# 1NC vs Harker SY

### 1NC – Off

#### Interpretation: “Appropriation of outer space” by private entities refers to the exercise of exclusive control of space.

TIMOTHY JUSTIN TRAPP, JD Candidate @ UIUC Law, ’13, TAKING UP SPACE BY ANY OTHER MEANS: COMING TO TERMS WITH THE NONAPPROPRIATION ARTICLE OF THE OUTER SPACE TREATY UNIVERSITY OF ILLINOIS LAW REVIEW [Vol. 2013 No. 4]

The issues presented in relation to the nonappropriation article of the Outer Space Treaty should be clear.214 The ITU has, quite blatantly, created something akin to “property interests in outer space.”215 It allows nations to exclude others from their orbital slots, even when the nation is not currently using that slot.216 This is directly in line with at least one definition of outer-space appropriation.217 [\*\*Start Footnote 217\*\*Id. at 236 (“Appropriation of outer space, therefore, is ‘the exercise of exclusive control or exclusive use’ with a sense of permanence, which limits other nations’ access to it.”) (quoting Milton L. Smith, The Role of the ITU in the Development of Space Law, 17 ANNALS AIR & SPACE L. 157, 165 (1992)). \*\*End Footnote 217\*\*]The ITU even allows nations with unused slots to devise them to other entities, creating a market for the property rights set up by this regulation.218 In some aspects, this seems to effect exactly what those signatory nations of the Bogotá Declaration were trying to accomplish, albeit through different means.219

#### Private appropriation of extracted space resources is distinct from appropriation “of” outer space. Despite longstanding permission of appropriation of extracted resources, sovereign claims are still universally prohibited.

Abigail D. Pershing, J.D. Candidate @ Yale, B.A. UChicago,’19, "Interpreting the Outer Space Treaty's Non-Appropriation Principle: Customary International Law from 1967 to Today," Yale Journal of International Law 44, no. 1

II. THE FIRST SHIFT IN CUSTOMARY INTERNATIONAL LAW’S INTERPRETATION OF THE NON-APPROPRIATION PRINCIPLE Since the drafting of the Outer Space Treaty, several States have chosen to reinterpret the non-appropriation principle as narrower in scope than its drafters originally intended. This reinterpretation has gone largely unchallenged and has in fact been widely adopted by space-faring nations. In turn, this has had the effect of changing customary international law relating to the non-appropriation principle. Shifting away from its original blanket application in 1967, States have carved out an exception to the non-appropriation principle, allowing appropriation of extracted space resources.53 This Part examines this shift in the context of the two branches of the United Nation’s customary international law standard: State practice and opinio juris. A. State Practice The earliest hint of a change in customary international law relating to the interpretation of the non-appropriation clause came in 1969, when the United States first sent astronauts to the moon. As part of his historic journey, astronaut Neil Armstrong collected moonrocks that he brought back with him to Earth and promptly handed off to the National Aeronautics and Space Administration (NASA) as U.S. property.54 Later, the USSR similarly claimed lunar material as government property, some of which was eventually sold to private citizens. 55 These first instances of space resource appropriation did not draw much attention, but they presented a distinct shift marking the beginning of a new period in State practice. Having previously been limited by their technological capabilities, States could now establish new practices with respect to celestial bodies. This was the beginning of a pattern of appropriation that slowly unfolded over the next few decades and has since solidified into the general and consistent State practice necessary to establish the existence of customary international law. Currently, the U.S. government owns 842 pounds of lunar material.56 There is little question that NASA and the U.S. government consider this material, as well as other space materials collected by American astronauts, to be government property.57 In fact, NASA explicitly endorses U.S. property rights over these moon rocks, stating that “[l]unar material retrieved from the Moon during the Apollo Program is U.S. government property.”5 The U.S. delegation’s reaction to the language of the 1979 Moon Agreement further cemented this interpretation that appropriation of extracted resources is a permissible exception to the non-appropriation clause of Article II. Although the United States is not a party to the Moon Agreement, it did participate in the negotiations.59 The Moon Agreement states in relevant part: Neither the surface nor the subsurface of the moon, nor any part thereof or natural resources in place, shall become property of any State, international intergovernmental or nongovernmental organization, national organization or nongovernmental entity or of any natural person.60 In response to this language, the U.S. delegation made a statement laying out the American view that the words “in place” imply that private property rights apply to extracted resources61—a comment that went completely unchallenged. That all States seemed to accept this point, even those bound by the Moon Agreement, is further evidence of a shift in customary international law.62 B. Opinio Juris: Domestic Legislation Domestic law, both in the United States and abroad, provides further evidence of the shift in customary international law surrounding the issue of nonappropriation as it relates to extracted space resources. Domestic U.S. space law is codified at Section 51 of the U.S. Code and has been regularly modified to expand private actors’ rights in space.63 Beginning in 1984, the Commercial Space Launch Act provided that “the United States should encourage private sector launches and associated services.”64 The goal of the 1984 Act was to support commercial space launches by private companies and individuals.65 It did not, however, specifically discuss commercial exploitation of space. The first such mention of commercial use of space appeared in 2004, with the Commercial Space Launch Amendments Act.66 This Act specifically aimed at regulating space tourism but did not explicitly guarantee any private rights in space.67 The most significant change in U.S. space law came with the passage of the Spurring Private Aerospace Competitiveness and Entrepreneurship (SPACE) Act in 2015. As incorporated into Section 51 of the Code, this Act provides: A United States citizen engaged in commercial recovery of an asteroid resource or a space resource under this chapter shall be entitled to any asteroid resource or space resource obtained, including to possess, own, transport, use, and sell the asteroid resource or space resource obtained in accordance with applicable law, including the international obligations of the United States.68 Whereas the idea that private corporations might go into space may have seemed far-fetched to the drafters of the Outer Space Treaty, the SPACE Act of 2015 was the first instance of a government recognizing such a trend and officially supporting private companies’ commercial rights to space resources under law. With the new 2015 amendment to Section 51 in place, U.S. companies can now rest assured that any profits they reap from space mining are firmly legal—at least within U.S. jurisdictions. Although the United States was the first country to officially reinterpret the non-appropriation principle, other countries are following suit. On July 20, 2017, Luxembourg passed a law entitled On the Exploration and Utilization of Space Resources with a vote of fifty-five to two.69 The law took effect on August 1, 2017.70 Article 1 of the new law states simply that “[s]pace resources can be appropriated,” and Article 3 expressly grants private companies permission to explore and use space resources for commercial purposes.71 Official commentary on the law establishes that its goal is to provide companies with legal certainty regarding ownership over space materials—a goal that the commentators regard as legal under the Outer Space Treaty despite the non-appropriation principle.72 The next country to enact similar legislation may be the United Arab Emirates (UAE). According to the UAE Space Agency director general, Mohammed Al Ahbabi, the UAE is currently in the process of drafting a space law covering both human space exploration and commercial activities such as mining.73 To further this goal, in 2017 the UAE set up the Space Agency Working Group on Space Policy and Law to specify the procedures, mechanisms, and other standards of the space sector, including an appropriate legal framework.74 C. Opinio Juris: Legal Scholarship Other major space powers are also considering similar laws in the future, including Japan, China, and Australia. 75 Senior officials within China’s space program have explicitly stated that the country’s goal is to explore outer space and to take advantage of outer space resources.76 The general international trend clearly points in this direction in anticipation of a potential “space gold rush.” 7 Mirroring the shift in State practice and domestic laws, the legal community has also changed its approach to the interpretation of the nonappropriation principle. Whereas at the time of the ratification of the Outer Space Treaty the majority of legal scholars tended to apply the non-appropriation principle broadly, most legal scholars now view appropriation of extracted materials as permissible.78 Brandon Gruner underscores that this new view is historically distinct from prior legal interpretation, noting that modern interpretations of the Outer Space Treaty’s non-appropriation principle differ from those of the Treaty’s authors.79 In contrast to earlier legal theory that denied the possibility of appropriation of any space resources, scholars now widely accept that extracting space resources from celestial bodies is a “use” permitted by the Outer Space Treaty and that extracted materials become the property of the entity that performed the extraction.80 Stressing the fact that the Treaty does not explicitly prohibit appropriating resources from outer space, other authors conclude that the use of extracted space resources is permitted, meaning that the new SPACE Act is a plausible interpretation of the Outer Space Treaty.81 However, scholars have been careful to cabin the extent to which they accept the legality of appropriation. For instance, although Thomas Gangale and Marilyn Dudley-Rowley acknowledge the legality of private appropriation of extracted space resources, they nonetheless emphasize that “[o]wnership of and the right to use extraterrestrial resources is distinct from ownership of real property” and that any such claim to real property is illegal.82 Lawrence Cooper is also careful to point out this distinction: “[t]he [Outer Space] Treaties recognize sovereignty over property placed into space, property produced in space, and resources removed from their place in space, but ban sovereignty claims by states; international law extends this ban to individuals.”83 Although there remain some scholars who still insist on the illegality of the 2015 U.S. law and State appropriation of space resources generally,84 their dominance has waned since the 1960s. These scholars are now a minority in the face of general acceptance among the legal community that minerals and other space resources, once extracted, may be legally claimed as property. 85 Taken together, the elements described above—statements made in the international arena, de facto appropriation of space resources in the form of moon rocks, the adoption of new national policies permitting appropriation of extracted space resources, and the weight of the international legal community’s opinion— indicate a fundamental shift in customary international law. The Outer Space Treaty’s non-appropriation clause has been redefined via customary international law norms from its broad application to now include a carve-out allowing appropriation of space resources once such resources have been extracted.

#### Violation: the aff only ends asteroid mining – that’s distinct from broadly banning sovereignty of outer space

#### Standards:

#### Limits – their interpretation means that affs about any outer space activity would be topical: mining, photography, sending rovers, collecting ice cores, launching satellites, deflecting debris, can’t sell rocks on EBAY, etc. This explodes neg prep burdens since outer space activity is so vague – no generics exist to answer both the photography and the rovers aff, so affs would just win with a tiny impact every round

#### Ground – allowing debates about extracting any space resource denies the neg links to core generics like space democracy bad, space colonization good, the moon pic, the property rights NC, etc. – that kills clash by forcing negatives to the fringes of argumentation that disagree with everything and kills fairness by giving the aff a major prep advantage since they only need to frontline the few negative arguments that link to their aff.

#### Fairness and education are voters – debate’s a game, and fairness is necessary to determine the winner of the game, and education is the reason why schools fund debate.

#### Drop the debater – dropping the argument doesn’t rectify abuse since winning T proves why we don’t have the burden of rejoinder against their aff.

#### Use competing interps – reasonability invites arbitrary judge intervention since there’s no consensus as to what’s reasonable.

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### 1NC – Off

#### CP Text: States, except the United States, should ban the appropriation of outer space for asteroid mining by private entities. The United States should fund the appropriation of outer space for the mining of rare earth metals from asteroids by private entities.

#### Asteroids have REMs

AP 21 “Mining A $10,000 Quadrillion Asteroid.” AP News, Feb 1, 2021, <https://apnews.com/press-release/accesswire/technology-business-science-utilities-electric-utilities-7bb32ecaac33bebef6e4b97ade588c57> TG

There are several million asteroids. They fall into three main types: carbonaceous asteroids, metallic asteroids, and mixed salicaceous-mineral-metallic asteroids. Many of the metallic asteroids are composed mainly of nickel and iron, but also contain sizeable quantities of important rare earth elements and precious metals including platinum and gold. A metallic asteroid just 25 meters across could contain as much as 30 tons of platinum valued around $1 billion. 16 Psyche is a staggering 226 kilometers (140 miles) wide and the most mineral rich asteroid so far detected. It is speculated that 16 Psyche could be worth about $10,000 quadrillion (or €8,240 quadrillion euros). To explore 16 Psyche in greater detail, NASA has approved the Psyche mission, which is scheduled to launch in August 2022. The spacecraft will orbit around 16 Psyche for 21 months while studying the asteroid using a number of different scientific instruments. Twenty four percent of all asteroids are thought to be composed of metals and rare minerals. While it is quite difficult to analyze asteroid composition from here on the earth’s surface, there are another 10 asteroids have been identified as likely cost-effective mining targets to date.

#### The PIC is key to beat China and protect against Chinese REM gatekeeping

Stavridis 21 [(James, retired US Navy admiral, chief international diplomacy and national security analyst for NBC News, senior fellow at JHU Applied Physics Library, PhD in Law and Diplomacy from Tufts) “U.S. Needs a Strong Defense Against China’s Rare-Earth Weapon,” Bloomberg Opinion, March 4, 2021, https://www.bloomberg.com/opinion/articles/2021-03-04/u-s-needs-a-strong-defense-against-china-s-rare-earth-weapon] TDI

You could be forgiven if you are confused about what’s going on with rare-earth elements. On the one hand, news reports indicate that China may increase production quotas of the minerals this quarter as a goodwill gesture to the Joe Biden administration. But other sources say that China may ultimately ban the export of the rare earths altogether on “security concerns.” What’s really going on here?

There are 17 elements considered rare earths — lanthanum, cerium, praseodymium, neodymium, promethium, samarium, europium, gadolinium, terbium, dysprosium, holmium, erbium, thulium, ytterbium, lutetium, scandium and yttrium — and while many aren’t actually rare in terms of global deposits, extracting them is difficult and expensive. They are used across high-tech manufacturing, including smartphones, fighter aircraft and components in virtually all advanced electronics. Of particular note, they are essential to many of the clean-energy technologies expected to come online in this decade.

I began to focus on rare-earth elements when I commanded the North Atlantic Treaty Organization’s presence in Afghanistan, known as the International Security Assistance Force. While Afghans live in an extremely poor country, studies have assessed that they sit atop $1 trillion to $3 trillion in a wide variety of minerals, including rare earths. Some estimates put the rare-earth levels alone at 1.4 million metric tons.

But every time I tried to visit a mining facility, the answer I got from my security team was, “It’s too dangerous right now, admiral.” Unfortunately, despite a great deal of effort by the U.S. and NATO, those security challenges remain, deterring the large foreign-capital investments necessary to harvest the lodes. Which brings us back to Beijing.

China controls roughly 80% of the rare-earths market, between what it mines itself and processes in raw material from elsewhere. If it decided to wield the weapon of restricting the supply — something it has repeatedly threatened to do — it would create a significant challenge for manufacturers and a geopolitical predicament for the industrialized world.

It could happen. In 2010, Beijing threatened to cut off exports to Japan over the disputed Senkaku Islands. Two years ago, Beijing was reportedly considering restrictions on exports to the U.S. generally, as well as against specific companies (such as defense giant Lockheed Martin Corp.) that it deemed in violation of its policies against selling advanced weapons to Taiwan.

President Donald Trump’s administration issued an executive order to spur the production of rare earths domestically, and created an Energy Resource Governance Initiative to promote international mining. The European Union and Japan, among others, are also aggressively seeking newer sources of rare earths.

Given this tension, it was superficially surprising that China announced it would boost its mining quotas in the first quarter of 2021 by nearly 30%, reflecting a continuation in strong (and rising) demand. But the increase occurs under a shadow of uncertainty, as the Chinese Communist Party is undertaking a “review” of its policies concerning future sales of rare earths. In all probability, the tactics of the increase are temporary, and fit within a larger strategy.

China will go to great lengths to maintain overall control of the global rare-earths supply. This fits neatly within the geo-economic approach of the One Belt, One Road initiative, which seeks to use a variety of carrots and sticks — economic, trade, diplomatic and security — to create zones of influence globally. In terms of rare earths, the strategy seems to be allowing carefully calibrated access to the elements at a level that makes it economically less attractive for competitors to undertake costly exploration and mining operations. This is similar to the oil-market strategy used by Russia and the Organization of Petroleum Exporting Countries for decades.

Some free-market advocates believe that China will not take aggressive action choking off supply because that could precipitate retaliation or accelerate the search for alternate sources in global markets. What seems more likely is a series of targeted shutdowns directed against specific entities such as U.S. defense companies, Japanese consumer electronics makers, or European industrial concerns that have offended Beijing.

The path to rare-earth independence for the U.S. must include: Ensuring supply chains of rare earths necessary for national security; promoting the exploitation of the elements domestically (and removing barriers to responsibly doing so); mandating that defense contractors and other critical-infrastructure entities wean themselves off Chinese rare earths; sponsoring research and development to find alternative materials, especially for clean energy technology; and creating a substantial stockpile of the elements in case of a Chinese boycott.

This is a bipartisan agenda. The Trump administration’s strategic assessment of what needs to be done (which goes beyond just 17 rare earths to include a total of 35 critical minerals) is thoughtful, and should serve as a basis for the Biden administration and Congress.

#### REM access key to military primacy and tech advancement – alternatives fail

Trigaux 12 (David, University Honors Program University of South Florida St. Petersburg) “The US, China and Rare Earth Metals: The Future Of Green Technology, Military Tech, and a Potential Achilles‟ Heel to American Hegemony,” USF St. Petersberg, May 2, 2012, https://digital.stpetersburg.usf.edu/cgi/viewcontent.cgi?article=1132&context=honorstheses] TDI

The implications of a rare earth shortage aren’t strictly related to the environment, and energy dependence, but have distinct military implications as well that could threaten the position of the United States world’s strongest military. The United States place in the world was assured by powerful and decisive deployments in World War One and World War Two. Our military expansion was built upon a large, powerful industrial base that created more, better weapons of war for our soldiers. During the World Wars, a well-organized draft that sent millions of men into battle in a short amount of time proved decisive, but as the war ended, and soldiers drafted into service returned to civilian life, the U.S. technological superiority over its opponents provided it with sustained dominance over its enemies, even as the numerical size of the army declined. New technologies, such as the use of the airplane in combat, rocket launched missiles, radar systems, and later, GPS, precision guided missiles, missile defense systems, high tech tanks, lasers, and other technologies now make the difference between victory and defeat.

The United States military now serves many important functions, deterring threats across the world. The United States projects its power internationally, through a network of bases and allied nations. Thus, the United States is a powerful player in all regions of the world, and often serves as a buffer against conflict in these regions. US military presence serves as a buffer against Chinese military modernization in Eastern Asia, against an increasingly nationalist Russia in Europe, and smaller regional actors, such as Venezuela in South America and Iran in the Middle East. The U.S. Navy is deployed all over the world, as the guarantor of international maritime trade routes. The US Navy leads action against challenges to its maritime sovereignty on the other side of the globe, such as current action against Somali piracy. Presence in regions across the world prevents escalation of potential crisis. These could result in either a larger power fighting a smaller nation or nations (Russia and Georgia, Taiwan and China), religious opponents (Israel and Iran), or traditional foes (Ethiopia and Eretria, Venezuela and Colombia, India and Pakistan). US projection is also key deterring emerging threats such as terrorism and nuclear proliferation. While not direct challenges to US primacy, both terrorism and nuclear proliferation can kill thousands.

The US Air Force has a commanding lead over the rest of the world, in terms of both numbers and capabilities. American ground forces have few peers, and are unmatched in their ability to deploy to anywhere in the world at an equally unmatched pace.

The only perceived challenge to the United States militarily comes from the People’s Republic of China.76 While the United States outspends all other nations in the world put together in terms of military spending, China follows as a close second, and has begun an extensive modernization program to boot.77 The Chinese military however, is several decades behind the United States in air power and nuclear capabilities.78 To compensate, China has begun the construction of access-denial technology, preventing the US from exercising its dominance in China’s sphere of influence.79 Chinese modernization efforts have a serious long-term advantage over the United States; access to rare earth metals, and a large concentration of rare earth chemists doing research.80 This advantage, coupled with the U.S. losing access to rare earth metals, will even the odds much quicker than policymakers had previously anticipated. 81

The largest example is US airpower. With every successive generation of military aircraft, the U.S. Air Force becomes more and more dependent on Rare Earth Metals.82 As planes get faster and faster, they have to get lighter and lighter, while adding weight from extra computers and other features on board.83 To lighten the weight of the plane, scandium is used to produce lightweight aluminum alloys for the body of the plane. Rare Earth metals are also useful in fighter jet engines, and fuel cells.84 For example, rare earths are required to producing miniaturized fins, and samarium is required to build the motors for the F-35 fighter jet.85 F-35 jets are the next generation fighter jet that works together to form the dual plane combination that cements U.S. dominance in air power over the Russian PAK FA.86

Rare earth shortages don’t just affect air power, also compromising the navigation system of Abrams Tanks, which need samarium cobalt magnets. The Abrams Tank is the primary offensive mechanized vehicle in the U.S. arsenal. The Aegis Spy 1 Radar also uses samarium.87 Many naval ships require neodymium. Hell Fire missiles, satellites, night vision goggles, avionics, and precision guided munitions all require rare earth metals. 88

American military superiority is based on technological advancement that outstrips the rest of the world. Command and control technology allows the U.S. to fight multiple wars at once and maintain readiness for other issues, as well as have overwhelming force against rising challengers. This technology helps the U.S. know who, where, and what is going to attack them, and respond effectively, regardless of the source of the threat.

Rare Earth Elements make this technological superiority possible.

To make matters worse, the defense industrial base is often a single market industry, dependent on government contracts for its business. If China tightens the export quotas further, major US defense contractors will be in trouble.89 Every sector of the defense industrial base is dependent on rare earth metals. Without rare earths, these contractors can’t build anything, which collapses the industry.90

Rare Earth shortages are actually already affecting our military, with shortages of lanthanum, cerium, europium and gadolinium happening in the status quo. This prevents us not only from building the next generation of high tech weaponry, but also from constructing more of the weapons and munitions that are needed in the status quo. As current weapon systems age and they can’t be replaced, the US primacy will be undermined. Of special concern is that U.S. domestic mining doesn’t produce “heavy” rare earth metals that are needed for many advanced components of military technologies. Given the nature of many military applications, substitutions aren’t possible. 91

#### US leadership in this decade solves global war and results in a peaceful end to Chinese revisionism **Erickson and Collins 10/21** [(Andrew, A professor of strategy in the U.S. Naval War College’s China Maritime Studies Institute)(Gabriel, Baker Botts fellow in energy and environmental regulatory affairs at Rice University’s Baker Institute for Public Policy) “A Dangerous Decade of Chinese Power Is Here,” Foreign Policy, 10/18/2021] **U.S. and allied policymakers are facing the most important foreign-policy challenge of the 21st century. China’s power is peaking; so is the political position of Chinese President Xi Jinping and the Chinese Communist Party’s (CCP) domestic strength. In the long term, China’s likely decline after this peak is a good thing. But right now, it creates a decade of danger from a system that increasingly realizes it only has a short time to fulfill some of its most critical, long-held goals.**

Within the next five years, China’s leaders are likely to conclude that its deteriorating demographic profile, structural economic problems, and technological estrangement from global innovation centers are eroding its leverage to annex Taiwan and achieve other major strategic objectives. As Xi internalizes these challenges, his foreign policy is likely to become even more accepting of risk, feeding on his nearly decadelong track record of successful revisionist action against the rules-based order. Notable examples include China occupying and militarizing sub-tidal features in the South China Sea, ramping up air and maritime incursions against Japan and Taiwan, pushing border challenges against India, occupying Bhutanese and Tibetan lands, perpetrating crimes against humanity in Xinjiang, and coercively enveloping Hong Kong.

The relatively low-hanging fruit is plucked, but Beijing is emboldened to grasp the biggest single revisionist prize: Taiwan.

Beijing’s actions over the last decade have triggered backlash, such as with the so-called AUKUS deal, but concrete constraints on China’s strategic freedom of action may not fully manifest until after 2030. It’s remarkable and dangerous that China has paid few costs for its actions over the last 10 years, even as its military capacities have rapidly grown.

Beijing will likely conclude that under current diplomatic, economic, and force postures for both “gray zone” and high-end scenarios, the 2021 to late 2020s timeframe still favors China—and is attractive for its 68-year-old leader, who seeks a historical achievement at the zenith of his career.

U.S. planners must mobilize resources, effort, and risk acceptance to maximize power and thereby deter Chinese aggression in the coming decade—literally starting now—and innovatively employ assets that currently exist or can be operationally assembled and scaled within the next several years. That will be the first step to pushing back against China during the 2020s—a decade of danger—before what will likely be a waning of Chinese power.

As Beijing aggressively seeks to undermine the international order and promotes a narrative of inevitable Chinese strategic domination in Asia and beyond, it creates a dangerous contradiction between its goals and its medium-term capacity to achieve them. China is, in fact, likely nearing the apogee of its relative power; and by 2030 to 2035, it will cross a tipping point from which it may never recover strategically. Growing headwinds constraining Chinese growth, while not publicly acknowledged by Beijing, help explain Xi’s high and apparently increasing risk tolerance. Beijing’s window of strategic opportunity is sliding shut.

China’s skyrocketing household debt levels exemplify structural economic constraints that are emerging much earlier than they did for the United States when it had similar per capita GDP and income levels. Debt is often a wet blanket on consumption growth. A 2017 analysis published by the Bank for International Settlements found that once the household debt-to-GDP ratio in a sample of 54 countries exceeded 60 percent, “the negative long-run effects on consumption tend to intensify.” China’s household debt-to-GDP ratio surpassed that empirical danger threshold in late 2020. Rising debt service burdens thus threaten Chinese consumers’ capacity to sustain the domestic consumption-focused “dual circulation” economic model that Xi and his advisors seek to build. China’s growth record during the past 30 years has been remarkable, but past exceptionalism does not confer future immunity from fundamental demographic and economic headwinds.

As debt levels continue to rise at an absolute level that has accelerated almost continuously for the past decade, China also faces a hollowing out of its working-age population. This critical segment peaked in 2010 and has since declined, with the rate from 2015 to 2020 nearing 0.6 percent annually—nearly twice the respective pace in the United States. While the United States faces demographic challenges of its own, the disparity between the respective paces of decline highlights its relative advantage compared to its chief geopolitical competitor. Moreover, the United States can choose to access a global demographic and talent dividend via immigration in a way China simply will not be able to do.

Atop surging debt and worsening demographics, China also faces resource insecurity. China’s dependence on imported food and energy has grown steadily over the past two decades. Projections from Tsinghua University make a compelling case that China’s oil and gas imports will peak between 2030 and 2035. As China grapples with power shortages, Beijing has been reminded that supply shortfalls equal to even a few percentage points of total demand can have outsized negative impacts.

Domestic resource insufficiency by itself does not hinder economic growth—as the Four Asian Tigers’ multi-decade boom attests. But China is in a different position. Japan and South Korea never had to worry about the U.S. Navy interdicting inbound tankers or grain ships. In fact, the United States was avowedly willing to use military force to protect energy flows from the Persian Gulf region to its allies. Now, as an increasingly energy-secure United States pivots away from the Middle East toward the Indo-Pacific, there is a substantial probability that energy shipping route protection could be viewed in much more differentiated terms—with oil and liquefied natural gas cargoes sailing under the Chinese flag viewed very differently than cargoes headed to buyers in other regional countries.

Each of these dynamics—demographic downshifts, rising debts, resource supply insecurity—either imminently threatens or is already actively interfering with the CCP’s long-cherished goal of achieving a “moderately prosperous society.” Electricity blackouts, real estate sector travails (like those of Evergrande) that show just how many Chinese investors’ financial eggs now sit in an unstable $52 trillion basket, and a solidifying alignment of countries abroad concerned by aggressive Chinese behavior all raise questions about Xi’s ability to deliver. With this confluence of adverse events only a year before the next party congress, where personal ambition and survival imperatives will almost drive him to seek anointment as the only Chinese “leader for life” aside from former leader Mao Zedong, the timing only fuels his sense of insecurity. Xi’s anti-corruption campaigns and ruthless removal of potential rivals and their supporters solidified his power but likely also created a quiet corps of opponents who may prove willing to move against him if events create the perception he’s lost the “mandate of heaven.” Accordingly, the baseline assumption should be that Xi’s crown sits heavy and the insecurity induced is thereby intense enough to drive high-stake, high-consequence posturing and action.

While Xi is under pressure to act, the external risks are magnified because so far, he has suffered few consequences from taking actions on issues his predecessors would likely never have gambled on. Reactions to party predations in Xinjiang and Hong Kong have been restricted to diplomatic-signaling pinpricks, such as sanctioning responsible Chinese officials and entities, most of whom lack substantial economic ties to the United States. Whether U.S. restraint results from a fear of losing market access or a belief that China’s goals are ultimately limited is not clear at this time.

While the CCP issues retaliatory sanctions against U.S. officials and proclaims a triumphant outcome to its hostage diplomacy, these tactical public actions mask a growing private awareness that China’s latitude for irredentist action is poised to shrink. Not knowing exactly when domestic and external constraints will come to bite—but knowing that when Beijing sees the tipping point in its rearview mirror, major rivals will recognize it too—amplifies Xi and the party’s anxiety to act on a shorter timeline. Hence the dramatic acceleration of the last few years.

Just as China is mustering its own strategic actions, so the United States must also intensify its focus and deployment of resources. The United States has taken too long to warm up and confront the central challenge, but it retains formidable advantages, agility, and the ability to prevail—provided it goes all-in now. Conversely, if Washington fails to marshal its forces promptly, its achievements after 2030 or 2035 will matter little. Seizing the 2020s would enable Beijing to ~~cripple~~ [destroy] the free and open rules-based order and entrench its position by economically subjugating regional neighbors (including key U.S. treaty allies) to a degree that could offset the strategic headwinds China now increasingly grapples with.

Deterrence is never certain. But it offers the highest probability of avoiding the certainty that an Indo-Pacific region dominated by a CCP-led China would doom treaty allies, threaten the U.S. homeland, and likely set the stage for worse to come. Accordingly, U.S. planners should immediately mobilize resources and effort as well as accept greater risks to deter Chinese action over the critical next decade.

The greatest threat is armed conflict over Taiwan, where U.S. and allied success or failure will be fundamental and reverberate for the remainder of the century. There is a high chance of a major move against Taiwan by the late 2020s—following an extraordinary ramp-up in People’s Liberation Army capabilities and before Xi or the party state’s power grasp has ebbed or Washington and its allies have fully regrouped and rallied to the challenge.

So how should policymakers assess the potential risk of Chinese action against Taiwan reaching dangerous levels by 2027 or possibly even earlier—as emphasized in the testimonies of Adms. Philip Davidson and John Aquilino? In June, Chairman of the Joint Chiefs Gen. Mark Milley testified to the House of Representatives that Xi had “challenged the People’s Liberation Army to accelerate their modernization programs to develop capabilities to seize Taiwan and move it from 2035 to 2027,” although China does not currently have the capabilities or intentions to conduct an all-out invasion of mainland Taiwan.

U.S. military leaders’ assessments are informed by some of the world’s most extensive and sophisticated internal information. But what’s striking is open-source information available to everyone suggests similar things. Moving forward, a number of open-source indicators offer valuable “early warning lights” that can help policymakers more accurately calibrate both potential timetables and risk readings as the riskiest period of relations—from 2027 onward—approaches.

Semiconductors supply self-sufficiency. Taiwan is the “OPEC+” of semiconductors, accounting for approximately two-thirds of global chip foundry capacity. A kinetic crisis would almost certainly disrupt—and potentially even completely curtail—semiconductor supplies. China presently spends even more each year on semiconductor imports (around $380 billion) than it does on oil, but much of the final products are destined for markets abroad. Taiwan is producing cutting-edge 5-nanometer and 7-nanometer chips, but China produces around 80 percent of the rest of the chips in the world. The closer China comes to being able to secure “good enough” chips for “inside China-only” needs, the less of a constraint this becomes.

Crude oil, grain, strategic metals stockpiles—the commercial community (Planet Labs, Ursa Space Systems, etc.) has developed substantial expertise in cost-effectively tracking inventory changes for key input commodities needed to prepare for war.

Electric vehicle fleet size—the amount of oil demand displaced by electric vehicles varies depending on miles driven, but the more of China’s car fleet that can be connected to the grid (and thus powered by blockade-resistant coal), the less political burden Beijing will face if it has to weather a maritime oil blockade imposed in response to actions it took against Taiwan or other major revisionist adventures. China’s passenger vehicle fleet, now approximately 225 million units strong, counts nearly 6.5 million electric vehicles among its ranks, the lion’s share of which are full-battery electrics. China’s State Council seeks to have 20 percent of new vehicles sold in China be electric vehicles by 2025. This target has already basically been achieved over the last few months, meaning at least 3.5 to 4 million (and eventually many more) new elective vehicles will enter China’s car fleet each year from now on.

Local concentration of maritime vessels—snap exercises with warships, circumnavigations, and midline tests with swarms of aircraft highlight the growing scale of China’s threat to Taiwan. But these assets alone cannot invade the island. To capture and garrison, Beijing would need not only air, missile, naval, and special operations forces but also the ability to move lots of equipment and—at the very least—tens of thousands of personnel across the Taiwan Strait. As such, Beijing would have to amass maritime transport assets. And given the scale required, this would alter ship patterns elsewhere along China’s coast in ways detectable with artificial intelligence-facilitated imagery analysis from firms like Planet Labs (or national assets).

Only the most formidable, agile American and allied deterrence can kick the can down the road long enough for China’s slowdown to shut the window of vulnerability. Holding the line is likely to require frequent and sustained proactive enforcement actions to disincentivize full-frontal Chinese assaults on the rules-based order in the Indo-Pacific. Chinese probing behavior and provocations must be met with a range of symmetric and asymmetric responses that impose real costs, such as publishing assets owned by Chinese officials abroad, cyber interference with China’s technological social control apparatus, “hands on” U.S. Navy and Coast Guard enforcement measures against Maritime Militia-affiliated vessels in the South China Sea, intensified air and maritime surveillance of Chinese naval bases, and visas and resettlement options to Hong Kongers, Uyghurs, and other threatened Chinese citizens—including CCP officials (and their families) who seek to defect and/or leave China. U.S. policymakers must make crystal clear to their Chinese counterparts that the engagement-above-all policies that dominated much of the past 25 years are over and the risks and costs of ongoing—and future—adventurism will fall heaviest on China.

Bombastic Chinese reactions to emerging cohesive actions verify the approach’s effectiveness and potential for halting—and perhaps even reversing—the revisionist tide China has unleashed across the Asian region. Consider the recent nuclear submarine deal among Australia, the United States, and the United Kingdom. Beijing’s strong public reaction (including toleration of nuclear threats made by the state-affiliated *Global Times*) highlights the gap between its global information war touting China’s irresistible power and deeply insecure internal self-perception. Eight nuclear submarines will ultimately represent formidable military capacity, but for a bona fide superpower that believes in its own capabilities, they would not be a game-changer. Consider the U.S.-NATO reaction to the Soviet Union’s commissioning of eight Oscar I/II-class cruise missile subs during the late Cold War. These formidable boats each carried 24 SS-N-19 Granit missiles specifically designed to kill U.S. carrier battle groups, yet NATO never stooped to public threats.

With diplomatic proofs of concepts like the so-called AUKUS deal, the Quadrilateral Security Dialogue, and hard security actions like the Pacific Deterrence Initiative now falling into place, it is time to comprehensively peak the non-authoritarian world’s protective action to hold the line in the Indo-Pacific. During this decade, U.S. policymakers must understand that under Xi’s strongman rule, personal political survival will dictate Chinese behavior. Xi’s recreation of a “one-man” system is a one-way, high-leverage bet that decisions he drives will succeed.

If Xi miscalculates, a significant risk given his suppression of dissenting voices while China raises the stakes in its confrontation with the United States, the proverbial “leverage” that would have left him with outsized returns on a successful bet would instead amplify the downside, all of which he personally and exclusively signed for. Resulting tensions could very realistically undermine his status and authority, embolden internal challengers, and weaken the party. They could also foreseeably drive him to double down on mistakes, especially if those led to—or were made in the course of—a kinetic conflict. Personal survival measures could thus rapidly transmute into regional or even global threats.

If Xi triggered a “margin call” on his personal political account through a failed high-stakes gamble, it would likely be paid in blood. Washington must thus prepare the U.S. electorate and its institutional and physical infrastructure as well as that of allies and partners abroad for the likelihood that tensions will periodically ratchet up to uncomfortable levels—and that actual conflict is a concrete possibility. Si vis pacem, para bellum (“if you want peace, prepare for war”) must unfortunately serve as a central organizing principle for a variety of U.S. and allied decisions during the next decade with China.

Given these unforgiving dynamics and stakes, implications for U.S. planners are stark: Do whatever remains possible to “peak” for deterrent competition against China by the mid-to-late 2020s, and accept whatever trade-offs are available for doing so.

Nothing we might theoretically achieve in 2035 and beyond is worth pursuing at the expense of China-credible capabilities we can realistically achieve no later than the mid-to-late 2020s.

#### Pursuit inevitable – decline causes global war

Beckley 15 (Michael Beckley is a research fellow in the International Security Program at Harvard Kennedy School’s Belfer Center for Science and International Affairs., “The Myth of Entangling Alliances Michael Beckley Reassessing the Security Risks of U.S. Defense Pacts”, http://live.belfercenter.org/files/IS3904\_pp007-048.pdf)

The finding that U.S. entanglement is rare has important implications for international relations scholarship and U.S. foreign policy. For scholars, it casts doubt on classic theories of imperial overstretch in which great powers exhaust their resources by accumulating allies that free ride on their protection and embroil them in military quagmires.22 The U.S. experience instead suggests that great powers can dictate the terms of their security commitments and that allies often help their great power protectors avoid strategic overextension.

For policy, the rarity of U.S. entanglement suggests that the United States’ current grand strategy of deep engagement, which is centered on a network of standing alliances, does not preclude, and may even facilitate, U.S. military restraint. Since 1945 the United States has been, by some measures, the most militarily active state in the world. The most egregious cases of U.S. overreach, however, have stemmed not from entangling alliances, but from the penchant of American leaders to define national interests expansively, to overestimate the magnitude of foreign threats, and to underestimate the costs of military intervention. Scrapping alliances will not correct these bad habits. In fact, disengaging from alliances may unleash the United States to intervene recklessly abroad while leaving it without partners to share the burden when those interventions go awry.

### 1NC – Off

#### Climate change makes water shortages inevitable – that causes hydro-political conflict escalation which goes nuclear

Jamail 19 [(Dahr, writes for *Truthout* about climate change issues, recipient of the 2008 Martha Gellhorn Prize for Journalism, frequent guest on *Democracy Now!*) “The World Is on the Brink of Widespread Water Wars,” Truth Out, 2/11/2019] JL

Mark’s words should be a call to attention, and a call to action. The plight of farmers in Australia illustrates a larger reality: As planetary temperatures continue to increase and rainfall patterns shift due to human-caused climate disruption, our ability to grow crops and have enough drinking water will become increasingly challenged, and the outlook is only going to worsen.

The most recent United Nations Intergovernmental Panel on Climate Change report warned of increasingly intense droughts and mass water shortages around large swaths of the globe.

But even more conservative organizations have been sounding the alarm. “Water insecurity could multiply the risk of conflict,” warns one of the World Bank’s reports on the issue. “Food price spikes caused by droughts can inflame latent conflicts and drive migration. Where economic growth is impacted by rainfall, episodes of droughts and floods have generated waves of migration and spikes in violence within countries.”

Meanwhile, a study published in the journal Global Environmental Change, looked at how “hydro-political issues” — including tensions and potential conflicts — could play out in countries expected to experience water shortages coupled with high populations and pre-existing geopolitical tensions.

The study warned that these factors could combine to increase the likelihood of water-related tensions — potentially escalating into armed conflict in cross-boundary river basins in places around the world by 74.9 to 95 percent. This means that in some places conflict is practically guaranteed.

These areas include regions situated around primary rivers in Asia and North Africa. Noted rivers include the Tigris and Euphrates, the Indus, the Nile, and the Ganges-Brahmaputra.

Consider the fact that 11 countries share the Nile River basin: Egypt, Burundi, Kenya, Eritrea, Ethiopia, Uganda, Rwanda, Sudan, South Sudan, Tanzania and the Democratic Republic of Congo. All told, more than 300 million people already live in these countries, — a number that is projected to double in the coming decades, while the amount of available water will continue to shrink due to climate change.

For those in the US thinking these potential conflicts will only occur in distant lands — think again. The study also warned of a very high chance of these “hydro-political interactions” in portions of the southwestern US and northern Mexico, around the Colorado River.

Potential tensions are particularly worrisome in India and Pakistan, which are already rivals when it comes to water resources. For now, these two countries have an agreement, albeit a strained one, over the Indus River and the sharing of its water, by way of the 1960 Indus Water Treaty.

However, water claims have been central to their ongoing, burning dispute over the Kashmir region, a flashpoint area there for more than 60 years and counting.

The aforementioned treaty is now more strained than ever, as Pakistan accuses India of limiting its water supply and violating the treaty by placing dams over various rivers that flow from Kashmir into Pakistan.

In fact, a 2018 report from the International Monetary Fund ranked Pakistan third among countries facing severe water shortages. This is largely due to the rapid melting of glaciers in the Himalaya that are the source of much of the water for the Indus.

To provide an idea of how quickly water resources are diminishing in both countries, statistics from Pakistan’s Islamabad Chamber of Commerce and Industry from 2018 show that water availability (per capita in cubic meters per year) shrank from 5,260 in 1951, to 940 in 2015, and are projected to shrink to 860 by just 2025.

In India, the crisis is hardly better. According to that country’s Ministry of Statistics (2016) and the Indian Ministry of Water Resources (2010), the per capita available water in cubic meters per year was 5,177 in 1951, and 1,474 in 2015, and is projected to shrink to 1,341 in 2025.

Both of these countries are nuclear powers. Given the dire projections of water availability as climate change progresses, nightmare scenarios of water wars that could spark nuclear exchanges are now becoming possible.

#### Asteroid mining solves water access – only NEOs are sufficiently proximate and hydrated – independently, storing launch fuel on asteroids reduces space debris – turns case

Tillman 19 [(Nola Taylor, has been published in Astronomy, Sky & Telescope, Scientific American, New Scientist, Science News (AAS), Space.com, and Astrobiology magazine, BA in Astrophysics) “Tons of Water in Asteroids Could Fuel Satellites, Space Exploration,” Space, 9/29/2019] JL

When it comes to mining space for water, the best target may not be the moon: Entrepreneurs' richest options are likely to be asteroids that are larger and closer to Earth.

A recent study suggested that roughly 1,000 water-rich, or hydrated, asteroids near our planet are easier to reach than the lunar surface is. While most of these space rocks are only a few feet in size, more than 25 of them should be large enough to each provide significant water. Altogether, the water locked in these asteroids should be enough to fill somewhere around 320,000 Olympics-size swimming pools — significantly more than the amount of water locked up at the lunar poles, the new research suggested.

Because asteroids are small, they have less gravity than Earth or the moon do, which makes them easier destinations to land on and lift off from. If engineers can figure out how to mine water from these space rocks, they could produce a source of ready fuel in space that would allow spacecraft designers to build refuelable models for the next generation of satellites. Asteroid mining could also fuel human exploration, saving the expense of launching fuel from Earth. In both cases, would-be space-rock miners will need to figure out how to free the water trapped in hydrated minerals on these asteroids.

"Most of the hydrated material in the near-Earth population is contained in the largest few hydrated objects," Andrew Rivkin, an asteroid researcher at Johns Hopkins University Applied Physics Research Laboratory in Maryland, told Space.com. Rivkin is the lead author on the paper, which estimated that near Earth asteroids could contain more easily accessible water than the lunar poles.

According to the United Nations Office for Outer Space Affairs, more than 5,200 of the objects launched into space are still in orbit today. While some continue to function, the bulk of them buzz uselessly over our heads every day. They carry fuel on board, and when they run out, they are either lowered into destructive orbits or left to become space junk, useless debris with the potential to cause enormous problems for working satellites. Refueling satellites in space could change that model, replacing it with long-lived, productive orbiters.

"It's easier to bring fuel from asteroids to geosynchronous orbit than from the surface of the Earth," Rivkin said. "If such a supply line could be established, it could make asteroid mining very profitable."

Hunting for space water from the surface of the Earth is challenging because the planet's atmosphere blocks the wavelength of light where water can be observed. The asteroid warming as it draws closer to the sun can also complicate measurements.

Instead, Rivkin and his colleagues turned to a class of space rocks called Ch asteroids. Although these asteroids don't directly exhibit a watery fingerprint, they carry the telltale signal of oxidized iron seen only on asteroids with signatures of water-rich minerals, which means the authors felt confident assuming that all Ch asteroids carry this rocky water.

Based on meteorite falls, a previous study estimated that Ch asteroids could make up nearly 10% of the near-Earth objects (NEOs). With this information, the researchers determined that there are between 26 and 80 such objects that are hydrated and larger than 0.62 miles (1 km) across.

Right now, only three NEOs have been classified as Ch asteroids, although others have been spotted in the asteroid belt. Most NEOs are discovered and observed at wavelengths too short to reveal the iron band that marks the class. Carbon-rich asteroids, which include Ch asteroids and other flavors, are also darker than the more common stony asteroids, making them more challenging to observe.

Although Ch asteroids definitely contain water-rich minerals, that doesn’t necessarily mean that they will always be the best bet for space mining. It comes down to risk. Would an asteroid-mining company rather visit a smaller asteroid that definitely has a moderate amount of water, or a larger one that could yield a larger payday but could also come up dry?

"Whether getting sure things with no false positives, like the Ch asteroids, is more important or if a greater range of possibilities is acceptable with the understanding that some asteroids will be duds is something the miners will have to decide," Rivkin said.

In addition to estimating the number of large, water-rich asteroids might be available, the study also found that as many as 1,050 smaller objects, roughly 300 feet (100 meters) across, may also linger near Earth. Their small bulk will make them easier to mine because their low gravity will require less fuel to escape from, but they will produce less water overall, and Rivkin expects that the handful of larger space rocks will be the first targets.

"It seems likely that the plan for these companies will be to find the largest accessible asteroid with mineable material with the expectation that it will be more cost-effective than chasing down a large number of smaller objects," Rivkin said. "How 'accessible' and 'mineable material' and 'cost-effective' are defined by each company is to be seen."

### 1NC – Off

#### CP: Space-faring nations should

#### Establish a unified system of space traffic management modeled after the International Telecommunication Union

#### Collaborate on techniques to track and display the location of objects in real time and AI to automate debris-avoidance maneuvers

#### The United States Federal Government should:

#### Shift responsibility for the Space-Track catalogue to the civilian Department of Commerce, allocating necessary funds

Nature 8/11 [(Nature Editorial Board, peer-reviewed, comprises experimental scientists and data-standards experts from across different fields of science) “The world must cooperate to avoid a catastrophic space collision,” Nature, 8/11/2021] JL

But there are no traffic cops in space, nor international borders with clearly delineated areas of responsibility. To avoid further damage, it’s crucial that satellite operators have an accurate and up-to-date list of where objects are in space. At present, the main global catalogue of space objects is published at Space-Track.org by the US Space Command, a branch of the military. The catalogue is the most widely used public listing available, but it lacks some satellites that countries — including the United States, China and Russia — have not acknowledged publicly. In part because of this lack of transparency, other nations also track space objects, and some private companies maintain commercially available catalogues.

Rather than this patchwork of incomplete sources, what the world needs is a unified system of space traffic management. Through this, spacefaring nations and companies could agree to share more of their tracking data and cooperate to make space safer. This might require the creation of a new global regime, such as an international convention, through which rules and technical standards could be organized. One analogy is the International Telecommunication Union, the United Nations agency that coordinates global telecommunications issues such as who can transmit in which parts of the radio spectrum.

It won’t be easy to create such a system for space traffic. For it to succeed, questions of safety (such as avoiding smashing up a satellite) will need to be disentangled from questions of security (such as whether that satellite is spying on another nation) so that countries can be assured that participating in such an effort would not compromise national security. Countries could, for instance, share information about the location of a satellite without sharing details of its capabilities or purpose for being in space.

One near-term move that would help would be for the United States to complete a planned shift of responsibility for the Space-Track.org catalogue from the military to the civilian Department of Commerce. Because this catalogue has historically been the most widely used around the world, shifting it to a civilian agency could start to defuse geopolitical tensions and so improve global efforts to manage space debris. It might one day feed into a global space-traffic agreement between nations; even the nascent space superpower China would have a big incentive to participate, despite rivalries with the United States. The transition was called for in a 2018 US presidential directive that recognizes that companies are taking over from national governments as the dominant players in space, but it has yet to occur, in part because Congress has not allocated the necessary funds.

On 25 August, the UN Committee on the Peaceful Uses of Outer Space will meet to discuss a range of topics related to international cooperation in space. The UN is the right forum through which spacefaring nations can work together to establish norms for responsible space behaviour, and that should include how the world can track objects to make space safer. It should continue recent work it has been doing emphasizing space as a secure and sustainable environment, which at least brings countries such as the United States and China into the same conversation.

Basic research has a role, too: innovations such as techniques to track and display the locations of orbiting objects in real time, and artificial intelligence to help automate debris-avoidance manoeuvres, could bolster any global effort to monitor and regulate space.

If governments and companies around the world do not take urgent action to work together to make space safer, they will one day face a catastrophic collision that knocks out one or more satellites key to their safety, economic well-being or both. Space is a global commons and a global resource. A global organization responsible for — and capable of — managing the flow of space traffic is long overdue.

## 1NC – Case

### Debris

#### Alt cause – broad space privatization and existing debris.

Muelhapt et al 19 [(Theodore J., Center for Orbital and Reentry Debris Studies, Center for Space Policy and Strategy, The Aerospace Corporation, 30 year Space Systems Analyst and Operator, Marlon E. Sorge, Jamie Morin, Robert S. Wilson), “Space traffic management in the new space era,” Journal of Space Safety Engineering, 6/18/19, https://doi.org/10.1016/j.jsse.2019.05.007] TDI

The last decade has seen rapid growth and change in the space industry, and an explosion of commercial and private activity. Terms like NewSpace or democratized space are often used to describe this global trend to develop faster and cheaper access to space, distinct from more traditional government-driven activities focused on security, political, or scientific activities. The easier access to space has opened participation to many more participants than was historically possible. This new activity could profoundly worsen the space debris environment, particularly in low Earth orbit (LEO), but there are also signs of progress and the outlook is encouraging. Many NewSpace operators are actively working to mitigate their impact. Nevertheless, NewSpace represents a significant break with past experience and business as usual will not work in this changed environment. New standards, space policy, and licensing approaches are powerful levers that can shape the future of operations and the debris environment.

2. Characterizing NewSpace: a step change in the space environment

In just the last few years, commercial companies have proposed, funded, and in a few cases begun deployment of very large constellations of small to medium-sized satellites. These constellations will add much more complexity to space operations. Table 1 shows some of the constellations that have been announced for launch in the next decade. Two dozen companies, when taken together, have proposed placing well over ~~20,000~~ [twenty thousand] satellites in orbit in the next ~~10~~ [10]years. For perspective, fewer than ~~8100~~[eight thousand one hundred] payloads have been placed in Earth orbit in the entire history of the space age, only 4800 [1] remain in orbit and approximately 1950 [2] of those are still active. And it isn't simply numbers – the mass in orbit will increase substantially, and long-term debris generation is strongly correlated with mass.

[Table 1 Omitted]

This table is in constant flux. It is based largely on U.S. filings with the Federal Communications Commission (FCC) and various press releases, but many of the companies here have already altered or abandoned their original plans, and new systems are no doubt in work. Although many of these large constellations may never be launched as listed, the traffic created if just half are successful would be more than double the number of payloads launched in the last 60 years and more than 6 times the number of currently active satellites.

Current space safety, space surveillance, collision avoidance (COLA) and debris mitigation processes have been designed for and have evolved with the current population profile, launch rates and density of LEO space.

By almost any metric used to measure activity in space, whether it is payloads in orbit, the size of constellations, the rate of launches, the economic stakes, the potential for debris creation, the number of conjunctions, NewSpace represents a fundamental change.

3. Compounding effects of better SSA, more satellites, and new operational concepts

The changes in the space environment can be seen on this figurative map of low Earth orbit. Fig. 1 shows the LEO environment as a function of altitude. The number of objects found in each 10 km “bin” is plotted on the horizontal axis, while the altitude is plotted vertically. Objects in elliptical orbits are distributed between bins as partial objects proportional to the time spent in each bin. Some notable resident systems are indicated in blue text on the right to provide an altitude reference. The (dotted) red line shows the number of objects in the current catalog tracked by the U.S. Space Surveillance Network (SSN). All the COLA alerts and actions that must be taken by the residents are due to their neighbors in the nearby bins, so the currently visible risk is proportional to the red line.

The red line of the current catalog does not represent the complete risk; it indicates the risk we can track and perhaps avoid. A rule of thumb is that the current SSN LEO catalog contains objects about 10 cm or larger. It is generally accepted that an impact in LEO with an object 1 cm or larger will cause damage likely to be fatal to a satellite's mission. Therefore, there is a large latent risk from unobserved debris. While we cannot currently track and catalog much smaller than 10 cm, experiments have been performed to detect and sample much smaller objects and statistically model the population at this size [3]. The (solid) blue line represents the model of the 1 cm and larger debris that is likely mission-ending, usually called lethal but not trackable. If LEO operators avoid collisions with all the objects in the red line, they are nonetheless inherently accepting the risk from the blue line. This risk is already present.

The (dashed) orange line is an estimate of the population at 5 cm and larger and is thus an estimate of what the catalog might conservatively be a few years after the Space Fence, a new radar system being built by the Air Force, comes on line (currently planned for 2019) [4]. Commercial companies offering space surveillance services, such as LeoLabs, ExoAnalytics, Analytic Graphics Inc., Lockheed, and Boeing, might also add to the number of objects currently tracked. Space Policy Directive 3 (SPD-3) [13] specifically seeks to expand the use of commercial SSA services.

Existing operators can expect a sharp increase in the number of warnings and alerts they will receive because of the increase in the cataloged population. Almost all the increase will come from newly detected debris [5].

The pace of safety operations for each satellite on orbit will significantly change because of the increase in the catalog from the Space Fence. This effect is compounded because the NewSpace constellations described in Table 1 will drastically change the profile of satellites in LEO. The green bars in Fig. 1 represent the number of objects that will be added to the catalog (red or orange lines) from only the NewSpace large LEO constellations at their operational altitudes. This does not include the rocket stages that launch them, or satellites in the process of being phased into or removed from the operational orbits. Neighbors of one of these new constellations may face a radically different operations environment than their current practices were designed to address.

Satellites in these large LEO constellations typically have planned operational lifetimes of 5–10 years. Some companies have proposed to dispose of their satellites using low thrust electric propulsion systems, which would spiral satellites down over a period of months or years from operating altitudes as high as 1500 km through lower orbits where the Hubble Space Telescope, the International Space Station, and other critical LEO satellites operate [6]. Similar propulsive techniques would raise replacement satellites from lower launch injection orbits to higher operational orbits. These disposal and replenishment activities will add thousands of satellites each year transiting through lower altitudes and posing a risk to all resident satellites in those lower orbits. More importantly, failures will occur both among transiting satellites and operational constellations, potentially leaving hundreds more stranded along the transit path.

1. **nProbability – 0.1% chance of a collision.**

**Salter 16** [(Alexander William, Economics Professor at Texas Tech) “SPACE DEBRIS: A LAW AND ECONOMICS ANALYSIS OF THE ORBITAL COMMONS” 19 STAN. TECH. L. REV. 221 \*numbers replaced with English words] TDI

The probability of a collision is currently low. Bradley and Wein estimate that the maximum probability in LEO of a collision over the lifetime of a spacecraft remains below one in one thousand, conditional on continued compliance with NASA’s deorbiting guidelines.3 However, the possibility of a future “snowballing” effect, whereby debris collides with other objects, further congesting orbit space, remains a significant concern.4 Levin and Carroll estimate the average immediate destruction of wealth created by a collision to be approximately $30 million, with an additional $200 million in damages to all currently existing space assets from the debris created by the initial collision.5 The expected value of destroyed wealth because of collisions, currently small because of the low probability of a collision, can quickly become significant if future collisions result in runaway debris growth.

1. **Time frame – Kessler effect 200 years away**

**Stubbe 17** [(Peter, PhD in law @ Johann Wolfgang Goethe University Frankfurt) “State Accountability for Space Debris: A Legal Study of Responsibility for Polluting the Space Environment and Liability for Damage Caused by Space Debris,” Koninklijke Brill Publishing, ISBN 978-90-04-31407-8, p. 27-31] TDI

The prediction of possible scenarios of the future evolution of the debris p o p ulation involves many uncertainties. Long-term forecasting means the prediction of the evolution of the future debris environment in time periods of decades or even centuries. Predictions are based on models84 that work with certain assumptions, and altering these parameters significantly influences the outcomes of the predictions. Assumptions on the future space traffic and on the initial object environment are particularly critical to the results of modeling efforts.85 A well-known pattern for the evolution of the debris population is the so-called Kessler effect’, which assumes that there is a certain collision probability among space objects because many satellites operate in similar orbital regions. These collisions create fragments, and thus additional objects in the respective orbits, which in turn enhances the risk of further collisions. Consequently, the num ber of objects and collisions increases exponentially and eventually results in the formation of a self-sustaining debris belt aroundthe Earth. While it has long been assumed that such a process of collisional cascading is likely to occur only in a very long-term perspective (meaning a time 1 n of several hundred years),87 a consensus has evolved in recent years that an uncontrolled growth of the debris population in certain altitudes could become reality much sooner.88 In fact, a recent cooperative study undertaken by various space agencies in the scope of i a d c shows that the current l e o debris population is unstable, even if current mitigation measures are applied. The study concludes:

Even with a 90% implementation of the commonly-adopted mitigation measures [...] the l e o debris population is expected to increase by an average of 30% in the next 200 years. The population growth is primarily driven by catastrophic collisions between 700 and 1000 km altitudes and such collisions are likely to occur every 5 to 9 years.89

1. **No ‘space war’ – Insurmountable barriers and everyone has an interest in keeping space peaceful**

**Dobos 19** [(Bohumil Doboš, scholar at the Institute of Political Studies, Faculty of Social Sciences, Charles University in Prague, Czech Republic, and a coordinator of the Geopolitical Studies Research Centre) “Geopolitics of the Outer Space, Chapter 3: Outer Space as a Military-Diplomatic Field,” Pgs. 48-49] TDI

Despite the theorized potential for the achievement of the terrestrial dominance throughout the utilization of the ultimate high ground and the ease of destruction of space-based assets by the potential space weaponry, the utilization of space weapons is with current technology and no effective means to protect them far from fulfilling this potential (Steinberg 2012, p. 255). In current global international political and technological setting, the utility of space weapons is very limited, even if we accept that the ultimate high ground presents the potential to get a decisive tangible military advantage (which is unclear). This stands among the reasons for the lack of their utilization so far. Last but not the least, it must be pointed out that the states also develop passive defense systems designed to protect the satellites on orbit or critical capabilities they provide. These further decrease the utility of space weapons. These systems include larger maneuvering capacities, launching of decoys, preparation of spare satellites that are ready for launch in case of ASAT attack on its twin on orbit, or attempts to decrease the visibility of satellites using paint or materials less visible from radars (Moltz 2014, p. 31). Finally, we must look at the main obstacles of connection of the outer space and warfare. The first set of barriers is comprised of physical obstructions. As has been presented in the previous chapter, the outer space is very challenging domain to operate in. Environmental factors still present the largest threat to any space military capabilities if compared to any man-made threats (Rendleman 2013, p. 79). A following issue that hinders military operations in the outer space is the predictability of orbital movement. If the reconnaissance satellite's orbit is known, the terrestrial actor might attempt to hide some critical capabilities-an option that is countered by new surveillance techniques (spectrometers, etc.) (Norris 2010, p. 196)-but the hide-and-seek game is on. This same principle is, however, in place for any other space asset-any nation with basic tracking capabilities may quickly detect whether the military asset or weapon is located above its territory or on the other side of the planet and thus mitigate the possible strategic impact of space weapons not aiming at mass destruction. Another possibility is to attempt to destroy the weapon in orbit. Given the level of development for the ASAT technology, it seems that they will prevail over any possible weapon system for the time to come. Next issue, directly connected to the first one, is the utilization of weak physical protection of space objects that need to be as light as possible to reach the orbit and to be able to withstand harsh conditions of the domain. This means that their protection against ASAT weapons is very limited, and, whereas some avoidance techniques are being discussed, they are of limited use in case of ASAT attack. We can thus add to the issue of predictability also the issue of easy destructibility of space weapons and other military hardware (Dolman 2005, p. 40; Anantatmula 2013, p. 137; Steinberg 2012, p. 255). Even if the high ground was effectively achieved and other nations could not attack the space assets directly, there is still a need for communication with those assets from Earth. There are also ground facilities that support and control such weapons located on the surface. Electromagnetic communication with satellites might be jammed or hacked and the ground facilities infiltrated or destroyed thus rendering the possible space weapons useless (Klein 2006, p. 105; Rendleman 2013, p. 81). This issue might be overcome by the establishment of a base controlling these assets outside the Earth-on Moon or lunar orbit, at lunar L-points, etc.-but this perspective remains, for now, unrealistic. Furthermore, no contemporary actor will risk full space weaponization in the face of possible competition and the possibility of rendering the outer space useless. No actor is dominant enough to prevent others to challenge any possible attempts to dominate the domain by military means. To quote 2016 Stratfor analysis, "(a) war in space would be devastating to all, and preventing it, rather than finding ways to fight it, will likely remain the goal" (Larnrani 20 16). This stands true unless some space actor finds a utility in disrupting the arena for others.

#### dSpace debris creates existential deterrence and a taboo

Bowen 18 [(Bleddyn, lecturer in International Relations at the University of Leicester) “The Art of Space Deterrence,” European Leadership Network, February 20, 2018, https://www.europeanleadershipnetwork.org/commentary/the-art-of-space-deterrence/] TDI

Fourth, the ubiquity of space infrastructure and the fragility of the space environment may create a degree of existential deterrence. As space is so useful to modern economies and military forces, a large-scale disruption of space infrastructure may be so intuitively escalatory to decision-makers that there may be a natural caution against a wholesale assault on a state’s entire space capabilities because the consequences of doing so approach the mentalities of total war, or nuclear responses if a society begins tearing itself apart because of the collapse of optimised energy grids and just-in-time supply chains. In addition, the problem of space debris and the political-legal hurdles to conducting debris clean-up operations mean that even a handful of explosive events in space can render a region of Earth orbit unusable for everyone. This could caution a country like China from excessive kinetic intercept missions because its own military and economy is increasingly reliant on outer space, but perhaps not a country like North Korea which does not rely on space. The usefulness, sensitivity, and fragility of space may have some existential deterrent effect. China’s catastrophic anti-satellite weapons test in 2007 is a valuable lesson for all on the potentially devastating effect of kinetic warfare in orbit.

#### Alliances check miscalc – too costly

MacDonald 13 [(Bruce, teaches at the United States Institute of Peace on strategic posture and space/cyber security issues, leads a study on China and Crisis Stability in Space, and is adjunct professor at the Johns Hopkins School of Advanced International Studies) “Deterrence and Crisis Stability in Space and Cyberspace,” in Anti-satellite Weapons, Deterrence and Sino-American Space Relations, September 2013, https://apps.dtic.mil/dtic/tr/fulltext/u2/a587431.pdf] TDI

The US alliance structure can promote deterrence and crisis stability in space, as with nuclear deterrence. China has no such alliance system. If China were to engage in large-scale offensive counter-space operations, it would face not only the United States, but also NATO, Japan, South Korea and other highly aggrieved parties. Given Beijing’s major export dependence on these markets, and its dependence upon them for key raw material and high technology imports, China would be as devastated economically if it initiated strategic attacks in space. In contrast to America’s nuclear umbrella and extended deterrence, US allies make a tangible and concrete contribution to extended space deterrence through their multilateral participation in and dependence upon space assets. Attacks on these space assets would directly damage allied interests as well as those of the United States, further strengthening deterrent effects.

#### No miscalc – ev Johnson indicates 300,000

### Miscalc

#### 1hNo internal link to multilat – Beard isn’t reverse causal – it just says countries like China and Russia are not involved in space governance now, not that including all countries boosts cred

#### Heg turns multilat – US leadership is comparatively better, multilateralism won’t be able to constrain china – anything else waters down alliances and doesn’t provide a deterrent

#### No terminal impact – cards make vague references to disease and warming or different war scenarios but no reason why those cause extinction

#### Burnout and variation check disease

York 14 (Ian, head of the Influenza Molecular Virology and Vaccines team in the Immunology and Pathogenesis Branch of the Influenza Division at the CDC, PhD in Molecular Virology and Immunology from McMaster University, M.Sc. in Veterinary Microbiology and Immunology from the University of Guelph, former Assistant Prof of Microbiology & Molecular Genetics at Michigan State, “Why Don't Diseases Completely Wipe Out Species?” 6/4/2014, http://www.quora.com/Why-dont-diseases-completely-wipe-out-species)

But mostly diseases don't drive species extinct. There are several reasons for that. For one, the most dangerous diseases are those that spread from one individual to another. If the disease is highly lethal, then the population drops, and it becomes less likely that individuals will contact each other during the infectious phase. Highly contagious diseases tend to burn themselves out that way.¶ Probably the main reason is variation. Within the host and the pathogen population there will be a wide range of variants. Some hosts may be naturally resistant. Some pathogens will be less virulent. And either alone or in combination, you end up with infected individuals who survive.¶ We see this in HIV, for example. There is a small fraction of humans who are naturally resistant or altogether immune to HIV, either because of their CCR5 allele or their MHC Class I type. And there are a handful of people who were infected with defective versions of HIV that didn't progress to disease. ¶ We can see indications of this sort of thing happening in the past, because our genomes contain many instances of pathogen resistance genes that have spread through the whole population. Those all started off as rare mutations that conferred a strong selection advantage to the carriers, meaning that the specific infectious diseases were serious threats to the species.

#### No extinction – it takes 12 degrees without adaptation

Farquhar et al 17 [Sebastian Farquhar (PhD Candidate in Philosophy at Oxford and Project Manager at Future of Humanity Institute), John Halstead (climate activist and one of the co-founders of 350 Indiana-Calumet), Owen Cotton-Barratt (PhD in pure mathematics at Oxford. Previously worked as an academic mathematician and as Director of Research at the Centre for Effective Altruism), Stefan Schubert (Researcher at Department of Experimental Psychology at University of Oxford), Haydn Belfield (Associate Fellow at the Leverhulme Centre for the Future of Intelligence. He has a background in policy and politics, including as a Senior Parliamentary Researcher to a British Shadow Cabinet Minister, as a Policy Associate to the University of Oxford’s Global Priorities Project, and a degree in Philosophy, Politics and Economics from Oriel College, University of Oxford), Andrew Snyder-Beattie (Director of Research at the Future of Humanity Institute at Oxford, Holds degrees in biomathematics and economics and is currently pursuing a PhD in Zoology at Oxford), Existential Risk: Diplomacy and Governance, Global Priorities Project (Bostrom’s Institute), 2017-01-23, https://www.fhi.ox.ac.uk/wp-content/uploads/Existential-Risks-2017-01-23.pdf] TDI

The most likely levels of global warming are very unlikely to cause human extinction.15 The existential risks of climate change instead stem from tail risk climate change – the low probability of extreme levels of warming – and interaction with other sources of risk. It is impossible to say with confidence at what point global warming would become severe enough to pose an existential threat. Research has suggested that warming of 11-12°C would render most of the planet uninhabitable,16 and would completely devastate agriculture.17 This would pose an extreme threat to human civilisation as we know it.18 Warming of around 7°C or more could potentially produce conflict and instability on such a scale that the indirect effects could be an existential risk, although it is extremely uncertain how likely such scenarios are.19 Moreover, the timescales over which such changes might happen could mean that humanity is able to adapt enough to avoid extinction in even very extreme scenarios. The probability of these levels of warming depends on eventual greenhouse gas concentrations. According to some experts, unless strong action is taken soon by major emitters, it is likely that we will pursue a medium-high emissions pathway.20 If we do, the chance of extreme warming is highly uncertain but appears non-negligible. Current concentrations of greenhouse gases are higher than they have been for hundreds of thousands of years,21 which means that there are significant unknown unknowns about how the climate system will respond. Particularly concerning is the risk of positive feedback loops, such as the release of vast amounts of methane from melting of the arctic permafrost, which would cause rapid and disastrous warming.22 The economists Gernot Wagner and Martin Weitzman have used IPCC figures (which do not include modelling of feedback loops such as those from melting permafrost) to estimate that if we continue to pursue a medium-high emissions pathway, the probability of eventual warming of 6°C is around 10%,23 and of 10°C is around 3%.24 These estimates are of course highly uncertain. It is likely that the world will take action against climate change once it begins to impose large costs on human society, long before there is warming of 10°C. Unfortunately, there is significant inertia in the climate system: there is a 25 to 50 year lag between CO2 emissions and eventual warming,25 and it is expected that 40% of the peak concentration of CO2 will remain in the atmosphere 1,000 years after the peak is reached.26 Consequently, it is impossible to reduce temperatures quickly by reducing CO2 emissions. If the world does start to face costly warming, the international community will therefore face strong incentives to find other ways to reduce global temperatures.