: UC berkeley and berkeley high students occupy bay bridge after acquittal of cops who beat Rodney king." Records show that CHP interpreted social media postings like these as evidence that the Bay Bridge was going to be shut down by protesters.¶ Acting on this fear, on December 12, CHP Assistant Chief Paul Fontana wrote his commanders requesting special response teams from other divisions. "I would also like to request SWAT," wrote Fontana, referring to the heavily armed special weapons and tactics team.¶ In an interview, Khouri characterized the reaction of CHP to the protests as extreme and ironic. "These protests initially formed as a direct result of police abuses," said Khouri. "I personally have stopped using Facebook for my political expression because of my deep concern for privacy, and law enforcement using it as a tool of political repression."¶ The CHP emails show that police were monitoring almost anything related to the Black Lives Matter movement. For example, Maria Dominguez helped organize a "Human Rights Day Vigil" with the nonprofit Ella Baker Center of Oakland on December 10 at the Alameda County Administration Building. "I posted our event on Indybay," said Dominguez in an interview. "We're always cautious of not putting anything online that would raise interest of law enforcement." Dominguez was surprised when she got a phone call from the Alameda County Sheriff's Office.¶ "When organizers get a call, it is chilling," said Dominguez. "The unsaid thing was, 'warning there's going to be a lot of police there, so if you're planning anything out of line, watch out.'"¶ Other police agencies flagged Dominguez's event as a threat. In an email with the subject line "RE: Social Media Update," CHP Investigator Timothy Randall emailed half a dozen other officers on December 10, including CHP Chief Avery Browne, and included a screenshot of Dominguez's event posting from Indybay. "Supposed to be just a 'vigil' but it is occurring in Oakland," wrote Randall.¶ I asked Dominguez why law enforcement might single out her event. "Maybe it's a virtual version of stop and frisk," said Dominguez. "My name is Maria Dominguez. I'm a Latina, and the Ella Baker Center, it's racialized — it's named after a Black woman."¶ The Oakland Police Department also monitored the Twitter accounts and Facebook postings of Black Lives Matter protesters in December. One "situational awareness" update that OPD sent to the CHP listed a candlelight vigil by Lake Merritt, a Berkeley City Council meeting, and a visit by Mike Brown, Sr. to a San Francisco church as events to monitor.¶ I called Sergeant Randal Bandino, one of the OPD officers sharing these emails, to ask about how OPD monitors social media. Bandino said he personally isn't involved and can't speak to OPD's practices and policies. But he added, "It's nothing special. What we're looking at is what's open to the public."¶ Deputy Alameda County Sheriff David Darrin also said he couldn't speak about how his agency monitors social media, referring me instead to the sheriff's official spokesperson. Darrin is also an intelligence officer with the NCRIC fusion center. On December 7, Darrin shared Facebook events advertising upcoming marches "to protest the police riot in Berkeley" with his NCRIC colleague Nicholas Silva. Silva, a CHP officer, forwarded the information on to CHP investigators.¶ CHP spokesperson Brandie Dressel wrote in an email to me that the CHP has no policies governing the monitoring of social media, but that officers "search for any and all 'open source,' or publicly available, information related our public safety assessments." According to Dressel, the CHP doesn't keep any of this data. As to why Terrorism Liaison Officers were leading the CHP's effort to monitor Black Lives Matter protesters, Dressel wrote, "CHP TLOs can at times be assigned to gather intelligence and provide logistical support for a reasonable and clearly articulated law enforcement purpose."¶ The emails obtained by the Express from CHP were originally part of a Public Records Act request made by San Francisco resident Michael Petrelis. Petrelis said he asked for the records because he was concerned about CHP's use of less-than-lethal weapons and armed undercover agents. Petrelis also said he is not surprised to see the extensive monitoring of social media by the police. "I come out of Act Up in NYC," said Petrelis. "The cops came to our meetings and they picked up all the lit.¶ "My experience in organizing is that cops are watching you," he continued. "In the Tech Age, you have to always think the cops are reading this."

#### Independently, the surveillance of this movement reinforces the social hierarchies present in the United States, and perpetuates gratuitous violence.

Malkia Amala, Activist Extraordinaire, 3/30/2015, "Black America's State of Surveillance," No Publication, <http://www.progressive.org/news/2015/03/188074/black-americas-state-surveillance>

Ten years ago, on Martin Luther King Jr.’s birthday, my mother, a former Black Panther, died from complications of sickle cell anemia. Weeks before she died, the FBI came knocking at our door, demanding that my mother testify in a secret trial proceeding against other former Panthers or face arrest. My mother, unable to walk, refused. The detectives told my mother as they left that they would be watching her. They didn’t get to do that. My mother died just two weeks later. My mother was not the only black person to come under the watchful eye of American law enforcement for perceived and actual dissidence. Nor is dissidence always a requirement for being subject to spying. Files obtained during a break-in at an FBI office in 1971 revealed that African Americans, J. Edger Hoover’s largest target group, didn’t have to be perceived as dissident to warrant surveillance. They just had to be black. As I write this, the same philosophy is driving the increasing adoption and use of surveillance technologies by local law enforcement agencies across the United States. Today, media reporting on government surveillance is laser-focused on the revelations by Edward Snowden that millions of Americans were being spied on by the NSA. Yet my mother’s visit from the FBI reminds me that, from the slave pass system to laws that deputized white civilians as enforcers of Jim Crow, black people and other people of color have lived for centuries with surveillance practices aimed at maintaining a racial hierarchy. It’s time for journalists to tell a new story that does not start the clock when privileged classes learn they are targets of surveillance. We need to understand that data has historically been overused to repress dissidence, monitor perceived criminality, and perpetually maintain an impoverished underclass. In an era of big data, the Internet has increased the speed and secrecy of data collection. Thanks to new surveillance technologies, law enforcement agencies are now able to collect massive amounts of indiscriminate data. Yet legal protections and policies have not caught up to this technological advance. Concerned advocates see mass surveillance as the problem and protecting privacy as the goal. Targeted surveillance is an obvious answer—it may be discriminatory, but it helps protect the privacy perceived as an earned privilege of the inherently innocent. The trouble is, targeted surveillance frequently includes the indiscriminate collection of the private data of people targeted by race but not involved in any crime. For targeted communities, there is little to no expectation of privacy from government or corporate surveillance. Instead, we are watched, either as criminals or as consumers. We do not expect policies to protect us. Instead, we’ve birthed a complex and coded culture—from jazz to spoken dialects—in order to navigate a world in which spying, from AT&T and Walmart to public benefits programs and beat cops on the block, is as much a part of our built environment as the streets covered in our blood. In a recent address, New York City Police Commissioner Bill Bratton made it clear: “2015 will be one of the most significant years in the history of this organization. It will be the year of technology, in which we literally will give to every member of this department technology that would’ve been unheard of even a few years ago.” Predictive policing, also known as “Total Information Awareness,” is described as using advanced technological tools and data analysis to “preempt” crime. It utilizes trends, patterns, sequences, and affinities found in data to make determinations about when and where crimes will occur. This model is deceptive, however, because it presumes data inputs to be neutral. They aren’t. In a racially discriminatory criminal justice system, surveillance technologies reproduce injustice. Instead of reducing discrimination, predictive policing is a face of what author Michelle Alexander calls the “New Jim Crow”—a de facto system of separate and unequal application of laws, police practices, conviction rates, sentencing terms, and conditions of confinement that operate more as a system of social control by racial hierarchy than as crime prevention or punishment. In New York City, the predictive policing approach in use is “Broken Windows.” This approach to policing places an undue focus on quality of life crimes—like selling loose cigarettes, the kind of offense for which Eric Garner was choked to death. Without oversight, accountability, transparency, or rights, predictive policing is just high-tech racial profiling—indiscriminate data collection that drives discriminatory policing practices. As local law enforcement agencies increasingly adopt surveillance technologies, they use them in three primary ways: to listen in on specific conversations on and offline; to observe daily movements of individuals and groups; and to observe data trends. Police departments like Bratton’s aim to use sophisticated technologies to do all three. They will use technologies like license plate readers, which the Electronic Frontier Foundation found to be disproportionately used in communities of color and communities in the process of being gentrified. They will use facial recognition, biometric scanning software, which the FBI has now rolled out as a national system, to be adopted by local police departments for any criminal justice purpose. They intend to use body and dashboard cameras, which have been touted as an effective step toward accountability based on the results of one study, yet storage and archiving procedures, among many other issues, remain unclear. They will use Stingray cellphone interceptors. According to the ACLU, Stingray technology is an invasive cellphone surveillance device that mimics cellphone towers and sends out signals to trick cellphones in the area into transmitting their locations and identifying information. When used to track a suspect’s cellphone, they also gather information about the phones of countless bystanders who happen to be nearby. The same is true of domestic drones, which are in increasing use by U.S. law enforcement to conduct routine aerial surveillance. While drones are currently unarmed, drone manufacturers are considering arming these remote-controlled aircraft with weapons like rubber bullets, tasers, and tear gas. They will use fusion centers. Originally designed to increase interagency collaboration for the purposes of counterterrorism, these have instead become the local arm of the intelligence community. According to Electronic Frontier Foundation, there are currently seventy-eight on record. They are the clearinghouse for increasingly used “suspicious activity reports”—described as “official documentation of observed behavior reasonably indicative of pre-operational planning related to terrorism or other criminal activity.” These reports and other collected data are often stored in massive databases like e-Verify and Prism. As anybody who’s ever dealt with gang databases knows, it’s almost impossible to get off a federal or state database, even when the data collected is incorrect or no longer true. Predictive policing doesn’t just lead to racial and religious profiling—it relies on it. Just as stop and frisk legitimized an initial, unwarranted contact between police and people of color, almost 90 percent of whom turn out to be innocent of any crime, suspicious activities reporting and the dragnet approach of fusion centers target communities of color. One review of such reports collected in Los Angeles shows approximately 75 percent were of people of color. This is the future of policing in America, and it should terrify you as much as it terrifies me. Unfortunately, it probably doesn’t, because my life is at far greater risk than the lives of white Americans, especially those reporting on the issue in the media or advocating in the halls of power. One of the most terrifying aspects of high-tech surveillance is the invisibility of those it disproportionately impacts. The NSA and FBI have engaged local law enforcement agencies and electronic surveillance technologies to spy on Muslims living in the United States. According to FBI training materials uncovered by Wired in 2011, the bureau taught agents to treat “mainstream” Muslims as supporters of terrorism, to view charitable donations by Muslims as “a funding mechanism for combat,” and to view Islam itself as a “Death Star” that must be destroyed if terrorism is to be contained. From New York City to Chicago and beyond, local law enforcement agencies have expanded unlawful and covert racial and religious profiling against Muslims not suspected of any crime. There is no national security reason to profile all Muslims. At the same time, almost 450,000 migrants are in detention facilities throughout the United States, including survivors of torture, asylum seekers, families with small children, and the elderly. Undocumented migrant communities enjoy few legal protections, and are therefore subject to brutal policing practices, including illegal surveillance practices. According to the Sentencing Project, of the more than 2 million people incarcerated in the United States, more than 60 percent are racial and ethnic minorities. But by far, the widest net is cast over black communities. Black people alone represent 40 percent of those incarcerated. More black men are incarcerated than were held in slavery in 1850, on the eve of the Civil War. Lest some misinterpret that statistic as evidence of greater criminality, a 2012 study confirms that black defendants are at least 30 percent more likely to be imprisoned than whites for the same crime. This is not a broken system, it is a system working perfectly as intended, to the detriment of all. The NSA could not have spied on millions of cellphones if it were not already spying on black people, Muslims, and migrants. As surveillance technologies are increasingly adopted and integrated by law enforcement agencies today, racial disparities are being made invisible by a media environment that has failed to tell the story of surveillance in the context of structural racism. Reporters love to tell the technology story. For some, it’s a sexier read. To me, freedom from repression and racism is far sexier than the newest gadget used to reinforce racial hierarchy. As civil rights protections catch up with the technological terrain, reporting needs to catch up, too. Many journalists still focus their reporting on the technological trends and not the racial hierarchies that these trends are enforcing. Martin Luther King Jr. once said, “Everything we see is a shadow cast by that which we do not see.” Journalists have an obligation to tell the stories that are hidden from view. We are living in an incredible time, when migrant activists have blocked deportation buses, and a movement for black lives has emerged, and when women, queer, and trans experiences have been placed right at the center. The decentralized power of the Internet makes that possible. But the Internet also makes possible the high-tech surveillance that threatens to drive structural racism in the twenty-first century. We can help black lives matter by ensuring that technology is not used to cement a racial hierarchy that leaves too many people like me dead or in jail. Our communities need partners, not gatekeepers. Together, we can change the cultural terrain that makes killing black people routine. We can counter inequality by ensuring that both the technology and the police departments that use it are democratized. We can change the story on surveillance to raise the voices of those who have been left out. There are no voiceless people, only those that ain’t been heard yet. Let’s birth a new norm in which the technological tools of the twenty-first century create equity and justice for all—so all bodies enjoy full and equal protection, and the Jim Crow surveillance state exists no more.

#### Without the success of the BLM movement, the anti-black violence prevalent in society makes reconciliation impossible – we must act as soon as possible.

Brady 12 [Nicholas Brady, activist scholar, executive board member of Leaders of a Beautiful Struggle, BA in philosophy from Johns Hopkins, PhD student at the University of California-Irvine Culture and Theory program, 10-26-12, “The Flesh Grinder: Prosecutorial Discretion and the Terror of Mass Incarceration,” <http://academia.edu/2776507/The_Flesh_Grinder_Prosecutorial_Discretion_and_the_Quotidian_Terror_of_Mass_Incarceration>]

The recent murder of Trayvon Martin brought the national conversation back to a topic that had been repressed for the myth of a post-racial America propagated since the election of Barack Obama to the presidency: the fundamental openness of the black body to wanton and excessive abuse and “premature death” (Gilmore, 28). That the national narrative around Martin’s death, even the narratives built by black political and civil leaders, only had Emit Till to compare his death to is example par excellance of the complete lack of any language we have to discuss the machinations that make a phrase such as “black death” into a redundancy. Trayvon Martin was not a singular case but was one of 120 black people killed extra-judicially (by police officers, security officials, and vigilante justice-seekers) in 2012 between January and July . That every 36 hours on average a black life is taken extra-judicially means that Trayvon Martin is not exceptional, but we do not have a language to deal with either the exceptional or the quotidian. Into the abyss, though the demand for justice, something productive happened: the rallying cry for justice made an invisible and ethereal part of the justice system into something a little more material. The call to arrest and charge George Zimmerman brought our attention to the role of the Prosecutor in the criminal punishment system. After the protests, statement from the President, and daily media blitzes, a special prosecutor was assigned to the case to meet the calls for justice. Angela Corey would become the face for an area of the law that is both ubiquitous and unthought. It seems she understood this for her statement, before officially giving the charge, set up a context for evaluating prosecutors, ¶ The Supreme Court has defined our role as Proscutors [as] not only “ministers of justice” but “seekers of the truth.”… Every single day our prosecutors across this great country handle difficult cases and they adhere to that same standard: a never ending search for the truth and a quest to always do the right thing for the right reason. There is a reason cases are tried in a court of law and not in the court of public opinion or the media. Because details have to come out in excruciating and minute fashion. Detail by detail, bit of evidence by bit of evidence. And it is only then, when the Trier of fact whether judge or jury, gets all the details that then a decision can be rendered. ¶ Corey is laboring to legitimize a system that took weeks to actually arrest George Zimmerman, yet this labor represses her own case history, for example the case of Marissa Alexander. Alexander is a mother who was convicted of attempted murder because she shot a warning shot at the father of her children who has admitted to beating her on several occasions before. Alexander was arrested on spot and charged within days in a case where the “stand your ground” defense was also being called upon. This supposed contradiction of methods that meet different bodies is the norm of the criminal punishment system, and this paper will attempt to string out some parts of the structure that make it so. ¶ In many disciplines there has been renewed attention given to mass incarceration. Yet, in spite of the growing level of multidisciplinary scrutiny on police surveillance and violent gulags, a major actor has slipped through virtually untouched in the humanities' attention to prisons. This major actor, regularly described in criminology and legal scholarship as the most powerful agent in the criminal punishment system, is the Prosecutor. The office of the prosecutor exists in a place where matter doesn't matter. Or put differently, the prosecutor’s agency is assembled where black matter no longer matters and where what matters, the happenings of the human and the quest for civil justice, can only be produced through the quotidian grinding and destruction of black flesh.¶ This paper will seek to shine a light, or better yet a shadow, on the white knights of the justice system. While one would think they know the job of a Prosecutor given its ubiquity on television crime dramas and movies, the mundaneness of their actual day-to-day activities are mystified by television's fascination with the drama of the trial, whether fictional or "real." In fact, it is rare that you will find a prosecutor who takes even 10 percent of their cases to trial. Over 90 percent of cases are settled through a plea bargain where the defendant will agree to plead guilty usually for the guarantee of less time, parole, or a lighter charge. As one law professor put it, the plea bargain is not an addendum to the criminal justice system, it is the criminal justice system (Scott and Stuntz, 1912). In spite of its centrality, there is little literature on the inner-workings of the plea bargain outside of schematic analysis in criminology. Instead of focusing on the theatrics of the trial, this paper will analyze the day-to-day grind of the plea bargain in order to explicate the quotidian terror that lies at the heart of prosecutorial discretion. ¶ From day-to-day a Prosecutor can be working on anywhere between 20 to 100 cases at a time (Heumann, 98). While a Prosecutor is given wide discretion to charge a case the way they want, there are hierarchies that determine the norms and procedures of each office. There are the district attorneys that the general population votes into office and the deputy attorneys that answer directly to him or her. Underneath them are the line prosecutors who work on the majority of the cases but whose decisions generally follow the established protocols of the veteran prosecutors and deputies. New prosecutors often come straight from law school with lofty dreams of becoming courtroom heroes only to learn that their job is much more akin to assembly-line justice. Legal scholar Abraham Blumberg describes this as the, “emergence of ‘bureaucratic due process,’… consist[ing] of secret bargaining sessions [and] employing subtle, bureaucratically ordained modes of coercion and influence to dispose of large case loads” (Blumberg, 69). ¶ While each office is different from the next, there is a stunning amount of unity at the procedural level. Deputy district attorneys will reject thirty to forty percent of cases the police send to them on face. The remaining 60 percent are considered suspects that are, according to the evidence provided, conclusively guilty. For the Prosecutor, these cases would be slam-dunk wins in front of a jury (Lewis, 51). This begs the question: What is the dividing line between cases that are charged and cases that get dropped by Prosecutors? ¶ Some statistics on the racial component of sentencing might lead us to an answer. In terms of drug crimes, according to a comprehensive report by Human Rights Watch, blacks are 14 percent of drug users, but are 37 percent of people arrested for drug possession, and are anywhere between 45 to 60 percent of those charged . These strings of numbers reveal an anti-black trajectory: the cases that the Prosecutor overwhelmingly pursues are black cases, the ones he drops are overwhelmingly non-black. A defense attorney called these for-sure-guilty cases “born dead.” This is a curious phrase, but when considering the historic connection between blackness and crime dating back to the inception of the national polity through slavery, the defense attorney’s phrasing gets us to a much more paradigmatic argument. Walt Lewis, a Los Angeles prosecutor, describes a “criminal justice” continuum where bodies are transformed from being “free” to being “incarcerated” (Lewis, 20). One is first arrested by the police and becomes a “suspect.” If the prosecutor decides to charge, then you go from being a “suspect” to a “defendant.” Finally if you are found guilty, you go from being a “defendant” to a “convict.” This process describes a temporality that transforms the “human” into the incarcerated “inhuman.” As violent as this process can be, the black’s fate is fundamentally different and more terrifying. The black is arrested, charged, and convicted at disproportionate rates because we were never actually “suspects” or “defendants.” Instead, we were always criminals, always already slaves-in-waiting. Instead of a continuum, the black body floats in a “zone of non-being” where time and transformation lose all meaning. Cases involving black bodies do not need to be rock-solid in terms of facts for their bodies have already been marked by the law as criminal (Fanon, 2). Thus cases involving black bodies are always for-sure victories, are always already “born dead.” ¶ In an interesting case that made it all the way to the Supreme Court titled United States versus Armstrong, a group of black defendants levied a critique similar to this paper’s argument . A group of black men were brought on charges of possessing 50 grams of crack cocaine. Unlike a normal defense where the details of the state’s accusation would be called into question, the defense instead argued that the prosecution selectively charges black people in cases involving crack cocaine. The first argument of the defense was that the majority of crack cocaine users in California are actually whites, not black people. The second argument of the defense used testimonies from government lawyers to prove that of all 841 cases the state brought against people possessing crack cocaine, all of them were black. Using these two claims, the defense said there was adequate proof to show that prosecutors were using unconstitutional means, racial markers, to select who would be charged and who wouldn’t be charged. According to past rulings by the Supreme Court, if selective prosecution can be proven then that is adequate grounds to vacate the sentence, even if the defendants were caught “red-handed.” Against this defense, the prosecution counter-argued that it does not selectively prosecute based on race, but instead on fact and circumstance. The district court that initially heard the appeal ruled that the state should turn over records of the 841 cases in question to prove who was right in the dispute. The state refused to reveal its documents and instead appealed the decision all the way up to the Supreme Court. Overturning the district and federal circuit court, the Supreme Court ruled in favor of the prosecution for a few reasons. The first reason Rehnquist gave was that it is not in the best interest of the government’s war on crime to monitor prosecutors. Rehnquist argued that the prosecutor must have the freedom to operate in the way she sees fit. The second and most important reason Rehnquist gave was by far the most explicitly racist and I will quote it in full: quote “a published 1989 Drug Enforcement Administration report concluded that "[l]arge scale, interstate trafficking networks controlled by Jamaicans, Haitians and Black street gangs dominate the manufacture and distribution of crack.… [and] the most recent statistics of the United States Sentencing Commission… show that: More than 90% of the persons sentenced in 1994 for crack cocaine trafficking were black.” . The Supreme Court answered the defendant’s accusation of selective prosecution by arguing that such a prosecution strategy is legitimate because it can be verified through statistics that black people are the major users and distributors of crack cocaine. To word it differently, the Supreme Court ruled that it was in the state’s interest to terrorize black communities because we are the most heinous drug users in the country. To be black is to be marked as a danger that must be controlled, seized, and incarcerated. Prosecutors act within and perpetuate this matrix of violence that precedes discourse. When a Prosecutor sees a case with a black body, he knows the same statistic the Supreme Court quoted and he knows, if not consciously then unconsciously, that this case is already done, already guilty, already “born dead.”

### #BlackLivesMatter Cards

#### Now is the Key time – mobilization of the movement is key to counter media re-framing of the #BlackLivesMatter Movement

William Lynch Vice President, New Business Initiatives LLC : 01/08/2015 Stop Slandering 'Black Lives Matter' http://www.huffingtonpost.com/-william-lynch-iii/stop-slandering-black-lives-matter\_b\_6437730.html

On December 20, New York City suffered an incredible tragedy: Depraved, cowardly madman Ismaaiyl Brinsley murdered NYPD officers Rafael Ramos and Wenjian Liu. There is not a scintilla of justification for Brinsley's actions, and it shall always be a sad chapter of our city's history.¶ However, what has concerned me and many others is that some folks are attempting to coopt this tragedy to slander the Black Lives Matter movement and quash any attempt at reforms or accountability. Patrolmen's Benevolent Association president Patrick Lynch (no relation to me) was quick to blame seemingly all critics of law enforcement when he declared, "There's blood on many hands tonight." He then called for an end to the Black Lives Matter movement when he said, "It must not go on, it cannot be tolerated."¶ Fraternal Order of Police national president Chuck Canterbury gave a similar response, imploring us to end criticism of law enforcement officers and regard their work as performed perfectly: "Enough is enough. There's nothing wrong with the way cops do their jobs that won't be fixed when politicians suck it up and attack the problems that breed poverty and crime." (Granted, I give him props for that last part.)¶ The editorial board at the New York Post also came down hard on demonstrators and critics of law enforcement in reaction to the two murdered officers:¶ Clearly, the protesters -- egged on by politicians and professional activists -- have engaged in a warped campaign to fuel anger at cops. Even before Saturday's slaying of these officers, some protesters had become violent and attacked cops.¶ "What do we want? Dead cops! When do we want it? Now!" some chanted last week.¶ Now they've got their wish.¶ Less than two days later the editorial board was at it again:¶ For weeks, our elites have validated the "anger" of the protesters who have been taking over streets, bridges and tunnels.¶ However, the Black Lives Matter movement has always been overwhelmingly committed to nonviolence. This started back in August at the time of the "We Will Not Go Back" march, which I helped organize with my friend Al Sharpton, along with several labor unions. In the days leading to the march, Sharpton penned a blog post on The Huffington Post expressing his support for police and for nonviolence:¶ The moment we lose our pledge to a non-violent movement, we become part of what we claim to be fighting. Do not allow this to happen; we must remain dedicated to a higher moral commitment. ... As I have often stated, not all police officers are bad. In fact, I believe most of them truly are doing their best to protect people and reduce crime.¶ The reverend reiterated this at the August rally:¶ We are not here to cause violence. ... We are not against police. Most police do their job. But those that break the law must be held accountable. ... We are for police.¶ This was not simply empty rhetoric: There was not a single arrest at the August march.¶ Nor were there any incidents at last month's Harlem vigil, whose scope was expanded to also be a vigil for the murdered cops. At the event, participants politely obliged with the requests of NYPD officers, who reciprocated with thank-yous. During the vigil event, one speaker proclaimed, "We're not anti-police; we're anti-police-brutality. Every cop isn't bad." And, for those of you who gripe that black folks ignore the issue of crime among ourselves, during the service following the vigil, Eric Garner's nephew gave a speech declaring, "I truly believe that when anybody gets murdered, by a police officer or by one of our kind, we should take the same stance."¶ Nevertheless, the news media has been hard at work tracking down the handful of protesters and others who did or even wrote something violent in order to stereotype the entire Black Lives Matter movement as violent. And when there isn't something, the news media has resorted to doctoring footage to make it look like a protester is calling for killing police when she was actually protesting peacefully.¶ The Post has been at the forefront of this tactic. For example, a columnist wrote an op-ed entitled, "Thought those anti-cop [sic] protesters were peaceful? Think again." He goes on to cite a single violent incident in which Eric Linsker attempted to throw a garbage can and then attacked two cops trying to arrest him, while a few other protesters intervened physically.¶ I do not condone this action, but nevertheless this columnist apparently could only find one incident involving violence. And the Post's own video of the incident shows, by my count, seven or eight people being physical, where the physicality is mostly tugging at the officers trying to detain one person. Moreover, Linsker's attorney later described the attempted throwing of the garbage can as being that he picked up a garbage can, then put it down at the behest of police.¶ However, this single incident was enough for the Post to typify the entire demonstration as violent by using the headline "Poet accused of assaulting cops during 'peaceful' protest," as opposed to something more accurate like "Poet accused of assaulting cops during otherwise peaceful protest."¶ The same columnist also pointed to video of a few dozen protesters calling for dead cops, albeit while engaging in a nonviolent march. A quick glance of the video shows a few dozen people, maybe 40 tops, which he somehow estimates it to be "hundreds if not thousands."¶ Based on this evidence, the columnist declares, "Let's make believe that only an itsy-bitsy handful of those anti-police protesters disrupting the city are hell-bent on mayhem." That statement is quite ironic because, although I was never that good at math, by my calculations about 50 people out of thousands actually is an itsy-bitsy handful.¶ And when editorial boards and Patrick Lynch are lambasting critics of law enforcement, they may want to take note of the number of conservative commentators who denounced the grand jury decision in the Eric Garner case. This includes FOX News commentators Charles Krauthammer and Andrew Napolitano, who respectively called the decision not to indict as "totally incomprehensible" and "a grievous wrong." That might have made for some awkward moments at the holiday party of the News Corporation, which owns the Post and FOX News, if anyone at the paper's editorial board bumped into Krauthammer or Napolitano, considering that the board implied their co-workers are among the "elites" who "validated the 'anger' of the protesters" and helped incite Ramos' and Liu's murders.¶ But you know what? Let's do an intellectual exercise and take as fact that the Black Lives Matter movement is violent based on the Post's standards. Now, let's apply that logic consistently. How about sports fans who loot and riot after games, whether their team wins or loses? Last year, fans at the University of Arizona rioted and attacked police after their basketball team lost in the March Madness tournament. This past October, fans at West Virginia University "celebrated" their football team's upset victory over Baylor by setting fires and damaging property. Even worse, one person was actually killed in a soccer riot in Spain last November, as reported by the Post.¶ But did the paper accompany the article with an op-ed entitled, "Thought sports fans were peaceful? Think again"? Have there been calls for all sporting events to be held in empty arenas? Or that no one should ever again peacefully celebrate or lament the outcome of a sporting event? The next time a New York sports franchise wins a championship (God willing), will the Post publish an editorial saying we not have a victory parade?¶ Let's also apply this logic to typify law enforcement officers based on the actions of a few. New York Magazine compiled a list of comments in response to Garner's murder. These comments were posted on the police message boards Thee RANT and PoliceOne. Both message boards require users to provide documentation in order to be verified as police officers before they can post.¶ Here are some of the lowlights of message board postings by verified law enforcement officers in response to Garner's homicide. All spelling and grammatical mistakes in the original:¶ Tough shit and too damn bad.¶ I guess it's the best thing for his tribe. He probably never worked a legit job. They city will pay off the family and they will be in Nigggaaa heaven for the rest of their lives!!¶ If the fat fuk just put his hands behind his back none of this would have escalated into what it did.¶ The cities of America are held hostage by the strong-arm tactics of the savages¶ After the grand jury decided not to indict Officer Pantaleo, forum users expressed similar sentiments:¶ I WILL DO EVERYTHING IN MY POWER TO KEEP MY 2 SONS FROM EVER, EVER BEING LEOS [law enforcement officers]...I will not let my sons be sacraficed for ungrateful, spoiled, hateful animals.¶ Thank the good Lord it happened in the Isle of Staten where there are still some working class white folks.¶ F u c k Black America, their equal or worse than whites, when speaking of Racism...¶ F u c k Diversity, it's not working and never will work...Diversity only accomplishes one thing, Lazy, Dumb idiots who don't care about any Position they attain, You Listening Mr. President ?¶ And this, ahem, insensitivity is not limited to message boards. There was also this police charity event in California last month, hosted by retired LAPD officer Joe Myers, with an estimated 25 to 30 LAPD officers in attendance. The event included a performance by former federal investigator Gary Fishell, who mocked Michael Brown's death with a song parody of "Bad, Bad Leroy Brown" where "Michael" replaced "Leroy." Reportedly no one at the event voiced any objection to the song, whose lyrics included the following:¶ And Michael looked like some old Swiss cheese¶ His brain was splattered on the floor¶ And he's dead, dead Michael Brown¶ Deadest man in the whole damn town¶ So is all of this conclusive evidence that all law enforcement officers are racist? Of course not. Because this all adds up to a handful of disparate anecdotes from a minute fraction of police. And that's exactly my point: Do not characterize any broad cross-section of people -- be it cops, protesters, or anyone else -- based on cherry picking what a few of them do or say.¶ You know what? I'll hold my nose and empathize with the Post a little bit. I hope their editors and columnists are slandering the Black Lives Matter movement because somewhere deep, deep down inside they think it's for a good end, misguided though it may be. Heck, I'll even concede that Patrick Lynch's job is to advocate for his membership, not to be polite or strive for accuracy.¶ But we cannot and will not allow any smears to quash the movement to end excessive force by a small percentage of law enforcement officers. This is a critical juncture, one where folks are more vocal than ever before about criminal justice reform, and the horrific murders of two NYPD officers must not be a strawman for ending any type of reform. We've gained too much momentum to let that happen.

#### The status quo movement is shifting towards #AllLivesMatter and away from #BlackLivesMatter – This is an imposition of post-racial politics that acts as an erasure of racial violence and hollows out the movement – only a recentering #BlackLivesMatter in the campaign is key to prevent this shift

Arielle Newton, Editor-in-Chief December 1, 2014 WHAT YOU MEAN BY #ALLLIVESMATTER http://blackmillennials.com/2014/12/01/what-you-mean-by-alllivesmatter/

Perhaps the most infuriating adaptation is #AllLivesMatter, a whitewashed faux sentiment that co-opts the crux of this growing racial justice movement. I’d imagine that when people tweet and post using #AllLivesMatter, they’re trying to project an understanding that everyone should be treated with decency and respect.¶ #AllLivesMatter is a capture of colorblindness that goes against the purpose of #BlackLivesMatter. As Black Americans in the racial justice struggle and promoters of the roots embedded in #BlackLivesMatter, we already know and agree that all lives matter. But we also know that injustices stemming from police brutality and the conglomerate criminal justice system, does not marginalize against all lives … but Black lives, almost exclusively.¶ Every 28 hours, a Black person is killed by police or vigilantes. Black people are trapped in prisons at alarming rates. Black people are less likely to graduate from college, but are more likely to graduate with over $25,000 in student loan debt. Black people are more likely to suffer from HIV, diabetes, and other serious health issues. The socioeconomic ills are widespread and numerous in the Black community.¶ And despite the hardships that we face, we recognize that our ills are not happenstance or coincidence. They’re the product of elaborate designs instituted by white supremacy and patriarchy. Our hardships stem from institutional racism—the policies and practices that purposely disadvantage Black communities.¶ When we say #BlackLivesMatter, we are speaking about the unique hardships that the Black community faces. We are speaking directly about a heritage that remains intact despite racist violence directed at us. To say #AllLivesMatter is an affront to Black heritage, people, and culture and does nothing but take away from the potent truth that the Black existence deserves ample recognition.¶ Arthur ChuYes, all lives matter in ideology. But all lives don’t matter in practice. Should society and history tell us, Black lives don’t matter. When the murder of an unarmed teenager goes unpunished, and is further justified, all lives don’t matter. When a white man shoots up a movie theater, kills 12 people, terrorizes a nation, and is still alive … all lives don’t matter.¶ #AllLivesMatter is a cheap attempt to neutralize the fact that certain injustices and brutality are experienced by those with darkened skin. Please do not reshape the narrative in attempt to remain colorblind.

#### The Success of the Movement is key because it represents an opportunity to reshape the way individuals understand racial dynamics in the status quo – instead of viewing violence against minority populations as isolated moments, the plans empathetic politics would help create an understanding of how these moments are part of a larger narrative of prejudice in the United States

Strabuk 14 (Alexa, Media analyst from The Student Life Pomona Opinions Editorial Board and Opinions Editor, 12-5-14, “Responding to Misleading Media Narratives in the Wake of Ferguson, Staten Island”, <http://tsl.pomona.edu/articles/2014/12/5/opinions/5845-responding-to-misleading-media-narratives-in-the-wake-of-ferguson-staten-island>)

Last week, a Missouri grand jury voted not to indict police officer Darren Wilson for the killing of Michael Brown. This week, a grand jury in New York voted not to indict police officer Daniel Pantaleo for the killing of Eric Garner. None of these incidents was an isolated event. The deaths of these men and the decisions not to indict their killers are a manifestation of systemic social problems in the United States. In Claremont, students organized a march as a sign of solidarity with the Ferguson community and as a call to action against the broader problem of institutionalized racism in the United States, as Jazmin Ocampo reports (See News, page 1). We applaud those students for acting on their beliefs: for not remaining in silence, or limiting dissent to Tweets and Facebook posts. While social media does provide a venue for raising awareness, we believe that change will require much more effort. As part of that effort, we should all do what we can to keep educating ourselves about what happened and is happening in Ferguson and in New York and the reality of institutionalized racism in the United States. Self-education has not been made easier by unprofessional media coverage of Ferguson. One of the most common trends in major news organizations' coverage of this issue has been the overemphasis on incidents of violence and theft and the downplaying of peaceful protests. At best, we consider this coverage to be underinformed; at worst, it is irresponsible and dangerously misleading. As student journalists, we believe in the value of thorough and objective reporting. But navigating the modern deluge of hastily written and re-reported news can be daunting. For those seeking quality reporting on the events in Ferguson, or on national issues like structural racism and police militarization, we encourage you to look beyond the dominant headlines and seek out diligent, on-the-ground reporting. We also recommend turning to organizations that emphasize the perspectives and experiences of people of color because too many news organizations are overwhelmingly white. As the attention span of the national media wanes—and it is already waning—find the authors, the publications and the websites that give context to these momentary events. Whatever articles you read, question them. Attune yourself to sensational buzzwords, hasty generalizations and simple narratives. These are complex issues that deserve complex treatment, and we must use our capacity for understanding to its fullest, especially when the narratives involved have too often been silenced or ignored. Beyond education, we hope that students continue to take action within this community, and we challenge others to aid in tackling the problems that pervade our nation. And we hope that those who have been moved by these events will not allow time or diminishing media focus to obscure the ways that national problems become individual tragedies. There are many lessons to be learned from the deaths of Michael Brown and Eric Garner. Only through perseverance—in observation, in education and in action—will we truly learn.

#### That’s necessary to create a paradigmatic shift in the ways that the education system approaches understandings of race relations in the United States

Chandler and McKnight 9

(Prentice Chandler – Ph.D from the University of Alabama, Assistant Professor of Social Studies Education and Critical Race Theory, and Douglas McKnight - Ph.D. Louisiana State University, professor of Educational Leadership, Policy and Technology Studies and Social and Cultural Studies, “The Failure of Social Education in the United States: A Critique of Teaching the National Story from "White" Colourblind Eyes,” Journal for Critical Education Policy Studies, v7 n2 p217-248 Nov 2009)

The social studies, given its disciplinary inclusive nature, has from its inception as an academic field in the late 1800s, the potential to become a critical tool to explain how attitudes and beliefs about race have often led to anti-democratic exercises, such as the marginalization and oppression of non-whites within the US (Bell, 2004; Ladson-Billings, 2003; Nelson & Pang, 2001; Parker, 2001; Santora, 2001). To view the field in such a way precludes teachers, especially white teachers, from hiding behind the belief that they are but telling a neutral, factual story of historical events. This ―neutral‖ narrative actually privileges a monocultural perspective (Geher, 1993) that makes itself visible (i.e. Anglo-European culture) and all other perspectives invisible or visible only on the periphery as a warning to the dominant culture. These peripheral forms of existence that counter the dominant white culture are considered a threat against true ―Americans‖ (white, conservative, patriarchal, heterosexual, etc) and are to be ―warred against, as evident in US cable television shows such as O’Reilly Factor and Hannity (both on Fox News Channel) and both of which have large audiences.¶ Within the institution of schooling and in the academic research, social studies has historically tended to ignore the theme of race in relation to the national narrative, specifically glossing over how some members of society not part of the Anglo-European, middle class, protestant temperament (Greven, 1977) have been silenced or relegated to victim status in the telling of the story. An effect is that races other than white (i.e. African-Americans, Native Americans) are depicted as groups acted upon by the forces and personalities of history rather than as actors within history. Simply, the ―white male‖ character is preserved as the main protagonist of the national story, which is presented within the curriculum and in textbooks as a chronological, linear story of great moral, political, technological, economic and even spiritual progress.¶ However, an analysis of the social studies field has exhibited a dearth of research into how race permeates how the national story is told in the curriculum and classroom (Chandler, 2007). In effect, mainstream social studies research perceives race in terms of a series of cause and effect events rather than as a persistent subtext of the whole narrative that has to a large degree defined US society and perpetuated a condition of being white as a form of property that provides special privileges (Harris, 1993; McIntosh, 1990; Solomon, Portelli, Daniel, & Campbell, 2005). Social studies as a discipline tends to approach race in US history as a problem dealt with and solved during the past, such as the Civil War (white man as the ―great liberator‖) and again in the Civil Rights era (with the curriculum privileging the peaceful, or sanitized, version of the African-American voice, such as civil rights leader Martin Luther King, instead of the more threatening voice of Malcolm X). After each event, race disappears within the textual landscape of the ―American‖ story and so from the minds of students, making social studies a ―poor resource for enabling students to develop a discourse of contemporary race and ethnic relations that addresses institutional racism, structural inequality, and power‖ (Wills, 2001, p. 43). In constructing the social studies and the story of the US in this way, the important interactions between groups of people are hidden in plain sight, removed from the narrative and from analysis (Wills, 2001).¶ In an effort to address these issues, this article will explore the lack of research on the issue of race in social studies research and textbooks in relation to the US. We do not attempt to draw conclusions beyond the US because of our focus on national narratives and how those narratives play out in a racialized context, hence, precluding any claims beyond that particular context. We will interrogate the possible reasons why race, which should be an emphasized area of US social studies research and curriculum in both schools and in teacher preparation, is subsumed within a colour-blind framework rather than from a critical race theory (Harris, 1993) or critical multiculturalism (McCarthy, 1994) perspective that interrogates the racial component in ¶ Since its inception as a formal field of study, the expressed goal of the social studies has been that of citizenship education (Shaver, 1981). ―Social studies, in the broadest sense, is the preparation of young people so that they posses the knowledge, skills, and values necessary for active participation in society‖ (Ross, 2001, p. 21).¶ This preparation involves the creation of narratives within social studies that carry certain moral goals of directing students to a model of what their relationship to the greater society should look like (Morrissett, 1981). As Geher identifies: ―The success of the monocultural ideal was closely tied to the emerging role of the United States as a hegemonic power. This is expressed ideologically in the common pronouncement that the United States unified the West, completed the course of Western development, and set global standards of civilization in fierce rivalry with the Soviet Union‖ (1993, p. 509). In essence, the national narrative has always embodied some form of progress toward some great end or perfection. The archetype of US exceptionality brings forth the following ideas social studies teachers‘ pedagogy: (1) God is on our side, (2) civilization has been created from the wilderness, (3) Europeans have created order where disorder existed before, and (4) hard work, merit, and virtuous character pay off (Loewen, 1995). ―For these unexcelled blessings, the pupil is urged to follow in the footsteps of his forbears, to offer unquestioning obedience to the law of the land, and to carry on the work begun‖ (Pierce, 1926, p. 113).¶ Hence, the history written has been a form of mytho-history constructed for individuals to embody (Geher, 1993; McNeill, 1986). For the colonial Puritans, it was the ―errand into the wilderness‖ and a ―city upon the hill‖ (Bercovitch, 1975); for the next era it was Enlightenment Progress; then Manifest Destiny; to the more recent belief in the US as the moral arbiter and protector of the world. The theme of US exceptionalism, and its subsequent protection of all the material rewards that its people feel they deserve, undergirds all of the mainstream stories as told through the social studies. However, conflict arises over the responsibility of social studies educators beyond that point: whether such narratives need to be merely recited, as in a history teacher‘s lecture pulled directly from a textbook or from pre-packaged curricula resources; or to tell the story, analyze it historically and interpret to what degree it has and continues to match concrete reality. Shaver (1981) defines the basic dilemma in this way: ―How can the school contribute to the continuity of the society by preserving and passing on its traditions and values the telling of the national narrative. while also contributing to appropriate social change by helping youth to question current social forms and solutions‖ (p. 125)? Given Shaver‘s (1981) acknowledgement of such foundational concerns, it is difficult to explain why social studies research has largely ignored race as a major persistent theme within the national story (Marri, 2001; Marshall, 2001; Pang, Rivera, & Gillette, 1998; Tyson, 2001). In fact an excellent recent work that appears to be an exception to the problem of race in relation to education in general in the US, Ross & Pang‘s (2006) edition of Race, Ethnicity and Education, actually confirms the problem. Those involved in the social studies scholarship in these important volumes have removed themselves from the mainstream of NCSS -- given its complete resistance to any such discussion of race -- and are now situated on the periphery so as to find any space to inquire into such controversial issues. Mainstream social studies research has failed to confront directly the issue of race in any meaningful way.¶ Telling is a review of the social studies literature from 1973 to the present in the premier US social studies research journal, Theory and Research in Social Education (TRSE), subsidized by NCSS, reveals a lack of scholarly inquiry into the different issues of race. Noticeably absent are the issues of race as a subject matter in the social studies curriculum, as well as how race shapes the classroom as a cultural space in which ―whiteness‖ is privileged. In Ehman‘s (1998) extensive review of TRSE from 1973-1997, only 6% dealt with ―social problems and controversial issues,‖ of which race would be a part. An analysis of the years after 1997 to the present found the same persistent lack of research in general confronting ―controversial issues‖ in TRSE, and in specific lack of racial analysis (Chandler, 2007). Nelson & Fernekes (1996) found that NCSS has a long history of not taking stands on significant social conflicts between those privileged within the dominant culture and those oppressed by it:¶ The National Council for the Social Studies‘ record on civil rights can only be characterized as negligent at best and indifferent at worst. NCSS largely ignored the civil rights movement and in the process demonstrated indifference toward a social crisis of immense significance, one that challenged the very basis of democratic institutions and posed difficult questions for educators who daily had to confront the gap between the stated ideals and social experience. (p. 98)¶ Two recent volumes of social education research are instructive in how race is either situated on the margins or is sanitized and hidden within the large framework of colour-blind multiculturalism and diversity (further examined below). Critical Issues in Social Studies Teacher Education (Adler, 2004) and Critical Issues in Social Studies Research for the 21st Century (Stanley, 2001) present race as a topic on the periphery of social studies thought and research. Of the 33 chapters that constitute these two volumes, written by the foremost scholars in the field of social studies research, five address the issue of race mostly as a subset of either urban and/or global education or as just one piece of multicultural education. The one chapter that examines race as an unavoidable thematic within the national narrative is Santora‘s (2001) work on cross-cultural dialogue. From this perspective, she addresses how socially constructed notions of race and whiteness define what the dominant culture believes is ―normality,‖ which in turn perpetuates the privileging of ―whiteness‖ within education. Santora‘s analysis complements Nelson and Pang‘s (2001) findings of how within the social studies curriculum the national narrative fails to match the material reality of social studies classrooms. They identified that while the ―root ideas of liberty, justice, and equality‖ (Nelson & Pang, 2001, p. 144) were spoken the actions of teacher and student betrayed the sentiment by failing to interrogate the contradictions that existed between words and deeds. ―This is a sobering and disquieting scenario, one that illustrates that justice and equality are not the standards of US society, no matter the credo‖ (Nelson & Pang, 2001, p. 144).¶ While the mainstream social studies is quick to transmit the story of colonial resistance, the virtues of republicanism, superiority of ―American‖ culture and Manifest Destiny, race and its central role in the creation of the US is disregarded (Ladson-Billings & Tate, 1995; Lybarger, 1991). The danger of this is that a failure to confront the legacy of race in the US will preclude students from understanding how racial injustice continues even as legislative attempts at redress, such as affirmative action, are struck down as unnecessary in the present age. This leads to an absence of examining race within the social studies as an important determinant of US past, present and future. In fact, Nelson & Pang (2001) found in examination of the social studies curriculum and practice a field characterized by ―dullness, vapidity, absolutism, censorship, and inaccuracy in the promotion of patriotic nationalism and conservative social values‖ (p. 152) that fails to interrogate claims of US moral certitude and self-righteousness.¶ This is even more problematic given the broad and powerful critique by Critical Race Theory (CRT), revealing how US history is a story of racialization in which the freedom of some was preserved through the enslavement and oppression of others through legal means (Dixon & Rousseau, 2005; Harris, 1993; Roithmayer, 1999). Domestic and foreign policy of the US have been predicated on racial notions; from Native genocide, to African enslavement, to Jim Crow legislation, to Manifest Destiny (i.e. empire building), the history of the US is tied to the manifestation of racism and racist regimes (Howard, 2001). Also missing is any analysis on the interaction between the races. The social studies is the one discipline that could provide students with a language to ―develop a discourse of contemporary race and ethnic relations that addresses institutional racism, structural inequality, and power‖ (Wills, 2001, p. 43). Instead, the social studies mentions certain groups of people (i.e. women, Native Americans, African Americans) without any reference to the superstructure of oppression that causes their situation and/or respective actions. This gives the impression that either oppression does not exist or that nothing can be done about it because history is perceived as pre-determined and progressive. In fact, case studies with white high school social studies teachers found that these teachers tended to mention certain facts involving those of non-Anglo European backgrounds (e.g. Civil Rights, Slavery, battles with Native American tribes). However, no context was ever provided concerning the tension of how race and racial attitudes generated a condition in which those groups claiming to celebrate and represent the best of US identity (e.g. equality, individual freedom, liberty, democracy) could in the same moment engage in acts of oppressing others who, while non- Anglo, wanted to embody the same national identity (Chandler, 2007).

## Disease

### Disease Add-On

#### Cloud computing key to genome sequencing and disease spread

Chansanchai 15

(Athima, “Cloud computing contributes to individually tailored medical treatments of the future,” Microsoft News, Feb 2, 2015, Accessed April 8, 2015, http://news.microsoft.com/features/cloud-computing-contributes-to-individually-tailored-medical-treatments-of-the-future/)//AD

For now, this level of personalized medicine is science fiction. But Feng thinks that in a decade – or less – it could be real science. To get to the point where technology can give people access to their genetic profiles, cloud computing plays a pivotal role. By putting resources to analyze genomes in the cloud, researchers can do their work from a variety of devices, collaborate with each other more easily and save time and money. Just a few years ago, sequencing a human genome, for example, used to cost $95 million. Now, it’s $1,000. And by 2020, it may be a matter of pennies. Computing makes it possible to run simulations faster, which leads to more efficient lab work that could produce scientific breakthroughs. Feng and his team at Virginia Tech have developed tools to help other researchers and clinicians in their quests to find cures for cancer, lupus and other diseases.

#### Genome sequencing is key to solve anti-biotic resistant disease

Koser et al 14

\*ABR is anti-biotic resistant

\*WGS is whole genome sequencing

1 Department of Medicine, University of Cambridge, Cambridge, UK 2Clinical Microbiology and Public Health Laboratory, Public Health England, Cambridge, UK 3Cambridge University Hospitals National Health Service Foundation Trust, Cambridge, UK 4Wellcome Trust Sanger Institute, Wellcome Trust Genome Campus, Hinxton, UK (Claudio, “Whole-genome sequencing to control antimicrobial resistance,” Cell Press, 2014, Elsevier, Accessed April 8, 2015, http://ac.els-cdn.com/S0168952514001140/1-s2.0-S0168952514001140-main.pdf?\_tid=b6aec3dc-def8-11e4-9b5b-00000aab0f6c&acdnat=1428612232\_7e13b78f2121498282f37bd79b933b98)//AD

WGS has become an essential tool for drug development by enabling the rapid identification of resistance mechanisms, particularly in the context of tuberculosis (TB), which remains a global public health emergency [15,16]. In 2005 the first published use of 454 pyrosequencing (the first second-generation WGS technology) was to identify the F0 subunit ofthe ATP synthase as the target of bedaquiline, which subsequently became the first representative of a novel class of anti-TB agents to be approved in 40 years [16,17]. This has enabled researchers to sequence this gene in phylogenetically diverse reference collections to ensure thatitis conserved across Mycobacterium canettii as well as the various lineages and species that comprise the Mycobacterium tuberculosis complex (MTBC), the causative agents ofTB[18].This represents an important step because drug candidates are usually only tested against a small number of isolates during the early phases of drug development. Similarly, only a limited number of MTBC genotypes are sampled in clinical trials, depending on where these are conducted [19]. As a result, intrinsically resistant strains might be missed, ashas been the case forPA-824, ananti-TB agent in Phase III trials [19–21]. The early elucidation of resistance mechanisms using WGS also has implications for the design of clinical trials. If resistance mechanisms are discovered that only result in marginally increased minimal inhibitory concentrations (MICs) compared with the wild type MIC distributions, more frequent dosing or higher doses could be employed in clinical trials to overcome this level of resistance. Moreover, the discovery of cross-resistance between agents using WGS can influence the choice of antibiotics that are included in novel regimens. TB is always treated with multiple antibiotics to minimise the chance of treatment failure as a result of the emergence of resistance during treatment [22]. Regimens that contain agents to which a single mutation confers cross-resistance should be avoided if these mutations arise frequently in vivo. WGS has recently highlighted that this may be the case with three Phase II trial regimens that contain bedaquiline and clofazimine because the mutational upregulation of an efflux pump confers cross-resistance to both drugs [23]. In addition to being a tool to design clinical trials, WGS has become an increasingly important tool during clinical trials. Specifically, it is increasingly being used to distinguish exogenous reinfection from relapse of the primary infection, which is crucial in assessing the efficacy of the drug or regimens under investigation [24,25]. Traditional epidemiological tools do not always provide the necessary resolution for this purpose. This is due to the fact that they only interrogate minute parts of the genome {e.g., multilocus sequence typing (MLST) of Pseudomonas aeruginosa analyses only 0.18% of the genome [26]}. By contrast, WGS interrogates the complete (or near-complete) genetic repertoire of an organism. Therefore, the resolution of WGS is only limited by the rate of evolution of the pathogen and will become the gold standard for clinical trials of new antiTB agents and other infectious diseases associated with recurrent disease [27,28].

#### Drug-resistant diseases cause extinction.

Davies 8—Department of Microbiology and Immunology at the University of British Columbia

(Julian, “Resistance redux: Infectious diseases, antibiotic resistance and the future of mankind”, EMBO Rep. Jul 2008; 9(Suppl 1): S18–S21, dml)

For many years, antibiotic-resistant pathogens have been recognized as one of the main threats to human survival, as some experts predict a return to the pre-antibiotic era. So far, national efforts to exert strict control over the use of antibiotics have had limited success and it is not yet possible to achieve worldwide concerted action to reduce the growing threat of multi-resistant pathogens: there are too many parties involved. Furthermore, the problem has not yet really arrived on the radar screen of many physicians and clinicians, as antimicrobials still work most of the time—apart from the occasional news headline that yet another nasty superbug has emerged in the local hospital. Legislating the use of antibiotics for non-therapeutic applications and curtailing general public access to them is conceivable, but legislating the medical profession is an entirely different matter. In order to meet the growing problem of antibiotic resistance among pathogens, the discovery and development of new antibiotics and alternative treatments for infectious diseases, together with tools for rapid diagnosis that will ensure effective and appropriate use of existing antibiotics, are imperative. How the health services, pharmaceutical industry and academia respond in the coming years will determine the future of treating infectious diseases. This challenge is not to be underestimated: microbes are formidable adversaries and, despite our best efforts, continue to exact a toll on the human race.

### Disease Sub Scenario – Economic Decline

#### Drug Resistance costs the world 100 trillion USD and causes extreme suffering

The Review on Antimicrobial Resistance, Chaired by Jim **O’Neill**, Economist, December 20**14**

The findings in this paper are based on two of the scenarios modeled by RAND¶ Europe and KPMG. Further details of the two studies are set out in the box on the following page and the full papers are available on our website.¶ The two teams modeled an increase in AMR rates from where they are today, each using their own methodology, to understand the impact this would have on the world population and its economic output. Both studies were hampered by a lack of reliable data, in particular regarding bacterial infections, and as a consequence they most likely underestimate the true cost of AMR.¶ The studies estimate that, under the scenarios described below, 300 million people are expected to die prematurely because of drug resistance over the next 35 years and the world’s GDP will be 2 to 3.5% lower than it otherwise would be in 2050.¶ This means that between now and 2050 the world can expect to lose between¶ 60 and 100 trillion USD worth of economic output if antimicrobial drug resistance is not tackled. This is equivalent to the loss of around one year’s total global output over the period, and will create significant and widespread human suffering.¶ Furthermore, in the nearer term we expect the world’s GDP to be 0.5% smaller by 2020 and 1.4% smaller by 2030 with more than 100 million people having died prematurely.¶ The two studies also show a different economic impact for each of the drug resistant infections they considered. E. coli, malaria and TB are the biggest drivers of the studies’ results. Malaria resistance leads to the greatest numbers of fatalities, while E. coli is the largest detractor from GDP accounting for almost half the total economic impact in RAND’s results. Because malaria and TB vary far more by region than E. coli in the studies, they are the largest drivers of differences between countries and regions.

#### **Poverty is the deadliest form of structural violence – it is equivalent to an ongoing nuclear war.**

**Gilligan, ‘96** [James, Former Director of Mental Health for the Massachusetts Prison System, Violence, p.]  
In other words, every fifteen years, on the average, as many people die because of relative poverty as would be killed in a nuclear that caused 232 million deaths; and every single year, two to three times as many people die from poverty throughout the world as were killed by the Nazi genocide of the Jews over a six-year period. This is, in effect, the equivalent of an ongoing, unenending, in fact accelerating, thermonuclear war, or genocide, perpetuated on the weak and poor ever year of every decade, throughout the world.

### Disease Sub Scenario – CRE

#### It’s everywhere

Reuters 2013 Reuters is a news organization that focuses on international news, “Doctors warned to be vigilant for warn new deadly virus sweeping the globe from Middle East”, 3/8/13, http://www.dailymail.co.uk/news/article-2290033/Doctors-warned-vigilant-warn-new-deadly-virus-sweeping-globe-Middle-East.html//OF

Warnings of the deadly virus come as the CDC announced concerns over an increasing number of infections from a 'nightmare bacteria' found in U.S. hospitals. Public health officials have warned that in a growing number of cases existing antibiotics do not work against the superbug, Carbapenem-Resistant Enterobacteriaceae (CRE). Patients became infected with the bacteria in nearly four per cent of US hospitals and in almost 18 per cent of specialist medical facilities in the first half of 2012, according to the Centers for Disease Control and Prevention (CDC). Dr Tom Frieden, director of the CDC, said in a statement that the strongest antibiotics 'don't work and patients are left with potentially untreatable infections.' He said scientists were 'raising the alarm' over the problem following increasing concern. Increasing numbers of patients in US hospitals have become infected with CRE, which kills up to half of patients who get bloodstream infections from them, according to a new CDC report. Some of the more than 70 types of Enterobacteriaceae bacteria - including E-coli - have become gradually resistant over a long period of time, even to so-called, 'last resort drugs' called carbapenem. During the last 10 years, the percentage of Enterobacteriaceae that are resistant to these last-ditch antibiotics rose by 400 percent. One type of CRE has increased by a factor of seven over the last decade, Fox News reports. CRE infections usually affect patients being treated for serious conditions in hospitals, long-term acute-care facilities and nursing homes. Many of these people will use catheters or ventilators as part of their treatment - which are thought to be used by bacteria to enter deep into the patient's body.

#### And it decimates the global population

Adams 7/17 Mark Adams (Citing Doctors and the CDC) is a reporter for Naturalnews.com, an online news source specializing in medicine and natural sciences, “Drug-resistant superbug infections explode across U.S. hospitals: 500% increase foreshadows 'new plague' caused by modern medicine”, 7/17/14, Natural News, http://www.naturalnews.com/046041\_CRE\_superbugs\_drug-resistant\_infections\_modern\_plague.html#//OF

(NaturalNews) Drug-resistant superbug infections have reached near-epidemic levels across U.S. hospitals, with an alarming 500% increase now documented in a study just published in the August issue of Infection Control and Hospital Epidemiology (the journal of the Society for Healthcare Epidemiology of America). (1) Lead author of the study, Dr. Joshua Thaden, warned "This dangerous bacteria is finding its way into healthcare facilities nationwide... A CRE epidemic is fast approaching... Even this marked increase likely underestimates the true scope of the problem given variations in hospital surveillance practices." The study also found that an astonishing 94 percent of CRE infections were caused by healthcare activities or hospital procedures. CRE superbugs explained CRE (carbapenem-resistant Enterobacteriaceae) is an incredibly dangerous superbug causing nearly a fifty percent fatality rate once a patient is infected. The World Health Organization calls it "one of the three greatest threats to human health," and all known antibiotics are useless in treating it. CRE arose out of the systematic abuse of antibiotics by doctors, who inadvertently created the perfect breeding ground for deadly bacteria by using narrowly-targeted chemical medications that lack the kind of full-spectrum action found in nature (in herbs like garlic, for example). Because of their highly-targeted chemical approach, antibiotics encouraged bacteria to develop molecular defenses that resulted in widespread resistance to Big Pharma's drugs. The situation is so bad today that the entire pharmaceutical industry has no drug, no chemicals and no experimental medicines which can kill CRE superbugs. Even worse, there are virtually no new antibiotics drugs in the research pipelines, either. Drug companies have discovered that it's far more profitable to sell "lifestyle management" drugs like statin drugs and blood pressure drugs than to sell antibiotics which treat acute infections. Antibiotics simply aren't very profitable because relatively few people acquire such infections. Meanwhile, everyone can be convinced they might have high cholesterol and therefore need to take a statin drug for life. Drug companies, in other words, have all but abandoned the industry of treating infections. Instead, they now primarily engage in the promotion of disease symptoms while selling drugs that attempt to alter measurable markers of those symptoms such as cholesterol numbers. Even though drug companies caused the superbug pandemic that's now upon us, in other words, they have deliberately abandoned humanity in defending against those superbugs because it's simply not profitable to do so. The end of antibiotics has arrived: Humanity faces a new plague caused by modern medicine The CDC has admitted that we are now living in a "post-antibiotics era." As Infection Control Today states, "Antibiotic resistance is no longer a prediction for the future. It is happening right now in every region of the world and has the potential to affect anyone." (2) Dr. Arjun Srinivasan, associate director at the Centers for Disease Control and Prevention, went even further in a PBS interview, stating: (3) We've reached the end of antibiotics, period... We're here. We're in the post-antibiotic era. There are patients for whom we have no therapy, and we are literally in a position of having a patient in a bed who has an infection, something that five years ago even we could have treated, but now we can't. Keep in mind that doctors refuse to use natural substances to treat infections, which is why they believe no defenses against superbugs exist. Their indoctrination into the world of pharmaceuticals is so deeply embedded in their minds, in other words, that they cannot even conceive of the idea that an herb, a food or something from Mother Nature might provide the answer to superbugs. See this Natural News article on natural antibiotics that kill superbugs. The list includes honey. Hospitals are the perfect breeding grounds for superbugs By their very design, hospitals are prefect breeding grounds for superbugs for six very important reasons: 1) They put all the infected people under one roof, creating a high density infectious environment. 2) They allow doctors and medical staff to quickly and easily carry and transmit infectious diseases to new patients. Previous studies have documented how superbugs easily ride on doctors' ties, for example, or their mobile phones. 3) Medical staff still don't wash their hands as frequently as they should. The intense time demands placed on them discourage careful hand washing, causing many to skip this crucial step between patient visits. 4) Hospitals almost universally refuse to use broad-spectrum antibacterial remedies which are not drugs. Natural substances like honey and garlic show extraordinary multi-faceted antibacterial properties, as do certain metals such as silver and copper. Yet because these substances are not developed by pharmaceutical companies which dominate the field of medical practice, they are simply ignored even though they could save many lives. (And a doctor who prescribes "honey" doesn't sound as amazing and all-knowing as a doctor who prescribes "the latest, greatest laboratory breakthrough patented chemical medication.") 5) Hospital practices suppress human immune function to the point of systemic failure. Rather than boosting immune function, conventional medical treatments such as antibiotics and chemotherapy cause immune system failure. Hospitals lack sunlight and hospital food lacks key immune-boosting minerals such as zinc and selenium. On top of that, most of the drugs prescribed to patients by hospitals deplete key nutrients required for healthy immune function, leaving patients even more susceptible to superbug infections. 6) Hospital staff spread infectious diseases to their private homes. After acquiring an infection at work (at the hospital), staffers easily spread those infections to their own family members at home. The antibiotics plague is upon us We are right now living through the early stages of a global plague caused by modern medicine. The industry that created this plague is utterly defenseless against it, leaving humanity to fight for survival in a world that's now far more dangerous than the one that existed before the invention of antibiotics. Antibiotics have indeed saved millions of lives, and they forever have an important place in any medical practice. Yet their careless use -- combined with medicine's willful and foolish abandonment of natural antibiotics that work far better -- has led humanity down the path of its own destruction. Today, a simple scrape of your arm or leg might now be fatal. Infections that occur during routine medical procedures which would have once been considered minor issues are now deadly. And the worst part is that the bacteria continue to evolve more elaborate defenses against drugs while increasing their transmissibility. Human hospitals (and entire cities) are, by design, ideal pandemic hubs that rapidly spread disease. Like it or not, humanity has created the perfect storm for a pandemic decimation of the global population.

## Tech Sector Crash

### Tech Sector Crash (Cloud)

#### That undermines US global technological leadership

**Castro and McQuinn 15**, Daniel Castro works at the Center for Data Innovation, Government Technology, The Information Technology & Innovation Foundation, worked at the U.S. Government Accountability Office, went to Carnegie Mellon. Alan McQuinn works at the Federal Communications Commission, previously had the Bill Archer Fellowship at the University of Texas, (June 2015, “Beyond the USA Freedom Act: How U.S. Surveillance Still Subverts U.S. Competitiveness”, [file:///C:/Users/Mark/Downloads/2015-beyond-usa-freedom-act.pdf)//AK](file:///C:\Users\Mark\Downloads\2015-beyond-usa-freedom-act.pdf)\AK)

CONCLUSION

When historians write about this period in U.S. history it could very well be that one of the themes will be how the United States lost its global technology leadership to other nations. And clearly one of the factors they would point to is the long-standing privileging of U.S. national security interests over U.S. industrial and commercial interests when it comes to U.S. foreign policy.

This has occurred over the last few years as the U.S. government has done relatively little to address the rising commercial challenge to U.S. technology companies, all the while putting intelligence gathering first and foremost. Indeed, policy decisions by the U.S. intelligence community have reverberated throughout the global economy. If the U.S. tech industry is to remain the leader in the global marketplace, then the U.S. government will need to set a new course that balances economic interests with national security interests. The cost of inaction is not only short-term economic losses for U.S. companies, but a wave of protectionist policies that will systematically weaken U.S. technology competiveness in years to come, with impacts on economic growth, jobs, trade balance, and national security through a weakened industrial base. Only by taking decisive steps to reform its digital surveillance activities will the U.S. government enable its tech industry to effectively compete in the global market.

#### Tech leadership is the primary driver of hegemony –

Weiss 14 – Fellow of the Academy of the Social Sciences in Australia, Professor Emeritus in Government and International Relations at the University of Sydney, Honorary Professor of Political Science at Aarhus University. (Linda, America Inc.?: Innovation and Enterprise in the National Security State, Cornell University Press, 4/1/14, p. 1-3)//JJ

\*NSS=National Security State

So what accounts for America’s transformative capacity? Where do its breakthrough innovations come from? My answer traces the relationship between high technology, national security, and political culture. It advances three interlinked propositions regarding the role of the NSS as technology enterprise and commercialization engine; its geopolitical drivers; and the institutional consequences of an antistatist constraint. The national security state as technology enterprise. First, America's capacity for transformative innovation derives not merely from the entrepreneurship of its private sector, or simply from the state as such, but from the national security state—a particular cluster of federal agencies that collaborate closely with private actors in pursuit of security-related objectives. The NSS is a wholly new postwar creation that is geared to the permanent mobilization of the nation's science and technology resources for military primacy, and here I document and explain why it has had to become increasingly involved in commercial undertakings. Although centered on defense preparedness, the NSS is a good deal broader than the military, yet narrower than the state as a whole. In addition to its defense core in the Department of Defense, the NSS comprises several other components created at the height of the Cold War to pursue, deliver, or underwrite innovation in the service of securing technological supremacy. Although some are designated as "civilian" in their ori- gins, evolution, and current mix of activities, these NSS components remain deeply enmeshed in national security or dual-use functions (as we shall see in chapter 2).4 Acting as commander in chief, the president sits at the peak of this complex, supported by the Oval Office and, in particular, the Office of Science and Technology Policy. In sum, I discuss NSS activities not in the more popular sense of a surveillance state, but as a national "technology enterprise" in which the military is the central, but far from exclusive, actor. In telling this Story, I demonstrate and account for a major shift in NS.S innovation programs and policies that involved the national security agencies cultivating and undertaking commercialization ventures. (c. 1945 up to the 1970s), this process of fostering commercially relevant (general-purpose or dual-use) technologies took both direct and indirect forms. Then (especially from the 1980s onward) it also took a more proactive form, via patenting and licensing reforms and cooperative agreements to transfer technology from the federal labs to the private sector, via the launching of new procurement and joint innovation initiatives, and via the creation of new venture capital (VC) schemes. By placing greater emphasis on commercialization opportunities, some of these incentives sought to sweeten collaboration with the DOD and other security-related agencies, and thus to increase NISS influence over the direction of technology. A significant problem for the NSS has been that since the late 1970s, it has become progressively more challenging to enlist innovative companies in the private sector to work on security-related projects. While traditional defense suppliers grew increasingly large and specialized in systems integration, by the 1970s the more innovative producer companies—above all, critical suppliers Of integrated circuits—had begun to pull away from the federal market. Attracting nondefense firms to do defense work was at one time easy because the government market (in semiconductors and computers, for instance) was so much larger than the private market, and healthy profits could be made. But by the mid- 1970s commercial markets had come into their own, leading firms to reorient production to suit the more standardized demand. One consequence of lacking the earlier pull power Of massive demand is that NISS agencies have had to create new incentives to foster private-sector collaboration. One of the major incentives intended to reattract the private sector is the inclusion of commercial goals in NSS technology policies. Commercial viability therefore has to stand alongside security and technological supremacy in NSS policy. For instance, if a firm works with an agency to create a technology, service, or prototype for use by the U.S. Army, it will also be encouraged from the outset of the project to create a similar product for the commercial market. In this way, and many more, the NSS has progressively been drawn into promoting commercial innovation for security reasons. One implication, demonstrated in some detail, is that the NISS has achieved a much broader reach than commonly implied by the notion Of a military-industrial complex. Geopolitical drivers. What are the drivers of the NSS technology enterprise? Geopolitics and related threat perceptions have been the original catalyst for NSS formation and its evolution as an innovation engine. This state- (and technology-) building dynamic has occurred in three broad phases: the Cold War, the rise of Japan as techno-security challenge, and the post-9/11 era of asymmetric threats. The NSS emerged and expanded in fits and starts after World War II in response to a perceived international threat, emanating from the Soviet Union, that proved both enduring and persistent. It is instructive to note that in this phase the NSS bears at least some comparison with the erstwhile "developmental states" of Northeast Asia. They too emerged in response to an intensely perceived security threat, from neighboring China and North Korea, but instead sought national security more broadly via economic improvement, or industrial catch-up. Living on the fault lines of the Cold War in the presence of a credible and unyielding security threat exerted an unusual pressure on the East Asian states to pursue security by building economic strength. More distinctively in the case of Japan, Peter Katzenstein has developed the argument that, against the backdrop of terrible defeat, domestic power struggles succeeded in reorienting Japan's conception of security in favor Of economic rather than military strength. Thus the Japanese state practices a form of "technological national security" in order to ensure against its resource dependence and reduce its exposure to international supply disruptions (Katzenstein 1996, 2005; also Samuels 1994). Fundamental motivations drawn from different historical experiences thus serve to underline a unique feature of the NSS. In contrast to Japan (and the East Asian developmental states more generally), America's national security State has been geared to the pursuit of technological superior, not for reasons of national independence, economic competitiveness, or resource dependency, but in order to maintain American primacy. For the United States, the experience of World War Il drove home the point that science and technology (S&T) was a game changer—the key to winning the war—and that future preparedness would depend on achieving and sustaining technological superiority. Geopolitics is thus the driver, not economics. I emphasize this point because many analysts have viewed the Pentagon as the source of an industrial policy that is pursued beneath the radar6—a claim that this book disputes since it mistakes the nature of the primary driver. From its inception, the NSS was tasked with ensuring the technology leadership of the United States for the purpose of national defense. Even as the Soviet menace retreated, security proved paramount as the U.S. confronted a newly resurgent Japan that threatened to dethrone it as the regnant technology power. Appreciating the strength and intensity of the U.S. security focus means never underestimating the significance of this point: as long as U.S. military strategy continues to rely on a significant technology lead over its adversaries (real or potential), threats to that lead can never be simply (or even primarily) a commercial matter—even when the NSS "goes commercial.

#### Hegemonic decline causes great power wars

**Zhang et al., Carnegie Endowment researcher, 2011**

(Yuhan, “America’s decline: A harbinger of conflict and rivalry”, 1-22, <http://www.eastasiaforum.org/2011/01/22/americas-decline-a-harbinger-of-conflict-and-rivalry/>, ldg)

This does not necessarily mean that the US is in systemic decline, but it encompasses a trend that appears to be negative and perhaps alarming. Although the US still possesses incomparable military prowess and its economy remains the world’s largest, the once seemingly indomitable chasm that separated America from anyone else is narrowing. Thus, the global distribution of power is shifting, and the inevitable result will be a world that is less peaceful, liberal and prosperous, burdened by a dearth of effective conflict regulation. Over the past two decades, no other state has had the ability to seriously challenge the US military. Under these circumstances, motivated by both opportunity and fear, many actors have bandwagoned with US hegemony and accepted a subordinate role. Canada, most of Western Europe, India, Japan, South Korea, Australia, Singapore and the Philippines have all joined the US, creating a status quo that has tended to mute great power conflicts. However, as the hegemony that drew these powers together withers, so will the pulling power behind the US alliance. The result will be an international order where power is more diffuse, American interests and influence can be more readily challenged, and conflicts or wars may be harder to avoid. As history attests, power decline and redistribution result in military confrontation. For example, in the late 19th century America’s emergence as a regional power saw it launch its first overseas war of conquest towards Spain. By the turn of the 20th century, accompanying the increase in US power and waning of British power, the American Navy had begun to challenge the notion that Britain ‘rules the waves.’ Such a notion would eventually see the US attain the status of sole guardians of the Western Hemisphere’s security to become the order-creating Leviathan shaping the international system with democracy and rule of law. Defining this US-centred system are three key characteristics: enforcement of property rights, constraints on the actions of powerful individuals and groups and some degree of equal opportunities for broad segments of society. As a result of such political stability, free markets, liberal trade and flexible financial mechanisms have appeared. And, with this, many countries have sought opportunities to enter this system, proliferating stable and cooperative relations. However, what will happen to these advances as America’s influence declines? Given that America’s authority, although sullied at times, has benefited people across much of Latin America, Central and Eastern Europe, the Balkans, as well as parts of Africa and, quite extensively, Asia, the answer to this question could affect global society in a profoundly detrimental way. Public imagination and academia have anticipated that a post-hegemonic world would return to the problems of the 1930s: regional blocs, trade conflicts and strategic rivalry. Furthermore, multilateral institutions such as the IMF, the World Bank or the WTO might give way to regional organisations. For example, Europe and East Asia would each step forward to fill the vacuum left by Washington’s withering leadership to pursue their own visions of regional political and economic orders. Free markets would become more politicised — and, well, less free — and major powers would compete for supremacy. Additionally, such power plays have historically possessed a zero-sum element. In the late 1960s and 1970s, US economic power declined relative to the rise of the Japanese and Western European economies, with the US dollar also becoming less attractive. And, as American power eroded, so did international regimes (such as the Bretton Woods System in 1973). A world without American hegemony is one where great power wars re-emerge, the liberal international system is supplanted by an authoritarian one, and trade protectionism devolves into restrictive, anti-globalisation barriers. This, at least, is one possibility we can forecast in a future that will inevitably be devoid of unrivalled US primacy.

# Answers On-Case

## Terror

### AT FCs solve Terror (Read)

#### 1. Global warming turns terrorism. In warmer climates, migration periods cause conflict and aggression, increasing the risk of a terror attack and escalation. If we prove a risk that fusion centers prevent the development of a survival strategy to confront impending global warming crises, the aff must come first.

#### 2. Our 1ac Thomas evidence indicates that fusion centers cause oversaturation which makes tracking the real terror threats impossible. Only the plan solves. As long as fusion centers perform mass surveillance, there is only a risk that the plan solves better.

#### 3. Fusion Centers are inefficient mechanisms for data collection – This circumvents their ability in counter terror operations

Michael German, Policy Counsel for National Security, ACLU Washington Legislative Office, and Jay Stanley, Public Education Director, ACLU Technology and Liberty Program, 2007 December “What’s Wrong With Fusion Centers?” https://www.aclu.org/files/pdfs/privacy/fusioncenter\_20071212.pdf

New institutions like fusion centers must be planned in a public, open manner, and their¶ implications for privacy and other key values carefully thought out and debated. And like¶ any powerful institution in a democracy, they must be constructed in a carefully bounded¶ and limited manner with sufficient checks and balances to prevent abuse.¶ Unfortunately, the new fusion centers have not conformed to these vital requirements.¶ Since no two fusion centers are alike, it is difficult to make generalized statements about¶ them. Clearly not all fusion centers are engaging in improper intelligence activities and¶ not all fusion center operations raise civil liberties or privacy concerns. But some do,¶ and the lack of a proper legal framework to regulate their activities is troublesome. This¶ report is intended to serve as a primer that explains what fusion centers are, and how¶ and why they were created. It details potential problems fusion centers present to the¶ privacy and civil liberties of ordinary Americans, including:¶ • Ambiguous Lines of Authority. The participation of agencies from multiple¶ jurisdictions in fusion centers allows the authorities to manipulate differences in¶ federal, state and local laws to maximize information collection while evading¶ accountability and oversight through the practice of “policy shopping.”¶ r¶ i¶ v¶ a¶ t¶ e¶ S¶ e¶ c¶ t¶ o¶ r¶ P¶ a¶ r¶ t¶ i¶ c¶ i¶ p¶ a¶ t¶ i¶ o¶ n¶ . Fusion centers are incorporating private-sector¶ corporations into the intelligence process, breaking down the arm’s length¶ relationship that protects the privacy of innocent Americans who are employees¶ or customers of these companies, and increasing the risk of a data breach.¶ •¶ M¶ i¶ l¶ i¶ t¶ a¶ r¶ y¶ P¶ a¶ r¶ t¶ i¶ c¶ i¶ p¶ a¶ t¶ i¶ o¶ n¶ . Fusion centers are involving military personnel in law¶ enforcement activities in troubling ways.¶ •¶ D¶ a¶ t¶ a¶ F¶ u¶ s¶ i¶ o¶ n¶ =¶ D¶ a¶ t¶ a¶ M¶ i¶ n¶ i¶ n¶ g¶ . Federal fusion center guidelines encourage whole¶ sale data collection and manipulation processes that threaten privacy.¶ •¶ E¶ x¶ c¶ e¶ s¶ s¶ i¶ v¶ e¶ S¶ e¶ c¶ r¶ e¶ c¶ y¶ . Fusion centers are hobbled by excessive secrecy, which¶ limits public oversight, impairs their ability to acquire essential information and¶ impedes their ability to fulfill their stated mission, bringing their ultimate value¶ into doubt.¶ The lack of proper legal limits on the new fusion centers not only threatens to undermine¶ fundamental American values, but also threatens to turn them into wasteful and misdirected¶ bureaucracies that, like our federal security agencies before 9/11, won’t succeed¶ in their ultimate mission of stopping terrorism and other crime.

#### 4. Turn: resource diversion. The plan’s shift from mass surveillance to targeted surveillance is the only way to prevent terrorist attacks. – That’s Omzigt and Schirmer. AND Ext 1ac Schmidt 15 stating that cutting fusion centers will make the FBI more efficient – there is only a risk that the plan solves better than the squo.

#### 5. Fusion Centers Are Not Equipped To Stop the Next Major Terrorist Attack

Sosadmin ‘15 "So-called 'counterterror' Fusion Center in Massachusetts Monitored Black Lives Matter Protesters." So-called 'counterterror' Fusion Center in Massachusetts Monitored Black Lives Matter Protesters. N.p., 28 Nov. 2014. Web. 24 June 2015.

Law enforcement officials at the Department of Homeland Security-funded “Commonwealth Fusion Center” spied on the Twitter and Facebook accounts of Black Lives Matter protesters in Boston earlier this week, the Boston Herald reports.¶ The reference to the so-called ‘fusion’ spy center comes at the very end of a news story quoting Boston protesters injured by police in Tuesday night’s demonstrations, which was possibly the largest Ferguson related protest in the country the day after the non-indictment of Darren Wilson was announced.¶ The state police Commonwealth Fusion Center monitored social media, which provided “critical intelligence about protesters’ plans to try to disrupt traffic on state highways,” state police said**. There are nearly 100 fusion centers nationwide,** and two in Massachusetts. The Commonwealth Fusion Center in Maynard is run by the Massachusetts State Police. The Boston Regional Intelligence Center, also known as the ‘BRIC’, is located at Boston Police Department headquarters in Roxbury and run by the BPD. **Both fusion centers were established with funds from the Department of Homeland Security, and rely heavily on federal ‘counterterrorism’ grants**.¶ **Fusion centers have long come under fire** from congressional leaders and democracy advocates **as being largely wasteful, duplicative of other local/federal counterterrorism efforts, and violative of civil rights and civil liberties.** In Boston, the ACLU disclosed internal ‘intelligence files’ showing that BRIC officials used their federally-funded ‘counterterrorism’ infrastructure to monitor peaceful protesters including Veterans for Peace and CODEPINK, labeling them as domestic extremists and homeland security threats. The Boston fusion center even kept track of the political activities of Marty Walsh, currently the city’s mayor. **Fusion center officials in Pennsylvania got caught spying on anti-fracking activists, apparently in league with natural gas companies. An Arkansas fusion center director told the press his spy office doesn’t monitor US citizens, just anti-government groups—however that’s defined. Washington state fusion centers have insinuated that activism is terrorism**.¶ There are many, many other examples nationwide of these so-called fusion centers getting caught red handed monitoring protest movements and dissidents, conflating First Amendment protected speech with crime or terrorism**. The fusion centers, meanwhile, have never once stopped a terrorist attack**. **It’s not clear what beyond monitoring dissidents and black people—through so-called ‘gang’ databases—these fusion centers actually do.** **We** here in Boston **know one thing for sure: they don’t stop terrorism**.¶ Some people might say that ‘counterterrorism’ analysts at the Commonwealth Fusion Center should be monitoring the tweets and Facebook posts of Black Lives Matter activists, if those activists intend to shut down highways.¶ We can agree to disagree about that, but please don’t say these fusion centers are primarily dedicated to stopping terrorism when they are doing things like this. Stopping traffic for a few hours is civil disobedience, not terrorism. A supposed anti-terrorism center has no business monitoring public social media accounts looking for ‘intelligence’ about civic protest movements.

#### 6. Make them isolate specific instances in which fusion centers have prevented a terrorist attack. Prefer the specificity of the 1ac evidence on fusion centers.

#### 7. Mass surveillance increases the risk of terrorism – only targeted surveillance solves

**Danks 14’** – department head of philosophy @ Carnegie Mellon University (David, Winter 2014, “A Modern Pascal’s Wager for Mass Electronic Surveillance,” <http://www.andrew.cmu.edu/user/ddanks/papers/Telos-PascalsWager.pdf>) //IB

A structurally identical set of worries arises for arguments in favor of mass surveillance. The¶ proposed payoff matrix depends on a large set of assumptions about the causal impact of a mass¶ surveillance program, many of which are even more dubious than the corresponding causal ¶ assumptions in the original Pascal’s wager. For example, the surveillance payoff matrix assumes that¶ the creation (and subsequent involuntary disclosure) of mass surveillance programs will reduce the¶ probability of a successful terrorist attack, not increase it. This assumption is possibly correct; the¶ proponents of such programs certainly believe in their efficacy. But it seems similarly possible that¶ the existence of such programs could prompt resentment, fear, or impulsive actions that increase the¶ probability of a terrorist attack. Even if we discount the impact of such programs on others, mass¶ surveillance programs could be causally inefficacious relative to more targeted surveillance programs.¶ In the medical domain, it is widely understood and accepted that population-wide testing can yield a¶ huge number of false positives, and the costs (social and personal) of such false positives can¶ outweigh the benefits of population-wide testing.¶ 4 The same observation holds for large-scale,¶ population-wide surveillance. In brief, mass surveillance can generate so many false leads that the¶ analysis infrastructure—both computational and personnel—can be overwhelmed. In certain¶ conditions, targeted surveillance can be more efficacious; paradoxically, one can often be more¶ successful precisely by recognizing that one cannot succeed everywhere, and thereby being freed to¶ allocate resources in a more targeted, more optimal manner.¶ 5 More generally, our actions regarding¶ mass surveillance can have, in totality, a very different causal impact than is assumed in the¶ proponents’ payoff matrix, and so the Pascal’s wager-type argument dissolves.

#### 8. FBI Programs Will Fill in and they are more efficient

-fusion centers make no contributions to counter terrorism

-fusion centers overlap with the FBI (that is actually efficient in counter-terrorism)

David **Inserra**, **4-15-2015**, "Time to Reform the U.S. Counterterrorism Enterprise—Now," Heritage Foundation, http://www.heritage.org/research/reports/2015/04/time-to-reform-the-us-counterterrorism-enterprisenow

In the aftermath of 9/11, DHS was created to ensure that silos of information are broken down, and that counterterrorism agents are able to use the best intelligence proactively. While great strides have been made in this direction, DHS’s role in the intelligence and information-sharing arenas remain limited. In 2012, the Senate Homeland Security and Government Affairs Committee found that fusion centers “often produced irrelevant, useless or inappropriate intelligence reporting to DHS and many produced no intelligence reporting whatsoever.” It also provided multiple assessments and examples that show fusion centers were not meaningfpully contributing to counterterrorism measures and may have even been harming efforts.[1] More recent reports also show fusion centers to have mixed results.[2] Meant to serve as hubs of sharing between federal, state, and local officials, the 78 fusion centers often serve cities or regions already covered by 104 FBI Joint Terrorism Task Forces (JTTFs) and 56 Field Intelligence Groups (FIGs), which play a similar role to that of fusion centers.[3] This broad duplication of efforts results in an inefficient and counterproductive use of counterterrorism funds. In 2013, the DHS Inspector General (IG) reported that DHS’s Homeland Security Information Network (HSIN)—designed to share sensitive but not classified information with federal, state, local government, and private-sector partners—was only being used by a small percentage of all potential partners. State and local officials stated that one reason for not using HSIN was that “the system content was not useful.”[4] Since the IG report came out, however, HSIN has successfully migrated to an updated system and is seeking to add desired content from DHS components.[5] At around 40,000 active users at the end of 2013, HSIN is far short of its 2015 objective of 130,000.[6] Furthermore, a RAND report sponsored by DHS found that HSIN was only a somewhat useful source of information.[7]

#### 9. Mass surveillance allowed for the Boston Bombings

Schwartz 2015 (Mattathias [Staff writer @ The New Yorker]; The Whole Haystack; Jan 26; www.newyorker.com/magazine/2015/01/26/whole-haystack)

Before the event, every bit of hay is potentially relevant. “The most dangerous adversaries will be the ones who most successfully disguise their individual transactions to appear normal, reasonable, and legitimate,” Ted Senator, a data scientist who worked on an early post-9/11 program called Total Information Awareness, said, in 2002. Since then, intelligence officials have often referred to “lone-wolf terrorists,” “cells,” and, as Alexander has put it, the “terrorist who walks among us,” as though Al Qaeda were a fifth column, capable of camouflaging itself within civil society. Patrick Skinner, a former C.I.A. case officer who works with the Soufan Group, a security company, told me that this image is wrong. “We knew about these networks,” he said, speaking of the Charlie Hebdo attacks. Mass surveillance, he continued, “gives a false sense of security. It sounds great when you say you’re monitoring every phone call in the United States. You can put that in a PowerPoint. But, actually, you have no idea what’s going on.” By flooding the system with false positives, big-data approaches to counterterrorism might actually make it harder to identify real terrorists before they act. Two years before the Boston Marathon bombing, Tamerlan Tsarnaev, the older of the two brothers alleged to have committed the attack, was assessed by the city’s Joint Terrorism Task Force. They determined that he was not a threat. This was one of about a thousand assessments that the Boston J.T.T.F. conducted that year, a number that had nearly doubled in the previous two years, according to the Boston F.B.I. As of 2013, the Justice Department has trained nearly three hundred thousand law-enforcement officers in how to file “suspicious-activity reports.” In 2010, a central database held about three thousand of these reports; by 2012 it had grown to almost twenty-eight thousand. “The bigger haystack makes it harder to find the needle,” Sensenbrenner told me. Thomas Drake, a former N.S.A. executive and whistle-blower who has become one of the agency’s most vocal critics, told me, “If you target everything, there’s no target.” Drake favors what he calls “a traditional law-enforcement” approach to terrorism, gathering more intelligence on a smaller set of targets. Decisions about which targets matter, he said, should be driven by human expertise, not by a database.

### AT Mass Surveillance Solves (Read)

#### EXT Thomas 15 that states that oversaturation of information makes tracking threats impossible, this card specifically talks about how fusion centers have not been effective in tracking domestic terrorism

#### EXT Walke 12 stating that oversaturation makes effective utilization of information impossible. Our author is specific to how the TIDE database has roped in an overwhelming amount of reports that have nothing to do with terrorism -- this proves that mass surveillance is ineffective at finding threats due to lack of specificity.

#### Information overload makes it harder to find terrorists due to lack of careful oversight – Boston Marathon bombings prove.

Matthatias Schwartz, January 26, 2015, The New Yorker, “The Whole Haystack,” <http://www.newyorker.com/magazine/2015/01/26/whole-haystack>, DOA: 1-23-15

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#### Paris proves information overload makes it more difficult to catch terrorists

Dustin Volz, January 21, 2015, National Journal, “Snowden: France’s ‘Intrusive’ Surveillance Failed to Stop Paris Attacks,” <http://www.nationaljournal.com/tech/snowden-france-s-intrusive-surveillance-laws-failed-to-stop-paris-attacks-20150121> DOA: 1-25-15

Edward Snowden is pointing to the recent terrorist attacks in France as evidence that government mass-surveillance programs don't work because they are "burying people under too much data." "When we look at the Paris attacks specifically, we see that France passed one of the most intrusive, expansive surveillance laws in all of Europe last year, and it didn't stop the attack," the fugitive leaker said in an [interview](http://nos.nl/video/2014571-edward-snowden-over-mass-surveillance-na-parijs.html) with NOS, a Dutch news organization, released Wednesday. "And this is consistent with what we've seen in every country."

#### Mass surveillance allowed for the Boston Bombings

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### AT Nuke Unlikely (Read)

#### EXT our PressTV evidence stating that ISIS is planning a nuclear attack in the United States within a year, our evidence quotes a prisoner of ISIS captured in Syria, our author is probably going to have more expertise than someone with no experience interacting with these terrorist groups, they state that an attack is infinitely more possible today than it was just a year ago.

#### They Already Have Radiological Material – Stolen From Iraqi University

Adam Kredo September 5, 2014 U.S. Fears ISIL Smuggling Nuclear and Radioactive Materials http://freebeacon.com/national-security/u-s-fears-isil-smuggling-nuclear-and-radioactive-materials/

Yet there is evidence that terrorists stole some nuclear materials in Iraq earlier this year.¶ Iraqi officials revealed to the United Nations in July that insurgents had seized uranium that was being used for research purposes at an academic institution in the northern part of the country.¶ Nearly 90 pounds of low-level uranium was stolen from Iraq’s Mosul University by “terrorist groups,” Iraq’s U.N. ambassador was quoted as saying at the time by Reuters.¶ “Terrorist groups have seized control of nuclear material at the sites that came out of the control of the state,” Iraqi Ambassador Mohamed Ali Alhakim wrote in a letter claiming that these material could be “used in manufacturing weapons of mass destruction,” according to Reuters.

### AT Retaliation Unlikely

### AT No Impact

## Cloud

### AT Can’t Solve Warming

### AT Cloud = Pollution

### AT Experts Exaggerate

### AT No Impact to Cloud

#### Decline in U.S. cloud-computing decks competitiveness and spills over to the entire tech sector.

Donohue 15 – Professor of Law, Georgetown Law and Director, Center on National Security and the Law, Georgetown Law (Lauren, HIGH TECHNOLOGY, CONSUMER PRIVACY, AND U.S. NATIONAL SECURITY, Symposium Articles, 4 Am. U. Bus. L. Rev. 11 p.15-18, 2015, Hein Online)//JJ

A. Lost Revenues and Declining Market Share

Billions of dollars are on the line because of worldwide concern that the services provided by U.S. information technology companies are neither secure nor private. Perhaps nowhere is this more apparent than in cloud computing.

Previously, approximately 50% of the worldwide cloud computing revenues derived from the United States. The domestic market thrived: between 2008 and 2014, it more than tripled in value. But within weeks of the Snowden leaks, reports had emerged that U.S. companies such as Dropbox, Amazon Web Services, and Microsoft's Azure were losing business. By December 2013, ten percent of the Cloud Security Alliance had cancelled U.S. cloud services projects as a result of the Snowden information. In January 2014 a survey of Canadian and British businesses found that one quarter of the respondents were moving their data outside the United States.

The Information Technology and Innovation Foundation estimates that declining revenues of corporations that focus on cloud computing and data storage alone could reach $35 billion over the next three years. Other commentators, such as Forrester Research analyst James Staten, have put actual losses as high as $180 billion by 2016, unless something is done to restore confidence in data held by U.S. companies. The monetary impact of the NSA programs extends beyond cloud computing to the high technology industry. Cisco, Qualcomm, IBM, Microsoft, and Hewlett-Packard have all reported declining sales as a direct result of the NSA programs. Servint, a webhosting company based in Virginia, reported in June 2014 that its international clients had dropped by 50% since the leaks began. Also in June, the German government announced that because of Verizon's complicity in the NSA program, it would end its contract with the company, which had previously provided services to a number of government departments. As a senior analyst at the Information Technology and Innovation Foundation explained, "It's clear to every single tech company that this is affecting their bottom line. The European commissioner for digital affairs, Neelie Kroes, predicts that the fallout for U.S. businesses in the EU alone will amount to billions of Euros.

Not only are U.S. companies losing customers, but they have been forced to spend billions to add encryption features to their services. IBM has invested more than a billion dollars to build data centers in London, Hong Kong, Sydney, and elsewhere, in an effort to reassure consumers outside the United States that their information is protected from U.S. government surveillance.26 Salesforce.com made a similar announcement in March 2014.27 Google moved to encrypt terms entered into its browser.28 In June 2014 it took the additional step of releasing the source code for End-to-End, its newly-developed browser plugin that allows users to encrypt email prior to it being sent across the Internet.29 The following month Microsoft announced Transport Layer Security for inbound and outbound email, and Perfect Forward Secrecy encryption for access to OneDrive.30 Together with the establishment of a Transparency Center, where foreign governments could review source code to assure themselves of the integrity of Microsoft software, the company sought to put an end to both NSA back door surveillance and doubt about the integrity of Microsoft products.3'

Foreign technology companies, in turn, are seeing revenues increase. Runbox, for instance, an email service based in Norway and a direct competitor to Gmail and Yahoo, almost immediately made it publicly clear that it does not comply with foreign court requests for its customers' personal information. Its customer base increased 34% in the aftermath of the Snowden leaks. Mateo Meier, CEO of Artmotion, Switzerland's biggest offshore data hosting company, reported that within the first month of the leaks, the company saw a 45% rise in revenue. Because Switzerland is not a member of the EU, the only way to access data in a Swiss data center is through an official court order demonstrating guilt or liability; there are no exceptions for the United States. In April 2014, Brazil and the EU, which previously used U.S. firms to supply undersea cables for transoceanic communications, decided to build their own cables between Brazil and Portugal, using Spanish and Brazilian companies in the process.36 OpenText, Canada's largest software company, now guarantees customers that their data remains outside the United States. Deutsche Telekom, a cloud computing provider, is similarly gaining more customers. Numerous foreign companies are marketing their products as "NSA proof' or "safer alternatives" to those offered by U.S. firms, gaining market share in the process.

### AT No Impact to Warming

#### EXT our Werz and Conley evidene indicating

# AT ASPEC

### AT ASPEC

#### Our interpretation is that the plan must specify as far as the resolution. That preserves disad and counterplan ground based off of the USFG.

#### Their interpretation arbitrarily explodes the limits of the debate because we could specify one of an infinite amount of agents, which is worse.

#### Our interp forces good topic education by avoiding unrelated discussions about the process or the actors.

#### Vote on reasonability because competing interpretations creates a race to the bottom where the negative always wins.

# T – Its

### T – Its (Read)

#### We Meet: We curtail part of the FBI’s surveillance, fusion centers are an FBI agency, EXT our Schmidt 15 evidence stating that curtailing fusion centers would make the FBI more efficient. That means in order for them to have a plausible T argument, they need to argue that the FBI and the DHS aren’t agencies of federal government surveillance, that means their interp is probably going to overlimit and is a bad model for debate, I’ll get to limits in a moment.

#### Also, here is evidence that fusion centers require federal grants.

Sosadmin ‘15 "So-called 'counterterror' Fusion Center in Massachusetts Monitored Black Lives Matter Protesters." So-called 'counterterror' Fusion Center in Massachusetts Monitored Black Lives Matter Protesters. N.p., 28 Nov. 2014. Web. 24 June 2015.

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#### AND In context of the resolution, debates are centered around the USFG’s domestic surveillance operations, which means even if they win that fusion centers are owned and operated by states, all we have to prove is that the intelligence gathered by fusion centers is part of the USFG’s domestic surveillance, not necessarily the fusion centers themselves.

#### Counter-Interp: Its means associated with

Dictionary.com 9

Collins English Dictionary, <http://dictionary.reference.com/browse/its?s=t>

its (ɪts) — determiner a. of, belonging to, or associated in some way with it: its left rear wheel b. ( as pronoun ): each town claims its is the best

#### Prefer our Interp:

#### AT Limits: Their interp overlimits – they exclude discussion of cases that are at the heart of the topic, such as what the DHS cites as one of its main counterterror efforts. Our interp allows the aff creativity and innovation with their arguments but doesn’t explode limits. This innovation is key to developing better research skills and discovering nuances in arguments that increase topic-specific education.

#### AT Ground: They still have plenty of ground – we still link into core generics, like politics, terror, pres powers and they get Ks like terror talk, biopower, neolib, cap, etc.

#### Predictability – EXT our Walke 12 evidence stating that the DHS cites this as one of their main counterterror efforts, this probably means that this is at the heart of the topic and is predictable, we disclosed about an hour ago, Jaden knows what aff we’ve been running this entire tournament.

#### Its predictable and the heart of the topic – fusion centers are the foundation for all spying practices

Torin Monahan, Associate Professor of Human and Organizational Development and Medicine at Vanderbilt University and member of the International Surveillance Studies Network, 2011 “The Future of Security? Surveillance Operations at Homeland Security Fusion Centers” Social Justice Vol. 37, Nos. 2–3 (2010–2011)

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### T – Its

#### here is evidence that fusion centers require federal grants.

Sosadmin ‘15 "So-called 'counterterror' Fusion Center in Massachusetts Monitored Black Lives Matter Protesters." So-called 'counterterror' Fusion Center in Massachusetts Monitored Black Lives Matter Protesters. N.p., 28 Nov. 2014. Web. 24 June 2015.

Law enforcement officials at the Department of Homeland Security-funded “Commonwealth Fusion Center” spied on the Twitter and Facebook accounts of Black Lives Matter protesters in Boston earlier this week, the Boston Herald reports.¶ The reference to the so-called ‘fusion’ spy center comes at the very end of a news story quoting Boston protesters injured by police in Tuesday night’s demonstrations, which was possibly the largest Ferguson related protest in the country the day after the non-indictment of Darren Wilson was announced.¶ The state police Commonwealth Fusion Center monitored social media, which provided “critical intelligence about protesters’ plans to try to disrupt traffic on state highways,” state police said**. There are nearly 100 fusion centers nationwide,** and two in Massachusetts. The Commonwealth Fusion Center in Maynard is run by the Massachusetts State Police. The Boston Regional Intelligence Center, also known as the ‘BRIC’, is located at Boston Police Department headquarters in Roxbury and run by the BPD. **Both fusion centers were established with funds from the Department of Homeland Security, and rely heavily on federal ‘counterterrorism’ grants**.¶ **Fusion centers have long come under fire** from congressional leaders and democracy advocates **as being largely wasteful, duplicative of other local/federal counterterrorism efforts, and violative of civil rights and civil liberties.** In Boston, the ACLU disclosed internal ‘intelligence files’ showing that BRIC officials used their federally-funded ‘counterterrorism’ infrastructure to monitor peaceful protesters including Veterans for Peace and CODEPINK, labeling them as domestic extremists and homeland security threats. The Boston fusion center even kept track of the political activities of Marty Walsh, currently the city’s mayor. **Fusion center officials in Pennsylvania got caught spying on anti-fracking activists, apparently in league with natural gas companies. An Arkansas fusion center director told the press his spy office doesn’t monitor US citizens, just anti-government groups—however that’s defined. Washington state fusion centers have insinuated that activism is terrorism**.¶ There are many, many other examples nationwide of these so-called fusion centers getting caught red handed monitoring protest movements and dissidents, conflating First Amendment protected speech with crime or terrorism**. The fusion centers, meanwhile, have never once stopped a terrorist attack**. **It’s not clear what beyond monitoring dissidents and black people—through so-called ‘gang’ databases—these fusion centers actually do.** **We** here in Boston **know one thing for sure: they don’t stop terrorism**.¶ Some people might say that ‘counterterrorism’ analysts at the Commonwealth Fusion Center should be monitoring the tweets and Facebook posts of Black Lives Matter activists, if those activists intend to shut down highways.¶ We can agree to disagree about that, but please don’t say these fusion centers are primarily dedicated to stopping terrorism when they are doing things like this. Stopping traffic for a few hours is civil disobedience, not terrorism. A supposed anti-terrorism center has no business monitoring public social media accounts looking for ‘intelligence’ about civic protest movements.

#### Counter-Interp: Its means associated with

Dictionary.com 9

Collins English Dictionary, <http://dictionary.reference.com/browse/its?s=t>

its (ɪts) — determiner a. of, belonging to, or associated in some way with it: its left rear wheel b. ( as pronoun ): each town claims its is the best

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# T – Surveillance (General)

### T – Surveillance (Read)

#### We meet - fusion centers … (ex. distribute data to other agencies allowing for acquisition of new information by those agencies.)

#### Fusion centers also gather information

**Barnosky ’15** "Fusion Centers: What's Working and What Isn't." The Brookings Institution. N.p., 17 Mar. 2015. Web. 26 June 2015. <http://www.brookings.edu/blogs/fixgov/posts/2015/03/17-fusion-centers-barnosky>.

Massachusetts, for instance, has a statewide fusion center in Maynard and an urban center in Boston. California similarly has a statewide center, and it also has regional centers in Los Angeles, San Francisco, Orange County, Sacramento, and San Diego.¶ At their core, the purpose of all fusion centers is largely similar: they receive, analyze, gather, and share information about threats.

#### Counter interpretation: Domestic surveillance involves mass data collection *and storage* of United States citizens

McGreal 7 – Professor of Law, Southern Illinois University School of Law

Paul, Counteracting Ambition: Applying Corporate Compliance and Ethics to the Separation of Powers Concerns with Domestic Surveillance, SMU Law Review, Fall, 2007, Lexis

Third, modern domestic surveillance, even in aid of foreign intelligence, entails the collection and storage of massive amounts of private data concerning United States citizens. Citizens rightly fear that such data could be either misused or improperly disclosed, raising issues of individual liberty that (at times) may be unpopular. Separation of powers suggests that the federal judiciary ought to be involved in checking Congress and the President in this area. And Whalen v. Roe n157 further suggests that one such check ought to be judicial review to determine [\*1600] whether the President and Congress have implemented adequate safeguards to prevent misuse or improper disclosure of private information.

#### Prefer our interpretation:

#### Prefer our Interp: Prefer legal definitions -- our authors have an intent to define, and are law professors. Legal definitions have unique relevance in a policy debate setting. That means the aff’s interp probably provides better education on real world policymaking.

#### AT Limits: Their interp overlimits – they exclude discussion of cases that are at the heart of the topic, such as what the DHS cites as one of its main counterterror efforts – that’s Walke 12. Our interp allows the aff creativity and innovation with their arguments but doesn’t explode limits. This innovation is key to developing better research skills and discovering nuances in arguments that increase topic-specific education.

#### AT Ground: They still have plenty of ground – we still link into core generics, like politics, terror, pres powers and they get Ks like terror talk, biopower, neolib, cap, etc.

#### Predictability – EXT our Walke 12 evidence stating that the DHS cites this as one of their main counterterror efforts, this probably means that this is at the heart of the topic and is predictable, we disclosed about an hour ago, Jaden knows what aff we’ve been running this entire tournament.

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# T – Curtail =/= Eliminate

### T - Curtail =/= Eliminate (Read)

#### We Meet: We curtail surveillance conducted by the DHS by abolishing one of its services.

#### Counter-Interp:

#### Curtailment includes complete elimination

FASB 85

(Financial Accounting Standards Board, EMPLOYERS' ACCOUNTING FOR SETTLEMENTS AND CURTAILMENTS OF DEFINED BENEFIT PENSION PLANS AND FOR TERMINATION BENEFITS (ISSUED 12/85))

Statement 87 continues the past practice of delaying the recognition in net periodic pension cost of (a) gains and losses from experience different from that assumed, (b) the effects of changes in assumptions, and (c) the cost of retroactive plan amendments. However, this Statement requires immediate recognition of certain previously unrecognized amounts when certain transactions or events occur. It prescribes the method for determining the amount to be recognized in earnings when a pension obligation is settled or a plan is curtailed. Settlement is defined as an irrevocable action that relieves the employer (or the plan) of primary responsibility for an obligation and eliminates significant risks related to the obligation and the assets used to effect the settlement. A curtailment is defined as a significant reduction in, or an elimination of, defined benefit accruals for present employees' future services.

#### Curtail can eliminate in full

Dembling 78 – General Counsel, Chief Lawyer, General Accounting Office

Paul, “OVERSIGHT HEARING ON THE IMPOUNDMENT CONTROL ACT OF 1974” HEARING BEFORE THE TASK FORCE ON BUDGET PROCESS OF THE COMMITTEE ON THE BUDGET HOUSE OF REPRESENTATIVES NINETY-FIFTH CONGRESS SECOND SESSION JUNE 29, 1978, Hein Online

(3) "Curtail" means to discontinue, in whole or in part, the execution of a program, resulting in the application of less budget authority in furtherance of the program than provided by law.

#### Prefer our Interp: Our evidence comes from a board with an intent to define, and a general counsel that best considers the word in a legal context that is uniquely relevant to policymaking debates. K2 policymaking education.

#### Their interp necessitates that the affirmative has to preserve part of their surveillance tactics, meaning that they can exploit even a 1% preservation by saying that we can never solve because we still have a small portion of that surveillance in place. This gives them infinite ground and is abusive towards the aff – independent reason to vote them down.

#### AT Limits: their interpretation creates a bi-directional topic where the neg has to defend both surveillance good and surveillance bad. Our interp is key to neg stability. And their interp overlimits – EXT Walke 12, it specifically talks about how the DHS cites fusion centers as its main counterterrorism surveillance strategy, this means that their interp excludes this discussion that is clearly at the heart of the topic. Our interp allows the aff creativity and innovation with their arguments but doesn’t explode limits. This innovation is key to developing better research skills and discovering nuances in arguments that increase topic-specific education.

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# T – Counter-Interps

### CI: Surveillance Includes Data Monitoring

#### Prefer our counter-interp: Failure to realize data monitoring as a significant part of surveillance undermines our understanding of the topic and impedes any practical discussion.

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at Vanderbilt University and member of the International Surveillance Studies Network, 2011 “The Future of Security? Surveillance Operations at Homeland Security Fusion Centers” Social Justice Vol. 37, Nos. 2–3 (2010–2011)

The U.S. “war on terror” has fueled remarkable developments in state¶ surveillance. In the aftermath of the terrorist attacks of September 11, 2001,¶ the country witnessed a rise in domestic spying programs, including warrantless¶ wiretaps of the communications of citizens, investigations into the borrowing¶ habits of library patrons, infiltration of peace-activist groups by government agents,¶ and the establishment of tip hotlines to encourage people to report suspicious¶ others (Monahan, 2010). Rather than interpret these and similar developments as¶ originating with the “war on terror,” scholars in the field of surveillance studies¶ have correctly noted that the events of September 11 provided an impetus for a¶ surge in many preexisting, but perhaps dormant, forms of state surveillance (Wood,¶ Konvitz, and Ball, 2003). Similarly, such domestic surveillance practices neither¶ began nor ended with the George W. Bush administration; instead, state surveillance¶ has grown and mutated in response to changing perceptions of the nature of¶ terrorist threats and the predilections of the Obama administration.¶ In particular, the Department of Homeland Security (DHS) has renewed its commitment¶ to creating a robust, nationwide network of “fusion centers” to share and¶ analyze data on citizens and others. As of 2010, at least 72 fusion centers existed at¶ the state and regional levels throughout the United States, with many of them listed¶ as “intelligence centers” or “information analysis centers.” Officially, such centers¶ prioritize counterterrorism activities, such as conducting “threat assessments” for¶ events and linking “suspicious activities reports” to other data to create profiles¶ of individuals or groups that might present terrorist risks. In this capacity, fusion¶ centers engage in a form of “intelligence-led policing” that targets individuals who¶ match certain profiles and singles them out for further monitoring or preemptive¶ intervention (Ratcliffe, 2003; Wilson and Weber, 2008).

### CI: Surveillance = Data

#### Prefer Our Counter Interp – Failure to recognize that data collection is at the heart of the topic ignores the ways in which surveillance practices have shifted towards less overt methods of spying

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Fusion centers are rapidly becoming a hallmark of the Obama administration’s¶ domestic security apparatus. Since 2009, 14 more fusion centers have come on¶ line and the DHS and the Department of Justice have pledged more funding support¶ for fusion centers (Burdeau, 2010; Geiger, 2009). On the surface, the increase¶ in financial and political support for fusion centers should not be that surprising¶ since DHS Secretary Janet Napolitano was a vocal advocate of the well-regarded¶ Arizona-based fusion center, which she helped to create when she was governor¶ of that state (Hylton, 2009). As DHS Secretary, Napolitano (2009) has reaffirmed¶ this support: “I believe that Fusion Centers will be the centerpiece of state, local,¶ federal intelligence-sharing for the future and that the Department of Homeland¶ Security will be working and aiming its programs to underlie Fusion Centers.”¶ Attorney General Eric Holder (2010) has also affirmed fusion centers as vital to¶ the ongoing “war on terror”: “We are at war. This is the reality in which we live.¶ And our fusion centers are on the frontlines of America’s best, and most effective,¶ efforts to fight back.”¶ On a deeper level, fusion centers are probably aligned better with the politics¶ of the Obama administration because its surveillance practices appear to be passive,¶ disembodied, and objective. For instance, it has profoundly increased the use¶ of unmanned aerial vehicles (UAVs) internationally and domestically (Wall and Monahan, 2011; Walters and Weber, 2010). Barring instances of obvious abuse, the fusion and analysis of abstract forms of disparate data do not, in themselves,¶ seem particularly egregious. Indeed, the stated purposes of fusion centers, at least¶ in principle, sound innocuous and rational: “The [fusion] centers’ goals are to blend¶ law enforcement and intelligence information, and coordinate security measures¶ to reduce threats in local communities” (U.S. Department of Homeland Security,¶ 2008). Analysts at fusion centers could be thought of as engaging in types of “soft¶ surveillance” (Marx, 2006) that are minimally invasive, at least for most people, and¶ therefore are not nearly as objectionable to the general public as the more invasive¶ articulations of police or state surveillance, such as physical searches, mandatory¶ DNA collection, or telecommunication wiretaps.¶ Although fusion centers were formed under the Bush administration, largely¶ in response to criticism from the September 11 Commission over intelligence¶ failures leading up to the September 11 attacks, politically speaking this finding¶ of failure was a sore point for President Bush and the relevant security agencies,¶ such as the Federal Bureau of Investigation, the Central Intelligence Agency, and¶ the National Security Agency. Moreover, whereas DHS was established rapidly in¶ 2002, DHS-sponsored fusion centers did not substantially take off until 2005. A case¶ could be made that the supposedly objective, intelligence-led orientation of fusion¶ centers was actually in tension with the general timbre of aggressive, masculinist¶ intervention that characterized many aspects of the “war on terror” under the Bush¶ administration. In contradistinction, the patient police work done by analysts in¶ fusion centers could be viewed as being much smarter and more reflective, and¶ therefore somewhat feminized compared to other modalities of the “war on terror.”¶ DHS officials have explicitly referred to fusion centers as engaging in “thoughtful¶ analysis” (Riegle, 2009) and have implemented workshops and classes to teach¶ fusion center analysts “critical thinking, analytic tools, techniques, and writing”¶ (U.S. Department of Homeland Security, 2008: 16). These articulations are a far cry¶ from the action-oriented counterterrorism myths circulated by entertainment shows¶ like 24, which were embraced by former White House deputy chief of staff Karl¶ Rove and former DHS Secretary Michael Chertoff, among others (Monahan, 2010).¶ In this light, the operations and concept of fusion centers resonate better with the¶ crafted image of President Obama as a thoughtful, measured, and intelligent leader.¶ Surveillance of abstract data—or “dataveillance” (Clarke, 2001)—may be perceived¶ as being less intrusive and less threatening than are video cameras, wiretaps,¶ or other technologies that are traditionally associated with surveillance (Ericson¶ and Haggerty, 1997; Marx, 2006). Provided that the data do not involve information¶ considered sensitive, such as pharmacy or bank records, people definitely¶ do not find dataveillance to be as intrusive as physical searches of individuals or¶ individual property (Slobogin, 2008). Nonetheless, these viewpoints neglect the¶ extent to which personal data are constantly being generated, captured, and circulated¶ by the many information systems and technologies with which people come ¶ in contact (e.g., cell phones, credit cards, the Internet). When “fused,” whether by¶ a marketing firm or a state entity, these data can paint a disturbingly fine-grained¶ representation of individuals, their associations, preferences, and risks. Anyone who¶ has access to such “data doubles” (Haggerty and Ericson, 2006) is in a position to¶ know and act on a great deal of information that might otherwise be considered¶ personal and private. It is perhaps much more personal and private than that which¶ could be gleaned from more traditional surveillance techniques. Even more disconcerting¶ for individuals is the fact that although the data generated by our many¶ information systems are always partial and sometimes grossly inaccurate, they can¶ still negatively affect one’s life experiences and chances (e.g., through one’s credit¶ score or one’s terrorist-risk score).¶ Therefore, the phenomenon of fusion centers must be situated within the context¶ of surveillance societies. Broadly speaking, surveillance societies operate upon¶ imperatives of data gathering and data monitoring, often through technological¶ systems, for purposes of governance and control (Lyon, 2001; Monahan, 2010;¶ Murakami Wood et al., 2006). These particular logics of surveillance were not¶ invented by U.S. national security agencies in response to the September 11 attacks.¶ Instead, fusion centers and other surveillance-oriented security organizations¶ draw upon existing practices of voracious data collection and fluid information¶ exchange, as exemplified by social networking sites such as Facebook or privatesector¶ data aggregators such as Entersect, a company that actively partners with¶ fusion centers to share its purported “12 billion records on about 98 per cent of¶ Americans” (O’Harrow, Jr., 2008).

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McGreal 7 – Professor of Law, Southern Illinois University School of Law

Paul, Counteracting Ambition: Applying Corporate Compliance and Ethics to the Separation of Powers Concerns with Domestic Surveillance, SMU Law Review, Fall, 2007, Lexis

Third, modern domestic surveillance, even in aid of foreign intelligence, entails the collection and storage of massive amounts of private data concerning United States citizens. Citizens rightly fear that such data could be either misused or improperly disclosed, raising issues of individual liberty that (at times) may be unpopular. Separation of powers suggests that the federal judiciary ought to be involved in checking Congress and the President in this area. And Whalen v. Roe n157 further suggests that one such check ought to be judicial review to determine [\*1600] whether the President and Congress have implemented adequate safeguards to prevent misuse or improper disclosure of private information.

# AT Flex DA

# AT Politics DA

## Essentials

#### Congressional leaders are strongly opposed to fusion centers and acknowledge their misuse of funds and violation of civil liberties

Sosadmin ‘14 "So-called 'counterterror' Fusion Center in Massachusetts Monitored Black Lives Matter Protesters." So-called 'counterterror' Fusion Center in Massachusetts Monitored Black Lives Matter Protesters. N.p., 28 Nov. 2014. Web. 24 June 2015.

There are nearly 100 fusion centers nationwide, and two in Massachusetts. The Commonwealth Fusion Center in Maynard is run by the Massachusetts State Police. The Boston Regional Intelligence Center, also known as the ‘BRIC’, is located at Boston Police Department headquarters in Roxbury and run by the BPD. Both fusion centers were established with funds from the Department of Homeland Security, and rely heavily on federal ‘counterterrorism’ grants. Fusion centers have long come under fire from congressional leaders and democracy advocates as being largely wasteful, duplicative of other local/federal counterterrorism efforts, and violative of civil rights and civil liberties. In Boston, the ACLU disclosed internal ‘intelligence files’ showing that BRIC officials used their federally-funded ‘counterterrorism’ infrastructure to monitor peaceful protesters including Veterans for Peace and CODEPINK, labeling them as domestic extremists and homeland security threats. The Boston fusion center even kept track of the political activities of Marty Walsh, currently the city’s mayor. Fusion center officials in Pennsylvania got caught spying on anti-fracking activists, apparently in league with natural gas companies. An Arkansas fusion center director told the press his spy office doesn’t monitor US citizens, just anti-government groups—however that’s defined. Washington state fusion centers have insinuated that activism is terrorism. There are many, many other examples nationwide of these so-called fusion centers getting caught red handed monitoring protest movements and dissidents, conflating First Amendment protected speech with crime or terrorism. The fusion centers, meanwhile, have never once stopped a terrorist attack. It’s not clear what beyond monitoring dissidents and black people—through so-called ‘gang’ databases—these fusion centers actually do. We here in Boston know one thing for sure: they don’t stop terrorism.

## Scenarios

### Cuba

### Highway Trust Fund

### Political Capital

# AT Terror DA

### AT Terror DA

#### Fusion Centers are inefficient mechanisms for data collection – This circumvents their ability in counter terror operations

Michael German, Policy Counsel for National Security, ACLU Washington Legislative Office, and Jay Stanley, Public Education Director, ACLU Technology and Liberty Program, 2007 December “What’s Wrong With Fusion Centers?” https://www.aclu.org/files/pdfs/privacy/fusioncenter\_20071212.pdf

New institutions like fusion centers must be planned in a public, open manner, and their¶ implications for privacy and other key values carefully thought out and debated. And like¶ any powerful institution in a democracy, they must be constructed in a carefully bounded¶ and limited manner with sufficient checks and balances to prevent abuse.¶ Unfortunately, the new fusion centers have not conformed to these vital requirements.¶ Since no two fusion centers are alike, it is difficult to make generalized statements about¶ them. Clearly not all fusion centers are engaging in improper intelligence activities and¶ not all fusion center operations raise civil liberties or privacy concerns. But some do,¶ and the lack of a proper legal framework to regulate their activities is troublesome. This¶ report is intended to serve as a primer that explains what fusion centers are, and how¶ and why they were created. It details potential problems fusion centers present to the¶ privacy and civil liberties of ordinary Americans, including:¶ • Ambiguous Lines of Authority. The participation of agencies from multiple¶ jurisdictions in fusion centers allows the authorities to manipulate differences in¶ federal, state and local laws to maximize information collection while evading¶ accountability and oversight through the practice of “policy shopping.”¶ r¶ i¶ v¶ a¶ t¶ e¶ S¶ e¶ c¶ t¶ o¶ r¶ P¶ a¶ r¶ t¶ i¶ c¶ i¶ p¶ a¶ t¶ i¶ o¶ n¶ . Fusion centers are incorporating private-sector¶ corporations into the intelligence process, breaking down the arm’s length¶ relationship that protects the privacy of innocent Americans who are employees¶ or customers of these companies, and increasing the risk of a data breach.¶ •¶ M¶ i¶ l¶ i¶ t¶ a¶ r¶ y¶ P¶ a¶ r¶ t¶ i¶ c¶ i¶ p¶ a¶ t¶ i¶ o¶ n¶ . Fusion centers are involving military personnel in law¶ enforcement activities in troubling ways.¶ •¶ D¶ a¶ t¶ a¶ F¶ u¶ s¶ i¶ o¶ n¶ =¶ D¶ a¶ t¶ a¶ M¶ i¶ n¶ i¶ n¶ g¶ . Federal fusion center guidelines encourage whole¶ sale data collection and manipulation processes that threaten privacy.¶ •¶ E¶ x¶ c¶ e¶ s¶ s¶ i¶ v¶ e¶ S¶ e¶ c¶ r¶ e¶ c¶ y¶ . Fusion centers are hobbled by excessive secrecy, which¶ limits public oversight, impairs their ability to acquire essential information and¶ impedes their ability to fulfill their stated mission, bringing their ultimate value¶ into doubt.¶ The lack of proper legal limits on the new fusion centers not only threatens to undermine¶ fundamental American values, but also threatens to turn them into wasteful and misdirected¶ bureaucracies that, like our federal security agencies before 9/11, won’t succeed¶ in their ultimate mission of stopping terrorism and other crime.

#### Fusion Centers Are Not Equipped To Stop the Next Major Terrorist Attack

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#### Mass surveillance increases the risk of terrorism – only targeted surveillance solves

**Danks 14’** – department head of philosophy @ Carnegie Mellon University (David, Winter 2014, “A Modern Pascal’s Wager for Mass Electronic Surveillance,” <http://www.andrew.cmu.edu/user/ddanks/papers/Telos-PascalsWager.pdf>) //IB

A structurally identical set of worries arises for arguments in favor of mass surveillance. The¶ proposed payoff matrix depends on a large set of assumptions about the causal impact of a mass¶ surveillance program, many of which are even more dubious than the corresponding causal ¶ assumptions in the original Pascal’s wager. For example, the surveillance payoff matrix assumes that¶ the creation (and subsequent involuntary disclosure) of mass surveillance programs will reduce the¶ probability of a successful terrorist attack, not increase it. This assumption is possibly correct; the¶ proponents of such programs certainly believe in their efficacy. But it seems similarly possible that¶ the existence of such programs could prompt resentment, fear, or impulsive actions that increase the¶ probability of a terrorist attack. Even if we discount the impact of such programs on others, mass¶ surveillance programs could be causally inefficacious relative to more targeted surveillance programs.¶ In the medical domain, it is widely understood and accepted that population-wide testing can yield a¶ huge number of false positives, and the costs (social and personal) of such false positives can¶ outweigh the benefits of population-wide testing.¶ 4 The same observation holds for large-scale,¶ population-wide surveillance. In brief, mass surveillance can generate so many false leads that the¶ analysis infrastructure—both computational and personnel—can be overwhelmed. In certain¶ conditions, targeted surveillance can be more efficacious; paradoxically, one can often be more¶ successful precisely by recognizing that one cannot succeed everywhere, and thereby being freed to¶ allocate resources in a more targeted, more optimal manner.¶ 5 More generally, our actions regarding¶ mass surveillance can have, in totality, a very different causal impact than is assumed in the¶ proponents’ payoff matrix, and so the Pascal’s wager-type argument dissolves.

#### FBI Programs Will Fill in and they are more efficient

-fusion centers make no contributions to counter terrorism

-fusion centers overlap with the FBI (that is actually efficient in counter-terrorism)

David **Inserra**, **4-15-2015**, "Time to Reform the U.S. Counterterrorism Enterprise—Now," Heritage Foundation, http://www.heritage.org/research/reports/2015/04/time-to-reform-the-us-counterterrorism-enterprisenow

In the aftermath of 9/11, DHS was created to ensure that silos of information are broken down, and that counterterrorism agents are able to use the best intelligence proactively. While great strides have been made in this direction, DHS’s role in the intelligence and information-sharing arenas remain limited. In 2012, the Senate Homeland Security and Government Affairs Committee found that fusion centers “often produced irrelevant, useless or inappropriate intelligence reporting to DHS and many produced no intelligence reporting whatsoever.” It also provided multiple assessments and examples that show fusion centers were not meaningfpully contributing to counterterrorism measures and may have even been harming efforts.[1] More recent reports also show fusion centers to have mixed results.[2] Meant to serve as hubs of sharing between federal, state, and local officials, the 78 fusion centers often serve cities or regions already covered by 104 FBI Joint Terrorism Task Forces (JTTFs) and 56 Field Intelligence Groups (FIGs), which play a similar role to that of fusion centers.[3] This broad duplication of efforts results in an inefficient and counterproductive use of counterterrorism funds. In 2013, the DHS Inspector General (IG) reported that DHS’s Homeland Security Information Network (HSIN)—designed to share sensitive but not classified information with federal, state, local government, and private-sector partners—was only being used by a small percentage of all potential partners. State and local officials stated that one reason for not using HSIN was that “the system content was not useful.”[4] Since the IG report came out, however, HSIN has successfully migrated to an updated system and is seeking to add desired content from DHS components.[5] At around 40,000 active users at the end of 2013, HSIN is far short of its 2015 objective of 130,000.[6] Furthermore, a RAND report sponsored by DHS found that HSIN was only a somewhat useful source of information.[7]

#### TURN: Less data leads to effective data, the aff is key to solve terrorism

Schwartz 2015 (Mattathias [Staff writer @ The New Yorker]; The Whole Haystack; Jan 26; www.newyorker.com/magazine/2015/01/26/whole-haystack)

Before the event, every bit of hay is potentially relevant. “The most dangerous adversaries will be the ones who most successfully disguise their individual transactions to appear normal, reasonable, and legitimate,” Ted Senator, a data scientist who worked on an early post-9/11 program called Total Information Awareness, said, in 2002. Since then, intelligence officials have often referred to “lone-wolf terrorists,” “cells,” and, as Alexander has put it, the “terrorist who walks among us,” as though Al Qaeda were a fifth column, capable of camouflaging itself within civil society. Patrick Skinner, a former C.I.A. case officer who works with the Soufan Group, a security company, told me that this image is wrong. “We knew about these networks,” he said, speaking of the Charlie Hebdo attacks. Mass surveillance, he continued, “gives a false sense of security. It sounds great when you say you’re monitoring every phone call in the United States. You can put that in a PowerPoint. But, actually, you have no idea what’s going on.” By flooding the system with false positives, big-data approaches to counterterrorism might actually make it harder to identify real terrorists before they act. Two years before the Boston Marathon bombing, Tamerlan Tsarnaev, the older of the two brothers alleged to have committed the attack, was assessed by the city’s Joint Terrorism Task Force. They determined that he was not a threat. This was one of about a thousand assessments that the Boston J.T.T.F. conducted that year, a number that had nearly doubled in the previous two years, according to the Boston F.B.I. As of 2013, the Justice Department has trained nearly three hundred thousand law-enforcement officers in how to file “suspicious-activity reports.” In 2010, a central database held about three thousand of these reports; by 2012 it had grown to almost twenty-eight thousand. “The bigger haystack makes it harder to find the needle,” Sensenbrenner told me. Thomas Drake, a former N.S.A. executive and whistle-blower who has become one of the agency’s most vocal critics, told me, “If you target everything, there’s no target.” Drake favors what he calls “a traditional law-enforcement” approach to terrorism, gathering more intelligence on a smaller set of targets. Decisions about which targets matter, he said, should be driven by human expertise, not by a database.

# AT States CP

### AT States CP (Read)

#### Can’t solve – States can’t cut off power to federal agencies – it’s unconstitutional and violates the supremacy clause – the counterplan will get rolled back

Andrew Kloster, 2/12/2014, [Kloster is a legal fellow in the Edwin Meese III Center for Legal and Judicial Studies at The Heritage Foundation], The Daily Signal, “Maryland’s attempts to cut off NSA utilities are unconstitutional,” http://dailysignal.com/2014/02/12/marylands-attempts-cut-nsa-utilities-unconstitutional/, mm

Since the Edward Snowden leaks to The Guardian began last year, the National Security Agency (NSA) has been a political hot potato. Yet, whatever you think of the NSA, it is clearly a federal agency authorized by federal statute. Some lawmakers in the state of Maryland—home to the NSA’s headquarters in Ft. Meade—have recently proposed an unconstitutional fix: They want to cut off electricity and water to the building.¶ This scheme forgets the basics of our constitutional system. Changes to the NSA must come at the federal level: Congress can direct legislative changes; the President can manage the agency consistent with statute and his Article II authority; federal courts can ensure that the NSA’s actions comply with statute and the Constitution. States, however, have no business discriminating against federal agencies.¶ Article VI, clause 2 of the Constitution—the Supremacy Clause—reads:¶ This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.¶ Ever since 1819, in a case called McCulloch v. Maryland, the Supreme Court of the United States has held that “the States have no power, by taxation or otherwise, to retard, impede, burden, or in any manner control the operations of the constitutional laws enacted by Congress to carry into execution the powers vested in the General Government.” Nearly 200 years later it seems Maryland has still not learned that lesson.¶ If the law authorizing the NSA is constitutionally valid, then such direct, obvious attempts to interfere with the NSA by state legislators are clearly unconstitutional. These attempts are so plainly out of bounds that the taxpayers of the state of Maryland might even be on the hook for Department of Justice (DOJ) attorneys’ fees when the DOJ inevitably sues in federal court to keep the power on and the water running.

#### Can’t solve – Here is evidence that fusion centers require federal grants.

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#### Perm/s: PERM DO BOTH – The CP can’t solve alone without cutting federal funds as well – they aren’t competitive.

#### Still links to cloud computing – failure to cut off all funds means that fusion centers will still exist even if just on a state level, they’ll still be able to spy on American corporations and trigger the impact. States will also still be able to sell this information to federal agencies such as the NSA, FBI, or CIA.

#### Theory --

#### Education

#### Not real world – the 50 states have never cooperated and acted on a single issue in uniformity since the founding of the country.

#### The CP is logically irrelevant – no decision maker ever has to choose between the states and the federal government, general education on policy implementation spills over to other education concerns which outweighs their cries about how the state is key

#### Counter-interpretation: The neg gets CPs where feds inspire state action.

#### Fairness

#### Justifies multiactor fiat – we can never win with one actor against 50 independent actors. If we target any one of those actors, the neg can just say that the other 49 will check.

#### At worst, make them provide a concrete regulatory framework for implementation.

#### Unpredictability – there is no literature about for or against all 50 states cooperating with one another on a specific issue, and the neg can combine any of these actors making over 500 possible counterplans which is unresearchable. Being able to predict what we should research is crucial to enabling debate. Being able to justify severance or intrinsic perms on CPs checks back predictability.

#### Counter-interpretation: The neg can read a CP with a solvency advocate.

#### Err aff on theory – neg gets the block and can control the direction of the debate by choosing their most prepared strategies to enter the debate.

#### Voter for education and fairness.

### AT States CP

#### Can’t solve – States can’t cut off power to federal agencies – it’s unconstitutional and violates the supremacy clause – the counterplan will get rolled back

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### AT Terror DA (Read)

#### 1. Case turns the DA. Global warming turns terrorism. In warmer climates, migration periods cause conflict and aggression, increasing the risk of a terror attack and escalation. We only need to win a better internal link to counter terrorism, which means we only need to win that fusion centers are ineffective at counter terrorism and that targeted surveillance is better than mass surveillance.

#### 2. Our 1ac Thomas evidence indicates that fusion centers cause oversaturation which makes tracking the real terror threats impossible. Only the plan solves.

#### 3. Fusion Centers are inefficient mechanisms for data collection – This circumvents their ability in counter terror operations

Michael German, Policy Counsel for National Security, ACLU Washington Legislative Office, and Jay Stanley, Public Education Director, ACLU Technology and Liberty Program, 2007 December “What’s Wrong With Fusion Centers?” https://www.aclu.org/files/pdfs/privacy/fusioncenter\_20071212.pdf

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#### 4. Turn: resource diversion. The plan’s shift from mass surveillance to targeted surveillance is the only way to prevent terrorist attacks.

#### 5. Fusion Centers Are Not Equipped To Stop the Next Major Terrorist Attack

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#### 6. Make them isolate specific instances in which fusion centers have prevented a terrorist attack. Prefer the specificity of the 1ac evidence on fusion centers.

#### 7. Mass surveillance increases the risk of terrorism – only targeted surveillance solves

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-fusion centers overlap with the FBI (that is actually efficient in counter-terrorism)

David **Inserra**, **4-15-2015**, "Time to Reform the U.S. Counterterrorism Enterprise—Now," Heritage Foundation, http://www.heritage.org/research/reports/2015/04/time-to-reform-the-us-counterterrorism-enterprisenow

In the aftermath of 9/11, DHS was created to ensure that silos of information are broken down, and that counterterrorism agents are able to use the best intelligence proactively. While great strides have been made in this direction, DHS’s role in the intelligence and information-sharing arenas remain limited. In 2012, the Senate Homeland Security and Government Affairs Committee found that fusion centers “often produced irrelevant, useless or inappropriate intelligence reporting to DHS and many produced no intelligence reporting whatsoever.” It also provided multiple assessments and examples that show fusion centers were not meaningfpully contributing to counterterrorism measures and may have even been harming efforts.[1] More recent reports also show fusion centers to have mixed results.[2] Meant to serve as hubs of sharing between federal, state, and local officials, the 78 fusion centers often serve cities or regions already covered by 104 FBI Joint Terrorism Task Forces (JTTFs) and 56 Field Intelligence Groups (FIGs), which play a similar role to that of fusion centers.[3] This broad duplication of efforts results in an inefficient and counterproductive use of counterterrorism funds. In 2013, the DHS Inspector General (IG) reported that DHS’s Homeland Security Information Network (HSIN)—designed to share sensitive but not classified information with federal, state, local government, and private-sector partners—was only being used by a small percentage of all potential partners. State and local officials stated that one reason for not using HSIN was that “the system content was not useful.”[4] Since the IG report came out, however, HSIN has successfully migrated to an updated system and is seeking to add desired content from DHS components.[5] At around 40,000 active users at the end of 2013, HSIN is far short of its 2015 objective of 130,000.[6] Furthermore, a RAND report sponsored by DHS found that HSIN was only a somewhat useful source of information.[7]

#### TURN: Less data leads to effective data, the aff is key to solve terrorism

Schwartz 2015 (Mattathias [Staff writer @ The New Yorker]; The Whole Haystack; Jan 26; www.newyorker.com/magazine/2015/01/26/whole-haystack)

Before the event, every bit of hay is potentially relevant. “The most dangerous adversaries will be the ones who most successfully disguise their individual transactions to appear normal, reasonable, and legitimate,” Ted Senator, a data scientist who worked on an early post-9/11 program called Total Information Awareness, said, in 2002. Since then, intelligence officials have often referred to “lone-wolf terrorists,” “cells,” and, as Alexander has put it, the “terrorist who walks among us,” as though Al Qaeda were a fifth column, capable of camouflaging itself within civil society. Patrick Skinner, a former C.I.A. case officer who works with the Soufan Group, a security company, told me that this image is wrong. “We knew about these networks,” he said, speaking of the Charlie Hebdo attacks. Mass surveillance, he continued, “gives a false sense of security. It sounds great when you say you’re monitoring every phone call in the United States. You can put that in a PowerPoint. But, actually, you have no idea what’s going on.” By flooding the system with false positives, big-data approaches to counterterrorism might actually make it harder to identify real terrorists before they act. Two years before the Boston Marathon bombing, Tamerlan Tsarnaev, the older of the two brothers alleged to have committed the attack, was assessed by the city’s Joint Terrorism Task Force. They determined that he was not a threat. This was one of about a thousand assessments that the Boston J.T.T.F. conducted that year, a number that had nearly doubled in the previous two years, according to the Boston F.B.I. As of 2013, the Justice Department has trained nearly three hundred thousand law-enforcement officers in how to file “suspicious-activity reports.” In 2010, a central database held about three thousand of these reports; by 2012 it had grown to almost twenty-eight thousand. “The bigger haystack makes it harder to find the needle,” Sensenbrenner told me. Thomas Drake, a former N.S.A. executive and whistle-blower who has become one of the agency’s most vocal critics, told me, “If you target everything, there’s no target.” Drake favors what he calls “a traditional law-enforcement” approach to terrorism, gathering more intelligence on a smaller set of targets. Decisions about which targets matter, he said, should be driven by human expertise, not by a database.

# AT XO CP

#### The perm solves best—oversight must involve all three branches

Balkin 8 (Jack, Professor of Constitutional Law and the First Amendment at Yale Law School, “The Constitution in the National Surveillance State”, Minnesota Law Review, November 2008, http://heinonline.org/HOL/Page?handle=hein.journals/mnlr93&div=4&g\_sent=1&collection=journals)//DBI

Oversight of executive branch officials may be the single most important goal in securing freedom in the National Surveillance State. Without appropriate checks and oversight mechanisms, executive officials will too easily slide into the bad tendencies that characterize authoritarian information states. They will increase secrecy, avoid accountability, cover up mistakes, and confuse their interest with the public interest.

Recent events in the Bush administration suggest that legislative oversight increasingly plays only a limited role in checking the executive. Meaningful oversight is most likely to occur only when there is divided government. Even then the executive will resist sharing any information about its internal processes or about the legal justifications for its decisions. A vast number of different programs affect personal privacy and it is unrealistic to expect that Congress can supervise them all. National security often demands that only a small number of legislators know about particularly sensitive programs and how they operate, which makes it easy for the administration to co- opt them.79 The Bush administration's history demonstrates the many ways that Presidents can feign consultation with Congress without really doing so. 8 0

Judicial oversight need not require a traditional system of warrants. It could be a system of prior disclosure and explanation and subsequent regular reporting and minimization. This is especially important as surveillance practices shift from operations targeted at individual suspected persons to surveillance programs that do not begin with identified individuals and focus on matching and discovering patterns based on the analysis of large amounts of data and contact information.81 We need a set of procedures that translate the values of the Fourth Amendment (with its warrant requirement) and the Fifth Amendment's Due Process Clause8 2 into a new technological context. Currently, however, we exclude more and more executive action from judicial review on the twin grounds of secrecy and efficiency. The Bush administration's secret NSA program is one example; the explosion in the use of administrative warrants that require no judicial oversight is another.8 3 Yet an independent judiciary plays an important role in making sure that zealous officials do not overreach. If the executive seeks greater efficiency, this requires a corresponding duty of greater disclosure before the fact and reporting after the fact to determine whether its surveillance programs are targeting the right people or are being abused. Judges must also counter the executive's increasing use of secrecy and the state secrets privilege to avoid accountability for its actions. Executive officials have institutional incentives to label their operations as secret and beyond the reach of judicial scrutiny. Unless legislatures and courts can devise effective procedures for inspecting and evaluating secret programs, the Presidency will become a law unto itself.

Given the limits of legislative and judicial oversight, oversight within the executive branch will prove especially crucial. Congress can design institutional structures that require the executive to police itself and make regular reports about its conduct. For example, if Congress wants to bolster legal protections against warrantless surveillance, it might create a cadre of informational ombudsmen within the executive branch- with the highest security clearances-whose job is to ensure that the government deploys information collection techniques legally and nonarbitrarily.8 4 Unfortunately, the Bush administration has made extreme claims of inherent presidential power that it says allow it to disregard oversight and reporting mechanisms.85 Rejecting those claims about presidential power will be crucial to securing the rule of law in the National Surveillance State.

#### The Executive won’t effectively restrain itself-It consistently abuses the FBI to avoid current bans on surveillance to gather data

Joshua Pike 7, Member of Pryor Cashman’s Family Law and Litigation Groups, Fall 2007, “THE IMPACT OF A KNEE-JERK REACTION: THE PATRIOT ACT AMENDMENTS TO THE FOREIGN INTELLIGENCE SURVEILLANCE ACT AND THE ABILITY OF ONE WORD TO ERASE ESTABLISHED CONSTITUTIONAL REQUIREMENTS”, Hofstra Legal Review, 36 Hofstra L. Rev. 185, Lexis

Despite the minimal standard of proof required to secure a FISA order for surveillance, the executive branch has consistently abused the FISA application process by misrepresenting factual assertions in FISA applications to the FISA court and disregarding the FISA process entirely. n209 In 2005, Attorney General Alberto Gonzales conducted a press briefing in which he admitted to a program authorized by the President whereby electronic communications were intercepted without a warrant or a FISA order where one party to the communication was outside the United States. n210 The Attorney General asserted the program was legal, as Congress's Authorization of Use of Military Force ("AUMF"), constituted "authorization ... to engage in this kind of signals intelligence." n211 Without judging the legality of the executive branch's assertion regarding the legality of the surveillances under the AUMF, such action demonstrates the executive branch's willingness to bypass congressionally imposed limitations on warrantless surveillance.

In June 2006, the Office of the Inspector General ("OIG") of the DOJ released a report reviewing the FBI's intelligence procedures related to the attacks on September 11, 2001. n212 In this report, the OIG disclosed the fact that between 2000 and 2001, the FISA court became [\*233] aware of approximately one hundred factual errors contained in FISA applications submitted by the FBI. n213 The report highlighted the fact that nearly seventy-five of these errors related to the targets of FISA surveillance and their asserted connections with foreign powers or terrorist organizations. n214 In addition to these factual inaccuracies, the report also noted that "contrary to what had been represented to the FISA Court, agents working on criminal investigation had not been restricted from the information obtained in the intelligence investigation." n215

In March 2007, another report was filed by the OIG concerning factual misrepresentations by the FBI regarding the foreign intelligence surveillance technique known as National Security Letters ("NSL"). n216 This report cited numerous abuses by the FBI in its NSL program, including obtaining information concerning the wrong person, retaining information not sought in the application for a NSL, and continuing to retrieve information beyond the time period referenced in the NSL, in addition to a number of other violations. n217 Though this report did not concern FISA applications, it established a patterned history of misrepresentation and abuse of power by the FBI concerning foreign intelligence surveillance.

Only a few weeks after the March 2007 OIG report was released, the Washington Post broke a story regarding the continued abuse by the FBI of the FISA system. n218 The article claimed the FBI submitted factual inaccuracies to the FISA court in their applications for FISA surveillances ranging from misrepresentations about a target's familial relationships to "citing information from informants who were no longer active." n219 The same day this story was published, the Senate Committee on the Judiciary conduced a hearing on FBI oversight. Chairman Patrick Leahy, in addition to noting the Washington Post article, the NSL issue, and FISA application misrepresentations, proclaimed:

This pattern of abuse and mismanagement causes me, and many others on both sides of the aisle, to wonder whether the FBI and Department of Justice have been faithful trustees of the great trust that the [\*234] Congress and American people have placed in them to keep our Nation safe, while respecting the privacy rights and civil liberties of all Americans. n220

To remedy these noted abuses, Senator Leahy recommended more effective congressional oversight, in addition to the increased FBI resources and tools to effectively conduct its domestic counterterrorism measures. n221 Though the Senator's suggested remedies would help to resolve the problem, due to the recurrence of the FBI's abuse of power, congressional oversight alone is not a sufficient remedy. To permanently resolve the issues noted, further procedural safeguards, such as those suggested in Part VI.A, are required to ensure that the FISA court operates as an intrusive and thorough check of the FBI's FISA applications rather than a rubber stamp for the abuse of American's civil liberties. n222

#### The CP is net worse for security-leads to unchecked executive powers and leads to mismanagement

Robin O’Neil 11, Law Clerk to the Hon. Royal Furgeson, U.S. District Court for the Northern District of Texas, “THE PRICE OF PURITY: WEAKENING THE EXECUTIVE MODEL OF THE UNITED STATES’ COUNTER-TERROR LEGAL SYSTEM”, Houston Law Review, http://www.houstonlawreview.org/wp-content/uploads/2012/04/ONeil.pdf

The founding fathers designed the Constitution to permit the power of the executive branch to swell in times of crisis and [\*1455] shrink in times of peace. Through this process, the executive has gradually gained institutional strength over the years. In accord with this historical trend, the development of detention policy during the Bush Administration evidences the tremendous growth of executive power in the wake of the 2001 terrorist attacks. n218 However, with Congress retroactively legislating overly broad authorizations of unilateral executive action in the context of a war with no clear enemy or duration, the scope of that power is less likely to recede than ever before. In order to substantively improve the United States' counter-terror policy and render it consistent with the country's constitutional design, President Obama should reject the inclination to retain the expanded powers of his office and institute procedural and substantive changes that reverse the course of the American anti-terror legal system toward the pure form of the executive model.

# AT Cap K

# AT Security K

# AT Biopower K

# AT Anti-Black K

#### PERM – Do the aff and reject anti-blackness: fusion centers are uniquely intertwined with the mass surveillance of racialized populations in both the past and the present, the aff is probably less anti-black than the status quo.

Malkia Amala, Activist Extraordinaire, 3/30/2015, "Black America's State of Surveillance," No Publication, <http://www.progressive.org/news/2015/03/188074/black-americas-state-surveillance>

Ten years ago, on Martin Luther King Jr.’s birthday, my mother, a former Black Panther, died from complications of sickle cell anemia. Weeks before she died, the FBI came knocking at our door, demanding that my mother testify in a secret trial proceeding against other former Panthers or face arrest. My mother, unable to walk, refused. The detectives told my mother as they left that they would be watching her. They didn’t get to do that. My mother died just two weeks later. My mother was not the only black person to come under the watchful eye of American law enforcement for perceived and actual dissidence. Nor is dissidence always a requirement for being subject to spying. Files obtained during a break-in at an FBI office in 1971 revealed that African Americans, J. Edger Hoover’s largest target group, didn’t have to be perceived as dissident to warrant surveillance. They just had to be black. As I write this, the same philosophy is driving the increasing adoption and use of surveillance technologies by local law enforcement agencies across the United States. Today, media reporting on government surveillance is laser-focused on the revelations by Edward Snowden that millions of Americans were being spied on by the NSA. Yet my mother’s visit from the FBI reminds me that, from the slave pass system to laws that deputized white civilians as enforcers of Jim Crow, black people and other people of color have lived for centuries with surveillance practices aimed at maintaining a racial hierarchy. It’s time for journalists to tell a new story that does not start the clock when privileged classes learn they are targets of surveillance. We need to understand that data has historically been overused to repress dissidence, monitor perceived criminality, and perpetually maintain an impoverished underclass. In an era of big data, the Internet has increased the speed and secrecy of data collection. Thanks to new surveillance technologies, law enforcement agencies are now able to collect massive amounts of indiscriminate data. Yet legal protections and policies have not caught up to this technological advance. Concerned advocates see mass surveillance as the problem and protecting privacy as the goal. Targeted surveillance is an obvious answer—it may be discriminatory, but it helps protect the privacy perceived as an earned privilege of the inherently innocent. The trouble is, targeted surveillance frequently includes the indiscriminate collection of the private data of people targeted by race but not involved in any crime. For targeted communities, there is little to no expectation of privacy from government or corporate surveillance. Instead, we are watched, either as criminals or as consumers. We do not expect policies to protect us. Instead, we’ve birthed a complex and coded culture—from jazz to spoken dialects—in order to navigate a world in which spying, from AT&T and Walmart to public benefits programs and beat cops on the block, is as much a part of our built environment as the streets covered in our blood. In a recent address, New York City Police Commissioner Bill Bratton made it clear: “2015 will be one of the most significant years in the history of this organization. It will be the year of technology, in which we literally will give to every member of this department technology that would’ve been unheard of even a few years ago.” Predictive policing, also known as “Total Information Awareness,” is described as using advanced technological tools and data analysis to “preempt” crime. It utilizes trends, patterns, sequences, and affinities found in data to make determinations about when and where crimes will occur. This model is deceptive, however, because it presumes data inputs to be neutral. They aren’t. In a racially discriminatory criminal justice system, surveillance technologies reproduce injustice. Instead of reducing discrimination, predictive policing is a face of what author Michelle Alexander calls the “New Jim Crow”—a de facto system of separate and unequal application of laws, police practices, conviction rates, sentencing terms, and conditions of confinement that operate more as a system of social control by racial hierarchy than as crime prevention or punishment. In New York City, the predictive policing approach in use is “Broken Windows.” This approach to policing places an undue focus on quality of life crimes—like selling loose cigarettes, the kind of offense for which Eric Garner was choked to death. Without oversight, accountability, transparency, or rights, predictive policing is just high-tech racial profiling—indiscriminate data collection that drives discriminatory policing practices. As local law enforcement agencies increasingly adopt surveillance technologies, they use them in three primary ways: to listen in on specific conversations on and offline; to observe daily movements of individuals and groups; and to observe data trends. Police departments like Bratton’s aim to use sophisticated technologies to do all three. They will use technologies like license plate readers, which the Electronic Frontier Foundation found to be disproportionately used in communities of color and communities in the process of being gentrified. They will use facial recognition, biometric scanning software, which the FBI has now rolled out as a national system, to be adopted by local police departments for any criminal justice purpose. They intend to use body and dashboard cameras, which have been touted as an effective step toward accountability based on the results of one study, yet storage and archiving procedures, among many other issues, remain unclear. They will use Stingray cellphone interceptors. According to the ACLU, Stingray technology is an invasive cellphone surveillance device that mimics cellphone towers and sends out signals to trick cellphones in the area into transmitting their locations and identifying information. When used to track a suspect’s cellphone, they also gather information about the phones of countless bystanders who happen to be nearby. The same is true of domestic drones, which are in increasing use by U.S. law enforcement to conduct routine aerial surveillance. While drones are currently unarmed, drone manufacturers are considering arming these remote-controlled aircraft with weapons like rubber bullets, tasers, and tear gas. They will use fusion centers. Originally designed to increase interagency collaboration for the purposes of counterterrorism, these have instead become the local arm of the intelligence community. According to Electronic Frontier Foundation, there are currently seventy-eight on record. They are the clearinghouse for increasingly used “suspicious activity reports”—described as “official documentation of observed behavior reasonably indicative of pre-operational planning related to terrorism or other criminal activity.” These reports and other collected data are often stored in massive databases like e-Verify and Prism. As anybody who’s ever dealt with gang databases knows, it’s almost impossible to get off a federal or state database, even when the data collected is incorrect or no longer true. Predictive policing doesn’t just lead to racial and religious profiling—it relies on it. Just as stop and frisk legitimized an initial, unwarranted contact between police and people of color, almost 90 percent of whom turn out to be innocent of any crime, suspicious activities reporting and the dragnet approach of fusion centers target communities of color. One review of such reports collected in Los Angeles shows approximately 75 percent were of people of color. This is the future of policing in America, and it should terrify you as much as it terrifies me. Unfortunately, it probably doesn’t, because my life is at far greater risk than the lives of white Americans, especially those reporting on the issue in the media or advocating in the halls of power. One of the most terrifying aspects of high-tech surveillance is the invisibility of those it disproportionately impacts. The NSA and FBI have engaged local law enforcement agencies and electronic surveillance technologies to spy on Muslims living in the United States. According to FBI training materials uncovered by Wired in 2011, the bureau taught agents to treat “mainstream” Muslims as supporters of terrorism, to view charitable donations by Muslims as “a funding mechanism for combat,” and to view Islam itself as a “Death Star” that must be destroyed if terrorism is to be contained. From New York City to Chicago and beyond, local law enforcement agencies have expanded unlawful and covert racial and religious profiling against Muslims not suspected of any crime. There is no national security reason to profile all Muslims. At the same time, almost 450,000 migrants are in detention facilities throughout the United States, including survivors of torture, asylum seekers, families with small children, and the elderly. Undocumented migrant communities enjoy few legal protections, and are therefore subject to brutal policing practices, including illegal surveillance practices. According to the Sentencing Project, of the more than 2 million people incarcerated in the United States, more than 60 percent are racial and ethnic minorities. But by far, the widest net is cast over black communities. Black people alone represent 40 percent of those incarcerated. More black men are incarcerated than were held in slavery in 1850, on the eve of the Civil War. Lest some misinterpret that statistic as evidence of greater criminality, a 2012 study confirms that black defendants are at least 30 percent more likely to be imprisoned than whites for the same crime. This is not a broken system, it is a system working perfectly as intended, to the detriment of all. The NSA could not have spied on millions of cellphones if it were not already spying on black people, Muslims, and migrants. As surveillance technologies are increasingly adopted and integrated by law enforcement agencies today, racial disparities are being made invisible by a media environment that has failed to tell the story of surveillance in the context of structural racism. Reporters love to tell the technology story. For some, it’s a sexier read. To me, freedom from repression and racism is far sexier than the newest gadget used to reinforce racial hierarchy. As civil rights protections catch up with the technological terrain, reporting needs to catch up, too. Many journalists still focus their reporting on the technological trends and not the racial hierarchies that these trends are enforcing. Martin Luther King Jr. once said, “Everything we see is a shadow cast by that which we do not see.” Journalists have an obligation to tell the stories that are hidden from view. We are living in an incredible time, when migrant activists have blocked deportation buses, and a movement for black lives has emerged, and when women, queer, and trans experiences have been placed right at the center. The decentralized power of the Internet makes that possible. But the Internet also makes possible the high-tech surveillance that threatens to drive structural racism in the twenty-first century. We can help black lives matter by ensuring that technology is not used to cement a racial hierarchy that leaves too many people like me dead or in jail. Our communities need partners, not gatekeepers. Together, we can change the cultural terrain that makes killing black people routine. We can counter inequality by ensuring that both the technology and the police departments that use it are democratized. We can change the story on surveillance to raise the voices of those who have been left out. There are no voiceless people, only those that ain’t been heard yet. Let’s birth a new norm in which the technological tools of the twenty-first century create equity and justice for all—so all bodies enjoy full and equal protection, and the Jim Crow surveillance state exists no more.

#### OR only the aff solves: We need to counter anti-blackness at its source, policy, in order to exact sociopolitical change

Bouie 13

Jamelle, Staff Writer at The American Prospect, 2013 (“Making (and Dismantling) Racism,” The American Prospect, March 11th, Available Online at http://prospect.org/article/making-and-dismantling-racism)

Over at The Atlantic, Ta-Nehisi Coates has been exploring the intersection of race and public policy, with a focus on white supremacy as a driving force in political decisions at all levels of government. This has led him to two conclusions: First, that anti-black racism as we understand it is a creation of explicit policy choices—the decision to exclude, marginalize, and stigmatize Africans and their descendants has as much to do with racial prejudice as does any intrinsic tribalism. And second, that it's possible to dismantle this prejudice using public policy. Here is Coates in his own words: Last night I had the luxury of sitting and talking with the brilliant historian Barbara Fields. One point she makes that very few Americans understand is that racism is a creation. You read Edmund Morgan’s work and actually see racism being inscribed in the law and the country changing as a result. If we accept that racism is a creation, then we must then accept that it can be destroyed. And if we accept that it can be destroyed, we must then accept that it can be destroyed by us and that it likely must be destroyed by methods kin to creation. Racism was created by policy. It will likely only be ultimately destroyed by policy. Over at his blog, Andrew Sullivan offers a reply: I don’t believe the law created racism any more than it can create lust or greed or envy or hatred. It can encourage or mitigate these profound aspects of human psychology – it can create racist structures as in the Jim Crow South or Greater Israel. But it can no more end these things that it can create them. A complementary strategy is finding ways for the targets of such hatred to become inured to them, to let the slurs sting less until they sting not at all. Not easy. But a more manageable goal than TNC’s utopianism. I can appreciate the point Sullivan is making, but I'm not sure it's relevant to Coates' argument. It is absolutely true that "Group loyalty is deep in our DNA," as Sullivan writes. And if you define racism as an overly aggressive form of group loyalty—basically just prejudice—then Sullivan is right to throw water on the idea that the law can "create racism any more than it can create lust or greed or envy or hatred." But Coates is making a more precise claim: That there's nothing natural about the black/white divide that has defined American history. White Europeans had contact with black Africans well before the trans-Atlantic slave trade without the emergence of an anti-black racism. It took particular choices made by particular people—in this case, plantation owners in colonial Virginia—to make black skin a stigma, to make the "one drop rule" a defining feature of American life for more than a hundred years. By enslaving African indentured servants and allowing their white counterparts a chance for upward mobility, colonial landowners began the process that would make white supremacy the ideology of America. The position of slavery generated a stigma that then justified continued enslavement—blacks are lowly, therefore we must keep them as slaves. Slavery (and later, Jim Crow) wasn't built to reflect racism as much as it was built in tandem with it. And later policy, in the late 19th and 20th centuries, further entrenched white supremacist attitudes. Block black people from owning homes, and they're forced to reside in crowded slums. Onlookers then use the reality of slums to deny homeownership to blacks, under the view that they're unfit for suburbs. In other words, create a prohibition preventing a marginalized group from engaging in socially sanctioned behavior—owning a home, getting married—and then blame them for the adverse consequences. Indeed, in arguing for gay marriage and responding to conservative critics, Sullivan has taken note of this exact dynamic. Here he is twelve years ago, in a column for The New Republic that builds on earlier ideas: Gay men—not because they're gay but because they are men in an all-male subculture—are almost certainly more sexually active with more partners than most straight men. (Straight men would be far more promiscuous, I think, if they could get away with it the way gay guys can.) Many gay men value this sexual freedom more than the stresses and strains of monogamous marriage (and I don't blame them). But this is not true of all gay men. Many actually yearn for social stability, for anchors for their relationships, for the family support and financial security that come with marriage. To deny this is surely to engage in the "soft bigotry of low expectations." They may be a minority at the moment. But with legal marriage, their numbers would surely grow. And they would function as emblems in gay culture of a sexual life linked to stability and love. [Emphasis added] What else is this but a variation on Coates' core argument, that society can create stigmas by using law to force particular kinds of behavior? Insofar as gay men were viewed as unusually promiscuous, it almost certainly had something to do with the fact that society refused to recognize their humanity and sanction their relationships. The absence of any institution to mediate love and desire encouraged behavior that led this same culture to say "these people are too degenerate to participate in this institution." If the prohibition against gay marriage helped create an anti-gay stigma, then lifting it—as we've seen over the last decade—has helped destroy it. There's no reason racism can't work the same way.

#### The alt can’t solve -- Rejecting and refusing to function with institutions and legal discourse impedes anti-oppression movements.

Crenshaw 88**,** Kimberle. Law @ UCLA, “RACE, REFORM, AND RETRENCHMENT: TRANSFORMATION AND LEGITIMATION IN ANTIDISCRIMINATION LAW”, 101 Harv. L. Rev. 1331, lexis

The Critics' product is of limited utility to Blacks in its present form. The implications for Blacks of trashing liberal legal ideology are troubling, even though it may be proper to assail belief structures that obscure liberating possibilities. Trashing legal ideology seeks to tell us repeatedly what has already been established -- that legal discourse is unstable and relatively indeterminate. Furthermore, trashing offers no idea of how to avoid the negative consequences of engaging in reformist discourse or how to work around such consequences. Even if we imagine the wrong world when we think in terms of legal discourse, we must nevertheless exist in a present world where legal protection has at times been a blessing -- albeit a mixed one. The fundamental problem is that, although Critics criticize law because it functions to legitimate existing institutional arrangements, it is precisely this legitimating function that has made law receptive to certain demands in this area. The Critical emphasis on deconstruction as the vehicle for liberation leads to the conclusion that engaging in legal discourse should be avoided because it reinforces not only the discourse itself but also the society and the world that it embodies. Yet Critics offer little beyond this observation. Their focus is delegitimating rights rhetoric seems to suggest that, one rights rhetoric has been discarded, there exists a more productive strategy for change, one which does not reinforce existing patterns of domination. Unfortunately, no such strategy has yet been articulated, and it is difficult to imagine that racial minorities will ever be able to discover one. As Frances Fox Piven and Richard Cloward point out in an excellent account of the civil rights movement, popular struggles are a reflection of institutionally determined logic and a challenge to that logic. People can only demand change in ways that reflect the logic of the institutions that they are challenging. Demands for change do not reflect the institutional logic -- that is, demands that do not engage and subsequently reinforce the dominant ideology -- will probably be ineffective.

#### The kritik is focused on describing and critiquing a *problem*, not on prescribing and explaining a *solution*. This methodology is counterproductive because it destroys public support for change and diverts intellectual resources away from more productive scholarship. The aff ensures that we never find the solutions we desperately need.

Bryant 12 — Levi R. Bryant, Professor of Philosophy at Collin College, holds a Ph.D. in Philosophy from Loyola University in Chicago, 2012 (“Underpants Gnomes: A Critique of the Academic Left,” *Larval Subjects*—Levi R. Bryant’s philosophy blog, November 11th, Available Online at http://larvalsubjects.wordpress.com/2012/11/11/underpants-gnomes-a-critique-of-the-academic-left/, Accessed 02-21-2014)

I must be in a mood today–half irritated, half amused–because I find myself ranting. Of course, that’s not entirely unusual. So this afternoon I came across a post by a friend quoting something discussing the environmental movement that pushed all the right button. As the post read,For mainstream environmentalism– conservationism, green consumerism, and resource management –humans are conceptually separated out of nature and mythically placed in privileged positions of authority and control over ecological communities and their nonhuman constituents. What emerges is the fiction of a marketplace of ‘raw materials’ and ‘resources’ through which human-centered wants, constructed as needs, might be satisfied. The mainstream narratives are replete with such metaphors [carbon trading!]. Natural complexity,, mutuality, and diversity are rendered virtually meaningless given discursive parameters that reduce nature to discrete units of exchange measuring extractive capacities. Jeff Shantz, “Green Syndicalism”While finding elements this description perplexing– I can’t say that I see many environmentalists treating nature and culture as distinct or suggesting that we’re sovereigns of nature –I do agree that we conceive much of our relationship to the natural world in economic terms (not a surprise that capitalism is today a universal). This, however, is not what bothers me about this passage.What I wonder is just what we’re supposed to do even if all of this is true? What, given existing conditions, are we to do if all of this is right? At least green consumerism, conservation, resource management, and things like carbon trading are engaging in activities that are making real differences. From this passage–and maybe the entire text would disabuse me of this conclusion–it sounds like we are to reject all of these interventions because they remain tied to a capitalist model of production that the author (and myself) find abhorrent. The idea seems to be that if we endorse these things we are tainting our hands and would therefore do well to reject them altogether.The problem as I see it is that this is the worst sort of abstraction (in the Marxist sense) and wishful thinking. Within a Marxo-Hegelian context, a thought is abstract when it ignores all of the mediations in which a thing is embedded. For example, I understand a robust tree abstractly when I attribute its robustness, say, to its genetics alone, ignoring the complex relations to its soil, the air, sunshine, rainfall, etc., that also allowed it to grow robustly in this way. This is the sort of critique we’re always leveling against the neoliberals. They are abstract thinkers. In their doxa that individuals are entirely responsible for themselves and that they completely make themselves by pulling themselves up by their bootstraps, neoliberals ignore all the mediations belonging to the social and material context in which human beings develop that play a role in determining the vectors of their life. They ignore, for example, that George W. Bush grew up in a family that was highly connected to the world of business and government and that this gave him opportunities that someone living in a remote region of Alaska in a very different material infrastructure and set of family relations does not have. To think concretely is to engage in a cartography of these mediations, a mapping of these networks, from circumstance to circumstance (what I call an “onto-cartography”). It is to map assemblages, networks, or ecologies in the constitution of entities.uUnfortunately, the academic left falls prey to its own form of abstraction. It’s good at carrying out critiques that denounce various social formations, yet very poor at proposing any sort of realistic constructions of alternatives. This because it thinks abstractly in its own way, ignoring how networks, assemblages, structures, or regimes of attraction would have to be remade to create a workable alternative. Here I’m reminded by the “underpants gnomes” depicted in South Park:

[YouTube video omitted]

The underpants gnomes have a plan for achieving profit that goes like this:

Phase 1: Collect Underpants

Phase 2: ?

Phase 3: Profit!

They even have a catchy song to go with their work:

[YouTube video omitted]

Well this is sadly how it often is with the academic left. Our plan seems to be as follows:

Phase 1: Ultra-Radical Critique

Phase 2: ? (Question Mark)

Phase 3: Revolution and complete social transformation!

Our problem is that we seem perpetually stuck at phase 1 without ever explaining what is to be done at phase 2. Often the critiques articulated at phase 1 are right, but there are nonetheless all sorts of problems with those critiques nonetheless. In order to reach phase 3, we have to produce new collectives. In order for new collectives to be produced, people need to be able to hear and understand the critiques developed at phase 1. Yet this is where everything begins to fall apart. Even though these critiques are often right, we express them in ways that only an academic with a PhD in critical theory and post-structural theory can understand. How exactly is Adorno to produce an effect in the world if only PhD’s in the humanities can understand him? Who are these things for? We seem to always ignore these things and then look down our noses with disdain at the Naomi Kleins and David Graebers of the world. To make matters worse, we publish our work in expensive academic journals that only universities can afford, with presses that don’t have a wide distribution, and give our talks at expensive hotels at academic conferences attended only by other academics. Again, who are these things for? Is it an accident that so many activists look away from these things with contempt, thinking their more about an academic industry and tenure, than producing change in the world? If a tree falls in a forest and no one is there to hear it, it doesn’t make a sound! Seriously dudes and dudettes, what are you doing? But finally, and worst of all, us Marxists and anarchists all too often act like assholes. We denounce others, we condemn them, we berate them for not engaging with the questions we want to engage with, and we vilify them when they don’t embrace every bit of the doxa that we endorse. We are every bit as off-putting and unpleasant as the fundamentalist minister or the priest of the inquisition (have people yet understood that Deleuze and Guattari’s Anti-Oedipus was a critique of the French communist party system and the Stalinist party system, and the horrific passions that arise out of parties and identifications in general?). This type of “revolutionary” is the greatest friend of the reactionary and capitalist because they do more to drive people into the embrace of reigning ideology than to undermine reigning ideology. These are the people that keep Rush Limbaugh in business. Well done! But this isn’t where our most serious shortcomings lie. Our most serious shortcomings are to be found at phase 2. We almost never make concrete proposals for how things ought to be restructured, for what new material infrastructures and semiotic fields need to be produced, and when we do, our critique-intoxicated cynics and skeptics immediately jump in with an analysis of all the ways in which these things contain dirty secrets, ugly motives, and are doomed to fail. How, I wonder, are we to do anything at all when we have no concrete proposals? We live on a planet of 6 billion people. These 6 billion people are dependent on a certain network of production and distribution to meet the needs of their consumption. That network of production and distribution does involve the extraction of resources, the production of food, the maintenance of paths of transit and communication, the disposal of waste, the building of shelters, the distribution of medicines, etc., etc., etc. What are your proposals? How will you meet these problems? How will you navigate the existing mediations or semiotic and material features of infrastructure? Marx and Lenin had proposals. Do you? Have you even explored the cartography of the problem? Today we are so intellectually bankrupt on these points that we even have theorists speaking of events and acts and talking about a return to the old socialist party systems, ignoring the horror they generated, their failures, and not even proposing ways of avoiding the repetition of these horrors in a new system of organization. Who among our critical theorists is thinking seriously about how to build a distribution and production system that is responsive to the needs of global consumption, avoiding the problems of planned economy, ie., who is doing this in a way that gets notice in our circles? Who is addressing the problems of micro-fascism that arise with party systems (there’s a reason that it was the Negri & Hardt contingent, not the Badiou contingent that has been the heart of the occupy movement). At least the ecologists are thinking about these things in these terms because, well, they think ecologically. Sadly we need something more, a melding of the ecologists, the Marxists, and the anarchists. We’re not getting it yet though, as far as I can tell. Indeed, folks seem attracted to yet another critical paradigm, Laruelle. I would love, just for a moment, to hear a radical environmentalist talk about his ideal high school that would be academically sound. How would he provide for the energy needs of that school? How would he meet building codes in an environmentally sound way? How would she provide food for the students? What would be her plan for waste disposal? And most importantly, how would she navigate the school board, the state legislature, the federal government, and all the families of these students? What is your plan? What is your alternative? I think there are alternatives. I saw one that approached an alternative in Rotterdam. If you want to make a truly revolutionary contribution, this is where you should start. Why should anyone even bother listening to you if you aren’t proposing real plans? But we haven’t even gotten to that point. Instead we’re like underpants gnomes, saying “revolution is the answer!” without addressing any of the infrastructural questions of just how revolution is to be produced, what alternatives it would offer, and how we would concretely go about building those alternatives. Masturbation.

“Underpants gnome” deserves to be a category in critical theory; a sort of synonym for self-congratulatory masturbation. We need less critique not because critique isn’t important or necessary–it is–but because we know the critiques, we know the problems. We’re intoxicated with critique because it’s easy and safe. We best every opponent with critique. We occupy a position of moral superiority with critique. But do we really do anything with critique? What we need today, more than ever, is composition or carpentry. Everyone knows something is wrong. Everyone knows this system is destructive and stacked against them. Even the Tea Party knows something is wrong with the economic system, despite having the wrong economic theory. None of us, however, are proposing alternatives. Instead we prefer to shout and denounce. Good luck with that.

#### Debate should be a space for carpentry, not critique. Vote negative to reject the affirmative’s fixation with texts and discourse instead of *real things* and *real solutions*.

Bogost 12 — Ian Bogost, Ivan Allen College Distinguished Chair in Media Studies and Professor of Interactive Computing at the Georgia Institute of Technology, Founding Partner at Persuasive Games LLC—an independent game studio, holds an M.A. and Ph.D. in Comparative Literature from the University of California-Los Angeles and a B.A. in Philosophy and Comparative Literature from the University of Southern California, 2012 (“Carpentry: Constructing Artifacts that Do Philosophy,” *Alien Phenomenology, or What It’s Like to Be a Thing*, Published by the University of Minnesota Press, ISBN 9780816678976, p. 90-92)

Second, writing is dangerous for philosophy—and for serious scholarly practice in general. It's not because writing breaks from its origins as Plato would have it, but because writing is only one form of being. The long-standing assumption that we relate to the world only through language is a particularly fetid, if still bafflingly popular, opinion. But so long as we pay attention only to language, we underwrite our ignorance of everything else. Levi Bryant puts it this way: If it is the signifier that falls into the marked space of your distinction, you'll only ever be able to talk about talk and indicate signs and signifiers. The differences made by light bulbs, fiber optic cables, climate change, and cane toads will be invisible to you and you'll be awash in texts, believing that these things exhaust the really real.8 Bryant suggests that our work need not exclude signs, narrative, and discourse, but that we ought also to approach the nonsemiotic world "on its own terms as best we can."9 Scientists and engineers may enjoy a greater opportunity to pursue extralinguistic pursuits than do humanists, but since all work inevitably pledges fealty to the written word, none are safe. When we spend all of our time reading and writing words—or plotting to do so—we miss opportunities to visit the great outdoors. [end page 90] Among the consequences of semiotic obsession is an overabundant fixation on argumentation, such that pedantry replaces curiosity. Richard Rorty adeptly explains this phenomenon in his 1996 American Philosophical Association response to Marjorie Greene’s *Philosophical Testament*. For [many philosophers] “doing philosophy” is primarily a matter of spotting weaknesses in arguments, as opposed to hoping that the next book read will contain an imaginative, illuminating redescription of how things hang together. Many of our colleagues think that one counts as doing philosophy if one finds a flaw in an argument put forward in a philosophical book or article, and that one is a good philosopher if one is quick to find such flaws and skillful at exhibiting them.10 There's a fictional character in The Simpsons known as Comic Book Guy. Offering sarcastic quips about his favorite comics and television shows, he epitomizes the nerd-pedant who splits every last hair in his pop cultural fare. Besides serving as a send-up of the quintessential comic book/Dungeons and Dragons geek, Comic Book Guy also lampoons the nitpickery of the Internet, where everyone critiques every detail of everything all the time. But beyond those obvious references, Comic Book Guy also serves as a condemnation-by-proxy of most academics. We are insufferable pettifogs who listen or read first to find fault and only later to seek insight, if ever. “Discourse” is not a term for conversation but the brand-name for a device used to manufacture petty snipes—about the etymology of a word, or the truth value of a proposition, or the unexpected exclusion of a favorite theorist. It is perhaps no accident that among the general public, one finds behavior most similar to academic punctiliousness on the Internet, where all ideas, interchanges, and actions are strained through the sieve of language.There is another way. If a physician is someone who practices medicine, perhaps a metaphysician ought be someone who practices ontology. Just as one would likely not trust a doctor who had only read and written journal [end page 91] articles about medicine to explain the particular curiosities of one’s body, so one ought not trust a metaphysician who had only read and written books about the nature of the universe. As Don Ihde puts it, "Without entering into the doing, the basic thrust and import of phenomenology is likely to be misunderstood at the least or missed at the most."11 Yet ironically, Ihde is forced to explain such a sentiment in a book, just as I am here. What else can be done? In his book Shop Class as Soulcraft, Matthew B. Crawford explains why, after earning a PhD from the University of Chicago in political philosophy, he gave up a white-collar career at a Washington think tank to become a motorcycle mechanic: Aristotle begins his Metaphysics with the observation that "all human beings by nature desire to know." I have argued that real knowledge arises through confrontations with real things. Work, then, offers a broadly available premonition of philosophy. Its value, however, does not lie solely in pointing to some more rarefied experience. Rather, in the best cases, work may itself approach the good sought in philosophy, understood as a way of life.12 For Crawford, knowledge and labor are not opposites but two sides of the same coin—alternatives for one another. He invites us to see that philosophy is a practice as much as a theory. Like mechanics, philosophers ought to get their hands dirty. Not just dirty with logic or mathematics, in the way Bertrand Russell and Alfred North Whitehead's Principia Mathematica investigates the logicist view of mathematics by doing mathematics, but dirty with grease and panko bread crumbs and formaldehyde. I give the name carpentry to this practice of constructing artifacts as a philosophical practice.

#### Prescriptions for action fail unless they come from someone in a position to create actual change- there’s no connection between the aff and material agency

Schlag 1990 [Pierre (Professor of Law @ Colorado State), “Normative and Nowhere to Go,” Stanford Law Review, November 1990, http://lawweb.colorado.edu/profiles/pubpdfs/schlag/SchlagSLR.pdf, Accessed 7/21/15, AX]

You'll notice that here (as elsewhere) normative legal thought has a very pressing and urgent tone. It wants to know right away what should be done. Right away. And true to its name, normative legal thought wants to engage right away in the enterprise of norm-selection. Normative legal thought wants to decide as quickly as possible which norm (which doctrine, which rule, which theory) should govern a particular activity. Now as intellectually stifling and politically narrow as the enterprise of norm-selection may be, [FN30] it still offers legal thinkers some residual possibility of posing interesting philosophical, social, psychological, economic, or semiotic inquiries about law. Yet normative legal thought can't wait to shut down these intellectual and political openings as well. It cannot wait to envelop these inquiries in its own highly stylized ethical-moral form of norm-justification. Normative legal thought cannot wait to enlist epistemology, semiotics, social theory or any other enterprise in its own ethical-moral argument structures about the right, the good, the useful, the efficient (or any of their doctrinally crystallized derivatives). It cannot wait to reduce world views, attitudes, demonstrations, provocations, and thought itself, to norms. In short, it cannot wait to tell you (or somebody else) what to do. In fact, normative legal thought is so much in a hurry that it will tell you what to do even though there is not the slightest chance that you might actually be in a position to do it. For instance, when was the last time you were in a position to put the difference principle [FN31] into effect, or to restructure \*179 the doctrinal corpus of the first amendment? "In the future, we should . . . . " When was the last time you were in a position to rule whether judges should become pragmatists, efficiency purveyors, civic republicans, or Hercules surrogates? Normative legal thought doesn't seem overly concerned with such worldly questions about the character and the effectiveness of its own discourse. It just goes along and proposes, recommends, prescribes, solves, and resolves. Yet despite its obvious desire to have worldly effects, worldly consequences, normative legal thought remains seemingly unconcerned that for all practical purposes, its only consumers are legal academics and perhaps a few law students--persons who are virtually never in a position to put any of its wonderful normative advice into effect.

# AT Neoliberalism K

### Cross-Ex Questions

#### What’s the link?

#### What is legalism? How is the affirmative legalistic?

#### What is a traditional affirmative that doesn’t use legalistic language?

#### Can we have a traditional policy debate without legalism?

### AT Northwestern Alt

#### Their card: Reject the 1AC – their narrow legalistic focus can only conceal and reproduce imperialism – a bottom up approach is empirically more successful, but it can only succeed when the politics of fear are discarded, which means the K must come before the plan.

Kumar, Professor of Media Studies and Middle East Studies @ Rutgers University, 15

(Deepa, and Arun Kundnani, who teaches at New York University, “Race, surveillance, and empire,” International Socialist Review Issue 96, <http://isreview.org/issue/96/race-surveillance-and-empire>)

What brings together these different systems of racial oppression—mass incarceration, mass surveillance, and mass deportation—is a security logic that holds the imperial state as necessary to keeping “American families” (coded white) safe from threats abroad and at home. The ideological work of the last few decades has cultivated not only racial security fears but also an assumption that the security state is necessary to keep “us” safe. In this sense, security has become the new psychological wage to aid the reallocation of the welfare state’s social wage toward homeland security and to win support for empire in the age of neoliberalism. Through the notion of security, social and economic anxieties generated by the unraveling of the Keynesian social compact have been channeled toward the Black or Brown street criminal, welfare recipient, or terrorist. In addition, as Susan Faludi has argued, since 9/11, this homeland in need of security has been symbolized, above all, by the white domestic hearth of the prefeminist fifties, once again threatened by mythical frontier enemies, hidden subversives, and racial aggressors. That this idea of the homeland coincides culturally with “the denigration of capable women, the magnification of manly men, the heightened call for domesticity, the search for and sanctification of helpless girls” points to the ways it is gendered as well as racialized.67 The post-Snowden debate The mechanisms of surveillance outlined in this essay were responses to political struggles of various kinds—from anticolonial insurgencies to slave rebellions, labor militancy to anti-imperialist agitation. Surveillance practices themselves have also often been the target of organized opposition. In the 1920s and 1970s, the surveillance state was pressured to contract in the face of public disapproval. The antiwar activists who broke into an FBI field office in Media, Pennsylvania, in 1971 and stole classified documents managed to expose COINTELPRO, for instance, leading to its shut down. (But those responsible for this FBI program were never brought to justice for their activities and similar techniques continued to be used later against, for example in the 1980s, the American Indian Movement, and the Committee in Solidarity with the People of El Salvador.68) Public concern about state surveillance in the 1970s led to the Church committee report on government spying and the Handschu guidelines that regulated the New York Police Department’s spying on political activities. Those concerns began to be swept aside in the 1980s with the War on Drugs and, especially, later with the War on Terror. While significant sections of the public may have consented to the security state, those who have been among its greatest victims—the radical Left, antiwar activists, racial justice and Black liberation campaigners, and opponents of US foreign policy in Latin America and the Middle East—understand its workings. Today, we are once again in a period of revelation, concern, and debate on national security surveillance. Yet if real change is to be brought about, the racial history of surveillance will need to be fully confronted—or opposition to surveillance will once again be easily defeated by racial security narratives. The significance of the Snowden leaks is that they have laid out the depth of the NSA’s mass surveillance with the kind of proof that only an insider can have. The result has been a generalized level of alarm as people have become aware of how intrusive surveillance is in our society, but that alarm remains constrained within a public debate that is highly abstract, legalistic, and centered on the privacy rights of the white middle class. On the one hand, most civil liberties advocates are focused on the technical details of potential legal reforms and new oversight mechanisms to safeguard privacy. Such initiatives are likely to bring little change because they fail to confront the racist and imperialist core of the surveillance system. On the other hand, most technologists believe the problem of government surveillance can be fixed simply by using better encryption tools. While encryption tools are useful in increasing the resources that a government agency would need to monitor an individual, they do nothing to unravel the larger surveillance apparatus. Meanwhile, executives of US tech corporations express concerns about loss of sales to foreign customers concerned about the privacy of data. In Washington and Silicon Valley, what should be a debate about basic political freedoms is simply a question of corporate profits.69 Another and perhaps deeper problem is the use of images of state surveillance that do not adequately fit the current situation—such as George Orwell’s discussion of totalitarian surveillance. Edward Snowden himself remarked that Orwell warned us of the dangers of the type of government surveillance we face today.70 Reference to Orwell’s 1984 has been widespread in the current debate; indeed, sales of the book were said to have soared following Snowden’s revelations.71 The argument that digital surveillance is a new form of Big Brother is, on one level, supported by the evidence. For those in certain targeted groups—Muslims, left-wing campaigners, radical journalists—state surveillance certainly looks Orwellian. But this level of scrutiny is not faced by the general public. The picture of surveillance today is therefore quite different from the classic images of surveillance that we find in Orwell’s 1984, which assumes an undifferentiated mass population subject to government control. What we have instead today in the United States is total surveillance, not on everyone, but on very specific groups of people, defined by their race, religion, or political ideology: people that NSA officials refer to as the “bad guys.” In March 2014, Rick Ledgett, deputy director of the NSA, told an audience: “Contrary to some of the stuff that’s been printed, we don’t sit there and grind out metadata profiles of average people. If you’re not connected to one of those valid intelligence targets, you are not of interest to us.”72 In the national security world, “connected to” can be the basis for targeting a whole racial or political community so, even assuming the accuracy of this comment, it points to the ways that national security surveillance can draw entire communities into its web, while reassuring “average people” (code for the normative white middle class) that they are not to be troubled. In the eyes of the national security state, this average person must also express no political views critical of the status quo. Better oversight of the sprawling national security apparatus and greater use of encryption in digital communication should be welcomed. But by themselves these are likely to do little more than reassure technologists, while racialized populations and political dissenters continue to experience massive surveillance. This is why the most effective challenges to the national security state have come not from legal reformers or technologists but from grassroots campaigning by the racialized groups most affected. In New York, the campaign against the NYPD’s surveillance of Muslims has drawn its strength from building alliances with other groups affected by racial profiling: Latinos and Blacks who suffer from hugely disproportionate rates of stop and frisk. In California’s Bay Area, a campaign against a Department of Homeland Security-funded Domain Awareness Center was successful because various constituencies were able to unite on the issue, including homeless people, the poor, Muslims, and Blacks. Similarly, a demographics unit planned by the Los Angeles Police Department, which would have profiled communities on the basis of race and religion, was shut down after a campaign that united various groups defined by race and class. The lesson here is that, while the national security state aims to create fear and to divide people, activists can organize and build alliances across race lines to overcome that fear. To the extent that the national security state has targeted Occupy, the antiwar movement, environmental rights activists, radical journalists and campaigners, and whistleblowers, these groups have gravitated towards opposition to the national security state. But understanding the centrality of race and empire to national security surveillance means finding a basis for unity across different groups who experience similar kinds of policing: Muslim, Latino/a, Asian, Black, and white dissidents and radicals. It is on such a basis that we can see the beginnings of an effective multiracial opposition to the surveillance state and empire.

#### PERM – Do both: We can do the plan and confront the racial history of surveillance – their card specifically says that this confrontation is what is needed for “real change” and fusion centers are uniquely intertwined with the mass surveillance of racialized populations in both the past and the present.

Malkia Amala, Activist Extraordinaire, 3/30/2015, "Black America's State of Surveillance," No Publication, <http://www.progressive.org/news/2015/03/188074/black-americas-state-surveillance>

Ten years ago, on Martin Luther King Jr.’s birthday, my mother, a former Black Panther, died from complications of sickle cell anemia. Weeks before she died, the FBI came knocking at our door, demanding that my mother testify in a secret trial proceeding against other former Panthers or face arrest. My mother, unable to walk, refused. The detectives told my mother as they left that they would be watching her. They didn’t get to do that. My mother died just two weeks later. My mother was not the only black person to come under the watchful eye of American law enforcement for perceived and actual dissidence. Nor is dissidence always a requirement for being subject to spying. Files obtained during a break-in at an FBI office in 1971 revealed that African Americans, J. Edger Hoover’s largest target group, didn’t have to be perceived as dissident to warrant surveillance. They just had to be black. As I write this, the same philosophy is driving the increasing adoption and use of surveillance technologies by local law enforcement agencies across the United States. Today, media reporting on government surveillance is laser-focused on the revelations by Edward Snowden that millions of Americans were being spied on by the NSA. Yet my mother’s visit from the FBI reminds me that, from the slave pass system to laws that deputized white civilians as enforcers of Jim Crow, black people and other people of color have lived for centuries with surveillance practices aimed at maintaining a racial hierarchy. It’s time for journalists to tell a new story that does not start the clock when privileged classes learn they are targets of surveillance. We need to understand that data has historically been overused to repress dissidence, monitor perceived criminality, and perpetually maintain an impoverished underclass. In an era of big data, the Internet has increased the speed and secrecy of data collection. Thanks to new surveillance technologies, law enforcement agencies are now able to collect massive amounts of indiscriminate data. Yet legal protections and policies have not caught up to this technological advance. Concerned advocates see mass surveillance as the problem and protecting privacy as the goal. Targeted surveillance is an obvious answer—it may be discriminatory, but it helps protect the privacy perceived as an earned privilege of the inherently innocent. The trouble is, targeted surveillance frequently includes the indiscriminate collection of the private data of people targeted by race but not involved in any crime. For targeted communities, there is little to no expectation of privacy from government or corporate surveillance. Instead, we are watched, either as criminals or as consumers. We do not expect policies to protect us. Instead, we’ve birthed a complex and coded culture—from jazz to spoken dialects—in order to navigate a world in which spying, from AT&T and Walmart to public benefits programs and beat cops on the block, is as much a part of our built environment as the streets covered in our blood. In a recent address, New York City Police Commissioner Bill Bratton made it clear: “2015 will be one of the most significant years in the history of this organization. It will be the year of technology, in which we literally will give to every member of this department technology that would’ve been unheard of even a few years ago.” Predictive policing, also known as “Total Information Awareness,” is described as using advanced technological tools and data analysis to “preempt” crime. It utilizes trends, patterns, sequences, and affinities found in data to make determinations about when and where crimes will occur. This model is deceptive, however, because it presumes data inputs to be neutral. They aren’t. In a racially discriminatory criminal justice system, surveillance technologies reproduce injustice. Instead of reducing discrimination, predictive policing is a face of what author Michelle Alexander calls the “New Jim Crow”—a de facto system of separate and unequal application of laws, police practices, conviction rates, sentencing terms, and conditions of confinement that operate more as a system of social control by racial hierarchy than as crime prevention or punishment. In New York City, the predictive policing approach in use is “Broken Windows.” This approach to policing places an undue focus on quality of life crimes—like selling loose cigarettes, the kind of offense for which Eric Garner was choked to death. Without oversight, accountability, transparency, or rights, predictive policing is just high-tech racial profiling—indiscriminate data collection that drives discriminatory policing practices. As local law enforcement agencies increasingly adopt surveillance technologies, they use them in three primary ways: to listen in on specific conversations on and offline; to observe daily movements of individuals and groups; and to observe data trends. Police departments like Bratton’s aim to use sophisticated technologies to do all three. They will use technologies like license plate readers, which the Electronic Frontier Foundation found to be disproportionately used in communities of color and communities in the process of being gentrified. They will use facial recognition, biometric scanning software, which the FBI has now rolled out as a national system, to be adopted by local police departments for any criminal justice purpose. They intend to use body and dashboard cameras, which have been touted as an effective step toward accountability based on the results of one study, yet storage and archiving procedures, among many other issues, remain unclear. They will use Stingray cellphone interceptors. According to the ACLU, Stingray technology is an invasive cellphone surveillance device that mimics cellphone towers and sends out signals to trick cellphones in the area into transmitting their locations and identifying information. When used to track a suspect’s cellphone, they also gather information about the phones of countless bystanders who happen to be nearby. The same is true of domestic drones, which are in increasing use by U.S. law enforcement to conduct routine aerial surveillance. While drones are currently unarmed, drone manufacturers are considering arming these remote-controlled aircraft with weapons like rubber bullets, tasers, and tear gas. They will use fusion centers. Originally designed to increase interagency collaboration for the purposes of counterterrorism, these have instead become the local arm of the intelligence community. According to Electronic Frontier Foundation, there are currently seventy-eight on record. They are the clearinghouse for increasingly used “suspicious activity reports”—described as “official documentation of observed behavior reasonably indicative of pre-operational planning related to terrorism or other criminal activity.” These reports and other collected data are often stored in massive databases like e-Verify and Prism. As anybody who’s ever dealt with gang databases knows, it’s almost impossible to get off a federal or state database, even when the data collected is incorrect or no longer true. Predictive policing doesn’t just lead to racial and religious profiling—it relies on it. Just as stop and frisk legitimized an initial, unwarranted contact between police and people of color, almost 90 percent of whom turn out to be innocent of any crime, suspicious activities reporting and the dragnet approach of fusion centers target communities of color. One review of such reports collected in Los Angeles shows approximately 75 percent were of people of color. This is the future of policing in America, and it should terrify you as much as it terrifies me. Unfortunately, it probably doesn’t, because my life is at far greater risk than the lives of white Americans, especially those reporting on the issue in the media or advocating in the halls of power. One of the most terrifying aspects of high-tech surveillance is the invisibility of those it disproportionately impacts. The NSA and FBI have engaged local law enforcement agencies and electronic surveillance technologies to spy on Muslims living in the United States. According to FBI training materials uncovered by Wired in 2011, the bureau taught agents to treat “mainstream” Muslims as supporters of terrorism, to view charitable donations by Muslims as “a funding mechanism for combat,” and to view Islam itself as a “Death Star” that must be destroyed if terrorism is to be contained. From New York City to Chicago and beyond, local law enforcement agencies have expanded unlawful and covert racial and religious profiling against Muslims not suspected of any crime. There is no national security reason to profile all Muslims. At the same time, almost 450,000 migrants are in detention facilities throughout the United States, including survivors of torture, asylum seekers, families with small children, and the elderly. Undocumented migrant communities enjoy few legal protections, and are therefore subject to brutal policing practices, including illegal surveillance practices. According to the Sentencing Project, of the more than 2 million people incarcerated in the United States, more than 60 percent are racial and ethnic minorities. But by far, the widest net is cast over black communities. Black people alone represent 40 percent of those incarcerated. More black men are incarcerated than were held in slavery in 1850, on the eve of the Civil War. Lest some misinterpret that statistic as evidence of greater criminality, a 2012 study confirms that black defendants are at least 30 percent more likely to be imprisoned than whites for the same crime. This is not a broken system, it is a system working perfectly as intended, to the detriment of all. The NSA could not have spied on millions of cellphones if it were not already spying on black people, Muslims, and migrants. As surveillance technologies are increasingly adopted and integrated by law enforcement agencies today, racial disparities are being made invisible by a media environment that has failed to tell the story of surveillance in the context of structural racism. Reporters love to tell the technology story. For some, it’s a sexier read. To me, freedom from repression and racism is far sexier than the newest gadget used to reinforce racial hierarchy. As civil rights protections catch up with the technological terrain, reporting needs to catch up, too. Many journalists still focus their reporting on the technological trends and not the racial hierarchies that these trends are enforcing. Martin Luther King Jr. once said, “Everything we see is a shadow cast by that which we do not see.” Journalists have an obligation to tell the stories that are hidden from view. We are living in an incredible time, when migrant activists have blocked deportation buses, and a movement for black lives has emerged, and when women, queer, and trans experiences have been placed right at the center. The decentralized power of the Internet makes that possible. But the Internet also makes possible the high-tech surveillance that threatens to drive structural racism in the twenty-first century. We can help black lives matter by ensuring that technology is not used to cement a racial hierarchy that leaves too many people like me dead or in jail. Our communities need partners, not gatekeepers. Together, we can change the cultural terrain that makes killing black people routine. We can counter inequality by ensuring that both the technology and the police departments that use it are democratized. We can change the story on surveillance to raise the voices of those who have been left out. There are no voiceless people, only those that ain’t been heard yet. Let’s birth a new norm in which the technological tools of the twenty-first century create equity and justice for all—so all bodies enjoy full and equal protection, and the Jim Crow surveillance state exists no more.

#### OR only the aff solves: We need to counter anti-blackness at its source, policy, in order to exact sociopolitical change

Bouie 13

Jamelle, Staff Writer at The American Prospect, 2013 (“Making (and Dismantling) Racism,” The American Prospect, March 11th, Available Online at http://prospect.org/article/making-and-dismantling-racism)

Over at The Atlantic, Ta-Nehisi Coates has been exploring the intersection of race and public policy, with a focus on white supremacy as a driving force in political decisions at all levels of government. This has led him to two conclusions: First, that anti-black racism as we understand it is a creation of explicit policy choices—the decision to exclude, marginalize, and stigmatize Africans and their descendants has as much to do with racial prejudice as does any intrinsic tribalism. And second, that it's possible to dismantle this prejudice using public policy. Here is Coates in his own words: Last night I had the luxury of sitting and talking with the brilliant historian Barbara Fields. One point she makes that very few Americans understand is that racism is a creation. You read Edmund Morgan’s work and actually see racism being inscribed in the law and the country changing as a result. If we accept that racism is a creation, then we must then accept that it can be destroyed. And if we accept that it can be destroyed, we must then accept that it can be destroyed by us and that it likely must be destroyed by methods kin to creation. Racism was created by policy. It will likely only be ultimately destroyed by policy. Over at his blog, Andrew Sullivan offers a reply: I don’t believe the law created racism any more than it can create lust or greed or envy or hatred. It can encourage or mitigate these profound aspects of human psychology – it can create racist structures as in the Jim Crow South or Greater Israel. But it can no more end these things that it can create them. A complementary strategy is finding ways for the targets of such hatred to become inured to them, to let the slurs sting less until they sting not at all. Not easy. But a more manageable goal than TNC’s utopianism. I can appreciate the point Sullivan is making, but I'm not sure it's relevant to Coates' argument. It is absolutely true that "Group loyalty is deep in our DNA," as Sullivan writes. And if you define racism as an overly aggressive form of group loyalty—basically just prejudice—then Sullivan is right to throw water on the idea that the law can "create racism any more than it can create lust or greed or envy or hatred." But Coates is making a more precise claim: That there's nothing natural about the black/white divide that has defined American history. White Europeans had contact with black Africans well before the trans-Atlantic slave trade without the emergence of an anti-black racism. It took particular choices made by particular people—in this case, plantation owners in colonial Virginia—to make black skin a stigma, to make the "one drop rule" a defining feature of American life for more than a hundred years. By enslaving African indentured servants and allowing their white counterparts a chance for upward mobility, colonial landowners began the process that would make white supremacy the ideology of America. The position of slavery generated a stigma that then justified continued enslavement—blacks are lowly, therefore we must keep them as slaves. Slavery (and later, Jim Crow) wasn't built to reflect racism as much as it was built in tandem with it. And later policy, in the late 19th and 20th centuries, further entrenched white supremacist attitudes. Block black people from owning homes, and they're forced to reside in crowded slums. Onlookers then use the reality of slums to deny homeownership to blacks, under the view that they're unfit for suburbs. In other words, create a prohibition preventing a marginalized group from engaging in socially sanctioned behavior—owning a home, getting married—and then blame them for the adverse consequences. Indeed, in arguing for gay marriage and responding to conservative critics, Sullivan has taken note of this exact dynamic. Here he is twelve years ago, in a column for The New Republic that builds on earlier ideas: Gay men—not because they're gay but because they are men in an all-male subculture—are almost certainly more sexually active with more partners than most straight men. (Straight men would be far more promiscuous, I think, if they could get away with it the way gay guys can.) Many gay men value this sexual freedom more than the stresses and strains of monogamous marriage (and I don't blame them). But this is not true of all gay men. Many actually yearn for social stability, for anchors for their relationships, for the family support and financial security that come with marriage. To deny this is surely to engage in the "soft bigotry of low expectations." They may be a minority at the moment. But with legal marriage, their numbers would surely grow. And they would function as emblems in gay culture of a sexual life linked to stability and love. [Emphasis added] What else is this but a variation on Coates' core argument, that society can create stigmas by using law to force particular kinds of behavior? Insofar as gay men were viewed as unusually promiscuous, it almost certainly had something to do with the fact that society refused to recognize their humanity and sanction their relationships. The absence of any institution to mediate love and desire encouraged behavior that led this same culture to say "these people are too degenerate to participate in this institution." If the prohibition against gay marriage helped create an anti-gay stigma, then lifting it—as we've seen over the last decade—has helped destroy it. There's no reason racism can't work the same way.

#### AND PERM DO THE AFF: Their alt solvency card specifically talks about how challenging the national security state best comes from grassroots movements, policy debate in itself uniquely helps us develop the advocacy skills needed to implement successful grassroots movements, especially about surveillance. Newsflash: We’re not actually policymakers, but cultivating young activists. Engaging in debates about government surveillance is necessary to address concerns about current and future uses of surveillance technology, even if none of us grow up to be policymakers. This means the aff’s performance risks a better out-of-round solvency than the alt.

Jason W. Patton 2000, Department of Science and Technology Studies, Rensselaer Polytechnic Institute, “Protecting privacy in public? Surveillance technologies and the value of public places”, http://www.its.ohiou.edu/bernt/ITS351/protecting%20privacy%20in%20public%20spaces.pdf

While maintaining the importance of privacy for critical evaluations of surveillance technologies, I suggest that privacy also constrains the debate by framing analyses in terms of the individual. Public space provides a site for considering what is at stake with surveillance technologies besides privacy. After describing two accounts of privacy and one of public space, I argue that surveillance technologies simultaneously add an ambiguity and a specificity to public places that are detrimental to the social, cultural, and civic importance of these places. By making public places accessible to other places and/or times, surveillance technologies make these social contexts ambiguous by blurring their spatial and temporal bounds. At the same time, surveillance technologies valence public places in functionally specific ways that are detrimental to informal civic life. To complement defensive approaches to surveillance technologies based on individual privacy, I conclude by suggesting how sociality as a relational value or an ethics of place as a contextual value could provide a proactive line of reasoning for affirming the value of that which is between people and places.

#### We have a unique opportunity to debate surveillance in a democratic setting which is necessary to discuss our civil liberties and privacy rights

David Madine March 31st, 2015, Writer at The Hill, The Hill, premier source for policy and political coverage, reporting on every aspect of the business of Washington and the campaign trail, “Window to debate surveillance policy is closing”, http://thehill.com/blogs/congress-blog/civil-rights/237407-window-to-debate-surveillance-policy-is-closing

Third, Congress could hastily pass a bill to reform or replace Section 215. Without a robust drafting process and public debate, this sort of legislation, would likely have legal and practical implications that neither Congress nor the public would fully understand until they were too late to fix. Experience with Section 215 tells us that when Congress legislates in the dark, bad policy follows. If Congress acts now, the American people and their representatives can undertake the public debate that is necessary to craft a new and sensible law that ends the telephony metadata bulk collection program but permits the government to collect the same information – but on a case-by-case basis from the telephone companies – with far less infringement of privacy and civil liberties. It would be a shame for Congress to squander the opportunity to apply a strong dose of democracy to our country’s surveillance efforts.

#### (Only read if the neg team is white and you wanna giggle) TURN -- REJECT THEIR PERFORMANCE: Their alt solvency card specifically talks about the success of grassroots movements from racialized groups most affected by intrusive surveillance – the neg paints themselves as white knights protecting people of color’s ability to speak and be heard -- the idea that a person of color can’t talk until a white body allows them to or provides that space for them to be heard ensures racial hierarchies and racialized violence, which means they create their impacts.

#### \*\*need card\*\*

### AT Neolib K (Read)

#### PERM – Do both:

#### PERM – Do the Plan, then the Alt:

#### Double-bind: Either the perm solves which means the kritik is non-competitive, or the perm doesn’t solve, and the alt can’t solve in every instance.

#### The Data collection of fusion centers is used to prop up the private sector – means we solve the link

Torin Monahan, Associate Professor of Human and Organizational Development and Medicine at Vanderbilt University and member of the International Surveillance Studies Network, 2011 “The Future of Security? Surveillance Operations at Homeland Security Fusion Centers” Social Justice Vol. 37, Nos. 2–3 (2010–2011)

Thus, there is also a neoliberal dimension to fusion centers, in that they purchase¶ data from the private sector, sometimes hire private data analysts, and share information¶ with industry partners (Monahan, 2009). By forming information-sharing¶ partnerships, analysts at fusion centers seek to “connect the dots” to prevent future¶ terrorist attacks. Meanwhile, government officials are very interested in figuring¶ out ways in which DHS in general and fusion centers in particular can assist the¶ private sector, presumably by enabling and protecting the ability of companies to¶ profit financially (Monahan, 2010). As DHS Under Secretary Caryn Wagner stated¶ in her 2010 testimony before the House Subcommittee on Homeland Security:¶ I&A [DHS’s Office of Intelligence and Analysis] will continue to advocate¶ for sustained funding for the fusion centers as the linchpin of the evolving¶ homeland security enterprise. While I&A’s support to state, local and tribal¶ partners is steadily improving, there is still work to be done in how best¶ to support the private sector. We intend to explore ways to extend our¶ efforts in this area beyond the established relationships with the critical¶ infrastructure sectors (Wagner, 2010; emphasis added).

#### **Fusion centers embrace neoliberal rational**

Monahan & Palmer 09’, Torin Monahan (Associate Professor of Human & Organizational Development and an Associate Professor of Medicine at Vanderbilt University. His main theoreti- cal interests are in social control and institutional transformations with new technolo- gies), Neal A. Palmer (doctoral student in the Department of Human & Organizational Development at Vanderbilt University), Security Dialoguevol.40 ,no.6, December 2009, The Emerging Politics of DHS Fusion Centers, http://publicsurveillance.com/papers/FC-SD.pdf. PE

Fusion centers provide a window into dominant forms and logics of contemporary securitization. They clearly embody an all-hazards orientation that pervades emergency-preparedness discourses and operations today (Lakoff,¶ TorinMonahan&NealA.PalmerThe Emerging Politics of DHS Fusion Centers633¶ 2006) and they develop within – and contribute to – a risk-management approach to policing and governance that seeks to control rather than elimi- nate threats and social problems (Simon, 2006; Wacquant, 2009). Moreover, even as highly secretive organizations, fusion centers embrace neoliberal rationalities of privatization and responsibilization. Public–private partner- ships are key to fusion-center operations, as is the use of private security analysts. Whereas responsibilization is typically theorized in terms of individuals who must consume security products and services not provided by the state (Rose, 1999; Katz, 2006; Monahan, 2009a), in this case it is state and local governments that are burdened with unfunded mandates and concomitant pressures to staff fusion centers even while cutting other social services. One could proffer a generous reading of mission creep by fusion centers and say that these are laudable efforts by state agents and others to make their work relevant to the perceived needs of their communities. Be that as it may, this article suggests that such efforts lend themselves to the violation of civil liberties and privacy, while rendering ambiguous laws and policies governing intelligence operations.

#### **Fusion centers are key to a neoliberal agenda**

Monahan 11’, Torin Monahan (Associate Professor of Human & Organizational Development and an Associate Professor of Medicine at Vanderbilt University. His main theoretical interests are in social control and institutional transformations with new technologies), The Future of Security? Surveillance Operations at Homeland Security Fusion Centers, Social Justice Vol. 37, Nos. 2–3 (2010–2011), http://www.socialjusticejournal.org/archive/120\_37\_2-3/120\_07Monahan.pdf. PE

Thus, there is also a neoliberal dimension to fusion centers, in that they purchase data from the private sector, sometimes hire private data analysts, and share information with industry partners (Monahan, 2009). By forming information-sharing partnerships, analysts at fusion centers seek to “connect the dots” to prevent future terrorist attacks. Meanwhile, government officials are very interested in figuring out ways in which DHS in general and fusion centers in particular can assist the private sector, presumably by enabling and protecting the ability of companies to profit financially (Monahan, 2010). As DHS Under Secretary Caryn Wagner stated in her 2010 testimony before the House Subcommittee on Homeland Security:¶ I&A [DHS’s Office of Intelligence and Analysis] will continue to advocate for sustained funding for the fusion centers as the linchpin of the evolving homeland security enterprise. While I&A’s support to state, local and tribal partners is steadily improving, there is still work to be done in how best to support the private sector. We intend to explore ways to extend our efforts in this area beyond the established relationships with the critical infrastructure sectors (Wagner, 2010; emphasis added).

# AT Terror Talk K

### AT Terror Talk K (Read)

#### Framework – debate should be about the desirability of the plan were it to be done by the federal government. If the plan is normatively a good idea, that should justify an aff ballot. Alternative role of the ballot claims are unpredictable, infinitely-regressive, and promote ineffective political engagement.

#### Perm do the plan and reject the aff’s terror discourse - The opportunity cost of their framework is the AFF –the perm’s combination solves

Deudney 13 – (2013, Daniel, Associate Professor and Director of Undergraduate Studies in Political Science at Johns Hopkins University, “Mixed Ontology, Planetary Geopolitics, and Republican Greenpeace,” http://www.theory-talks.org/2013/11/theory-talk-60\_9211.html)

In many parts of both European and American IR and related areas, Postmodern and constructivist theories have significantly contributed to IR theorists by enhancing our appreciation of ideas, language, and identities in politics. As a response to the limits and blindnesses of certain types of rationalist, structuralist, and functional theories, this renewed interest in the ideational is an important advance. Unfortunately, both postmodernism and constructivism have been marked by a strong tendency to go too far in their emphasis of the ideational. Postmodernism and constructivism have also helped make theorists much more conscious of the implicit—and often severely limiting—ontological assumptions that underlay, inform, and bound their investigations. This is also a major contribution to the study of world politics in all its aspects. Unfortunately, this turn to ontology has also had intellectually limiting effects by going too far, in the search for a pure or nearly pure social ontology. With the growth in these two approaches, there has indeed been a decided decline in theorizing about the material. But elsewhere in the diverse world of theorizing about IR and the global, theorizing about the material never came anything close to disappearing or being eclipsed. For anyone thinking about the relationships between politics and nuclear weapons, space, and the environment, theorizing about the material has remained at the center, and it would be difficult to even conceive of how theorizing about the material could largely disappear. The recent ‘re-discovery of the material’ associated with various self-styled ‘new materialists’ is a welcome, if belated, re-discovery for postmodernists and constructivists. For most of the rest of us, the material had never been largely dropped out. A very visible example of the ways in which the decline in appropriate attention to the material, an excessive turn to the ideational, and the quest for a nearly pure social ontology, can lead theorizing astray is the core argument in Alexander Wendt’s main book, Social Theory of International Politics, one of the widely recognized landmarks of constructivist IR theory. The first part of the book advances a very carefully wrought and sophisticated argument for a nearly pure ideational social ontology. The material is explicitly displaced into a residue or rump of unimportance. But then, to the reader’s surprise, the material, in the form of ‘common fate’ produced by nuclear weapons, and climate change, reappears and is deployed to play a really crucial role in understanding contemporary change in world politics. My solution is to employ a mixed ontology. By this I mean that I think several ontologically incommensurate and very different realities are inescapable parts the human world. These ‘unlikes’ are inescapable parts of any argument, and must somehow be combined. There are a vast number of ways in which they can be combined, and on close examination, virtually all arguments in the social sciences are actually employing some version of a mixed ontology, however implicitly and under-acknowledged. But not all combinations are equally useful in addressing all questions. In my version of mixed ontology—which I call ‘practical naturalism’—human social agency is understood to be occurring ‘between two natures’: on the one hand the largely fixed nature of humans, and on the other the changing nature composed of the material world, a shifting amalgam of actual non-human material nature of geography and ecology, along with human artifacts and infrastructures. Within this frame, I posit as rooted in human biological nature, a set of ‘natural needs,’ most notably for security-from-violence and habitat services. Then I pose questions of functionality, by which I mean: which combinations of material practices, political structures, ideas and identities are needed to achieve these ends in different material contexts? Answering this question requires the formulation of various ‘historical materialist’ propositions, which in turn entails the systematic formulation of typologies and variation in both the practices, structures and ideas, and in material contexts. These arguments are not centered on explaining what has or what will happen. Instead they are practical in the sense that they are attempting to answer the question of **‘what is to be done’** given the fixed ends and given changing material contexts. I think this is what advocates of arms control and environmental sustainability are actually doing when they claim that one set of material practices and their attendant political structures, identities and ideas must be replaced with another if **basic human needs** are to going to continue to be meet in the contemporary planetary material situation created by the globalization of machine civilization on earth. Since this set of arguments is framed within a mixed ontology, ideas and identities are a vital part of the research agenda. Much of the energy of postmodern and many varieties of critical theory have focused on **‘deconstructing’** various identities and ideas. This critical activity has produced and continues to produce many insights of theorizing about politics. But I think there is an un-tapped potential for theorists who are interested in ideas and identities, and who want their work to make a positive contribution to **practical problem-solving** in the contemporary planetary human situation in what might be termed a ‘constructive constructivism’. This concerns a large **practical theory agenda**—and an urgent one at that, given the **rapid increase in planetary problems**—revolving around the task of figuring out which ideas and identities are appropriate for the planetary world, and in figuring out how they can be rapidly disseminated.

#### Perm do the plan then the alt. You’re going to prefer our warming scenario, that gives us probability, you can extend Werz and Conley, they do a really good job in providing a laundry list of impacts such as food insecurity and water shortages that will encourage conflict that can escalate and lead to extinction. They have also conceded an ISIS attack coming in a year, they have the means and motivation, that’s PressTV, that means we’re probably going to win timeframe, their extinction impact hasn’t been triggered yet, and extinction can happen via retaliation, that’s Ayson.

#### Extinction IS THE FINAL IMPACT. Once we die, we can never come back, we’ll never be able to endorse the mindset that the kritik encourages – this is a pre-requisite to formation of value.

Wapner ‘3

Paul, Associate professor and director of the Global Environmental Policy Program at American University, DISSENT, Winter, http://www.dissentmgazine.org/menutest/artiles/wi03/wapner.htm

The third response to eco-criticism would require critics to acknowledge the ways in which they themselves silence nature and then to respect the sheer otherness of the nonhuman world. Postmodernism prides itself on criticizing the urge toward mastery that characterizes modernity. But isn't mastery exactly what postmodernism is exerting as it captures the nonhuman world within its own conceptual domain? Doesn't postmodern cultural criticism deepen the modernist urge toward mastery by eliminating the ontological weight of the nonhuman world? What else could it mean to assert that there is no such thing as nature? I have already suggested the postmodernist response: yes, recognizing the social construction of "nature" does deny the self-expression of the nonhuman world, hut how would we know what such self-expression means? Indeed, nature doesn't speak; rather, some person always speaks on nature's behalf, and whatever that person says is, as we all know, a social construction. All attempts to listen to nature are social constructions-except one. Even the most radical postmodernist must acknowledge the distinction between physical existence and non-existence. As I have said, postmodernists accept that there is a physical substratum to the phenomenal world even if they argue about the different meanings wc ascribe to it. This acknowledgment of physical existence is crucial. We can't ascribe meaning to that which doesn't appear What doesn't exist can manifest no character. Put differently, yes, the postmodernist should rightly worry about interpreting nature's expressions. And all of us should be wary of those who claim to speak on nature's behalf (including environmentalists who do that). But we need not doubt the simple idea that a prerequisite of expression is existence. This in turn suggests that preserving the nonhuman world-in all its diverse embodiments-must be seen by eco-critics as a fundamental good. Eco-critics must be supporters, in some fashion, of environmental preservation.

#### Elevating Human extinction to a real possibility encourages a new social ethic to solve conflicts and create meaning to life.

Epstein and Zhao 9 [Richard J. Epstein and Y. Zhao, Laboratory of Computational Oncology,Department of Medicine,University of Hong Kong, Professorial Block, Queen Mary Hospital, Hong Kong. “The Threat That Dare Not Speak Its Name: Human Extinction”. Perspectives in Biology and Medicine, volume 52, number 1 (winter 2009):116–25. Project Muse.-

Final ends for all species are the same, but the journeys will be different. If we cannot influence the end of our species, can we influence the journey? To do so—even in a small way—would be a crowning achievement for human evolution and give new meaning to the term civilization. Only by elevating the topic of human extinction to the level of serious professional discourse can we begin to prepare ourselves for the challenges that lie ahead. The difficulty of the required transition should not be underestimated. This is depicted in Table 3 as a painful multistep progression from the 20th-century philosophical norm of Ego-Think—defined therein as a short-term state of mind valuing individual material self-interest above all other considerations—to Eco-Think, in which humans come to adopt a broader Gaia-like outlook on themselves as but one part of an infinitely larger reality. Making this change must involve communicating the non-sensationalist message to all global citizens that “things are serious” and “we are in this together”—or, in blunter language, that the road to extinction and its related agonies does indeed lie ahead. Consistent with this prospect, the risks of human extinction—and the cost-benefit of attempting to reduce these risks—have been quantified in a recent sobering analysis (Matheny 2007). Once complacency has been shaken off and a sense of collective purpose created, the battle against self-seeking anthropocentric human instincts will have only just begun. It is often said that human beings suffer from the ability to appreciate their own mortality—an existential agony that has given rise to the great religions— but in the present age of religious decline, we must begin to bear the added burden of anticipating the demise of our species. Indeed, as argued here, there are compelling reasons for encouraging this collective mind-shift. For in the best of all possible worlds, the realization that our species has long-term survival criteria distinct from our short-term tribal priorities **could spark a new social ethic to upgrade** what we now all too often dismiss as “human nature” (Tudge 1989).

#### Realism is inevitable and most moral – key to value to life

Pillar 13(Paul R. Pillar is director of graduate studies at Georgetown University's Security Studies Program and a former national intelligence officer for the Near East and South Asia.  He is a contributing editor to The National Interest [where he writes a daily blog](http://nationalinterest.org/blog/paul-pillar" \t "_self), “Moralism and Realism,” March 26, 2013, <http://nationalinterest.org/blog/paul-pillar/moralism-realism-8276>)

There is a moral deficit in the way much American discussion of foreign policy fails to take account of the perspectives and interests of foreigners that U.S. policy affects. [Marc Lynch noted](http://www.foreignpolicy.com/articles/2013/03/21/whats_missing_iraq_debate" \t "_blank) this failure with regard to recent retrospective commentary about the Iraq War, [Robert Wright has referred](http://www.theatlantic.com/international/archive/2012/08/moral-imagination-and-the-fate-of-the-world/260789/" \t "_blank) more generally to a chronic lack in this country of “moral imagination,” and[Robert Golan-Vilella recently summarized](http://nationalinterest.org/blog/the-buzz/iraq-moral-imagination-8261" \t "_blank)the observations of both in these spaces. If we apply widely accepted principles of moral philosophy to the level of international relations, then taking better account than we usually do now of those foreign perspectives and interests would be the ethical thing to do. An important further point, however, is that it also would be the right thing to do from a hard-boiled realist perspective that is tightly focused on U.S. interests and that some people might view (however incorrectly) as amoral. Paying insufficient attention to foreign interests, perspectives and sensibilities is wrong on this count as well as being wrong on ethical grounds. Usually it is those critical of realism—including most conspicuously, but not limited to, today's neoconservatives—who claim to be the ones who understand and practice a convergence between morality and power, and between values and interests. They tend to criticize realists for insufficiently incorporating values into an otherwise empty pursuit of power for power's sake. But these claims rest on unduly narrow interpretations both of values and of the effects on national interests. The values being asserted are more parochially American than is usually acknowledged. The neoconservative perspective, for example, rarely takes account of the value of justice as it usually is articulated throughout the Middle East. This perspective also tends to limit its consideration of effects on national interests to direct, first-order (especially kinetic) effects, while failing to take adequate account of broader, longer-range, more indirect consequences. Paying insufficient attention to foreign interests and perspectives has multiple negative consequences for U.S. interests. These consequences are no less important for being generally less readily apparent and less measurable than are the kinetic and other direct consequences that get more attention. This attention gap can make it more difficult for the United States to accomplish whatever it is trying to accomplish overseas, because the support and understanding of a foreign population is needed to make a project succeed. If one is trying, for example, to establish a fairly stable representative democracy, as was the case in the Iraq War, this objective will be undermined by creating disaffection among Iraqis. Outright resentment of the United States among foreign populations damages U.S. interests in further ways, with a resort to terrorism or other extremist violence by some subset of the resentful population being the most obvious but by no means the only such consequence. Those bearing grudges may extend far beyond the foreigners directly affected by U.S. actions, to include many who are hundreds or thousands of miles away and learn of the actions through mass media and rumors. Whenever populations acquire strongly negative sentiments, it necessarily affects what their governments do, even in authoritarian regimes. This means in the current instance less willingness by governments to cooperate with the United States in countless other endeavors. Finally, the credibility of the United States usually gets damaged—especially its credibility whenever it says it is acting in other peoples' best interests. That loss of credibility means still less willingness to cooperate on many other matters that may be important to Washington. Often there are difficult choices or trade-offs between different practices, but this is not one of them. Morality and realism point in the same direction. The need to pay far greater heed to the interests, perceptions, objectives and sentiments of foreigners than Americans routinely do now is overdetermined.

#### They don’t have a link specific to the plan action. Means that perm – do the plan and non contradictory parts of the alt can solve.

#### Discourse doesn’t shape reality

Balzacq 5—Thierry, Professor of Political Science and International Relations at Namur University [“The Three Faces of Securitization: Political Agency, Audience and Context” *European Journal of International Relations*, London: Jun 2005, Volume 11, Issue 2]

However, despite important insights, this position remains highly disputable. The reason behind this qualification is not hard to understand. With great trepidation my contention is that one of the main distinctions we need to take into account while examining securitization is that between 'institutional' and 'brute' threats. In its attempts to follow a more radical approach to security problems wherein threats are institutional, that is, mere products of communicative relations between agents, the CS has neglected the importance of 'external or brute threats', that is, threats that do not depend on language mediation to be what they are - hazards for human life. In methodological terms, however, any framework over-emphasizing either institutional or brute threat risks losing sight of important aspects of a multifaceted phenomenon. Indeed, securitization, as suggested earlier, is successful when the securitizing agent and the audience reach a common structured perception of an ominous development. In this scheme, there is no security problem except through the language game. Therefore, how problems are 'out there' is exclusively contingent upon how we linguistically depict them. This is not always true. For one, language does not construct reality; at best, it shapes our perception of it. Moreover, it is not theoretically useful nor is it empirically credible to hold that what we say about a problem would determine its essence. For instance, what I say about a typhoon would not change its essence. The consequence of this position, which would require a deeper articulation, is that some security problems are the attribute of the development itself. In short, threats are not only institutional; some of them can actually wreck entire political communities regardless of the use of language. Analyzing security problems then becomes a matter of understanding how external contexts, including external objective developments, affect securitization. Thus, far from being a departure from constructivist approaches to security, external developments are central to it.

#### Be skeptical of their truth claims – their authors have fallen prey to an epistemology of idealism and threat deflation

**Schweller, Associate Professor in the Department of Political Science at The Ohio State University, 4**

[Randall L., “Unanswered Threats A Neoclassical RealistTheory of Underbalancing,” International Security 29.2 (2004) 159-201, Muse]

Despite the historical frequency of underbalancing, little has been written on the subject. Indeed, Geoffrey Blainey's memorable observation that for "every thousand pages published on the causes of wars there is less than one page directly on the causes of peace" could have been made with equal veracity about overreactions to threats as opposed to underreactions to them.92 Library shelves are filled with books on the causes and dangers of exaggerating threats, ranging from studies of domestic politics to bureaucratic politics, to political psychology, to organization theory. By comparison, there have been few studies at any level of analysis or from any theoretical perspective that directly explain why states have with some, if not equal, regularity underestimated dangers to their survival. There may be some cognitive or normative bias at work here. Consider, for instance, that there is a commonly used word, paranoia, for the unwarranted fear that people are, in some way, "out to get you" or are planning to do oneharm. I suspect that just as many people are afflicted with the opposite psychosis: the delusion that everyone loves you when, in fact, they do not even like you. Yet, we do not have a familiar word for this phenomenon. Indeed, I am unaware of any word that describes this pathology (hubris and overconfidence come close, but they plainly define something other than what I have described). That noted, international relations theory does have a frequently used phrase for the pathology of states' underestimation of threats to their survival, the so-called Munich analogy. The term is used, however, in a disparaging way by theorists to ridicule those who employ it. The central claim is that the naïveté associated with Munich and the outbreak of World War II has become an overused and inappropriate analogy because few leaders are as evil and unappeasable as Adolf Hitler. Thus, the analogy either mistakenly causes leaders [End Page 198] to adopt hawkish and overly competitive policies or is deliberately used by leaders to justify such policies and mislead the public. A more compelling explanation for the paucity of studies on underreactions to threats, however, is the tendency of theories to reflect contemporary issues as well as the desire of theorists and journals to provide society with policy- relevant theories that may help resolve or manage urgent security problems. Thus, born in the atomic age with its new balance of terror and an ongoing Cold War, the field of security studies has naturally produced theories of and prescriptions for national security that have had little to say about—and are, in fact, heavily biased against warnings of—the dangers of underreacting to or underestimating threats. After all, the nuclear revolution was not about overkill but, as Thomas Schelling pointed out, speed of kill and mutual kill.93 Given the apocalyptic consequences of miscalculation, accidents, or inadvertent nuclear war, small wonder that theorists were more concerned about overreacting to threats than underresponding to them. At a time when all of humankind could be wiped out in less than twenty-five minutes, theorists may be excused for stressing the benefits of caution under conditions of uncertainty and erring on the side of inferring from ambiguous actions overly benign assessments of the opponent's intentions. The overwhelming fear was that a crisis "might unleash forces of an essentially military nature that overwhelm the political process and bring on a war thatnobody wants. Many important conclusions about the risk of nuclear war, and thus about the political meaning of nuclear forces, rest on this fundamental idea."94 Now that the Cold War is over, we can begin to redress these biases in the literature. In that spirit, I have offered a domestic politics model to explain why threatened states often fail to adjust in a prudent and coherent way to dangerous changes in their strategic environment. The model fits nicely with recent realist studies on imperial under- and overstretch. Specifically, it is consistent with Fareed Zakaria's analysis of U.S. foreign policy from 1865 to 1889, when, he claims, the United States had the national power and opportunity to expand but failed to do so because it lacked sufficient state power (i.e., the state was weak relative to society).95 Zakaria claims that the United States did [End Page 199] not take advantage of opportunities in its environment to expand because it lacked the institutional state strength to harness resources from society that were needed to do so. I am making a similar argument with respect to balancing rather than expansion: incoherent, fragmented states are unwilling and unable to balance against potentially dangerous threats because elites view the domestic risks as too high, and they are unable to mobilize the required resources from a divided society. The arguments presented here also suggest that elite fragmentation and disagreement within a competitive political process, which Jack Snyder cites as an explanation for overexpansionist policies, are more likely to produce underbalancing than overbalancing behavior among threatened incoherent states.96 This is because a balancing strategy carries certain political costs and risks with few, if any, compensating short-term political gains, and because the strategic environment is always somewhat uncertain. Consequently, logrolling among fragmented elites within threatened states is more likely to generate overly cautious responses to threats than overreactions to them. This dynamic captures the underreaction of democratic states to the rise of Nazi Germany during the interwar period.97 In addition to elite fragmentation, I have suggested some basic domestic-level variables that regularly intervene to thwart balance of power predictions

### AT Terror Talk K

#### Perm do the plan and reject the aff’s terror discourse - The opportunity cost of their framework is the AFF –the perm’s combination solves

Deudney 13 – (2013, Daniel, Associate Professor and Director of Undergraduate Studies in Political Science at Johns Hopkins University, “Mixed Ontology, Planetary Geopolitics, and Republican Greenpeace,” http://www.theory-talks.org/2013/11/theory-talk-60\_9211.html)

In many parts of both European and American IR and related areas, Postmodern and constructivist theories have significantly contributed to IR theorists by enhancing our appreciation of ideas, language, and identities in politics. As a response to the limits and blindnesses of certain types of rationalist, structuralist, and functional theories, this renewed interest in the ideational is an important advance. Unfortunately, both postmodernism and constructivism have been marked by a strong tendency to go too far in their emphasis of the ideational. Postmodernism and constructivism have also helped make theorists much more conscious of the implicit—and often severely limiting—ontological assumptions that underlay, inform, and bound their investigations. This is also a major contribution to the study of world politics in all its aspects. Unfortunately, this turn to ontology has also had intellectually limiting effects by going too far, in the search for a pure or nearly pure social ontology. With the growth in these two approaches, there has indeed been a decided decline in theorizing about the material. But elsewhere in the diverse world of theorizing about IR and the global, theorizing about the material never came anything close to disappearing or being eclipsed. For anyone thinking about the relationships between politics and nuclear weapons, space, and the environment, theorizing about the material has remained at the center, and it would be difficult to even conceive of how theorizing about the material could largely disappear. The recent ‘re-discovery of the material’ associated with various self-styled ‘new materialists’ is a welcome, if belated, re-discovery for postmodernists and constructivists. For most of the rest of us, the material had never been largely dropped out. A very visible example of the ways in which the decline in appropriate attention to the material, an excessive turn to the ideational, and the quest for a nearly pure social ontology, can lead theorizing astray is the core argument in Alexander Wendt’s main book, Social Theory of International Politics, one of the widely recognized landmarks of constructivist IR theory. The first part of the book advances a very carefully wrought and sophisticated argument for a nearly pure ideational social ontology. The material is explicitly displaced into a residue or rump of unimportance. But then, to the reader’s surprise, the material, in the form of ‘common fate’ produced by nuclear weapons, and climate change, reappears and is deployed to play a really crucial role in understanding contemporary change in world politics. My solution is to employ a mixed ontology. By this I mean that I think several ontologically incommensurate and very different realities are inescapable parts the human world. These ‘unlikes’ are inescapable parts of any argument, and must somehow be combined. There are a vast number of ways in which they can be combined, and on close examination, virtually all arguments in the social sciences are actually employing some version of a mixed ontology, however implicitly and under-acknowledged. But not all combinations are equally useful in addressing all questions. In my version of mixed ontology—which I call ‘practical naturalism’—human social agency is understood to be occurring ‘between two natures’: on the one hand the largely fixed nature of humans, and on the other the changing nature composed of the material world, a shifting amalgam of actual non-human material nature of geography and ecology, along with human artifacts and infrastructures. Within this frame, I posit as rooted in human biological nature, a set of ‘natural needs,’ most notably for security-from-violence and habitat services. Then I pose questions of functionality, by which I mean: which combinations of material practices, political structures, ideas and identities are needed to achieve these ends in different material contexts? Answering this question requires the formulation of various ‘historical materialist’ propositions, which in turn entails the systematic formulation of typologies and variation in both the practices, structures and ideas, and in material contexts. These arguments are not centered on explaining what has or what will happen. Instead they are practical in the sense that they are attempting to answer the question of **‘what is to be done’** given the fixed ends and given changing material contexts. I think this is what advocates of arms control and environmental sustainability are actually doing when they claim that one set of material practices and their attendant political structures, identities and ideas must be replaced with another if **basic human needs** are to going to continue to be meet in the contemporary planetary material situation created by the globalization of machine civilization on earth. Since this set of arguments is framed within a mixed ontology, ideas and identities are a vital part of the research agenda. Much of the energy of postmodern and many varieties of critical theory have focused on **‘deconstructing’** various identities and ideas. This critical activity has produced and continues to produce many insights of theorizing about politics. But I think there is an un-tapped potential for theorists who are interested in ideas and identities, and who want their work to make a positive contribution to **practical problem-solving** in the contemporary planetary human situation in what might be termed a ‘constructive constructivism’. This concerns a large **practical theory agenda**—and an urgent one at that, given the **rapid increase in planetary problems**—revolving around the task of figuring out which ideas and identities are appropriate for the planetary world, and in figuring out how they can be rapidly disseminated.

#### Extinction IS THE FINAL IMPACT. Once we die, we can never come back, we’ll never be able to endorse the mindset that the kritik encourages – this is a pre-requisite to formation of value.

Wapner ‘3

Paul, Associate professor and director of the Global Environmental Policy Program at American University, DISSENT, Winter, http://www.dissentmgazine.org/menutest/artiles/wi03/wapner.htm

The third response to eco-criticism would require critics to acknowledge the ways in which they themselves silence nature and then to respect the sheer otherness of the nonhuman world. Postmodernism prides itself on criticizing the urge toward mastery that characterizes modernity. But isn't mastery exactly what postmodernism is exerting as it captures the nonhuman world within its own conceptual domain? Doesn't postmodern cultural criticism deepen the modernist urge toward mastery by eliminating the ontological weight of the nonhuman world? What else could it mean to assert that there is no such thing as nature? I have already suggested the postmodernist response: yes, recognizing the social construction of "nature" does deny the self-expression of the nonhuman world, hut how would we know what such self-expression means? Indeed, nature doesn't speak; rather, some person always speaks on nature's behalf, and whatever that person says is, as we all know, a social construction. All attempts to listen to nature are social constructions-except one. Even the most radical postmodernist must acknowledge the distinction between physical existence and non-existence. As I have said, postmodernists accept that there is a physical substratum to the phenomenal world even if they argue about the different meanings wc ascribe to it. This acknowledgment of physical existence is crucial. We can't ascribe meaning to that which doesn't appear What doesn't exist can manifest no character. Put differently, yes, the postmodernist should rightly worry about interpreting nature's expressions. And all of us should be wary of those who claim to speak on nature's behalf (including environmentalists who do that). But we need not doubt the simple idea that a prerequisite of expression is existence. This in turn suggests that preserving the nonhuman world-in all its diverse embodiments-must be seen by eco-critics as a fundamental good. Eco-critics must be supporters, in some fashion, of environmental preservation.

#### Elevating Human extinction to a real possibility encourages a new social ethic to solve conflicts and create meaning to life.

Epstein and Zhao 9 [Richard J. Epstein and Y. Zhao, Laboratory of Computational Oncology,Department of Medicine,University of Hong Kong, Professorial Block, Queen Mary Hospital, Hong Kong. “The Threat That Dare Not Speak Its Name: Human Extinction”. Perspectives in Biology and Medicine, volume 52, number 1 (winter 2009):116–25. Project Muse.-

Final ends for all species are the same, but the journeys will be different. If we cannot influence the end of our species, can we influence the journey? To do so—even in a small way—would be a crowning achievement for human evolution and give new meaning to the term civilization. Only by elevating the topic of human extinction to the level of serious professional discourse can we begin to prepare ourselves for the challenges that lie ahead. The difficulty of the required transition should not be underestimated. This is depicted in Table 3 as a painful multistep progression from the 20th-century philosophical norm of Ego-Think—defined therein as a short-term state of mind valuing individual material self-interest above all other considerations—to Eco-Think, in which humans come to adopt a broader Gaia-like outlook on themselves as but one part of an infinitely larger reality. Making this change must involve communicating the non-sensationalist message to all global citizens that “things are serious” and “we are in this together”—or, in blunter language, that the road to extinction and its related agonies does indeed lie ahead. Consistent with this prospect, the risks of human extinction—and the cost-benefit of attempting to reduce these risks—have been quantified in a recent sobering analysis (Matheny 2007). Once complacency has been shaken off and a sense of collective purpose created, the battle against self-seeking anthropocentric human instincts will have only just begun. It is often said that human beings suffer from the ability to appreciate their own mortality—an existential agony that has given rise to the great religions— but in the present age of religious decline, we must begin to bear the added burden of anticipating the demise of our species. Indeed, as argued here, there are compelling reasons for encouraging this collective mind-shift. For in the best of all possible worlds, the realization that our species has long-term survival criteria distinct from our short-term tribal priorities **could spark a new social ethic to upgrade** what we now all too often dismiss as “human nature” (Tudge 1989).

#### Realism is inevitable and most moral – key to value to life

Pillar 13(Paul R. Pillar is director of graduate studies at Georgetown University's Security Studies Program and a former national intelligence officer for the Near East and South Asia.  He is a contributing editor to The National Interest [where he writes a daily blog](http://nationalinterest.org/blog/paul-pillar" \t "_self), “Moralism and Realism,” March 26, 2013, <http://nationalinterest.org/blog/paul-pillar/moralism-realism-8276>)

There is a moral deficit in the way much American discussion of foreign policy fails to take account of the perspectives and interests of foreigners that U.S. policy affects. [Marc Lynch noted](http://www.foreignpolicy.com/articles/2013/03/21/whats_missing_iraq_debate" \t "_blank) this failure with regard to recent retrospective commentary about the Iraq War, [Robert Wright has referred](http://www.theatlantic.com/international/archive/2012/08/moral-imagination-and-the-fate-of-the-world/260789/" \t "_blank) more generally to a chronic lack in this country of “moral imagination,” and[Robert Golan-Vilella recently summarized](http://nationalinterest.org/blog/the-buzz/iraq-moral-imagination-8261" \t "_blank)the observations of both in these spaces. If we apply widely accepted principles of moral philosophy to the level of international relations, then taking better account than we usually do now of those foreign perspectives and interests would be the ethical thing to do. An important further point, however, is that it also would be the right thing to do from a hard-boiled realist perspective that is tightly focused on U.S. interests and that some people might view (however incorrectly) as amoral. Paying insufficient attention to foreign interests, perspectives and sensibilities is wrong on this count as well as being wrong on ethical grounds. Usually it is those critical of realism—including most conspicuously, but not limited to, today's neoconservatives—who claim to be the ones who understand and practice a convergence between morality and power, and between values and interests. They tend to criticize realists for insufficiently incorporating values into an otherwise empty pursuit of power for power's sake. But these claims rest on unduly narrow interpretations both of values and of the effects on national interests. The values being asserted are more parochially American than is usually acknowledged. The neoconservative perspective, for example, rarely takes account of the value of justice as it usually is articulated throughout the Middle East. This perspective also tends to limit its consideration of effects on national interests to direct, first-order (especially kinetic) effects, while failing to take adequate account of broader, longer-range, more indirect consequences. Paying insufficient attention to foreign interests and perspectives has multiple negative consequences for U.S. interests. These consequences are no less important for being generally less readily apparent and less measurable than are the kinetic and other direct consequences that get more attention. This attention gap can make it more difficult for the United States to accomplish whatever it is trying to accomplish overseas, because the support and understanding of a foreign population is needed to make a project succeed. If one is trying, for example, to establish a fairly stable representative democracy, as was the case in the Iraq War, this objective will be undermined by creating disaffection among Iraqis. Outright resentment of the United States among foreign populations damages U.S. interests in further ways, with a resort to terrorism or other extremist violence by some subset of the resentful population being the most obvious but by no means the only such consequence. Those bearing grudges may extend far beyond the foreigners directly affected by U.S. actions, to include many who are hundreds or thousands of miles away and learn of the actions through mass media and rumors. Whenever populations acquire strongly negative sentiments, it necessarily affects what their governments do, even in authoritarian regimes. This means in the current instance less willingness by governments to cooperate with the United States in countless other endeavors. Finally, the credibility of the United States usually gets damaged—especially its credibility whenever it says it is acting in other peoples' best interests. That loss of credibility means still less willingness to cooperate on many other matters that may be important to Washington. Often there are difficult choices or trade-offs between different practices, but this is not one of them. Morality and realism point in the same direction. The need to pay far greater heed to the interests, perceptions, objectives and sentiments of foreigners than Americans routinely do now is overdetermined.

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However, despite important insights, this position remains highly disputable. The reason behind this qualification is not hard to understand. With great trepidation my contention is that one of the main distinctions we need to take into account while examining securitization is that between 'institutional' and 'brute' threats. In its attempts to follow a more radical approach to security problems wherein threats are institutional, that is, mere products of communicative relations between agents, the CS has neglected the importance of 'external or brute threats', that is, threats that do not depend on language mediation to be what they are - hazards for human life. In methodological terms, however, any framework over-emphasizing either institutional or brute threat risks losing sight of important aspects of a multifaceted phenomenon. Indeed, securitization, as suggested earlier, is successful when the securitizing agent and the audience reach a common structured perception of an ominous development. In this scheme, there is no security problem except through the language game. Therefore, how problems are 'out there' is exclusively contingent upon how we linguistically depict them. This is not always true. For one, language does not construct reality; at best, it shapes our perception of it. Moreover, it is not theoretically useful nor is it empirically credible to hold that what we say about a problem would determine its essence. For instance, what I say about a typhoon would not change its essence. The consequence of this position, which would require a deeper articulation, is that some security problems are the attribute of the development itself. In short, threats are not only institutional; some of them can actually wreck entire political communities regardless of the use of language. Analyzing security problems then becomes a matter of understanding how external contexts, including external objective developments, affect securitization. Thus, far from being a departure from constructivist approaches to security, external developments are central to it.

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Consider, for instance, that there is a commonly used word, paranoia, for the unwarranted fear that people are, in some way, "out to get you" or are planning to do oneharm. I suspect that just as many people are afflicted with the opposite psychosis: the delusion that everyone loves you when, in fact, they do not even like you. Yet, we do not have a familiar word for this phenomenon. Indeed, I am unaware of any word that describes this pathology (hubris and overconfidence come close, but they plainly define something other than what I have described). That noted, international relations theory does have a frequently used phrase for the pathology of states' underestimation of threats to their survival, the so-called Munich analogy. The term is used, however, in a disparaging way by theorists to ridicule those who employ it. The central claim is that the naïveté associated with Munich and the outbreak of World War II has become an overused and inappropriate analogy because few leaders are as evil and unappeasable as Adolf Hitler. Thus, the analogy either mistakenly causes leaders [End Page 198] to adopt hawkish and overly competitive policies or is deliberately used by leaders to justify such policies and mislead the public. A more compelling explanation for the paucity of studies on underreactions to threats, however, is the tendency of theories to reflect contemporary issues as well as the desire of theorists and journals to provide society with policy- relevant theories that may help resolve or manage urgent security problems. Thus, born in the atomic age with its new balance of terror and an ongoing Cold War, the field of security studies has naturally produced theories of and prescriptions for national security that have had little to say about—and are, in fact, heavily biased against warnings of—the dangers of underreacting to or underestimating threats. After all, the nuclear revolution was not about overkill but, as Thomas Schelling pointed out, speed of kill and mutual kill.93 Given the apocalyptic consequences of miscalculation, accidents, or inadvertent nuclear war, small wonder that theorists were more concerned about overreacting to threats than underresponding to them. At a time when all of humankind could be wiped out in less than twenty-five minutes, theorists may be excused for stressing the benefits of caution under conditions of uncertainty and erring on the side of inferring from ambiguous actions overly benign assessments of the opponent's intentions. 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Specifically, it is consistent with Fareed Zakaria's analysis of U.S. foreign policy from 1865 to 1889, when, he claims, the United States had the national power and opportunity to expand but failed to do so because it lacked sufficient state power (i.e., the state was weak relative to society).95 Zakaria claims that the United States did [End Page 199] not take advantage of opportunities in its environment to expand because it lacked the institutional state strength to harness resources from society that were needed to do so. I am making a similar argument with respect to balancing rather than expansion: incoherent, fragmented states are unwilling and unable to balance against potentially dangerous threats because elites view the domestic risks as too high, and they are unable to mobilize the required resources from a divided society. The arguments presented here also suggest that elite fragmentation and disagreement within a competitive political process, which Jack Snyder cites as an explanation for overexpansionist policies, are more likely to produce underbalancing than overbalancing behavior among threatened incoherent states.96 This is because a balancing strategy carries certain political costs and risks with few, if any, compensating short-term political gains, and because the strategic environment is always somewhat uncertain. Consequently, logrolling among fragmented elites within threatened states is more likely to generate overly cautious responses to threats than overreactions to them. This dynamic captures the underreaction of democratic states to the rise of Nazi Germany during the interwar period.97 In addition to elite fragmentation, I have suggested some basic domestic-level variables that regularly intervene to thwart balance of power predictions