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### 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]

#### 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.

#### 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

### U 2NC

#### Congress will compromise with Obama on passing a “clean” trade bill on Russia now. That’s the 1NC The Hill evidence. Support from Camp and Obama lobbying proves.

#### Prefer our ev because it is predictive and conclusive --- it attributes Obama’s capital as a critical factor

#### More reasons it will pass –

#### 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."

#### 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 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.”

### U – AT: Magnitsky Will Pass\*\*\*

#### 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.

### U – Yes Obama Push

#### Obama is spending capital to gut the Magnitsky bill

**The Hill**, **6/19**/2012 (Vote on Russia human-rights bill postponed, p. <http://thehill.com/blogs/global-affairs/trade/233531-senate-delays-consideration-of-trade-related-russia-human-rights-bill>)

“We've been working very closely with the Obama administration. They've been very much engaged in what we're doing.” The legislation under discussion, named after Sergei Magnitsky, a whistle-blowing lawyer who died in police custody, would hit Russian human-rights violators with financial and travel sanctions. Some proponents of the bill have made it a precondition for their support of establishing permanent normal trade relations with Russia when it joins the World Trade Organization next month. A draft of the bill released Monday would allow the administration to keep secret some names on the list of abusers, prompting concerns from the equity firm Hermitage Capital where Magnitsky worked when he died. "The administration is trying to gut the bill, because they've been against it from the start,” Hermitage Capital CEO William Browder told Reuters. “They are trying to **make nice with the Russians**.” Cardin told reporters on Tuesday there was nothing unusual about allowing national security waivers to avoid hamstringing the executive branch. “This is consistent with the original draft of the bill,” Cardin said. “I just don't think (Browder) has read the language or the intent of what we've done here. The intent is for public listing. If there's a national security interest that requires a classified annex, the administration has to justify that.” The Obama administration has pressed Congress to keep the two issues separate, saying that a trade deal with Russia would help U.S. exporters and boost the nation's economy.

#### Obama is trying to stop Magnitsky

**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>)

Russia is prepared to retaliate if the U.S. Congress passes the Magnitsky bill, which would freeze assets of and deny U.S. visas to Russian officials linked to human rights abuses, President Vladimir Putin’s top foreign adviser said Tuesday. “We would very much like to avoid it,” Yuri Ushakov said. “But if this new anti-Russian law is adopted, then of course that demands measures in response.” Ushakov’s comments came in an otherwise upbeat briefing on a meeting between Putin and President Obama set for June in Mexico. The Obama administration has been resisting the legislation, introduced by Sen. Benjamin L. Cardin (D-Md.), viewing it as too provocative, even as the State Department has acted on its own to refuse entry to Russian officials associated with the Magnitsky case.

### U – Top of the Docket

#### Magnitsky is the focus of Congress

**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 recent weeks, the Magnitsky bill has come to the forefront of congressional attention – the reason is Russia’s upcoming accession to the World Trade Organization. Congress has to respond to Russia’s WTO membership by passing legislation granting Russia permanent normal trade relations (PNTR) status. Failure to grant Russia PNTR status will hurt the interests of U.S. multinational corporations, which risk losing business in Russia to their European and Japanese competitors.

### Ext – PNR Will Pass

#### PNTR will pass Congress now

**The Hill**, **6/24**/2012 (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>)

Business groups say they feel encouraged that Congress will approve Russian trade legislation before the August recess. The groups said the Obama administration will have to work quickly to bridge their differences to pass the legislation, but the groups expressed confidence it would get done. “A lot of progress was made this week,” said David Thomas, vice president for trade policy, with the Business Roundtable. Lawmakers on Capitol Hill along with trade officials are trying to balance the passage of permanent normal trade relations (PNTR) for Russia with a push by a broad coalition of lawmakers to link the measure with human rights legislation. The latter bill would withhold visas for Russian officials accused of human rights violations. Hearings at the House Ways and Means and Senate Finance committees this week revealed the gap between lawmakers and the White House, which opposes the linkage and finds itself in an **unlikely partnership with Capitol Hill Republicans**. U.S. Trade Representative Ron Kirk and House Republicans are calling for lawmakers to pass a clean repeal of the Jackson-Vanik provision, which would grant Russia permanent normal trade relations. 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. Still, Brady has called passage of the trade bill a “heavy lift.” Deputy Secretary of State William Burns told the Senate Finance Committee on Thursday that there is an ongoing “constructive dialogue” with lawmakers and that the administration's concerns are being considered. Many took his words as encouragement. Sen. Ben Cardin (D-Md.), author of the human rights bill, also acknowledged that talks were progressing with administration officials. “I can eventually see them acquiescing to some type of link, preferably, from their standpoint, an implicit one between the two bills,” said Ed Gerwin, senior fellow for trade and global economic policy, Third Way.

### PC High 2NC

#### Gutting Magnitsky is first – it’s Obama’s priority

#### Prefer issue specific uniqueness – it contextualizes Obama’s capital and says he has enough to block Magnitsky

#### Issues only cost capital once they reach the finish line

**Drum**, 3/10/**2010** (Kevin – political blogger for Mother Jones, Immigration coming off the back burner?, Mother Jones, p. http://motherjones.com/kevin-drum/2010/03/immigration-coming-back-burner)

Not to pick on Ezra or anything, but this attitude betrays a surprisingly common misconception about political issues in general. The fact is that **political dogs never bark until an issue becomes an active** one. Opposition to Social Security privatization was pretty mild until 2005, when George Bush turned it into an active issue. Opposition to healthcare reform was mild until 2009, when Barack Obama turned it into an active issue. Etc. I only bring this up because we often take a look at polls and think they tell us what the public thinks about something. But for the most part, they don't.1 That is, they don't until the issue in question is squarely on the table and both sides have spent a couple of months filling the airwaves with their best agitprop. Polling data about gays in the military, for example, hasn't changed a lot over the past year or two, but once Congress takes up the issue in earnest and the Focus on the Family newsletters go out, the push polling starts, Rush Limbaugh picks it up, and Fox News creates an incendiary graphic to go with its saturation coverage — well, that's when the polling will tell you something. And it will probably tell you something different from what it tells you now. Immigration was bubbling along as sort of a background issue during the Bush administration too until 2007, when he tried to move an actual bill. Then all hell broke loose. The same thing will happen this time, and without even a John McCain to act as a conservative point man for a moderate solution. The political environment is worse now than it was in 2007, and I'll be very surprised if it's possible to make any serious progress on immigration reform. "Love 'em or hate 'em," says Ezra, illegal immigrants "aren't at the forefront of people's minds." Maybe not. But they will be soon.

## Links

### Political Capital Key 2NC

#### Capital is key to block Magnitsky. That’s the 1NC Rogin 2012 evidence. It has two warrants –

#### A) Obama will use it to block Magnitsky’s passage like he did with Kerry’s proposal

#### And

#### B) He will water down the bill by adding restrictions or exemptions which prevents angering Russia

#### 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 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.”

#### 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

### Ext – Obama Capital Key

#### PNTR will pass – there is a battle to water down the Magnitsky component now

**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>)

Still, Hatch conceded that PNTR must be passed. Despite concerns over Russia's bad behavior — foreign policy challenges in Syria and Georgia, intellectual property treatment and government corruption — lawmakers appear steadfast in their goal of granting PNTR. "It's important to bear in mind that this is not just about the Russian government but the evolution of Russian society," Burns said. "Extending PNTR is not a magic formula but it's a long-term investment that is part of what the Russian middle class wants to see and it will help them be a better partner for the United States over time." Kirk noted that the administration has "very serious concerns" with Russia's treatment of U.S. agricultural products and they are continuing to press the Russian government to adopt intellectual property rules that exceed WTO standards. A week ago, Democrats Baucus and Sen. John Kerry of Massachusetts, along with Republicans John Thune of South Dakota and John McCain of Arizona, have sponsored a bill that would let the administration grant Russia permanent trade ties by nixing the Jackson-Vanik provision, which designed to put pressure on Communist nations for human-rights abuses and emigration policies. At the same time, Baucus announced that he would back pairing PNTR legislation with the so-called Magnitsky legislation, which would freeze assets and deny U.S. visas to Russian officials linked to human rights abuses. On Thursday, Thune said Baucus has offered "a reasonable process to move forward" and called for the attachment of a "robust" Magnitsky bill. Republicans are urging their colleagues to resist a watered-down version of the legislation in negotiations to pass a PNTR bill. Thune also called on the administration to "engage aggressively" with lawmakers to "forcefully make the case for PNTR between now and the August recess."

#### Obama is spending capital to water down Magnitsky --- prevents targeting Russia

**Rogin**, 3/29/**2012** (Josh, Lugar’s endorsement pushes Magnitsky Act Forward, Foreign Policy, p. <http://thecable.foreignpolicy.com/posts/2012/03/29/lugar_s_endorsement_pushes_magnitsky_act_forward>)

The administration opposes the Magnitsky bill and U.S. Ambassador to Russia Mike McFaul recently called it "redundant" because the State Department has already issued visa restrictions for the officials it believes are guilty in the Magnitsky case. But leading Russian opposition figures argue that the repeal of Jackson-Vanik without some replacement human rights legislation would undermine the fight for human rights in Russia. Behind the scenes, the administration is negotiating with Cardin, the bill's main sponsor, on changes to the Magnitsky bill that would actually expand it to cover all countries around the globe, not just Russia, two congressional aides close to the issue told The Cable. The benefit of such a change for the administration would be that the bill could not be seen as targeting Russia only. The risk, according to aides, is that such a change could create conflicts with several other governments whose officials might falls under the bill's definition of human rights violators.

### 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.

#### Political capital key

**Light 1999** (Paul – professor of political science at University of Michigan, The President’s Agenda, p. 25-26)

Call it push, pull, punch, juice, power, or clout --- they all mean the same thing. The most basic and most important of all presidential resources is capital. Though the internal resources time, information, expertise, and energy all have an impact on the domestic agenda, the President is severely limited without capital. And capital is directly linked to the congressional parties. While there is little question that bargaining skills can affect both the composition and the success of the domestic agenda, without the necessary party support, no amount of expertise or charm can make a difference. Though **bargaining is an important tool of presidential power**, it does not take place in a neutral environment. Presidents bring certain advantages and disadvantages to the table.

### Capital Finite

#### Political capital is finite and trades off with other agenda items

**Marshall and Prins, 11**(Bryan W., Miami University, and Brandon C., University of Tennessee & Howard H. Baker, Jr. Center for Public Policy, “Power or Posturing? Policy Availability and Congressional Influence on U.S. Presidential Decisions to Use Force”, Presidential Studies Quarterly Issue Presidential Studies Quarterly Volume 41, Issue 3, pages 521–545, September 2011, Ebsco)

We argue that the more important effect of Congress occurs because presidents anticipate how the use of force may affect the larger congressional environment in which they inevitably have to operate (Brulé, Marshall, and Prins 2010). It may be true that presidents consider the chances that Congress will react to a specific use of force with countervailing tools, but even more importantly they anticipate the likelihood that a foreign conflict may damage (or advantage) their political fortunes elsewhere—in essence, the presidential calculus to use force factors in how such actions might shape their ability to achieve legislative priorities. To be clear, presidents can and do choose to use force and press for legislative initiatives in Congress. Taking unilateral actions in foreign policy does not preclude the president from working the legislative process on Capitol Hill. However, political capital is finite so spending resources in one area **lessens what the president can bring to bear in other areas**. That is, presidents consider the congressional environment in their decision to use force because their success at promoting policy change in either foreign or domestic affairs is largely determined by their relationship with Congress. Presidents do not make such decisions devoid of calculations regarding congressional preferences and behavior or how such decisions may influence their ability to achieve legislative objectives. This is true in large part because presidential behavior is motivated by multiple goals that are intimately tied to Congress. Presidents place a premium on passing legislative initiatives. The passage of policy is integral to their goals of reelection and enhancing their place in history (Canes-Wrone 2001; Moe 1985). Therefore, presidents seek to build and protect their relationship with Congress.

#### Limited bargaining chips – Fighting for passage of the plan FORCES a trades off with other agenda priorities

Bernstein, 8/20/2011 (Jonathan, Political Scientist and Journalist, “The power that a president does -- and doesn't -- have A president has less power than Obama's liberal critics think -- but they also have more power than they realize,” <http://www.salon.com/news/politics/war_room/2011/08/20/bernstein_presidential_power/index.html>)

Moreover, the positions of the president and most everyone else are, to look at it one way, sort of opposites. The president has potential influence over an astonishing number of things -- not only every single policy of the U.S. government, but policy by state and local governments, foreign governments, and actions of private citizens and groups. Most other political actors have influence over a very narrow range of stuff. What that means is that while the president's overall influence is certainly far greater than that of a House subcommittee chair or a midlevel civil servant in some agency, his influence over any specific policy may well not be greater than that of such a no-name nobody. A lot of good presidential skills have to do with figuring out how to leverage that overall influence into victories in specific battles, and if we look at presidential history, there are lots of records of successes and failures. In other words, it's hard. It involves difficult choices -- not (primarily) policy choices, but choices in which policies to fight for and which not to, and when and where and how to use the various bargaining chips that are available.

#### Political capital is finite and trades off with other agenda items

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#### Pushing through legislation is cumbersome and drains finite political capital

**Seidenfeld**, October **1994** (Mark – professor at the Florida State University College of Law, A Big Picture Approach to Presidential Influence on Agency Policy-Making, Iowa Law Review, p. Lexis)

The cumbersome process of enacting legislation interferes with the President's ability to get his legislative agenda through Congress much as it hinders direct congressional control of agency policy-setting. A President has a **limited amount of political capital** he can use to press for a legislative agenda, and **precious little time** to get his agenda enacted. These constraints prevent the President from marshalling through Congress **all but a handful** of statutory provisions reflecting his policy vision.

#### Political capital is finite and adding new agenda items drains it

**Edwards and Barnett 2000** (George C. – professor of political science at Texas A&M University, and Andrew – lecturer at Texas A&M University, Polarized Politics: Congress and the President in a Partisan Era, p. 110)

In addition, the White House wants to ensure that its proposals compete favorably with other proposals on the agenda. If presidents cannot focus Congress’s attention on their priority programs, the programs will get **lost in the** complex and **overloaded legislative process**. Moreover, presidents and their staff have the time and energy to lobby effectively for only a few bills at a time and the **president’s political capital is inevitably limited**. As a result, presidents wish to focus on advancing their own initiatives rather than opposing or modifying the proposals of others. Thus, the White House not only wants its initiatives to be on the congressional agenda but also prefers to have fewer congressional initiatives with which it must deal.

### Capital Spills Over

#### Partisanship spills over

**Cohen**, Spring **2001** (William, counselor – CSIS, former Secretary of Defense, Washington Quarterly, p. Lexis)

Finally, a more bipartisan approach to the formulation of national security policy specifically can only occur with a less partisan approach to political discourse generally. Social and political observers alike have chronicled an absence of civility in the public sphere and increasing hostility in the political sphere. Debate too often gives way to diatribe, and practical problem-solving to rhetorical finger-pointing. At times -- such as the Desert Fox strikes -- the enmity has become so intense that some openly question the motivations of the leaders on the opposite side of the aisle. At other times -- such as during the national debate on the CTBT -- incendiary rhetoric is used to inflame core constituencies, gain political advantage, or to humiliate or embarrass one's opponents. Such scorched earth tactics may be chauvinistically satisfying, but they only diminish the trust and respect among policymakers that is essential to responsible and reasonable compromise.

### AT: Winners Win

#### Winners lose – any major win is the quickest way to kill future proposals. The GOP will backlash

**The Economist**, 2/16/**2011** (What’s the equilibrium here?, p. lexis)

The Obama administration's theory of policymaking amid divided government is a frustrating one. What most people want from the president is to lead. And leading, in this case, means giving a speech, getting behind some unpopular ideas, trying to change public opinion... But the White House has come to the conclusion that that type of leadership doesn't work. It believes that the **quickest way to kill a controversial proposal** in a polarized political system is to have the president endorse it. Once a high-profile proposal is associated with the White House, Republicans (correctly) view its passage as a **threat to their political fortunes**. That's why the Obama administration didn't endorse a payroll tax holiday until after the election, when it emerged as part of the tax deal. Endorsing it before the election would've "**poisoned the well**," one administration official told me after. Republicans would have had to attack it, and that would have made it impossible for them to endorse it later. The Obama administration may have a point here. Consider one item that the president has repeatedly, openly pushedinvestment in America's long-neglected intercity rail system. Republican governors are cancelling rail plans as fast as they can. Florida Governor Rick Scott just scrapped a Florida plan, despite the fact that the federal government was going to cover most of the capital costs, while private companies were offering to cover the rest in exchange for the right to operate the line. On the other hand, Mr Obama responded to Republican budget proposals that avoided addressing entitlements by...releasing a budget that avoided addressing entitlements. And lo and behold, Republican congressional leaders are now scrambling to include entitlement reforms in new budget plans. Maybe the president has this whole reverse psychology thing figured out. But I doubt this is a stable equilibrium. The GOP's reflexive **anti-Obama streak** is motivated, one presumes, by a desire to win elections. One supposes that they feel they must **deny him legislative victories** in order to be successful at the ballot box. So for a while, presidential abdication of leadership may create political space for something like honest legislative negotiations over policy. But a grand bargain that takes place under Mr Obama's watch is a **political victory** for Mr Obama, whether or not he led the charge. And the GOP is **unlikely to let the president have such a win**.

#### Controversial wins bleed momentum not build it.

**Politico**, 1/20/**2010** (Obama's first year: What went wrong, p. http://dyn.politico.com/printstory.cfm?uuid=4DF829C9-18FE-70B2-A8381A971FA3FFC9)

Obama believed that early success would be self-reinforcing, building a powerful momentum for bold government action. This belief was the essence of the White House’s theory of the “big bang” — that success in passing a big stimulus package would lead to success in passing health care, which in turn would clear the way for major cap-and-trade environmental legislation and “re-regulation” of the financial services sector — all in the first year. This proved to be a radical misreading of the dynamics of power. The massive cost of the stimulus package and industry bailouts — combined with the inconvenient fact that unemployment went up after their passage — meant that Obama spent the year bleeding momentum rather than steadily increasing public confidence in his larger governing vision. That vision was further obscured for many Americans by the smoke from the bitter and seemingly endless legislative battle on Capitol Hill over health care.

#### Wins don’t spill over. Climate proves.

**Hertzberg**, 2/7/**2011** (Hendrik – senior editor and political essayist at the New Yorker, The New Yorker, p. http://www.newyorker.com/talk/comment/2011/02/07/110207taco\_talk\_hertzberg?printable=true)

Strong words. But now they are not even whispered. The climate bill, like hundreds of others less consequential, met its fate on the legislative terminal ward that is the United States Senate, where bleeding is still the treatment of choice. The bill died of complete organ failure, you might say. The contributing causes included the economic crisis, which made it easy to stoke fear; the power, money, and regional clout of sectors that benefit from the greenhouse-gas-producing status quo, especially the coal and oil industries; the Republican congressional leadership’s determination to forgo compromise in favor of a disciplined drive to block anything that might resemble a victory for Obama; the rise of the Tea Party right and the baleful influence of talk radio and Fox News; and, as always, the filibuster. But Obama and the White House cannot escape blame. They botched delicate negotiations in the Senate, were neglectful at key moments, and expende

d little of the courage, imagination, and resources they brought to health-care reform. Perhaps they calculated that winning health care would strengthen them for climate change, like Popeye after a helping of spinach. But the political effect, at least in its immediate manifestations, was more like Kryptonite.

## Impacts

### Impact 2NC

#### DA outweighs –

#### 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.

#### 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.

### START Impact – Nuclear War

#### START prevents US/Russia nuclear war

**Isaacs**, 12/4/**2009** (John – executive director of the Center for Arms Control and Non-Proliferation, Rebuttals to Arguments Against New START, p. <http://www.armscontrolcenter.org/policy/nuclearweapons/articles/rebuttals_to_arguments_against_new_start/>)

Response: First, it is not necessarily the case that Russia will reduce its nuclear forces without a new arms control agreement. Nor is it true that Russia needs or wants a new arms control agreement far more than the U.S. does. Without limits on the size of U.S. and Russian nuclear forces, Russia would have less confidence in its ability to maintain a stable strategic nuclear relationship with the United States. This could give the upper-hand to hardliners in Moscow who want to slow or even halt plans to reduce the number of deployed warheads and delivery vehicles and invest in additional strategic modernization programs. Second, the Strategic Posture Commission found that “the sizing of U.S. forces remains overwhelmingly driven by Russia.” If the Russians are reducing nuclear weapons, it is appropriate for the U.S. to do so. Third, the fact the some Russian reductions might happen in any event is beside the point. If START I is allowed to expire without a new arms control agreement to replace it, so too would the limits on and the means of verifying the two countries’ still enormous nuclear stockpiles and delivery systems. These limits and verification provisions greatly enhance U.S. security by (1) bringing predictability and stability to U.S.-Russian nuclear relations, (2) giving each side confidence than neither side is attempting to retain a significant strategic advantage, and (3) reducing the chances for misunderstanding and worst-case scenario planning. Though the Cold War ended two decades ago, the risks of an accidental or mistaken U.S.-Russian nuclear exchange still exist. A new arms control treaty will reduce this risk.

### 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 United 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 United States, into a dire enemy.

#### Nuclear war.

**Mead**, Summer **1992** (Walter Russell Mead – avid fan of the show The Price is Right and the movie Saving Private Ryan, New Perspectives Quarterly, p. 30)

What if the global economy stagnates-or even shrinks? In the case, we will face a new period of international conflict: South against North, rich against poor, Russia, China, India-these countries with their billions of people and their nuclear weapons will pose a much greater danger to world order than Germany and Japan did in the '30s.

### Magnitsky Bad – US/Russian Relations 2NC

#### Magntisky passage undermines US/Russian relations – Russia would respond asymmetrically and it would spill over to other area --- that’s the 1NC Rogin ev

#### Magnistky passage would hurt US/Russian relations and exports --- spills over to Iran cooperation

**The Moscow Times**, 6/6/**2012** (U.S. Business Groups Speak Out Against ‘Magnitsky’ Sanctions, p. http://www.themoscowtimes.com/business/article/us-business-groups-speak-out-against-magnitsky-sanctions/460003.html)

A bill to punish Russian officials for alleged human rights abuses would badly damage U.S.-Russian ties and hurt U.S. exports, business groups said Tuesday, two days before a key congressional panel will vote on the measure. The bill would require the United States to deny visas and freeze the assets of Russians linked to the detention and death of Sergei Magnitsky, an anti-graft lawyer who died in a Russian jail in 2009 under suspicious circumstances. The legislation is expected to win approval Thursday in the House of Representatives Foreign Relations Committee, clearing the way for the full House to take up the measure, either on its own or as part of a trade bill. Bill Reinsch, president of the National Foreign Trade Council, whose members include major U.S. exporters such as Boeing, Microsoft and Caterpillar, told reporters Tuesday the Magnitsky bill was "seriously flawed." He argued it would make it even harder to get Russia's cooperation **on issues ranging from Iran's nuclear ambitions to Syria's bloody crackdown on dissent**. U.S. companies also fear they will lose sales coming from Russia's entry into the World Trade Organization because Moscow will retaliate by turning to other suppliers, Reinsch said.

### Ext – Magnitsky Hurts US/Russian Relations

#### Magntisky is the red line for US/Russian relations

Radio Free Europe/Radio Liberty, **4/12**/2012 (Lavrov warns Magnitsky bill would hurt U.S.-Russia relations, p. <http://www.rferl.org/content/us_russia_magnitsky/24545755.html>)

Russian Foreign Minister Sergei Lavrov says legislation proposed by U.S. senators on the death in prison of lawyer Sergei Magnitsky would hurt bilateral relations. Magnitsky, 37, died in pretrial detention in 2009 after implicating top Russian officials in a scheme to defraud the government. He was routinely denied medical help in prison. This week, Russia dropped charges against one of two prison doctors accused of causing Magnitsky's death through negligence. The proposed U.S. legislation envisages sanctions against Russian officials deemed to have committed human rights violations. It would replace the 1974 Jackson-Vanik Amendment limiting trade with the Soviet Union, which has not been formally repealed. Lavrov, speaking at a news conference after a Group of Eight (G8) meeting in Washington on April 11, slammed the bill as "anti-Russian" and an attempt at "meddling" in Russia's internal affairs. He said that would be "categorically unacceptable" for Russia. "The American side knows our position on attempts to replace Jackson-Vanik with something new," he said, "and transform an anti-Soviet amendment into anti-Russian legislation. **Such attempts are categorically unacceptable for us**. This will hurt our relations rather seriously because the Magnitsky case is, first and foremost, a Russian issue." Jackson-Vanik has long been a thorn in U.S.-Russian relations.

#### Hurts overall US/Russian cooperation

**Bloomberg**, **4/23**/2012 (Russian Ambassador Says U.S. Rights Bill May Undermine Relations, p. http://www.bloomberg.com/news/2012-04-23/russian-ambassador-says-u-s-rights-bill-may-undermine-relations.html)

An effort by Congress to link a human-rights bill to legislation granting Russia normal trade status may undermine Russian-U.S. relations, the Russian ambassador to the U.S. said. Proposals for travel and financial restrictions to counter the use of violence to quash anti-corruption efforts in Russia **infringe on the nation’s sovereignty**, Ambassador Sergey Kislyak said yesterday at a luncheon for journalists at his residence in Washington. “If anything of the type is adopted, there will be significant reaction,” he said. “In Russia, I cannot predict the way we will react, but I’m certain that **it would undermine” the ability to work together “on a** number of issues.”

### 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.

### Ext – US/Russia Relations Key Warming

#### Cooperation is the most effective warming solution --- solves in the short-term

**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)

One of the most striking features of Russia’s energy profile is its energy intensity—the amount of energy consumed per unit of gross domestic product—which is **higher than any of the world’s 10-largest energy-consuming countries**, 3.1 times greater than the European Union, and more than twice that of the United States. This massive potential for improvement makes working with the Russians to increase their energy efficiency the most effective short-term way to help them reduce emissions and points toward the clearest path for demonstrating the economic advantages of taking on climate change.

#### Cooperation solves a larger magnitude for solving --- international cooperation

**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)

Second, Russia could be one of the unacknowledged keys to success at Copenhagen given the likely structure of the treaty. According to the architecture of the first U.N. climate treaty the Kyoto Protocol could not have been enacted unless at least 55 countries signed and ratified it representing at least 55 percent of global carbon emissions. When the first round of commitments were announced enough countries were willing to ratify the treaty but their emissions did not add up to the required amount for implementation. So if Russia had not ratified the treaty in November 2004 it would have not gone into effect. Russian participation could again be critical this time because we can expect a similar proviso in the post-Kyoto treaty. We need to bring the Russians on board for an ambitious agenda before Copenhagen sooner rather than later to avoid a deadlock in the international climate negotiations. Immediate bilateral cooperation and engagement is key in **making Russia a partner in addressing climate change**—it is not in the U.S. interest for Russia to be a spoiler.

## Affirmative Answers

### 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.

#### No “clean” PNTR bill

**The Hill**, **6/24**/2012 (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.

### Ext – Yes Magnitsky

#### 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.

#### There is overwhelming support for Magnitsky

**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 bill to grant Russia Permanent Normal Trade Relations (PNTR) was introduced in the Senate Tuesday and the head of the Senate Finance Committee promised he will combine it with a bill to sanction Russian human rights violators. Sen. Max Baucus (D-MT), who is the main sponsor of the PNTR bill and who will shepherd the legislation through his Finance Committee and then on the floor, has agreed to link it to the Magnitsky bill and pledged to pass them both this year. In doing so, Baucus secured the support of Sen. John McCain (R-AZ) for the PNTR bill, which includes a repeal of the 1974 Jackson-Vanik law that was set in place to punish the Soviet Union for refuses to let Jews emigrate. "It is clear the Magnitsky Act has overwhelming support in the Senate and growing support in the House," Baucus wrote in a letter today to McCain, Sen. Ben Cardin (D-MD), Sen. Joe Lieberman (I-CT), and Sen. Roger Wicker (R-MS). "It is equally clear that many of our colleagues are rallying around the position you have advanced -- that the repeal of Jackson-Vanik for Russia must be accompanied by passage of the Magnitsky Act. I am fully committed to ensuring that the Senate can act on both items this year."

### Political Capital Not Key

#### Obama won’t veto Magnitsky --- too risky

**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**, **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>)

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.

### No Impact – Magnitsky Will Not Collapse Relations

#### 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.”

#### Magnitsky will not collapse US/Russia relations – overwhelming incentives to cooperate

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.”