## 1

#### NASA is preserving resources by leveraging private partnerships

Miriam Kramer 21, author of Space, “NASA's plans for the future hinge on the success of private companies,” Axios, 12-7-2021, https://www.axios.com/nasa-private-spaceflight-plans-5a5710e6-5223-4da3-8c5d-5a712e1d862e.html

The private space players who will drive NASA's plans for the coming decade are declaring themselves and defining the stakes. Why it matters: NASA plans to focus on getting people to Mars and the Moon, and its deep space exploration ambitions hinge on the agency being able to successfully hand over major operations in low-Earth orbit to private companies. The space agency hopes companies will build private space stations that its astronauts can use and to continue to buy space on private rockets for launching its satellites and other payloads to orbit and beyond. NASA's "big experiment" right now is to test where these commercial partnerships work, the Planetary Society's Casey Dreier told Axios. What's happening: Last week, NASA announced it would award multimillion-dollar contracts to three teams of commercial space companies to start designing and building privately operated space stations.

#### Plan forces spending trade-offs that crush effective Earth sciences --- risks catastrophic climate change

Haymet 7 (Tony, Director of the Scripps Institution of Oceanography – University of California, San Diego, Mark Abbott, Dean of the College of Oceanic and Atmospheric Science – Oregon State University, and Jim Luyten, Acting Director – Woods Hole Oceanographic Institution, “The Planet NASA Needs to Explore”, Washington Post, 5-10, [http://www.washingtonpost.com/wp-dyn/content/article/2007/05/09/AR2007050902451.html](http://www.lexis.com/research/retrieve))

Decades ago, a shift in NASA priorities sidelined progress in human space exploration. As momentum gathers to reinvigorate human space missions to the moon and Mars, we risk hurting ourselves, and Earth, in the long run. Our planet -- not the moon or Mars -- is under significant threat from the consequences of rapid climate change. Yet the changing NASA priorities will threaten exploration here at home.

NASA not only launches shuttles and builds space stations, it also builds and operates our nation's satellites that observe and monitor the Earth. These satellites collect crucial global data on winds, ice and oceans. They help us forecast hurricanes, track the loss of Arctic sea ice and the rise of sea levels, and understand and prepare for climate changes.

NASA's budget for science missions has declined 30 percent in the past six years, and that trend is expected to continue. As more dollars are reallocated to prepare for missions back to the moon and Mars, sophisticated new satellites to observe the Earth will be delayed, harming Earth sciences.

The National Academy of Sciences has noted that the Landsat satellite system, which takes important measurements of global vegetation, is in its fourth decade of operation and could fail without a clear plan for continuation. The same is true for the QuikSCAT satellite, which provides critical wind data used in forecasting hurricanes and El Niño effects.

In January, a partnership of university and NASA scientists demonstrated that climate change and higher ocean temperatures were reducing the growth of microscopic plants and animals at the heart of the marine food web.

Their analysis was based on nearly a decade of NASA satellite measurements of ocean color, which unfortunately are at risk of being interrupted for several years.

Sea levels are rising, and the Arctic Ocean may be ice-free in summer. The buildup of carbon dioxide in the oceans threatens to make them more acidic, which may in turn hinder the ability of some types of marine life, including corals, to build their shells and skeletons. We must learn as much as we can to assess these threats and develop solutions.

Satellites provide coverage of vast, remote regions of our planet that would otherwise remain unseen, especially the oceans, which play an important role in climate change. Without accurate data on such fundamentals as sea surface height, temperatures and biomass, as well as glacier heights and snowpack thickness, we will not be able to understand the likelihood of dangers such as more severe hurricanes along the Gulf Coast or more frequent forest fires in the Pacific Northwest.

Climate change is the most critical problem the Earth has ever faced.

Government agencies and the private sector, as well as individual citizens, need to better grasp the risks and potential paths of global climate change. Mitigating these risks and preparing for the effects of warming will require scientific understanding of how our complex planet operates, how it is changing, and how that change will affect the environment and human society.

John F. Kennedy's brilliant call to put a man on the moon by the end of the 1960s set an arbitrary deadline, but the deadline we face today is set by nature. NASA must continue to play a vital role in helping find ways to protect our planet for (and perhaps from) its intelligent life. Exploration of space is a noble quest. But we can't afford to be so starry-eyed that we overlook our own planet.

#### Warming is inevitable but adjusting government policy can address the worst effects – specifically, for sea level rise. US responses are modeled globally.

**Economist 17**, "How government policy exacerbates hurricanes like Harvey," Economist, https://www.economist.com/news/leaders/21727898-if-global-warming-were-not-enough-threat-poor-planning-and-unwise-subsidies-make-floods

THE extent of the devastation will become clear only when the floodwater recedes, leaving ruined cars, filthy mud-choked houses and the bloated corpses of the drowned. But as we went to press, with the rain pounding South Texas for the sixth day, Hurricane Harvey had already set records as America’s most severe deluge (see Briefing). In Houston it drenched Harris County in over 4.5trn litres of water in just 100 hours—enough rainfall to cover an eight-year-old child. The fate of America’s fourth-largest city holds the world’s attention, but it is hardly alone. In India, Bangladesh and Nepal, at least 1,200 people have died and millions have been left homeless by this year’s monsoon floods. Last month torrential rains caused a mudslide in Sierra Leone that killed over 1,000—though the exact toll will never be known. Around the world, governments are grappling with the threat from floods. This will ultimately be about dealing with climate change. Just as important, is correcting short-sighted government policy and the perverse incentives that make flooding worse. Judgment day The overwhelming good news is that storms and flooding have caused far fewer deaths in recent decades, thanks to better warning systems and the construction of levees, ditches and shelters. The cyclone that struck Bangladesh in 1970 killed 300,000-500,000 people; the most recent severe one, in 2007, killed 4,234. The bad news is that storms and floods still account for almost three-quarters of weather-related disasters, and they are becoming more common. According to the Munich Re, a reinsurer, their number around the world has increased from about 200 in 1980 to over 600 last year. Harvey was the third “500-year” storm to strike Houston since 1979. At the same time, floods and storms are also becoming more costly. By one estimate, three times as many people were living in houses threatened by hurricanes in 2010 as in 1970, and the number is expected to grow as still more people move to coastal cities. The UN reckons that, in the 20 years to 2015, storms and floods caused $1.7trn of destruction; the World Health Organisation estimates that, in real terms, the global cost of hurricane damage is rising by 6% a year. Flood losses in Europe are predicted to increase fivefold by 2050. One cause is global warming. The frequency and severity of hurricanes vary naturally—America has seen unusually few in the past decade. Yet the underlying global trend is what you would expect from climate change. Warmer seas evaporate faster and warmer air can hold more water vapour, which releases energy when it condenses inside a weather system, feeding the violence of storms and the intensity of deluges. Rising sea levels, predicted to be especially marked in the Gulf of Mexico, exacerbate storm surges, adding to the flooding. Harvey was unusually devastating because it suddenly gained strength before it made landfall on Friday; it then stayed put, dumping its rain on Houston before returning to the Gulf. Again, that is consistent with models of a warmer world. Poor planning bears even more blame. Houston, which has almost no restrictions on land-use, is an extreme example of what can go wrong. Although a light touch has enabled developers to cater to the city’s rapid growth—1.8m extra inhabitants since 2000—it has also led to concrete being laid over vast areas of coastal prairie that used to absorb the rain. According to the Texas Tribune and ProPublica, a charity that finances investigative journalism, since 2010 Harris County has allowed more than 8,600 buildings to be put up inside 100-year floodplains, where floods have a 1% chance of occurring in any year. Developers are supposed to build ponds to hold run-off water that would have soaked into undeveloped land, but the rules are poorly enforced. Because the maps are not kept up to date, properties supposedly outside the 100-year floodplain are being flooded repeatedly. Government failure adds to the harm. Developing countries are underinsured against natural disasters. Swiss Re, a reinsurer, says that of the $50bn or so of losses to floods, cyclones and other disasters in Asia in 2014, only 8% were covered. The Bank of International Settlements calculates that the worst natural catastrophes typically permanently lower the afflicted country’s GDP by almost 2%. America has the opposite problem—the federal government subsidises the insurance premiums of vulnerable houses. The National Flood Insurance Programme (NFIP) has been forced to borrow because it fails to charge enough to cover its risk of losses. Underpricing encourages the building of new houses and discourages existing owners from renovating or moving out. According to the Federal Emergency Management Agency, houses that repeatedly flood account for 1% of NFIP’s properties but 25-30% of its claims. Five states, Texas among them, have more than 10,000 such households and, nationwide, their number has been going up by around 5,000 each year. Insurance is meant to provide a signal about risk; in this case, it stifles it. Mend the roof while the sun shines What to do? Flooding strengthens the case for minimising climate change, which threatens to make wet places wetter and storms stormier. Even those who doubt the science would do well to see action as an insurance policy that pays out if the case is proven. However, that will not happen fast, even if all countries, including America, sign up to international agreements. More immediately, therefore, politicians can learn from Houston. Cities need to protect flood defences and catchment areas, such as the wetlands around Kolkata and the lakes in and around Pokhara in Nepal, whose value is becoming clear. Flood maps need to be up to date. Civil engineers, often starved of funds and strangled by bureaucracy, should be building and reinforcing levees and reservoirs now, before it is too late. The NFIP should start to charge market premiums and developing countries should sell catastrophe bonds. All this is a test of government, of foresight and the ability to withstand the lobbying of homeowners and developers. But politicians and officials who fail the test need to realise that, sooner or later, they will wake up to a Hurricane Harvey of their own.

#### The impact’s global war

Eric **Holthaus 15**, editor at rollingstone magazine citing James Hansen, former NASA climatologist, "The Point of No Return: Climate Change Nightmares Are Here," Rolling Stone, accessed 10-23-2016, http://www.rollingstone.com/politics/news/the-point-of-no-return-climate-change-nightmares-are-already-here-20150805

On July 20th, James Hansen, the former NASA climatologist who brought climate change to the public's attention in the summer of 1988, issued a bombshell: He and a team of climate scientists had identified a newly important feedback mechanism off the coast of Antarctica that suggests mean sea levels could rise 10 times faster than previously predicted: 10 feet by 2065. The authors included this chilling warning: If emissions aren't cut, "We conclude that multi-meter sea-level rise would become practically unavoidable. Social disruption and economic consequences of such large sea-level rise could be devastating. It is not difficult to imagine that conflicts arising from forced migrations and economic collapse might make the planet ungovernable, threatening the fabric of civilization."

## 2

#### Commercial asteroid mining is coming now – lower costs and improving tech make it economically viable – and the legal basis is already in place in multiple countries– that helps acquire water for rocket fuel and rare earth metals

Gilbert, PhD student in space resources at the Colorado School of Mines, writes in 21 alex gilbert, is a complex systems researcher and a PhD student in space resources at the Colorado School of Mines. "Mining in Space Is Coming." Milken Institute Review, April 26, 2021, [www.milkenreview.org/articles/mining-in-space-is-coming](http://www.milkenreview.org/articles/mining-in-space-is-coming). [Quality Control]

Space exploration is back. after decades of disappointment, a combination of better technology, falling costs and a rush of competitive energy from the private sector has put space travel front and center. indeed, many analysts (even some with their feet on the ground) believe that commercial developments in the space industry may be on the cusp of starting the largest resource rush in history: mining on the Moon, Mars and asteroids.

While this may sound fantastical, some baby steps toward the goal have already been taken. Last year, NASA awarded contracts to four companies to extract small amounts of lunar regolith by 2024, effectively beginning the era of commercial space mining. Whether this proves to be the dawn of a gigantic adjunct to mining on earth — and more immediately, a key to unlocking cost-effective space travel — will turn on the answers to a host of questions ranging from what resources can be efficiently.

As every fan of science fiction knows, the resources of the solar system appear virtually unlimited compared to those on Earth. There are whole other planets, dozens of moons, thousands of massive asteroids and millions of small ones that doubtless contain humungous quantities of materials that are scarce and very valuable (back on Earth). Visionaries including Jeff Bezos imagine heavy industry moving to space and Earth becoming a residential area. However, as entrepreneurs look to harness the riches beyond the atmosphere, access to space resources remains tangled in the realities of economics and governance.

Start with the fact that space belongs to no country, complicating traditional methods of resource allocation, property rights and trade. With limited demand for materials in space itself and the need for huge amounts of energy to return materials to Earth, creating a viable industry will turn on major advances in technology, finance and business models.

That said, there’s no grass growing under potential pioneers’ feet. Potential economic, scientific and even security benefits underlie an emerging geopolitical competition to pursue space mining. The United States is rapidly emerging as a front-runner, in part due to its ambitious Artemis Program to lead a multinational consortium back to the Moon. But it is also a leader in creating a legal infrastructure for mineral exploitation. The United States has adopted the world’s first spaceresources law, recognizing the property rights of private companies and individuals to materials gathered in space.

However, the United States is hardly alone. Luxembourg and the United Arab Emirates (you read those right) are racing to codify space-resources laws of their own, hoping to attract investment to their entrepot nations with business-friendly legal frameworks. China reportedly views space-resource development as a national priority, part of a strategy to challenge U.S. economic and security primacy in space. Meanwhile, Russia, Japan, India and the European Space Agency all harbor space-mining ambitions of their own. Governing these emerging interests is an outdated treaty framework from the Cold War. Sooner rather than later, we’ll need new agreements to facilitate private investment and ensure international cooperation.

What’s Out There

Back up for a moment. For the record, space is already being heavily exploited, because space resources include non-material assets such as orbital locations and abundant sunlight that enable satellites to provide services to Earth. Indeed, satellite-based telecommunications and global positioning systems have become indispensable infrastructure underpinning the modern economy. Mining space for materials, of course, is another matter.

In the past several decades, planetary science has confirmed what has long been suspected: celestial bodies are potential sources for dozens of natural materials that, in the right time and place, are incredibly valuable. Of these, water may be the most attractive in the near-term, because — with assistance from solar energy or nuclear fission — H2O can be split into hydrogen and oxygen to make rocket propellant, facilitating in-space refueling. So-called “rare earth” metals are also potential targets of asteroid miners intending to service Earth markets. Consisting of 17 elements, including lanthanum, neodymium, and yttrium, these critical materials (most of which are today mined in China at great environmental cost) are required for electronics. And they loom as bottlenecks in making the transition from fossil fuels to renewables backed up by battery storage.

#### However, the legal framework that strikes the best balance of providing economic incentives for mining while preventing unbeneficial land claims requires a doctrine of appropriation – the plan prevents that

Meyers 15 Meyers, Ross. J.D. candidate at the University of Oregon Law School. "The doctrine of appropriation and asteroid mining: incentivizing the private exploration and development of outer space." Or. Rev. Int'l L. 17 (2015): 183. Italics in original. [Quality Control]

The doctrine of appropriation is a reasonable rule for adjudicating asteroid claims, and it could easily be modified to apply to asteroid mining. In the context of water rights, the doctrine of appropriation requires that the claimant be a landowner in order to claim the right to use a water source. It does not make sense, however, for the international community to grant complete ownership over asteroids toa single entity, so the landowner requirement of the rule should be removed. A similar modification would need to be made to the "beneficial use" language of the doctrine.

In the context of water rights, an appropriator obtains rights only to water that he or she can reasonably put to beneficial use. The metals contained in asteroids have a high level of marketability. For that reason, a mining entity could potentially put any amount of obtained metal to beneficial use, in the sense that the resources can be sold. This, however, would defeat the purpose of the rule, which is to limit such unreasonable claims. To ameliorate this problem, the doctrine of appropriation could be modified to define "beneficial use "constructively by providing that beneficial use is assumed for any resources that have been removed from the asteroid that the mining entity can reasonably hope to transport to market in a return journey. With the astronomical cost of undertaking a trip to such an asteroid, this modification would limit mining entities to only what they can carry back, thereby leaving the untapped resources available to other entities capable of making the same trip. Considering the size and profitability of metal deposits on asteroids, this modification to the doctrine of appropriation would not be overly burdensome to corporate interests. At the same time, it would satisfy the economic imperative of promoting the rapid development of asteroid resources.

By changing the landowner requirement, and qualifying the “beneficial use" language, the doctrine of appropriation would be essentially ready for application to asteroid mining claims. The only other changes necessary would be some additional requirements that are common to other space related provisions, like those found in the Outer Space Treaty of 1968. For example, a reporting requirement or clause guaranteeing asylum for other astronauts. A functional rule might read something like this:

*State parties or private entities may, upon actual possession, lay claim to natural resources found on or below the surface of asteroids. Rights to appropriate are given in order of seniority, starting with the first party to land on the surface of the asteroid and establish control over the resources, be it water, methane, metal, or any other beneficial substances. A party will be said to have established control over a resource once he has mined the substance and removed it from the asteroid. A senior appropriator may use as much of the asteroid's resources as he can take from the asteroid and put to beneficial use, and may continue to enlarge his share until another junior appropriator begins to appropriate resources from source for beneficial use. For the purposes of this Agreement, "beneficial use “refers to the amount of resources that an appropriator has removed from the asteroid that the actor may reasonably hope to bring home in a return voyage. Resources in excess of what an appropriator can reasonably hope to transport to market in a single voyage do not qualify as having a beneficial use, and are therefore not yet claimed. This means that the extraction of metal from an asteroid does not serve to provide ownership if the appropriator plans on letting the resources languish until another voyage is undertaken to secure the resources and bring them back to Earth. Junior appropriators receive rights in the source of resources (the asteroid) as they find it, and may prevent the senior appropriator from enlarging his share to the junior appropriator’s detriment under a no-injury rule. No state party will attempt to hinder other parties from landing on or using the asteroid, and parties will assist other entities on an asteroid, should they need emergency assistance. Mining claims on asteroids will be reported to the Secretary-General of the United Nations, and state parties agree to release the location of the asteroid, and any scientific findings to the United Nations, the general public, and the scientific community. In the event that the asteroid is on a collision course with any other celestial body, all state parties agree to follow the course of action suggested by the United Nations. Should the United Nations decide the asteroid must be destroyed, no state party may claim liability for resources contained within the asteroid, but not yet captured. This provision applies only to asteroids as classified by the scientific community, and does not apply to planets, comets, meteorites, or any other celestial body not mentioned.*

There is no doubt that asteroids may be extremely beneficial to mankind, both as a source of resources and as a jumping-off point to far off locations in space. The human-race has progressed scientifically and technologically to the point that space travel is within commercial reach, and the need for new international laws governing the ownership of space has never been more apparent. The Outer Space Treaty of 1968made great strides in developing rational rules for space and many of its provisions should be maintained in their original form. However, by allowing ownership of asteroids under the doctrine of appropriation, the international community can incentivize the exploration and development of space in a way that reflects the needs of society in general, without vesting an absolute monopoly in a single entity. The doctrine of appropriation helped drive American westward expansion, and its application to space mining would help drive the human race in its expansion into the space, the final frontier.

#### Asteroid mining offsets terrestrial growth that ruins the environment and enables solar power satellites – both solve climate change

Taylor 19 Chris Taylor is a veteran journalist. Previously senior news writer for Time.com a year later. In 2000, he was named San Francisco bureau chief for Time magazine. He has served as senior editor for Business 2.0, West Coast editor for Fortune Small Business and West Coast web editor for Fast Company. Chris is a graduate of Merton College, Oxford and the Columbia University Graduate School of Journalism. "How asteroid mining will save the Earth — and mint trillionaires." Mashable, 2019, mashable.com/feature/asteroid-mining-space-economy. [Quality Control]

The mission is essential, Joyce declares, to save Earth from its major problems. First of all, the fictional billionaire wheels in a fictional Nobel economist to demonstrate the actual truth that the entire global economy is sitting on a mountain of debt. It has to keep growing or it will implode, so we might as well take the majority of the industrial growth off-world where it can’t do any more harm to the biosphere.

Secondly, there’s the climate change fix. Suarez sees asteroid mining as the only way we’re going to build solar power satellites. Which, as you probably know, is a form of uninterrupted solar power collection that is theoretically more effective, inch for inch, than any solar panels on Earth at high noon, but operating 24/7. (In space, basically, it’s always double high noon).

The power collected is beamed back to large receptors on Earth with large, low-power microwaves, which researchers think will be harmless enough to let humans and animals pass through the beam. A space solar power array like the one China is said to be working on could reliably supply 2,000 gigawatts — or over 1,000 times more power than the largest solar farm currently in existence.

“We're looking at a 20-year window to completely replace human civilization's power infrastructure,” Suarez told me, citing the report of the Intergovernmental Panel on Climate Change on the coming catastrophe. Solar satellite technology “has existed since the 1970s. What we were missing is millions of tons of construction materials in orbit. Asteroid mining can place it there.”

The Earth-centric early 21st century can’t really wrap its brain around this, but the idea is not to bring all that building material and precious metals down into our gravity well. Far better to create a whole new commodities exchange in space. You mine the useful stuff of asteroids both near to Earth and far, thousands of them taking less energy to reach than the moon. That’s something else we’re still grasping, how relatively easy it is to ship stuff in zero-G environments.

#### Environmental destruction is profoundly unjust – prioritize environmental justice over primarily human concerns

Cafaro 14 Dr. Philip Cafaro (philip.cafaro@colostate.edu) is Professor of Philosophy at Colorado State University, an affiliated faculty member with CSU's School of Global Environmental Sustainability and Book Review Editor of Elsevier's Biological Conservation journal. His main research interests are in environmental ethics, consumption and population issues, and wild lands preservation. He is the author of Thoreau's Living Ethics and Life on the Brink: Environmentalists Confront Overpopulation, among other books. Dr. Richard B. Primack (primack@bu.edu) is Professor of Biology at Boston University [go terriers!] and Editor-in-Chief of Biological Conservation, an Elsevier journal focusing on the protection of biodiversity. His research concerning the effects of climate change on the plants and animals of Massachusetts is the focus of a new book coming out in March titled Walden Warming: Climate Change Comes to Thoreau's Woods. "Species extinction is a great moral wrong." Elsevier Connect, 12 Feb. 2014, [www.elsevier.com/connect/species-extinction-is-a-great-moral-wrong](http://www.elsevier.com/connect/species-extinction-is-a-great-moral-wrong). [Quality Control]

Extinguishing species through the continued expansion of human economic activities appears to be morally acceptable to Kareiva, Marvier and some other Anthropocene proponents, as long as this destruction does not harm people themselves. But this view is selfish and unjust. Human beings already control more than our fair share of Earth's resources. If increased human population and economic demands threaten to extinguish the polar bear and many other species, then we need to limit our population and economic demands, not make excuses that will just lead to greater ecological damage.

Conservation biologists, with our knowledge and appreciation of other species, are the last people who should be making excuses for their displacement or making light of their extinction. It is particularly inappropriate for Peter Kareiva to do so, given his position as chief scientist at the Nature Conservancy, an organization dedicated to preserving biodiversity. TNC's fundraising rests in part on appeals to a strong and widely shared moral view that other species have a right to continued existence. Much of the conservation value of TNC's easements and land purchases depends on society-wide moral and legal commitments to preserve threatened and endangered species and their habitats. Kareiva and Marvier state that they "do not wish to undermine the ethical motivations for conservation action," or presumably, conservation law. Yet their articles do precisely that, with potentially disastrous implications for practical conservation efforts, particularly in the long term.

To be clear: We do not think there is anything wrong with people looking after our own legitimate needs. This is an important aspect of conservation. Kareiva and Marvier are right to remind us that protecting ecosystem services for human beings is important. They are right that concern for our own wellbeing can sometimes motivate significant biodiversity preservation. We believe that people should preserve other species both for their sakes and for ours.

But it is a mistake to reduce conservation solely to concern for our own well-being, or to assume that it is acceptable to extinguish species that do not benefit humans. Such an overly economistic approach to conservation leads us astray morally. It makes us selfish, which is the last thing we want when the very existence of so many other life forms is at stake. Fairly sharing the lands and waters of Earth with other species is primarily a matter of justice, not economic convenience.

## Case