

FALL 2019 BEGINNER DIVISION CORE FILES (NEGATIVE)

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Negative Answers to the Affirmative's Case Arguments

First Negative Speech

Note: this evidence is a suggested starting point for your First Negative Constructive speech.

- While you cannot reference research from outside these files (for example, you cannot quote a piece of evidence from tomorrow's newspaper) – you can reference current events or make “analytic arguments”: common sense assertions that point out flaws in your opponent's position.
- You can use evidence from anywhere within this file to build your First Negative Constructive – you are not restricted to what is labeled “First Negative Constructive,” we are only giving you some ideas for how to start.

First Negative Speech (1NC) – Answers to Affirmative’s Advantage

The plan won’t help promote democracy – early voters will vote with incomplete information means their votes may not reflect their opinion if they had more information

von Spakovsky, Election Law Reform Initiative and Senior Legal Fellow at Heritage, 2017

(Hans A. “Early Voting Disadvantages Seem to Outweigh Benefits”. Heritage Foundation, Oct 18th, 2017 <https://www.heritage.org/election-integrity/commentary/early-voting-disadvantages-seem-weigh-benefits> accessed DUDA-TM)

There are other problems. Voters who cast their ballots early are doing so without knowledge of events that may occur later in a campaign or just before Election Day that could be important to their choice of candidates. Last year, the early voting period started in some states before Hillary Clinton and Donald Trump had even completed their three debates.

Turnout rates have been very consistent in the US over time, proves recent changes in early voting and registration isn’t responsible

DeSilver, Pew Research, 2018

(Drew, “U.S. trails most developed countries in voter turnout” Pew Research, May 21 2018 <https://www.pewresearch.org/fact-tank/2018/05/21/u-s-voter-turnout-trails-most-developed-countries/> Accessed DUDA-TM)

No matter how they’re measured, U.S. turnout rates have been fairly consistent over the past several decades, despite some election-to-election variation. Since 1976, voting-age turnout has remained within an 8.5-percentage-point range – from just under 50% in 1996, when Bill Clinton was re-elected, to just over 58% in 2008, when Barack Obama won the White House. However, turnout varies considerably among different racial, ethnic and age groups.

First Negative Speech (1NC) – Answers to Affirmative’s Advantage

States are fixing some of the problems – some states already passing pro-voter reforms

Brennan Center, 2019

(“Voting Laws Roundup 2019”, July 10 2019

<https://www.brennancenter.org/analysis/voting-laws-roundup-2019> accessed DUDA-TM)

The massive burst of pro-voter bills introduced this session – 688 bills in 46 states – translated into significant reform across the country. As a group, states with new, Democratic trifectas led the way in terms of expansive laws this year – and, within that group, New York, Colorado, and Nevada enacted multiple, high-impact reforms. In addition, Delaware and Virginia enacted early in person voting. And a number of other states – under Democratic, GOP, and mixed control – enacted reforms that are either more incremental or alleviate past voter suppression. A couple of other trends emerged as well. States enacted a number of bills providing notice and cure opportunities for absentee ballots and voter registrations. In addition, despite Florida’s decision to cut back on Amendment 4, rights restoration continues to gain momentum.

First Negative Speech (1NC) – Answers to Affirmative’s Solvency

The Affirmative will have the opposite effect that they want because early voting actually decreases voter turnout – studies prove

von Spakovsky, Election Law Reform Initiative and Senior Legal Fellow at Heritage, **2017**

(Hans A. “Early Voting Disadvantages Seem to Outweigh Benefits”. Heritage Foundation, Oct 18th, 2017 <https://www.heritage.org/election-integrity/commentary/early-voting-disadvantages-seem-outweigh-benefits> accessed DUDA-TM)

While early voting may seem more convenient, it appears to have the opposite effect of what its proponents sought: It actually decreases turnout. A number of studies, including one by American University and another by professors from the University of Wisconsin, conclude that states that have adopted early voting have lower voter turnout than states without early voting.

The Affirmative can’t solve the other factors that influence turnout rates – Texas proves

Young, writer for Dallas Observer, **2019**

(Stephen, “Voting in Texas Still Broken, New Report Says”. Dallas Observer, MARCH 21, 2019 <https://www.dallasobserver.com/news/how-to-fix-texas-voter-turnout-11613360> accessed DUDA-TM)

In the past, when the Observer has looked at Texas' abysmal voter turnout, the experts we've talked to have cited the lack of competitive races in the state, leading to a less-than-robust voting culture. "Texas isn't really a competitive state," Victoria DeFrancesco Soto, a political scientist at the University of Texas, told us in March 2016. "So we don't have that culture of voting that you have in swing states where you're always in the political eye. Texas doesn't have that. It doesn't have this exciting national political scene."

Supporting Evidence

Please note: the following pages **may** be useful for affirmative speeches after the *First Negative Constructive*.

This evidence is provided to help you challenge the negative's arguments, mainly in the Second Affirmative Constructive speech. Only **some** of this evidence will need to be read in your debate, depending on what arguments your opponent makes.

We **discourage** you from reading evidence in the final Rebuttal speeches (1AR, 2NR, 2AR). This is **not** a rule – you can do it if you like – but your rebuttals will be better and score you more speaker points if you use your speech time to analyze and compare your arguments to the ones your opponent has made – rather than just reading more of the following pages. Most judges want to watch you engage your opponent's arguments directly, rather than watching you read page after page of evidence every speech.

One more piece of advice: you should actively **listen** to your opponents' speeches, and track the specific arguments they are making by taking notes ("flowing" the debate). In your rebuttals, aim to make reference to their arguments and respond to them directly as time allows – don't rely entirely on pre-written speeches that aren't unique to the situation of your debate round.

Early voting creates political division

Early voting undermines democratic cohesion that voting on the same day would provide

von Spakovsky, Election Law Reform Initiative and Senior Legal Fellow at Heritage, 2017

(Hans A. “Early Voting Disadvantages Seem to Outweigh Benefits”. Heritage Foundation, Oct 18th, 2017 <https://www.heritage.org/election-integrity/commentary/early-voting-disadvantages-seem-outweigh-benefits> accessed DUDA-TM)

Early voting seems to damage the civic cohesiveness inherent in having voters throughout the nation turn out on a single day to choose our president and our legislative representatives. Given the costs, particularly its tendency to lower turnout, early voting is a “reform” that states should consider undoing.

Early voting won't increase voter turnout

Plan won't result in an increase in turnout – new and unengaged voters won't know about the expansion in voting rights

Root, Associate Director, Voting Rights **AND Kennedy**, Senior Fellow Increasing Voter Participation in America, **2018**

(Danielle and Liz “ Policies to Drive Participation and Make Voting More Convenient” Center for American Progress July 11, 2018,

<https://www.americanprogress.org/issues/democracy/reports/2018/07/11/453319/increasing-voter-participation-america/> accessed DUDA-TM)

Infrequent or first-time voters are especially unlikely to know about the availability of things such as same-day voter registration and early voting. This obligation falls largely on states and localities, both of which should send eligible voters notifications regarding voting registration deadlines and information about eligibility as well as where and how to register. Well in advance of Election Day, eligible voters should receive notifications that remind them to vote and include information about their respective polling place and voting hours. This would help cut down on improperly cast ballots.³⁹ Distributing sample ballots can also help to improve the voting experience and reduce wait times at polling places.⁴⁰ One study found that, during the 2000 elections, participation was 2.5 percent higher in states that mailed information about polling places to voters in advance and 2 percentage points higher in states that mailed sample ballots.⁴¹ The effects were especially notable for voters with little education and for young people.⁴² In the seven states that mailed sample ballots, voter participation for registered youths was 73 percent, compared with 67.3 percent in states that did not distribute sample ballots.⁴³

Negative Disadvantage – Affirmative Makes Elections Insecure

First Negative Speech

First Negative Speech (1NC) – Voting Security Disadvantage

Election security in the United States is failing and underfunded – by expanding elections, the affirmative increases the risk that foreign countries can exploit these weaknesses.

Sanger, et al, 2019

(David E. “States Rush to Make Voting Systems More Secure as New Threats Emerge” NYTimes July 26, 2019

<https://www.nytimes.com/2019/07/26/us/politics/states-voting-systems.html> accessed DUDA-TM)

But money is scarce. Much of the \$380 million that Congress allocated two years ago has been spent and Senator Mitch McConnell, Republican of Kentucky, blocked a Democratic effort on Thursday to provide more money to the states for election security.

Many localities say they do not have the funds to spend on gear they will use once a year, at most. In Texas, 106 of its 254 counties have bought new voting equipment since the 2016 elections, said Stephen Chang, the communications director for the Texas secretary of state’s office.

Exposure to political manipulation by foreign actors increases the risk of international conflict.

Bender, writer for Politico, 2019

(Bryan, “Russia beating U.S. in race for global influence, Pentagon study says”. Politico, June 30 2019 DUDA-TM)

"In this environment, economic competition, influence campaigns, paramilitary actions, cyber intrusions, and political warfare will likely become more prevalent," writes Navy Rear Adm. Jeffrey Czerewko, the Joint Chiefs' deputy director for global operations, in the preface to the report. "Such confrontations increase the risk of misperception and miscalculation, between powers with significant military strength, which may then increase the risk of armed conflict."

Supporting evidence & answers to affirmative arguments

Early voting undermines election security

States have saved money to fund election security by shutting down early voting – the plan reverses this and weakens our protections

Paterson, 2018

(Blake “Bipartisan Furor as North Carolina Election Law Shrinks Early Voting Locations by Almost 20 Percent”. Propublica Sept. 24, 2018

<https://www.propublica.org/article/bipartisan-furor-as-north-carolina-election-law-shrinks-early-voting-locations-by-almost-20-percent> accessed DUDA -TM)

But with the start of early voting only weeks away, county election officials across the state — who previously had control over setting polling hours in their jurisdictions — say the new law has hamstrung their ability to best serve voters. Some officials in rural counties say they’ve had to shrink the number of early voting locations to accommodate the law’s longer hour requirements and stay within their budgets.

Same day registration undermines election security

Same day voting registration is expensive – it will trade of with funding for election security.

NCSL, 2019

(National Conference of States Legislatures, June 28 2019

<http://www.ncsl.org/research/elections-and-campaigns/same-day-registration.aspx>
accessed DUDA TM)

Same day registration procedures vary within states, and so costs vary as well. Some states indicate there is little to no additional cost in implementing same day registration, especially those that have had this option available for a long time. Some costs that may be associated with implementing same day registration include:

The purchase of additional equipment, which could include e-poll books or ballot-on-demand printers. Additional technology is not a requirement to implement same day registration, however, and Connecticut, Hawaii, Idaho, Maine, Montana, New Hampshire and Vermont all report that they are not currently using e-poll books for this process.

If e-poll books are used, an additional cost may be associated with connecting to a network, either within the polling place or connecting to the statewide voter registration database. This may also be difficult in more rural areas.

Updates of the existing statewide voter registration system to accommodate same day registration.

Increased election staff or poll workers to process same day registrations. This extra administrative task can be time consuming at the same day registration site and verifying registration information after the election. Many states report this is more a reallocation of costs and resources, though, rather than an additional cost.

Funding is low – expanded voting rights trade off with security

Limited resources exist for states to run elections – any expansion in voting rights will trade off with efforts to improve security by doing things like updating ballot machines.

Sanger and Edmondson, 2019

(David and Catie, “Russia Targeted Election Systems in All 50 States, Report Finds”. NY Times, July 25 2019 <https://www.nytimes.com/2019/07/25/us/politics/russian-hacking-elections.html?module=inline> accessed DUDA TM)

While the report praised the steps the agencies have since taken to assist in securing elections, the committee found that concerns about aging voting equipment remain. “As states look to replace machines that are now out of date, they should purchase more secure voting machines. At a minimum, any machine purchased going forward should have a voter-verified paper trail,” a summary of the report said, while adding that “states should remain firmly in the lead on running elections.” The states say they do not have the money to conduct a replacement program by November 2020.

Must put security over expanded rights – 2020 elections

There is lots of evidence hacking will go on in 2020 elections – security must come first

Lynch and Underhill, National Conference of State Legislatures, 2019

(Dylan and Wendy, “Election Security | Cybersecurity: What Legislators (and Others) Need to Know” National Conference of State Legislatures February 4 2019

<http://www.ncsl.org/research/elections-and-campaigns/election-security.aspx> accessed DUDA-TM)

Prior to the 2016 presidential election, malicious actors connected to the Russian government sought to gain access to at least 21 state voter registration systems; some say voter registration systems in all 50 states may have been probed for entry. These were not “breaches” or “hacks” per se, but rather akin to a burglar checking locks and rattling windows to see if there’s an easy way into a house.

Election security is essential to democracy

Voter confidence is key to democracy – without election security, people won't trust the results of elections – means the affirmative makes the problem worse

Lynch and Underhill, National Conference of State Legislatures, 2019

(Dylan and Wendy, "Election Security | Cybersecurity: What Legislators (and Others) Need to Know" National Conference of State Legislatures February 4 2019

<http://www.ncsl.org/research/elections-and-campaigns/election-security.aspx> accessed DUDA-TM)

Since cybersecurity in elections thrust itself into the public eye prior to the 2016 presidential election, many state, local and federal officials saw that the greatest threat to the process was not that votes would be changed or that an election would be influenced by bad information. It was that voters would not have enough confidence in the system to get out and vote. The foundation of our democracy is based on voters being confident that when they vote, their ballots are counted as cast.

Other countries will see and exploit our insecurity

Inaction for 2020 election will send a signal to other countries they can hack our democracy

Senator Mark Warner, 2019

("Russia is going to up its game for the 2020 elections" Matt Laslo interviewing Senator Warner Wired Magazine July 31 2019 <https://www.wired.com/story/russia-2020-election-security-mark-warner/> DUDA -TM).

So I think there are a couple of new threats. One, Russia in 2016 was surprised at how vulnerable our systems were, our electoral systems. And how easy Facebook and Twitter and YouTube were to be manipulated. So I think that playbook is now out there, they've used the same tactics in the Brexit vote [and] the French presidential elections. So my fear is we may not only see Russia, we can see Iran, we could potentially see China, who has a great deal of control over a number of their Chinese tech companies, start to use these tools because they're cheap and effective. I like to point out that if you add up all Russia spent in the Brexit vote, the French presidential elections, and the 2016 American elections, it's less than the cost of one new F-35 airplane. So Russia and our adversaries, I think, have decided the way to engage with us in conflict is not through straight up old-school military but through cyber activities, misinformation and disinformation, increasingly trying to weaken and interfere, for example with our space communications, and I think Russia will up their game ... and others ... [It] means there will be more adversaries in 2020.

Answer to: “states have already secured elections”

Some states are possibly set up with effective security measures – but the Senate Intelligence Committee says most states are at risk of being unprepared.

Sanger, et al, 2019

(David E. “States Rush to Make Voting Systems More Secure as New Threats Emerge” NYTimes July 26, 2019

<https://www.nytimes.com/2019/07/26/us/politics/states-voting-systems.html> accessed DUDA-TM)

Less than 16 months from the next Election Day, the picture of American preparedness is mixed. The report issued Thursday by the Senate Intelligence Committee found that “some states were highly focused on building a culture of cybersecurity; others were severely underresourced and relying on part-time help.”

Federal officials say they are particularly worried about states like New Jersey, where only three counties are making the first experiments that create a paper trail for balloting. Pennsylvania and Texas also remain major concerns, the officials said.