

ESSAY: THE BUSH/CHENEY ENERGY STRATEGY:
IMPLICATIONS FOR U.S. FOREIGN
AND MILITARY POLICY

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I. INTRODUCTION

President George W. Bush probably will be remembered most for his vigorous pursuit of the “war on terrorism” after the September 11, 2001, attacks in New York and Washington. When entering the White House in early 2001, however, his top foreign policy goal was not anti-terrorism but increasing the flow of foreign petroleum to the United States. The preceding year had witnessed severe oil and natural gas shortages in many parts of the United States, along with periodic electric-power blackouts in California. In addition, U.S. oil imports had just risen to over 50% of total U.S. consumption for the first time in American history, provoking great anxiety about the security of America’s long-term energy supply. For these and other reasons, Bush asserted that easing the nation’s “energy crisis” was to be his most important task as president. “We’ve got an energy crisis in America,” he declared on March 14, 2001;¹ “[T]he nation has got a real problem when it comes to energy. We need more sources of energy.”²

Addressing the energy crisis was seen by Bush and his advisers as a critical issue for several reasons. To begin with, energy abundance is essential to the health and profitability of many of America’s leading industries—especially automobiles, airlines, road and home construction, petrochemicals, tourism, and agriculture—so any shortages of energy can have severe and pervasive economic repercussions. Petroleum is especially critical to the U.S. economy because it is the source of

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1. President George W. Bush, Remarks While Touring Youth Entertainment Academy (Mar. 14, 2001) (transcript available at <http://www.whitehouse.gov/news/releases/2001/03/print/20010314-2.html>).

2. *Id.*

two-fifths of America's total energy supply—more than any other source—and because it provides most of the nation's transportation fuel. In addition, petroleum is absolutely essential to U.S. national security, as it powers the vast array of tanks, planes, helicopters, and ships that constitute the backbone of the American war machine.³ Summing up these concerns in an address to the National Energy summit on March 19, 2001, Secretary of Energy Spencer Abraham avowed, "America faces a major energy supply crisis over the next two decades. The failure to meet this challenge will threaten our nation's economic prosperity, compromise our national security, and literally alter the way we live our lives."⁴

The administration could have responded to this challenge in a number of ways. Many environmentalists and others argued at the time that the energy shortages experienced in 2000-2001 signaled the need for a dramatic shift in national energy policy, placing far greater emphasis on conservation, the use of renewable energy sources (especially wind and solar energy), and the rapid development of hydrogen power. But, as will be argued below, the White House ultimately decided to eschew this approach and instead concentrate on efforts to reinvigorate the existing energy system, with its heavy reliance on petroleum. And because *domestic* oil output was expected to experience long-term decline, continued reliance on petroleum would mean ever-increasing dependence on *imported* oil—much of it derived from chronically unstable areas such as the Middle East, Africa, and South America. This, in turn, entailed significant implications for American foreign and military policy.

Unfortunately, fierce debate over one of the administration's proposed remedies—the exploitation of oil in the Arctic National Wildlife Refuge—overshadowed discussion of the in-

3. For background on the 2000-2001 energy crisis and its implications for the U.S. economy and security, see ROBERT L. BAMBERGER, CONG. RES. SERV., ORDER CODE IB10080, ISSUE BRIEF FOR CONGRESS, ENERGY POLICY: SETTING THE STAGE FOR THE CURRENT DEBATE (2002), available at <http://fpe.state.gov/documents/organization/9581.pdf>.

4. Spencer Abraham, A National Report on America's Energy Crisis, Remarks at the National Energy Summit, U.S. Chamber of Commerce (Mar. 19, 2001) (transcript available at http://www.energy.gov/engine/content.do?PUBLIC_ID=13439&BT_CODE=PR_SPEECHES&TT_CODE=PRESS_SPEECH).

ternational dimensions of its energy plan. Yet, as will be demonstrated, the implications are substantial. Given Washington's historical inclination to view oil dependency as a national security matter and employ military force when deemed necessary to protect overseas supplies, the nation's growing reliance on energy imports from conflict-prone regions could result in expanded American involvement in oil-related conflicts abroad. As a result, the foreign policy implications of the administration's energy plan should be exposed to greater public scrutiny.

II. THE CHENEY ENERGY PLAN

To address the challenge posed by Secretary Abraham in March 2001, President Bush established the National Energy Policy Development Group (NEPDG), composed of senior government officials, and charged it with the task of developing a long-range plan for meeting the nation's energy requirements.⁵ "[O]ne thing is for certain," Bush told the group in March 2001, "there are no short-term fixes; that the solution for our energy shortage requires long-term thinking and a plan that we'll implement that will take time to bring to fruition."⁶ To head the NEPDG and oversee this long-term process, Bush picked one of his closest political advisers, Vice President Dick Cheney.⁷ A Republican Party stalwart and a former Secretary of Defense, Cheney had served as Chairman and Chief Executive Officer of the Halliburton Co., an oilfield services firm, before joining the Bush campaign in 2000.⁸ Cheney, in turn, relied on top officials of U.S. energy firms, including the Enron Corporation, to provide advice and recommendations on major issues.⁹

5. See NAT'L ENERGY POLICY DEV. GROUP, NATIONAL ENERGY POLICY, at viii (2001), available at <http://www.whitehouse.gov/energy/National-Energy-Policy.pdf> [hereinafter NATIONAL ENERGY POLICY REPORT].

6. President George W. Bush, Remarks in Photo Opportunity after Meeting with National Energy Policy Development Group (Mar. 19, 2001) (transcript available at <http://www.whitehouse.gov/news/releases/2001/03/print/20010320-1.html>).

7. See NATIONAL ENERGY POLICY REPORT, *supra* note 5, at vi.

8. See *Cheney's Halliburton Ties Remain*, CBSNEWS.com, Sept. 26, 2003, at <http://www.cbsnews.com/stories/2003/09/26/politics/main575356.shtml>.

9. See Richard A. Opper, Jr., *White House Acknowledges More Contacts with Enron*, N.Y. TIMES, May 23, 2003, at A1 (detailing contacts between the White House Energy Task force and Enron).

As the NEPDG began its review of U.S. energy policy, it quickly became apparent that the United States faced a critical choice between two widely divergent energy paths: It could continue down the road it had long been traveling, consuming ever-increasing amounts of petroleum and—given the irreversible decline in domestic oil production—becoming ever more dependent on imported supplies; or it could choose an alternative route, entailing vastly increased reliance on renewable sources of energy and a gradual reduction in petroleum use. The existence of these two competing routes and the need to decide which to follow had long been known to experts in the field, but it was only now, with the creation of the NEPDG, that this critical choice was addressed at the highest governmental level.¹⁰

The outcome of this decision would have profound consequences for American society, the economy, and the nation's security. A decision to continue down the current path of rising petroleum consumption would bind the United States ever more tightly to Persian Gulf suppliers and other oil-producing countries, with a corresponding impact on American security policy; a decision to pursue an alternative strategy, on the other hand, would require a huge investment in new energy-generation and transportation technologies, resulting in the rise or fall of entire industries. Either way, Americans would experience the impact of this choice in their everyday lives and in the dynamics of the economy as a whole. No one, in this country or elsewhere, would be left entirely untouched by the decision.¹¹

The National Energy Policy Development Group wrestled with these choices over the early months of 2001 and completed its report by early May. After careful vetting by the White House, the report was released to the public by President Bush on May 16, 2001, as the *National Energy Policy*

10. For background and discussion of these choices, see EDWARD L. MORSE & AMY MYERS JAFFE, *STRATEGIC ENERGY POLICY: REPORT OF AN INDEPENDENT TASK FORCE COSPONSORED BY THE JAMES A. BAKER III INSTITUTE FOR PUBLIC POLICY & THE COUNCIL ON FOREIGN RELATIONS* 5-38 (2001); see also BAMBERGER, *supra* note 3 (providing background and analysis of the current debate triggered by the NEPDG report).

11. For an excellent review of these options and their implications, see Christopher Flavin & Seth Dunn, *A New Energy Paradigm for the 21st Century*, 53 J. INT'L AFF. 167 (1999).

(NEP).¹² At first glance, the NEP—or the “Cheney Report,” as it is widely known—appeared to reject the path of increased reliance on imported oil and to embrace the path of conservation, renewable energy, and improved fuel efficiency. The new plan “reduces demand by promoting innovation and technology to make us the world leader in efficiency and conservation,” the President declared on May 17, 2001;¹³ “It will underwrite research and development into energy-saving technology. It will require manufacturers to build more energy-efficient appliances.”¹⁴ But despite rhetoric about conservation, the NEP does *not* propose a reduction in America’s overall consumption of oil. Instead, it proposes to slow the growth in U.S. dependence on imported petroleum by increasing production at home through the use of more efficient drilling methods and by exploiting untapped reserves in protected wilderness areas.

As is widely known, the single most important step toward increased domestic oil production proposed by the NEP was the initiation of drilling on the Arctic National Wildlife Refuge (ANWR), an area of vast, untouched wilderness in northeastern Alaska. This proposal has won great praise from many Republicans and from private interests that favor the increased use of federal lands for energy development; it has been roundly criticized, however, by environmentalists who deplore the destruction of a pristine wilderness area. The disagreement between these two camps has become so sharp that debate over the ANWR has wholly monopolized public discussion of the NEP. But while debate over the ANWR has allowed the White House to suggest that the administration is fully committed to a policy of energy independence, careful examination of the Cheney report leads to an entirely different conclusion. Aside from the ANWR proposal, there is very little in the NEP that would contribute to a significant decline in American dependence on imported petroleum. In fact, the very opposite is true: The basic thrust of the Cheney plan is to

12. NATIONAL ENERGY POLICY REPORT, *supra* note 5.

13. President George W. Bush, Speech on Energy Policy (May 17, 2001), in *Excerpts from Bush’s Speech Outlining a New Energy Policy*, N.Y. TIMES, May 18, 2001, at A14.

14. *Id.*

increase the flow of oil from foreign suppliers to the United States.

The fact that the Bush energy plan envisions increased rather than diminished reliance on imported petroleum is not immediately apparent from the President's public comments on the NEP or from the first seven chapters of the Cheney report itself. It is only in the eighth and final chapter, "Strengthening Global Alliances," that the true intent of the administration's policy—increasing America's reliance on imported oil—becomes fully apparent.¹⁵ Here, the tone of the report changes markedly, from a professed concern with conservation and energy efficiency to an explicit emphasis on securing more oil from foreign sources. "U.S. national energy security depends on sufficient energy supplies to support U.S. and global economic growth," the chapter begins.¹⁶ Because the United States cannot generate the required supplies of oil from domestic reserves, it must rely on foreign sources. The Report continues: "We can strengthen our own energy security and the shared prosperity of the global economy" by working with other countries to increase the global production of energy.¹⁷ To this end, the President and his senior associates are enjoined by the Cheney report to "make energy security a priority of our trade and foreign policy."¹⁸

While acknowledging the need for increased supplies of imported petroleum, the Cheney report is very circumspect about the *amount* of foreign oil that will be required. The only clue provided by the report is a chart of America's net oil consumption and production over time. According to this information, domestic U.S. oilfield production will decline from about 8.5 million barrels per day (mbd) in 2002 to 7.0 mbd in 2020, while consumption will jump from 19.5 to 25.5 mbd—meaning that total imports will have to rise from 11 to 18.5 mbd.¹⁹ It is to procure this *increment* in imported petroleum—approximately 7.5 mbd, or the equivalent of total current oil

15. See NATIONAL ENERGY POLICY REPORT, *supra* note 5, at 8.1-8.20.

16. *Id.* at 8.1.

17. *Id.* at 8.3.

18. *Id.* at 8.4.

19. *Id.* at x fig.2.

consumption by China and India combined—that most of the recommendations in Chapter 8 of the NEP are aimed.²⁰

To facilitate American access to overseas sources of petroleum, the Cheney report provides a roster of 35 foreign policy recommendations—exactly one-third of the total recommendations in the report.²¹ Although many of these proposals are region or country-specific, the overall emphasis is on removing obstacles—political, economic, legal, and logistical—to the increased procurement of foreign oil by the United States. With respect to the Caspian region, for example, the NEP calls on the Secretaries of Energy, Commerce, and State “to deepen their commercial dialogue with Kazakhstan, Azerbaijan, and other Caspian states to provide a strong, transparent, and stable business climate for energy and related infrastructure projects.”²² Similar recommendations are applied to other regions of the world that are seen as future major sources of oil for the U.S.

The Cheney report’s emphasis on procuring ever-increasing supplies of imported energy to satisfy America’s growing demand will have a profound impact on American foreign policy in the years ahead. Not only will American officials have to negotiate access to these overseas supplies and arrange for the sorts of investments that will make increased production and export possible, but they must also take steps to make certain that foreign deliveries to the United States are not impeded by war, revolution, or civil disorder. These imperatives will guide U.S. policy toward all significant energy-supplying regions, especially the Persian Gulf area, the Caspian Sea basin, Africa, and Latin America.

Moreover, as will become evident from the discussion that follows, implementation of the Cheney energy plan will also have significant implications for U.S. security policy and the deployment and utilization of American military forces. This is so because most of the countries that are expected to supply the United States with increased petroleum in the years ahead are riven by internal conflicts, harbor strong anti-American

20. *See id.* at 8.1-8.20 (outlining proposed U.S. energy policy related to foreign oil production).

21. *See id.* at app. 1 (summarizing recommendations of the National Energy Policy Development Group).

22. *Id.* at 8.13.

sentiments, are located in dangerous regions, or exhibit some combination of all three characteristics. This means that U.S. efforts to procure additional oil from foreign sources are almost certain to encounter violent disorder and resistance in key producing areas. While American officials might prefer to avoid the use of force in such situations, they may conclude that the continued flow of oil is so essential to national security as to justify the use of military force as the only way to ensure this end—just as President George H. W. Bush determined in August 1990, when he ordered U.S. troops to the Persian Gulf in order to protect Saudi Arabia's oilfields from a possible attack by the Iraqi forces then occupying Kuwait.²³

To add to Washington's dilemma, such deployment of American forces to the oil-producing areas is likely to stir up resentment from inhabitants of these areas who fear the revival of colonialism or who object to particular American policies—such as, for example, U.S. support for Israel. In consequence, American efforts to safeguard the flow of oil could result in the intensification, rather than the diminution, of local turbulence and violence. For example, the fact that American troops remained in Saudi Arabia *following* the 1990-1991 Gulf War—despite promises that they would be withdrawn once the fighting had stopped—was a significant source of anti-government sentiment that was systematically exploited by Osama bin Laden in his drive to mobilize opposition to the Saudi royal family.²⁴ This phenomenon has something of a self-sustaining character: The more that the United States re-

23. "Our country now imports nearly half the oil it consumes and could face a major threat to its economic independence," Bush told a national television audience on August 8, 2000. President George Bush, Address from the Oval Office (Aug. 9, 1990), in *Excerpts from Bush's Statement on U.S. Defense of Saudis*, N.Y. TIMES, Aug. 8, 1990, at A15. Hence, "the sovereign independence of Saudi Arabia is of vital interest to the United States." *Id.* For background on White House decision-making in this crisis, see BOB WOODWARD, *THE COMMANDERS* 205-289 (1991).

24. "Despite official denials, the U.S. troops . . . are highly unpopular," French journalist Eric Rouleau noted in 2002. Eric Rouleau, *Trouble in the Kingdom*, FOREIGN AFF., July-Aug. 2002, at 75, 77. Obviously, nothing can be said about this in public. "In private, however, many Saudis complain that they consider it a form of occupation," and therefore deeply humiliating. *Id.* The hostility provoked by the presence of U.S. forces is also discussed in Elaine Sciolino & Eric Schmitt, *U.S. Rethinks Its Role in Saudi Arabia*, N.Y. TIMES, Mar. 10, 2002, § 1, at 24.

lies on imported oil, the stronger the likelihood that this will lead to American military involvement in key producing areas, and the greater the risk that this will lead to anti-American violence.

It should also be noted that the production of oil in developing countries with few other sources of wealth is itself a significant cause of tension and conflict. This is so because the enormous revenues (or “rents”) generated by petroleum tend to be monopolized by the clan or clique in control of the government, while the rest of the population receives few, if any, benefits from the nation’s natural bounty, thereby arousing substantial resentment and internal unrest.²⁵ Since petro-regimes of this sort often seek to preserve their privileged status by employing the instruments of state security to quash all forms of dissent, the only viable option available to those desiring a change in the status quo is armed revolt.²⁶

It is apparent, then, that the Bush administration’s plan to place greater reliance on foreign sources of petroleum will pose significant challenges to American foreign and security policies. To fully appreciate the nature and extent of these challenges, it is necessary to examine the strategic setting in each of the major producing areas that are viewed in Washington as major sources of foreign oil.

III. THE PERSIAN GULF

The Persian Gulf area has long been and will remain a major focus of concern for American foreign and military policy because it sits atop the world’s largest reservoir of untapped petroleum. According to British Petroleum (BP), the major Gulf oil producers jointly possess an estimated 685 billion barrels of petroleum, or about two-thirds of known world reserves.²⁷ The Gulf countries are also the world’s leading producers on a day-to-day basis, jointly accounting for approxi-

25. For discussion of this phenomenon, see generally TERRY LYNN KARL, *THE PARADOX OF PLENTY: OIL BOOMS AND PETRO-STATES* (1997).

26. For elaboration of this point, see Michael T. Klare, *The Deadly Nexus: Oil, Terrorism, and America’s National Security*, 101 *CURRENT HIST.* 414 (2002).

27. BRITISH PETROLEUM, *BP STATISTICAL REVIEW OF WORLD ENERGY 4* (2003), available at http://www.bp.com/liveassets/bp_internet/globalbp/STAGING/global_assets/downloads/B/BP_statistical_review_of_world_energy_2003_print_version.pdf.

mately 21 mbd in 2002, or about 28.5 percent of worldwide production.²⁸ Most analysts assume, moreover, that the Gulf's share of total world petroleum output will rise significantly in the years ahead as production in older producing areas, including the United States, Mexico, the North Sea, China, and Indonesia, experiences irreversible decline.²⁹

Although the United States currently obtains only about 22 percent of its imported petroleum from the Gulf, Washington perceives a significant strategic interest in the stability of Persian Gulf energy output because its major allies—including Japan and Western European countries—rely on imports from the region for a large share of their total petroleum consumption, and because the Gulf's high export volume has helped to keep world oil prices relatively low, thus benefiting the petroleum-dependent U.S. economy.³⁰ With domestic production in decline, the United States will become ever more dependent on imports from the Gulf. As a result, the NEP observes, "this region will remain vital to U.S. interests."³¹

The United States has, of course, played a significant role in Persian Gulf affairs for a very long time. During World War II, President Franklin D. Roosevelt met with Abdul-Aziz ibn Saud, the founder of the modern Saudi dynasty, and concluded an agreement with him under which the U.S. agreed to protect the royal family against its internal and external enemies in return for privileged access to Saudi oil.³² In subsequent years, the U.S. also agreed to provide security assistance to the Shah of Iran and to the leaders of Kuwait, Bahrain, and

28. *Id.* at 6.

29. See ENERGY INFO. ADMIN., U.S. DEP'T OF ENERGY, INTERNATIONAL ENERGY OUTLOOK 2003, at 238 tbl.D4 (2003), available at [http://www.eia.doe.gov/oiaf/ieo/pdf/0484\(2003\).pdf](http://www.eia.doe.gov/oiaf/ieo/pdf/0484(2003).pdf) [hereinafter INTERNATIONAL ENERGY OUTLOOK 2003].

30. For data on U.S., Japanese, and European reliance on Persian Gulf oil exports, see ENERGY INFO. ADMIN., U.S. DEP'T OF ENERGY, PERSIAN GULF OIL AND GAS EXPORTS FACT SHEET (Apr. 2003), available at <http://www.eia.doe.gov/emeu/cabs/pgulf.pdf>. For discussion of the contribution of Gulf production to affordable energy prices, see Edward L. Morse, *A New Political Economy of Oil?*, 53 J. INT'L AFF. 1 (1999).

31. NATIONAL ENERGY POLICY REPORT, *supra* note 5, at 8.4.

32. For background, see MICHAEL A. PALMER, GUARDIANS OF THE GULF: A HISTORY OF AMERICA'S EXPANDING ROLE IN THE PERSIAN GULF, 1833-1992 20-29 (1992).

the United Arab Emirates (UAE).³³ These agreements have led to the delivery of vast quantities of U.S. arms and ammunition to these countries and, in some cases, to the deployment of American combat forces.³⁴ (The U.S. security link with Iran was severed in January 1980, when the Shah was overthrown by militant Islamic forces.³⁵)

American policy with regard to the protection of Persian Gulf energy supplies is unambiguous: When a threat arises, the United States will use whatever means are necessary, including military force, to ensure the continued flow of oil.³⁶ This principle was first articulated by President Jimmy Carter in 1980, following the Soviet invasion of Afghanistan and the fall of the Shah, and has remained American policy ever since. The free flow of Persian Gulf oil is essential to U.S. economic well-being, Carter told Congress on January 23 of that year, and thus “[a]n attempt by any outside force to gain control of the Persian Gulf region will be regarded as an assault on the vital interests of the United States of America . . . [and] will be repelled by any means necessary, including military force.”³⁷ In accordance with this principle—known ever since as the “Carter Doctrine”—the United States has used force on several occasions: first in 1987-1988, to protect Kuwaiti oil tankers from Iranian missile and gunboat attacks (Operation Earnest Will), and then in 1990-1991, to drive Iraqi forces out of Kuwait (Operation Desert Storm).³⁸

In explaining the need to use force on these occasions, U.S. officials have repeatedly stressed the importance of Persian Gulf oil to American economic stability and prosperity. “Our strategic interests in the Persian Gulf region, I think, are

33. See *id.* at 24-25, 147, 149, 245.

34. See *id.* at 98-99, 157, 196-212.

35. See *id.* at 110.

36. See, e.g., Press Briefing by Joseph Nye, Dept. of Defense (May 17, 1995), at http://www.defenselink.mil/news/May1995/t051895_t517nye.html (“[T]he U.S. will continue to use a variety of means to promote regional security and stability [in the Gulf], including working with our friends and allies, and ultimately will remain prepared to defend vital U.S. interests in the region—unilaterally if necessary.”).

37. President Jimmy Carter, The State of the Union Address (Jan. 23, 1980), in *Transcript of President’s State of the Union Address to Joint Session of Congress*, N.Y. TIMES, Jan. 24, 1980, at A12.

38. See PALMER, *supra* note 32, at 102-242; see also MICHAEL T. KLARE, RESOURCE WARS 51-68 (2001).

well known, but bear repeating,” then-Secretary of Defense Dick Cheney told the Senate Armed Services Committee on September 11, 1990, five weeks after the Iraqi invasion of Kuwait.³⁹ In addition to security ties to Saudi Arabia and other states in the area, “We obviously also have a significant interest because of the energy that is at stake in the gulf,” Cheney said.⁴⁰ Iraq already possessed 10 percent of the world’s oil reserves and, by seizing Kuwait, acquired another 10 percent; the occupation of Kuwait also placed Iraqi forces within a few hundred miles of another 25 percent, in the Eastern Province of Saudi Arabia.⁴¹ “Once [Hussein] acquired Kuwait and deployed an army as large as the one he possesses, he was clearly in a position to be able to dictate the future of worldwide energy policy, and that gave him a strangle hold [sic] on our economy and on that of most of the other nations of the world as well,” Cheney claimed.⁴² It was for this reason, Cheney insisted, that the United States had no choice but to employ military force in defense of Saudi Arabia and other friendly states in the area.⁴³

Once Iraqi forces were driven from Kuwait, the United States adopted a policy of “containment,” employing severe economic sanctions and the enforcement of a “no-fly zone” over northern and southern Iraq to weaken the Hussein regime and prevent any new attacks on Kuwait and Saudi Arabia.⁴⁴ At the same time, Washington substantially expanded its military presence and base structure in the Persian Gulf area in order to facilitate future U.S. military operations in the region.⁴⁵ Most importantly, the Department of Defense “pre-positioned” vast quantities of arms and ammunition in Kuwait and Qatar so that American troops could be sent to the region and rushed into combat without having to wait weeks or months

39. *Crisis in the Persian Gulf Region: U.S. Policy Options and Implications: Hearings Before the Senate Comm. on Armed Services*, 101st Cong. 10 (1990) [hereinafter *Persian Gulf Hearings*] (statement of Richard Cheney, Sec’y of Defense).

40. *Id.*

41. *Id.*

42. *Id.* at 11.

43. *Id.* at 12-13.

44. For background, see KLARE, *supra* note 38, at 62-68.

45. *See id.* at 63-64.

for the delivery of their heavy equipment from the United States.⁴⁶

By the early spring of 2002, the Bush administration had concluded that the policy of containment was not sufficient to eliminate the threat posed to American interests in the Gulf by Saddam Hussein and that more assertive action was required. Although Iraq's alleged possession of weapons of mass destruction (WMD) was cited as the main reason for a "regime change" in Baghdad, it is instructive to note that Dick Cheney—now Vice President—employed virtually the same arguments that he had in September 1990 to justify the use of force. "Should [Hussein's] ambitions [to acquire WMD] be realized, the implications would be enormous for the Middle East and the United States," Cheney told the annual convention of the Veterans of Foreign Wars on August 26, 2002.⁴⁷ Cheney continued:

Armed with an arsenal of these weapons of terror and a seat at a top ten percent [sic] of the world's oil reserves, Saddam Hussein could then be expected to seek domination of the entire Middle East, take control of a great portion of the world's energy supplies, [and] directly threaten America's friends throughout the region.⁴⁸

Of course, oil had nothing to do with Washington's motives for America's March 2003 invasion of Iraq—or so the public was told. "The only interest the United States has in the region is furthering the cause of peace and stability, not [Iraq's] ability to generate oil," said Ari Fleischer, the White House spokesperson, in late 2002.⁴⁹ But a close look at the administration's planning for the war reveals a very different picture. In a January briefing by an unnamed "senior Defense official" on U.S. plans for protecting Iraqi oilfields in the event of war, the Pentagon leadership revealed that U.S. military

46. *Id.* at 64.

47. Vice President Richard Cheney, Speech Before the National Convention of Veterans of Foreign Wars (Aug. 26, 2002), in *In Cheney's Words: The Administration Case for Removing Saddam Hussein*, N.Y. TIMES, Aug. 27, 2002, at A8.

48. *Id.*

49. Serge Schmemmann, *After Hussein: Controlling Iraq's Oil Wouldn't Be Simple*, N.Y. TIMES, Nov. 3, 2002, § 4, at 1 (internal quotations omitted).

commanders “have crafted strategies that will allow us to secure and protect those fields as rapidly as possible in order to then preserve those prior to destruction, as opposed to having to go in and clean up after.”⁵⁰ The occupation of Iraqi oilfields was among the earliest priorities for U.S. forces once the war began, and the Oil Ministry building in Baghdad was virtually the only government building to emerge from the war unscathed and was heavily guarded by American troops.⁵¹

As indicated by the “senior official,” the Bush Administration sought to capture Iraq’s oilfields intact in order to quickly resume Iraqi oil exports and thereby obtain a source of revenue for the occupation and reconstruction of the country.⁵² But this is just the beginning of America’s interests in Iraqi petroleum. Even under the Hussein regime, Iraq was a major oil supplier to the United States—providing an average of 470 thousand barrels per day in 2003, or 5 percent of total U.S. imports⁵³—and many in Washington hope to obtain far more oil from Iraq in the future. According to the Department of Energy (DoE), Iraq possesses *proven* reserves (defined as 90 percent probable) of 115 billion barrels—more than any other country except Saudi Arabia—and *possible* reserves (defined as 50 percent probable) totaling 220 billion barrels.⁵⁴ If these assumptions prove accurate, and if the (as yet to be established) sovereign government in Baghdad opens its territory to exploitation by outside firms, Iraq could become one of America’s leading oil suppliers in the decades ahead.⁵⁵

50. Press Briefing by a Senior Defense Official, Dept. of Defense, Background Briefing on Oil as a Weapon of Terror (Jan. 24, 2003) (transcript available at http://www.dod.gov/news/Jan2003/t01242003_t0124sdo.html).

51. Sabrina Tavernise, *Iraqis Anxiously Await Decisions About the Operation and Control of the Oil Industry*, N.Y. TIMES, Apr. 28, 2003, at A11.

52. See Press Briefing by a Senior Defense Official, *supra* note 50.

53. ENERGY INFO. ADMIN., U.S. DEPT. OF ENERGY, COUNTRY ANALYSIS BRIEF: IRAQ 15 (Mar. 2004), at <http://www.eia.doe.gov/emeu/cabs/iraq.html>.

54. *Id.*

55. For discussion of Iraq’s long-term energy potential and the potential involvement of international firms, see INT’L ENERGY AGENCY, WORLD ENERGY OUTLOOK: ASSESSING TODAY’S SUPPLIES TO FUEL TOMORROW’S GROWTH 103-107 (2001); see also *Don’t Mention the O-Word*, ECONOMIST, Sep. 14, 2002, at 25; Neela Banerjee, *Iraq Is Strategic Issue for Oil Giants, Too*, N.Y. TIMES, Feb. 22, 2003, at C1; Warren Vieth & Elizabeth Douglass, *Gauging Promise of Iraqi Oil*, L.A. TIMES, Mar. 12, 2003, at A1.

With the successful U.S. invasion of Iraq, it appears that the United States is in firm control of the Persian Gulf area and its critical oil supplies. But a realistic assessment of the situation in the Gulf would suggest that long-term stability cannot be assured. Despite strenuous efforts by U.S. forces to identify, locate, and apprehend armed opposition forces, resistance to the American occupation in Iraq has not abated. Looking into the future, moreover, it is evident that American policymakers face two critical challenges: first, to ensure that Saudi Arabia and other Gulf producers increase oil production to the extent required by growing U.S. (and international) demand; and second, to maintain internal order in Saudi Arabia and generally ensure stability in the greater Gulf region.

The need to increase Saudi production is particularly acute. Possessing one fourth of the world's known oil reserves—an estimated 262 billion barrels⁵⁶—Saudi Arabia is the only country with the capacity to satisfy the ever-increasing U.S. and international demand for petroleum. According to the DoE, Saudi Arabia's net petroleum output must increase by 133 percent over the next 25 years—from 10.2 mbd in 2001 to 23.8 mbd in 2025—to satisfy anticipated world requirements (estimated at 119 mbd) at the end of that period.⁵⁷ But expanding Saudi capacity by 13.6 mbd—the equivalent of total current production by the United States and Mexico—will cost hundreds of billions of dollars and produce enormous technical and logistical challenges.⁵⁸ The best way to achieve this increase, American analysts believe, is to persuade Saudi Arabia to open up its petroleum sector to substantial U.S. oil company investment. Indeed, this is exactly what the Cheney report calls for.⁵⁹ However, any effort by Washington to apply

56. See WORLD RESOURCES INSTITUTE, *THE STATE OF THE WORLD'S OIL* (2002) (estimating 261.8 billion barrels), available at http://pdf.wri.org/middle_east_2000_oilprofile.pdf.

57. See INTERNATIONAL ENERGY OUTLOOK 2003, *supra* note 29, at 185 tbl.A4 (presenting DoE estimates for world oil consumption by region, reference case) 235 tbl.D1 (presenting DoE estimates for oil production capacity through 2025 by region and country, reference case).

58. For a discussion of the magnitude of this challenge, see Jeff Gerth, *Forecast of Rising Oil Demand Challenges Tired Saudi Fields*, N.Y. TIMES, Feb. 24, 2004, at A1.

59. NATIONAL ENERGY POLICY REPORT, *supra* note 5, at 8.5.

pressure on Riyadh to allow greater American oil investment in the kingdom is likely to meet with significant resistance from the royal family, which nationalized U.S. oil holdings in the 1970s and is fearful of being seen as overly subservient to American bidding.⁶⁰

The Bush administration faces yet another problem in Saudi Arabia: America's long-term security relationship with the Saudi regime has become a major source of tension in that country, as growing numbers of young Saudis turn against the United States because of its close ties to Israel and what is seen as Washington's anti-Islamic bias.⁶¹ It was from this anti-American milieu that Osama bin Laden recruited many of his followers in the late 1990s and obtained much of his financial support. After September 11, 2001, the Saudi government cracked down on some of these forces, but underground opposition to the regime's military and economic cooperation with Washington persists.⁶² Just ten days after President Bush declared "victory" in Iraq, a series of massive explosions rocked the northeastern suburbs of Riyadh, destroying several compounds occupied by Western firms and residents.⁶³ Finding a way to buffer the Saudi regime against internal opposition while at the same time persuading Riyadh to increase its oil deliveries to the United States will be one of the most difficult challenges facing American policymakers in the years ahead.⁶⁴

60. For discussion of the political challenges facing the Saudi regime, see Michael Scott Doran, *The Saudi Paradox*, FOREIGN AFF., Jan./Feb. 2004, at 35; F. Gregory Gause III, *Saudi Arabia Challenged*, 103 CURRENT HIST. 21 (2004); Rouleau, *supra* note 24, at 75-89.

61. For background on U.S.-Saudi political, economic, and security ties, see ALFRED B. PRADOS, CONG. RES. SERV., ORDER CODE IB93113, ISSUE BRIEF FOR CONGRESS, SAUDI ARABIA: CURRENT ISSUES AND U.S. RELATIONS (2003), available at http://www.policyalmanac.org/world/archive/saudi_arabia.pdf.

62. For background on popular opposition to the Saudi regime and the rising violence against Americans in Saudi Arabia, see Douglas Jehl & David Johnston, *U.S. and Saudis Sensed Attacks Were Imminent*, N.Y. TIMES, May 14, 2003, at A1; Gwenn Okruhlik, *Networks of Dissent: Islamism and Reform in Saudi Arabia*, 101 CURRENT HIST. 22 (2002); Craig S. Smith, *Saudi Arabia Seems Calm, But, Many Say, Is Seething*, N.Y. TIMES, Mar. 24, 2003, at B13.

63. See Neil MacFarquhar, *Explosions Rock Western Enclaves in Saudi Capital*, N.Y. TIMES, May 13, 2003, at A1.

64. See PRADOS, *supra* note 61, at CRS.1-CRS.4, CRS.11-CRS.13 (providing background on these issues).

The United States also faces a continuing standoff with Iran. Although Iranian leaders expressed sympathy for the United States following 9/11 and provided modest assistance to U.S. forces during the campaign in Afghanistan, relations between the two countries remain strained. Iran, of course, was included among the three members of the “axis of evil” in President Bush’s January 2002 State of the Union address,⁶⁵ leading many in Tehran to fear that the American victory in Iraq will be followed by a U.S. invasion of Iran. Such fears are compounded by American charges that Iran has systematically concealed a sustained drive to manufacture nuclear weapons. While these concerns may not lead to the outbreak of war between the two countries, it is likely that tensions between Iran and the United States will remain high for the foreseeable future.⁶⁶

IV. THE CASPIAN SEA BASIN

Although the United States will remain dependent on oil from the Persian Gulf area for a long time to come, American officials seek to minimize this dependency to the greatest degree possible by diversifying the nation’s sources of imported energy. “Diversity is important, not only for energy security but also for national security,” President Bush declared on May 17, 2001.⁶⁷ “Overdependence on any one source of energy, especially a foreign source, leaves us vulnerable to price shocks, supply interruptions, and in the worst case, blackmail.”⁶⁸ To prevent this, the administration’s energy plan calls for a substantial U.S. effort to boost production in a number of non-Gulf producing areas, including the Caspian Sea basin, the west coast of Africa, and Latin America.⁶⁹

65. President George W. Bush, State of the Union Address (Jan. 29, 2002) (transcript available at <http://www.whitehouse.gov/news/releases/2002/01/print/20020129-11.html>).

66. See generally KENNETH KATZMAN, CONG. RES. SERV., ORDER CODE IB93033, ISSUE BRIEF FOR CONGRESS, IRAN: CURRENT DEVELOPMENTS AND U.S. POLICY (2003), available at <http://fpc.state.gov/documents/organization/20242.pdf> (documenting recent developments in Iran and status of U.S.-Iran relations).

67. Bush, Speech on Energy Policy, *supra* note 13.

68. *Id.*

69. See NATIONAL ENERGY POLICY REPORT, *supra* note 5, at 8.6-8.13.

Among these areas, the one that is likely to receive the greatest attention from American policymakers is the Caspian Sea basin, consisting of Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Turkmenistan, Tajikistan, and Uzbekistan, along with adjacent areas of Iran and Russia. According to the DoE, this area houses proven reserves of 17 to 33 billion barrels of oil, and possible reserves of 219 billion barrels⁷⁰—an amount that, if confirmed, would make it the second largest site of untapped reserves after the Persian Gulf area. To ensure that much of this oil will eventually flow to consumers in the West, the U.S. government has made a strenuous effort to develop the area's petroleum infrastructure and distribution system. (Because the Caspian Sea is land-locked, oil and natural gas from the region must travel by pipeline to other areas; any efforts to tap into the Caspian's vast energy reserves must, therefore, entail the construction of long-distance export lines.)

The United States first sought access to the Caspian's vast oil supplies during the Clinton Administration. Until that time, the Caspian states (except for Iran) had been part of the Soviet Union, and so outside access to their energy reserves was tightly constricted. Once these states became independent, however, Washington waged an intensive diplomatic campaign to open their fields to Western oil-company investment and allow the construction of new export pipelines. President Clinton himself played a key role in this effort, repeatedly telephoning leaders of the Caspian Sea countries and inviting them to the White House for periodic visits.⁷¹ These efforts were essential, Clinton told President Heydar Aliyev of Azerbaijan in 1997, in order to diversify the American energy supply and strengthen national security.⁷²

The Clinton administration's principal objective during this period was to secure approval for new export routes from

70. Energy Info. Admin., U.S. Dept. of Energy, *Caspian Sea Region: Key Oil and Gas Statistics* (Aug. 2003), at <http://www.eia.doe.gov/emeu/cabs/caspstats.html>.

71. For background on these developments, see KLARE, *supra* note 38, at 84-92.

72. Press Release, Office of the Press Sec'y, The White House, Visit of President Heydar Aliyev of Azerbaijan (Aug. 1, 1997), at <http://clinton6.nara.gov/1997/08/1997-08-01-visit-of-president-heydar-aliyev-of-azerbaijan.html>.

the Caspian to markets in the West.⁷³ Because the administration was reluctant to see Caspian oil flow through Russia on its way to Western Europe (thereby giving Moscow a degree of control over Western energy supplies), and because transport through Iran was prohibited by U.S. law (because of its pursuit of weapons of mass destruction), President Clinton threw his support behind a plan to transport oil and gas from Baku in Azerbaijan to Ceyhan in Turkey via Tbilisi in the former Soviet republic of Georgia.⁷⁴ Before leaving office, Clinton flew to Turkey to preside at the signing ceremony for a regional agreement permitting construction of the \$3 billion Baku-Tbilisi-Ceyhan (BTC) pipeline.⁷⁵

While concentrating on the legal and logistical aspects of procuring Caspian energy, the Clinton administration also sought to address the threat to future oil deliveries posed by instability and conflict in the region. Many of the states on which the United States hoped to rely for increased oil supplies or the transport of Caspian energy were wracked by ethnic and separatist conflicts. With this in mind, the administration initiated a number of military assistance programs aimed at strengthening the internal security capabilities of friendly states in the region. This entailed, *inter alia*, the provision of arms and military training to these forces, along with the conduct of joint military exercises. In the most noteworthy of these exercises, Operation CENTRAZBAT '97, some 500 paratroopers from the Army's 82nd Airborne Division were flown 7,700 miles from Fort Bragg, North Carolina, to Shymkent in Kazakhstan to participate in joint military maneuvers with troops from that country, Kyrgyzstan, and Uzbekistan.⁷⁶

Building on the efforts of President Clinton, the Bush administration seeks to accelerate the expansion of Caspian production facilities and pipelines. "Foreign investors and technology are critical to rapid development of new commercially viable export routes," the Cheney report affirms;⁷⁷ "[s]uch development will ensure that rising Caspian oil production is ef-

73. For background, see KLARE, *supra* note 38, at 88-92, 100-04.

74. *See id.* at 102-03.

75. *Cf. id.* at 91, 102-03.

76. *See* R. Jeffrey Smith, *U.S. Leads Peacekeeping Drill in Kazakhstan*, WASH. POST, Sept. 15, 1997, at A17; *see also* KLARE, *supra* note 38, at 1-5.

77. NATIONAL ENERGY POLICY REPORT, *supra* note 5, at 8.12.

fectively integrated into world oil trade.”⁷⁸ Particular emphasis is placed on completion of the BTC pipeline and on increasing the participation of U.S. companies in Caspian energy projects. Looking further ahead, the administration also seeks to build an oil and gas pipeline from Kazakhstan and Turkmenistan on the east shore of the Caspian to Baku on the west shore, thus permitting energy from Central Asia to flow to the West via the BTC pipeline system.⁷⁹

Until September 11, U.S. involvement in the Caspian Sea basin and Central Asia had largely been restricted to economic and diplomatic efforts, accompanied by a number of military aid agreements. To combat the Taliban and Al Qaeda in Afghanistan, however, the Department of Defense deployed tens of thousands of combat troops in the region and established military bases in Kyrgyzstan and Uzbekistan. Some of these troops have now been recalled to the United States, but it appears that the Department of Defense plans to retain its bases in Central Asia. Indeed, there is every indication that the United States plans to maintain a permanent military presence in the area and strengthen its ties with friendly regimes in the area.⁸⁰ This presence is supposedly intended to assist in the war against terrorism, but it is clear that it is also intended to safeguard the flow of petroleum. Most noteworthy, in this regard, is the decision to deploy U.S. military instructors in Georgia in order to provide counter-insurgency training to the special units that will eventually guard the Georgian segment of the BTC pipeline.⁸¹

Although the Bush administration has high hopes for the development of Caspian Sea energy supplies, it is evident that many obstacles stand in the way of increased petroleum ex-

78. *Id.*

79. *See id.* at 8.12-8.13.

80. *See The Yankees Are Coming*, *ECONOMIST*, Jan. 19, 2002, at 37; Jean-Christophe Peuch, *Central Asia: U.S. Military Buildup Shifts Spheres of Influence*, *RADIO FREE EUR.*, Jan. 11, 2002, at <http://www.rferl.org/features/2002/01/11012002091651.asp>.

81. *See* Owen Bowcott, *Security Plans to Protect an Oil Pipeline from the Caspian to the Mediterranean Have Ignited Fears of Military Tensions and Global Warming*, *GUARDIAN (LONDON)*, Jan. 29, 2003, *Society*, at 8; Carl Mortished, *Land-Locked Caspian Sea Nations Win a Way to the West*, *TIMES (LONDON)*, Feb. 14, 2003, *Business*, at 35; *cf.* Chip Cummins, *U.S. Plans to Send Military Advisers to Georgia Republic*, *WALL ST. J.*, Feb. 27, 2002, at A4 (reporting U.S. plans to deploy military advisors to help fight terrorism in Georgia).

ports from this region. Some of these are of a logistical nature: Until new pipelines can be built, it will be difficult to transport large quantities of Caspian oil to the West. Other obstacles are of a political and legal nature: The largely authoritarian regimes now in control of most of the former Soviet republics are riddled with corruption and reluctant to adopt the legal and tax reforms needed to attract large-scale Western investment. But when all is said and done, the major problem facing the United States in seeking to rely on the Caspian basin as an alternative to the Persian Gulf is the fact that the Caspian is no more stable than the Gulf, so any effort to ensure the safety of energy deliveries will entail the same sort of military commitments that the United States has long made to its principal energy suppliers in the Gulf.⁸²

V. WEST AFRICA

Another area that is viewed by the Bush administration as a promising source of oil is West Africa. Although African states accounted for only about 10 percent of global oil production in 2001, the DoE predicts that their share will rise to approximately 13 percent by 2025, in the process adding another 8.3 mbd to global supplies.⁸³ This is welcome news in Washington. “West Africa is expected to be one of the fastest-growing sources of oil and gas for the American market,” the Cheney report observes.⁸⁴ Furthermore, “African oil tends to be of high quality and low in sulphur,” making it especially attractive for American refiners.⁸⁵

The administration expects to concentrate its efforts in two countries: Nigeria and Angola. Nigeria now produces

82. For discussion of the heightened military commitments now necessary in Central Asia, see JIM NICHOL, CONG. RES. SERV., ORDER CODE IB93108, ISSUE BRIEF FOR CONGRESS, CENTRAL ASIA'S NEW STATES: POLITICAL DEVELOPMENTS AND IMPLICATIONS FOR U.S. INTERESTS (2003), available at <http://www.fas.org/man/crs/IB93108.pdf>; see also Martha Brill Olcott, *The Caspian's False Promise*, FOREIGN POL'Y, Summer 1998, at 95 (discussing the obstacles—security, development, etc.—facing interested parties).

83. See INTERNATIONAL ENERGY OUTLOOK 2003, *supra* note 29, at 238 tbl.D3 (2003).

84. NATIONAL ENERGY POLICY REPORT, *supra* note 5, at 8.11.

85. *Id.* at 8.11; see also “Black Gold,” ECONOMIST, Oct. 26, 2002, at 59-60; James Dao, *In Quietly Courting Africa, White House Likes Dowry*, N.Y. TIMES, Sept. 19, 2002, at A1.

about 2.1 mbd, and is expected to double its capacity by 2010—with much of this additional oil going to the United States.⁸⁶ But Nigeria lacks the wherewithal to finance this expansion on its own, and its existing legal system—not to mention widespread corruption and ethnic unrest—tends to discourage investment by outside firms.⁸⁷ The Cheney report thus calls upon the Secretaries of State, Energy, and Commerce to work with Nigerian officials “to improve the climate for U.S. oil and gas trade, investment, and operations.”⁸⁸ A similar outlook governs the administration’s stance toward Angola. With sufficient external investment, the Cheney report notes, Angola “is thought to have the potential to double its exports over the next ten years.”⁸⁹ Yet here, too, endemic corruption and an uninviting legal climate have discouraged substantial investment by foreign firms.⁹⁰

Moreover, much as in the Caspian region, American efforts to obtain additional oil from Africa could be frustrated by political unrest and ethnic warfare. Much of Nigeria’s production was shut down during the spring of 2003 because of ethnic violence in the Delta region, the site of much of Nigeria’s onshore oil. Local activists—many of them women—have occupied offshore oil facilities in an effort to obtain additional funds for community projects. Crime and vandalism have also hampered Nigeria’s efforts to increase oil production.⁹¹

The United States is not likely to respond to these challenges by deploying American troops to the area, which undoubtedly would conjure up images of colonialism and provoke strong opposition at home and abroad. But Washington

86. See ENERGY INFO. ADMIN., U.S. DEPT. OF ENERGY, COUNTRY ANALYSIS BRIEF: NIGERIA 2-3 (Mar. 2003), at <http://www.eia.doe.gov/emeu/cabs/nigeria.pdf>.

87. See *id.* at 1, 3.

88. NATIONAL ENERGY POLICY REPORT, *supra* note 5, at 8.11.

89. *Id.* at 8.11.

90. See ENERGY INFO. ADMIN., U.S. DEPT. OF ENERGY, COUNTRY ANALYSIS BRIEF: ANGOLA 2 (Feb. 2004), at <http://www.eia.doe.gov/cabs/angola.pdf>.

91. See *Nigerian Women, in Peaceful Protest, Shut Down Oil Plant*, N.Y. TIMES, Jul. 14, 2002, § 1, at 12; *Nigerian Troops Move Into Delta to Put Down Ethnic Riots*, N.Y. TIMES, Mar. 20, 2003, at A13; Sarah Moore, *Nigeria’s New Challenge for Big Oil*, WALL ST. J., Jul. 26, 2002, at A8; Norimitsu Onishi, *As Oil Riches Flow, Poor Village Cries Out*, N.Y. TIMES, Dec. 22, 2002, § 1, at 16; Somini Sengupta & Neela Banerjee, *Nigerian Strife, Little Noted, Is Latest Threat to Flow of Oil*, N.Y. TIMES, Mar. 22, 2003, at C1.

is willing to increase its military aid to friendly regimes in the region. Total U.S. assistance to Angola and Nigeria—the two countries of greatest interest to Washington—amounted to some \$300 million in fiscal years 2002-2004, a significant increase over the previous three-year period.⁹² Angola and Nigeria also became eligible in fiscal year 2004 to receive surplus American arms under the Pentagon's Excess Defense Articles (EDA) program.⁹³ (Several other oil-producing countries in Africa, including Cameroon, Chad, Gabon, and Congo-Brazzaville, will also receive U.S. arms under the EDA program.⁹⁴) While the deployment of American troops in the region is not a likely prospect in the short term, the Department of Defense has begun to look at potential basing sites in the region—most notably in the islands of Sao Tomé e Príncipe—in the expectation that such a deployment may someday be deemed necessary.⁹⁵

VI. LATIN AMERICA

Finally, the Cheney plan calls for a significant increase in U.S. oil imports from Latin America.⁹⁶ The United States already obtains a large share of its imported oil from these countries—Venezuela is now the third largest supplier of oil to the United States (after Canada and Saudi Arabia), Mexico is the fourth largest, and Columbia is the seventh⁹⁷—and Washington hopes to rely even more heavily on this region in the future. As indicated by Secretary of Energy Spencer Abraham, “President Bush recognizes not only the need for an increased

92. See U.S. DEP'T OF STATE, CONGRESSIONAL BUDGET JUSTIFICATION: FOREIGN OPERATIONS, FISCAL YEAR 2004, at 191, 244 (2003) available at <http://www.state.gov/documents/organization/17779.pdf> [hereinafter FY2004 FOREIGN OPERATIONS BUDGET JUSTIFICATION]; U.S. DEP'T OF STATE, CONGRESSIONAL BUDGET JUSTIFICATION FOR FOREIGN OPERATIONS, FISCAL YEAR 2001 (2000) available at http://www.state.gov/www/budget/fy2001/fn150/forops_full/150fy01_fo_africa.html.

93. See FY2004 FOREIGN OPERATIONS BUDGET JUSTIFICATION, *supra* note 92, at 192, 245.

94. See *id.* at 201, 205, 218, 246.

95. See Antony Goldman & James Lamont, *Nigeria and Angola to Discuss U.S. Plan for Regional Military Base*, FIN. TIMES, Oct. 4, 2002, at 12; *US Naval Base to Protect Sao Tome Oil*, BBC NEWS (Aug. 22, 2002), at <http://news.bbc.com.uk> (last visited Mar. 6, 2003).

96. See NATIONAL ENERGY POLICY REPORT, *supra* note 5, at 8.8-8.11.

97. See *id.* at 8.4 fig.8-4.

supply of energy, but the critical role the hemisphere will play in his Administration's energy policy."⁹⁸

In presenting these aspirations to governments in the region, U.S. officials stress their desire to establish a common, cooperative framework for energy development. "[W]e intend to stress the enormous potential of greater regional energy cooperation as we look to the future," Abraham told the Fifth Hemispheric Energy Initiative Ministerial Conference in Mexico City on March 8, 2001.⁹⁹ "[O]ur goal [is] to build relationships among our neighbors that will contribute to our shared energy security; to an adequate, reliable, environmentally sound, and affordable access to energy."¹⁰⁰ But however sincere, these comments overlook the fundamental reality: All of this "cooperation" is essentially aimed at channeling more and more of the region's oil supplies to the United States.

The Bush energy plan places particular emphasis on the acquisition of additional oil from Mexico and Venezuela. "Mexico is a leading and reliable source of imported oil," the Cheney report observes.¹⁰¹ "[I]ts large reserve base, approximately 25 percent larger than our own proven reserves, makes Mexico a likely source of increased oil production over the next decade."¹⁰² Venezuela is considered vital to U.S. energy plans because it possesses large reserves of conventional oil, and because it houses vast supplies of so-called heavy oil—a sludge-like material that can be converted to conventional oil through a costly refining process. According to the NEP, "Canadian and Venezuelan success in making heavy oil deposits commercially viable suggests that they will contribute substantially to the diversity of global energy supply, and to our own energy supply mix over the medium to long term."¹⁰³

But U.S. efforts to tap into abundant Mexican and Venezuelan energy supplies will encounter a major difficulty: Due to a long history of colonial and imperial predation, these two

98. Spencer Abraham, Remarks at the Fifth Hemispheric Energy Initiative Ministerial Conference (Mar. 8, 2001) (transcript available at http://www.energy.gov/engine/content.do?PUBLIC_ID=13440&BT_CODE=PR_SPEECHES&TT_CODE=PRESS_SPEECH).

99. *Id.*

100. *Id.*

101. NATIONAL ENERGY POLICY REPORT, *supra* note 5, at 8.9.

102. *Id.*

103. *Id.* at 8.7.

countries have placed their energy reserves under state control and have established strong legal and constitutional barriers to foreign involvement in domestic oil production. Thus, while they may seek to capitalize from the economic benefits of increased oil exports to the United States, they are likely to resist both increased U.S. participation in their energy industries and any significant increase in oil extraction. Such resistance will no doubt prove frustrating to American officials, who seek exactly these outcomes. The NEP thus calls on the Secretaries of Commerce, Energy, and State to lobby their Latin American counterparts to eliminate or soften barriers to increased American oil investment.¹⁰⁴

These endeavors are likely to meet with particularly strong resistance in Venezuela, where oil production long has been under state control. A new constitution adopted in 1999 bans foreign investment in the oil sector,¹⁰⁵ and President Hugo Chávez has taken other steps to impede such investment. Following a prolonged general strike organized by opponents of the President in late 2002 and early 2003, Chávez effectively seized control of the state-owned oil company, *Petróleos de Venezuela, S.A. (PdVSA)*, and fired those managers considered most amenable to links with foreign firms.¹⁰⁶ So long as Chávez remains in power, it is unlikely that Washington will make much headway in its efforts to increase U.S. investment in Venezuela's oil industry.

Energy considerations are also likely to figure prominently in U.S. relations with Colombia. Although known primarily for its role as a supplier of illegal drugs to the United

104. *See id.* at 8.11.

105. *See* VENEZ. CONST. arts. 302 (reserving to the state the petroleum industry), 303 (reserving to the state all shares of any organ managing the petroleum agency).

106. *See* Thaddeus Herrick et al., *Venezuela Oil Woes Are Long Term*, WALL ST. J., Feb. 14, 2003, at A3; *see also* Juan Forero, *Venezuelan Oilman: Rebel with a New Cause*, N.Y. TIMES, Feb. 9, 2003, § 1, at 3 (profiling the president of PdVSA, his connections with President Chávez, and his indignation toward the workers striking against PdVSA). For background on the Venezuelan oil industry, *see* ENERGY INFO. ADMIN., U.S. DEPT. OF ENERGY, COUNTRY ANALYSIS BRIEF: VENEZUELA 1-6 (May 2003), at <http://www.eia.doe.gov/emeu/cabs/venez.pdf>.

States, Colombia is also a major oil supplier to this country.¹⁰⁷ Efforts to increase Colombian oil production have been hampered, however, by the frequent attacks on oil installations and pipelines mounted by anti-government guerrilla groups. Claiming that these groups also provide protection to the drug traffickers, the United States is assisting the Colombian military and police in their efforts to suppress the guerrillas. Furthermore, under a special \$94 million appropriation awarded by Congress in 2002, American military instructors are providing counter-insurgency training to the Colombian forces assigned to the protection of the 500-mile-long Cano Limón pipeline, connecting oilfields in the interior to refineries and export facilities on the Caribbean coast.¹⁰⁸ In seeking additional supplies of energy, the United States is likely to become increasingly embroiled in the civil war in Colombia.

VII. THE ENERGY-SECURITY NEXUS: LINKING THE BUSH ENERGY PLAN TO THE BUSH MILITARY PLAN

The implications of all of the above are unmistakable: In its pursuit of ever-growing supplies of imported petroleum, the United States is intruding ever more assertively into the internal affairs of oil-supplying nations and, in the process, exposing itself to an ever-increasing risk of involvement in local and regional conflict situations. This reality has already influenced U.S. relations with the major oil-producing nations and is sure to have an even greater impact in the future. And, as we have seen, growing American dependence on these countries is likely to be accompanied by the expanded presence of U.S. military forces in their midst.

At no point, however, does the NEP acknowledge this fundamental reality. Instead, the Cheney plan focuses on the economic and diplomatic dimensions of U.S. energy policy—thereby suggesting that America's energy dilemmas can somehow be overcome in this fashion. But the architects of the Bush/Cheney policy know better: An energy plan that calls for increased reliance on the Persian Gulf countries and on

107. For background on the Colombian oil industry, see ENERGY INFO. ADMIN., U.S. DEPT. OF ENERGY, COUNTRY ANALYSIS BRIEF: COLUMBIA I-4 (May 2002), at <http://www.eia.doe.gov/emeu/cabs/colombia.pdf>.

108. See Juan Forero, *New Role for U.S. in Colombia: Protecting a Vital Oil Pipeline*, N.Y. TIMES, Oct. 4, 2002, at A1.

other suppliers located in areas of recurring turmoil will not be able to overcome every conceivable threat to American energy interests through economic and diplomatic efforts alone. At some point, it may prove impossible to ensure access to a particular source of oil without the use of military force.

It is in this regard that one cannot help but be struck by the parallels between the Administration's energy policy and its preferred military strategy. To appreciate fully the extent of overlap between the energy and security policies of the Bush administration, it is first necessary to know something about the types of capabilities the United States might need to ensure access to foreign sources of oil at a time of crisis or conflict. Essentially, such action would require the possession of well-equipped and versatile forces that could be sent to distant areas in order to protect vital suppliers against attack or internal disorder, or to reestablish control over key oil-producing areas that have fallen under the control of a hostile power. These forces might also be required to protect pipelines, ports, refineries, and other such facilities against sabotage or attack.

In American military parlance, the formations that are earmarked for these sorts of activities are identified as "power projection" forces—forces that can be transported from established bases in the United States and Europe to distant combat zones, and then fight their way into the area (if no friendly bases are available) or otherwise come to the assistance of a beleaguered ally. Typically, power projection forces are said to include both the ground and air combat units intended for penetration of enemy territory, plus the ships and planes used to carry these units into the battle zone. Such forces include long-range bombers and the naval platforms—aircraft carriers, surface combatants, and submarines—used to launch planes or missiles against onshore targets.

It is precisely these sorts of forces that have been accorded top priority in the military plans of the Bush Administration. While a candidate, George W. Bush promised to conduct a sweeping reassessment of U.S. military policy when he assumed office and commence the "transformation" of American force to render it better-equipped to confront the perils of the 21st century. In an important speech at The Citadel military academy in Charleston, S.C. on September 23, 1999, Bush spelled out his vision of America's future military establish-

ment: "Our forces in the next century must be agile, lethal, readily deployable, and require a minimum of logistical support."¹⁰⁹ In particular, land forces "must be lighter . . . [and] more lethal[,]" naval forces must be able "to destroy targets from great distances[,]" and air forces "must be able to strike from across the world with pinpoint accuracy."¹¹⁰

Once he assumed office in Washington, Bush moved quickly to implement these plans. He gave Donald Rumsfeld, the new Secretary of Defense, full authority to carry out the measures originally described in his speech at The Citadel. Rumsfeld's primary task, the President explained in his first major speech on defense policy, was to "design a new architecture for the defense of America and our allies."¹¹¹ This would entail ballistic missile defenses and the pursuit of advanced weapons technology, he explained, but the real emphasis was on power projection. "We do not know yet the exact shape of our future military," he noted, "but we know the direction [in which] we must begin to travel."¹¹² Then came the same set of goals from his Citadel speech: land forces will be "lighter . . . [and] more lethal[,]" air forces will be able to "strike across the world with pinpoint accuracy[,]" and sea forces will be able to attack the land from secure positions at sea.¹¹³

These priorities dominated U.S. military planning during the early months of the Bush administration and established the baseline for future military budget requests. From a strategic perspective, the most significant expression of this outlook was contained in the report of the Quadrennial Defense Review (QDR), released in September 2001. Many aspects of U.S. military policy were covered in the QDR, including homeland security, national missile defense, information warfare, and anti-terrorism. As in Bush's Citadel speech, however, heavy emphasis is placed on bolstering America's capacity to project military power to distant battlefields. "The United

109. Governor George W. Bush, A Period of Consequences, Speech at The Citadel (Sept. 23, 1999) (transcript available at http://citadel.edu/pao/addresses/pres_bush.html).

110. *Id.*

111. President George W. Bush, Remarks to the Troops and Personnel at Norfolk Naval Air Station (Feb. 13, 2001) (transcript available at <http://www.whitehouse.gov/news/releases/print/20010213-1.html>).

112. *Id.*

113. *Id.*

States must retain the capability to send well-armed and logistically supported forces to critical points around the globe, even in the face of enemy opposition,” the report notes.¹¹⁴

By the end of the Bush administration’s second year in office, then, the White House had succeeded in incorporating many of its basic strategic objectives into formal military doctrine. As we have seen, these objectives stress the steady enhancement of America’s capacity to project military power into areas of turmoil—that is, to strengthen precisely those capabilities that would be used to protect or gain access to overseas sources of petroleum. Whether this was the product of a conscious linkage between energy and security policy is not something that can be ascertained at this time; what is undeniable, however, is that President Bush gave top priority to the enhancement of America’s power projection capabilities at exactly the same time that he endorsed an energy strategy that entails increased U.S. dependence on oil derived from areas of recurring crisis and conflict.

What results is a two-pronged strategy that effectively governs U.S. policy toward much of the world. Although arising from different sets of concerns—one energy-driven, the other security-driven—these two strategic principles have merged into a single, integrated design for American dominance in the 21st Century. One or the other of these priorities may play the lead role in any particular situation, but it is the combination of the two that increasingly will set the tone for America’s international behavior in the decades ahead. But whether this merging of energy policy with military policy actually will succeed in ensuring U.S. access to ever-increasing supplies of imported petroleum remains to be seen: As suggested above, the deployment of U.S. military forces in areas with a history of anti-American or anti-colonial outbursts is likely to fuel additional violence, not quell it; and as the level of violence rises, oil production is likely to fall. In the end, therefore, the Bush/Cheney plan may result in an increased flow not of petroleum, but of blood.

114. U.S. DEPT. OF DEFENSE, QUADRENNIAL DEFENSE REVIEW REPORT 43 (2001), available at <http://www.defenselink.mil/pubs/qdr2001.pdf>.

