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Counterplan Text: The 50 states should coordinate on and burden share the costs of creating a national High Speed Rail system.

The counterplan solves -- States solve the economic benefits of infrastructure spending better – they have flexibility and are responsive to local needs.

Edwards, ’11

[Chris, director of tax policy studies at the Cato Institute, “Federal Infrastructure Investment,” http://www.cato.org/publications/congressional-testimony/federal-infrastructure-investment]

The U.S. economy needs infrastructure, but state and local governments and the private sector are generally the best places to fund and manage it. The states should be the "laboratories of democracy" for infrastructure, and they should be able to innovate freely with new ways of financing and managing their roads, bridges, airports, seaports, and other facilities. It is true that — like the federal government — the states can make infrastructure mistakes. But at least state-level mistakes aren't automatically repeated across the country. If we ended federal involvement in high-speed rail, for example, California could continue to move ahead with its own system. Other states could wait and see how California's system was performing before putting their own taxpayers on the hook.

Solvency Ext

A2: Perm – Do Both

Federal investment incentivizes states to opt for projects that make no economic sense, increasing operating costs and decreasing efficiency

Edwards, ’11

[Chris, director of tax policy studies at the Cato Institute, “Federal Infrastructure Investment,” http://www.cato.org/publications/congressional-testimony/federal-infrastructure-investment]

Perhaps the biggest problem with federal involvement in infrastructure is that when Washington makes mistakes it replicates those mistakes across the nation. Federal efforts to build massive public housing projects in dozens of cities during the 20th century had very negative economic and social effects. Or consider the distortions caused by current federal subsidies for urban light-rail systems. These subsidies bias cities across the country to opt for light rail, yet rail systems are generally less efficient and flexible than bus systems, and they saddle cities with higher operating and maintenance costs down the road. When the federal government subsidizes certain types of infrastructure, the states want to grab a share of the funding and they often don't worry about long-term efficiency. High-speed rail is a rare example where some states are rejecting the "free" dollars from Washington because the economics of high-speed rail seem to be so poor.11 The Obama administration is trying to impose its rail vision on the nation, but the escalating costs of California's system will hopefully warn other states not to go down that path.12 Even if federal officials were expert at choosing the best types of infrastructure to fund, politics usually intrudes on the efficient allocation of dollars. Passenger rail investment through Amtrak, for example, gets spread around to low-population areas where passenger rail makes no economic sense. Indeed, most of Amtrak's financial loses come from long-distance routes through rural areas that account for only a small fraction of all riders. Every lawmaker wants an Amtrak route through their state, and the result is that investment gets misallocated away from where it is really needed, such as the Northeast corridor.

Inclusion of federal spending increases regulations, which massively increase spending and doom program effectiveness.

Edwards, ’11

[Chris, director of tax policy studies at the Cato Institute, “Federal Infrastructure Investment,” http://www.cato.org/publications/congressional-testimony/federal-infrastructure-investment]

Another problem is that federal infrastructure spending comes with piles of regulations. Davis-Bacon rules and other federal regulations raise the cost of building infrastructure. Regulations also impose one-size-fits-all solutions on the states, even though the states have diverse needs. The former 55-mph speed limit, which used to be tied to federal highway funds, is a good example. Today, federal highway funds come with requirements for the states to spend money on activities such as bicycle paths, which state policymakers may think are extraneous.

A2: Perm – Do Both - Federalism

Joint action fails to capture any of federalism's benefits

Zimmerman 1

[Joseph F., Professor of Political Science at the State University of New York at Albany, PUBLIUS, Spring, p 16]

Examining this list, it becomes apparent that different institutional features of the federal structure are more or less important for securing these different values. Some of the values ‑ diversity, competition, and experimentalism ‑ appear to depend significantly on the existence of many states pursuing unique regulatory agendas. If all of the states pursued identical regulatory strategies, or were prevented from instituting meaningful agendas altogether, these values, as a logical matter, could not be promoted. Obviously there would be no regulatory diversity, because all of the states would structure the lives of their citizens in the same way. Moreover, this uniformity would prevent state competition and experimentation: people would have no incentive to "vote with their feet" if each state provided the same package of public goods, and experimentation by definition requires that different states attempt different solutions to the same social problems.

The lines between federal and state jurisdiction must be kept clear to preserve federalism

Schapiro 6

[Robert, Law Professor at Emory, March, 74 Fordham L. Rev. 2133]

A few fundamental principles follow from these accounts of federalism. First, the boundaries between state and federal power must be maintained. Further, the borders must be clearly demarcated; the chalk lines must be kept clean. People cannot enjoy the benefits of choice and variety offered by interstate competition if the federal government imposes a single, uniform regulatory product. The policy products also must be clearly branded so that citizen/consumers know who is responsible for what regulations. Clear lines allow citizen/consumers to be good policy shoppers. Republican self-governance can flourish only if states have real control over certain areas. Again, citizens must know which level of government has responsibility for which areas so that they can exercise their self-governance responsibly. From a liberal perspective, without a distinctive state sphere, the dual protection against tyranny ceases. Clear lines ensure against creeping encroachment.

Magnitsky 1NC

#### Obama and Congress are compromising on passing a “clean” PNTR bill for Russia

**The Hill**, **6/21**/2012 (Senators, Obama administration aim for compromise on Russia trade, p. <http://thehill.com/blogs/on-the-money/1005-trade/234173-senators-obama-administration-aim-for-compromise-on-russia-trade>)

Senators and the Obama administration remain at odds over how to proceed on making trade ties permanent with Russia although they are **working together** on a way forward. Senate Finance Committee members said Thursday are backing a plan to link legislation repealing Jackson-Vanik, which allow for grant normal permanent normal trade relations (PNTR) with Moscow, with a human rights bill that would punish Russian officials involved with the death of lawyer Sergei Magnitsky, who died in police custody. Obama administration officials, U.S. Trade Representative Ron Kirk and Deputy Secretary of State William Burns, told the Finance panel on Thursday that they **prefer separate tracks** for the two measures but will continue to work with lawmakers toward a compromise to pass a measure before the August recess. Regardless of current differences, lawmakers and Obama administration officials agree that PNTR needs to be granted before Russia joins the World Trade Organziation (WTO) in August. Burns acknowledged Thursday that there is a "constructive dialogue" continuing with lawmakers and that the administration's concerns are being considered. He opted to reserve a final opinion on how the administration will react until a bill emerges from the Senate. House Ways and Means Chairman Dave Camp (R-Mich.), who held a Wednesday hearing, is siding with the Obama administration in pressing for a "clean" PNTR bill.

#### Plan drains capital --- massively unpopular

[insert link]

1nc

#### Obama’s political capital is key to block the Magnitsky Act --- passage collapses START and US/Russian relatiosn

**Rogin**, **4/24**/2012 (Josh, Kerry delays action on Magnitsky bill, Foreign Policy, p. http://thecable.foreignpolicy.com/posts/2012/04/24/kerry\_delays\_action\_on\_magnitsky\_bill)

Last month, Kerry indicated that the Sergei Magnitsky Rule of Law Accountability Act of 2011 would be brought up for a vote at the April 26 SFRC business meeting and he also endorsed the idea of combining the Magnitsky bill with a bill to grant Russia Permanent Normal Trade Relations (PNTR) status and repeal the 1974 Jackson-Vanik law. "In good faith, we will move as rapidly as we can, hopefully the minute we're back, but certainly shortly thereafter," Kerry said March 27, just before the last Senate recess. But after what several Senate aides described as intense lobbying from top Obama administration officials, including Deputy National Security Advisor Denis McDonough and Under Secretary of State for Political Affairs Wendy Sherman, Kerry decided not to put the bill on the agenda of the next business meeting, delaying consideration of the bill until May at the earliest, after the visit to the U.S. of Russian President-elect Vladimir Putin. In a statement to The Cable, Kerry said he still supports quick passage of the Magnitsky bill and its linkage to the repeal of Jackson-Vanik, but that he needed more time to iron out differences over the details of the legislation. "I support this effort and, as I said at the last business meeting, passing the Magnitsky legislation out of our committee is not a question of if, only when. I've been trying to get everyone on the same page because that's how you get the best legislative result, and everyone was explicitly very comfortable with where we were. My goal here is to get the best result," Kerry said. But several aides told The Cable that not everybody was comfortable with the delay. The Cable obtained an e-mail sent late last week from the staff of committee Republican Richard Lugar (R-IN) to several Democratic Senate offices including that of Sen. Ben Cardin (D-MD), the bill's main sponsor, in which Lugar protests the delay strongly. "We want to reiterate Senator Lugar's position, as he stated at the last business meeting, that he strongly supports having the Magnitsky Act taken up at the next business meeting (i.e. next week)," the e-mail reads. "As we understand the situation, the White House and State Department have been frantic over the last 24 hours in trying to head off consideration of the bill next week by contacting numerous Democratic offices," Lugar's staff wrote. "Thus, our position remains as it has been: Senator Lugar supports immediate consideration of the Magnitsky bill-next week. If Senators Kerry and/or Cardin do not wish to have it taken up then, that is prerogative of the SFRC Majority, but it is not the position of Senator Lugar." The Obama administration is on the record opposing the Magnitsky bill and believes that its passage could imperil U.S.-Russian cooperation on a range of issues. The Russian government has even threatened to scuttle the New START nuclear reductions treaty if the Magnitsky bill is passed, which would erase the signature accomplishment of the administration's U.S.-Russia reset policy. "Senior Russian government officials have warned us that they will respond asymmetrically if legislation passes," the administration said in its official comments on the bill last July. "Their argument is that we cannot expect them to be our partner in supporting sanctions against countries like Iran, North Korea, and Libya, and sanction them at the same time. Russian officials have said that other areas of bilateral cooperation, including on transit Afghanistan, could be **jeopardized if this legislation passes**." Russian Ambassador Sergey Kislyak said Monday at a lunch with reporters in Washington that passage of the Magnitsky bill would have a "significant negative impact" on the U.S.-Russia relationship and said it was unacceptable for the United States to interfere in the Magnitsky case, which he said was an internal Russian issue. "It's artificially attached to the whole issue of Jackson Vanik... It's politically motivated," he said. "We do not want to be told what to do within the limits of Russian law." Kislyak then said there were human rights violations in the United States that Russia could raise in the context of trade negotiations, but chooses not to. "I could bring up one example that is very much on our minds. Three years of long investigation of the killing of children adopted from Russia, with absolute immunity, but we do not bring that issue into the economic realm," he said. Cardin, meanwhile, has been working with administration behind the scenes to make changes to the Magnitsky bill, and even came up with a new draft version of the legislation last week, before the delay. The Cable obtained an internal document showing exactly what changed in the bill. For example, the new version makes it more difficult to add names to the list of human rights violators that the bill would create. In the previous version, any member of Congress could request to add the name of an alleged human rights violator to the bill. In the new version, both the chair and ranking member of a relevant committee must jointly request someone be added to the list, a high bar in a partisan Congress. Cardin is caught by between his desire to see his legislation passed without being gutted and his desire to work with the administration. In a brief interview with The Cable last week, he insisted he still wants the Magnitsky bill joined with the legislation that will repeal Jackson-Vanik and grant Russia PNTR. "There's a growing support in the Senate to make sure it's part of the PNTR debate," he said. "We'd like SFRC to mark it up and then take it to the Senate Finance Committee and make it part of the PNTR bill." The exact logistics for how the Magnitsky bill is moved in conjunction with the PNTR bill are up in the air. It could be joined in the Senate Finance Committee, or on the Senate floor, or just passed at the same time. But what's clear is that there are several senators ready to hold up PNTR for Russia if the Magnitsky bill isn't considered in conjunction. Among Capitol Hill staffers, there's also concern that the administration may be negotiating to water down the Magnitsky bill now, only **to ultimately oppose it later**. A similar dynamic played out over sanctions on the Central Bank of Iran last December. Then, it was Sen. Robert Menendez (D-NJ) who carried water for the administration before discovering they would ultimately oppose the bill no matter what. Menendez was livid. That bill passed the Senate 100-0.

1nc

#### START collapse causes extinction

**Collins and Rojansky**, 8/18/**2010** (James – director of the Russia and Eurasia Program at the Carnegie Endowment for International Peace, ex-US ambassador to the Russian Federation, and Matthew – deputy director of the Russia and Eurasia Program, Why Russia Matters, Foreign Policy, p. http://www.foreignpolicy.com/articles/2010/08/18/why\_Russia\_matters)

Russia's nukes are still an existential threat. Twenty years after the fall of the Berlin Wall, Russia has thousands of nuclear weapons in stockpile and hundreds still on hair-trigger alert aimed at U.S. cities. This threat will not go away on its own; cutting down the arsenal will require direct, bilateral arms control talks between Russia and the United States. New START, the strategic nuclear weapons treaty now up for debate in the Senate, is the latest in a long line of bilateral arms control agreements between the countries dating back to the height of the Cold War. To this day, it remains the only mechanism granting U.S. inspectors access to secret Russian nuclear sites. The original START agreement was essential for reining in the runaway Cold War nuclear buildup, and New START promises to cut deployed strategic arsenals by a further 30 percent from a current limit of 2,200 to 1,550 on each side. Even more, President Obama and his Russian counterpart, Dmitry Medvedev, have agreed to a long-term goal of eliminating nuclear weapons entirely. But they can only do that by working together.

Uniqueness – 2nc

#### Obama’s capital is shaping the Magnitsky to water it down

**Reuters**, **6/19**/2012 (US Senate’s ‘Magnitsky’ bill could keep names secret, p. <http://in.reuters.com/article/2012/06/19/usa-russia-rights-idINL1E8HIHLB20120619>)

A draft proposal to penalize Russian officials for human rights abuses has been rewritten in the Senate to let the U.S. government keep secret some names on the list of abusers, congressional aides said on Monday. The reworked Senate version, which could still change, upset some supporters of the legislation to create what is known as the "Magnitsky list." They said that keeping part of the proposed list secret would neuter the effect of the bill, which is aimed at exposing human rights violators in Russia. The House of Representatives Foreign Affairs Committee this month approved the "Sergei Magnitsky Rule of Law Accountability Act," named for a 37-year-old anti-corruption lawyer who worked for the equity fund Hermitage Capital. His 2009 death after a year in Russian jails spooked investors and blackened Russia's image abroad. The measure would require the United States to deny visas and freeze the U.S. assets of Russians linked to Magnitsky's death. The bill as originally written in both the House and Senate would make public the list of offenders and broaden it to include other abusers of human rights in Russia. A reworked draft circulating in the Senate and obtained by Reuters would allow the list to "contain a classified annex if the Secretary (of State) determines that it is necessary for the national security interests of the United States to do so." William Browder, CEO of Hermitage Capital, told Reuters he suspected the "classified annex" provision had been **inserted at the request of the Obama administration** to water down the bill and so avoid offending the Russian government, which opposes the measure. "The administration is trying to gut the bill, because they've been against it from the start. They are trying to make nice with the Russians," Browder said in a phone conversation from London.

#### Very little opposition to PNTR

**Reuters**, **6/12**/2012 (Senators pair Russia trade, human rights bills, p. http://www.reuters.com/article/2012/06/12/us-usa-russia-trade-idUSBRE85B0W620120612)

The group's president, John Engler, told reporters he was "pretty optimistic" Congress would come together to pass PNTR because members increasingly realized that U.S. companies will be hurt if the bill is not approved. "We're really seeing **very little pushback**," Engler said, shortly before the Republican senators released their letter. Bill Lane, head of Caterpillar's Washington office, said he believed both the House and Senate could pass PNTR in "a **late July vote**."

#### Obama will spend capital to weaken the bill even if passage is inevitable

**Rogin**, **6/12**/2012 (Josh – reports on national security and foreign policy for the Cable at Foreign Policy, Magnitsky Act will be linked with Russian trade bill in Senate, Foreign Policy, p. <http://thecable.foreignpolicy.com/posts/2012/06/12/magnitsky_act_will_be_linked_with_russian_trade_bill_in_senate>)

The Obama administration has opposed the Magnitsky Act in public while working quietly with Cardin to make changes to the bill **just in case its passage can't be** avoided. The latest draft version of the bill, circulated by Cardin and obtained by The Cable, seeks to make it more difficult to add names to the list of human rights violators that the bill creates and adds ways for the administration to waive penalties against those violators.

Uniqueness – 2nc

#### Top GOP support and administrative support increase the chances of passage

**The Hill**, **6/20**/2012 (Top Republican, trade official press for clean Russia trade bill, p. http://thehill.com/blogs/on-the-money/1005-trade/233785-top-republican-trade-official-press-for-clean-russia-trade-bill-)

A top House Republican and the Obama administration's leading trade official are pressing for Congress to pass a bill normalizing trade relations with Russia **without tacking on human rights legislation**. House Ways and Means Committee Chairman Dave Camp (R-Mich.) and U.S. Trade Representative Ron Kirk said Wednesday they prefer a clean bill that repeals the obsolete Jackson-Vanik provision and grants Moscow permanent normal trade relations (PNTR). "I think that legislation granting Russia PNTR should be clean and targeted, or else the legislation could be unduly complicated and delayed," Camp said during a hearing. Camp said while he shares the view of his colleagues that "Russia poses significant problems relating to foreign policy and human rights," he emphasized that "holding up PNTR because of non-trade concerns does not increase our leverage to address them and does not delay Russia’s WTO [World Trade Organization] accession." "No matter what, Russia will join the WTO in a couple of months," he said. "To obtain the benefits of the concessions Russia made to join the WTO, we must grant Russia PNTR." Meanwhile, the committee's ranking member Sandy Levin (D-Mich.) suggested that the human rights bill named for Sergei Magnitsky, a Russian lawyer who died while in police custody, could be attached to the legislation. There is a growing push from House and Senate lawmakers to attach the Magnitsky legislation to the Jackson-Vanik repeal, which would pave the way for PNTR. Levin wants the House to wait to take a final vote on the trade measure until Russia shows a willingness to address the violence in Syria. "It makes it difficult to move a trade bill when seeing slaughter in Syria," he said. "This Congress needs to find a way to express itself to move Russia to not look the other way as killing of innocent people in Syria continues," he said. Kirk acknowledged "for some the timing could not be worse in the case of human rights," as Russia continues its involvement in the deteriorating situation in Syria. Still, Kirk and Deputy Secretary of State William Burns argued that providing Russia with PNTR gives the United States better leverage beyond issues of trade, which include ramped-up enforcement of trade rules violations, as well as the issues surrounding the Syrian conflict. The State Department has taken actions to deny entry for Russian officials involved with the Magnitsky case, Burns said. Burns, who also suggested that the trade and human rights issues be handled on separate tracks, said improved trade relations should help Russia diversify its economy and bring "positive reinforcement" with the emergence of the middle class there. "It's very smart, long-term investment, granting PNTR, and WTO accession and playing by the rules," Burns said. "All of those steps help contribute not just to a better partnership but open and honest political system," he said. "It's not a magic or overnight cure but it is very important." Kirk said Congress could pass a clean bill that addresses Jackson-Vanik while the White House **continues work with Congress to address the human rights concerns**.

#### Obama is effectively weakening the Magnitsky Act

**Mandel**, **6/19**/2012 (Seth – assistant editor of Commentary magazine, Obama remains obstacle to sanctions, Commentary, p. http://www.commentarymagazine.com/topic/human-rights/)

Senate Democrats corralling bipartisan support for commonsense sanctions legislation are experiencing a bit of déjà vu. In late 2011, the Senate agreed to new Iran sanctions by the widest possible margin: 100-0. Yet the Obama administration sought to delay the sanctions, and then worked to water them down. New Jersey Democrat Bob Menendez finally went public with his frustration toward President Obama for working so hard to protect Iran from the sanctions everyone had agreed to. Now Senate Democrats are facing the **same obstacle**–President **Obama**–in trying to levy penalties on major human rights violators in Russia. Called the Sergei Magnitsky Rule of Law Accountability Act, named after one prominent victim of those rights violators, the bill was sponsored by Ben Cardin and immediately obtained broad support. But on behalf of the Obama administration, John Kerry kept the bill **bogged down** in committee. So the House Foreign Affairs Committee passed its own version of the bill, and the White House finally dropped its open opposition to the bill. Now, as Reuters reports, Obama is trying to work changes into the bill that would essentially render it useless: The measure would require the **U**nited **S**tates to deny visas and freeze the U.S. assets of Russians linked to Magnitsky’s death. The bill as originally written in both the House and Senate would make public the list of offenders and broaden it to include other abusers of human rights in Russia. A reworked draft circulating in the Senate and obtained by Reuters would allow the list to “contain a classified annex if the Secretary (of State) determines that it is necessary for the national security interests of the United States to do so.”

LINK - HSR Unpopular

Republicans oppose HSR spending

Goozner 12

(Merrill Goozner, “House Puts the Brakes on High Speed Rail”, June 24, 2012, http://www.thefiscaltimes.com/Articles/2012/06/24/House-Puts-the-Brakes-on-High-Speed-Rail.aspx#page1)

House Republicans, however, are blocking all new grants arguing that repairing current systems is the priority. “Funding should go to existing infrastructure needs rather than unrealistic new high-speed rail lines to nowhere,” the appropriations committee report accompanying the legislation said. The program, now funded by regular appropriations, was axed from the Transportation Department funding bill last week, drawing a veto threat from the president. The effort to cage the TIGER grants is only the latest effort by House conservatives to slow down or eliminate funding for mass transit, freight rail and high-speed rail projects, which they see as a waste of money on “trains to nowhere.” Last February, the initial House reauthorization of the surface transportation trust fund, which allocates the gasoline tax, eliminated the 20 percent set-aside for rail projects that was established by President Ronald Reagan in 1982. Only a revolt by Republican legislators from the suburbs outside New York City, Philadelphia and Chicago forced House Transportation Committee chairman John Mica, R-Fla., to withdraw the bill. Now, with a June 30th deadline looming, the summer road construction season could grind to a halt if Congress doesn’t at least extend the current law. A conference committee led by Mica and Sen. Barbara Boxer, D-Cal., must wrestle with a set of extraneous provisions attached to the two-year, $109 billion extension pushed by the House. They range from approving the Keystone oil pipeline from Canada to giving utilities more flexibility in how they dump coal ash.

Voters dislike HSR

Koeing 6/7

(Brian Koenig, “California Voters Turn on High-Speed Rail Project”, 07 June 2012, http://www.thenewamerican.com/usnews/politics/item/11646-california-voters-turn-on-high-speed-rail-project)

However, despite the purported cost savings, the rail system still relies heavily on shaky federal funding and speculative private-sector investments. "We've seen numbers in the $30 billion, $40 billion, the $90 billion range, and now we're back in the $60 billion range," Sen. Joe Simitian (D-Palo Alto) said at the time. "I think there is understandably both some confusion and skepticism about what is the system going to cost, and then there's the question of where is the money going to come from?" Due to such uncertainty, voters in the state are turning on the project, as a new poll conducted by USC-Dornsife and the Los Angeles Times found that 55 percent of California voters want the $9-billion bond issue — which was approved in 2008 to fund early stages of the rail system — back on the ballot. And a startling 59 percent affirmed that they now would vote against it. While labor unions have been staunch supporters of the project, a sizable 56 percent of union households now oppose the funding plan, the poll added. Even Democrats, the project’s most prominent supporters, have become skeptical, as 47 percent now reject the bond issue. The Times explained that revenue projections and overall use of the high-speed rail are also in question: The poll found that most voters don't expect to use it. Sixty-nine percent said they would never or hardly ever ride it. Zero percent said they would use it more than once a week. Public opinion surveys cannot predict the revenues and ridership a rail service might generate. The poll results raise questions about whether the system would serve as a robust commuter network, allowing people to live in small towns and work in big cities or vice versa. On the other hand, 33% of respondents said they would prefer a bullet train over an airplane or car on trips between L.A. and the Bay Area.

LINK - HSR Unpopular

House republicans oppose infrastructure

GoozNews 6/25

(GoozNews, “The Attack on High Speed Rail”, June 25, 2012, http://gooznews.com/?p=4018)

If House Republicans get their way, though, those grants will be the last time the government awards grants to new mass transit-oriented projects under the program. Now funded by regular appropriations, it was axed from the Transportation Department funding bill last week, drawing a veto threat from the president. The effort to cage the TIGER grants is only the latest effort by House conservatives to slow down or eliminate funding for mass transit, freight rail and high-speed rail projects, which they see as a waste of money on “trains to nowhere.” Last February, the initial House reauthorization of the surface transportation trust fund, which allocates the gasoline tax, eliminated the 20 percent set-aside for rail projects that was established by President Ronald Reagan in 1982. Only a revolt by Republican legislators from the suburbs outside New York City, Philadelphia and Chicago forced House Transportation Committee chairman John Mica, R-Fla., to withdraw the bill. Now, with a June 30th deadline looming, the summer road construction season could grind to a halt if Congress doesn’t at least extend the current law. A conference committee led by Mica and Sen. Barbara Boxer, D-Cal., must wrestle with a set of extraneous provisions attached to the two-year, $109 billion extension pushed by the House. They range from approving the Keystone oil pipeline from Canada to giving utilities more flexibility in how they dump coal ash.

HSR slashed by democrats

Chris 11

(Chris in Paris, “Senate panel to de-fund high speed rail program”, 9/21/2011, http://www.americablog.com/2011/09/senate-panel-to-de-fund-high-speed-rail.html)

President Barack Obama’s high-speed passenger rail initiative may be unfunded next year after a panel controlled by fellow Democrats approved legislation that contains no money for the program. The Senate Appropriations subcommittee that sets the Transportation Department’s budget approved the spending plan yesterday, said John Bray, a spokesman for the panel. The full committee is scheduled to consider the bill today. The high-speed rail program is “a casualty of the cuts mandated in the debt-limit deal” Obama and congressional Republican leaders struck in August, Senator Frank Lautenberg, a New Jersey Democrat and a supporter of the president’s program, said in an e-mailed statement. Lautenberg is a member of the transportation subcommittee.

Political Capital Key 2NC

#### Obama’s capital is effective at watering down Magnitsky --- he is continuing to spend it

**Ivanov**, **6/21**/2012 (Eugene – political commentator who blogs at the Ivanov Report, Will the Magnitsky bill “replace” the Jackson-Vanik amendment?, Russia Beyond the Headlines, p. <http://rbth.ru/articles/2012/06/21/will_the_magnitsky_bill_replace_the_jackson-vanik_amendment_15927.html>)

From the very beginning, the Obama administration has been opposed to the Magnitsky bill, arguing that it would negatively affect U.S.-Russia relations. In a preventive measure of sorts, the State Department composed its own list of 60 individuals related to the Magnitsky case whose entry in the U.S. would be banned. With this list in place, the White House claimed that the Magnitsky bill was “redundant.” In a parallel track, the administration put pressure on the bill’s major sponsor, Sen. Cardin. This has worked: recently, Cardin came up with a m**odified version of the bill** addressing some of the administration’s concerns. In particular, the updated version makes it more difficult to add names to the list of human right violators that the bill would create. The major contentious point is the identity of the people on the Magnitsky list: the State Department doesn’t want to disclose names of individuals it would ban from entering the U.S., while the Magnitsky bill would make the names of the “offenders” public. Now, the White House is actively pushing for a provision in the bill that would allow the State Department keep some names on the list confidential on the ground of “national security interests.”

#### Obama’s capital will water down Magnitsky --- Iran sanctions bill proves

**Mandel**, **6/19**/2012 (Seth – assistant editor of Commentary magazine, Obama remains obstacle to sanctions, Commentary, p. http://www.commentarymagazine.com/topic/human-rights/)

Senate Democrats corralling bipartisan support for commonsense sanctions legislation are experiencing a bit of déjà vu. In late 2011, the Senate agreed to new Iran sanctions by the widest possible margin: 100-0. Yet the Obama administration sought to delay the sanctions, and then worked to water them down. New Jersey Democrat Bob Menendez finally went public with his frustration toward President Obama for working so hard to protect Iran from the sanctions everyone had agreed to. Now Senate Democrats are facing the **same obstacle**–President **Obama**–in trying to levy penalties on major human rights violators in Russia. Called the Sergei Magnitsky Rule of Law Accountability Act, named after one prominent victim of those rights violators, the bill was sponsored by Ben Cardin and immediately obtained broad support. But on behalf of the Obama administration, John Kerry kept the bill **bogged down** in committee. So the House Foreign Affairs Committee passed its own version of the bill, and the White House finally dropped its open opposition to the bill. Now, as Reuters reports, Obama is trying to work changes into the bill that would essentially render it useless: The measure would require the **U**nited **S**tates to deny visas and freeze the U.S. assets of Russians linked to Magnitsky’s death. The bill as originally written in both the House and Senate would make public the list of offenders and broaden it to include other abusers of human rights in Russia. A reworked draft circulating in the Senate and obtained by Reuters would allow the list to “contain a classified annex if the Secretary (of State) determines that it is necessary for the national security interests of the United States to do so.”

#### Obama will spend capital to weaken the bill --- prevents a collapse of relations

**Rogin**, **6/7**/2012 (Josh, Magnitsky bill moves forward in the House, Foreign Policy, p. <http://thecable.foreignpolicy.com/posts/2012/06/07/magnitsky_bill_moves_forward_in_the_house>)

The Obama administration is publicly opposed to the Magnitsky bill, especially the effort to connect it to Jackson-Vanik repeal, and has been working behind the scenes with bill sponsors such as Sen. Ben Cardin (D-MD) to alter the legislation. "From our point of view this legislation is redundant to what we're already doing," U.S. Ambassador Russia Mike McFaul said in March. One of the administration ideas is to expand the Magnitsky bill to deal with human rights violators from all countries, but doing so wouldn't eliminate strong Russian objections to the bill. A short amendment added to the House version today by Ros-Lehtinen makes clear that the bill is directed only at Russia. Cardin even came up with a new draft version of the legislation in April. The Cable obtained an internal document showing exactly what changed in the bill. For example, the new version makes it more difficult to add names to the list of human rights violators that the bill would create, potentially softening the bill's impact on Russian officials

Capital Key to Agenda

#### Presidential leadership shapes the agenda

Kuttner 11 (Robert, Senior Fellow – Demos and Co-editor – American Prospect, “Barack Obama's Theory of Power,” The American Prospect, 5-16, <http://prospect.org/cs/articles?article=barack_obamas_theory_of_power>)

As the political scientist Richard Neustadt observed in his classic work, Presidential Power, a book that had great influence on President John F. Kennedy, the essence of a president’s power is “the power to persuade.” Because our divided constitutional system does not allow the president to lead by commanding, presidents amass power by making strategic choices about when to use the latent authority of the presidency to move public and elite opinion and then use that added prestige as clout to move Congress. In one of Neustadt’s classic case studies, Harry Truman, a president widely considered a lame duck, nonetheless persuaded the broad public and a Republican Congress in 1947-1948 that the Marshall Plan was a worthy idea. As Neustadt and Burns both observed, though an American chief executive is weak by constitutional design, a president possesses several points of leverage. He can play an effective outside game, motivating and shaping public sentiment, making clear the differences between his values and those of his opposition, and using popular support to box in his opponents and move them in his direction. He can complement the outside bully pulpit with a nimble inside game, uniting his legislative party, bestowing or withholding benefits on opposition legislators, forcing them to take awkward votes, and using the veto. He can also enlist the support of interest groups to pressure Congress, and use media to validate his framing of choices. Done well, all of this signals leadership that often moves the public agenda.

#### Political capital is key to the agenda – especially in election season

Terigopula 2011 (Rajiv. Writer for the Harvard Political Review.  “President Obama’s Political Capital,” <http://hpronline.org/hprgument/president-obamas-political-capital/>)

Much hullabaloo has been made in the last two weeks over the state of the 112th Congress and how it can possibly operate without political gridlock. By popular media’s account, a three-way Western-style showdown between Speaker Boehner, Leader Reid, and President Obama is all but imminent.  In the words of William A. Galston, a senior fellow at the Brookings Institute, The polarization of American politics will make a tough job even harder.  The two parties disagree on economic fundamentals, and because each now enjoys a share of real power, nothing will get done unless they manage to agree…Flash-points will occur early and often in 2012…Many analysts are predicting two years of gridlock, and it’s easy to see why. Indeed, as the 112th Congress kicks off, our President and the Democratic Party he leads is headed down a grim road for passing any major legislation on its short-term and long-term policy agenda.  The pause in harsh rhetoric and fierce contention borne of the tragic, horrifying events of Tucson is unfortunately going to be short-lived, by many accounts.  Even as legislators’ efforts for unification might bring together the parties for symbolic purposes such as the State of the Union address, House and Senate Republicans are largely seeking to exercise their mandate to check the perceived Democratic excesses of the last two years.  The President of Change is going to have to grapple with the ways of the past, if the House GOP intends to keep its promise to implement the Pledge to America.  Inherent in all of these impending political firefights is the realization that President Obama’s intelligent utilization of his quickly diminishing political capital is going to play a larger role than ever in our national political process over the next two years, and may very well determine the outcome of the 2012 presidential race.

Impact 2NC

#### It’s the only existential threat

**Bostrum**, March **2002** (Nick – prof of philosophy at Oxford University and recipient of the Gannon Award, Existential Risks, Journal of Evolution and Technology, p. http://www.nickbostrom.com/existential/risks.html)

A much greater existential risk emerged with the build-up of nuclear arsenals in the US and the USSR. An all-out nuclear war was a possibility with both a substantial probability and with consequences that might have been persistent enough to qualify as global and terminal. There was a real worry among those best acquainted with the information available at the time that a nuclear Armageddon would occur and that it might annihilate our species or permanently destroy human civilization.[4] Russia and the US retain large nuclear arsenals that could be used in a future confrontation, either accidentally or deliberately. There is also a risk that other states may one day build up large nuclear arsenals. Note however that a smaller nuclear exchange, between India and Pakistan for instance, is not an existential risk, since it would not destroy or thwart humankind’s potential permanently. Such a war might however be a local terminal risk for the cities most likely to be targeted. Unfortunately, we shall see that nuclear Armageddon and comet or asteroid strikes are mere preludes to the existential risks that we will encounter in the 21st century.

#### 1% risk means you vote neg

**Bostrum 2005** (Nick – prof of philosophy at Oxford University and recipient of the Gannon Award, Transcribed by Packer, 4:38-6:12, p. http://www.ted.com/index.php/talks/view/id/44, accessed 10/20/07)

Now if we think about what just reducing the probability of human extinction by just one percentage point. Not very much. So that’s equivalent to 60 million lives saved, if we just count currently living people. The current generation. One percent of six billion people is equivalent to 60 million. So that’s a large number. If we were to take into account future generations that will never come into existence if we blow ourselves up then the figure becomes astronomical. If we could you know eventually colonize a chunk of the universe the virgo supercluster maybe it will take us a hundred million years to get there but if we go extinct we never will. Then even a one percentage point reduction in the extinction risk could be equivalent to this astronomical number 10 to the power of 32 so if you take into account future generations as much as our own every other moral imperative or philanthropic cause just becomes irrelevant. The only thing you should focus on would be to reduce existential risk, because even the tiniest decrease in existential risk would just overwhelm any other benefit you could hope to achieve. Even if you just look at the current people and ignore the potential that would be lost if we went extinct it should still be a high priority.

Impact 2NC

#### Afghanistan collapse results in nuclear war

**Morgan 7** (Stephen J., Political Writer and Former Member of the British Labour Party Executive Committee, “Better another Taliban Afghanistan, than a Taliban NUCLEAR Pakistan!?”, 9-23, http://www.freearticlesarchive .com/article/\_Better\_another\_Taliban\_Afghanistan\_\_than\_a\_Taliban\_NUCLEAR\_Pakistan\_\_\_/99961/0/)

However events may prove him sorely wrong. Indeed, his policy could completely backfire upon him. As the war intensifies, he has no guarantees that the current autonomy may yet burgeon into a separatist movement. Appetite comes with eating, as they say. Moreover, should the Taliban fail to re-conquer al of Afghanistan, as looks likely, but captures at least half of the country, then a Taliban Pashtun caliphate could be established which would act as a magnet to separatist Pashtuns in Pakistan. Then, the likely break up of Afghanistan along ethnic lines, could, indeed, lead the way to the break up of Pakistan, as well. Strong centrifugal forces have always bedevilled the stability and unity of Pakistan, and, in the context of the new world situation, the country could be faced with civil wars and popular fundamentalist uprisings, probably including a military-fundamentalist coup d’état. Fundamentalism is deeply rooted in Pakistan society. The fact that in the year following 9/11, the most popular name given to male children born that year was “Osama” (not a Pakistani name) is a small indication of the mood. Given the weakening base of the traditional, secular opposition parties, conditions would be ripe for a coup d’état by the fundamentalist wing of the Army and ISI, leaning on the radicalised masses to take power. Some form of radical, military Islamic regime, where legal powers would shift to Islamic courts and forms of shira law would be likely. Although, even then, this might not take place outside of a protracted crisis of upheaval and civil war conditions, mixing fundamentalist movements with nationalist uprisings and sectarian violence between the Sunni and minority Shia populations. The nightmare that is now Iraq would take on gothic proportions across the continent. The prophesy of an arc of civil war over Lebanon, Palestine and Iraq would spread to south Asia, stretching from Pakistan to Palestine, through Afghanistan into Iraq and up to the Mediterranean coast. Undoubtedly, this would also spill over into India both with regards to the Muslim community and Kashmir. Border clashes, terrorist attacks, sectarian pogroms and insurgency would break out. A new war, and possibly nuclear war, between Pakistan and India could no be ruled out. Atomic Al Qaeda Should Pakistan break down completely, a Taliban-style government with strong Al Qaeda influence is a real possibility. Such deep chaos would, of course, open a “Pandora's box” for the region and the world. With the possibility of unstable clerical and military fundamentalist elements being in control of the Pakistan nuclear arsenal, not only their use against India, but Israel becomes a possibility, as well as the acquisition of nuclear and other deadly weapons secrets by Al Qaeda. Invading Pakistan would not be an option for America. Therefore a nuclear war would now again become a real strategic possibility. This would bring a shift in the tectonic plates of global relations. It could usher in a new Cold War with China and Russia pitted against the US.

Magnitsky Bad – Economy

#### Magnitsky will crush relations --- collapses the U.S. economy

**Sieff**, 6/20/**2012** (Martin – former senior foreign correspondent for the Washington Times, three Pulitzer Prize nominations, ‘Magnitsky’ plan put forth by Congress to punish Russia is a dangerous move, Fox News, p. <http://www.foxnews.com/opinion/2012/06/20/magnitsky-plan-put-forth-by-congress-to-punish-russia-is-dangerous-move/>)

Cheap demagoguery and policies based on tabloid emotionalism make for bad – even **dangerous foreign policy**. The progress of what's known as "the Magnitsky Bill" through Congress is a classic example of this.

In order for enough Republican and Democratic congressman to pose in their ignorance as “tough” they are enraging the public and leadership of a thermonuclear superpower (with 500 more warheads than the United States has, according to the Federation of American Scientists Nuclear Information Project.) and **badly hurting the prospects for American business**. The Magnitsky Bill will heavily penalize Russia and Russian nationals for the death, in custody, in St Petersburg of Sergei Magnitsky – a lawyer for Hermitage Capital who had accused police and tax officials of embezzling $230 million. He was found dead in his cell in highly suspicious circumstances. An independent investigation by the Kremlin’s own Human Rights Council concluded that he had in effect been murdered – that he had died of his injuries after being beaten by prison guards. A doctor in the jail is currently facing a charge of negligence connected with Magnitsky’s death. And the State Department has already banned several dozen Russian individuals whom, it said, were implicated in it. These moves angered the Russian government, which has responded by barring several US officials in its turn from entering Russia. Even this response, largely taken by the Obama administration in a vain bid to head off the imposition of far tougher congressional measures aimed at Russia, was a dangerous piece of over-reaction. But the Magnitsky Bill is vastly more dangerous. At a time when the **U**nited States is financially weaker and more militarily over-extended around the world than it has been for 40 years, this legislation could help turn Russia, a potential hugely important and constructive partner for the **U**nited States, into a dire enemy.

US/Russia Relations – Turns Warming

#### US/Russia relations is the critical internal link to global warming

**Light, Wong and Charap**, 6/30/**2009** (Andrew – senior fellow at the Center for American Progress, Julian – senior policy analyst at CAP, and Samuel – fellow at CAP, U.S.-Russia Climate and Energy Efficiency Cooperation: A Neglected Challenge, Center for American Progress, p. http://www.americanprogress.org/issues/2009/06/neglected\_challenge.html)

The summit between President Barack Obama and Russian President Dmitri Medvedev in Moscow on July 6-8 comes in the middle of a packed international schedule of bilateral and multilateral meetings for the United States. on climate change. In the run up to the critical U.N. climate talks in Copenhagen at the end of this year, when the extension or successor to the existing Kyoto Protocol must be agreed upon, it is crucial that the United States and Russia—both major emitters of greenhouse gases and potentially leaders on this crucial issue—explore ways of working together to ensure a positive outcome at these talks. Enhancing cooperation on climate change and energy efficiency should be a major plank of U.S. Russia policy and should be discussed at the highest levels when President Obama meets with President Medvedev next week. Russia, like the United States, is a significant contributor to global warming. If the European Union is disaggregated Russia is the third-largest emitter of carbon dioxide behind the United States and China and still currently ahead of India. More importantly Russian per capita emissions are on the rise, and are projected at this point to approach America’s top rank as per capita emitter by 2030. Russia is also the third-largest consumer of energy and one of the world’s most energy-intensive economies. Making Russia a partner on these issues could be critical in order to advance a sound global climate change agenda.

Poliitcs 2ac

**Magnitsky will inevitably be coupled - political inertia**

**The Hill 12** —(Business groups see progress in moving Russia trade bill, p. <http://thehill.com/blogs/on-the-money/1005-trade/234439-business-groups-see-progress-on-russia-trade-bill>)

But it increasingly looks the two measures will be coupled in some way — at least informally — to ensure approval. Ways and Means Subcommittee on Trade Chairman Kevin Brady (R-Texas), who has supported a clean bill, said earlier this week that linking the two may be necessary to win passage. A Senate bill combining the two, he said, would be progress. “I would prefer them not to be linked myself, but clearly at the end of the day if the will of the House and the Senate is to pass the Magnitsky bill, then it will be necessary,” he said.

**Obama won't spend political capital - human rights credibility**

**Washington Post 12 —** (Washington Post, 5/29/2012 (Russia warns of retaliation for U.S. Magnitsky bill, p. <http://www.washingtonpost.com/world/europe/russia-threatens-retaliation-over-us-magnitsky-bill/2012/05/29/gJQAMWjIzU_story.html>)

The administration has apparently realized that it cannot stop the Magnitsky bill and will have to deal with the anger of the Russian leadership. If Ushakov’s remarks were designed to encourage a presidential veto of the bill, they are unlikely to succeed, **given the difficulty the White House would face in killing a human rights measure**. It could come out of committee as early as next month, according to a congressional official, who spoke on the condition of anonymity because of the sensitivity of the issue.

**McCain support makes Obama’s capital ineffective**

**Rogin 12 —** (Josh – reports on national security and foreign policy for the Cable at Foreign Policy, Magnitsky Act will be linked with Russian trade bill in Senate, Foreign Policy, p. <http://thecable.foreignpolicy.com/posts/2012/06/12/magnitsky_act_will_be_linked_with_russian_trade_bill_in_senate>)

By gaining McCain's support, Baucus has removed a major obstacle to the passage of PNTR for Russia. But now, with McCain on board, Baucus's PNTR bill is linked to the Magnitsky Act in such a way that if the administration opposes or seeks to water down the Magnitsky bill without McCain's agreement, both pieces of legislation could be in jeopardy.

**Magnitsky won't collapse relations - their impact cards are political rhetoric and have little descriptive value**

**RBH 12** — Russia Beyond the Headlines, 6/19/2012 (Will the Magnitsky blacklist sour U.S.-Russian relations?, p. http://rbth.ru/articles/2012/06/19/the\_magnitsky\_blacklist\_may\_sour\_us-russia\_relations\_15900.html)

Russian Presidential Aide Yury Ushakov has also described the bill as unacceptable. Last week, Ushakov said that a response will come from Russia immediately if the U.S. Congress votes in favor of the Magnitsky bill. “If there is no law, there will be no responsive measures and the relations will become better,” he said, encouraging U.S. lawmakers to think twice before voting on the measure. Contrary to the harsh rhetoric from government officials, some experts argue that the Magnitsky bill, if adopted, is hardly likely to seriously affect U.S.-Russia bilateral relations. “This will make our relations worse, but the damage won’t be catastrophic because Russia and the U.S. also have a positive agenda,” said Sergei Markov, rector at the Plekhanov Russian University of Economics and a member of the Public Chamber of Russia. Markov pointed out that Russia and the U.S. work together on a number of important issues, such as combating terrorism and drug trafficking and will undoubtably continue this cooperation. “We also need to develop our economic relations,” said the analyst. Markov believes that Presidents Barack Obama and Vladimir Putin have the potential to develop good personal relations. “Putin had the opportunity to receive evidence that Obama keeps his word. Putin values this most of all,” the analyst said. Markov thinks that Obama, in turn, respects Putin’s leadership potential. Maksim Grigoryev, president of the Foundation for the Study of Problems of Democracy, also believes that U.S.-Russian relations will improve relatively soon, at least after the U.S. presidential elections, should Obama win a second term. Grigoryev thinks that the discussion around the Magnitsky bill is all about political PR. “It is important for Obama to present himself as a strong man on the international arena and neutralize the Republican Party's attacks that he is not hard enough on Russia. For Republicans, it is important to show that they fight against totalitarianism in Russia,” said Grigoryev. “This is a PR move for both the Republicans and Obama.”

Yes Magnitsky

#### Magnitsky has support and will be linked

**Ivanov**, **6/21**/2012 (Eugene – political commentator who blogs at the Ivanov Report, Will the Magnitsky bill “replace” the Jackson-Vanik amendment?, Russia Beyond the Headlines, p. <http://rbth.ru/articles/2012/06/21/will_the_magnitsky_bill_replace_the_jackson-vanik_amendment_15927.html>)

In the Senate, with the Democrats in majority, events are developing more favorably to the administration. Recognizing political realities on the ground, Sen. Max Baucus (Democrat-Montana), whose Senate Finance Committee is in charge of passing the PNTR legislation, has proposed to link both bills: to pass the PNTR legislation – while simultaneously repealing the Jackson-Vanik amendment – along with passing the Magnitsky bill. This approach looks increasingly like a winning proposal, especially since Baucus secured the support of Sen. John McCain (Republican-Arizona), the leading anti-Russian voice in the Senate.

#### Support is building to link Magnitsky to PNTR

**The Hill**, **6/21**/2012 (Senators, Obama administration aim for compromise on Russia trade, p. <http://thehill.com/blogs/on-the-money/1005-trade/234173-senators-obama-administration-aim-for-compromise-on-russia-trade>)

Support is building on both sides of the Capitol to link the two bills as a way to let Congress express its dissatisfaction with Russia's record on human rights. Burns said that while there are serious concerns with the U.S.-Russian relationship, the two nations have "worked effectively" together on a wide range of issues, including nuclear non-proliferation. "There are no allusions about challenges that lie ahead in an uneasy mix of competition and cooperation," he said. "We can't downplay Russia's importance, we don't have that luxury because they will be of strategic importance for many years to come." As lawmakers attempt to find a middle ground, the panel's ranking member Orrin Hatch (R-Utah) emphasized that there is already a commitment to link human rights legislation to PNTR. "We also know that members on both sides of the aisle have already raised numerous economic and non-economic issues that need to be addressed if this process is to be successful," he said. He argued that President Obama expects Congress to "turn a blind eye to the barrage of bad news that demonstrates on a daily basis the deteriorating political, economic and security relationship between the United States and Russia." "I cannot discern any consistent principles or values underlying President Obama’s trade strategy or unravel the logic underpinning his flawed approach toward Russia," he said.

No impact

#### US/Russian relations are resilient – Magnitsky won’t collapse it

**Ria Novisti**, 11/21/**2011** (‘Magnitsky List’ Won’t Undermine Russia-US relations, Lavrov says, p. http://en.rian.ru/russia/20111021/167961475.html)

The so-called Magnitsky list that bars entry to the U.S. for Russian officials allegedly involved in the death of lawyer Sergei Magnitsky, will not undermine relations between the two countries, Foreign Minister Sergei Lavrov said on Friday. The relations established by the Obama and Medvedev administrations are strong enough to withstand "various attempts to ruin them," Lavrov told three Russian radio stations. “I am sure, that the 'Magnitsky list'… won’t undermine the foundations of Russia-US relations," he said. Magnitsky was arrested and jailed without trial in November 2008, and died in police custody a year later after being denied medical care. The 37-year-old lawyer was working for Hermitage Capital Management, a British-based investment fund, when he accused tax and police officials of carrying out a $230-million tax scam. In July 2011, the U.S. State Department banned visas for about 60 Russian officials over their involvement in the detention and death of Magnitsky. To some extent, the introduction of this list is an attempt to “interfere into Russia’s domestic affairs” and “undermine the political line, held by President Obama,” Lavrov continued. “Perhaps, the authors of this list are more interested in the U.S. pre-election contest than in the essence of the problem.”

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**1. Perm: do both -**

**a. Joint action and cooperation resolves the link to the DA**

Young 4 — [Ernest, Law Professor, University of Texas, TEXAS LAW REVIEW, November 2004, p. 59-60]

The intertwining of federal and state bureaucracies through various forms of "cooperative federalism" likewise gives state and local officials the ability to resist federal initiatives in more subtle ways. Recently, for instance, dozens of localities and several states have criticized - and sometimes even refused to cooperate with - aspects of the War on Terrorism that they felt intruded too far into personal liberties.

**b. This form of action is key to effectiveness**

Danzig and Szanton 86 — [Richard Danzig Peter Szanton, law professor, Stanford, former OMB Director, NATIONAL SERVICE: WHAT WOULD IT MEAN?, 1986, p. 190]

State and local programs would diminish prospects for welding the nation’s youth together in a common experience, but because they would be localized, they could enhance their participants’ sense of common service to their own community. Further, by included selected state and local programs in national service and by having the NSO create a common recognition for all service activity, some synergy and sense of unity could be created among state programs and between state and federal programs. We could have the NSO endorse and subsidize half the costs of two kinds of local programs, conservation corps and community service programs.

**Federal funding key - states can't deficit spend**

The Transportation Politic 12 — The Transportation Politic, February 16, 2012, “Clearing it Up on Federal Transportation Expenditures,” http://www.thetransportpolitic.com/2012/02/16/clearing-it-up-on-federal-transportation-expenditures/

\*\* [Commenter John notes](http://www.thetransportpolitic.com/2012/02/16/clearing-it-up-on-federal-transportation-expenditures/#comment-546614) that many transit projects are paid for through bonds, which are in essence deficits, and that states have the technical power to have deficits — and these points are both valid. However, all states except Vermont have some form of balanced budget rule. And the selling of bonds by transit agencies are reliant on them having future guaranteed funding sources to pay back the debt — federal funding like capital grants are an important part of making that equation happen. Transit agencies do not have the ability to expand their debt capacity greatly (unlike the federal government) because of investor fears about future funding security.

**States fail – tight budgets and bad planning**

Puentes et. al 11 — (Robert Puentes, Senior Fellow, Brookings Institution; Felix G. Rohatyn, Special Advisor to the Chairman and CEO; Lazard Freres and Co. LLR; Richard Little, Director, Keston Institute for Public Finance and Infrastructure Policy; Stephen Goldsmith, New York City Deputy Mayor for Operations; “Infrastructure Investment and U.S. Competitiveness,” April 5th, 2011, Council on Foreign Relations, http://www.cfr.org/united-states/infrastructure-investment-us-competitiveness/p24585)

Investment in America's physical infrastructure is directly tied to economic development. Businesses and the workforces they attract consider infrastructure when deciding where to locate. Too often, however, pressed by day-to-day concerns, state and local governments fail to adequately plan and invest in infrastructure. Tight budgets make it easy for officials to rationalize the deferral of investment until a time when surpluses return. Unfortunately, this pattern has been repeated for decades, and the accumulation of deferred maintenance and deferred investment in future infrastructure has led to an unsatisfactory status quo. To ensure America's future competitiveness in the global marketplace, we must rethink our approach to the construction and financing of infrastructure. And in this policy area, many of the most promising ideas for unlocking public value involve public-private partnerships.

**No solvency - variance**

**a. the CP lacks a uniform federal signal**

Goldsmith 97 — (Jack, Associate Prof – U Chicago, Virginia Law Review, November, Lexis)

Nonetheless, these concerns need not affect the legitimacy of the federal common law of foreign relations. Although federal courts might be generally unsuited to make federal foreign relations law on both legitimacy and competence grounds, the adverse consequences of state-by-state regulation in the face of federal political branch silence might be worse. States suffer from many of the same disabilities as federal courts in this context. Moreover, federal courts, in contrast to the states, have independence from local political processes and, as a branch of the national government, are likely to be more sensitive to national foreign relations interests. Even in the absence of strategic behavior by the states, one might think that, all things being equal, suboptimal but uniform federal judge-made regulation of foreign relations is preferable to the nonuniformity **inherent in state-by-state regulation** of a foreign relations issue. [213](http://www.lexis.com/research/retrieve?_m=30e57da0c4e98dad4748fc94bcd482ae&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVtb-zSkAW&_md5=4c3bbc49db3765e390d1f2e67acc99c4" \l "n213" \t "_self) Finally, the federal common law of foreign relations is designed to protect political branch prerogatives in foreign relations that the political branches themselves are structurally unsuited to protect. Any remaining concerns about the legitimacy or competence of the federal common law of foreign relations are thus mitigated by the political branches' ability to override judicial errors in the development of such law.

b. this kills interstate cooperation and coordination

Anand 11 — (Anika, “Bank plan would help build bridges, boost jobs”, MSNBC, 7/6 http://www.msnbc.msn.com/id/43606379/ns/business-eye\_on\_the\_economy/t/bank-plan-would-help-build-bridges-boost-jobs/#.T6xxu7PWa8A)

There are currently a handful of state infrastructure banks, although it’s more difficult for them to cross state borders and bring municipalities together **to fund national-scale projects**. Opponents also point to public-private infrastructure projects that have drawn public criticism, such as the $3.8 billion Indiana Toll Road, which was leased to foreign private investors.

c. this tanks solvency - regulatory hurdles make the CP impossible

Donahue 97 — (John D., JFK School of Government, Disunited States, p. 42)

Even when states vary, of course, there are arguments for uniformity. Institutions and individuals who live or do business in several states face the expense, bother, and confusion of coping with different (and sometimes conflicting) rules. Inconsistencies among state laws and regulations can lead to disputes of great complexity and to resolutions of limited appeal. After taking its case all the way to the Supreme Court, for example, a cruise ship operator won the right to be sued only in Florida by aggrieved passengers who had been on a trip between Washington State and Mexico.