## 1

**Obama will win the debt ceiling fight now- his political strength is the key factor**

**Kapur 9/12**/2013 (Sahil, Talking Points Memo’s senior congressional reporter and Supreme Court correspondent. His articles covering politics and public policy have been published in The Huffington Post, The Guardian and The New Republic, Cantor: If We Can’t Defund Obamacare, Let’s Delay It, http://tpmdc.talkingpointsmemo.com/2013/09/eric-cantor-obamacare-debt-ceiling-shutdown-default.php)

In order to persuade conservatives lawmakers to vote to keep the federal government funded past Sept. 30, House **Republican leaders are proposing to stare down** President Barack **Obama over the debt ceiling by seeking a one-year delay of Obamacare.¶** At a closed-door meeting Tuesday, House Majority Leader Eric Cantor (R-VA) floated a strategy to delay the rollout of Obamacare for one year in exchange for lifting the debt ceiling. The meeting was focused on pitching a plan that lets Republicans vote to defund Obamacare without risking a government shutdown if the Senate rejects the idea, a move that is meeting fierce resistance on their right flank, which wants to go further.¶ A senior Republican aide familiar with Cantor’s remarks said he was essentially trying to persuade his members that the debt limit, which the federal government is expected to hit in mid-October, provides a better opportunity than a threatened government shutdown to undermine Obamacare.¶ “He didn’t draw any red lines,” said the GOP aide. “He said it’s a better opportunity than [the continuing resolution] and a delay there is very doable.” The aide added that the concession wouldn’t necessarily just involve Obamacare; there could be other reforms. The aide admitted that it depends in part on what the president is willing to give up.¶ **It all sounds far-fetched**. After all, trading a government shutdown for default would be like trading a common cold for cancer. And **it remains to be seen whether GOP leaders would let the economy collapse if they don’t get their way, or if they’re merely saying what they have to say to get through the shutdown crisis.**¶ An upside to proposing the debt ceiling idea now is that it helps persuade Republican lawmakers not to withhold their support for keeping the government open. Cantor’s suggestion this week comes as Republicans are taking heavy fire from conservative advocates for refraining from risking a government shutdown over Obamacare. House leaders have postponed consideration of the continuing resolution until next week to build support.¶ Last month, Speaker John **Boehner** (R-OH) **floated the idea of delaying or defunding the health care reform law in a debt ceiling package. But he, too, stopped short of drawing any red lines**. A leadership aide described it at the time as an “option.”¶ Despite the anti-Obamacare frenzy consuming their right flank, **Republican leaders recognize that both a shutdown and default would be a disaster for their party**, potentially threatening their House majority ahead of a mid-term election when they hope to win back the Senate. **Their balancing act to satisfy conservatives enough to avert a shutdown but not to create expectations that threatening debt default is the way to go.¶** Back in January, **when** President Barack **Obama held firm** and refused to negotiate **on the debt limit**, **as he is now**, **the House GOP backed down** **and lifted the debt ceiling without substantive concessions** (but rather symbolic ones). **Republican** **leaders recognize that it will be extremely difficult to extract major** Obamacare **concessions**, especially on the eve of its rollout. **The last-ditch option in** Speaker John **Boehner’s** (R-OH) **pocket would be to avert disaster by bringing up legislation that passes with the support of mostly Democrats. This route is far from ideal for him, but he hasn’t ruled it out**.¶ In a memo to Republicans last Friday, Cantor vowed to continue attacking Obamacare, but not necessarily at risk of wreaking havoc on the economy. Instead he promised that leaders will “hold a series of strategic votes throughout the fall to dismantle, defund, and delay Obamacare.” He said Republicans “will continue to pursue the strategy of systematically derailing this train wreck and replacing it with a patient-centered system.”¶ At the end of the day, **the battle over Obamacare is largely a side show** that Republican leaders have to deal with. The real fight, where Republicans have genuine leverage, is over how much the government will spend next fiscal year and whether Congress will make permanent the lower spending levels after the automatic cuts known as sequestration.

**The plan drains capital – Backlash and hostage taking on unrelated priority legislation is empirically proven, likely in future and specifically true for Rubio**

**LeoGrande, 12**

William M. LeoGrande School of Public Affairs American University, Professor of Government and a specialist in Latin American politics and U.S. foreign policy toward Latin America, Professor LeoGrande has been a frequent adviser to government and private sector agencies, 12/18/12, http://www.american.edu/clals/upload/LeoGrande-Fresh-Start.pdf

The Second Obama Administration Where in the executive branch will control over Cuba policy lie? **Political considerations played a major role in Obama's Cuba policy during the first term**, albeit not as preeminent a consideration as they were during the Clinton years. In 2009, **Obama's** new foreign policy **team** got off to a bad start when they **promised Senator Menendez that they would consult him before changing Cuba policy. That was the price he extracted for providing Senate Democrats with the 60 votes needed to break a Republican filibuster on a must-pass omnibus appropriations bill to keep the government operating. For the next four years, administration officials worked more closely with Menendez, who opposed** the sort of major **redirection of policy** Obama had promised, **than they did with senators** like John Kerry (D-Mass.), chair of the Foreign Relations Committee, **whose views were more in line** with the president's stated policy goals. **At the Department of State**, Assistant Secretary Arturo Valenzuela **favored initiatives to improve relations with Cuba**, but he **was stymied by indifference or resistance elsewhere in the bureaucracy**. Secretary Hillary Clinton, having staked out a tough position Cuba during the Democratic primary campaign, was **not inclined to be the driver for a new policy**. At the NSC, Senior Director for the Western Hemisphere Dan Restrepo, who advised **Obama** on **Latin America policy** during the 2008 campaign, **did his best to avoid the Cuba issue because it was so fraught with political danger. When the president finally approved** the resumption of people-to-people **travel** to Cuba, which Valenzuela had been pushing, **the White House political team delayed the announcement for several months at the behest of** Debbie Wasserman **Schultz. Any easing of** the travel **regulations**, she warned, **would hurt Democrats' prospects** in the upcoming mid-term elections.43 The White House shelved the new regulations until January 2011, and then announced them late Friday before a holiday weekend. Then, just a year later, the administration surrendered to Senator Rubio's demand that it limit the licensing of travel providers **in exchange for him dropping his hold on the appointment** of Valenzuela's replacement.44 With Obama in his final term and Vice-President Joe Biden unlikely to seek the Democratic nomination in 2016 (unlike the situation Clinton and Gore faced in their second term), politics will presumably play a less central role in deciding Cuba policy over the next four years. **There will still be the temptation**, however, **to sacrifice Cuba policy to mollify congressional conservatives, both Democrat and Republican, who are willing to hold other Obama initiatives hostage to extract concessions on Cuba**. **And since Obama has given in to such hostage-taking previously, the hostage-takers have a strong incentive to try the same tactic again.** The only way to break this cycle would be for the president to stand up to them and refuse to give in, as he did when they attempted to rollback his 2009 relaxation of restrictions on CubanAmerican travel and remittances. Much will depend on who makes up Obama's new foreign policy team, especially at the **Department of State**. John Kerry has been a strong advocate of a more open policy toward Cuba, and worked behind the scenes with the State Department **and USAID** to clean up the "democracy promotion" program targeting Cuba, as a way to win the release of Alan Gross. A new secretary is likely to bring new assistant secretaries, providing an opportunity to revitalize the **Bureau of Western Hemisphere Affairs,** which **has been thoroughly cowed by congressional hardliners**. But even with new players in place, does Cuba rise to the level of importance that would justify a major new initiative and the bruising battle with conservatives on the Hill? Major **policy changes that require a significant expenditure of political capital** rarely happen unless the urgency of the problem forces policymakers to take action.

**That burns up Obama’s limited leverage with House Republicans—PC is finite**

Moore, 9/10 --- Guardian's US finance and economics editor

(Heidi, 9/10/2013, “Syria: the great distraction; Obama is focused on a conflict abroad, but the fight he should be gearing up for is with Congress on America's economic security,” <http://www.theguardian.com/commentisfree/2013/sep/10/obama-syria-what-about-sequester)>)

Before President Obama speaks to the nation about Syria tonight, take a look at what this fall will look like inside America.¶ There are 49 million people in the country who suffered inadequate access to food in 2012, leaving the percentage of "food-insecure" Americans at about one-sixth of the US population. At the same time, Congress refused to pass food-stamp legislation this summer, pushing it off again and threatening draconian cuts.¶ The country will crash into the debt ceiling in mid-October, which would be an economic disaster, especially with a government shutdown looming at the same time. These are deadlines that Congress already learned two years ago not to toy with, but memories appear to be preciously short.¶ The Federal Reserve needs a new chief in three months, someone who will help the country confront its raging unemployment crisis that has left 12 million people without jobs. The president has promised to choose a warm body within the next three weeks, despite the fact that his top pick, Larry Summers, would likely spark an ugly confirmation battle – the "fight of the century," according to some – with a Congress already unwilling to do the President's bidding.¶ Congress was supposed to pass a farm bill this summer, but declined to do so even though the task is already two years late. As a result, the country has no farm bill, leaving agricultural subsidies up in the air, farmers uncertain about what their financial picture looks like, and a potential food crisis on the horizon.¶ The two main housing agencies, Fannie Mae and Freddie Mac, have been in limbo for four years and are desperately in need of reform that should start this fall, but there is scant attention to the problem.¶ These are the problems going unattended by the Obama administration while his aides and cabinet members have been wasting the nation's time making the rounds on television and Capitol Hill stumping for a profoundly unpopular war. The fact that all this chest-beating was for naught, and an easy solution seems on the horizon, belies the single-minded intensity that the Obama White House brought to its insistence on bombing Syria.¶ More than one wag has suggested, with the utmost reason, that if Obama had brought this kind of passion to domestic initiatives, the country would be in better condition right now. As it is, public policy is embarrassingly in shambles at home while the administration throws all of its resources and political capital behind a widely hated plan to get involved in a civil war overseas.¶ The upshot for the president may be that it's easier to wage war with a foreign power than go head-to-head with the US Congress, even as America suffers from neglect.¶ This is the paradox that President Obama is facing this fall, as he appears to turn his back on a number of crucial and urgent domestic initiatives in order to spend all of his meager political capital on striking Syria.¶ Syria does present a significant humanitarian crisis, which has been true for the past two years that the Obama administration has completely ignored the atrocities of Bashar al-Assad.¶ Two years is also roughly the same amount of time that key domestic initiatives have also gone ignored as Obama and Congress engage in petty battles for dominance and leave the country to run itself on a starvation diet imposed by sequestration cuts. Leon Panetta tells the story of how he tried to lobby against sequestration only to be told:¶ Leon, you don't understand. The Congress is resigned to failure.¶ Similarly, those on Wall Street, the Federal Reserve, those working at government agencies, and voters themselves have become all too practiced at ignoring the determined incompetence of those in Washington.¶ Political capital – the ability to horse-trade and win political favors from a receptive audience – is a finite resource in Washington. Pursuing misguided policies takes up time, but it also eats up credibility in asking for the next favor. It's fair to say that congressional Republicans, particularly in the House, have no love for Obama and are likely to oppose anything he supports. That's exactly the reason the White House should stop proposing policies as if it is scattering buckshot and focus with intensity on the domestic tasks it wants to accomplish, one at a time.**¶** The president is scheduled to speak six times this week, mostly about Syria. That includes evening news interviews, an address to the nation, and numerous other speeches. Behind the scenes, he is calling members of Congress to get them to fall into line. Secretary of State John Kerry is omnipresent, so ubiquitous on TV that it may be easier just to get him his own talk show called Syria Today.¶ It would be a treat to see White House aides lobbying as aggressively – and on as many talk shows – for a better food stamp bill, an end to the debt-ceiling drama, or a solution to the senseless sequestration cuts, as it is on what is clearly a useless boondoggle in Syria.¶ There's no reason to believe that Congress can have an all-consuming debate about Syria and then, somehow refreshed, return to a domestic agenda that has been as chaotic and urgent as any in recent memory. The President should have judged his options better. As it is, he should now judge his actions better.

**Debt freeze sparks food crisis**

Min ‘10 (David, Associate Director for Financial Markets Policy at the Center for American Progress, 2010 “The Big Freeze The Conservative Pledge to Freeze the Debt Ceiling Is a Looming Disaster”, 10/28/10, <http://www.americanprogress.org/issues/2010/10/big_freeze.html>)

A freeze on the debt ceiling could erode confidence in U.S. Treasury bonds in a number of ways, creating further and wider panic in financial markets. First, by causing a disruption in the issuance of Treasury debt, as happened in 1995-96, a freeze would cause investors to seek alternative financial investments, even perhaps causing a run on Treasurys. Such a run would cause the cost of U.S. debt to soar, putting even more stress on our budget, and the resulting enormous capital flows would likely be highly destabilizing to global financial markets, potentially creating more asset bubbles and busts throughout the world. Second, the massive withdrawal of public spending that would occur would cause significant concern among institutional investors worldwide that the U.S. would swiftly enter a second, very deep, recession, raising concerns about the ability of the United States to repay its debt. Finally, the sheer recklessness of a debt freeze during these tenuous times would signal to already nervous investors that there was a significant amount of political risk, which could cause them to shy away from investing in the United States generally. Taken together, these factors would almost certainly result in a significant increase in the interest rates we currently pay on our national debt, currently just above 2.5 percent for a 10-year Treasury note. If in the near term these rates moved even to 5.9 percent, the long-term rate predicted by the Congressional Budget Office, then our interest payments would increase by more than double, to nearly $600 billion a year. These rates could climb even higher, if investors began to price in a “default risk” into Treasurys—something that reckless actions by Congress could potentially spark—thus greatly exacerbating our budget problems. The U.S. dollar, of course, is the world’s reserve currency in large part because of the depth and liquidity of the U.S. Treasury bond market. If this market is severely disrupted, and investors lost confidence in U.S. Treasurys, then it is unclear where nervous investors might go next. A sharp and swift move by investors out of U.S. Treasury bonds could be highly destabilizing, straining the already delicate global economy. Imagine, for example, if investors moved from sovereign debt into commodities, most of which are priced and traded in dollars. This could have the catastrophic impact of weakening the world’s largest economies while also raising the prices of the basic inputs (such as metals or food) that are necessary for economic growth. In short, a freeze on the debt ceiling would cause our interest payments to spike, making our budget situation even more problematic, while potentially triggering greater global instability—perhaps even a global economic depression.

**Food security causes global war**

**Brown ’09** (Lester, founder of the Worldwatch Institute, “The Geopolitics of Food Scarcity”, 2-11, <http://www.spiegel.de/international/world/0,1518,606937-2,00.html>)

The deteriorating world food situation is not occurring in a vacuum: it comes at a time when there is a growing backlog of unresolved problems, many of them associated with a failure by developing countries to slow population growth. Continuing population growth on a planet already overburdened with human demands is politically weakening scores of countries. Under stress, inter-nal social conflicts develop between differing religious, ethnic, tribal, and racial groups, sometimes leading to genocide as in Rwanda and Sudan. Nearly all of the projected 2.4 billion people to be added to world population by mid-century will be born in countries where agriculture's natural support systems are already deteriorating in the face of excessive demands. As water tables fall, soils erode, and temperatures rise in countries like India, Pakistan, Ethiopia, Nigeria, and Mexico, the risk of social collapse grows. We have entered a new era in international affairs: In the last century it was heavily armed superpowers that threatened security, but today it is failing states. It is not the concentration of power but its absence that now threatens us.

Going over the debt ceiling causes economic collapse

Krugman, 9/29

Paul Krugman, Nobel Prize winning economist; “Rebels Without a Clue,” 9/29/2013, New York Times,

<http://www.nytimes.com/2013/09/30/opinion/krugman-rebels-without-a-clue.html>

Still, a government shutdown looks benign compared with the possibility that Congress might refuse to raise the debt ceiling. First of all, hitting the ceiling would force a huge, immediate spending cut, almost surely pushing America back into recession. Beyond that, failure to raise the ceiling would mean missed payments on existing U.S. government debt. And that might have terrifying consequences. Why? Financial markets have long treated U.S. bonds as the ultimate safe asset; the assumption that America will always honor its debts is the bedrock on which the world financial system rests. In particular, Treasury bills — short-term U.S. bonds — are what investors demand when they want absolutely solid collateral against loans. Treasury bills are so essential for this role that in times of severe stress they sometimes pay slightly negative interest rates — that is, they’re treated as being better than cash. Now suppose it became clear that U.S. bonds weren’t safe, that America couldn’t be counted on to honor its debts after all. Suddenly, the whole system would be disrupted. Maybe, if we were lucky, financial institutions would quickly cobble together alternative arrangements. But it looks quite possible that default would create a huge financial crisis, dwarfing the crisis set off by the failure of Lehman Brothers five years ago.

## 2

**Interpretation: Economic engagement must include conditional carrots and sticks.**

Helweg, Professor of Public Policy @ SMU, 2000 (Diana, Economic Strategy and National Security, p. 145)

Secretary of State Madeline K. Albright has argued that a U.S. policy of economic engagement with a country does not mean endorsement of its regime. In fact, the U.S. version of engagement is different from countries, such as France and Japan, which often practice a policy of unlimited economic engagement based on the rationale that unfettered trade and investment best promotes democratic values for the targeted nation, and financial success for themselves. By contrast, U.S.-"style" engagement must be coupled with a range of policy tools that includes the targeted use of economic restrictions. In other words, it is a variation of the traditional carrot and stick approach rather than one or the other.

Violation: the affirmative is unconditional.

**Predictable limits: forcing the plan to be conditional ensures a stable mechanism for negative ground.**

**Resolutional Consistency: US engagement implies the use of carrots and sticks.**

## 3

Economic engagement is inextricably linked to liberal thinking through its use of liberalization and integration as a means for creating peace making a critical analysis necessary to subvert the liberal orthodoxy’s security agenda.

Hurrell, professor of international relations, 98

[Andrew, July, International Affairs, Volume 74, Issue 3, “Security in Latin America”, http://www.jstor.org/stable/2624967, page 529-530, accessed 7/10/13, VJ]

The second assumption, which also reflects a deep-rooted strand of liberal thinking on international relations, is that economic liberalization and regional integration feed naturally and positively into the creation of a stable and secure regional order. In contrast to the strong claims of democratic peace theory, the links between economic interdependence and peace have always been more elusive and difficult either to demonstrate or to refute with any precision. The argument here is that, while there are certainly cases, most notably within Mercosur and the Southern Cone, where economic integration appears to have reinforced rapprochement between erstwhile rivals and assisted the creation of a more stable regional environment, at the same time successful economic regionalization can also be a significant potential problem for regional order and a source of negative security externalities which, if unmanaged, are likely to become more serious. The third assumption is that the agenda of regional security should be broadened to include issues such as drug trafficking, drug-related violence and criminality, migration and refugees, environmental degradation, and worsening public order in the face of different forms of internal violence. It is certainly the case that the most serious security problems and threats to regional order are domestic and transnational in nature. And yet the increasingly pervasive rhetoric of the new security agenda disguises or even obscures many complex and contested issues. Divergent understandings of the meaning, nature and implications of the new security agenda have important policy implications and are likely to impede effective regional responses. Since the end of the Cold War regional order and security have increasingly come to be defined in terms of the collective defence of democracy and the promotion of liberal economic reform and regional integration. These processes will, it is hoped, provide the foundations for the creation of a stronger sense of regional community and the establishment of a set of political structures within which specific security threats, both traditional (e.g. old-style border conflicts) and non-traditional (e.g. the privatization of violence, drugs, migration) can be tackled.2 I do not argue here that this liberal orthodoxy is wholly wrong. But I do suggest that it needs to be subjected to a much more critical analysis than has been common hitherto.

A refusal to problematize liberalism results in the subordination of everything deemed ‘non-liberal’ making war inevitable under the guise of the West’s ‘civilizing’ mission which in reality is a justification for imperialism.

Grayson, PhD in Political Science, 03

[Kyle, March, YCISS, “Democratic Peace Theory as Practice: (Re)Reading the Significance of Liberal Representations of War and Peace”, <http://yciss.info.yorku.ca/files/2012/06/WP22-Grayson.pdf>, accessed 7/1/13, VJ]

Given the representation practices embodied within the democratic peace theory discourse, it is best to view the interactions that it fosters as ‘imperial encounters’. According to Doty, ‘the term imperial encounters is meant to convey the idea of asymmetrical encounters in which one entity has been able to construct ‘realities’ that were taken seriously and acted upon and the other entity has been denied equal degrees of kinds of agency’.39 The ‘reality’ of democratic peace theory has been defined by Western representational practices outlined above. These representations have shaped the production of knowledge and identities as well as making particular courses of action appear possible/impossible/inevitable.40 Furthermore, to borrow a term from David Campbell, democratic peace theory has constructed a new ‘geography of evil’ that (re)produces national identity while dictating what courses of action are apt (i.e., conversion/force) when confronting the supposedly non-liberal/democratic ‘other’.41 To reiterate this point in a slightly different fashion, “the context of the democratic peace, then, includes not only the advent of a zone of peace among core states, but also international relations of domination and subordination in the periphery…”.42 As a result of this analysis, the answers to the questions of ‘for whom and for what purpose’ is democratic peace theory designed are now evident but not surprising. Democratic peace theory and its associated discourse is for the people of the US/West. Its purpose is to fix the American/Western national identity as civilized, peacefully inclined, and democratic with the non-West by definition being considered uncivilized, war-mongering, and authoritarian. Democratic peace theory also aids in the justification of the American/Western world-view which perceives both democracy and war in a particular fashion. In turn, these conceptions of democracy and war help to hide much of the sordid past and present of the international relations of western liberal democratic states. They help to justify the unjustifiable and to legitimate the illegitimate. Of utmost importance is the ontological basis of these international relations practices sanctioned by democratic peace theory and its associated discourse within the popular political realm. This is the focus of the following section which examines the existence of one of the empirical silences within democratic peace theory research and the consequences of ignoring these important events. Democratic Peace Theory and the Ontology of War and Peace In Violent Cartographies: Mapping Cultures of War, Michael Shapiro tries to examine “the ways that enmity-related global geographies and ethnoscapes emerge as collectivities, and how they try to achieve, stabilize, and reproduce their unity and coherence”.43 Historically, the practice of war has emerged as one the most enduring methods to attempt to fix national identities and ontological foundations. Victory in war confirms all the positive subjective views of the ‘self’ while at the same time providing ‘proof’ of the subjectively perceived inferior nature of the ‘other’. Conversely, defeat not only leads to (geo)strategic losses, but also to a reappraisal of the national identity and deep questioning of the foundations that helped define national identity. The American defeat in the Vietnam War provides an excellent example of these identity/foundation casualties. Therefore, Shapiro argues that war is not just (geo)strategic, but is also about the confrontation between competing ontologies. As mentioned earlier, democratic peace theory and its surrounding discourse views war as an activity waged by state actors in pursuit of (geo)strategic spoils (e.g., territory, resources, wealth), as well as an activity arising over disputes of ‘ownership’ of spoils and/or perceived violations of sovereignty. As John Vasquez has argued, “the situation that states in the modern global system are most likely to deal with by the use of force and violence is one in which their territory is threatened....territorial disputes provide the willingness to go to war”.44 Democratic peace theorists believe that liberal democracies can peacefully manage these kinds of disputes amongst themselves; however, in circumstances of dispute between a liberal democracy and a non-liberal/democracy, war is seen as almost inevitable. Conventionally, this has been attributed to the inherently aggressive nature of the ‘authoritarian’ state, which prevents liberal democracies from trusting these states to adhere to peacefully negotiated settlements. Yet, when democratic peace theory is viewed as a representational practice, war becomes inevitable between disputing liberal democratic states and non-liberal/democratic states not because of the aggressive nature of authoritarian regimes but because these situations are viewed as an opportunity for liberal democratic states to engage in a ‘civilizing’ mission and reaffirm their national identity and ontology by demonstrating their superiority in battle. This imperative becomes especially clear if we abandon the traditional view of wa

r contained within democratic peace theory and look at democratic non-state/liberal democratic state disputes and the underlying ontological contestations that fuelled them.45 Barkawi and Laffey have argued that currently “force is used in the service of defending and expanding economic and to a lesser extent political liberalism (in the guise of democracy) beyond the liberal capitalist core”.46 From a historical perspective, the dispute between the Iroquois Six Nations and the Canadian government over the Grand River territory during the first decades of the twentieth century, provides an excellent example of the ontological impetus behind international relations practices and how warfare can also be directed towards the annihilation of culture.

**The alternative is to reject the affirmative.**

A rejection is critical to reforming the securitized institutional apparatus through which the liberal peace operates to negate the non-liberal other into a localized form of democracy that engages the illiberal instead of obliterating it.

Richmond, Professor of International Relations, 09

[Oliver, July, Review of International Studies, Volume 35, Issue 03, “A Post Liberal Peace: Eirenism and the Everyday”, page 563-565, accessed 7/10/13, VJ]

Such a search, via critical research agendas for peace77 termed here eirenism. indicates the need for an ethical re-evaluation of the liberal peace.71 'Eirenism\* was used by Erasmus as a call against religious chauvinism after the Reformation.74 In a modem context it provides a lens through which one can evaluate the claims, apparent or hidden of a particular epistemology, concept, theory, method, or ideology. The failure to apply such a tool has led liberal peacebuilding approaches into a paradoxical situation. They have reinstated social and economic class systems, undermined democracy, and caused downward social mobility (as explained in the examples of East Timor and Afghanistan below). Yet. liberal peace's Renaissance and Enlightenment underpinnings make clear that the states-system of territorial sovereignty, the approximation of democracy, of human rights and free trade, also carries a humanist concern with social justice and wide-ranging pluralism (often to be guaranteed by an international organisation).75 Ironically, this is where its failings are most obvious. Its focus has remained on security and institutions, rather than developing an engagement with the everyday life of citizens. It has sometimes been built on force rather than consent, and more often conditionally, and it has failed to recognise local cultural norms and traditions. It has created a 'virtual peace' in its many theatres.76 This is not to say that narrow security issues have not been somewhat assuaged and that this has not been without benefit, of course. Experience and data from a range of UN and UNDP thematic or country focused reports has shown liberal peacebuilding to have less impact on everyday life than is often claimed by its institutional proponents, the donor and development communities, and particularly the International Financial Institutions. One example among many can be found in the context of East Timor after the crisis of 2006. A UN report conceded that despite a lengthy and costly UN involvement there since 1999: |.. | poverty and its associated deprivations including high urban unemployment and the absence of any prospect of meaningful involvement and employment opportunities in the foreseeable future, especially for young people have also contributed to the crisis.'' Vet there is little sense of a need to reflect on the underlying liberal peace paradigm that allowed a 'peace' to be built in East Timor which ignored these issues. In a more recent example, a report on Afghanistan by the UN Secretary General ignored any direct engagement with such issues in favour of traditional political and security concerns, with the exception of one telling reference: The failure of development actors to ensure that quieter provinces in the north and west receive a tangible peace dividend has played into the latent north-south fault line within Afghanistan [...f\* This report's later sections on development, human rights, and humanitarian issues or human security, focus on orthodox issues relating to institution-building or 'emergency' issues.79 In the conclusion to the report the full litany of liberal peacebuilding discourse is repeated in seeming ignorance of the lessons of East Timor, or indeed of Afghanistan itself. Accordingly, the transition in Afghanistan is under \*[.. .| increasing strain owing to insurgency, weak governance and the narco-economy'. The government needs to \*|...] restore confidence to the popu- lation in tangible ways\* but this is conceptualised as being derived from: |.. .| stronger leadership from the Government, greater donor coherence - including improved coordination between the military and civilian international engagement in Afghanistan - and a strong commitment from neighbouring countries, (without which) many of the security, institution-building and development gains made since the Bonn Conference may yet stall or even be reversed.10 This list of priorities, focusing on security, terrorism, narcotics, and then the orthodoxy of the liberal peace as a subsequent priority (governance, development, reconciliation, and human rights abuses in this order) effectively places a local peace dividend for communities and individuals as a distant and lesser priority, and disconnects its importance from the conduct of democratic politics and the legitimacy of the state.11 This is because the liberal peace's primary goal in its intervention into the local or domestic is actually on an international order between sovereign states. This is to be achieved ideally through the construction of a liberal social contract to produce domestic and international order. In practice, what has been achieved in post-conflict environments are the shells of liberal states, reproducing international order, but achieving a virtual peace in a domestic context - at least in the short to medium term, as the examples above, and of Cambodia and Bosnia aptly illustrate. The ethical and policy metanarratives about liberal peace derive from the founding myths of Westphalia, its state-centric elitism, its focus on territorial boundaries and sovereignty, and its disciplinary nature. Walker has described this as a 'moment of exclusion" The concept of peace has generally been subject to Utopian or dystopian assumptions, and the notion of the liberal peace has emerged as an 'auto-ambivalent' compromise." It has been imbued with a specific set of interests, partly through the decontextualisation of classical political theory to support inherency arguments about conflict, or confirm liberal norms of market- democracy, and propensity to reshape rather than engage with non-liberal others. This also validates territorial state sovereignty and a social contract skewed in favour of the slate, free markets, and the eradication of the indigenous or locally more authentic (often through property rights).34 among other tendencies.33 This has been used to promote a culture of governmental and securitised institutionalism rather than a broad peace (often by rejecting Kant's peace federation or by confirming territorial sovereignty).i6rather than promoting an everyday peace.37 It has supported the classical liberal view that liberal stales and peoples are effectively superior in rights and status to others, and extended these arguments to allow for the justification of direct or subtle forms of colonialism, interventionism. and local depoliticization to occur.38 A civil and emancipatory peace might arise through liberalism, as Foucault argued, but more often it leads to violence of a structural or direct nature in non-liberal contexts.39 In practice it also may have negative effects on self-determination and agency.40 In this context an ethical evaluation of the liberal peace underlines its tendency to be flimsy, denying self-determination and self-government, and depoliticising. This is as opposed to the potential of peace being empathetic. emancipatory, and resting upon an ontological agreement and hybridity (meaning the development of an ontology that is not exclusive but is open to difference).41 These latter qualities imply that the agents and recipients of the liberal peace are able to relate to each other on an everyday, human level, rather merely through problem-solving institutional frameworks that dictate or negate lived experience. They indicate the need for a deep negotiation of peace even by the agents of the liberal model, and for a willingness to see the Western liberal model itself modified by its engagement with its own 'others' - meaning conflict and post-conflict, especially non-Western, non-liberal, and 'developmental', polities.

## 4

**CP TEXT: The United States federal government should mplement the agreement between the United States and United Mexican States concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico if and only if Mexico adopts and enforces legislation for sea turtle conservation abiding by standards outlined in the Convention on International Trade in Endangered Species of Wild Flora and Fauna.**

#### The US should condition engagement off Mexican adoption of international sea turtle conservation standards; similar policies towards Mexico empirically solve for protection of marine biodiversity.

Edith Brown Weiss1, John Howard Jackson2 and Nathalie Bernasconi-Osterwalder3, 4-30-2008, Francis Cabell Brown Professor of International Law @ Georgetown, A.B., Stanford; J.D., Harvard; Ph.D., University of California, Berkeley; LL.D.(Hon.), Chicago-Kent; LL.D. (Hon.), University of Heidelberg1, Director; Institute of International Economic Law, University Professor @ Georgetown, A.B., Princeton; J.D., University of Michigan; LL.D. (Hon.), Hamburg University, Germany; LL.D. (Hon.), European University Institute, Florence, Italy2, a senior international lawyer and heads the Investment Program of the International Institute on Sustainable Development (IISD)3, “Reconciling Environment and Trade,” http://books.google.com/books?id=PeTVvZW7JRoC&dq=Sea+Turtles+MExico+Sanctions&source=gbs\_navlinks\_s

Several international agreements upon which a similar treaty for the sea turtles could be based exist. These international agreements include CITES and the Convention on Biodiversity. Using CITES is an obvious choice because sea turtles are listed in both Appendices I and II of CITES, demonstrating the recognition by its signatories that sea turtles are endangered and need to be protected. In the Shrimp-Turtle case, the United States could select an agreement that all parties to the dispute have signed, and use it as a foundation for a more expansive treaty. However, the question remains whether or not this kind of agreement, enforced through trade sanctions, would be GATT compliant. IMPLICATIONS FOR THE FUTURE This Case Does Not Provide the United States with Guidance in Avoiding Future Conflict Between Its Domestic Court System and the WTO Despite the shortcomings of negotiated solutions, in this case a nego-tiated solution could enable the United States to satisfy the requirements of both the WTO and the CIT. If the complainants agreed to comply vol-untarily with the requirements under Section 609 by implementing tur-tle-safe harvesting methods in exchange for U.S. technical assistance, the United States would be able to comply with the mandate of CIT. A negotiated solution in this case, however, does not offer the United States a predictable model to follow in potential future conflicts. The lack of guidance for future cases will further muddle the U.S. analysis of avail-able tools for environmental protection. In the United States, similar con-flicts between national laws (like Section 609) and the mandates of a multinational organization (WTO) will likely increase as the government views environmental protection as an important area. For example, 143 After the Tuna-Dolphin opinion, the parties, through the Inter-American Tropical Tuna Commission (IATTC), established in 1949, negotiated a dolphin accord, the International Dolphin Conservation Act (IDCA) of 1992. The IDCA lifted the tuna import ban against Mexico and Venezuela but provided for unilateral trade sanc-tions if they failed to comply with the moratorium. The Declaration of Panama was signed on October 4, 1995, giving multinational effect to the IDCA. Finally, on August 15, 1997, the U.S. Congress amended the Marine Mammal Protection Act to recognize the IDCA and to lift the ban on tuna imports from signatories of the Declaration of Panama. See Cadeddu, supra note 53.

#### Conditioning economic engagement with Mexico on adoption of sea turtle protection policy prevents population extinction.

Center for Biological Diversity, 7-15-2013, a nonprofit membership organization known for its work protecting endangered species through legal action and scientific petitions, “Tell Mexico: Stop Killing Endangered Sea Turtles,” http://action.biologicaldiversity.org/o/2167/p/dia/action3/common/public/?action\_KEY=13749

Each year at least 2,000 endangered loggerhead sea turtles are caught by shark and halibut fishermen off the southern peninsula of Mexico's Baja California. The turtles drown after being accidentally hooked on longline gear or entangled in gillnets; then they're thrown back into the sea, only to wash up dead on shore. Sea turtle deaths reached record levels last year, and alarmingly high stranding rates continued this spring. Scientists and conservationists have urged Mexico to close fishing areas where sea turtle habitat and risky gear overlap -- but Mexico has failed to take action. The United States and Mexico share this loggerhead sea turtle population, which is listed as endangered in both countries. Please, act now using the form below. Tell Mexico you're fed up with its bycatch and that you support U.S. trade sanctions if Mexico doesn't step up and stop the killing. Stop the Bycatch of Loggerhead Sea Turtles I am writing to ask Mexico to act now and halt the ongoing loggerhead sea turtle bycatch off Baja California Sur. As you know, for two decades scientists have documented turtles becoming hooked or entangled in the Gulf of Ulloa's longline and gillnet fisheries. These fisheries kill an estimated 2,000 loggerheads each year. Last July 483 loggerheads were found stranded on just one stretch of beach -- a 600 percent increase over previous years' averages. And alarmingly high stranding rates have continued this spring. The United States and Mexico share the North Pacific loggerhead sea turtle population, which is listed as endangered in both countries. The United States has closed fishing areas where important sea turtle habitat and risky gear overlap and also requires its fishermen to adopt more sea turtle-friendly gear. Mexico can and must do the same -- or risk the population's extinction. If Mexico does not act, I fully support U.S. trade sanctions until Mexico reduces sea turtle mortality and adopts "comparable" turtle protection measures, as required by international treaty and U.S. law. Sea turtles need protection on both sides of the border, and I urge Mexico to act now to save these ancient and vanishing animals.

#### Destruction of the sea turtle population causes extinction – brink is now.

Todd Steiner, xx-xx-2010, Sea Turtle Restoration Project, Executive Director at Turtle Island Restoration Network, San Francisco Bay Area, “Are Sea Turtles Worth Saving?” http://www.bonaireturtles.org/explore/are-sea-turtles-worth-saving/

Sea turtles demonstrate the ultimate lesson of ecology – that everything is connected. Sea turtles are part of two vital ecosystems, beaches and marine systems. If sea turtles become extinct, both the marine and beach ecosystems will weaken. And since humans use the ocean as an important source for food and use beaches for many kinds of activities, weakness in these ecosystems would have harmful effects on humans. Though sea turtles have been living and thriving in the world’s oceans for 150 million years, they are now in danger of extinction largely because of changes brought about by humans. If we alter the oceans and beaches enough to wipe out sea turtles, will those changes make it difficult for us to survive? And if we choose to do what’s necessary to save sea turtles, might we save our own future? Beaches and dune systems do not get very many nutrients during the year, so very little vegetation grows on the dunes and no vegetation grows on the beach itself. This is because sand does not hold nutrients very well. Sea turtles use beaches and the lower dunes to nest and lay their eggs. Sea turtles lay around 100 eggs in a nest and lay between 3 and 7 nests during the summer nesting season. Not every nest will hatch, not every egg in a nest will hatch, and not all of the hatchlings in a nest will make it out of the nest. All the unhatched nests, eggs and trapped hatchlings are very good sources of nutrients for the dune vegetation. Even the left-over egg shells from hatched eggs provide nutrients. Dune plants use the nutrients from turtle eggs to grow and become stronger. As the dune vegetation grows stronger and healthier, the health of the entire beach/dune ecosystem becomes better. Healthy vegetation and strong root systems hold the sand in the dunes and protect the beach from erosion. As the number of turtles declines, fewer eggs are laid in the beaches, providing less nutrients. If sea turtles went extinct, dune vegetation would lose a major source of nutrients and would not be healthy or strong enough to maintain the dunes, allowing beaches to wash away. Sea turtles eat jellyfish, preventing the large “blooms” of jellyfish – including stinging jellyfish – that are increasingly wreaking havoc on fisheries, recreation and other maritime activities throughout the oceans. Research has shown that sea turtles often act as keystone species. Sea grass beds grazed by green sea turtles are more productive than those that aren’t. Hawksbill turtles eat sponges, preventing them from out-competing slow-growing corals. Both of these grazing activities maintain species diversity and the natural balance of fragile marine ecosystems. If sea turtles go extinct, it will cause declines in all the species whose survival depends on healthy seagrass beds and coral reefs. That means that many marine species that humans harvest would be lost. Sea turtles, and many species that are affected by their presence or absence, are an important attraction for marine tourism, a major source of income for many countries. These are some of the roles that we know sea turtles play in the essential health of ecosystems. Who knows what other roles we will discover as science reveals more about sea turtles? While humans have the ability to tinker with the “clockwork” of life, we don’t have the ability to know when it’s okay to lose a few of the working parts. If you disagree, try to take apart a clock and just throw away one of the pieces that doesn’t look that important. Put the clock back together and see if it still works.

## 5

#### Mexico shifting from fossil fuels to renewables development now

Cision, News, 13

[Cision, 06/14/2013, Cision News, “Vision for Renewable Energy in Mexico Looks Promising,” <http://news.cision.com/north-american-production-sharing--inc-/r/vision-for-renewable-energy-in-mexico-looks-promising,c9428687>, accessed 06/25/13, MC]

The UNEP report on regional surges in green energy investment pointed to spending growing steadily in Mexico as investments continue to pour in from the U.S. and other foreign countries that understand the importance of emerging economies when it comes to cost-competitiveness for wind and solar power manufacturing. In fact, a U.S. Department of Energy report notes how investments in environmentally friendly energy sources are shifting to developing nations such as Mexico with its energy grid construction that is also providing huge investment openings for U.S. and other foreign company investment.

For instance, Mexico has an international reputation as an energy producer. However, the country is moving away from just focusing foreign investments on its vast natural oil reserves. In turn, Mexico is presenting investors with an opportunity to invest in its new energy grid construction projects that are powered by wind and solar sources over previous methods that focused more on oil and other fossil fuels.

#### Plan signals a reversal and recommitment to hydrocarbon economy - Focus on oil and gas production shifts focus away from renewables

Ochoa and Vego, Ernest and Young, 12

(Alberto, Julián, Published December 24 2012, Renewable Energy World, “Renewable Energy Review: Mexico”, <http://www.renewableenergyworld.com/rea/news/article/2012/12/renewable-energy-review-mexico>, Accessed June 30 2013, JB)

While few doubt that the new climate change law represents a turning point in Mexico’s energy agenda, there are some concerns that the country still lacks a clear regulatory framework for attracting the substantial private investment required to fulfil these ambitious renewable energy and emissions targets. The Government may find that some sort of financial subsidy is still required to make renewables projects cost-competitive with more conventional sources such as gas.

Further, there are some concerns around whether Mexico’s incoming Government is likely to implement much of the climate change reform passed by current President, Felipe Calderon. President-elect, Pena Nieto, who takes office this December, has publicly affirmed his commitment to fighting climate change, but some believe his Administration is more likely to focus on conventional fuels given increasing shale gas production in the US and the prospect of large recoverable reserves in Mexico. One of Nieto’s main campaign promises had been to reinvigorate oil and gas production by reforming state-owned giant Pemex to allow more private investment.

This, combined with pressure to deliver GDP growth, may take focus away from the renewables sector in the short term. However, it is perhaps too premature to dismiss the potential of the recent energy reforms — the incoming Government has a unique opportunity to establish Mexico as a leading 21st-century low-carbon economy, and only time will tell the extent to which this opportunity is realized.

#### Successful shift to renewables in Mexico will be modeled globally

Gibbs, White House press secretary, 9 (Robert, 4/16/9, The White House Office of the Press Secretary, ”U.S.-MEXICO  ANNOUNCE BILATERAL FRAMEWORK ON CLEAN ENERGY AND CLIMATE CHANGE,” <http://www.whitehouse.gov/the-press-office/us-mexico-announce-bilateral-framework-clean-energy-and-climate-change>, Accessed 6/25/13, JC)

During their discussions in Mexico City today, the two leaders agreed on the importance of promoting clean energy and combating climate change and the value of joint and practical collaboration in achieving these goals. The Bilateral Framework establishes a mechanism for political and technical cooperation and information exchange, and to facilitate common efforts to develop clean energy economies. It will also complement and reinforce existing work between the two countries.

The Bilateral Framework will focus on: renewable energy, energy efficiency, adaptation, market mechanisms, forestry and land use, green jobs, low carbon energy technology development and capacity building. The framework will also build upon cooperation in the border region promoting efforts to reduce greenhouse gas emissions, to adapt to the local impacts of climate change in the region,, as well as to strengthen the reliability and flow of cross border electricity grids and by facilitating the ability of neighboring border states to work together to strengthen energy trade.

Senior officials from both countries will be working over the coming weeks to further elaborate the framework. Specific areas of joint cooperation under the Bilateral Framework may include:

· Collaborating on training/workshops and information exchanges for government officials to explore possible cooperation on greenhouse gas inventories, various greenhouse gas reduction strategies, and market mechanisms;

· Through our collaboration in the Border 2012 program, working with our respective border states to provide opportunities for information exchange and joint work on renewable energy, such as wind and solar, that could include technical and economic project feasibility studies, project development, and capacity building in the border region. Other border work could include a bilateral border crossing planning group to develop strategies to reduce emissions from idling vehicles, among other initiatives that may be deemed appropriate;

· Expanding our extensive bilateral collaboration on clean energy technologies to facilitate renewable power generation including by addressing transmission and distribution obstacles between our countries; fostering Energy Service Company market development; and highlighting existing and proposed areas for cooperation on clean energy and energy efficiency under the North American Energy Working Group;

· Promoting academic and scientific exchanges on renewable energy;

· Pursuing projects on adapting to climate change, including coastal or disaster risk reduction activities as well as adaptation in key sectors; and

· Working jointly with other countries to take advantage of growing Mexican expertise on greenhouse gas inventories, adaptation and project planning. This work could also possibly include a shared US/Mexican initiative to help developing countries in the Americas create low carbon development strategies plans for adaptation to climate change, and monitoring and accounting for the results.

Both countries stressed that a financial architecture to mobilize investment in climate-friendly technologies is crucial to a successful agreed outcome in Copenhagen. Several countries have made specific proposals on financial mechanisms, including Mexico. Recognizing Mexico’s leadership on climate change, the United States announced its support for Mexico to host the Sixteenth United Nations Climate Change Conference (COP 16) in 2010. The United States was also pleased that Mexico will host a meeting of the Major Economies Forum on Energy and Climate (MEF) in preparation for a Leaders meeting to take place in July after the G-8 meeting in Italy.

#### Climate change causes extinction

Deibel, Professor of IR at National War College 7

(Terry, Foreign Affairs Strategy (Terry L. Deibel, “Conclusion: American Foreign Affairs Strategy Today Anthropogenic – caused by CO2”)

Finally, there is one major existential threat to American security (as well as prosperity) of a nonviolent nature, which, though far in the future, demands urgent action. It is the threat of global warming to the stability of the climate upon which all earthly life depends. Scientists worldwide have been observing the gathering of this threat for three decades now, and what was once a mere possibility has passed through probability to near certainty. Indeed not one of more than 900 articles on climate change published in refereed scientific journals from 1993 to 2003 doubted that anthropogenic warming is occurring. “In legitimate scientific circles,” writes Elizabeth Kolbert, “it is virtually impossible to find evidence of disagreement over the fundamentals of global warming.” Evidence from a vast international scientific monitoring effort accumulates almost weekly, as this sample of newspaper reports shows: an international panel predicts “brutal droughts, floods and violent storms across the planet over the next century”; climate change could “literally alter ocean currents, wipe away huge portions of Alpine Snowcaps and aid the spread of cholera and malaria”; “glaciers in the Antarctic and in Greenland are melting much faster than expected, and…worldwide, plants are blooming several days earlier than a decade ago”; “rising sea temperatures have been accompanied by a significant global increase in the most destructive hurricanes”; “NASA scientists have concluded from direct temperature measurements that 2005 was the hottest year on record, with 1998 a close second”; “Earth’s warming climate is estimated to contribute to more than 150,000 deaths and 5 million illnesses each year” as disease spreads; “widespread bleaching from Texas to Trinidad…killed broad swaths of corals” due to a 2-degree rise in sea temperatures. “The world is slowly disintegrating,” concluded Inuit hunter Noah Metuq, who lives 30 miles from the Arctic Circle. “They call it climate change…but we just call it breaking up.” From the founding of the first cities some 6,000 years ago until the beginning of the industrial revolution, carbon dioxide levels in the atmosphere remained relatively constant at about 280 parts per million (ppm). At present they are accelerating toward 400 ppm, and by 2050 they will reach 500 ppm, about double pre-industrial levels. Unfortunately, atmospheric CO2 lasts about a century, so there is no way immediately to reduce levels, only to slow their increase, we are thus in for significant global warming; the only debate is how much and how serous the effects will be. As the newspaper stories quoted above show, we are already experiencing the effects of 1-2 degree warming in more violent storms, spread of disease, mass die offs of plants and animals, species extinction, and threatened inundation of low-lying countries like the Pacific nation of Kiribati and the Netherlands at a warming of 5 degrees or less the Greenland and West Antarctic ice sheets could disintegrate, leading to a sea level of rise of 20 feet that would cover North Carolina’s outer banks, swamp the southern third of Florida, and inundate Manhattan up to the middle of Greenwich Village. Another catastrophic effect would be the collapse of the Atlantic thermohaline circulation that keeps the winter weather in Europe far warmer than its latitude would otherwise allow. Economist William Cline once estimated the damage to the United States alone from moderate levels of warming at 1-6 percent of GDP annually; severe warming could cost 13-26 percent of GDP. But the most frightening scenario is runaway greenhouse warming, based on positive feedback from the buildup of water vapor in the atmosphere that is both caused by and causes hotter surface temperatures. Past ice age transitions, associated with only 5-10 degree changes in average global temperatures, took place in just decades, even though no one was then pouring ever-increasing amounts of carbon into the atmosphere. Faced with this specter, the best one can conclude is that “humankind’s continuing enhancement of the natural greenhouse effect is akin to playing Russian roulette with the earth’s climate and humanity’s life support system. At worst, says physics professor Marty Hoffert of New York University, “we’re just going to burn everything up; we’re going to het the atmosphere to the temperature it was in the Cretaceous when there were crocodiles at the poles, and then everything will collapse.” During the Cold War, astronomer Carl Sagan popularized a theory of nuclear winter to describe how a thermonuclear war between the Untied States and the Soviet Union would not only destroy both countries but possible end life on this planet. Global warming is the post-Cold War era’s equivalent of nuclear winter at least as serious and considerably better supported scientifically. Over the long run it puts dangers form terrorism and traditional military challenges to shame. It is a threat not only to the security and prosperity to the United States, but potentially to the continued existence of life on this planet.

### Fracking stuff

#### THA fails- conflicting disclosure laws put US companies at a competitive disadvantage destroying private incentive

Simmons, Institute for Energy Research Director of Regulatory and State Affairs, 13

[Daniel, Institute for Energy Research, Master Resource, “U.S.-Mexico Transboundary Hydrocarbons Agreement: A Rare Victory for Oil and Gas in the Obama Era” - <http://www.masterresource.org/2013/04/u-s-mexico-transboundary-hydrocarbons-agreement/#sthash.Rc7iwAZu.dpuf>, accessed: 7/10/13, ML]

In an otherwise good agreement, one potential problem is a conflict between Article 20 of the agreement and the Security and Exchange Comission’s Rule 13q-1 regarding Resource Extraction Payments. Article 20 states: To the extent consistent with their national laws, the Parties shall maintain confidential, and obligate their Licensees to maintain confidential, all Confidential Data and other information obtained from the other Party or its Licensees in accordance with this Agreement. Together with Rule 13q-1, requiring “resource extraction issuers” to disclose payments made to foreign governments, Article 20 can create an impossible situation for American companies operating on transboundary hydrocarbon resources. For example, Mexican confidentiality requirements may forbid the disclosure of the very information that Rule 13q-1 requires American companies to disclose. This would lead to a situation where companies regulated by the SEC have, at very least, uncertainty about compliance with both Mexican and American disclosure laws. This uncertainty and potential disclosure conflict would place foreign state-owned oil companies, who are not regulated by the SEC, at a competitive advantage to the companies which operate in the United States are regulated by the SEC. Because much of the transboundary area is deepwater, it would require multi-billion dollar investments to produce the hydrocarbon resources. Any legal uncertainty brought about by disclosure law could easily dissuade American companies from undertaking what is already an expensive decision, in turn reducing opportunities for new jobs for Americans. Rule 13q-1 also creates a different type of competitive disadvantage for American companies operating in the Gulf of Mexico Transboundary area. The rule would allow foreign state-owned oil companies with a competitive advantage to consider business-sensitive information about American companies’ operations. If Mexico were to allow foreign-owned companies to extract oil along the deepwater transboundary area, there could very well be competition between U.S. private companies and foreign-state owned companies. Even though the deepwater technology was developed in the U.S. deepwater, the U.S. companies would be at a disadvantage. This is like playing poker but being required to show your cards to your fellow card-players.

#### An international agreement is a pre-requisite

State Department Fact Sheet, 13

[CQ Federal Department and Agency Documents REGULATORY INTELLIGENCE DATA, 5/2/13“U.S.-Mexico Transboundary Hydrocarbons Agreement,” Lexis, Accessed 6/24/13, MC]

In 2012, the United States and Mexico signed an agreement concerning the development of oil and gas reservoirs that cross the international maritime boundary between the two countries in the Gulf of Mexico. The Agreement is designed to enhance energy security in North America and support our shared interest to exercise responsible stewardship of the Gulf of Mexico. It is built on a commitment to the safe, efficient, and equitable development of transboundary reservoirs with the highest degree of safety and environmental standards. Mexico is consistently one of the top three exporters of petroleum to the United States. The United States is Mexico's largest supplier of refined oil products, mostly coming from U.S. Gulf Coast refineries. Former Secretary Clinton and then Mexican Foreign Secretary Espinosa signed the Agreement in Los Cabos in February, 2012. Mexico ratified the agreement in April 2012. The Agreement establishes a framework that promotes unitization of maritime transboundary reservoirs. Upon entry into force, the current moratorium on oil exploration and production along the boundary in the Western Gap portion of the Gulf of Mexico will end. Mexican law currently prohibits Petroleos Mexicanos (PEMEX ) from jointly developing resources with leaseholders on the U.S. side of the boundary. Mexico opened the door to such cooperation in a 2008 energy reform law, but only if the cooperation takes place pursuant to an international agreement governing transboundary reservoirs. The Agreement takes advantage of this opportunity. The Agreement facilitates the formation of voluntary arrangements - unitization agreements - between U.S. leaseholders and Pemex for the joint exploration and development of transboundary reservoirs. It also provides appropriate incentives to encourage the formation of such arrangements if a reservoir is proven to be transboundary and a unitization agreement is not formed. Ultimately, the Agreement provides that development may proceed in an equitable manner that protects each nation's interests. The Agreement provides for ongoing cooperation between the two governments related to safety and the environment, and also provides for joint inspection teams to ensure compliance with applicable laws and regulations. Both governments will review and approve all unitization agreements governing the exploration and development of transboundary reservoirs under the Agreement, providing for approval of all safety and environmental measures. Both the U.S. House of Representatives and the Senate have introduced bills that would approve the Transboundary Agreement and give the Secretary of the Interior the necessary authorization to implement the agreement. The Administration looks forward to speedy passage of the authorizing legislation.

#### Fracking ensues a whole host of problems- from oil spills, to water poisoning that are increased with low regulation.

Walsh, TIME Correspodent, 11 (Bryan, TIME Magzaine, “The Gas Dilemma” 4/11/2011

http://web.ebscohost.com/ehost/resultsadvanced?sid=9b577ab5-66ed-422a-b3ed-5388028a1a4f%40sessionmgr14&vid=6&hid=28&bquery=(TX+(shale+AND+gas))+AND+(TX+(effects))&bdata=JmRiPWE5aCZ0eXBlPTEmc2l0ZT1laG9zdC1saXZl, accessed June 30, 2013, QDKM)

Many environmental activists worry that fracking fluid could somehow contaminate nearby groundwater. Even though fracking chemicals make up only perhaps 0.5% of the overall drilling fluid, in a 5 million--gal. (19 million L) job, that would still amount to some 25,000 gal. (95,000 L). It's not always clear what those chemicals are, because the industry isn't required to release the precise makeup of its fracking formulas--and drilling-service companies like Halliburton have been reluctant to reveal the information. (It's not for nothing that a provision in the 2005 energy bill that prevents the Environmental Protection Agency from regulating hydraulic fracturing has been nicknamed the Halliburton loophole.) Gas companies compare fracking additives to household chemicals, but some environmentalists and scientists believe the formulas can contain toxic ingredients. When the fracking fluid mixes with the shale, it may also become contaminated with radioactivity--the Marcellus is slightly radioactive--while growing increasingly brackish. "You bring everything the fluid encounters down there back to the surface along with the gas," Michel Boufadel, an environmental engineer at Temple University, told TIME last year.

The chance that fracking fluid could directly escape through the deep fractures created by the process and contaminate groundwater appears remote. The Marcellus Shale is separated from aquifers by thousands of feet of rock, much of it impermeable, and the gas industry argues that there has never been a proven case of water contamination through hydraulic fracturing. "I don't think it's scientifically plausible to suggest that could happen," says Don Siegel, a hydrogeologist at Syracuse University. In a 2009 study, the Ground Water Protection Council, a consortium that includes industry and state regulators, reported that the chance of aquifer contamination was extremely low, echoing the results of a 2004 EPA review of hydraulic fracturing. But that EPA report has been criticized, and the science is open enough that the agency is beginning a comprehensive new study of the relationship between hydraulic fracturing and drinking water.

Of greater concern is what may be happening closer to the surface. Wells need to be properly cemented to prevent any gas or fluid from escaping before it's collected. Cementing is one of the trickiest parts of drilling--a bad cement job helped lead to the Deepwater Horizon blowout last year--and it can and does fail over time. That seems to be what happened in the northeastern Pennsylvania town of Dimock, where the state government has said poor cementing around well casings by the drilling company Cabot allowed methane to contaminate the water wells of 19 families. Methane isn't dangerous to drink, but in high enough concentrations it can cause water to burn and even explode--which is exactly what happened to one Dimock family's well in 2009. (Cabot has denied that it caused the methane contamination, which the company claimed was naturally occurring, but it did offer the affected residents compensation.) "We were never forewarned about this risk," says Craig Sautner, one of 14 affected Dimock residents still suing Cabot. "I worry that this took years off our lives."

Beyond well problems, there's the threat of spills like those that struck the Burnetts and the Johnsons. The gas industry says such accidents are rare. "We drill 35,000 wells a year, and 95% are fractured," says Lee Fuller, executive director of Energy in Depth, a gas trade group. "We need to put this in a context that reflects all the successes as well as the failures." Still, in 2010 the Pennsylvania department of environmental protection issued 1,218 violations, out of 1,944 inspected Marcellus wells, for offenses ranging from littering to spills on drill sites. Wells have blown out, and explosions from methane contamination have destroyed homes. Shale-gas drilling is an industrial process, and the more wells that are drilled, the more often something will go wrong--and in a populated state like Pennsylvania, those accidents will be felt.

Even if everything goes right, hydraulic fracturing can produce over 1 million gal. (3.8 million L) of toxic, briny wastewater over the lifetime of an individual well. In western states like Texas, companies can store the wastewater in deep underground control wells, but Pennsylvania's geology makes that difficult. As a result, drillers have had to ship much of their wastewater to municipal treatment plants--and as a recent New York Times investigation showed, those plants are often incapable of screening all drilling-waste contaminants. Although Pennsylvania has begun to tighten treatment regulations and gas companies are recycling increasing amounts of wastewater--reusing it in additional frack jobs--the problem is still one of the biggest challenges in drilling. "There are only a few thousand wells now, but there will be far more," says Anthony Ingraffea, a structural engineer at Cornell University. "What will life be like when there are 100,000 wells here?"

That's the fear of many Pennsylvania residents. It's not just the worries about what might be happening to their water; it's also what they know is happening to their communities. Trucks crowd country roads, ferrying drilling fluid and equipment to and from wells. Jobs are up, but some businesses have suffered as employees have fled for higher-paying jobs in the gas industry. As rig workers have snapped up every available room in tiny towns, rents have skyrocketed, punishing low-income families who don't own their homes. Those who had moved to the area for a quiet Pennsylvania--and those who've valued that peace for generations--feel betrayed. "I think it's been a good thing overall," says John Sullivan, a commissioner for Bradford County. "But I just wish we could keep the economic benefit and minimize everything else."

#### Aid fails – fosters Dutch Disease

Moyo, Goldman Sachs economist, 9

(Dambisa, author of "Dead Aid: Why Aid Is Not Working and How There Is a Better Way for Africa.", Wall Street Journal- Africa News, 3/21/09 “Why Foreign Aid Is Hurting Africa”, <http://online.wsj.com/article/SB123758895999200083.html2>, accessed 7/8/2013, QDKM)

A constant stream of "free" money is a perfect way to keep an inefficient or simply bad government in power. As aid flows in, there is nothing more for the government to do -- it doesn't need to raise taxes, and as long as it pays the army, it doesn't have to take account of its disgruntled citizens. No matter that its citizens are disenfranchised (as with no taxation there can be no representation). All the government really needs to do is to court and cater to its foreign donors to stay in power.

Stuck in an aid world of no incentives, there is no reason for governments to seek other, better, more transparent ways of raising development finance (such as accessing the bond market, despite how hard that might be). The aid system encourages poor-country governments to pick up the phone and ask the donor agencies for next capital infusion. It is no wonder that across Africa, over 70% of the public purse comes from foreign aid.

In Ethiopia, where aid constitutes more than 90% of the government budget, a mere 2% of the country's population has access to mobile phones. (The African country average is around 30%.) Might it not be preferable for the government to earn money by selling its mobile phone license, thereby generating much-needed development income and also providing its citizens with telephone service that could, in turn, spur economic activity?

Look what has happened in Ghana, a country where after decades of military rule brought about by a coup, a pro-market government has yielded encouraging developments. Farmers and fishermen now use mobile phones to communicate with their agents and customers across the country to find out where prices are most competitive. This translates into numerous opportunities for self-sustainability and income generation -- which, with encouragement, could e easily replicated across the continent.

To advance a country's economic prospects, governments need efficient civil service. But civil service is naturally prone to bureaucracy, and there is always the incipient danger of self-serving cronyism and the desire to bind citizens in endless, time-consuming red tape. What aid does is to make that danger a grim reality. This helps to explain why doing business across much of Africa is a nightmare. In Cameroon, it takes a potential investor around 426 days to perform 15 procedures to gain a business license. What entrepreneur wants to spend 119 days filling out forms to start a business in Angola? He's much more likely to consider the U.S. (40 days and 19 procedures) or South Korea (17 days and 10 procedures).

Even what may appear as a benign intervention on the surface can have damning consequences. Say there is a mosquito-net maker in small-town Africa. Say he employs 10 people who together manufacture 500 nets a week. Typically, these 10 employees support upward of 15 relatives each. A Western government-inspired program generously supplies the affected region with 100,000 free mosquito nets. This promptly puts the mosquito net manufacturer out of business, and now his 10 employees can no longer support their 150 dependents. In a couple of years, most of the donated nets will be torn and useless, but now there is no mosquito net maker to go to. They'll have to get more aid. And African governments once again get to abdicate their responsibilities.

In a similar vein has been the approach to food aid, which historically has done little to support African farmers. Under the auspices of the U.S. Food for Peace program, each year millions of dollars are used to buy American-grown food that has to then be shipped across oceans. One wonders how a system of flooding foreign markets with American food, which puts local farmers out of business, actually helps better Africa. A better strategy would be to use aid money to buy food from farmers within the country, and then distribute that food to the local citizens in need.

Then there is the issue of "Dutch disease," a term that describes how large inflows of money can kill off a country's export sector, by driving up home prices and thus making their goods too expensive for export. Aid has the same effect. Large dollar-denominated aid windfalls that envelop fragile developing economies cause the domestic currency to strengthen against foreign currencies. This is catastrophic for jobs in the poor country where people's livelihoods depend on being relatively competitive in the global market.

To fight aid-induced inflation, countries have to issue bonds to soak up the subsequent glut of money swamping the economy. In 2005, for example, Uganda was forced to issue such bonds to mop up excess liquidity to the tune of $700 million. The interest payments alone on this were a staggering $110 million, to be paid annually.

The stigma associated with countries relying on aid should also not be underestimated or ignored. It is the rare investor that wants to risk money in a country that is unable to stand on its own feet and manage its own affairs in a sustainable way.

#### Fracking bad – triggers earthquakes

Philips, Bloomberg Business Week Associate Editor, 13

(Matthew Philips, April 1, 2013, Bloomberg Businessweek, “More Evidence Shows Drilling Causes Earthquakes,” <http://www.businessweek.com/articles/2013-04-01/more-evidence-that-fracking-causes-earthquakes>, June 29, 2013, EK)

A recent study (abstract here) published in the journal Geology is getting a lot of attention for conclusions it draws about whether oil and natural gas drilling is causing earthquakes. In particular, the study examines the biggest quake in the history of Oklahoma, a 5.7 shaker that hit the tiny town of Prague on Nov. 6, 2011. Ripples from the earthquake were felt across 17 states.

According to the study’s authors, the culprit isn’t the actual drilling itself but the injection of wastewater back into the ground afterward. Even though wastewater had been injected into old wells around Prague since the early 1990s, the authors argue that as crevices previously containing oil filled with water, from 2001 to 2006, the amount of pressure needed to keep pushing water underground rose tenfold, or 1,000 percent. The resulting pressure change triggered a “jump” in a nearby fault line known as the Wilzetta fault, and then—boom, earthquake. The well the study examined was not drilled using the controversial hydraulic fracturing techniques, commonly known as fracking.

A review of the study by Columbia University’s Lamont-Doherty Earth Observatory quotes one of the study’s authors, geologist Heather Savage of Columbia, saying, “When you overpressure the fault, you reduce the stress that’s pinning the fault into place and that’s when earthquakes happen.”

There have been a lot of earthquakes recently in parts of the U.S. that traditionally haven’t seen so many, including Arkansas, Texas, Ohio, and Colorado—all states where fracking activity just happens to have increased substantially in the past decade. The Geology study estimates that during the last four years, the number of earthquakes in the middle of the U.S. was 11 times higher than the average rate over the previous 30 years.

The notion that injecting water deep into the ground causes earthquakes is nothing new, or even very surprising. Whether you support or oppose fracking, is it difficult to fathom that pumping billions of gallons of water and other fluids down into the earth over several decades might one day cause things to shift around, especially when those structures have been virtually untouched for millions of years?

The results of research by the U.S. Geological Survey released last year essentially concluded that a sharp rise in seismic activity in the middle of the U.S. was the result of injecting water into deep underground wells. There is also growing concern that gas-drilling in the Netherlands has led to some recent earthquakes.

#### Status quo solves-

#### a.) Cooperation at the maritime border happening now

Kappler, Associated Press, 12

[Bradley, 2-20-2012, Huffington Post, “U.S., Mexico Agree To Cooperate On Energy,”

<http://www.huffingtonpost.com/2012/02/20/us-mexico-agree-to-cooper_n_1288976.html>, accessed 6-23-13, MSG]

United States and Mexico agreed Monday to work together when drilling for oil and gas below their maritime border in the Gulf of Mexico. Secretary of State Hillary Rodham Clinton and Mexico's foreign minister signed the deal at a ceremony in the Mexican resort of Los Cabos as Mexican President Felipe Calderon and U.S. Interior Secretary Ken Salazar looked on. The cooperation stems from an understanding that President Barack Obama and Calderon reached in 2010 to share in the profits and work together to avoid spills. Clinton said the deal would "ensure safe, efficient, responsible exploration of the oil and gas reservoirs in the Gulf of Mexico." "These reservoirs could hold considerable reserves that would benefit the United States and Mexico alike," she said. But they don't necessarily stop neatly at our maritime boundary," Clinton added. "This could lead to disputes if a company discovers a reservoir that straddles the boundary – disputes, for example, over who should do the extraction and how much they should extract." Clinton said the agreement will prevent such disputes and create new business opportunities. Calderon said the deal creates clear rules and should erase any fear among Mexicans that their oil will be appropriated by Americans. And he stressed that "operations will be done in a safe and responsible manner, with full respect to the environment." Under the agreement, U.S. companies will now be allowed to partner with Mexico's national oil company in drilling. But neither country is constrained by the other. If the two governments can't agree on how to exploit a reservoir, either can take its share unilaterally. The U.S. Interior Department said the agreement makes nearly 1.5 million acres of the U.S. Outer Continental Shelf more accessible for exploration and production activities. The area could contain 172 million barrels of oil and 304 billion cubic feet of natural gas, it said.

"This is an area larger than the state of Delaware," Salazar said.

#### b.) Privates are already constructing cross border pipeline.

Thornock, Investor Relations Journalist, 12

(Mindy Mills Thornock and Kinder Morgan Energy Partners, November 14, 2012, Yahoo Finance, “Kinder Morgan’s El Paso Natural Gas Pipeline Signs Long-Term Contract to Serve Customers in Mexico,” <http://finance.yahoo.com/news/kinder-morgan-el-paso-natural-170000543.html>, accessed June 30, 2013, EK)

El Paso Natural Gas (EPNG), owned by Kinder Morgan Energy Partners, L.P. (KMP) and Kinder Morgan, Inc. (KMI), has entered into a 25-year transportation precedent agreement in connection with plans to build a new pipeline to serve customers in Mexico. Terms call for EPNG, acting through its affiliate Sasabe Pipeline Company, to initially provide approximately 200 million cubic feet per day of firm transportation capacity via a new, 60-mile, 36-inch diameter lateral pipeline that would extend from EPNG’s existing south mainlines, near Tucson, Ariz., to the U.S.-Mexico border, terminating at Sasabe, Ariz. The proposed Sasabe Pipeline would interconnect via a new international border crossing with a 36-inch diameter natural gas pipeline to be built in Mexico. According to Mark Kissel, president of Kinder Morgan’s Natural Gas Pipelines West Region, this natural gas infrastructure project would benefit both the United States and Mexico. “This agreement supports the ongoing development of the approximately $200 million Sasabe Lateral pipeline, which would create new jobs in Arizona, and also provide a market for transporting abundant, low-priced U.S. gas production to Mexico. In addition, the project will help Mexico meet its environmental goals of converting existing fuel-oil-fired power generation plants to efficient, clean burning natural gas and also having natural gas supplies available for new plants in the future.”

#### Plan causes methane leaks – more warming.

Goldenberg, US Environment Correspondent, 6/4/13

(Suzanne Goldenberg, June 5, 2013, The Guardian, “Methane leaks could negate climate benefits of US natural gas boom: Reduction in carbon emissions triggered by America's shift from coal to gas is being offset by a sharp rise in methane,” <http://www.guardian.co.uk/environment/2013/jun/04/methane-leaks-negate-climate-benefits-gas>, June 29, 2013, EK)

Methane leaks could undo the climate change benefits of America's natural gas boom, a new report said on Tuesday.

The report, produced by the Centre for Climate and Energy Solutions (C2ES), said America's shift from coal to gas had produced important climate gains.

Carbon dioxide emissions fell last year to their lowest point since 1994, according to the Department of Energy. Energy-related carbon dioxide emissions were 12% below 2005 levels.

But the report said those reductions were not enough, on their own, to escape the most catastrophic consequences of climate change.

They were also being offset by a sharp rise in methane, the most powerful greenhouse gas on a human timescale, that was being released into the atmosphere at well sites, compressor stations and along pipelines.

Methane is up to 105 times more potent than carbon dioxide as a greenhouse gas on a 20-year timescale.

"We have to deal with the methane emissions – whether they are large, which I think is unlikely, or whether they are small," said Eileen Claussen, president of C2ES, a Washington DC thinktank.

"Natural gas is a big benefit right now, and you can see it in our emissions. But it doesn't mean that left to our own natural devices it would be a great thing in 2050 because it wouldn't be – unless you did some form of carbon capture."

Claussen was also concerned that cheap natural gas would crowd out wind and solar energy.

America's gas boom has posed one of the most divisive in-house issues for environmental groups. The availability of cheap natural gas has retired a number of old, and highly polluting coal-fired powered plants. Natural gas emits half as much carbon dioxide as coal when used to make electricity.

Some 29% of America's electricity came from natural gas last year – compared to just 14% a decade ago, the report said. But it comes at a high cost to the local environment, because of the risks to air and water quality posed by hydraulic fracturing.

There is also a growing body of evidence that the release of methane gas from well sites and pipelines is far higher than previously thought.

Methane is a far more powerful gas than carbon dioxide, even though it persists in the atmosphere for a shorter period of time.