Tab 1

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Strategy:

This is designed to be a pretty simple and straightforward case - we should ensure that a specific set of medical procedures are covered by health insurance, ensuring that they are accessible and affordable to everyone. The idea at the center of the case is very simple - who controls your body - you, or the government? The aff would preserve the ability of trans-identifying folks to get care that fits their gender identity, and not let the government tell them who they are and what they can and can't do with their bodies.

This case is tricky for the negative. Making arguments that trans folks don't deserve health care, or repeating some of the politically and socially popular slurs or hateful attacks on trans people's right to exist, participate in society, and live their lives, are morally flawed takes, and won't win you many rounds. Don't go there. We don't debate to negate people's identity, just to stress test their policy proposals.

There are ways to negate the case, however, without challenging the humanity of individuals involved.

First, the aff is very questionably topical.

A) I'm not sure it meets the standard of "national health insurance." It will apply nationally, and is health insurance related, but is pretty narrow.
B) I'm also not sure the majority of definitions of "establish" allows us to proscribe specific types of policies covered by insurance, though I don't think that's a great take in the spirit of the topic.
C) Even if the aff makes insurance companies offer the coverage, there are a bunch of other anti-trans laws at the federal and state level that might make it legally risky for doctors to perform the procedures, hospitals to host people who do, etc. so either the aff would not solve (and probably be counter-productive, getting all of the doctors capable / willing to do the procedures arrested and their hospitals closed), or the aff solves broader anti-trans laws, and thus has some Extra Topicality problems.

Second, there are counterplans that might be able to more effectively do the plan without the constraints of the resolution.

Third, this case links incredibly hard to political backlash arguments. Regardless of the moral questions involved, the impact of Trump's barrage of TV attacks on VP Harris - "Harris is for they/them, I'm for you" was substantial, especially in politically important states like Pennsylvania, Michigan, etc. Public opinion on trans issues is lagging behind other LGBTQ rights questions in polls, and the ways the GoP is weaponizing the issue (such as in girls sports and bathroom usage) has resonated with a majority of the public in some parts of the country. Therefore, a lot of politicians would be very scared to vote for this bill, and Trump would pay a HUGE price with his base for flipflopping on this issue.

This aff is written as topical currently, but I think the most powerful version of it is intentionally non-topical, making arguments that critique the parameters of the topic. Forcing folks to fit into a pre-defined box, like the resolution, is a great metaphor for telling folks that they have to conform to gender norms, and lets you leverage the aff against the topicality arguments as a critique of topicality itself.

If you choose to run the affirmative as a non-topical affirmative, you can't run the human rights advantage (at least as written).

Trigger Warning:

This case discusses some sensitive issues surrounding gender identity, mental health, and suicide (in the aggregate, no detailed descriptions of an individual experience or self harm).

For debaters reading this file, please be aware that these topics are discussed in the evidence contained here.

If you are debating this as the affirmative, please give your opponents some warning that these topics will be brought up in the round, and provide some grace so you can have a productive debate……

Sample 1AC:
Inherency:

Trump's rhetoric and policies have put LGBTQ rights at risk, especially around gender affirming care, against the recommendation of all major medical associations
Thoreson and Aufiero 2024
Paul, Senior Producer, and Ryan, Specialist, LGBT Rights Program, 11/19, Human Rights Watch, Interview: Trump Poses More Threats to Rights of LGBT People
https://www.hrw.org/news/2024/11/19/interview-trump-poses-more-threats-rights-lgbt-people
US President-elect Donald **Trump's inflammatory rhetoric concerning** the rights of lesbian, gay, transgender and bisexual **(LGBT) people is nothing new. His first term** in office from 2017 until 2021 **resulted in a wave of discriminatory measures aimed at limiting protections for LGBT people** across the United States. **Since then, state legislatures around the country have continued to** pursue or **pass draconian bills to limit the presence of LGBT people in public life,** including rolling back freedoms for trans children. Senior Web Producer Paul Aufiero spoke with LGBT rights specialist Ryan Thoreson about what's at stake under a second Trump presidency. What does a second Trump term mean for the rights of LGBT people in the US? Donald Trump's first term gives us a glimpse of what we can likely expect to see this time around. **He previously stacked his administration and the judiciary with people who are overtly hostile to LGBT rights.** We saw the consequences of that in a lot of the administration's policies and executive orders, including one that banned transgender people from serving in the US military. Trump and other Republican Party candidates also targeted transgender people during the 2024 campaign, running anti-trans attack ads in various states and making absurd claims about schools performing gender surgeries on children. So I think **we're likely to see the federal government turn against trans people in the way that individual US states have in recent years.** How have US states already been curbing LGBT people's rights? Since about 2021, on the heels of the first Trump administration, **there's been a significant uptick in state legislatures proposing or passing laws targeting LGBT people, and trans kids in particular.** Some of the worst trends involve denying trans children access to sports, barring them from appropriate bathroom facilities, and outing them to family members. **More than half of US states also prohibit transgender children from obtaining often life-saving, gender-affirming medical care. Major medical associations consider this type of care best practice for many transgender children,** as it can alleviate a lot of the mental health stressors of gender dysphoria they can experience as they grow and their bodies change. Some states have also sought to exclude transgender girls from participating in sports, including some imposing blanket bans. This has the detrimental effect that trans kids who are often bullied or face isolation at school can't take part in and get the benefits of the teamwork and physical activity that school sports provide. Seven states also limit or ban discussions of sexual orientation and gender identity in schools, and four more restrict whether and how same-sex activity can be discussed in schools. These laws are passed to prevent children from learning about diverse sexual orientations and gender identities, with little regard for the harmful effects that isolation and invisibility can have on young people who do or will identify as LGBT or have LGBT family members. How could this kind of discrimination and erasure play out on the national stage under the next Trump administration? Well, one example is Trump saying that he'll outright ban gender-affirming care for minors in the US. He also said he'll ask Congress to establish that only two genders will be federally recognized. This would stop progress currently being made in the country to recognize non-binary individuals, which we've seen in federal and state efforts to allow people to choose a third gender option of "X" on passports, licenses, and other documents. This is also problematic for trans people generally, as it lays the groundwork for laws and policies that Congress could pass. Some Republicans in Congress have already introduced legislation that would make providing gender-affirming care a crime in the US or that would prohibit transgender girls from playing sports nationwide. Many of the changes proposed by lawmakers and Trump would exclude transgender students from Title IX protections, a federal law banning sex discrimination in federally funded educational institutions. This would affect school policies on students' use of pronouns, bathrooms, and locker rooms. **Trump also said during the campaign that he would roll back federal policies prohibiting discrimination on the basis of sexual orientation and gender identity.**

25 States have banned gender-affirming care, destabilizing their healthcare systems, this climate has compelled providers and families to over-comply out of fear
Human Rights Watch 2025
6/3, US: Bans on Gender-Affirming Care Harm Trans Youth
https://www.hrw.org/news/2025/06/03/us-bans-on-gender-affirming-care-harm-trans-youth
Laws banning gender-affirming care for transgender youth in the United States are inflicting severe harm on young people and their families, Human Rights Watch said in a report released today. **Since 2021, 25 states have enacted sweeping bans targeting this best-practice medical care, replacing gradual, evidence-based treatments with blunt and politically driven restrictions.** The 98-page report, "'They're Ruining People's Lives': Bans on Gender-Affirming Care for Transgender Youth in the US," documents the devastating consequences of these bans for transgender youth, including increased anxiety, depression, and, in seven reported instances, suicide attempts. Human Rights Watch found that these laws contribute to an increasingly hostile, anti-trans climate, compelling youth to hide their identities and socially withdraw. **The bans also destabilize health care systems and undermine civil society and create geographic and financial challenges in accessing care.** The impact has intensified since early 2025, when the administration of President Donald Trump took a series of executive actions escalating federal attacks on transgender rights. **"US officials have cut off transgender youth from essential, life-affirming care, throwing them instead into the crosshairs of a cultural war,"** said Yasemin Smallens, LGBT Rights Officer. "Families are being pushed to the brink, forced to navigate impossible barriers to care, while the federal government intensifies its assault on transgender rights." Human Rights Watch interviewed 51 people in 19 states who have been affected by these legislative bans, including transgender youth, parents, health care providers, and advocates. Human Rights Watch also consulted 32 LGBT rights organizers and conducted an additional round of interviews after President Trump's inauguration to document the impact of his administration's new policies. **More than 100,000 transgender youth live in states with legislative bans on gender-affirming care for youth. Six states classify providing this care as a felony and eight state laws include vague "aiding and abetting" provisions that could penalize providers for making referrals or refilling prescriptions.** The Trump administration has further attempted to restrict access through a January 28 executive order, which while not fully enforced, has caused some clinics to halt services in states where the care remains legal. A case challenging Tennessee's ban, Skrmetti v. United States, is before the US Supreme Court, with a decision expected in June. Families affected by bans said that their children lost access to medical care with little or no notice and often without alternative options. Eleven families said they were compelled to travel out of state to consult physicians or obtain prescriptions. Several youth said they were unable to begin care due to legal barriers combined with geographic and financial obstacles. One family relocated to another state. "I want [lawmakers] to know they're ruining people's lives," said an 18-year-old trans woman whose care was interrupted by a state ban. Youth who have retained access to care said the hostile legal and political environment has exacerbated their feelings of anxiety, depression, and isolation. **State bans have compelled many health care providers to shut down or curtail services.** People interviewed reported instances in which providers or institutions ceased services more than may have been legally required. State **bans have had a cascading negative impact on health care systems, Human Rights Watch found, as providers in states with bans reported difficulty retaining existing providers and recruiting new doctors. Every health care provider interviewed said that they had experienced targeted anti-trans harassment. Providers said their institutions have increased their security budgets, diverting funds that could be used for patient care.** Civil society organizations reported facing similar threats, alongside rising costs for safety measures. In Texas, affected individuals described the state's extreme targeting of transgender people, including a 2022 directive that classified certain forms of gender-affirming care for youth as "child abuse." As a result, some families reported avoiding health care interactions altogether to protect their children, whose transgender identity, if disclosed, could trigger child abuse investigations. In April 2025, President Trump issued a proclamation asserting that parents who affirm their child's gender identity are committing abuse. **"People are scared they're going to lose their kids,"** one advocate said. **"You don't have to legislate it if you scare people so much that they self-police."**

The Plan:

The United States Federal Government should establish that gender affirming care is an essential health benefit required in all health insurance plans.

Solvency

The plan preserves essential health benefits as part of national health insurance policies under the ACA
Diaz and Schoenbrunner, 2025
Adrian and Anna, 5/28, Health Affairs, Reclassigying gender affirming care would erode essential health benefits for everyone, https://www.healthaffairs.org/content/forefront/reclassifying-gender-affirming-care-would-erode-essential-health-benefits-everyone
On March 10, 2025, the Centers for Medicare & Medicaid Services (CMS) proposed the "Marketplace Integrity and Affordability Rule". If finalized, **the rule strips gender-affirming care from the Affordable Care Act's essential health benefits (EHB) package, letting insurers cap or drop coverage** that now counts toward patients' annual out-of-pocket limits. **The move is more than an attack on transgender health. The change also hands the administration a blueprint for reclassifying any politically inconvenient service without input from Congress;** these could include fertility treatments, PrEP for HIV prevention, or even mental health care. Policymakers, state regulators, and advocates therefore have a shared stake in stopping this rule. How One Carve-Out Could Unravel EHBs **By labeling an entire class of medically necessary care "non-essential," CMS would punch the first hole in the Affordable Care Act's firewall that keeps core benefits affordable and nondiscriminatory. The ACA's essential health benefits (EHBs) guarantee every marketplace enrollee a standard set of services** and cap out-of-pocket costs, preventing insurers from excluding needed treatments or shifting crippling expenses to patients **For the past decade, federal rules and court decisions have affirmed gender-affirming care as medically necessary under the ACA's nondiscrimination provisions. The new rule threatens to reverse that progress and set a precedent for carving other necessary services out of the EHB package.** It also echoes a broader political push, exemplified by Project 2025, to weaken or eliminate EHB requirements altogether, raising the stakes for anyone who relies on the ACA's protections. If this precedent stands, future administrations could:

- Carve out politically sensitive benefits such as in-vitro fertilization, contraception, or medication-assisted treatment for opioid-use disorder.
- Shift costs to states: if a state preserves a benefit the federal government drops, it must "defray" the added premium for subsidized enrollees—draining state budgets.
- Undermine ACA nondiscrimination (Section 1557): a service removed from EHB loses federal cost-sharing caps, paving the way for differential coverage by sex, age, or disability.

Left unchecked, the rule invites a piecemeal unraveling of the EHB framework that is fundamental to the ACA's assurance of comprehensive, equitable coverage.

The plan creates a durable, federal precedent that avoids future litigation or executive orders
Diaz and Schoenbrunner, 2025
Adrian and Anna, 5/28, Health Affairs, Reclassigying gender affirming care would erode essential health benefits for everyone, https://www.healthaffairs.org/content/forefront/reclassifying-gender-affirming-care-would-erode-essential-health-benefits-everyone
With the rule on the brink of finalization, we believe that each layer of government and civil society has a concrete role to play in preventing a wholesale rollback of essential benefits. First, **CMS should rescind it proposed EHB carve-out for gender-affirming care. State and federal actors can, and already have, applied complementary pressure. A coalition of a coalition of 22 state attorneys general led by California filed a detailed comment letter opposing the rule, and 13 AGs have publicly pledged legal action if the rule is finalized. At the federal level Congress could neutralize future carve-outs by amending the ACA to list gender-affirming care,** and other politically vulnerable benefits such as IVF and PrEP, **explicitly within the statutory EHB categories, shielding them from administrative repeal.** Meanwhile, Governors and legislatures should strengthen existing nondiscrimination laws that already bar coverage exclusions in states as California, New York, Illinois, and several other juristications by strengthening nondiscrimination statutes that bar coverage exclusions; such laws force insurers to keep covering care even if CMS withdraws the federal guarantee and give states standing to sue over pre-emption. Professional and market voices can further blunt the rule's momentum. The AMA, Endocrine Society, AAP, and ACOG all designate gender-affirming care as medically necessary; issuing a unified statement and refreshed clinical guidelines would underscore that consensus. At the same time, the Business Group on Health's 2024 Large Employer Survey shows 77% of large employers already cover gender-affirming surgery, undercutting CMS's claim that such coverage is not "typical. Finally, patient-led advocacy groups should mobilize public comments and prepare amicus briefs documenting both individual financial harm and the broader risk to other EHB categories.

Trump's Executive Orders force hospitals to choose between staying open and supporting gender affirming care
Human Rights Watch, 2025
3/9, US: Trans Youth's Access to Lifesaving Care Under Threat, https://www.hrw.org/news/2025/02/03/us-trans-youths-access-lifesaving-care-under-threat
This order is part of a sweeping rollback of transgender rights protections by the Trump administration. It **instructs agencies to revoke funding for medical institutions that research or provide gender-affirming care for youth and to eliminate protections for transgender youth in federal healthcare programs** such as Medicaid, TRICARE, and the Federal Employee Health Benefits Program. **It also directs the Department of Justice to investigate and prosecute providers of gender-affirming care**, citing laws against "female genital mutilation." **"Transgender youth, their families, and their doctors are being forced to make impossible choices, whether to risk legal consequences for accessing or providing care, or to suffer in silence,"** said Rasha Younes, interim lesbian, gay, bisexual, and transgender (LGBT) rights program director at Human Rights Watch. Gender-affirming care for youth encompasses a range of practices, which may include medical intervention such as puberty blockers and hormone therapies delivered through a tailored, multidisciplinary approach. In the United States, transgender youth typically undergo months or years of rigorous evaluation before any medical interventions are initiated.

Advantage One: Bodily Autonomy

Trump's actions are a dangerous expansion of government control of people's bodies
Madara 2021
James, CEO, American Medical Association, Doctor, AMA to states: Stop interfering in health care of transgender children, Apr 26, 2021
www.ama-assn.org/press-center/ama-press-releases/ama-states-stop-interfering-health-care-transgender-children
On behalf of the American Medical Association (AMA) and our physician and medical student members, I write to urge the National Governors Association (NGA) and its member governors to oppose state legislation that would prohibit the provision of medically necessary gender transition-related care to minor patients. We believe **this legislation represents a dangerous governmental intrusion into the practice of medicine and will be detrimental to the health of transgender children across the country.** Empirical evidence has demonstrated that trans and non-binary gender identities are normal variations of human identity and expression. For gender diverse individuals, standards of care and accepted medically necessary services that affirm gender or treat gender dysphoria may include mental health counseling, non-medical social transition, gender-affirming hormone therapy, and/or gender-affirming surgeries. Clinical guidelines established by professional medical organizations for the care of minors promote these supportive interventions based on the current evidence and that enable young people to explore and live the gender that they choose. Every major medical association in the United States recognizes the medical necessity of transition-related care for improving the physical and mental health of transgender people. Arkansas' recently enacted SAFE Act and similar **bills** pending in several other states would insert the government into clinical decision-making and force physicians to disregard clinical guidelines. **Decisions about medical care belong within the sanctity of the patient-physician relationship. As with all medical interventions, physicians are guided by their ethical duty to act in the best interest of their patients and** must tailor recommendations about specific interventions and the timing of those interventions to each patient's unique circumstances. Such decisions must be sensitive to the child's clinical situation, nurture the child's short and long-term development, and balance the need to **preserve the child's opportunity to make important life choices autonomously in the future. We believe it is inappropriate and harmful for any state to legislatively** dictate that certain transition-related services are never appropriate and **limit the range of options physicians and families may consider when making decisions for pediatric patients.**

Bodily autonomy is a pre-requisite to basic human agency and is at the root of every struggle for justice.
Side With Love No Date
Non-profit advocacy organization, Bodily Autonomy,
https://www.sidewithlove.org/bodilyautonomy
Across our communities, **that right is being challenged by interconnected systems that seek to control bodies, restrict care, and determine whose lives are valued.** These attacks are not isolated. They are **part of a broader effort to limit freedom, undermine dignity, and deny people the ability to live as their full, authentic selves. We understand bodily autonomy as a moral and spiritual commitment to the inherent worth of every person. It means affirming each person's right to make decisions about their body, identity, health, and future, and ensuring they have the resources and support to thrive. Bodily autonomy is deeply interconnected. Reproductive justice, LGBTQIA+ liberation, and disability justice are not separate struggles;** they are bound together in the work of building communities rooted in care, access, and belonging. **When one group's autonomy is threatened, all are impacted.**

Advantage Two: Mental Health

Bans on gender-affirming care inflict severe harm on youth, and have created a climate of fear

Human Rights Watch 2025

6/3, US: Bans on Gender-Affirming Care Harm Trans Youth

https://www.hrw.org/news/2025/06/03/us-bans-on-gender-affirming-care-harm-trans-youth

Laws banning gender-affirming care for transgender youth in the United States are inflicting severe harm on young people and their families, Human Rights Watch said in a report released today. Since 2021, 25 states have enacted sweeping bans targeting this best-practice medical care, replacing gradual, evidence-based treatments with blunt and politically driven restrictions. **The 98-page report,** "'They're Ruining People's Lives': Bans on Gender-Affirming Care for Transgender Youth in the US," **documents the devastating consequences of these bans for transgender youth, including increased anxiety, depression, and,** in seven reported instances, **suicide attempts.** Human Rights Watch found that **these laws contribute to an increasingly hostile, anti-trans climate, compelling youth to hide their identities and socially withdraw. The bans also destabilize health care systems and undermine civil society and create geographic and financial challenges in accessing care. The impact has intensified since early 2025, when the administration of President Donald Trump took a series of executive actions escalating federal attacks on transgender rights.** "US officials have cut off transgender youth from essential, life-affirming care, throwing them instead into the crosshairs of a cultural war," said Yasemin Smallens, LGBT Rights Officer. "Families are being pushed to the brink, forced to navigate impossible barriers to care, while the federal government intensifies its assault on transgender rights." Human Rights Watch interviewed 51 people in 19 states who have been affected by these legislative bans, including transgender youth, parents, health care providers, and advocates. Human Rights Watch also consulted 32 LGBT rights organizers and conducted an additional round of interviews after President Trump's inauguration to document the impact of his administration's new policies. More than 100,000 transgender youth live in states with legislative bans on gender-affirming care for youth. Six states classify providing this care as a felony and eight state laws include vague "aiding and abetting" provisions that could penalize providers for making referrals or refilling prescriptions. The Trump administration has further attempted to restrict access through a January 28 executive order, which while not fully enforced, has caused some clinics to halt services in states where the care remains legal. A case challenging Tennessee's ban, Skrmetti v. United States, is before the US Supreme Court, with a decision expected in June. Families affected by bans said that their children lost access to medical care with little or no notice and often without alternative options. Eleven families said they were compelled to travel out of state to consult physicians or obtain prescriptions. Several youth said they were unable to begin care due to legal barriers combined with geographic and financial obstacles. One family relocated to another state. "I want [lawmakers] to know they're ruining people's lives," said an 18-year-old trans woman whose care was interrupted by a state ban. **Youth who have retained access to care said the hostile legal and political environment has exacerbated their feelings of anxiety, depression, and isolation.**

Extensive evidence from the American Medical Association shows that providing gender affirming care reduces suicide attempts while improving social relations and depression Madara 2021

James, CEO, American Medical Association, Doctor, AMA to states: Stop interfering in health care of transgender children, Apr 26, 2021
www.ama-assn.org/press-center/ama-press-releases/ama-states-stop-interfering-health-care-transgender-children

In addition, **evidence has demonstrated that forgoing gender-affirming care can have tragic consequences. Transgender individuals are up to three times more likely than the general population to report or be diagnosed with mental health disorders,** with as many as 41.5 percent reporting at least one diagnosis of a mental health or substance use disorder.[1] The increased prevalence of these mental health conditions is widely thought to be **a consequence of minority stress, the chronic stress from coping with societal stigma, and discrimination** because of one's gender identity and expression. **Because of this stress, transgender minors also face a significantly heightened risk of suicide. Transgender children,** like all children, **have the best chance to thrive when they are supported and can obtain the health care they need. Studies suggest that improved body satisfaction and self-esteem following the receipt of gender-affirming care is protective against poorer mental health and supports healthy relationships with parents and peers.**[2] **Studies also demonstrate dramatic reductions in suicide attempts, as well as decreased rates of depression and anxiety.**[3] **Other studies show that a majority of patients report improved mental health and function after receipt of gender-affirming care.** Medically supervised care can also reduce rates of harmful self-prescribed hormones, use of construction-grade silicone injections, and other interventions that have potential to cause adverse events.[4]

Advantage Three: Human Rights Credibility

The United Nations has condemned the United States for violating international law specifically related to access to healthcare for transgender people.
Thoreson 2023
Ryan, 11/8 Specialist, Lesbian, Gay, Bisexual, and Transgender Rights Program, Human Rights Watch. UN Committee Criticizes US Record on LGBT Rights, https://www.hrw.org/news/2023/11/08/un-committee-criticizes-us-record-lgbt-rights
In its review of the United States' record on civil and political rights, the United Nations Human Rights Committee (HRC) condemned a flood of discriminatory state **legislation restricting the human rights of lesbian, gay, bisexual, and transgender (LGBT) people**.
The United States ratified the International Covenant on Civil and Political Rights (ICCPR) in 1992. Every four years, the HRC reviews laws and policies in countries that have ratified the treaty to evaluate where they are in compliance with the treaty and where they **fall short.** The review of the US was postponed during the Covid-19 pandemic, making this the first review of the US in nine years. In advance of the review, released on November 3, the LGBT Rights Program at Human Rights Watch, the University of Miami School of Law Human Rights Clinic, and partner organizations submitted a report to the committee identifying how Florida and other US states have aggressively rolled back LGBT rights in recent years. **Among the worrying US laws are those restricting access to gender-affirming care** and prohibiting transgender children from participating in school sports or using bathrooms consistent with their gender identity. Also concerning are laws banning books as well as prohibiting classroom instruction on sexual orientation or gender identity, LGBT people, and their families in schools. As our groups noted, **these laws jeopardize a range of civil and political rights, including rights to nondiscrimination, expression, information, privacy, security of the person, life, and freedom from cruel, inhuman, and degrading treatment. In its concluding observations, the committee expressed concern about laws limiting transgender people's access to healthcare,** athletics, and public accommodations, and restricting discussions of race, slavery, sexual orientation, and gender identity in schools. It underscored the prevalence of discrimination against LGBT people in the US, including in housing, employment, correctional facilities, and other domains. The committee also condemned derogatory speech aimed at LGBT people, including from public officials, and violence against LGBT people and members of other minority groups.
The Committee's findings should be a wake-up call for state and federal lawmakers in the United States. Amid an aggressive backlash, state **lawmakers should stop actively undermining US human rights obligations and repeal discriminatory laws, and the federal government should both enact comprehensive legislation to safeguard LGBT people's rights and enforce existing civil and human rights guarantees.**

Impact: Great Power Wars

And international credibility is key to successfully resolving wars, combatting human rights abuses, and US leadership, especially as Trump attempts to end wars in Ukraine and the Middle East

Bassan-Nygate 2024

Lotem, Professor of Public Policy, Harvard Kennedy School, Post 2024 Election Future of Human Rights, https://www.hks.harvard.edu/centers/carr/publications/post-election-2024-future-human-rights-us

In my research, I find that **governments' efforts to uphold shared norms and standards of the international community often yield reputational benefits abroad. For example, governments that are vocal about other countries' human rights violations** during the UN Universal Periodic Review **tend to be viewed more favorably** by other international actors. Using survey experiments, I demonstrate that **such policy behaviors can increase public support for international cooperation** among third-party observers **and enhance perceptions of a country's global status. If President-elect Trump's policies persist in the coming term, they could undermine the United States' global image, potentially diminishing its diplomatic leverage and ability to shape political outcomes in ongoing conflicts.** However, **the international political context in which Trump 2.0 is entering—marked by the wars in Ukraine and the Middle East—is vastly different from his first presidency. These crises may compel greater U.S. engagement in foreign policy and multilateral efforts, presenting an opportunity to rebuild its reputation and reassert leadership.**

Impact: Religious Freedom

Trump is spending what little US human rights credibility we have on protecting religious freedom now

Gingrich 2020

Callista, US Ambassador to the Holy See, Op-Ed by Ambassador Gingrich: Trump Administration Defends International Religious Freedom
https://va.usembassy.gov/op-ed-by-ambassador-gingrich-trump-administration-defends-international-religious-freedom/

Defending international religious freedom is a cornerstone of U.S. diplomacy and a key policy priority for President Trump. From day one, the Trump administration has taken concrete action to safeguard this fundamental human right at home and abroad. During his first year in office, the president included religious freedom in our country's 2017 National Security Strategy. He signed executive orders upholding religious liberty and the right to engage in religious speech. In September 2019, President Trump hosted the Global Call to Protect Religious Freedom at the United Nations and called upon both the international community and business leaders to work together to protect religious freedom around the world. And on June 2 this year the president signed the first-ever executive order to instruct the entire U.S. government to prioritize religious freedom. Under this order, the United States will allocate at least $50 million per year for foreign aid programs that advance international religious freedom. The Trump administration has also partnered with local and faith-based organizations to aid vulnerable religious minorities. Since 2017, U.S. taxpayers, through the U.S. Agency for International Development and the State Department have provided over $470 million in assistance to help Yezidis, Christians and other members of religious and ethnic minority communities in northern Iraq. The United States understands that upholding the right to religious freedom is not just a moral necessity. It is a national security imperative. When nations effectively promote and protect religious freedom, they are safer, more prosperous and secure. **And yet, more than 80 percent of the world's population lives in countries with high or severe restrictions on religious freedom.** In far too many places around the world, governments and non-state actors prevent individuals from living their lives in accordance with their conscience. As America has shown time and time again, we will not sit back as individuals are killed, jailed, harassed, or tortured for their faith — no matter where they live. An attack on religious freedom anywhere is an affront to religious freedom everywhere. **Recent examples of religious persecution are particularly harrowing.** In Nicaragua, the government of President Daniel Ortega continues to attack the Catholic Church and desecrates religious spaces. **In Nigeria, Boko Haram continues to target Muslims and Christians alike as the group seeks to impose radical beliefs and sow terror** in the northeastern part of the country. The violence has led to the killing of thousands of innocent civilians and the destruction of numerous houses of worship. **In Burma, the Rohingya and other ethnic minority groups continue to face severe restrictions on freedom of movement,** access to education, health care and economic opportunity — based on their religion, ethnicity and citizenship status. In Syria, the Trump administration has committed $50 million to support religious and ethnic minorities, many of whom survived ISIS rule and continue to be targeted by extremist groups such as Hayat Tahrir al-Sham. In Saudi Arabia, where there is no law permitting religious freedom, many Muslims and non-Muslims alike are persecuted for practicing their faith. Saudi Arabia continues to be a Country of Particular Concern — a designation we give to the most serious violators of religious freedom. And in China, the Chinese Communist Party's state-sponsored repression against all faiths continues to intensify. China orders religious organizations to submit to party directives on religious observance and seeks to infuse communist dogma into the teachings and faiths Tibetans, Buddhists, Muslims, Falun Gong, and Christians alike. **China has interned more than 1 million Uyghur Muslims, ethnic Kazaks, Tibetans, and other minorities in concentration camps and is using forced sterilization and coercive family planning as part of its campaign of repression.** Nations and organizations charged with leadership of the Muslim world have failed to stand up and protect these men, women, and children from human rights abuses. While the Chinese Communist Party carries on its war on faith, **the United States will continue to build partnerships with like-minded nations that share our commitment to advance and defend religious freedom.**

And protecting religious freedom prevents genocide
Hartzler and Mahmood 2025
Vicky, Chair, and Asif, Vice Chair, US Commission on International Religious Freedom, https://www.uscirf.gov/sites/default/files/2025-09/2025%20Mass%20Atrocities%20Policy%20Update.pdf

Another important dimension of this intersection is that **in some cases, mass atrocity crimes are committed in the name of religion** or belief. **Perpetrators at times exploit religion to justify violence and incite hatred against religious communities.** Some nonstate actors that are terrorists or militant vigilante groups, especially those designated at Entities of Particular Concern (EPCs), are motivated by a religious ideology and impose their religious beliefs on local populations and violently punish those who do not abide by their religious edicts. In countries where these entities operate, central and local government authorities often lack the capacity to stop these groups, **which further exacerbates the risk for mass atrocities.** Early warning signs happen on a spectrum as the context gets closer to atrocities occurring. Broadly, **the most common risk factors for genocide are: (1) instability, (2) ideology in which leaders portray some groups as inferior or dangerous, and (3) discrimination and** violence against a specific group. Other atrocity risk factors, as identified by the United Nations (UN) Framework of Analysis for Atrocity Crimes, include situations of armed conflict or other forms of instability, a record of serious violations of international human rights and humanitarian law, weakness of state structures, and motives or incentives that drive atrocities. These risk factors can sometimes have a direct impact on specific religious communities and contribute to **an environment that enables religious freedom violations. When religious freedom is systematically denied or religious identities are targeted, the risk of atrocity crimes escalates.**

Impact: Global Alt Right

And independently, a hard pivot on trans rights by this administration would spread disarray in the global alt-right movement, where trans rights are a key issue. The "gender ideology" crusade brings together disparate coalitions and unites the far right globally, threatening peace in Columbia and risking rights and democracy globally

Reid 2018

Graeme, Former Director, LGBT Rights Program, 12/10, Breaking the Buzzword: Fighting the "gender ideology" myth, https://www.hrw.org/news/2018/12/10/breaking-buzzword-fighting-gender-ideology-myth

Like its buzzword brother "fake news," **"gender ideology" hasn't taken long crossing borders into nationalist lexicons. The vacuous but dangerous term** was adopted by the Holy See decades ago to refer to a supposed gay and feminist-led movement to subvert traditional families and social values, a reaction against the rights of women and expanding protections for sexual and gender minorities. Since then, it **has developed into a catch-all phrase** and short-hand **for various anxieties about social change—a Hydra-like global conspiracy myth that,** despite being mildly ridiculous and readily exposed, **has significant traction.** In recent years, **"gender ideology" has been used as a** secular rallying cry against same-sex marriage in France, **an alliance-building initiative between nationalists and religious conservatives** in Poland, **a boost to anti-Muslim groups** in Austria, a popularity enhancer for Costa Rican presidential hopeful Fabricio Alvarado, **and a mobilizing tool against the recent peace accord in Colombia.** Which is a lot. How can one concept have so many purposes? In France, anti-gender activists tried to frame the marriage equality debate around protection of children within traditional families under threat from a foreign ideology; in Poland, nationalists and conservatives rallied around an idea presented as dangerously cosmopolitan and against church teachings; in Austria, anti-immigrant groups suggested a link between gender progressives and immigrants—both accused of undermining the social fabric; in eastern Europe, anti-gender activists mobilized against the Istanbul Convention on combatting violence against women, because it was said to legitimize transgender identity claims; in Costa Rica, an outlier in the 2018 presidential election did surprisingly well by conjuring up a threat to the gender order; and in Colombia, citizens opposed to the peace accords suggested that the deal was the thin edge of a sinister "gender ideology" wedge. "Gender ideology" has also insinuated itself into mainstream US politics where its deployment is evident in domestic and foreign policy initiatives. In 2016, Roger Severino, then-director of the DeVos Center for Religion and Civil Society at the conservative Washington-based Heritage Foundation, blamed the inclusion of transgender troops on a "radical new gender ideology"; in 2017 Trump appointed him director of the Office for Civil Rights at the US Department of Health and Human Services (HHS). The recently leaked HHS memo that seeks to define gender as binary and immutable, and US attempts to remove the word "gender" from United Nations documents, stem from fears of "gender ideology." At its root, the practice of raising the specter of undefined "gender ideology" aims to curtail sexual and reproductive rights and lesbian, gay, bisexual, and transgender (LGBT) equality by playing on people's fear of social change and claiming a global conspiracy of great influence and scale. Where advances are made in women's empowerment or in non-discrimination based on sexual orientation or gender identity, those decrying "gender ideology" see dark forces at work to destroy the social order. **Some have referred to the term as "symbolic glue," or an "empty signifier": it simultaneously means nothing and everything,** but is consistently used to attack feminism, transgender equality, the existence of intersex bodies, the elimination of sex stereotyping, family law reform, same-sex marriage, access to abortion, contraception and comprehensive sexuality education. **Exposing it for what it is—a fantasy of a gender and sexuality conspiracy—and loosening its grip on public debate is crucial in the years ahead to ensure this myth does not shape policy** and limit women's reproductive rights and the rights of sexual and gender minorities. **The anti-gender movement has successfully consolidated disparate constituencies around a flimsy but effective moral panic** over gender and sexuality.

Global far right movements are racist, misogynist, transphobic, homophobic, threaten democracy and climate change, and risk pandemics by denying science.
Zaragoza et al 2025
Gustavo, Sebastia March, Jose Miguel Carrasco, Alvaro Flores -Balado, Aitana Munoz-Haba, Ana Pereira-Iglesias, American Journal of Public Health, ½, Potential Global Effects of the Rise of the Far Right on Public Health, https://ajph.aphapublications.org/doi/full/10.2105/AJPH.2025.308016
The influence of the far right is growing globally. This calls for a critical examination of its potential public health **implications.** Characterized by **authoritarianism, injustice, racism, misogyny, homophobia, transphobia, divisive rhetoric, and a propensity for violence, the far right often employs denialist arguments against scientific evidence, including opposition to environmental protection policies.** We conducted a narrative review of existing evidence to assess the impact of these elements on public health. **The findings suggest that the rise of the far right could have significant negative effects on population health.** As a consequence, we advocate that the public health field and society at large must take a deliberate stance in response to this emerging reality. (Am J Public Health. 2025;115(6):873–882. https://doi.org/10.2105/AJPH.2025.308016)

2AC Evidence

On Case

Inherency

The Trump administration has removed coverage for gender affirming care from health insurance available to federal workers

Smallens 2025

Yasemin, Researcher, Human Rights Watch, Sept. 9th, Trump Moves to Restrict Gender-Affirming Care to Federal Workers, Families, https://www.hrw.org/news/2025/09/09/trump-moves-to-restrict-gender-affirming-care-to-federal-workers-families

The Trump administration announced last month **that it would remove gender-affirming care from the health care services covered under the Federal Employees Health Benefits (FEHB) Program beginning in 2026. The move erodes health care coverage for the more than 8 million people who rely on FEHB**, employment-based health insurance for federal employees, retirees, and their family members, **and threatens the dignity of transgender recipients. The proposed changes to FEHB would apply to cover individuals regardless of age and significantly hamper access to medical care,** such as hormone therapies and gender-affirming surgeries, for federal workers, their spouses, children, and dependents. While mental health counseling for gender dysphoria would remain covered – and carriers would establish a case-by-case exceptions process for individuals already receiving care – these **carveouts will not create a uniform or reliable system to ensure continuity of care.** Lambda Legal has condemned the exclusion of gender-affirming care as unlawful and as a violation of sex discrimination protections in federally regulated health plans. Human Rights Watch and other organizations have documented how bans and barriers to gender-affirming care cause serious harm. A June 2025 Human Rights Watch report described how restrictions on such care for transgender youth led to deteriorating mental health and abrupt interruptions to treatment, violating individuals' rights to health, nondiscrimination, and personal autonomy. **Removing coverage for gender-affirming care from health insurance will force people to either pay out of pocket or forgo required care because of costs, significantly restricting access. These measures are part of a broader campaign by the Trump administration to roll back rights for transgender people. In January 2025, the administration issued an executive order rejecting the validity of transgender identity in law** and policy. It has also targeted gender-affirming care, issuing a January 28 order attempting to ban youth access to care and an April 10 proclamation labeling such care a form of child abuse. **In July, the Department of Justice began issuing subpoenas to more than 20 hospitals providing gender-affirming care to youth.** With these measures, some clinics have begun to cease or radically reduce these services, particularly for youth.

And the fear of prosecution has caused a chilling effect - medical providers are over-complying with the health care ban to reduce risk of litigation.

Human Rights Watch, 2025

3/9, US: Trans Youth's Access to Lifesaving Care Under Threat, https://www.hrw.org/news/2025/02/03/us-trans-youths-access-lifesaving-care-under-threat

Currently, 26 US states restrict access to some form of gender-affirming care for youth. Human Rights Watch has documented the devastating effects of these restrictions on the well-being of transgender youth and their families. **Medical providers** and transgender advocates **have reported increased harassment, threats, and targeting** by state government officials and others. **In some jurisdictions, medical institutions and providers,** including hospitals, clinics, labs, and pharmacies, **have been found to "overcomply" with health care bans, preemptively halting gender-affirming services or ceasing more services than legally required, to reduce the risk of prosecution, violence, and harassment. The executive order is expected to have a similar chilling effect on medical institutions and providers due to the threat of investigations and litigation.** Faced with the risk of legal and financial consequences, **institutions may feel compelled to choose between continuing other operations or providing gender-affirming care, ultimately endangering access to this care nationwide.**

Solvency

Biden had declared gender affirming care an essential health benefit, Trump reversed the policy and undid equal protection restrictions in the ACA.
Guinn 2026
Piper, 6/26, Health Issues: LGBTQ+ working group seeks to fill gaps in federal health funds, Austin Free Press, https://austinfreepress.org/lgbtq-health/
One of the issues in addressing LGBTQ+ health issues has been inconsistent support from the federal government across presidential administrations. **Under Joe Biden, the HHS Office for Civil Rights prohibited discrimination on the basis of sexual orientation or gender identity, and sought to reverse earlier discrimination** by addressing gender-affirming care, LGBTQ+ health disparities, LGBTQ+ youth safety, and civil rights for LGBTQ+ individuals and families. The Biden administration also **designated gender-affirming care an Essential Health Benefit under the Affordable Care Act (ACA), making it easier for transgender individuals to cover medical procedures and hormone treatments through insurance. Donald Trump's administration reversed those polices, lamenting what it termed "gender ideology extremism." In 2025, the federal government eliminated coverage of gender-affirming care under the ACA.** The administration also flagged a webpage with information on LGBTQ+ health services that included information about gender-affirming care as "promoting gender ideology" and "extremely inaccurate." Health and safety

The Trump administration's executive order amended the Affordable Care Act, banning gender affirming care qualifying as an essential benefit (like maternity care, or riding in an ambulance) required to be covered by health insurance plans. The plan reverses this change.
Thompson Reuters 2025
Practical Law, HHS Prohibits Coverage of Gender-Affirming Care as ACA Essential Health Benefits by Practical Law Employee Benefits & Executive Compensation, June 26th, https://content.next.westlaw.com/practical-law/document/Ic54b794a510811f0b8799e77dac0405c/HHS-Prohibits-Coverage-of-Gender-Affirming-Care-as-ACA-Essential-Health-Benefits?viewType=FullText&transitionType=Default&contextData=(sc.Default)
The Trump administration's HHS has issued final regulations addressing various aspects of the Affordable Care Act's (ACA's) health insurance exchanges and related issues (90 Fed. Reg. 27074 (June 25, 2025); see related fact sheetOpens in a new window). **The final regulations prohibit health insurers from providing coverage for what the administration's HHS refers to as "sex-trait modifications" as an essential health benefit (EHB) under the ACA.** (For consistency with the administration's regulatory language, this resource uses the term "sex-trait modifications" from HHS's final regulations.) Coverage of Sex-Trait Modifications as an EHB Under the ACA, as background, non-grandfathered health plans in the small group and individual markets must provide coverage for EHBs (see Practice Notes, Lifetime Limits, Annual Limits, and Essential Health Benefits Under the ACA and Grandfathered Health Plans Under the ACA). **EHBs generally must: Include ten minimum benefit categories under the ACA** (for example, hospitalization, emergency services, and maternity care) and related items and services within those categories. Be equal in scope to benefits offered under a typical employer plan. **EHBs are subject to greater protections under the ACA (for example, the ACA's prohibition on lifetime and annual limits—and cost-sharing restrictions).**

And federal action is key - Trump's policy over-rides state action
Thompson Reuters 2025
Practical Law, HHS Prohibits Coverage of Gender-Affirming Care as ACA Essential Health Benefits by Practical Law Employee Benefits & Executive Compensation, June 26th, https://content.next.westlaw.com/practical-law/document/Ic54b794a510811f0b8799e77dac0405c/HHS-Prohibits-Coverage-of-Gender-Affirming-Care-as-ACA-Essential-Health-Benefits?viewType=FullText&transitionType=Default&contextData=(sc.Default)
Effect on State EHB-Benchmark Plans
In finalizing the regulations, HHS recognized that some states' EHB-benchmark plans presently cover STM as an EHB. As a result of the final regulations, however, insurers in these states will no longer be able to cover STM as an EHB in the state—effective beginning with 2026 PYs. Regarding states that require coverage for STM outside of their EHB-benchmark plans, HHS noted that these states will be required to pay the cost of these benefits. HHS disagreed with commenters' concerns that this change would destabilize the insurance market.

Adv. One: Autonomy

Dehumanization destroys the value to life and is the root cause of all calculable impacts Berube 1997

Devid, Professor of Communication Studies and Associate Director of NanoScience and Technology Studies at University of South Carolina “NANOTECHNOLOGICAL PROLONGEVITY: The Down Side,” http://www.cas.sc.edu/engl/faculty/berube/prolong.htm]

This means-ends dispute is at the core of Montagu and Matson's treatise on the dehumanization of humanity. They warn[s]: **"its destructive toll is already greater than that of any war, plague, famine, or natural calamity on record -- and its potential danger to the quality of life and the fabric of civilized society is beyond calculation.** For that reason this sickness of the soul might well be called **the Fifth Horseman of the Apocalypse.... Behind the genocide of the holocaust lay a dehumanized thought;** beneath the menticide of deviants and dissidents... in the cuckoo's next of America, lies a dehumanized image of man... (Montagu & Matson, 1983, p. xi-xii). While it may never be possible to quantify the impact dehumanizing ethics may have had on humanity, it is safe to conclude the foundations of humanness offer great opportunities which would be foregone. **When we calculate the actual losses and the virtual benefits, we approach a nearly inestimable value greater than any tools which we can currently use to measure it. Dehumanization is nuclear war, environmental apocalypse, and international genocide. When people become things, they become dispensable. When people are dispensable, any and every atrocity can be justified. Once justified, they seem to be inevitable** for every epoch has evil and dehumanization is evil's most powerful weapon.

Adv. Two: Mental Health

Gender Affirming Care is recommended by major medical associations, and prevents mental health crises.
Human Rights Watch, 2025
4/29, US: Human Rights Role in Foreign Policy at Risk,
https://www.hrw.org/news/2025/04/29/us-human-rights-role-foreign-policy-risk
Gender-affirming care is recognized as the gold standard of medical care for transgender youth by major medical associations. This care consists of social practices (changes to one's name, wardrobe, etc.) to mental health counseling to medical interventions, such as puberty blockers and hormone therapies. In all, **the care emphasizes a personalized, multidisciplinary, and gradual approach. Studies demonstrate that youth receiving this care experience 60 percent lower odds of depression and 73 percent lower odds of suicidality, with approximately 98 percent of youth continuing this care into adulthood.**

And denying gender affirming care causes mental health problems and suicide.
Human Rights Watch, 2025
3/9, US: Trans Youth's Access to Lifesaving Care Under Threat,
https://www.hrw.org/news/2025/02/03/us-trans-youths-access-lifesaving-care-under-threat
Approximately 26 percent of US transgender and questioning students surveyed by the Centers for Disease Control and Prevention (CDC) in 2023 said that they had attempted suicide during the prior year alone. Research consistently shows that access to gender-affirming care can reduce this risk. A 2022 study published in the Journal of the American Medical Association (JAMA) found 73 percent lower odds of suicide attempts by children receiving this care over a 12-month period, underscoring the critical role of gender-affirming care in the mental health and well-being of transgender youth.

Adv. Three: Human Rights Credibility

US still has some soft power, despite Trump's best efforts, but it's eroding now
Drezner 2026
Daniel, Substack, Professor at Dartmouth, American Soft Power Still has some juice, https://danieldrezner.substack.com/p/american-soft-power-still-has-some

Trump has wreaked considerable damage to the attractive values of the United States. His administration has essentially abandoned every program or initiative that promotes democracy, human rights, or the rule of law…. For every component of American soft power, there is a Trump administration policy designed to scuttle it. Maybe this will have no effect on future U.S. foreign policy. Maybe soft power is a mirage. We are about to find out. Because whatever U.S. soft power was, it is not the same anymore. We will have to observe what effect that has on U.S. foreign policy. If anything, the Trump administration's own-goals and galactic-level strategy screw-ups have only gotten worse in 2026. And as many international critics of the United States like to point out, this is partially on the American people, the folks who voted Trump back into office last year. Much like when George W. Bush won re-election in 2004, the rest of the world has blurred the distinction sometimes made between the U.S. government and the American people — and not in a good way for the American people. **This year's FIFA World Cup has offers an important reminder, however, that American foreign policy and American soft power are not the exclusive province of the federal government.** For most of American history, various civil society groups, private-sector actors, religious groups, and diaspora communities have contributed to U.S. foreign policy.[1] And it seems that holds for 2026 as well. **The world's soccer fans have bucked the trend of declining international tourism to the United States.** They have swallowed hard and risked the wrath of ICE and CBP and descended on the United States. And it turns out that they have found friendlier faces outside the Beltway. According to the New York Times' Jesse McKinley and Scott Cacciola: Since teams began decamping to the United States earlier this month, that mix of small-city pride and **the global reach of international soccer has led to an unlikely romance between everyday Americans and squads from around the world,** a juxtaposition of diverse cultures that has sparked moments of joy — like a goal in stoppage time — in both hosts and visitors alike. This weekslong love affair has been seen in bigger match locations like Boston, where jubilant, and thirsty, Scottish fans have been drinking the town dry and posting emotional videos about their renewed faith in the American dream. Argentines, known for their steak, have been sighted happily devouring hamburgers in Kansas City; Austrians have taken over San Francisco restaurants, giant beer mugs in hand, praising the city (and griping about its famous summer cold). Americans' international reputation has dipped in recent years, according to polls, and many of these World Cup testimonials have an element of surprise: The United States, it seems, has all kinds of estimable traits, with visitors praising everything from its alligators to its ice machines.[2] In Boston, "financial district workers desperate for a break, suburbanites visiting the city to see the Army in action — snapped videos and photos and thanked the visitors for reminding them of the simple joys of celebration," according to the Washington Post's Geoff Edgers. In Kansas City, the Argentine Ambassador to the United States noted wistfully to the Kansas City Star's Vahe Gregorian that the city, "in some strange way feels very much like home to me." Gregorian noted that Lawrence, Kansas has befriended the Algerian team. He concluded, observed, "the soul of a nation still is different than what its politics might imply, regardless of what side of the aisle you're on." Some international soccer fans have gone viral with their pleasant surprise at how much they are enjoying their stay in America. And this has everything to do with how welcoming Americans across the host cities and satellite exurbs have welcome other country's teams and their fans.[3] For Juliette Kayyem — who knows a thing or two about security at the World Cup and just launched her newsletter Early Warning — the good vibes between ordinary Americans and fans and athletes from across the world offer a refreshing reminder about the power of hospitality and friendliness: A small town in Kansas opened their hearts to African teams; a Boston cop endeared Scottish visitors with his soccer juggling skills; social feeds and local newspapers have been filled with stories of appreciation and even awe at the cultural connections. It's as if Americans are choosing to put out the welcome mat, even when their government has failed to do so. At the same time, we are getting a vision of ourselves that political leadership has largely denied us: one not defined by division, hostility, or grievance. We see the America we love reflected in the enthusiasm of these World Cup visitors…. Safety and security difficulties are outweighed by what they mean for us as a society and a global player. **Events like the World Cup, with all their risky challenges, represent a kind of soft power that America has been increasingly unwilling to exert. This is called sports diplomacy in the parlance of foreign policy circles.** It means that people and nations can still find common purpose around a match or game. It is what animates the Olympic spirit. I feared it had been lost here. Whether this early joy is sustainable in the weeks ahead is unknown. But that is what I'm watching now. **What is truly impressive is that this has happened in spite of the Trump administration.** The administration has opted for the most obnoxious course of action in seemingly every situation, from asinine travel restrictions to idiotic visa denials to just plain bullying behavior.

US human rights credibility is low, but could easily return - its try or die for improvement for millions around the world.
Scheffer 2020
David, Senior Fellow, Council on Foreign Relations, How America's credibility gap hurts the defense of human rights,
https://www.cfr.org/articles/how-americas-credibility-gap-hurts-defense-rights-abroad
As is often the case, **American civil society will wage the battle for influence and try to keep the flame of justice alive,** but its power is rarely seen as representing the United States per se. **Nongovernmental organizations occasionally provide moments of leadership, but sustained leadership by the U.S. government to defend fundamental rights overseas requires the official imprint of the executive and legislative branches working together, which sends a powerful signal. That imprint is dangerously shallow now.** Of course, many governments and international organizations could assume a holding position, waiting to see what happens in the U.S. presidential election this November and recalibrating depending on the outcome. The human rights optimist may see a change of administration as an opportunity to forge at least a collaborative if not a leadership role abroad for the United States, because leadership has been forfeited and the United States has become mute in so many spheres of international relations. Fresh collaborations are still possible. **If the day arrives when American diplomats can boldly confront the demons** of racism abroad with the same energy, commitment, and credibility as the protesters in American cities today, **there will be hope for a return of the United States to an elevated world stage.**

Alt Right Impact:

Plan is a huge reversal by Trump which will cripple the movement and cause infighting Carroll 2016

Rory, The Guardian, December 27th, Alt-right' groups will 'revolt' if Trump shuns white supremacy, leaders say https://www.theguardian.com/world/2016/dec/27/alt-right-donald-trump-white-supremacy-backlash **Activists who recently gave Nazi salutes and shouted "hail Trump" at a gathering in Washington will revolt if the new US president fails to meet their expectations,** the leaders told the Guardian. **The prospect of such disillusion and internecine squabbling may console liberals who fear a White House tinged with racism and quasi-fascism.** The analysis is all the more reassuring because it comes from far-right influencers and analysts, not wishful progressives. Instead of enjoying proximity to power, according to this analysis, vocal parts of the loose coalition known as the "alt-right" could remain on the political fringe, wondering what happened to their triumph. "Their hearts are bigger than their brains," said Mark Weber, who runs the Institute for Historical Review, an organisation dedicated to exposing "Jewish-Zionist" power. "Saying they want to be the intellectual head of the Trump presidency is delusional." Jared Taylor, a white supremacist who runs the self-termed "race-realist" magazine American Renaissance, said the president-elect had already backpedalled on several pledges that had fired up the far-right. "At first he promised to send back every illegal immigrant. Now he is waffling on that." David Cole, a self-proclaimed Holocaust revisionist and Taki magazine columnist, **envisaged the movement sliding into bickering and in-fighting, stuck in "rabbit warrens" of online trolling rather than policy shaping.** "In January Trump will start governing and will have to make compromises. **Even small ones will trigger squabbles between the 'alt-right'.** 'Trump betrayed us.' 'No, you're betraying us for saying Trump betrayed us.' And so on. The alt-right's appearance of influence will diminish more and more as they start to fight amongst themselves." In an email interview Peter Brimelow, founder of the webzine Vdare.com, which alleges Mexican plots to remake the US, said Trump's failure to deliver "important bones" could trigger a backlash. "I think **the right of the right is absolutely prepared to revolt. It's what they do."** There is, however, a catch: Weber, Taylor and Brimelow – all classified as "extremists" by the Southern Poverty Law Center – said **Trump's victory energised the far-right and that the movement can grow** with or without White House help.

Global alt right feeds on its international allies - resources, momentum, tactics, iconography. They're highly coordinated.
Reilly 2025
Bethany, 8/13, The New Internationalist, A Time of Monsters, https://newint.org/society/2025/time-monsters

And there are new ideological threads. First: **this is now a global movement.** While the far right always collaborated across borders, experts say that **today's level of coordination is unprecedented.** Gatherings like the Conservative Political Action Conference (CPAC) are the most outward show of this. Between 2000 and 2024, the far right built up a network of 3,000 speakers from 1,800 different organizations who participated in 302 conferences in 35 countries. But it's more than conferences. Through its foundation Fundacio Discenso, Spain's far-right Vox party has created a network of politicians across Latin America who work to undermine progressive governments on the continent. Second: pro-natalist ideology is gaining traction. Led by Viktor Orbán and his former deputy Katalin Novák, who now runs the pro-natalist XY Worldwide, the movement has gained new backers – most notably tech magnate Elon Musk and Italian leader Giorgia Meloni. Musk, who reportedly has 14 biological children, has claimed that declining birth rates are the greatest threat to humanity. Driving this concern, presented as worries about population aging, are often fears rooted in the racist 'Great Replacement' conspiracy theory: the belief that white 'native-born' populations are being replaced by migration. But promoting baby-making is not just about incentives to populate: its proponents want to restrict abortion and contraception too. This is where **the obsession with birth rates overlaps with another new enemy of the far right – 'gender ideology', a conspiracy that feminists and the broader LGBTQI+ movement are threatening to upend the 'traditional and natural' family.** Another commonality that glues together these disparate forces, from tech billionaires to world leaders, is what Naomi Klein and Astra Taylor describe as 'end times fascism', which itself draws upon what Richard Seymour describes as 'disaster nationalism'. Both argue that a version of fascism is emerging today, one in which far-right leaders and their allies in Silicon Valley exploit today's crises, not to fix the future but to tighten their grip on a world they believe is already falling apart. Last, and perhaps most terrifying, is that these ideas have become mainstream. How did we get here? Once confined to the fringes and barely seeing above five per cent of national vote shares, the far right has ascended to one of the defining political currents of our time. Why? And why are seemingly disparate movements popping up at the same time around the world? Understanding this is key to the fightback. Drawing on a popular quotation attributed to the Italian Marxist Antonio Gramsci, Alberto Toscano describes the ascension of far-right forces as a 'morbid symptom of our age of despair' – at the climate emergency, capitalist stagnation and the failed promise of progress. It's in this crucible of disaster that monsters emerge. Looking back at history, the far right has always fared well from crises. The electoral record in Europe between 1870 and 2014 suggests people vote further to the right after financial crashes. That was also the case for 1930s fascism. With the world in freefall, far-right politics tells you to look after 'your own'. Likewise, today's moment follows 40 years of growing global inequality, falling living standards and an erosion of community that began with the neoliberal reconstruction of capitalism in the 1970s. Today, just 1.6 per cent of the global population hoard almost half the world's wealth. Governance that benefits a tiny few at the expense of the majority inevitably breeds despair and isolation, making lives harder and lacking in meaning. These real crises often feel too huge and abstract to challenge. **The far right's appeal in these dark times comes from offering a simple explanation for peoples' woes** that they feel they can do something about: the decline in your living standards is the fault of [insert your favourite scapegoat here]. As Seymour says, 'you can't shoot the climate crisis'. Research suggests that despair is a vote winner for the far right. One study in Britain showed the more pessimistic people felt about their own lives, the more likely they were to support the far-right Reform party. With the world in freefall, far-right politics tells you to look after your own 'In lots of countries the status quo is not working for lots of people,' says Joe Mulhall, a lead researcher at the British -based anti-fascist organization Hope not Hate. 'Mainstream politics has failed to meet the material needs of their lives and the far right offer extraordinarily easy and simple answers to these really complex questions.' **There is also a domino effect: once the far right begin winning somewhere it emboldens parties elsewhere. There is a 'sense of energy and momentum' within far-right movements that provides inspiration to others,** says Mulhall, **as well as practical help in terms of money, sharing tactics and iconography.**

Global far right discriminates against non-traditional gender identities.
Zaragoza et al 2025
Gustavo, Sebastia March, Jose Miguel Carrasco, Alvaro Flores -Balado, Aitana Munoz-Haba, Ana Pereira-Iglesias, American Journal of Public Health, ½, Potential Global Effects of the Rise of the Far Right on Public Health, https://ajph.aphapublications.org/doi/full/10.2105/AJPH.2025.308016

In their gender-denialist stance, **the far right also discriminates against those who step outside the traditional, patriarchal framework of gender roles**.[1] They defend heteronormative masculinity and femininity, **as well as a vision of the traditional family that leads them to wield homophobic and transphobic narratives**.[1] These forms of discrimination on the basis of gender identity or sexual orientation also have important health impacts on the population and individuals.[34] Societies with policies that discriminate on the basis of sexual orientation and gender identity are known to have poorer physical and mental health indicators and lower life expectancy in men.[34] **Because of this discrimination, gay and lesbian youths suffer greater bullying, lower self-esteem and social support, poorer school performance, higher rates of sexually transmitted infections, and higher prevalence of suicide, anxiety, and depression than heteronormative youth.[35] Queer people also have higher barriers to accessing the health care system** and, therefore, are more likely to self-medicate, with detrimental consequences for their health.[36] Furthermore, in countries where discrimination is more prevalent, queer people are more likely to experience an effect known as internalized homophobia and transphobia, which leads them not to accept their sexuality or gender identity.[37] This phenomenon is associated with increased mental health problems (e.g., anxiety, depression) and higher rates of suicide, drug use, and eating disorders and has a negative impact on social relationships.[37] The homophobic and transphobic loudspeaker that is **the discriminatory voices of the far right can increase negative health impacts for these populations.**

Religious Freedom Impact

Religious freedom prevents genocide, and promotes peace and stability.
Alton 2023
Lord David, 8/25, The global crisis of religious persecution, GIS, https://www.gisreportsonline.com/r/global-crisis-religious-persecution/
In a world where four out of five people hold religious beliefs, this is hardly a fringe issue. More, the denial of religious liberty is a harbinger: Those countries that deny religious freedom are serial human rights abusers, likewise denying many other human rights. It is a litmus test; nations that uphold religious liberties uphold other liberties, too. How do we change things? We are already changing things – but it requires painstaking, Herculean efforts. Thanks to the help and expertise of Notre Dame University's Law School and its religious freedom initiative, we have begun to challenge persecuting countries through the courts – in the case of China, for instance, for breaching the Genocide Convention in its treatment of the Uighur Muslim minority. In the UK Parliament, what we do is organize meetings. We have produced reports about Hazara, Darfur, North Korea, the Uighurs, Rohingya, Tibet and the Yazidis – all of which require granular detail and serious work. These documents have led to debates and questions in Parliament, speeches, letters and sessions with ministers. Crucially, it also defeats the lazy excuse that officials and ministers "did not know." And, sometimes, it leads to action through our aid programs – though nowhere near enough. But this is the time-honored way in a democracy, just as Wilberforce and the Quaker ladies did as they challenged slavery laws. They knew you had to change hearts, change minds, change attitudes and change political priorities to change laws. **When you ignore discrimination, you should not be surprised when it morphs into persecution; when you ignore that, atrocities, crimes against humanity and even genocide will be waiting in the wings.** Seventy five years ago – after the genocide on the European continent, the Holocaust of the Jewish people – the world promulgated both the Genocide Convention and the Universal Declaration of Human Rights, including Article 18 on freedom of religion or belief. **The guarantee of religious freedom can support international justice, stability and peace.**

Answers to Off Case Arguments:

Answer To Movements Disadvantage

Answer to Executive Order Counterplan

There are 4 answers built into the sample 1AC to answer this counterplan. Find them and build yourself a 2AC block. Don't forget how to answer counterplans: POST (Perm - Do Both, Offense, Solvency, and Theory)

Answer to Net Benefit

Bush proves--unpopular XOs have political consequences and spark massive congressional backlash

Risen 2004

Clay, Managing editor of Democracy: A Journal of Ideas, M.A. from the University of Chicago "The Power of the Pen: The Not-So-Secret Weapon of Congress-wary Presidents" The American Prospect, July 16, http://www.prospect.org/cs/articles?article=the_power_of_the_pen

The most effective check on executive orders has proven to be political. When it comes to executive orders, "The president is much more **clearly responsible,"** says Dellinger, who was heavily involved in crafting orders under Clinton. **"Not only is there no involvement from Congress, but the president has to personally sign the order."** Clinton's Grand Staircase-Escalante National Monument executive order may have helped him win votes, but it also set off a massive congressional and public backlash. Right-wing Internet sites bristled with comments about "dictatorial powers," and Republicans warned of an end to civil liberties as we know them. "President Clinton is running roughshod over our Constitution," said then–House Majority Leader Dick Armey. **Indeed, an unpopular executive order can have immediate--and lasting--political consequences. In 2001**, for example, **Bush proposed raising the acceptable number of parts per billion of arsenic in drinking water.** It was a bone he was trying to toss to the mining industry, and it would have overturned Clinton's order lowering the levels. But **the overwhelmingly negative public reaction forced Bush to quickly withdraw his proposal**--and it painted him indelibly as an anti-environmental president.

Solvency / Permutations

Unilateral action from the executive is normal means in divided government
Azari 2019
Julia, July/August 2019, Foreign Affairs, The Real Roots of America's Political Crisis, https://www.foreignaffairs.com/articles/united-states/2019-06-11/its-institutions-stupid?utm_medium=promo_email&utm_source=promo_2&utm_campaign=jul19-camp2-newsltr-panel-a&utm_content=20190716&utm_term=jul19-camp2-newsltr-panel-a

Accompanying this more inclusive political system, however, is a crisis in governance. **Under** the **divided government** of the Obama years, **Congress could rarely agree on a budget, much less craft major new legislation. As a result, the president resorted to executive orders and other unilateral tools to make policy.** After Trump's inauguration put a temporary end to divided government, Congress in 2017–19, as measured by its legislative output, was more productive than it had been in recent years, but according to the Pew Research Center, about one-third of the bills it passed were ceremonial. **The inexperience of the Trump administration has only added to the crisis, with the chaos in the federal government leading to incoherent policy.**

The CP can't solve without funding
Moe and Howell 1999
Terry, William, Stanford University December 1999 "Unilateral Action and Presidential Power: A Theory," Presidential Studies Quarterly
There is one crucial consideration, however, that we have yet to discuss and **that gives Congress a trump card** of far-reaching consequence. This is the fact that **Congress has the constitutional power to appropriate money-**-which means that, **to the extent that unilateral actions by presidents require congressional funding, presidents are dependent on getting Congress to pass new legislation** that at least implicitly (via appropriations) supports what they are doing. When appropriations are involved, in other words, presidents cannot succeed by simply preventing Congress from acting. **They can only succeed if they can get Congress to act--which, of course, is much more difficult and gives legislators far greater opportunities to shape or block what presidents want to do.**

Offense:

Executive Orders are also terrible and can't solve: Global Gag rule (abortion), the Muslim Ban, Environmental Regulations, and a million other examples proves that controversial XOs get rolled back every time the President changes, resistance from agencies, courts, and congress means 9% solvency and 51% chance of roll-back, which is magnified for partisan issues. XOs link hard to politics, increase polarization, and authoritarianism.

Ampaabeng and Norcross 2021

Kofi, George Mason University, and Eileen, Vice President for Policy Research, George Mason University, Discourse Magazine, Feb 26th, Executive Orders aren't always the best tool, https://www.discoursemagazine.com/politics/2021/02/26/executive-orders-arent-always-the-best-tool/

In the first eight days of his presidency, Joe Biden signed more than two dozen executive orders—a record number issued by a president in his first week in office. Covering everything from COVID response to immigration, raising the federal minimum wage, student loan relief and climate change, Biden's actions immediately undid 30 EOs signed by President Donald Trump. The ink was flowing so fast that The New York Times advised in its editorial pages, "Ease Up on the Executive Actions, Joe." Executive orders are not only an effective way to turn the presidential page and send strong signals right out of the gate, they also reward the voter base as supporters see policies quickly implemented or eliminated. "Stroke of the pen. Law of the land. Kinda cool," quipped Paul Begala, aide to President Bill Clinton, in 1998. Phillip Cooper, in his book By Order of the President: The Use and Abuse of Executive Direct Action, identifies multiple motivations for presidents to issue EOs: war and disaster response (WWI, WWII, 9/11, Hurricane Katrina); international or domestic conflict (Iran sanctions, response to labor strikes); establishment of commissions; advancement of social change against entrenched opposition (President Harry Truman's desegregation of the military). But while EOs have their place, using them as a workaround to the constitutionally specified legislative process—as has often been done—has led to institutional, political and other problems. What Is an EO? Executive orders are issued by presidents to provide guidance and instructions to federal agencies. They are legally binding unless they conflict with statutes or the Constitution. In addition to EOs, presidents may use other channels to unilaterally impose rules on agencies, including executive memoranda and guidance documents. EOs are tactical—a way around legislative impasses and sometimes a calculated dare aimed at an obstructionist Congress. As documented by several legal scholars, President Barack Obama issued EOs and other presidential directives to advance policy after Democrats lost their majority in Congress and Republicans blocked his legislative initiatives, including immigration reform and funding of the Affordable Care Act. Similarly, President George W. Bush, frustrated with the inaction of Congress, issued several executive orders to achieve his administration's goals on immigration reform and energy policy. The Biden administration had issued 32 EOs as of Feb. 24. Of these, a number were not just administrative directives to agencies but were meant to advance policy goals. But are EOs really the best way to advance a policy agenda? They are fleeting—easy to make and easy to undo. They are limited in scope and subject to congressional and court challenge. And they are not necessarily a sure thing in the hands of agency officials: EOs may run into agency roadblocks. Joshua Kennedy, a scholar on presidential power, finds that very few orders result in the promulgation of a rule by an agency. Between 1989 and 2011, out of 4,120 orders issued by presidents, only 371 of them resulted in rules being issued by the respective agencies. Factors such as the ideological views of agency leaders, specificity of the directive and staff competency affect EO implementation. Furthermore, while they may help to demonstrate executive leadership in advancing a policy agenda, they may also increase partisanship. In addition, they usurp the power of the people's representatives to be involved in policymaking. keeps track of executive orders. With a few exceptions, EOs were rarely used until the early 20th century, with presidents issuing an average of two to three dozen each year after the Civil War. Teddy Roosevelt broke that record by an order of magnitude, issuing a total of 1,081 during his presidency. Woodrow Wilson, Calvin Coolidge and Herbert Hoover kept a similar pace, only to be outdone by Franklin D. Roosevelt's record-breaking 3,721 EOs. It was at the end of FDR's first term that the government began to track EOs in the Federal Register. The use of EOs began to level off slowly under Dwight D. Eisenhower (484), dropping to a low of 166 under George H.W. Bush. Trump finished his term with 220 EOs, fewer than Jimmy Carter (320), Ronald Reagan (381), Bill Clinton (364), George W. Bush (291) and Barack Obama (276). But volume only says so much. Content counts. In terms of importance, EOs range from symbolic to significant. With far-reaching impacts on businesses, governments and individuals, they can pack a punch. Patrick McLaughlin and his co-authors, specialists in policy analytics at the Mercatus Center, examined the use of restrictive or binding language in EOs beginning with George H. W. Bush in 1990 through Obama's first term. "Restrictive" EOs—words that contain restrictive terms such as "shall" or "must"—tend to appear most often in a president's first year in office, possibly as a reaction intended to quickly reverse the previous administration's policies. Some administrations favor EOs with more teeth. Compared with EOs issued by other presidents, those issued by Clinton and Obama contained more binding terms such as "shall" or "must," creating legal obligations for agencies, not merely suggestions or guidelines. Do They Stick? Yes and No. One study by Sharece Thrower, a professor of political science at Vanderbilt University, notes that of the 6,158 orders issued between 1937 and 2015, 25% were subsequently revoked, 8% were superseded and another 18% were amended, with most of those changes happening within the first 10 years of an EO's introduction. Not surprisingly, the greater the ideological gap between administrations, the greater the chance that an EO will be revoked, resulting in a game of "presidential ping-pong." EO reversals are not always what they seem, highlighting what Cooper calls "the inertia principle," or the tendency for EOs to stick and grow in complexity as they are modified in subsequent administrations. Cooper notes that Reagan's use of EOs to establish greater White House oversight over regulatory agencies, and thereby advance regulatory reform, remained largely in place during the Clinton and both Bush administrations. This regulatory philosophy hit an opposing ideological force with the Obama administration, though Obama's actions hardly constituted dramatic reversals. While he repealed a George W. Bush EO that subjected guidance documents to the same White House vetting process as formal rules, Obama kept in place the Reagan-era regulatory review architecture. Similarly, the Clinton-era EO 12666, Regulatory Planning and Review—which sought to make the regulatory process more efficient—has endured. Additional Obama-era EOs retained strong executive control over regulatory agencies, with a view toward constraining the rulemaking process and enlisting the input of businesses on the effects of regulations. In addition to the danger of being revoked, executive orders without strong congressional backing are often at risk of not being implemented as intended by agencies. Scholars such as Andrew Rudalevige from Bowdoin College and Joshua Kennedy from the Georgia Southern University have separately documented that agency compliance with executive orders is usually not guaranteed, especially since independent agencies must answer to Congress, whose policy preferences may be at odds with the content of the executive order. In addition, Kennedy also argues that an agency head whose ideology diverges from the president's will be less likely to follow through on executive orders and other presidential directives. Therefore, the full extent of an EO might not be realized. Sending a Message While the usage of executive orders has remained relatively steady since the 1970s, presidents increasingly tend to draw attention to their EOs with media events (Clinton's Reinventing Government initiative), speeches (Obama's "We Can't Wait" agenda) and social media (Trump's Preventing Online Censorship). It is when EOs are used to prod the opposition or critics that they can backfire, magnifying conflicts among the branches of government and generally creating confusion as agencies attempt to apply directives. At best, they show decisiveness and commitment to a policy agenda; at worst, they circumvent debate on polarizing subjects and give the (albeit false) impression of

anti-democratic, dictatorial whim. Senate Republican leader Mitch McConnell said that Biden's initial flurry of EOs would hinder efforts at consensus building. To be sure, Biden is not the first president to send EO volleys across to the Capitol, though he is breaking a record for speed. The so-called Muslim ban issued by Trump (Executive Order 13769, revised as EO 13780 and supported by two other proclamations) remained contentious throughout the Trump presidency. The plethora of legal challenges to EO 13769 set the tone for much of Trump's tenure. Members of Congress may complain about the assertive message often sent by EOs, but they generally have not challenged them. In 2014, the House of Representatives led by Speaker John Boehner filed a lawsuit to contest the use of executive action by the Obama administration to use unappropriated funds to pay for healthcare subsidies under the Affordable Care Act. The House initially won favorable rulings, which were stayed upon appeal. With the change in administration in 2017, the House and the Trump administration jointly requested that the court put the case on hold while the parties negotiated a resolution. The House That EOs Built What may go unnoticed is that EOs add to the drama of government, putting undue emphasis on the president while undermining the hard work of consensus building, deliberation and decentralized decision-making that the Founders envisaged. **EOs have led to the growth of the "new imperial presidency"—the post-Watergate shift in the balance of power in favor of the executive**—as argued by Rudalevige. Even more important, Americans' views have shifted toward a more expansive executive who can solve problems by fiat rather than a consensus approach enjoined by the Constitution. Dennis Simon and several other scholars document the consequences of the public's expectations of a president's performance, including the belief that the chief executive is responsible for the prosperity of Americans and therefore accountable for the performance of the economy. In addition, a growing number of Americans expect the president to formulate the policy agenda for the country and ensure that it is passed into law and implemented. This view of presidential power may be fueled by the unilateral policy actions of presidents over the years. However, the reverse is also likely: presidents, aware of these expectations, decide to act unilaterally through executive orders. Either way, this phenomenon is quite different from what the Founders envisioned, a presidency that is not influenced unduly by popular politics, as noted by Simon. While presidents might think there are upsides to legislating from the executive office, there are documented downsides. Andrew Reeves, a professor of political science at Washington University, provides evidence to show that **the public reacts negatively to unilateral policymaking by the executive. More importantly, the continuous reliance on executive orders to accomplish policy goals has long-term consequences for the republic. Excessive reliance on EOs may increase polarization.**

Theory: Agent Counterplans are Bad:

Should the negative be allowed to advocate doing exactly the same thing as the aff, but have some other actor do it?

Agent Counterplans are bad and should be rejected

a. Steals the 1AC:
   _____
   _____
   _____.
b. Unpredictable:
   _____
   _____
   _____.
c. Bad for Education:
   _____
   _____
   _____.
d. Voting issue:
   _____.

Answer to Courts Counterplan

There are 3 reasons why overturning Skretti v Tennessee won't solve the aff, and in some ways, will make things worse built into the sample 1AC. Go find them and use the extensions to start your block construction.

Offense: Hollow Hope Turn:

Courts seduce social movements - dragging focus and resources from congress to the courts, where they fail. This turns solvency for the case

Rosenberg, Associate Professor Political Science @ U Chicago Law 1991, Gerald N
The Hollow Hope, p. 340

If this is the case, then there is another important way in which courts affect social change. It is, to put it simply, that courts act as "fly-paper" for social reformers who succumb to the "lure of litigation." If the constraints of the Constrained Court view are correct, then courts can seldom produce significant social reform. Yet if groups advocating such reform continue to look to the courts for aid, and spend precious resources in litigation, then the courts also limit change by deflecting claims from substantive political battles, where success is possible, to harmless legal ones where it is not. Even when major cases are won, the achievement is often more symbolic than real. Thus, courts may serve an ideological function of luring movements for social reform to an institution that is structurally constrained from serving their needs, providing only an illusion of change.'

Permutations / Solvency:

Cooperation between the Judiciary and the Legislative Branch will solve twice as effectively as one branch acting alone. Court lacks resources and enforcement power acting alone

Gottlieb and Schultz, Hamline University 1996

Stephen E Gottlieb and David Schultz, Professors, “Legal Functionalism and Social Change: A Reassessment of Rosenberg's ‘The Hollow Hope,” Journal of Law and Politics

The judiciary is not nearly so independent from other branches as supporters of the dynamic model would **suggest.** Further, **judicial efficacy is hindered by the limited reach of the constitutional rights which the Court is authorized to enforce and by the Court's limited resources for developing and actively implementing visions of social change**.38 In short, Rosenberg concludes, the Court is far more "constrained" than it is "dynamic." 39 **Such a "constrained" Court cannot influence policy without outside assistance**. **Only when others provide incentives to comply with the Court's vision,** 4 0 when that vision can by implemented in the market, 4 1 **or when the Court's decisions are used by others as "leverage, or a shield**, cover, or excuse" to implement reform, 4 2 can judicial action play a role in major attempts to reform society. **Alone, the Court can do little**.

Branches of government help each-other all the time, and it doesn’t destroy separation of powers

Blood, UC San Diego, 1999

Christopher G., Thomas Jefferson School of Law JD – UC-San Diego “The Eroded Power of the Press and the Need to Apply Separation of Powers Principles,” Journal of Law & Politics, fall

Nor is inter-branch facilitation without precedent. The executive branch makes its high-level nominees available to the legislative branch to facilitate the "advice and consent" role that Congress plays. These nominees undergo intense congressional scrutiny, sometimes only to be rejected, and yet the executive branch has made not only the nominee available but also their own investigative reports in order to assist Congress in carrying out one of their constitutional functions. 163 Similarly, **the judicial branch makes indirect recommendations to Congress as to needed legislation, thereby facilitating its job. In so doing, the Court's words can give political cover to the legislative branch, assisting that coordinate branch in the carrying out of its functions.** The point is that **nothing in the separation of powers doctrine prohibits one branch from assisting a coordinate branch in fulfilling its constitutional role when the needed assistance is merely peripheral to the assisted branch's role.** So, when a coordinate branch must restrict access to a government function of great public interest, solely for security reasons, the press branch should be allowed to carry out its function with but minimal restrictions. Certainly, if either the legislative or judicial branches needed access to fulfill their constitutional function, that is the outcome that would result.

Theory: Agent Counterplans are Bad:

Should the negative be allowed to advocate doing exactly the same thing as the aff, but have some other actor do it?

Agent Counterplans are bad and should be rejected

e. Steals the 1AC:
_____
_____
_____.

f. Unpredictable:
_____
_____
_____.

g. Bad for Education:
_____
_____
_____.

h. Voting issue:
_____.

Answer to States Counterplan:

There are 4 reasons why the States Counterplan won't solve the aff built into the sample 1AC. Go find them and use the extensions to start your block construction.

Permutations and Solvency:

Shifting burden to the states creates significant cost burdens and creates a patchwork of care

Diaz and Schoenbrunner, 2025

Adrian and Anna, 5/28, Health Affairs, Reclassigying gender affirming care would erode essential health benefits for everyone, https://www.healthaffairs.org/content/forefront/reclassifying-gender-affirming-care-would-erode-essential-health-benefits-everyone

Implications Of Federal Reclassification On State Gender-Affirming Care Laws

States vary significantly in their protections for gender-affirming healthcare coverage. Nearly half of U.S. states, including California, New York, and Illinois, have enacted laws explicitly prohibiting insurers from denying or limiting coverage based on gender identity. For instance, California's Insurance Gender Nondiscrimination Act has significantly increased access to gender-affirming treatments since its implementation. This introduces a significant conundrum: while **the proposed CMS rule would federally reclassify gender-affirming care as non-EHB, state laws mandating coverage would remain in place. Consequently, the federal reclassification creates fiscal pressure for supportive states, potentially obligating them to bear the additional costs associated with maintaining these mandated coverages for ACA-subsidized enrollees.** As outlined in the ACA, when a state mandates coverage for a benefit that exceeds the federally defined EHB, the state is required to defray the cost of that additional benefit for enrollees in qualified health plans receiving federal subsidies. **While the actual per-member costs are low, the aggregate financial responsibility for states could be substantial.** For example, when we analyzed data from our prior study on California's Insurance Gender Nondiscrimination Act, we found that just over 25% of beneficiaries purchased their health plans on ACA marketplaces between 2014 and 2019, which underscores the potential scale of impact. Policy Actions To Safeguard Comprehensive Coverage

Cooperative federalism - solves by creating oversight of state laboratories
Morton-Bently 2016
Daniel W. Morton-Bently, The Rowly Enigma: How Much Weight is Due to IDEA State Administrative Proceedings in Federal Court? 36 Journal of the National Association of Administrative Law Judiciary 428 (2016).
In designing the IDEA, Congress divided rulemaking and adjudicative responsibilities between two institutions, delegating rulemaking authority to the United States Department of Education's Office of Special Education Programs and recognizing that state departments of education would exercise adjudicative duties.[26] This allocation embodies the principle of cooperative federalism, a system **where "a federal statute provides for state regulation or implementation to achieve federally proscribed policy goals."[27] Cooperative federalism allows states to create novel solutions, which are responsive to local conditions in a way that a unitary federal standard cannot be.[28]**

Offense: Budget Disadvantage

States across the country are broke and new unfunded mandates will force them into bankruptcy.

Bidgood, Bosman and Burns 2017

Jess, Julie, and Alexander, New York Times, "Caught in Budget Tugs of War, States Teeter on the Brink", NY Times, https://www.nytimes.com/2017/07/03/us/budget-state-shutdown-taxes.html?mcubz=0

The governor signed a new budget at 1:03 a.m. on Tuesday, but not before residents saw state business temporarily upended. **A standoff over a tax increase left Illinois teetering on the edge of a potentially devastating credit downgrade. And a deadlock over a raid on the funds of New Jersey's largest health insurer kept the state's parks and beaches closed for a third straight day**, though lawmakers reached a settlement late Monday. **Stalled negotiations have left at least eight states without budgets several days into a new fiscal year.** But the effects have been felt most starkly in three of them, where outspoken Republican governors clashed with Democratic-controlled legislative chambers. If those three impasses highlighted the perils of divided state government, which has grown increasingly rare in an era of single-party rule, they also underscored the limits of the Republican Party's ascendancy on the state level. The governors share more than a party label: They are, to a man, proud provocateurs who have tried to enact conservative policies in blue states through badgering and political intimidation. Govs. Chris Christie of New Jersey and Paul R. LePage of Maine have routinely tried to humiliate and overwhelm their adversaries through force of personality, often projecting bluster through the news media, while Gov. Bruce Rauner of Illinois has used his vast personal fortune to run television ads attacking legislators who refuse to support his agenda. State Senator Richard J. Codey of New Jersey, a Democrat who served as acting governor from 2004 to 2006, said that those sorts of imperial attitudes were bound to end in ruin. **The shutdowns,** he said, **reflected a collapse in the traditional give-and-take between governors and legislative leaders,** who have often managed to cooperate across party lines. "As long as there's reasonable people as the heads of the legislature and the governor, you'll get it done," Mr. Codey said. "There's no excuse for this." In New Jersey, Mr. Christie's clash with legislators stemmed from his demand for more authority over the state's largest health insurer, Horizon Blue Cross Blue Shield. "He can't get his way all the time," Mr. Codey fumed. For his part, Mr. Christie had blamed the Democratic speaker of the State Assembly, Vincent Prieto, calling him "the one who dug his heels in." **A majority of states — 33 of them — are** now controlled by a single party, and some of those also **hit budget impasses this year**. But provisions in many of those places, such as extending funding at current levels or setting temporary budgets until deals can be made, have spared residents, for the most part, from the effects. In Wisconsin, where Republicans control the governor's office and the State Legislature, disagreements over transportation funding have slowed lawmakers. In Rhode Island, which is entirely under Democratic control, the House has yet to vote on a $9.2 billion budget plan passed by the Senate on Friday. And in Oregon, Gov. Kate Brown, a Democrat, and the Democratic-leaning Legislature have sparred over how the state taxes businesses, but lawmakers appeared to be headed toward an agreement this week. In states like Maine, however, the effects were immediate. Though state parks and emergency services were kept open, motor vehicle offices were closed, as was the lottery office. And the operations of agencies like the Office of Child and Family Services and the Department of Labor were curtailed, as thousands of workers were idled and lawmakers edged toward a deal. "Days like today, we regularly have caseworkers that would go out to check on the children," said Dean Staffieri, the vice president of a state employees' union and a supervisor in a child protective services office, which he said had only a small crew on call for emergencies on Monday. For residents, the state's first shutdown in decades was jarring. Danielle Sirois, a cashier at a Christmas Tree Shops store in Augusta, said she worried for the families of state employees. "I think they should all come together," Ms. Sirois said of Maine's lawmakers. **"The world is scary to me right now because everybody is so at odds."** Maine's combative governor, Mr. LePage, said he would allow state employees to take a day of paid leave on Monday, but many of the workers gathered at the State House wondered how he could do that when there was no budget in place. By the end, the fight centered on Mr. LePage's vow not to sign a budget this year with tax increases. Late last week, Senate Republicans and the Democrats who control the House agreed on a compromise budget. In a major concession by Democrats, it would repeal a voter-approved tax surcharge on the state's highest earners, which had been expected to generate more than $300 million for education. But the bill also contained a roughly $20 million increase in the state's lodging tax — as had the budget Mr. LePage first proposed. On Monday, Mr. LePage said he would not sign a budget that included the lodging tax increase. Late in the evening, he and Sara Gideon, the Democratic House speaker, crafted a new deal that scrapped the increase, added money for Head Start programs and protected behavioral health reimbursements. "We never should have been in this in the first place," Ms. Gideon said, minutes before the House enacted the bill. "When we started this on Friday night, it was never clear why we were going into a state shutdown — what were House Republicans and the governor really looking for?" Mr. LePage held a jovial bill signing in the middle of the night. But State Senator Roger Katz, a Republican who backed the various compromises as they evolved, said earlier in the day that the shutdown had been embarrassing for the state. **"The tradition of consensus budgeting has really begun to fall apart here, as it has nationally,"** Mr. Katz said. "I think for some, it's about ego, it's about wanting to be relevant, and it's about wanting to have one's fingerprints on the result.

State bankruptcies spiral and collapse the economy

Peterson 2014

Henry Lee, Harvard University, "Federalism's Emerging Fiscal Crisis" in *The Global Debt Crisis: Haunting U.S. and European Federalism*, Brookings Institution Press, p. 8-9

For the first time since the Great Depression, multiple U.S. states might find themselves unable to pay their employees or their bondholders, **effectively going bankrupt** (for our extended discussion, see chapter 2). As early as March 2010, the Wall Street Journal asked, "Who Will Default First: Greece or California?" (the answer was Greece), and in testimony before the Congressional Financial Crisis Inquiry Commission, investor Warren Buffett—who then owned more than $4 billion of state and local debt—stated that **the federal government may ultimately be compelled to bail out states**.If the failure of commercial banks posed a "systemic risk" in 2008, it will be difficult to argue that the U.S. states are not "too big to fail" in 2013: **state and local governments represent more than 12 percent of the nation's GDP and more than 15 percent of its employment.** Millions of public employees stand to lose their jobs if the federal government does not step in.10 **The municipal bond market is more than $3 trillion in size, and state and local governments use it to finance their schools,** highways, and other projects. More than two-thirds of outstanding state and local debt is held by small investors and public institutions.11 Should states require a bailout by the federal government in 2013, it would likely rival the 2008 bailout of the U.S. banking system. **Every day the pressure builds:** in the summer of 2011, $160 billion in federal stimulus money—given to states and local governments during the financial crisis to keep them afloat—ran out.1

Theory: States Counterplans are Bad:

Should the negative be allowed to advocate doing exactly the same thing as the aff, but have some other actor do it?

Agent Counterplans are bad and should be rejected

i. Moving Target:
_____
_____
_____.

j. Utopian and Multi-Actor Fiat isn't fair:
_____
_____
_____.

k. Not Real World, Bad for Education:
_____
_____
_____.

l. Voting issue:
_____.

Answer to Topicality

There are about 6 different defenses of Topicality built into 1AC inherency and solvency - find them and write out an extension block below.

And establishing gender affirming care as an essential health benefit is an ACA amendment is a form of national health insurance
Families USA 2018
Advocacy Group, Insights Blog, 2/9, 10 Essential Health Benefits Insurance Plans Must Cover Under the Affordable Care Act, https://familiesusa.org/resources/10-essential-health-benefits-insurance-plans-must-cover-under-the-affordable-care-act/
One popular aspect of the Affordable Care Act is its requirement that all individual and small group **health plans** (for people who don't have traditional job-based coverage) **cover important health benefits** like maternity, mental health, preventive, and pediatric dental care. Members of Congress and the Trump administration have frequently proposed measures that would eliminate or undermine these essential health benefits (EHBs), as they are known.
Essential health benefits ensure that health plans cover care that patients need EHB requirements ensure that everyone in the individual and small group health insurance markets has access to comprehensive coverage that actually covers the services they need. These essential health benefits fall into 10 categories: Ambulatory patient services (outpatient services) Emergency services Hospitalization Maternity and newborn care Mental health and substance use disorder services, including behavioral health treatment Prescription drugs Rehabilitative and habilitative services (those that help patients acquire, maintain, or improve skills necessary for daily functioning) and devices Laboratory services Preventive and wellness services and chronic disease management Pediatric services, including oral and vision care The Affordable Care Act eliminated caps on how much coverage people got for these essential health benefits The Affordable Care Act's requirement that essential health benefits be covered without annual dollar caps provides patients with more health benefits and a lesser financial burden. While plans before the ACA stated that they covered many of these services, actual coverage was often uneven—patients often faced unexpected dollar limits on services that were technically covered by their plans, forcing them to pay the remainder of costs. Additionally, this new definition of coverage enshrined in the ACA ensures that plans cover important services that are not currently covered by many plans: People with mental health or substance abuse disorders will have the peace of mind of knowing that their plan must cover their needs and that their coverage for these mental health services must be as comprehensive as their coverage for medical and surgical services. Women can rest assured knowing that they will have maternity coverage when they become pregnant. People with developmental and intellectual disorders will benefit from habilitative services that help them learn, keep, or improve functional skills when most plans now will only cover services to regain skills. Americans were waiting a long time for substantial coverage of services that are essential to their health. **The ACA's requirement that plans cover these essential health benefits offers a pathway to comprehensive health insurance for all Americans.**

Framework:

(If you wanted to start transitioning this towards a non-topical K Aff)

Resistance outside the state is key. Each individual act of resistance creates a web of revolution necessary to challenge biopolitics
Atterton 1994
Peter, philosophy professor, University of California San Diego HISTORY OF THE HUMAN SCIENCES JOURNAL, 1994, p. http://www.acusd.edu/~atterton/Publications/foucault.htm
Foucault considers all these are possible, with appropriate reservations and qualifications: **"Are there no great radical ruptures, massive binary divisions, then? Occasionally, yes. But more often one is dealing with mobile and transitory points of resistance, producing cleavages in a society... Just as a network of power relations ends by forming a dense web that passes through apparatuses and institutions, without being exactly localized in them, so too the swarm of points of resistance traverses social stratifications and individual unities. And it is doubtless the strategic codification of these points of resistance that makes a revolution possible,** somewhat similar to the way in which the state relies on the institutional integration of power relationships."

Negative Evidence
Case Debate

Solvency:

The Trump administration has done a bunch of things to criminalize trans rights, the aff won't solve anything.
Thoreson, 2025
Ryan, Specialist, Gay, Lesbian, Bisexual, and Transgender Rights Program, Human Rights Watch, 1/23, Trump administration moves to reject transgender identity, rights. https://www.hrw.org/news/2025/01/23/trump-administration-moves-reject-transgender-identity-rights
Within hours of returning to power Monday, United States President Donald **Trump issued a stunningly broad executive order that seeks to dismantle crucial protections for transgender people and denies the validity of gender identity itself. The new order withdraws** a range of executive orders issued by former President Joe Biden, including those **allowing transgender people to serve in the military, advancing the health and well-being of lesbian, gay, bisexual, and transgender (LGBT) youth, and interpreting federal sex discrimination protections in domains like education, housing, and immigration to prohibit discrimination based on sexual orientation or gender identity. The order states that the US government will recognize only two sexes, male and female, that are fixed at birth, and orders government agencies to end all reference to and consideration of a person's gender identity. This sweeping redefinition threatens federal programs used by transgender people and impacts federal documentation such as passports, which can currently reflect the gender identity of transgender and nonbinary people.** The order also pledges to withhold federal funding from any programs that promote "gender ideology," echoing language used by right-wing movements across Europe and Latin America to oppose not only recognition of transgender people but broader sexual and reproductive rights. Worryingly, **it instructs agencies to house transgender people in detention according to their sex assigned at birth, putting them at extreme risk of physical and sexual violence,** and to withhold gender-affirming care in prisons, which can amount to cruel, inhuman, and degrading treatment or punishment under international law. The order further instructs the Department of Justice to help agencies reinforce sex-segregated spaces that exclude transgender people, potentially excluding transgender individuals from everyday facilities like bathrooms but also from crucial services like shelters for those facing homelessness and intimate partner violence. Some of the order's provisions will face legal challenges, as they seem to squarely conflict with federal law and judicial precedent. However, **the order's scope underscores the administration's intention to erase transgender people from public life and strip them of basic protections.**

Advantage One: Bodily Autonomy

Biopower is inevitable and inescapable – the aff can never solve
Dula 2001
Peter Historic Peace Churches Consultation, Bienenberg, Switzerland,
http://www.peacetheology.org/papers/dula.html
Global capital operates on all registers of the social order. It is the pinnacle of biopower, where social life is not just regulated but also produced. Understood in these terms, the web of power seems inescapable. There is no outside to this power, as Hardt and Negri repeatedly insist. **There is no non-co-optable space from which to mount a critique,** no proletariat (or church) to function as a locus of purity. And **since this power takes the form of a constantly shifting web or network it is difficult, if not impossible, to pin-point an 'enemy'** (56-58). Negri goes so far as to say that 'the proletariat is everywhere, just as the boss is.' In other words, **everyone is now both oppressor and oppressed.** In light of all this it becomes easy to read Hardt and Negri as utterly hopeless and also as absurdly abstract. One wants to respond with Emerson's retort to Tocqueville: 'I hate the builders of dungeons in the air.' Or with Stuart Hall's insistence that the argument that global capitalism is the final triumph of the West, 'the final moment of a global post-modern where it now gets hold of everybody, of everything, where there is no difference which it cannot contain, no otherness it cannot speak, no marginality which it cannot take pleasure out of…. [is] the form of post-modernism I don't buy. It is what happens to ex-Marxist French intellectuals when they head for the desert.' On the ground, say in Prague or Capetown not so many years ago, the line between oppressor and oppressed comes into focus in a way it can't from the heights of Deleuzian metaphysics. Civil society becomes more elusive than Hardt and Negri's condemnation (or Falk's approval) suggests.

Advantage Two: Mental Health

The Trump Administration has created an overwhelming climate of fear and anxiety for trans people, through a wholesale agenda targeting them. The aff can only address a fraction of these concerns.
Goldberg and Sears 2026
Abbie E. Goldberg, Distinguished Visiting Scholar and Professor of Psychology at Clark University, and Brad Sears, Distinguished Scholar of Law and Policy and Associate Dean of Public Interest Law at UCLA Law, "Impact of the Trump Administration on Transgender Parents and their Children." UCLA School of Law Williams Institute, April 2026.
https://williamsinstitute.law.ucla.edu/publications/impact-trump-trans-parents/

With the election of President Donald J. **Trump** to a second term, **many transgender Americans reported experiencing significant fear, anxiety, and anger. One of President Trump's first executive orders aimed to erase the identities of transgender and nonbinary people for the purposes of federal law and policy, with sweeping implications for non-discrimination protections, accurate federal identification documents, incarcerated transgender people, health care access for transgender youth, access to shelters and other services, and students' access to equal education, including access to restrooms and sports participation.Many transgender people have other identities that create additional vulnerabilities under Trump administration policies, such as having low income, being a person of color, being disabled, and being an immigrant** (James et al., 2024). Considering the long history of legislative discrimination against transgender parents, coupled with the Trump administration's anti-transgender rhetoric and policies, transgender people who are parents are particularly vulnerable and may be experiencing heightened concerns in the current sociopolitical and legislative climate.

Secure housing is the most important issue for mental health. The Trump Administration's whole-of-government approach towards trans people embeds mental issues like anxiety and fear that are far broader than the aff can address.
Martinez 2025
H. Reynolds Martinez, Editorial & Production Extern and Law Student, "Being Trans in Trump's America." Truthdig, December 15, 2025.
https://www.truthdig.com/articles/being-trans-in-trumps-america/

"The best harm reduction in the world is having secure housing," Renee said. "Even though **we are a transgender-led and run organization**, we serve the entire community," including low-income folks and those dealing with substance abuse disorders. Renee notes a significant rise in requests for housing since the governor designated Maryland as a sanctuary state and the mayor made Baltimore a sanctuary city. Requests for shelter and assistance "almost went up threefold," she reports, "to the point where we and Baltimore city don't have enough housing to put people up. But that doesn't stop [trans folks] from seeking sanctuary in Maryland." Along similar lines, Emma Vosicky of GenderNexus observes a broader trend of trans people migrating to safer environments. "**A number of the folks with whom we work are struggling with the existential dread of living within a state and a country which refuses to recognize their humanity, instead making them a target in order to further accumulate power driven by hate.**" Emma adds that "many of them are leaving this state, and those with means are leaving this country, concerned that this new wave of hate will result in the loss of everything." Even within relatively

progressive states, the trans community still faces major barriers. Owen Ziegler, who also identifies as trans, experienced this firsthand when they tried to change their legal name in Colorado about a decade ago. In Colorado, trans folks seeking a name change must pass federal and state background checks with fingerprints to prove that they are not disqualified due to any criminal history. When Owen changed their name about 10 years ago, they also had to publish their name change in the newspaper. The newspaper that published Owen's name then misspelled their last name — even though their last name was not changing. "It's a dignity thing, you know? Making you go through these hurdles and not even respecting the proper spelling of the thing they make you publish," Owen told me. This led them to the Colorado Name Change Project, where they are currently the deputy director. The organization works to reduce barriers for trans folks to change their names, because "when you talk about the trans experience," Owen explains, "there's this constant undercurrent of being dehumanized or being invalidated." Yet, some trans people are now choosing to reverse their name change due to safety concerns, given the current political climate. One of Owen's clients opted to change back to their given name because they couldn't medically transition, didn't pass well and feared for their safety. Others have sought court orders to change their gender markers on official documents from the neutral "X" to "M" or "F" because of the new U.S. Customs and Border Patrol rule that requires airlines to ignore "X" gender markers. This can cause potential delays or confusion that may disrupt international travel for trans and nonbinary people. As Owen put it, **trans folks "are again having to fit ourselves into the binary for the comfort or convenience of the system that is apparently existentially threatened by our simple freedom of authentic selfhood.**" Owen continued: "The current administration is prompting people to seek further gender marker changes than maybe they'd usually present. … A lot of people are refraining from name changes right now because you never know what list you're on." **The mental health toll of such rules and legislation can be onerous.** Taryn Sinclaire, a mental health provider, has witnessed this firsthand. "On a professional level," she says, **these policies "make it harder for a population that already had difficulty accessing services to access those services. It also makes them fearful."** Echoing Owen's observation, she adds that "[Health and Human Services **Secretary** Robert F. **Kennedy** Jr.] **has been talking about putting people that have neurodivergence on a list. It makes you wonder, when we diagnose people with gender dysphoria, are they going to end up on a list?" Insurance companies**, Taryn explains, **are aware of patients diagnosed with gender dysphoria because of their access to medical and mental health records of care received by policyholders during a given period. Private information like diagnoses is protected under the Health Insurance Portability and Accountability Act of 1996**, HIPAA, **but Taryn worries about how effective such protections are in the Trump era.** "Already here in Michigan," she says, "we have Rep. Josh Schriver, who tried to … label presenting yourself on the internet as a gender identity other than the sex you were born with as a criminal act."

Advantage Three: Human Rights Credibility

The US has no human rights credibility - foreign aid cuts
Human Rights Watch, 2026
5/14, US Foreign Aid Cuts Harm Human Rights Globally,
https://www.hrw.org/news/2026/05/14/us-foreign-aid-cuts-harm-human-rights-globally
(Washington, DC) – **The United States government's abrupt cuts to nearly all US foreign aid in 2025 harmed the global human rights movement and countless people at risk,** Human Rights Watch said in a 42-page paper issued today. "Every Autocrat's Dream: A Global Snapshot of the Human Rights Harms of US Foreign Aid Cuts" examines the immediate consequences of the aid cuts to the work of human rights defenders around the world. Investigations into abuses were halted, support for victims cut off, and organizations that helped deter violations were forced to scale back or close. **"The US government's withdrawal of support from the global human rights movement was music to the ears of autocrats,"** said Sarah Yager, Washington director at Human Rights Watch. "The foreign aid cuts have made it harder to document human rights violations, protect communities at risk, and hold human rights abusers to account." **The US government had been the largest donor to human rights work around the world for decades, until the Trump administration gutted US foreign aid between January and March 2025.** Valid criticisms of foreign aid programs notwithstanding, the sudden and massive US funding cuts had immediate detrimental effects worldwide. Human Rights Watch examined the impact of aid cuts on media freedom, access to information, and digital security; combating discrimination and targeted violence; and justice, accountability, and the rule of law. The snapshot includes cases from 16 countries: Afghanistan, North Korea, Venezuela, Bangladesh, Cameroon, Democratic Republic of Congo, Guatemala, Haiti, Myanmar, Thailand, Tanzania, El Salvador, Georgia, Nicaragua, Turkmenistan, and Ukraine. Every Autocrat's Dream: A Global Snapshot of the Human Rights Harms of US Foreign Aid Cuts The cases are snapshots of the weeks and months immediately following the aid cuts to illustrate the human rights implications of the Trump administration's decisions in various contexts. While no government is obligated to provide foreign aid, **the way the United States terminated assistance caused foreseeable harm and demands accountability**, Human Rights Watch said. The US Congress should mandate an independent review to assess the human rights consequences of the 2025 aid reductions and program terminations and restore funding for human rights in future appropriations. Policymakers, donor governments, and private philanthropy should act urgently to rebuild support for the global human rights movement in a sustainable and rights-respecting way.

The US has no human rights credibility - extra-judicial killings of people on boats
Human Rights Watch, 2025
12/16, US: Military Boat Strikes Constitute Extrajudicial Killings,
https://www.hrw.org/news/2025/12/16/us-military-boat-strikes-constitute-extrajudicial-killings
Human Rights Watch today published a detailed question-and-answer **document analyzing the Trump administration's boat strikes in the Caribbean and Pacific. To date, 26 reported strikes have unlawfully killed at least 95 people, none of whom the US government has identified.** The Question-and-Answer document is intended as a resource for understanding **the legal and human rights implications of the United States military campaign.** The document explains why the strikes **constitute extrajudicial killings under international human rights law and addresses the administration's claims that the US is embroiled in an armed conflict with "narco-terrorists."** It further lays out the United States' obligations to investigate unlawful killings, hold accountable those responsible, and provide effective remedies. It identifies concrete steps Congress should take, including holding public hearings, mandating independent investigations, and creating a select committee investigate legal and operational decisions behind the strikes.

The US has no human rights credibility - militarized occupation of DC, elsewhere
Human Rights Watch 2025
8/11, US: Military Deployment in Washington, DC Unwarranted, Dangerous, https://www.hrw.org/news/2025/08/11/us-military-deployment-in-washington-dc-unwarranted-dangerous

President Donald **Trump on August 11, 2025, announced the deployment of US National Guard troops in Washington, DC,** claiming that "rising violence in the capital now urgently endangers public servants, citizens, and tourists, disrupts safe and secure transportation and the proper functioning of the Federal Government, and forces the diversion of critical public resources toward emergency response and security measures." In fact, **crime rates in Washington, DC, have been falling for years and the district government has not asked for military intervention.** The following statement can be attributed to Tanya Greene, US program director at Human Rights Watch: **"Involving the military in civilian law enforcement is dangerous and unwarranted.** The Trump administration's moves **to deploy military forces in cities with populations primarily comprised of people of color**, such as Los Angeles in June and now Washington, DC, exacerbate the potential for violence and cost millions of dollars that could be spent on basic services, like food and affordable housing, that many people desperately need. As we have seen around the world, military takeover of local law enforcement **is a harbinger of authoritarianism. Leaders in the US and around the world should condemn these actions, which are a threat to everyone's rights."**

The re-organization of the State Department deprioritizes human rights
Human Rights Watch, 2025
4/29, US: Human Rights Role in Foreign Policy at Risk, https://www.hrw.org/news/2025/04/29/us-human-rights-role-foreign-policy-risk

The Trump administration's new US State Department structure may further hamstring rights and justice-related work, with programming already decimated by foreign aid cuts, Human Rights Watch said today. **The new structure eliminates several human rights-focused offices** and senior positions. On April 22, 2025, US Secretary of State Marco Rubio announced a "comprehensive reorganization plan" with the goal of aligning with the president's "America First foreign policy." The new structure appears to disperse at least some of the functions of several eliminated offices throughout regional bureaus and elsewhere. Human Rights Watch is concerned that **eliminating these offices signals eliminating human rights as a priority in US foreign policy. "No US administration in modern history has lived up to its stated human rights ideals and each has contributed to human rights abuses somewhere in the world,"** said Sarah Yager, Washington director at Human Rights Watch, **"But the State Department has consistently made human rights a relevant part of US diplomacy, provided critical funding to human rights defenders,** promoted independent media, championed some core women's rights issues, and supported justice for victims of atrocity crimes." Those eliminated include the Office of Global Women's Issues as well as the Office of Global Criminal Justice and its ambassador-at-large. The Office to Monitor and Combat Trafficking in Persons (TIP) is slated to merge into the Bureau of Population, Refugees, and Migration (PRM). Concerned members of Congress, which authorized and appropriated funds for most of the programs now being dismantled, should pressure Secretary Rubio to reverse course and preserve initiatives that until recently had bipartisan support, including from Rubio himself when he served in the US Senate. **The administration has not explained whether and how work on crucial human rights issues will continue,** or how staff working on them will be able to influence foreign policy decisions within the new structure. Human Rights Watch is concerned that human rights will no longer be of meaningful or positive policy relevance given other Trump administration actions that have harmed human rights. These included gutting US foreign assistance, which terminated thousands of programs that supported human rights defenders and independent media, and many that provided life-saving humanitarian assistance.

Trump's "religious freedom" campaign is a closeted campaign to kill muslims by radical evangelical christians, empower foreign christian populations politically, and destabilize nations like Nigeria so we can steal their resources.

Searcey et al 2026

Dionne, from Abuja, Zolan Kanno Youngs and Eric Schmitt from Washington, Ruth McClean from Nigeria, New York Times, 2/1, How Trump took up the Christian genocide cause in Nigeria, https://www.nytimes.com/2026/02/01/world/africa/nigeria-christians-trump.html

Top advisers from the Trump Administration sat at the head of a giant wooden table in an office near the White House in late October listening as **religious activists described attacks on Christian churches and pastors in Nigeria. The activists wanted President Trump to do something about it. Three days later, the president threatened to enter Nigeria "guns-a-blazing" to avenge what he has called a "Christian genocide."** Then, on Christmas Day, Mr. Trump launched Tomahawk missiles at "terrorist scum" he said were responsible for killing Nigerian Christians. The strike was the explosive outcome of an intense, yearslong push led by Christian activists, Republican lawmakers and American celebrities seeking U.S. intervention in a long-simmering security crisis in Nigeria. **Thousands are killed annually in Nigeria, and the victims include large numbers of both Christians and Muslims. The violence involves battles over land, kidnappings for ransom, sectarian tensions and terrorism, but the activists wanted Mr. Trump to see the conflict through a single lens: the persecution of Christians.** Now, the activists have seized on his support to orchestrate a rapid shift in American foreign policy toward Nigeria, with major consequences for the West African nation, including the threat of more bombings. "Our challenge," said Nina Shea, an activist and the former commissioner for the U.S. Commission on International Religious Freedom, "was to break through the narrative that this was not religious based." In Davos, Switzerland, last month, Mr. Trump praised the December strikes. "In Nigeria we're annihilating terrorists who are killing Christians," he said. "We've hit them very hard." A congressional spending measure released in January would condition half of U.S. aid to Nigeria on whether the country has done enough to stop the violence, advance "religious freedom" and investigate "jihadist terror groups." Mr. Trump told The New York Times recently that he would approve more strikes if Christians continued to be killed, and last month, senior U.S. leaders were in Nigeria's capital to announce a new, closer military partnership between the two nations. **For the Christian activists, Mr. Trump's support has been the rightful outcome of a mission one key U.S. congressman described as a calling from God. For the Nigerian government, correcting the record on who bears the brunt of the violence has become less important than making concessions to Mr. Trump.**

A Shocking Massacre For years, the Christian activists had tried to get the Biden administration to re-designate Nigeria a Country of Particular Concern, a category reserved for nations where religious freedom is threatened, making them vulnerable to sanctions. Mr. Trump had put Nigeria on the list during his first term, but the Biden administration lifted the designation in 2021. The State Department's report on religious freedom in Nigeria that year said there were mass killings of both Christians and Muslims, but it did not single out Christians as a singular target. The return of Mr. Trump offered a new opening. Armed with gruesome anecdotes and shocking but in some cases unreliable data on the number of Nigerian Christians killed for their faith, two dozen activists from groups dedicated to exposing Christian persecution around the world, such as the international organization Aid to the Church in Need, pursued various Trump officials. Rev. Wilfred C. Anagbe, a prominent bishop from the Middle Belt of Nigeria, a central area where the mostly Muslim north meets the mostly Christian south, was invited to testify on Capitol Hill last March. He told members of a House subcommittee on Africa that "the experience of the Nigerian Christians today can be summed up as that of a Church under Islamist extermination." **In June, one of Nigeria's worst incidents of violence in years broke out** in the bishop's home state of Benue. **Gunmen overran the largely Christian community of Yelwata, hacking, shooting and burning residents in a horrific, bloody massacre. In all, about 200 civilians were killed.** "It was so shocking in its brutality," said Sean Nelson, a senior counsel at Alliance Defending Freedom International, an Austria-based organization with U.S. offices. **Such brutal attacks are also perpetrated against Muslims, including herders who are often nomadic and don't have political representation,** said Matthew Page, a former diplomat and a Nigeria expert. "The extent to which they are victims is just never revealed," he said. Religious groups on Capitol Hill circulated stories about the Yelwata attack to get lawmakers' attention. One that resonated, lawmakers said, was an article in The Free Press, founded by media executive Bari Weiss. The article focused heavily on the killing of Christians. Representative Riley Moore, a West Virginia Republican, cited the Yelwata attacks in July when he introduced a House Resolution condemning the persecution of Christians in Muslim-majority countries. By the fall, Senator Ted Cruz, Republican of Texas, had introduced a measure calling for sanctions against Nigeria. The map locates the town of Yelwata in Benue state in the Middle Belt region of Nigeria. The atrocity at Yelwata was a breakthrough moment for the activists, but not everyone in the Trump administration saw the massacre as proof of genocide. Massad Boulos, Mr. Trump's Africa adviser who spent decades selling trucks in Nigeria, arrived in Rome in October for a meeting with Nigeria's president, Bola Tinubu, to discuss strengthening U.S.-Nigeria ties. Mr. Boulos said afterward that Islamist groups were killing more Muslims than Christians and that the Trump administration understood the complexity of the violence plaguing Africa's most populous country. Mr. Trump told The Times last month "that Muslims are being killed also in Nigeria, but it's mostly Christians." Back in Washington, anti-persecution groups secured the meeting with Trump officials near the White House just as Republicans were gathering for the annual Conservative Political Action Conference. Sitting at the grand wooden table, they outlined their concerns to Sebastian Gorka, the National Security Council's senior director for counterterrorism, who has falsely argued that violence is a fundamental part of Islam. Mr. Nelson, another attendee, spoke at a "Christian Persecution Summit" at CPAC the next day. He argued that putting Nigeria back on the Country of Particular Concern list would pressure the nation into taking action to protect Christians."They value our economic relationship, they value the security assistance that we provide," Mr. Nelson said of Nigerian officials. The next day, on Oct. 31, Mr. Trump took to Truth Social to announce that he had officially put Nigeria back on the list, and then a short while later he posted that he had ordered the Pentagon to begin planning potential military action. "If we attack, it will be fast, vicious, and sweet," he wrote. **Nigerian officials tried to counter the notion of a Christian genocide.** Mohammed Idris, Nigeria's information minister, described Mr. Trump's claims as "false, baseless, despicable and divisive," and the foreign minister, Yusuf Tuggar, implied that **the true goal was to destabilize Nigeria, take its resources and turn the African nation into a failed state.**

Off Case Arguments

Movements Disadvantage

The depravity of the Trump Administration has opened the eyes of the masses to the limits of the American system, and has spurred a multi-generational coalition of activists to unite to revitalize civil society and drive authentic democratic renewal now
Yaziha 2024
Hajar, Professor of Sociology, USC, and Fellow, Carr Center for Human Rights, Harvard Kennedy School, Post-Election 2024: The Future of Human Rights in the U.S.
https://www.hks.harvard.edu/centers/carr/publications/post-election-2024-future-human-rights-us
As a scholar of racial politics and social movements, **I see in this moment the simultaneity of social forces of destruction and creation: destruction through** the intersecting manifestations of deeply forged social divides, fraudulent systems of campaign finance and corporate influence, **the corrupt and fragmented media landscape, and a successful right-wing long game. Yet more importantly,** and more hopefully, **I see the forces of civic creation in the burgeoning forces of the grassroots, everyday people awakened to the limits of U.S. democracy as we know it and committed to creating something new.** I have studied **a range of groups—immigrant rights activists, racial justice activists, Muslim rights activists, LGBTQ+ activists—across generations, from seasoned civil rights organizers to Gen Z student activists. Shared among these groups is the understanding that the march towards collective freedom is not linear**, nor has it ever been. True democracy has always emerged in the slow, deep work of relationship-building among everyday people united in their commitment to a collective future they may well never see. **These communities are uniting in shared struggle, strengthening coalitions, sharing political education, pooling resources and expertise, and developing systems of mutual aid.** As we prepare for the months and years ahead, **we must not let the elite political theater in Washington, D.C., distract us from the call of a people's democracy summoning us right outside our doors.**

The plan divides the movement, distracting and sapping motivation from activists by giving them a win and trading off organizing resources with structural, long-term fights
Farbstein 2024
Susan, Professor, Harvard Law, Director of the International Human Rights Clinic Post-Election 2024: The Future of Human Rights in the U.S.
https://www.hks.harvard.edu/centers/carr/publications/post-election-2024-future-human-rights-us
Second, **we must collaborate with human rights practitioners** across the globe. We can **draw on the wisdom of colleagues who have been engaged, for years, in battles against dictatorship** and authoritarianism in their home countries. **We desperately need to understand what strategies and frameworks have been most effective, and which have failed to break through.** Equally important, **when** we lose hope or **our motivation flags**, our peers can inspire us and strengthen our resolve. **Solidarity is essential.** Third, we need to defend the space in which social movements and advocates operate. Autocrats build power by targeting and silencing journalists, politicians, judges, academics, and activists. If Congress, the courts, and the media fail to check the new administration's authority, we must fill the void. Democracy requires open public debate and a robust civil society, capable of defending human rights and holding leaders accountable. We must uphold rights to speech and assembly, and ensure dissenting voices are heard and protected. Finally, we must prevent and mitigate immediate harms caused by the incoming administration—but **we also have to play the long game. Daily crises that demand our attention will make it challenging to strike the right balance.** While we must respond with urgency, **we also have to be strategic and allocate our collective resources wisely.** Equally critical issues, like climate change and growing inequality, cannot be forgotten. And we must care for ourselves and our colleagues, nurturing the resilience necessary to sustain our efforts for years to come.

Post-Neoliberalism is the only option, solves root cause of discrimination and extinction Von-Werlhof 2008

Prof. Claudia von Werlhof, The Consequences of Globalization and Neoliberal Policies. What are the Alternatives?, Global Research: Center for Research on Globalization, 2/1/08, http://www.globalresearch.ca/index.php?context=va&aid=7973

Neoliberalism is an apocalypse, a "revelation". **There is no way to deny this any longer.** It is impossible for neoliberalism to justify itself by the reality it creates. **No one can be fooled anymore** by calling the corporations harmless "players" either. Things have become serious. There is no ambiguity. As a consequence, the perpetrators of neoliberal politics simply lie about what is happening. In a way, we can say that the only good thing about neoliberalism is that it reveals the truth about "Western civilization" and "European values". This means that **people now have the chance to draw the right conclusions about what is really needed. What is really needed, of course, is nothing less than a different civilization.** A different economy alone, or a different society or culture will not suffice. We need a civilization that is the exact opposite of neoliberalism and the patriarchal capitalist world system it is rooted in. The logic of our alternative must be one that completely undermines the logic of neoliberalism (Werlhof 2007 b).

Neoliberalism has turned everything that would ensure a good life for all beings on this planet upside down. Many people still have a hard time understanding that the horror we are experiencing is indeed a reality – a reality willingly produced, maintained and justified by "our" politicians. But even if the alternative got half-way on its feet – no more plundering, exploitation, destruction, violence, war, coercion, mercilessness, accumulation, greed, corruption – we would still be left with all the damage that the earth has already suffered. The earth is not the paradise it was (at least in many places) 500 years ago, 200 years ago or even 100 years ago. **The devastation has been incredible: large parts of our drinking water are disappearing** mainly due to the melting of the glaciers and polar caps; **our climate has changed dramatically,** causing turbulences and catastrophes; our atmosphere is no longer protected against ultraviolet radiation ("ozone layer problem"); **many species of our fauna and flora are extinguished; most cultures and their knowledge are destroyed; most natural resources exhausted.** And all this happened within what only comes to a nanosecond of the earth's history. We have to establish a new economy and a new technology; a new relationship with nature; a new relationship between men and women that will finally be defined by mutual respect; a new relationship between the generations that reaches even further than to the "seventh"; and a new political understanding based on egalitarianism and the acknowledgment of the dignity of each individual. But even once we have achieved all this, we will still need to establish an appropriate "spirituality" with regard to the earth (Werlhof 2007 c). The dominant religions cannot help us here. They have failed miserably. We have to atone for at least some of the harm and violence that has been done against the earth. Nobody knows to what degree, and if at all, this is even possible. What is certain, however, is that **if we want to have any chance to succeed, we need a completely new "cultura" for this: a "caring" relationship with the earth based on emotional qualities that have been suppressed and destroyed in the name of commodity production and "progress".** We need to regain the ability to feel, to endure pain, to lose fear and to love in ways that seem inconceivable today (Anders 1994, Vaughan 1997). If this happens then a new life on and with our earth might really be possible. In any case, it is the only earth we have.

Incremental and unsuccessful reforms coopt movements of abolition---only coalitional movements towards abolition are able to challenge violent systems.
Raven et al 2019
Leila, queer activist, former Director of Collective Action for Safe Spaces (CASS), Mon Mohapatra, artist, and Nnennaya Amuchie, organizer with Black Youth Project 100
"Reforms Won't Save Us. Abolishing the Police Will,"
https://www.them.us/story/reforms-wont-save-us-abolishing-the-police-will
In this op-ed, organizers from the #8ToAbolition campaign discuss the insufficiency of incremental reforms as a means of ending the epidemic of racist police brutality, proposing eight radical ideas for how to transform our communities instead. Since colonizers first landed on what would become the "United States of America," enslaving Africans, massacring indigenous peoples, and exploiting resources across the world, Black people have resisted oppression. This resistance has taken the form of direct actions by abolitionists like Harriet Tubman, Nat Turner, and, more recently, organizers and agitators with groups like the Black Visions Collective in Minneapolis. **Yet time and again — from the Attica Prison Uprising in 1971 to the protests taking place now to demand justice for Breonna Taylor, George Floyd,** Tony McDade, Rayshard Brooks, **and others — this fight has been co-opted by those seeking incremental reforms that bolster the system, further marginalizing grassroots movements working toward transformative change.** Larger nonprofit organizations, including mainstream LGBTQ+ NGOs, have repeatedly sought to water down demands for a world without prisons and police by pushing for policy changes that empower courts, cops, and jails. These reformist efforts seek assimilation for the most privileged trans, queer, and gender-nonconforming people at the expense of those at the margins — specifically Black trans, queer, and gender nonconforming people who most severely experience interpersonal violence, hate violence, and state violence. In response, we created #8ToAbolition, an education and organizing tool detailing eight abolitionist demands. As a group of abolitionist organizers, we seek a 100% eradication of the state-sanctioned violence terrorizing our communities. The only way to end police violence is to begin by defunding the police and end by abolishing it altogether. To grasp the urgency of the policies covered in #8ToAbolition, one must understand the particular systemic issues we're organizing against. The prison system is the historical successor of slavery in the United States, extended through an exception in the 13th Amendment that permits slavery "as a punishment for crime." With the resulting boom of the prison industrial complex throughout the 20th Century and especially during the Clinton presidency, Black feminists like Angela Davis and Ruth Wilson Gilmore began to theorize around modern-day abolition, leading to the formation of abolitionist organizations like INCITE! and Critical Resistance. #8ToAbolition is based on the premise that our collective liberation is dependent on putting those at the margins of our communities at the center of our advocacy As Critical Resistance outlines, "Abolition is a political vision, with the goal of eliminating imprisonment, policing, and surveillance and creating lasting alternatives" for building safety. **Reformist reforms,** according to Critical Resistance, **strengthen the state through increased funding and resources** for law enforcement and carceral systems, whereas abolitionist reforms move us closer to a world without prisons or policing. With #8ToAbolition, the steps we introduce seek to do the latter: Move our collective needle on the things our communities need, such as better public health, housing, transit, and education, in order to thrive and live well without relying on police or prisons. Prisons, jails, and policing have long been sites of violence for trans and queer people in the United States and across the world. Last summer, Layleen Cubilette-Polanco, an Afro-Latina transgender woman, died while incarcerated in New York City's Rikers Island jail at the hands of uncaring prison staff. Young people of color who are LGBTQ+ and homeless are disproportionately likely to be criminalized and enter the juvenile punishment system; many trade sex to access housing and survive. In January 2020, Tony McDade, a Black trans man, was murdered by police. From a lack of housing and healthcare, to targeted harassment from police, to their very bodies being criminalized, Black queer and trans people have long been on the frontlines of fighting police violence. (The first Pride, after all, was catalyzed by a riot against police raids.) **Reformist solutions to address the needs of queer and trans people have not made our lives demonstrably safer.** Mainstream LGBTQ+ advocacy has focused on securing rights to assimilate, like marriage equality, while rates of homelessness, violence, and incarceration of our communities remain high. Assimilationist strategies put forward by well-funded LGBTQ+ organizations have secured exclusionary, short-term victories for more privileged subsets of trans and queer communities, especially those who are white and wealthy, while leaving those at the margins behind. A particularly brazen example was the response of the Human Rights Campaign and the National LGBTQ Task Force to the Trump Administration's ban on trans folks serving in the military. Rather than aligning themselves with anti-war activists and radical veterans speaking out against U.S. imperialism and its devastating impact on trans and queer folks in the global south, these predominantly white and wealthy organizations prioritized allowing folks' access to participation in American empire.

Executive Order Counterplan

Counterplan: President Trump should withdraw Executive Order 14187

Trump's Executive Orders have restricted access to gender affirming care. Repeal them! Nuruzzaman and Hsiang 2026

Nabuha and Elaine, Doctors, American Public Health Association, 8/1 Contextualizing President Trump's Executive Orders Targeting Transgender Health and Gender-Affirming Care, https://ajph.aphapublications.org/doi/10.2105/AJPH.2025.308265

The antitransgender executive orders and legislation enacted by the Trump administration since January 2025 have focused on enforcing a gender binary and restricting access to gender-affirming care for youths. These actions have had sweeping effects on health policy and access to care in an already strained health care system.

Here we contextualize these attacks on transgender health by exploring the historical pathologization and policing of transgender bodies in the United States and Europe while tracing the legacy of medical gatekeeping alongside evolving standards of care. We critique the scientific inaccuracies within the administration's executive orders while outlining the harmful impact of related and recent legislation, including United States v Skrmetti. **Restrictions on gender-affirming care and the rights of transgender people to exist not only exacerbate health disparities but also undermine the ethical responsibility of medical practitioners and institutions to provide patient-centered, evidence-based care. We must not capitulate to political efforts that attempt to harm and erase an already marginalized population.** (Am J Public Health. 2026;116(2):256–260. https://doi.org/10.2105/AJPH.2025.308265)

Courts Counterplan:

The United States Supreme Court should, on the next available test case, overturn Skrmetti v Tennessee.

Overturning Skrmetti v Tennessee would remove legal support for denying health insurance for transgender youth. The Supreme Court's decisions are important, and the ruling will fight the climate of fear that exists today
Johnson, 2025
Kierra Johnson, President, National LGBTQ Task Force, National LGBTQ Task Force Responds to Supreme Court United States v. Skrmetti
https://www.thetaskforce.org/news/national-lgbtq-task-force-responds-to-supreme-court-united-states-v-skrmetti/

"Gender affirming care can mean the difference between life and death for our transgender youth. Today, **the Supreme Court rejected the science and authorization of gender affirming care, upheld harmful bans, and denied the lived experiences of trans youth.** The Supreme Court has now rolled back **critical protections against discrimination on the basis of sex.** This is an especially devastating moment for transgender youth, their parents and their doctors across the country. **Tennessee's ban on essential medical care — and other similar state bans — will continue to wreak havoc on the lives of these families.** What we know is this: transgender youth denied access to appropriate medical care are in danger of worse physical and mental health outcomes. **Americans look to the Supreme Court as the highest court of the land,** making decisions with long term impact in these critical times; **decisions that speak to the value certain communities. Transgender youth are often overlooked, undervalued, and lack the protection that they deserve as both minors and transgender community members.** Gender dysphoria impacts more than the physicality of a person and, when left untreated, may result in anxiety and depression. When there is no legal doctrine that speaks to pertinence of gender affirming care, **it shows that the law is not on their side, discrediting and disenfranchising a community while obliterating their humanity.** The Supreme Court's decision does not simply impact transgender rights but parental rights and the recommendations of the vast majority of medical experts. Parents of transgender youth are constantly scrutinized for their support for their children and deemed unfit for displaying loyalty and understanding in a world that does the opposite. Medical experts who provide treatment face similar scrutiny and their research and are questioned for engaging in unbiased consultation to patients, no matter what their gender identity or expression, which should be encouraged. Today's decision does the complete opposite and puts lives and families at risk. **The Skrmetti decision reinforces harmful ideology that transgender youth are unsure of themselves,** and supportive parents of transgender youth do not know their own children and their needs, **and medical experts should not be able to do their jobs to heal and support those in their care.** We know that progress is never linear and this decision, while devastating, will only make us work harder to protect trans youth and do the work to educate the public about the reality of their lives.

States Counterplan

Counterplan: The 50 States, D.C., and Territories should allow Medicaid to cover gender affirming care for low income residents, modelled on Maryland Senate Bill SB 460.

State policies, like Maryland bill SB 460 can solve the aff
MCEP No Date
Maryland Center on Economic Policy, Gender Affirming Treatment Is Essential Healthcare, https://mgaleg.maryland.gov/cmte_testimony/2023/wam/1uIoAx3tf1vBWemd3sM-8cm-kCLNKrJg3.pdf
Every Marylander deserves to get the essential health care they need not just to survive, but to thrive. For transgender Marylanders, that essential health care includes gender-affirming treatments. The Maryland Center on Economic Policy supports Senate Bill 460 because it will ensure low-income Marylanders enrolled in Medicaid can access the same types of gender-affirming treatment as those with private insurance. Maryland's Medicaid program currently uses outdated standards, developed 20 years ago, to govern decisions about the types of care available to low-income transgender people who rely on Medicaid to pay for their health care. **SB 460 would enact updated standards that would allow more types of gender-affirming treatment to be covered through Medicaid. At least 9 other states, including Virginia, and Washington, D.C., already provide more robust care**, and the services included in SB 460 are all eligible for federal reimbursement. **Given the small number of transgender Marylanders enrolled in Medicaid, any impact on the state's share of Medicaid costs would be very minimal. Ensuring more people can access gender-affirming care supports improved mental health and could reduce instances of workplace and housing discrimination** that transgender people too often face. Because of chronic stress linked to discrimination, people who are transgender are up to three times more likely than the general population to have a mental health or substance use disorderi . That's why major medical associations including the American Medical Association, the American Psychiatric Association, and the American Academy of Pediatrics all consider comprehensive treatment for transgender people to be essential health care. **The 2015 U.S. Transgender Survey showed that transgender Marylanders face much higher levels of poverty and economic instability than others in the state**: The 2015 U.S. Transgender Survey showed that transgender Marylanders face much higher levels of poverty and economic instability than others in the stateii: • 9% of respondents were unemployed at the time of the survey, about double the statewide average at that time, and **more than 1 in 5 reported incomes below the federal poverty level**. • 1 in 4 respondents reported experiencing various types of employment discrimination because of their gender identity or expression, such as being fired, not being hired, or being denied a promotion. • Nearly 1 in 4 respondents also reported experiencing housing discrimination in the past year, such as being evicted or being denied a home or apartment, because of their gender identity or expression. 28% reported experiencing homelessness at some point in their lives. • **31% refrained from seeing a medical provider due to affordability concerns.**It also found that 29% of respondents experienced at least one negative encounter with a healthcare provider due to being transgender. Unsurprisingly, more than 1 in 5 respondents refrained from seeking medical assistance for fear of mistreatment. Moreover, research shows that providing gender-affirming care can make a great difference for transgender individuals. Associations with gender-affirming care includeiiiiv: • A 73% drop in suicidal ideation • A 60% drop in depression • Reduction in rates of HIV transmission • Reduction in rates of drug use and overdose **Ensuring people can afford and received needed health care would be a significant step toward greater health and economic security for transgender Marylanders.** For these reasons, the Maryland Center on Economic Policy respectfully requests the Finance Committee to make a favorable report on Senate Bill 460.

Topicality:

1NC Shell

Interpretation:

Curado et al. 19 — Cristóbal Cuadrado (Nahum), Associate Professor in the School of Public Health at the University of Chile, holds a M.D., Ph.D. in Public Health, and M.P.H. in Health Policy and Economics from University of Chile, with Francisca Crispi, Academic in the School of Public Health at the University of Chile, holds a M.D. from the University of Chile, and a M.Sc. Health, Population and Society from the London School of Economics and Political Science (UK), Matías Libuy, Emergency Physician at Hospital El Carmen de Maipú, Adjunct Professor in the Health Policy, Systems, and Management Program at the University of Chile, holds a M.D. from the University of Chile, and a M.Sc. in Health and Society, and Social Epidemiology from University College London, Gregory Marchildon, Professor and Ontario Research Chair in Health Policy and System Design at the University of Toronto, holds a Ph.D. in Economic History from the London School of Economics and Political Science, and Camilo Cid, Regional Advisor in Health Economics and Financing at the Pan American Health Organization (PAHO), holds a Ph.D. in Health Economics from the University of Duisburg-Essen (Germany), 2026 ("National Health Insurance: A conceptual framework from conflicting typologies," Health Policy,
Volume 123, Issue 7, July, Available Online at https://www.sciencedirect.com/science/article/pii/S0168851019301307#sec0030, Accessed 04-04-2026, p. 624)

4.1. Single-payer or **National Health Insurance**?
To refer to **NHI literature requires a review of the concept of single-payer system, a phrase sometimes used interchangeably with NHI system.** Probably **the most accepted definition of a single payer is a "single purchaser for the main service package on behalf of the entire population living in a defined geographic area"** [21]. Other authors refer to further dimensions, for example Tuohy describes single-payer as a system financed by the government and delivered by privately owned providers [28]. Hsiao identifies as **the major attributes** of a single-payer system as the: 1) **pooling of health risk of the whole population (national** or provincial) **in one risk pool**; 2) **insuring of all citizens with an uniform benefit package;** 3) resource generation to ensure **affordable access**; 4) **one single purchaser**s who set rules for providers; 5) **capacity to control health expenditure inflation** [29]. An excellent review of the concept of single-payer can be found elsewhere [30].

Violation: The affirmative only adds gender-affirming care as an essential health service. It doesn't expand all health coverage to all citizens, which is required for national health insurance.

Standards:

- **Limits: Requiring affirmatives to implement health insurance for everyone is the only way to provide clash around health care models rather than allowing niche affirmatives that choose one particular type of health care to cover.**
- **Ground: Neg ground relies on both accessible case debate and links to core generic arguments. Affs like gender-affirming care take away these neg arguments.**

Voting Issue: Topicality is a voting issue to preserve fairness and education

Framework Answers

If the other team starts experimenting with making this a non-topical Kritik Aff, this should give you something to say on case

Micro-politics radical focus on new alternatives makes us incapable of producing real change
Lobel 2007
Orly, Professor of Law @ University of San Diego, "The Paradox of Extralegal Activism Critical Legal Consciousness and Transformative Politics" Harvard Law Review, Vol. 120, 2007
Once again, this conclusion reveals flaws parallel to the original disenchantment with legal reform. Although the **new extralegal frames present themselves as apt alternatives to legal reform models** and as capable of producing significant changes to the social map**, in practice they generate very limited improvement in existing social ar- rangements.** Most strikingly, the cooptation effect here can be ex- plained in terms of the most profound risk of the typology — that of legitimation. The common pattern of extralegal scholarship is to de- scribe an inherent instability in dominant structures by pointing, for example, to grassroots strategies,223 and then to assume that specific instances of counterhegemonic activities translate into a more complete transformation. **This celebration of multiple micro-resistances seems to rely on an aggregate approach** — an idea that the multiplication of practices will evolve into something substantial. In fact, **the myth of engagement obscures the actual lack of change being produced, while the broader pattern of equating extralegal activism with social reform produces a false belief in the potential of chang**e. There are few in- stances of meaningful reordering of social and economic arrangements and macro-redistribution. Scholars write about decoding what is really happening, as though the scholarly narrative has the power to unpack more than the actual conventional experience will admit.224 **Unrelated efforts become related and part of a whole through mere re- framing. At the same time, the elephant in the room — the rising level of economic inequality — is left unaddressed and comes to be under- stood as natural and inevitable**.225 **This is precisely the problematic process** that critical theorists decry **as losers' self-mystification, through which marginalized groups come to see systemic losses as the product of their own actions** and thereby begin to focus on minor achievements as representing the boundaries of their willed reality.